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SENATE

TUESDAY, MAY 28, 1940

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Lord of infinite power and might, who art revealed chiefly in showing mercy unto Thy children, who didst condescend to wear the robe of our humanity that man might discover the potentiality of his greatness as a Son of the Most High: We beseech Thee to bestow upon every citizen of our country a new and deeper consciousness of his responsibility to God and to the world. Help us first to be true to ourselves, and it must follow as the night the day we cannot then be false to any man. Help us to realize that religion is but another name for patriotism to God, and henceforth we shall appraise men not as to whether they are great or small but whether they are right or wrong in the use of the power that has been put into their hands, and grant that we, as a people, may never abuse it unless it be to err on the side of mercy.

Steady us by the refining hand of discipline; may we know no fear save that of being false to Thee; may we hate nothing but the sin that mars the life and unmakes the character of man, and in this, our testing time, may we speak with a voice not to inflame but to convince the world of the courage, hope, and nobility of purpose of America, as we seek not to conquer men or nations but their prejudices which fan to flame the passions in this unholy war.

We ask it in the name and for the sake of Jesus Christ, our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Monday, May 27, 1940, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Capper	Gibson	Johnson, Calif.
Ashurst	Caraway	Gillette	Johnson, Colo.
Austin	Chandler	Guffey	King
Bailey	Chavez	Gurney	La Follette
Bankhead	Clark, Idaho	Hale	Lee
Barkley	Clark, Mo.	Harrison	Lodge
Bilbo	Connally	Hatch	Lucas
Bridges	Danaher	Hayden	Lundeen
Brown	Davis	Herring	McCarran
Bulow	Donahey	Hill	McKellar
Burke	Ellender	Holman	McNary
Byrd	George	Holt	Maloney
Byrnes	Gerry	Hughes	Mead
Miller	Pittman	Smathers	Truman
Minton	Radcliffe	Smith	Tydings
Murray	Reynolds	Stewart	Vandenberg
Neely	Russell	Taft	Van Nuys
Norris	Schwartz	Thomas, Idaho	Wagner
Nye	Schwellenbach	Thomas, Okla.	Walsh
O'Mahoney	Sheppard	Thomas, Utah	Wheeler
Overton	Shipstead	Tobey	White
Pepper	Slattery	Townsend	Wiley

Mr. MINTON. I announce that the Senator from Rhode Island [Mr. GREEN] is unavoidably detained from the Senate.

The Senator from California [Mr. DOWNEY] is absent on official business for the Committee on Banking and Currency.

The Senator from Florida [Mr. ANDREWS], the Senator from Washington [Mr. BONE], and the Senator from Virginia [Mr. GLASS] are necessarily absent.

Mr. AUSTIN. I announce that the Senator from New Jersey [Mr. BARBOUR] is necessarily absent from the Senate in connection with his duties at the New Jersey State Republican Convention.

The Senator from North Dakota [Mr. FRAZIER] is necessarily absent.

The Senator from Kansas [Mr. REED] is absent on official business for the Committee Investigating Campaign Expenditures.

The VICE PRESIDENT. Eighty-eight Senators have answered to their names. A quorum is present.

CEREMONIES IN CONNECTION WITH UNVEILING OF PAINTING OF SIGNING OF THE CONSTITUTION

Mr. BARKLEY. Mr. President, while the Members of the Senate are here, I wish to make an announcement.

At the last session the Congress appropriated a sum of money to employ an artist to paint a picture of the signing of the Constitution of the United States. The joint committee appointed for that purpose employed Mr. Howard Chandler Christy to paint the picture, and it has been completed. At 3 o'clock tomorrow afternoon there will be joint ceremonies in the rotunda of the Capitol unveiling and accepting the picture. Those who have seen it have pronounced it one of the most remarkable of the pictures that have been painted and hung in the Capitol of the United States.

Because Senators are here, I now make the statement that about 2:45 o'clock tomorrow I shall ask the Senate to take a recess for about an hour in order that we may proceed to the rotunda, and there, in conjunction with the Members of the House and others who are permitted to attend, unveil and accept the picture.

AMENDMENT OF LAW RELATIVE TO ESTABLISHMENT OF POSTAL AGENCIES

The VICE PRESIDENT laid before the Senate a letter from the Acting Postmaster General, transmitting a draft of proposed legislation to amend section 4021 of the Revised Statutes

and to repeal section 4023 of the Revised Statutes relating to establishment of postal agencies, which, with the accompanying paper, was referred to the Committee on Post Offices and Post Roads.

PETITION AND MEMORIAL

The VICE PRESIDENT laid before the Senate a resolution of the Fiscal Court of Franklin County, Ky., favoring the making of prompt provision for the national defense, and also urging that the loyal support of all Americans be rendered the President of the United States in the present critical state of international affairs, which was ordered to lie on the table.

Mr. JOHNSON of California presented the following joint resolution of the Legislature of the State of California, which was referred to the Committee on the Judiciary:

Assembly joint resolution protesting the proposed attack upon the title of the State of California to its tide, submerged, and overflowed lands

Whereas more than 90 years ago the State of California, as one of the United States, by virtue of its sovereignty and the act of its admission to the Union, became the owner, in perpetual trust for its people, of all lands within its boundaries submerged by the waters along its shore, of all lands covered by the ebb and flow of its tides, and of all the lands beneath its navigable streams and lakes; and

Whereas for over 90 years the sovereign State of California has maintained uninterrupted jurisdiction over said lands, and during said years has expended vast sums of moneys of its citizens in building structures thereon and in dredging and improving its ports and harbors and in building bulkheads and breakwaters therein and thereon, and in doing all and every of the things that a free people find essential to be done to make its sovereign lands available for the beneficial uses of its citizens in commerce, education, and recreation, and in aid of the United States in the exercise of its functions in fishing and navigation, as specified in the Constitution; and

Whereas minerals have been found beneath certain of said lands, and the State of California, in the interest of conservation thereof and for the benefit of its people, has caused said minerals to be produced, thereby obtaining for the State and its people an income exceeding $900,000 per annum, thus lightening the enormous tax burden now resting upon the citizens of California; and

Whereas the title of the sovereign State of California to these lands and privileges over which it has for so long maintained unquestioned jurisdiction and expended so much of the treasure of its citizens has been sustained by numerous decisions of the Supreme Court of the State of California and by the Supreme Court of the United States in cases in which the principles involved were clearly at issue; and

Whereas certain officials of the Government of the United States have for 2 years or more endeavored, and are now endeavoring, to obtain the sanction of the President of the United States and of the Congress of the United States for the filing of court proceedings on behalf of the United States against the State of California and those holding under and subservient to the State of California, with the object of wresting from the State of California and those holdings under said State said sovereign rights so long maintained and exercised: Now, therefore, be it

Resolved jointly by the Assembly and the Senate of the State of California, That the Legislature of the State of California protests the said proposals to attack the title of the sovereign State of California in and to said lands, and asserts as a free State within the Union, subject to and under the protection of the Constitution, that it condemns said attempt and will oppose the same by all lawful means; be it further

Resolved, That the secretary of state of the State of California shall certify to the passage of this joint resolution and shall forward a certified copy thereof to the President of the United States, to the Vice President of the United States, to the President of the Senate and Speaker of the House of Representatives, to the Secretary of State, to the Secretary of the Navy, and to each of the Members of the United States Senate and House of Representatives representing the State of California or any district thereof in the said Congress.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7737) to amend the Judicial Code by adding a new section thereto, designated as section 266a, to provide for intervention by States in certain cases involving the validity of the exercise of any power by the United States, or any agency thereof, or any officer or employee thereof, and for other purposes.

The message also announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 8815. An act to grant per diem compensation to the appointed members of the Board of Steam and Other Operating Engineers of the District of Columbia, and for other purposes;

H. R. 8846. An act to provide for the retirement of certain members of the Metropolitan Police Department of the District of Columbia, the United States Park Police force, the White House Police force, and the members of the Fire Department of the District of Columbia;

H. R. 9115. An act to authorize the Commissioners of the District of Columbia to provide for the parking of automobiles in the Municipal Center;

H. R. 9791. An act to amend the District of Columbia Unemployment Compensation Act;

H. R. 9804. An act to amend and clarify section 6, subsection 2, of the act approved June 1, 1938, known as Juvenile Court Act of the District of Columbia, and for other purposes; and

H. J. Res. 551. Joint resolution providing for the taking effect of Reorganization Plan No. V.

REPORTS OF COMMITTEES

Mr. CHANDLER, from the Committee on the Judiciary, to which was referred the bill (H. R. 7020) to amend section 2 of the act of March 4, 1931 (46 Stat. 1528), in regard to service of process on the United States in foreclosure actions, reported it without amendment and submitted a report (No. 1707) thereon.

Mr. O'MAHONEY, from the Committee on the Judiciary, to which was referred the bill (H. R. 8119) to amend the Criminal Code so as to confer concurrent jurisdiction on courts of the United States over crimes committed on certain Federal reservations, reported it without amendment and submitted a report (No. 1708) thereon.

Mr. ADAMS, from the Committee on Public Lands and Surveys, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H. R. 5404. A bill to extend the provisions of the Forest Exchange Act, as amended, to certain lands so that they may become part of the Ochoco National Forest, Oreg. (Rept. No. 1709); and

H. R. 9394. A bill to provide for the establishment of the Cumberland Gap National Historical Park in Tennessee, Kentucky, and Virginia (Rept. No. 1710).

Mr. BAILEY, from the Committee on Commerce, to which were referred the following bills and joint resolution, reported them severally without amendment and submitted reports thereon:

S. 3617. A bill granting the consent and approval of Congress to an interstate compact relating to control and reduction of pollution in the Ohio River drainage basin (Rept. No. 1711);

H. R. 7116. A bill to authorize defraying cost of necessary work between the Yuma project and Boulder Dam (Rept. No. 1712);

H. R. 9118. A bill to provide for the reimbursement of travel expenses to certain employees of the Corps of Engineers, United States Army (Rept. No. 1713); and

S. J. Res. 260. Joint resolution to make emergency provision for the maintenance of essential vessels affected by the Neutrality Act of 1939, and for adjustment of obligations with respect to such vessels (Rept. No. 1714).

Mr. RADCLIFFE, from the Committee on Commerce, to which was referred the joint resolution (S. J. Res. 222) to provide that the compact creating a Potomac Valley Conservancy District may become effective if agreed to by a majority of the parties authorized to enter into it and by Congress, reported it with amendments and submitted a report (No. 1715) thereon.

Mr. WALSH, from the Committee on Naval Affairs, to which was referred the bill (S. 4024) to authorize the construction or acquisition of naval aircraft, the construction of certain public works, and for other purposes, reported it with amendments and submitted a report (No. 1716) thereon.

Mr. BYRNES, from the Committee on Banking and Currency, to which was referred the bill (S. 3998) to increase the

credit resources of Commodity Credit Corporation, reported it without amendment and submitted a report (No. 1717) thereon.

He also, from the same committee, to which was referred the bill (S. 2568) to amend the Federal Credit Union Act (June 26, 1934, ch. 750, par. 1, 48 Stat. 1216, sec. 1761), reported it with amendments and submitted a report (No. 1718) thereon.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NEELY:

S. 4052. A bill for the relief of Lawrence F. Long; to the Committee on Military Affairs.

By Mr. SMITH:

S. 4053. A bill to provide for the designation of an individual's domicile and residence when making income-tax returns; to the Committee on Finance.

By Mr. MEAD:

S. 4054. A bill relating to the classification of substitute driver-mechanics in the Postal Service; to the Committee on Post Offices and Post Roads.

By Mr. KING:

S. 4055. A bill to provide for the acquisition of a site and the erection thereon of a post-office building at Manti, Utah; to the Committee on Public Buildings and Grounds.

By Mr. SCHWELLENBACH:

S. 4056. A bill to authorize the maintenance and operation of fish hatcheries in connection with the Grand Coulee Dam project; to the Committee on Irrigation and Reclamation.

By Mr. SHEPPARD:

S. 4057. A bill to authorize the acquisition of certain additional lands for military purposes; to the Committee on Military Affairs.

By Mr. PEPPER:

S. 4058. A bill granting a pension to Mattie Fox Miller; to the Committee on Pensions.

By Mr. CONNALLY:

S. 4059. A bill to provide for military instruction and training for members of the Civilian Conservation Corps; to the Committee on Military Affairs.

By Mr. ELLENDER:

S. 4060. A bill to extend the times for commencing and completing the construction of a bridge across the Mississippi River between New Orleans and Gretna, La.; to the Committee on Commerce.

(Mr. BYRD introduced Senate Joint Resolution 266, which was ordered to lie on the table, and appears under a separate heading.)

By Mr. JOHNSON of Colorado:

S. J. Res. 267. Joint resolution providing for the acquisition by the Railroad Retirement Board of data needed in carrying out the provisions of the Railroad Retirement Acts; to the Committee on Interstate Commerce.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and a joint resolution were severally read twice by their titles and referred as indicated below:

H. R. 8815. An act to grant per diem compensation to the appointed members of the Board of Steam and Other Operating Engineers of the District of Columbia, and for other purposes;

H. R. 8846. An act to provide for the retirement of certain members of the Metropolitan Police Department of the District of Columbia, the United States Park Police force, the White House Police force, and the members of the Fire Department of the District of Columbia;

H. R. 9791. An act to amend the District of Columbia Unemployment Compensation Act; and

H. R. 9804. An act to amend and clarify section 6, subsection 2, of the act approved June 1, 1938, known as Juvenile Court Act of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H. J. Res. 551. Joint resolution providing for the taking effect of Reorganization Plan No. V; to the Select Committee on Government Organization.

EXTENSION OF REDUCED INTEREST RATES ON LAND-BANK LOANS—AMENDMENT

Mr. WHEELER submitted an amendment intended to be proposed by him to the bill (H. R. 8450) to extend for 5 additional years the reduced rates of interest on Federal land bank and land bank commissioner loans, which was ordered to lie on the table and to be printed.

SECOND DEFICIENCY APPROPRIATIONS—AMENDMENTS

Mr. BILBO submitted an amendment intended to be proposed by him to the second deficiency appropriation bill, 1940, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

At the proper place, insert the following:

DEPARTMENT OF AGRICULTURE

EXTENSION SERVICE

Administration and coordination of extension work: For an additional amount to coordinate the extension work of the Department and the several States, Territories, and insular possessions, fiscal year 1941, $15,000; such amount to be used for such work in improvement of the production, handling, and marketing of cotton.

Mr. NYE (for himself and Mr. GURNEY) submitted an amendment proposing that the funds continued available by the Treasury and Post Office Departments Appropriation Act, 1941, during the fiscal year 1941 for refunds of processing and related taxes shall be available during such fiscal year for the payment, authorized under such regulations as may be prescribed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury, to any person who raised or produced and marketed hogs for slaughter on which there was levied, collected, or paid a processing tax under the provisions of the Agricultural Adjustment Act of 1933, or his legal representative, of so much of such tax as was in fact borne by such person, and so forth, intended to be proposed by them to the second deficiency appropriation bill, 1940, which was referred to the Committee on Appropriations and ordered to be printed.

REPORT OF SELECT COMMITTEE ON REORGANIZATION PLAN V

Mr. BYRNES, from the Select Committee on Government Organization, to which was referred the joint resolution (H. J. Res. 551) providing for the taking effect of Reorganization Plan No. V, reported it with an amendment.

ADDRESS BY SENATOR WALSH AT JEWISH VETERANS' MEMORIAL EXERCISES

[Mr. WALSH asked and obtained leave to have printed in the RECORD a radio address delivered by him on the occasion of the Jewish Veterans' memorial exercises held in Washington on May 23, 1940, which appears in the Appendix.]

RADIO FORUM DISCUSSION ON MUNITIONS, MEN, AND MORALE—ADDRESS BY SENATOR AUSTIN

[Mr. AUSTIN asked and obtained leave to have printed in the RECORD the introductory remarks of G. Gould Lincoln, political editor of the Washington Star, and the address delivered by himself in the radio forum arranged by the Washington Star on May 27, 1940, on the subject Munitions, Men, and Morale, which appear in the Appendix.]

ADDRESS BY EX-PRESIDENT HOOVER ON DEFENSE PROGRAM

[Mr. WILEY asked and obtained leave to have printed in the RECORD an article from the Times-Herald of May 28, 1940, under the heading "Hoover urges industrialist leader as 'czar' to direct arms program in United States preparedness," which appears in the Appendix.]

FRIENDS OF THE LAND

[Mr. LEE asked and obtained leave to have printed in the RECORD a list of officers, trustees, and sponsors of the organization known as Friends of the Land, together with an article entitled "New Steps to Save the Land," by Morris Llewellyn Cooke, published in the Survey Graphic for April 1940, which appear in the Appendix.]

OPINION OF THE SUPREME COURT IN SUNSHINE ANTHRACITE COAL CO. CASE

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD the opinion of the Supreme Court of the United States in the case of the Sunshine Anthracite Coal Co., appellant, against Homer M. Atkins as collector of internal revenue for the district of Arkansas, which appears in the Appendix.]

TROJAN HORSEPOWER—ARTICLE BY FRANK C. WALDROP

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an article by Frank C. Waldrop, published in the Washington Times-Herald of May 28, 1940, entitled "Trojan Horsepower," which appears in the Appendix.]

UNITED STATES AIR POWER

[Mr. LUNDEEN asked and obtained leave to have printed in the RECORD an article from the Washington (D. C.) Times-Herald of May 28, 1940, and an article by John T. Flynn, published in the Washington Daily News of May 28, 1940, on the subject of the air power of the United States, which appear in the Appendix.]

APPROPRIATIONS FOR THE MILITARY ESTABLISHMENT

[Mr. HILL asked and obtained leave to have printed in the RECORD a table showing the appropriations for the Military Establishment from 1925 to 1940, inclusive, which appears in the Appendix.]

INFORMATION AS TO NUMBER OF ALIENS EMPLOYED BY THE GOVERNMENT

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Chief Clerk read the resolution (S. Res. 273) as follows:

Resolved, That it is the sense of the Senate that each executive department, independent establishment, and other agency in the executive branch of the Government shall furnish to the Senate immediately full and complete information with respect to the number of aliens employed by such department, establishment, or agency, or compensated in whole or in part from Federal funds appropriated for such department, establishment, or agency, and such information shall include, among other things, statements with respect to the compensation being paid to each such alien, the type of services he is performing, and the length of time he has been employed in any capacity by any agency of the Government.

Mr. BARKLEY. Mr. President, I ask that the resolution go over. The information sought by the resolution is contained in Senate Document No. 30, which embraces 213 pages, giving a list of the aliens employed in all the departments of the Government. I do not see any reason why we should again call on the departments to furnish this information when it is now available. I ask that the resolution go over. The Senator from North Carolina [Mr. REYNOLDS], who submitted the resolution, is not now present.

The VICE PRESIDENT. The Chair thinks he ought to say to the Senator from Kentucky that, while he does not know of any objection, the Senator from Maryland desired to address the Senate on the resolution or indicated he would take advantage of the resolution to address the Senate. Of course, he could address the Senate by unanimous consent.

Mr. BARKLEY. I did not understand the Senator from Maryland wanted to proceed on this resolution.

Mr. TYDINGS. That is what I wanted to do, and I shall be glad if the Senator will withhold his request until I finish.

Mr. BARKLEY. Very well.

THE FINANCIAL FLANK

Mr. TYDINGS. Mr. President, the intense, bloody, and tragic holocaust now raging in Europe has filled the peoples of all neutral countries with grave concern for the future. None of us knows how long the war will last, to what countries it will spread, or who the victor or the vanquished will be when the last great battle is fought.

Here at home we have been not only surveying the present happenings but trying to prepare for the possible future happenings as well. With admirable speed, Congress has made provision for the enlargement of the matériel and personnel of our Army, Navy, and air forces. Measures to improve and make more efficient these forces have likewise been contemplated and enacted. In short, as far as military and naval equipment are concerned, money has been generously and quickly appropriated, in the face of threatening world conditions, to put us in a reasonable state of preparedness at the earliest possible time.

However, one flank of our national defense has been left deplorably and pitifully exposed. Further neglect of this exposed flank may not only plunge us into difficulties equal to or greater than those we are now preparing against, but may, in spite of all our preparations, subject this country to a degree of misfortune, chaos, and misery far beyond what can now be imagined. I refer particularly to the financial front, which is always a necessary component in times of peace, and even more so in times of war, of a nation's preparedness and national-defense arrangements.

Let me outline briefly this neglect, and present a weakness in it which may in the end undermine and set at naught all our military and naval preparations for defense on land, sea, and in the air.

First, at the beginning of the bitter conflict abroad our national debt had climbed from $20,000,000,000 in 1920 to approximately $45,000,000,000 in 1940, an increase of $25,000,000,000. We must add to this amount the loans and collateral obligations of many billions more which in the present state of world and national affairs should be carried as a part of our national indebtedness until they are paid in full or in part. Added to these two large items of our national debt must likewise go the exceptionally large appropriations recently made, and which we shall yet make before adjournment, to buy planes, to build warships, to equip our Army, to secure sea bases, to establish training fields for personnel to be fashioned into Army and Navy pilots, to increase the officers and men of our Military and Naval Establishments, and to do countless other things which will add many more billion dollars to our national indebtedness.

Thus, it is safe to assume that without spending any more money for the purposes enumerated this program, in the face of present national income, will run the national debt to a figure somewhere between fifty and sixty billion dollars. It is composed mainly of three items: First, the present national debt; second, the collateral direct and indirect obligations for which the Government is responsible, which will be repaid perhaps only in part; and third, the cost of the present national-defense program, as outlined by the President to Congress, and as exemplified in bills already passed, or to be passed, before adjournment. I repeat that these three items will run our national debt up to from fifty to sixty billion dollars.

During all the depression, which started in 1929, to meet the emergencies which it occasioned, we have been living on the future, spending money that we did not have, which was not being raised in taxes, but which was being borrowed. In the present emergency, occasioned by the European war, not only are we continuing along this pathway for our purely domestic requirements, but we are walking the same road of borrowing against the future for our present expanded national-defense program.

That is the present picture before the Nation. Let us for a moment survey the probable future picture before the Nation.

First, world trade is seriously disrupted from its orthodox channel. The belligerent countries, which formerly bought many things from us, are more and more looking to parts of their own empires to produce the things which, in normal itmes, they purchased from the United States. As this continues, it is not unlikely that many American commodities will be over-produced, causing serious financial difficulties for our producers in both farm and factory, driving prices down to a point below the cost of production, and eventually leading to widespread unemployment. The warring European nations, in order to protect their currencies and to keep their trade in balance as much as possible, are bound to buy as little from us as they can, and to buy more

from parts of their own dominions. Instead of selling them the ordinary products which they would require in peace time, the United States will more and more become a purveyor of products, raw and manufactured, which the warring countries are unable to secure from lands already under their flag.

Sooner or later this situation is bound to cause some economic confusion and disaster at home, which, in all probability, will require additional billions from the National Treasury for alleviation. Thus, in the end, the war will see our domestic troubles accentuated in many respects, and an ever-mounting increase in our national debt as week after week goes on, and the consequences of the struggle abroad are wrought out on our own domestic scene.

Then, too, the war in Europe will some day be over. When it is over, millions of men who have been for some time engaged only in fighting will go back to their homes. They will turn from war to peace, whatever the conditions of that peace may be. They will not go back to immediate employment, for the domestic economy of each of the belligerent nations will have to be completely reorganized. The millions of men and women now working in the munitions factories of the belligerent countries will find this work terminated with abrupt suddenness when the guns of war at last are silent; for their governments, seeking to save expense wherever possible, will instantly cancel all unfilled war orders.

Thus, while the millions of fighting men are returning home to look for jobs in civil life, their ranks will be swelled by millions of munitions workers who have overnight been thrown out of work by the cessation of hostilities. Considering that the fighting men, victors and vanquished alike, will be coming home to lands many of which, if not all, will be lands of widespread disillusionment, hardship, and bitterness, the unemployment which all will face in the warring countries will be stupendous, and strong measures are likely to be needed; for the readjustment from war to peace is automatically more abrupt in most cases than is the readjustment from peace to war.

Confronted with such problems, together with the huge debts which the belligerent nations are now rolling up, with the waste of war and the destruction of treasure, these countries are likely to be very poor customers for the products of our own and other neutral countries. Besides, we do not know what kind of a world will confront us after this struggle is over. We do know that the ordinary methods of trade and commercial intercourse are likely not to return to international dealings for some time after the peace is made. This condition will aggravate our domestic problems, and cause whatever government is then in power to take financial steps to deal with the domestic situation all over again. This is sure to be very costly.

Added to all of this, we must still put more dark strokes upon this dismal picture, even if we stay out of the war entirely.

Consider the thousands upon thousands of American workers whose employment in farm, factory, mine, and forest is connected in some way with the present international emergency—making planes, growing cotton, manufacturing ammunition, or producing supplies primarily for the belligerent nations. Add to these thousands the persons employed in doing the same thing for our Army and Navy. Certainly, with the cessation of hostilities in Europe, every belligerent country will take advantage of the cancelation clause in its contracts with our people to stop instantly the further purchase of supplies and war material now being bought here. This will automatically throw out of employment tens of thousands of Americans who are now working steadily in these pursuits. If the peace seems to be durable, our own Government will, to some extent, curtail many of the expensive preparedness activities which the present emergency has forced upon us. This will do its share toward adding to the unemployment, and increase greatly the number of unemployed of normal times, with which we have been dealing for the past 8 years, by means of governmental financial aid.

That is the mildest picture which can be drawn at this time. We are proceeding steadily toward it, and moving along without making financial provision to cushion the terrific impact upon our financial structure which all of these occurrences will cause.

I said in the beginning that we were neglecting to prepare for one of the most serious aspects of our national defense, the financial front. That flank is dangerously exposed, and if it remains exposed, the results may be fatal or tragically serious in the years that are to come. We should not delude ourselves with the thought that simply by passing appropriations for the increase of the Army, Navy, and air forces, and by taking other measures to provide ourselves with an adequate national defense, we have suitably prepared this country for the future. Most decidedly we have not. Most decidedly we shall not, unless we change our handling of the financial arrangements of this Government.

I believe the American people realize this. They want this defense and they want it quickly, on every front vulnerable to attack. I would label this the "sixth column," which may in the end undermine and undo all that we hope we are doing to make the United States secure. If this "sixth column," an unbalanced governmental financial condition, is not dealt with, we will face all the dire consequences of such neglect in an utterly inexcusible state of unpreparedness.

As soon as we have provided the ways and means of money and the methods to put the Army, Navy, and air force in a condition for our adequate defense at the earliest possible moment, Congress, before it adjourns, should write a tax bill embodying the policy of "pay as you go" as nearly as we can, and put our financial defenses in equally strong condition. We will need this financial preparedness whether we go into war or stay out of it. In any case, can we escape the consequences of the world chaos which will result when the last cannon has fired its last shot on European battlefields? The international chaos and desolation, the bitterness, the disillusionment, the moral backwash, which follow in the wake of every war, the increased unemployment at home and abroad, the disruption of world trade, the loss of America's markets, the international barter system, the decline in the value of securities, the long dreaded walk up the road of reconstruction and rehabilitation for the belligerent countries, the complete change in international economics of the last two decades, will all leave our flank exposed, and subject us to terrific losses and the burdens of anguish and despair.

Against our governmental financial structure all of these foes to peace, prosperity, and security will simultaneously make a furious assault. Even though we made adequate financial preparation, we would have to fight valiantly to defeat these combined attacks upon American solvency and financial stability. It will affect every person—the worker in every factory, the farmer behind every plow, the clerk in every counting house. We know these forces are even now forming their deadly ranks to attack us on this financial front. Why not prepare against this attack, too, while we have time? Why not make these trenches secure to hurl these devastating enemies in disorder to the rear? Why not be ready for their furious onslaught? There is only one way we can get ready. It is a hard way, but if we act in time, we can repel the foe who will in fury descend upon us.

That way is to levy taxes now, envisioning the combination of circumstances with which we are likely to be confronted. We should stay in session after we have appropriated the money—which we have not got—and raise the money which we intend to expend. If we go before the country without having dealt with this matter, without having put our governmental finances in a state of adequate defense, we shall not have achieved that measure of preparedness which the American people on all sides are demanding that we achieve. We will have left our financial flank exposed, and then when the pressure is exerted on us there, even though we may have built our lines of military and naval preparedness well, we may find that, by our

neglect of the financial front, the enemy has broken through and is destroying our form of government, and is taking from our people the fruits of their toil for the last 333 years.

Congress should pass a tax bill at this session of Congress. The American people want it. They know it is necessary. They know we will not be completely prepared without it. They are willing to bear their fair share of this load as a part of our national defense, which must be second to none. We must meet this issue, not after the November elections, but now.

In the present state of world turmoil, democracies have been completely overwhelmed with catastrophe, resulting from a lack of action. Always it has been said of them "too late or too little," as the dark clouds of disaster have pressed closer and closer. Let us in the United States resolve that it shall not be said of us "too late or too little"—let us resolve that this democracy shall endure, and that we will put it into such a condition, before we adjourn, that it will be bound to ride safely the ominous waves of international disorganization and disaster. We can only do it the hard way. There must be patriots here who will face this foe with the same zeal and determination we would expect from our fighting men on land and sea and in the air, should they have to face a foe.

The time to act is now. Failure to act now is to leave our financial flank exposed, and take the chance of subjecting 130,000,000 people of this country to consequences which in many respects are no less than the ravages of war itself. We should not go home until we have enacted a tax bill to put a firmer foundation under our financial defenses.

Let Congress build its financial defense no less strong than it is now authorizing the Army, Navy, and air forces to build up theirs.

If we, before adjournment, make our financial flank as strong as it can be made and as imperative need requires that it be built, then we can rest assured that with this legislation, together with the measures expanding the Army, Navy, and air force, and auxiliary agencies, already enacted or to be enacted, we are meeting all the defense needs of this dark hour. More, we can rest assured that here in Congress we have done our part as well as we shall expect our fighting men to do their part, should attack come to us. To do less than this is to invite attack. To leave our financial flank exposed is to invite defeat in spite of all our military and naval preparations.

Even if we escape war, the Four Horsemen who ride in the wake of every war will be upon us. Unemployment, international trade disruption, poverty and disease, disillusionment and distrust—all will assail us—and our financial front must not give before these enemies, which are equal to the might of a great and powerful enemy army.

Our financial flank must be repaired, strengthened, and made invulnerable against all foes, both foreign and domestic.

FEDERAL FINANCES AND PROPOSED FISCAL COMMISSION

Mr. BYRD. Mr. President, I have listened with much interest and full approval to the wise and eloquent words of the Senator from Maryland.

The report that the President proposes to ask Congress to increase the debt limit to the extent of $5,000,000,000 should bring to the American people a realization of our present insecure and dangerous financial condition. Certain eventualities in the European war may force this country for our self-preservation to make a colossal expenditure for national defense, estimated by some to reach ultimately a sum of $20,000,000,000.

Whatever may be the outcome of the European war, I feel confident in saying that the American people, until peace is firmly established throughout the world, will never be content with the inadequate national defense that has existed in recent years.

New expenditures for national defense must be met either by new taxes or by new debts. In facing this situation our problem would be vastly simpler today if our Government were operating under a balanced budget. But, to the contrary, we are now entering the tenth consecutive year of huge deficits, which have pyramided the Federal debt from sixteen billions in 1930 by the addition of more than thirty billions of accumulated deficits when the appropriations already made are expended.

It is regrettable, and to me deplorable, that in the crisis which confronts us today only a small fraction of the new expenditures which created this accumulated deficit has been used for national defense. In fact, about 8 percent of the accumulated deficits can be accounted for by new expenditures for enlarged national defense. This is shown by the statement made by the President last Sunday when he said that in the past 7 years the Navy has spent $1,487,000,000 more than in the preceding 7 years, and the Army $1,292,000,000 more. The aggregate of these two sums, which represent an expenditure for national defense in excess of what may be termed "normal" peacetime expenditures, constitutes only 8 percent of the accumulated deficits. So 92 percent of the additions to the public debt due to excess deficit spending is on account of new appropriations for other purposes. Such deficits have occurred, notwithstanding that the Federal tax income has been more than doubled since 1933, with new taxation responsible in a large measure for such increase.

In 10 years our Federal Government has collected $45,000,000,000 and will have spent, under the appropriation bills now passed, seventy-five billions.

It has been obvious for some years—in fact, since Hitler began his aggressions—that the disturbed conditions of the world made it imperative for our self-protection to rearm. Believing that, I have consistently voted for national-defense appropriations during this period.

Financial preparedness is just as important as military preparedness. We must have in America both sound finances and adequate national defense. The time to face the acute situation realistically is upon us. It is the impelling duty of Congress in the current critical circumstances to eliminate every extravagance, to abolish every unnecessary expenditure, to devote our resources to the vital necessity of preparing ourselves to meet any contingency and any crisis that may occur.

I state as a plain and obvious fact that nothing substantial has been done to institute methods of economy in our governmental operations. From July 1, 1939, to May 22, 1940, the Government spent in cash $7,689,000,000. In the corresponding period from July 1, 1938, to May 22, 1939, the Government spent $7,389,000,000, showing an increased expenditure for the present fiscal year of approximately $300,000,000. During the past fiscal year $340,000,000 more for national defense was expended than for the preceding fiscal year. Therefore it is apparent that there has been no reduction in spending for purposes other than national defense.

Today the Federal Government employs on the regular pay roll, as reported by the Civil Service Commission, 945,836 employees, as compared to 566,986 in 1933.

With respect to the appropriations for the fiscal year beginning July 1, 1940, the estimated economies are a myth. No net economies or reductions in expenditures have been accomplished. In January the President submitted to the Congress a Budget of $8,500,000,000. In the bills pending the appropriation for relief has been changed from 12 to 8 months without reduction in amount, so that it is probable, and in my judgment certain, that the fund now appropriated, originally proposed for the full year, will be expended within 8 months, requiring another appropriation for relief effective March 1, 1941, of at least $500,000,000 to complete the fiscal year. This, together with such other increases as made by Congress, will bring about total expenditures in excess or at least equal to the peak expenditures since deficit spending began, and this does not include the emergency spending for defense under plans and appropriations that have been originated in Congress within the last 30 days.

It is not necessary now to raise the debt limit to make available the funds being appropriated, and to do so would merely be an invitation for further extravagances and unnecessary expenditures.

As an alternative for increasing the debt limit at this session of Congress, I propose a horizontal increase of 10 percent

in all income taxes due and payable in 1940 on incomes earned in 1939. This will produce a total of $230,000,000. I likewise propose a 10-percent tax on miscellaneous internal revenue, which will produce $250,000,000 for the full year and $125,000,000 for the one-half year. I also propose additions in other excise taxes, so that there will be a total increase in taxes of not less than $600,000,000, and that this tax be known as a national-defense contribution.

I believe the American people are in the mood for sacrifice; I believe they realize the seriousness of the situation confronting them; I believe they prefer to make a beginning toward a sound fiscal system rather than continue to throw discretion to the winds and blindly spend money we do not have and money that must be added to the public debt. Those who pay the taxes must sacrifice, but on the other hand those who receive the benefits of public spending must also make their sacrifice.

I propose that every expenditure beginning July 1, 1940, excepting expenditures for national defense and interest on the public debt, be reduced by 10 percent. This could be done by a simple rider on one of the appropriation bills making such a reduction. It will save to the country a total of $500,000,000, and together with the increase of 10 percent in taxation will improve the Federal Treasury to the extent of about $1,000,000,000 each year, and will in my judgment do so with less disturbance to business and to the operations of the Government than any other emergency plan that can be devised.

This, I realize, is but a temporary step to solve the financial problems confronting us, but I know of nothing that would bring to a greater degree to the American people a realization of the situation confronting us than on one hand to increase taxes and on the other hand to diminish expenditures, and use such funds for our national defense. This reduction of 10 percent in expenditures should apply to the salaries of Senators and Congressmen; it should apply to all employees receiving wages in the higher brackets; it should apply to the pensioners and the farmers, so that all may know they are making a direct contribution to place the country in a condition of preparedness to meet any and all contingencies.

I then propose that the Congress create a commission composed of three Senators, three Representatives, and three outstanding businessmen, to be appointed by the President, and that this commission devote itself to presenting to Congress when it convenes next January a plan to eliminate expenditures of government for nonessential purposes; to reduce such expenditures for necessary purposes to the extent that elimination of waste and duplicated effort will provide, and to recommend such revision in the Federal tax system as may be necessary in order to place the United States on a sound financial basis that will enable it to preserve our solvency; to provide for the essential functions of government; and to make such imperative expenditures as may be necessary in order to provide adequately for its national defense.

It is too late in the present Congress to undertake this study. It should be done with care and wisdom. These emergency provisions of a 10-percent increase in taxation and a 10-percent reduction in spending will carry us safely on until Congress meets again. The actual debt limit, as estimated by the Treasury, is $45,612,000,000. The debt today is $42,439,000,000, leaving a surplus within the legal debt limit of $3,173,000,000. To this should be added the proposal of the President to recapture $700,000,000 from Government corporations, as provided in the Budget, and a reduction in the working balance, it being proposed by the Secretary of the Treasury to reduce the working balance to approximately $1,100,000,000. This will enable the Federal Government to spend between four and five billion dollars in excess of revenue before the present legal debt limitation is reached, and this estimate does not take into consideration either an increase in taxes or a reduction in expenditures. This sum will be ample to make all the expenditures possible for national defense until Congress meets again and to meet the regular expenditures of the Federal Government.

Mr. President, I ask unanimous consent to introduce a joint resolution to establish a temporary national fiscal commission, and ask that it be printed in the RECORD and lie on the table.

There being no objection, the joint resolution (S. J. Res. 266) to establish a temporary national fiscal commission, was received, read twice by its title, ordered to lie on the table and to be printed in the RECORD, as follows:

Resolved, etc., That there is hereby established a temporary national fiscal commission to be composed of 3 Members of the Senate, to be appointed by the President of the Senate; 3 Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, and 3 businessmen, to be appointed by the President. A vacancy in the commission shall not affect the power of the remaining members to execute the functions of the commission, and shall be filled in the same manner as the original appointment. The commission shall select a chairman from among its members. The commission is authorized and directed to make a full and complete study and investigation for the purpose of acquiring such information as will enable it to make recommendations to the Congress for congressional action designed to accomplish (1) the elimination of nonessential Federal expenditures, (2) impounding in the Treasury of the United States of unexpended appropriations made for nonessential purposes, and (3) such revision of the Federal tax system as may be necessary in order to place the United States in such a sound financial condition as will enable it to make such imperative expenditures as may be necessary in order to adequately provide for its national defense. The commission shall report to the two Houses of Congress the results of its study, together with its recommendations, at the earliest practicable date.

SEC. 2. (a) The Commission shall have power to appoint subcommittees to assist the Commission in its work. The members of the Commission shall serve without additional compensation but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the exercise of the functions vested in the Commission.

(b) The Commission, or any subcommittee thereof, shall have power to hold hearings, to sit and act at such times and places, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to have such printing and binding done, and to make such expenditures as it deems advisable. Subpenas shall be issued under the signature of the Chairman of said Commission and shall be served by any person designated by him. The provisions of sections 102 to 104, inclusive, of the Revised Statutes shall apply in case of any failure of any witness to comply with any subpena, or to testify when summoned, under authority of this joint resolution.

(c) The Commission shall have power to employ and fix the compensation of such officers, experts, and employees as it deems necessary for the performance of its duties. The Commission is authorized to utilize the services, information, facilities, and personnel of the departments and other agencies of the Government.

(d) All authority conferred by this joint resolution shall terminate upon the submission of its report to the Congress.

SEC. 3. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $, or so much thereof as may be necessary, to carry out the provisions of this joint resolution.

ORDER OF BUSINESS

Mr. LEE obtained the floor.

Mr. BARKLEY. A parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. BARKLEY. Yesterday the Senate ordered that the calendar should be called today upon the conclusion of the morning business. All that has happened so far today is by unanimous consent. I understand the Senator from Mississippi [Mr. HARRISON] desires to address himself to the subject which has been discussed today, and I think he should have that opportunity. If the discussion is to continue, it ought to be understood that it is by unanimous consent; and while I myself have no objection, I think we all ought to understand that the regular order may be called for at any time until 2 o'clock.

The PRESIDENT pro tempore. In answer to the Senator's suggestion, the Chair calls his attention to the fact that the unanimous-consent agreement provides that "on tomorrow, after the completion of the routine morning business, the calendar be called for the consideration of unobjected-to bills." The Senate is now on routine morning business. There is a resolution coming over from a previous day, which is now

under discussion before the Senate. Therefore, until the morning business is concluded, the calendar may not be called.

Mr. HARRISON. Mr. President, I understand that the Senator from Oklahoma [Mr. LEE] is recognized.

The PRESIDENT pro tempore. The Senator from Oklahoma is recognized.

Mr. HARRISON. I should like to ask the Senator whether or not he intends to speak in connection with the matter which has been discussed. I think that matter has a direct bearing upon a matter with respect to which I have been in conference since 9 o'clock this morning. I think it is proper that I should at least express myself on the matter. I shall not consume more than 5 or 10 minutes.

Mr. LEE. Mr. President, of course, the Senator will have that opportunity. I wish to direct my remarks to the same subject.

Mr. HARRISON. Very well. I shall wait until the Senator has concluded, and sometime in the course of the day I shall address the Senate. I do not want to do so while many Senators are at lunch.

MOBILIZATION OF FINANCIAL RESOURCES

Mr. LEE. Mr. President, I agree with the thoughts and sentiments expressed by the Senator from Maryland [Mr. TYDINGS] and the Senator from Virginia [Mr. BYRD] that we should strengthen America financially, and that at this time we should consider a financial mobilization, as well as methods of mobilizing industry and manpower.

However, neither of the Senators referred to an excess-profits tax. Even before a declaration of war there is a rising crescendo of prices, which results in unconscionable profits due to an emergency which no one can control. While we are considering methods of taxation, I believe we should also consider an excess-profits tax which will guard against the mistakes of the last war and against excess profits.

The people of America have never flinched from their duty, so far as the protection of America is concerned, but during the last war the people of America developed a pretty strong feeling against war profits. I was encouraged to hear the President say in his fireside chat that there would be no war profiteers, and that no one would become rich and fat out of our national-defense program at this time.

While we are considering methods of financing our national defense, I believe we certainly should give consideration to excess-profits taxes which would prevent profits such as existed in the last war. Some profits over the 4-year period ran as high as 400 percent. I understood the chairman of the Munitions Investigating Committee to announce on the floor of the Senate that the Du Ponts made a profit of 400 percent over the 4-year period.

One airplane company, for 3,660 motors, received a cold profit of $3,934,500. Another airplane company, for 6,500 motors, received a naked profit of $15,000,000. Two airplane companies—Standard Aircraft Corporation and the Standard Aero Co.—were overpaid, according to a Government audit, $6,500,000. They immediately went into liquidation. When the truth was discovered, it was found that those two companies were owned by the Japanese company of Mitsui & Co. Mitsui & Co. was paymaster to the Mikado of Japan, and at one time was paymaster to the German international spy system.

Those are only some of the profits which resulted from the last war. Already we see, by the action of the stock market, that the stocks of those companies which would furnish the materials which we need for national defense are beginning to soar, indicating the prospect of tremendous profits. Therefore, while we are considering taxation, I believe it is appropriate for us to consider excess-profit taxes, which not only would help us pay for defense but would prevent profiteering.

No government has ever yet been able to pay for a war of any major consequence as the war proceeded. The best any government has been able to do was to pay as much as it could. France, with a steep war tax during the last war, was able to pay only seventeen-and-a-fraction percent of the cost of the war. England, with one of the steepest taxes known, was able to pay only 36 percent of the cost of the war while the war proceeded. Therefore, when we begin to consider methods of financing a war, we cannot look to income alone as the basis of financing war. If we are to have a method of financing war, we must look to other methods than merely income. We could not finance a war of major consequence on the income of this country. Therefore we must consider methods of borrowing money in order to finance war.

Agreeing with what the two Senators who have just occupied the floor have said concerning taxes, that is not enough. We have no system for financing war today, except the same system we used before.

DEFECTS OF THE VOLUNTARY METHOD OF FINANCING WAR

Mr. President, I suppose that the wish which is uppermost in everybody's mind today is that we shall be able to keep America out of war. President Roosevelt has repeatedly expressed his determination to keep this country out of war. Speaking as an ex-service man, I shall support to the utmost of my ability such legislation as, in my opinion, will prevent the United States from being drawn into war.

TWO GENERAL FIELDS OF PROFITEERING

It is my firm belief that one of the best ways to prevent war is to take the profits out of war. Then, if war is forced upon us, we will fight in defense of our country, but the burdens of war will be more fairly distributed if no one is allowed to profiteer.

There were two general fields of profiteering during the World War. One was the field of commerce and industry; the other was the field of war finance.

Profits resulting from commerce and industry can be recovered by means of an excess-profits tax. Such a measure is now pending before this body. It bears the signatures of 50 Senators. This bill provides a steep tax schedule which is intended to recover for the Government all profits which result from war and use those profits to pay the cost of war. I am one of the coauthors of that bill. I give it my hearty and enthusiastic support.

But some of the greatest profits resulting from the World War were not made in the field of commerce and industry, but rather in the field of war finance. No doubt the greatest number of war profiteers made their profits in the field of commerce and industry, but I believe the greatest profits were realized in the field of war finance. The total amount of profits may have been greater in the field of commerce and industry than they were in the field of war finance, but I believe that a study of the facts will reveal that the greatest war profiteers were in the banking business during the war.

INDICTMENT NO. 1: THE OLD VOLUNTEER METHOD OF FINANCING WAR PUTS A PREMIUM ON WAR BY GUARANTEEING WAR PROFITS

Congress recovered some of the profits made in the field of commerce and industry through an excess-profits tax. This tax, in my opinion, was repealed before it should have been, but the point I wish to make is that war profits which were made in the field of commerce and industry were subject to this tax.

But the profits resulting from war finance were clean and clear, and could not be reached by means of taxation. I wish to impress this point: That, whereas the profits resulting from commerce and industry can be recovered by taxation, the profits from war financing cannot be reached by taxation, because the war bonds were tax exempt.

We still have the same system for financing war by which we financed the World War, if you could call it a system; that is, we financed by means of tax-exempt bonds.

Today, if we should be called upon to finance a war, and if we should undertake to finance it in the same manner in which we financed the World War, we would say, in effect, to the bankers and financiers: "Come on, boys, and profiteer again. We will double the interest rates and guarantee you tax exemption." That is exactly what we did

before. Unless we provide a better system, that is exactly what we would do again, if war should come.

Let me remind you again that I am addressing myself to the subject of war profits in the field of finance only. I am not discussing profits from commerce and industry, but what I am saying now applies to profits resulting from financing war under a system of tax-exempt bonds.

PROFITS FROM HIGH INTEREST RATES AND TAX EXEMPTION

Ordinarily in peacetimes the big bankers are glad to get 2 percent interest, or even less, on their money with the privilege of tax exemption, but along comes a war, and instead of getting a lower rate of interest in order to pay their share of the burdens of war, they get double the amount of interest and still enjoy exemption from taxation.

In most cases the big financiers faced no physical dangers in the World War and received twice as much for their money as they could get in normal times. Therefore, it would be to their interest to want war, would it not? They could afford to spend some money in paid propaganda in order to jingo up the war spirit and still make a profit out of war.

I am not accusing anyone of anything. I am simply stating the facts, and these facts are that under our system of war finance a rich man receives twice as much interest for lending his money as he does in peacetimes. I am further saying that he is permitted to keep all of this war profit and that this Government cannot touch a dime of it by taxation.

According to the Treasury Department, it is estimated in round figures that we have paid already in interest on the war bonds up to 1934, $12,000,000,000, and we cannot touch a dime of this $12,000,000,000 by taxation because it is tax exempt. And remember, that estimate was only up to 1934, and this is 1940. But the Treasury Department was unable to give me an estimate of how much it would be now because most of those bonds have been refinanced.

PROFITS FROM DISCOUNTED BONDS

The profits resulting from high interest on tax-exempt bonds represent only one phase of the profits which the big bankers enjoy. A second manner in which they profiteered was by purchasing Liberty bonds from poor people at a great discount and benefiting by that discount.

Thousands and thousands of soldiers in the training camps purchased Liberty bonds on the installment plan and paid for them out of their soldier's pay, but very few of those soldiers were financially able to hold their bonds. Therefore, they sold them at a discount. Those bonds wound up in the hands of the big bankers, who were able to buy them at a great loss to the soldiers. A discount of 20 cents on the dollar was not unusual. This profit was enjoyed by the big financier and the corresponding loss was borne by the soldier.

Thousands of wage earners who were unable to spare the money from their pay checks were forced by pressure of one kind or another to buy bonds they were not able to keep, and consequently, as soon as the bonds were paid for they were discounted and sold to people of more means who profited at the loss of these wage earners.

Not only were soldiers and wage earners forced to sell bonds at a great sacrifice to themselves and profit to those of more means, but thousands of farmers and small-business men were forced by pressure of one kind or another to borrow money at the banks at high rates of interest and buy bonds which they were not able to hold but which they discounted and sold to the banker in order to pay him the money they had borrowed. Then by raking and scraping they paid the difference between the note and the discounted bond, accepting the loss as a part of their patriotic duty to the Government.

Most of what I am saying needs no substantiation because it is still fresh in the minds of those who were of age at that time. But I wish to quote from Mr. Nathaniel R. Whitney, who has written a book entitled "Sale of War Bonds in Iowa." This book evidently was carefully prepared, since there are many footnotes which refer to the source of authority from which Mr. Whitney has drawn his information.

I quote from page 130:

> If the individual protested that he was unable to pay for the bonds, the answer was, "the banks will enable you to do it." If he objected that the rate of interest he would have to pay the banks was higher than the rate on the bonds the retort was "the amount you lose in the way of interest is merely a tax which you can well afford to contribute to the Government in this period."

Again on page 142, he said:

> It was reported that 20 of these returned soldiers and sailors called on one man who had bought only a hundred dollars' worth of bonds during the first four loan campaigns, but had scalped $2,400 worth at from 80 to 96 cents on the dollar.

There were some who aggressively sought the opportunity to buy Liberty bonds at a discount. While I was at Camp Dix, N. J., I heard that there were certain scalpers who would buy these bonds and pay the soldiers cash, provided the bonds were sufficiently discounted, but most of the purchase of discounted bonds was by bankers.

I have no reason to believe that the bankers asked for the discount but rather I am inclined to believe that the people who were unable to hold these bonds asked the bankers to take the bonds off their hands and offered a liberal discount as an incentive. But no matter which way it happened the result was the same, and that result was more profits for the rich and greater burdens for the poor.

PROFITS FROM INSTALLMENT BUYING

Then again, not only did the financiers profit from double-interest rates, tax exemption, and discounted bonds, but they profited from the system of installment buying.

For example, let us say, Molly Smith, who was a stenographer, bought a $50 bond, paid $1 down, and was to pay $1 a week for 49 weeks until the bond was paid for.

The Government asked the banks to help in the sale of these bonds and I wish to say that I believe most of the bankers deserve praise for the patriotic manner in which they assisted the Government, and what I say is not intended as sharp criticism of individuals, but the facts stand as a criticism of the system.

The Liberty Loan organization put great pressure on the banks to get their quotas in for their communities before the dead line. Therefore, the banker, in order to turn in his quota before the dead line, paid for Molly Smith's bond himself and looked to Molly Smith to finish the installment payments. But in order to make himself secure he purchased the bond in the name of the bank, or loaned Molly Smith $49 and took the Liberty bond as security. All of which no doubt was done in good faith and in a spirit of patriotism.

Then something happened to change all of Molly Smith's plans and she stopped making payments on the bond. The result was Molly Smith lost the money she had paid down on the bond, and the bank profited by her loss.

In some cases kind family bankers protected their clients from loss of this kind, but in the excitement of the times there were many small bondholders who lost in this manner, and their loss was somebody else's gain.

PROFIT BY INFLATION

Then, again, not only did the war financiers profit because of double interest, tax exemption, discount of bonds, and the installment-buying plan, but perhaps their greatest profits came because of inflation, which resulted in the Government borrowing 50-cent dollars and paying back 150-cent dollars.

Inflation always accompanies war, and deflation always follows war. Therefore a system of financing such as the one we used in the World War is made to order for Wall Street.

By the time the Government launched its borrowing campaign, inflation was in full swing. A dollar then would buy only half of what it would in normal times. Consequently the Government borrowed 50-cent dollars and with these 50-cent dollars was able to purchase only 50 cents' worth of materials. The war ended and the after-war slump came. Prices hit the bottom about the time these bonds were paid off, as the Government started calling them in 1932. A dollar then would buy at least 150 cents' worth of commodities.

Therefore the man who had loaned the most had profited the most. There was a tremendous profit of unearned increment for the Wall Street bankers as a result of our system of financing war. The small investor did not benefit by this because the bonds were out of his hands long before they came due.

When the call came for the boys to lay aside their businesses and leave their jobs and serve their country, they unhesitatingly responded, believing in their hearts that everybody in America was sharing in the sacrifice necessary to win the war.

The boy who had a job which paid him $10 a day where he was safe and secure did not hesitate to take his place in the Army at a dollar a day and a chance to die, because he believed that everybody in the United States was ready to make similar sacrifices. He did not dream that there were those who would turn the war to profits for themselves.

The war cost America $30,000,000,000. Only about 5 percent of that went to the pay of soldiers, and every soldier who served in the Army not only accepted the risk of physical danger but took an economic loss in order to serve his country. Every soldier took a financial loss by being in the service. The average loss to each soldier was $2,500. I arrive at that by taking the average period of service at a dollar a day which the soldier received and comparing that with $7 a day which he could have received at day labor had he stayed out of the service and accepted civilian pay.

But it is said that you cannot pay for patriotism. I agree—you cannot pay for patriotism, but because you cannot pay for it, there is no reason why you should penalize it.

We, as the soldiers of America, were willing to make an economic sacrifice. We were also willing to accept the physical dangers of war, but it shocked our patriotism when we came home and learned that 22,000 millionaires had been made out of a war that cost our buddies in blood and money.

Therefore the ex-service man has the full conviction that the Government should concern itself with a plan for financing war without profiteering.

Therefore, Mr. President, I indict the old system of financing war because it guarantees profiteering and thereby offers an incentive to war.

INDICTMENT NO. 2: I INDICT THE OLD SYSTEM OF FINANCING WAR BECAUSE IT AUGMENTS AND ACCELERATES INFLATION

In the first place, in order to sell the Liberty Loan bonds, the interest rates were increased over peacetime rates. Naturally, such a general increase in interest rates resulted in the increase of the cost of financing business, and this was immediately reflected in a rise in the general price level.

But the greatest cause of inflation was the great expansion of credit by a pyramiding process; that is, an individual would borrow money with which to buy a bond and then for the next bond issue he would borrow money on the first bond with which to buy his second bond, and then for the third bond issue he would borrow money on his second bond with which to buy the third bond, and so on until the result was a pyramid of bonds which had no actual security back of them.

The result of such a tremendous expansion of unsecured credit was immediate and uncontrolled inflation.

Such inflation threw the Government into a vicious upward spiral because each loan decreased the purchasing power of the money borrowed in the previous loan. This, of course, made it necessary for the Government to borrow more than would otherwise have been necessary. In other words, it prevented the Government from getting value received for its money. This, of course, resulted in big profits for the financiers and heavy taxes for the people.

Therefore this system of financing war should be replaced by a system which will give the Government some measure of control over inflation.

INDICTMENT NO. 3: I INDICT THE OLD SYSTEM OF FINANCING WAR BECAUSE IT MAKES THE RICH RICHER AND THE POOR POORER

War does not create wealth, but destroys it. Therefore, when some profit from war, others must suffer a double loss.

That means that we have an unjust system for financing war which places a premium on war and a penalty on peace from the standpoint of the money lender, and thereby places a double burden upon the poor and average citizens who must pay this profit by the sweat of their brow, and upon the soldiers who must pay this profit in flesh and blood.

It was argued during the war that these pressure campaigns were a good thing because they forced our people to save. It is true that millions of poor people in their patriotic zeal bought these bonds.

But few were able to reap any benefits from such purchases. In the first place, the amounts that they were able to purchase were so small that if they had been able to keep the bonds until they matured, the profits to each individual would have been negligible and the amount saved would hardly have compensated for the sacrifice which was made in order to purchase the bonds.

But, as pointed out here before, these purchasers were not able to keep the bonds and they accordingly sold them, in most cases at a loss. Therefore the facts do not support the argument that all of these poor people were helped by the bond issues.

Furthermore, while the profit on each one of these small bonds was negligible, so far as each of these small purchasers was concerned, yet when all of these small bonds finally gravitated toward the hands of the big purchaser, the total of the small profits aggregated a tremendous profit for the big purchaser. Therefore this system makes the rich richer and the poor poorer.

INDICTMENT NO. 4: MR. PRESIDENT, I INDICT THE OLD SYSTEM OF FINANCING WAR AGAIN BECAUSE IT IS UNFAIR, UNJUST, AND UNSYSTEMATIC

There was no uniform method of determining how much each person should lend. There was no uniform system by which each person's ability to lend might be judged. There was no yardstick for gaging the financial ability of each individual to lend to the Government.

There were as many different standards of determining the amount that each individual should lend as there were different liberty-loan committees. It was left to each committee to determine how many dollars' worth of bonds, in the opinion of the committee, each individual should buy. The quota assigned to each individual was based generally upon guesswork. Sometimes the estimates placed by members of the committee were influenced by prejudice, particularly in the case of foreign-born citizens. A general state of excitement prevailed at the time because of the war and the estimates of the committees were influenced by their overwrought feelings.

Then, again, the individual who owned physical property which could not be hidden was at a disadvantage as compared to his wealthier neighbor who had investments in intangible assets.

Any method of raising money which depends upon patriotism, pressure, profit, haphazard guess, prejudiced estimate, or other arbitrary methods of determining the amount that each individual should lend is unfair, unjust, and unsystematic.

The old system of financing war is based upon caprice, hysteria, prejudice, enthusiasm, threats, and pressure of all description. Therefore it is bad, utterly bad.

Furthermore, when patriotism is used as a means of selling bonds the charitable, the emotional, and the patriotic are at a great disadvantage as compared to the cold-blooded, the business-minded, and the hard-hearted.

For example, old fathers and mothers who had already sent their sons to the Army were emotionally in a frame of mind which caused them to subscribe for bonds far out of proportion to their fair share, as compared to the businessman who had no sons in the service.

Furthermore, the romantic little stenographer who did not own a dollar's worth of property in the world, and had nothing but her slim weekly pay check, would subscribe for bonds far out of proportion to her fair share as compared to her employer who, by his training, was accustomed to discounting all emotional and patriotic appeals and making every decision on a cold-blooded business basis.

It is a well-known fact that the poor are, as a class, more charitable and certainly more emotional than the rich. Perhaps that is the reason they are poor and others are rich; but, be that as it may, the poor and the near poor, and even the middle class, contributed from their slim savings far out of proportion to their ability, as compared to that contributed by the wealthier class, and the pity of it was that instead of their sacrifice at the time resulting in a saving for them in the future it resulted in a loss because, as explained before, they were unable to hold the bonds and enjoy the fruits of their sacrifice, but sold them at a loss.

During one of the loan campaigns the Comptroller of the Currency announced that a roll of honor would be published of all those banks which subscribed for 5 percent or more of their total resources (p. 7, Official Bulletin, June 14, 1917). How does this compare to the subscription of an employee who does not have anything except his meager salary? Some banks, of course, subscribed more, but those who subscribed only 5 percent of their resources were placed on an honor roll.

Even though soldiers did not own a dollar's worth of property in the world, pressure was put upon them to buy bonds. I know this of my own experience, but quoting from Mr. Whitney's book, page 108, he says:

In the earlier loan drives it was customary to call upon all the soldiers to subscribe, payments on their bonds being deducted from their wages. Since the income which most of them received, however, was small, and in the majority of cases, deductions were made for war insurance and for allotments to be sent to dependents, it was decided by the Treasury Department in the third and following campaigns that soldiers should not be asked to subscribe. Of course, those who wished to do so and felt that they could afford it were permitted to buy bonds. (The Camp Dodger, April 20, 1918.)

During the third campaign, without any solicitation, the soldiers in Camp Dodge bought about $65,000 worth of the bonds. (The Camp Dodger, May 3, 1918.)

It would have been interesting to know how many dollars' worth of those bonds were in the hands of the soldiers when they were paid, and how many dollars' worth gravitated toward the financial centers.

It would also be interesting to know what percent of the net worth of each one of those soldiers their purchase represented, as compared with the 5 percent required of the banks.

Quoting again from the same book, page 111:

The Chamber of Commerce of the United States during the first campaign urged that all employers of labor should see that the need and desirability of subscribing for bonds was impressed upon their employees. It also suggested that employees should be encouraged to make subscriptions on the installment plan, the payments being taken out of their wages.

While it may not have been general, yet there was a feeling among the people of moderate means that they were buying more bonds than the wealthier class in proportion to their ability to pay. Let me quote again from the same book, page 117:

In this campaign, the excuse, "I have already done my share and more in the first four loans," was frequently heard. Furthermore, it is interesting to note the extent to which the prevailing industrial discontent and social unrest had spread since the fourth loan. Solicitors more frequently encountered such excuses as "Let the rich buy the bonds; they are the ones who have profited by the war; the wage earners and the poor have been the chief sufferers in this war."

Then again, Mr. Whitney says, on page 122:

Cards or slips were inserted in pay envelopes;

This, of course, certainly amounted to pressure to force the wage earner to subscribe to bonds with no regard as to his financial ability to buy bonds, as compared to the employer who inserted the slips in the pay envelopes.

Quoting again from Mr. Whitney, page 128:

Third, committees were appointed to determine what constituted a fair subscription using, perhaps, taxable property or income as a basis; and fourth, definite assessments of the amounts to be subscribed were made. * * * Often, indeed, he resented the method and felt that he was treated unfairly but rarely would he risk the public condemnation which could be so easily aroused against him by refusing to subscribe.

Further providing the point that the quotas allotted to individuals in many cases were not in proportion to their ability to lend, I quote again from Mr. Whitney on page 133:

Relief-giving agencies sometimes testified that they had been compelled to increase their grants because of lessened assistance to families from relatives and friends who were buying Liberty bonds or because of the lowering of the standard of living when a family was forced to buy bonds out of an insufficient income. Men and women of small incomes sometimes reported that they were falling in arrears because of the deductions from their salaries on account of Liberty Loans.

Sometimes quotas were assigned to people in groups which made the allotments very unfair. For example, a certain quota of savings stamps would be assigned to a school, and each pupil would be required to solicit the quota assigned to each home. Let me read again from Mr. Whitney's book; on page 132 he says:

Furthermore, not all children in the public schools came from homes where there was sufficient money available for the frequent purchase of War Savings Stamps, and the excessive pressure applied in certain schools had unfortunate results.

Then again, on page 134, he says:

In the schools the spirit of competition that was aroused among the children and the methods which were used to force subscriptions in some cases resulted in driving some of the poorer children who were unable to buy out of the schools because of the gibes of the other pupils and the efforts made by the teachers to compel them to subscribe. Sometimes children refused to go to school unless they had money from their parents to purchase thrift stamps or to make payments on bonds; all this without regard for the fact that the parents themselves were subject to the same sort of pressure from their employers and their neighbors (pp. 886–889, Survey, March 22, 1919.)

Further proving the point that assessments or quotas were assigned to everybody within a certain group and that such assessments were without rhyme or reason or justice, I read further from page 133 of Mr. Whitney's book:

The New York Consumers' League investigated women's wages and living costs in New York and Brooklyn and found considerable fault with the indiscriminate exertion of pressure on employees to subscribe for bonds. One girl, who was getting $12 a week in a department store and lived in one of the subsidized homes of the city in order to make her wage suffice, was threatened with discharge if she refused to subscribe for a bond. She purchased a bond and in order to meet the payments on it had to supplement her earnings by sewing in the evenings, working until 12 and 1 o'clock at night after standing all day at her counter. Another girl paid a dollar a week from her $8 wage for a bond. In order to do so she lived in a cheap quarter of the city in a room costing $1.50 a week.

Multiply these by thousands of instances like them and you must conclude that such a system of raising money is unfair and unjust.

INDICTMENT NO. 5: FURTHER, I INDICT THE OLD SYSTEM OF FINANCING WAR AS A VIOLATION OF CIVIL LIBERTIES BECAUSE IT ENCOURAGES THE USE OF EXTRALEGAL, COERCIVE, AND DICTATORIAL METHODS IN THE SALE OF BONDS

Coercion, intimidation, and threats were frequently used in order to sell bonds during the World War. Kangaroo courts were established and strong-arm committees used extralegal methods to force people to buy bonds in amounts which had been arbitrarily determined. These strong-arm methods of selling bonds depended upon war-inflamed passions of the people for their support.

The newspapers and magazines were filled with stories of sabotage and stories of spies and enemy agents in this country. Mob psychology ruled almost every public meeting and patriotism was heated to white pitch. Public opinion supported the loan committees in their decisions, no matter how drastic.

Injustices and inequalities were justified in the minds of the people on the grounds that it was war. If an individual disagreed with the committee on whether or not he was able to subscribe for bonds, he was looked upon as being unpatriotic. He was branded "a slacker" and held up to public indignities.

Coercion in different forms and degrees was used by these high-pressure committees. Threats implied and expressed were used freely.

The Treasury Department depended largely upon the banks throughout the country to sell the first bond issue. Let me quote again from Mr. Whitney's book, page 24:

> Just as voluntary buying of Liberty bonds was rapidly superseded by what amounted to compulsory subscription, so the subscription for Treasury certificates became compulsory for the banks. * * * In anticipation of the Third Liberty Loan, however, instead of relying on voluntary subscriptions, the Secretary of the Treasury urged a uniform proportionate contribution of 1 percent of its gross resources from every national bank, State bank, and trust company, to be set aside weekly for investment in these certificates.

Again on page 86 of Mr. Whitney's book, he said:

> Not all of the banks were willing to cooperate, and some of them had to be forced into line. Various methods were used to compel those who hung back to do their share.

Continuing on page 87:

> Moreover, considerable indirect pressure was brought to bear on the banks; those which failed to give every assistance possible in floating the loans were given to understand that they might be denied any help in time of need from the Reserve banks or from their fellow bankers and the reluctant banks feared that if their names should appear on a list as having failed to subscribe they would undoubtedly lose greatly in prestige and in business in their community. On November 24, 1917, Mr. Kneath, the Federal Reserve chairman of the Iowa Liberty Loan Committee, sent a list of the total subscriptions received through the various banks in each county to the county chairmen with instructions that they have the list printed in their local papers and kept on hand for future reference. The purpose, of course, was to "show up" the banks that had not sent in any subscriptions or had sent in what were considered inadequate subscriptions.

This same system of pressure was applied to banks all over the United States. Not only was pressure used on the bankers but it was used even to a greater degree in other fields.

There were many instances where employers announced to their employees that they were expected to do their duty and their duty was the quota prescribed by a committee. This, of course, was an indirect threat of the loss of employment.

The passions of the people were so inflamed that a rumor of pro-German sympathy, even though it may have been untrue, caused them to resort to extreme methods of forcing the purchase of bonds. According to a writer in the Atlantic Monthly (vol. CXXIII, pp. 99–105) this pressure became so severe in Wisconsin as to merit the term "Prussianization." In Iowa the editor of the Iowa Homestead, August 22, 1918, spoke of the campaign period as a "reign of terror." On a later date The New Republic, March 29, 1919, described the means of pressure used in Iowa under the title "Borrowing With a Club."

In most cases the pressure to subscribe, backed by the fear of public opinion, caused most individuals to subscribe without hesitation. The kangaroo-court methods were even worse than the methods to which I have already referred. Again quoting from Mr. Whitney's book, page 134, he says:

> These (kangaroo courts) were given various names, such as the "Incognito Military Court" of Sioux City, organized during the third loan campaign, and the "Loyalty Court," in Cedar Rapids, during the fourth loan campaign, but in most communities they were known as slacker courts or simply courts. In organization they ranged all the way from one or two men to a group of 10 or more, and their methods varied from amicable conference to the use of legal terms and pseudo-legal forms of procedure. (Liberty Loan Courts in History of War Activities in Scott County, Iowa, pp. 60–62).
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> A good idea of the organization and methods of these courts can be obtained from a speech entitled "Recruiting," made by Emmet Tinley in 1918. (Proceedings of the Iowa State Bar Association, vol. 24, 1918, pp. 127–137.) Mr. Tinley described the court at Council Bluffs, of which he was a member. It was composed of 10 men. * * * A special form of summons was made use of and, according to Mr. Tinley, out of 400 summoned not one failed to appear.
>
> Those who were summoned were ordered to bring with them a statement of all property and debts. The members of this court asserted complete and final jurisdiction, though they relied to a large extent upon persuasion and explanation. Mr. Tinley described the methods in the following words:
>
> "For instance, you may have before you a slacker engaged in mercantile business and enjoying real prosperity. He perhaps may be defiant and arbitrarily contend that the purchase of $200 of bonds is his full share when you feel he should have taken 10 times that amount. Just show him the picture of a real patriot; a widow whose only son is in the Army and who now washes for a living in order that she may use the allotment she receives to help pay for $500 of her Government's bonds. Then ask his permission to take his picture and the picture of his store and his automobiles and his home in order that you may present the contrast at the next patriotic meeting, by throwing the pictures of the two characters on the screen with appropriate inscriptions. It is surprising how quickly he will see the light."

Then again, an unofficial court was established in Waterloo, Iowa, as an adjunct of the Service League, with F. C. Platt as judge. Quoting again from Mr. Whitney's book, page 138:

> The proceedings were carried on very much as in a formal trial, and it was said that in all but three of the many hundreds of cases disposed of, the judgment of the court was carried out. In most of the cases before the court all that was needed was "a little explanation of an educational nature." If persons under investigation failed to appear when notified the sheriff is said to have served notice upon them, and if they then failed he brought them in and the costs were levied upon them. Apparently the power of the sheriff to compel them to appear before an extralegal court of this sort was not questioned.

In addition to kangaroo-court methods of coercion, the committees resorted to the use of boycott. Quoting again from Mr. Whitney's book, page 140:

> James M. Pierce described an incident which occurred in a northern Iowa town where a family which had refused to subscribe for bonds was said to have been boycotted. Cattle they had ready to ship were driven out of the local stockyards and scattered throughout the country. Local banks in which they were stockholders forced them to sell their shares. A yellow monument was erected in the center of the town with the names of all the members of the family inscribed on it. Threats were said to have been made to burn their house and barn (Iowa Homestead, August 22, 1918).

Mr. President, I have quoted extensively from Mr. Whitney's book, which deals specifically with Iowa, but what was true in Iowa was true in every State of the Union. Most every person who is old enough can remember incidents similar to the ones to which I have referred, which make it unnecessary to accumulate further evidence to prove that the old method of financing war allows of extralegal, coercive, and dictatorial methods, which depend upon threats, pressure, and intimidation for success.

INDICTMENT NO. 6: THEN AGAIN, MR. PRESIDENT, I INDICT THE OLD METHOD OF FINANCING WAR AS BEING CLUMSY, WASTEFUL, AND INEFFICIENT

It depends upon high-pressure methods of salesmanship. It is not a system, but a hit-and-miss method of raising money by flamboyant fanfare. Using the World War as an example, there was great duplication of effort, overlapping of territory, and lack of concentrated energies. In most cases, it depended upon voluntary help, which was sporadic and spasmodic, according to the temper of the time.

Before the war finished the Liberty loan campaigns finally did settle down to some degree of organization, but only after enough undirected energy had been wasted to have accomplished the entire job.

CAMPAIGN WAS EXPENSIVE

If it were possible to total up the entire cost of the Liberty-loan campaigns, it would be a staggering amount. If we were able to add up all of the time which was contributed by the great army of workers and add to that the amount of money donated by the local committees; then if we could add to that the cost of the artists' talent which was donated; then if we could total up the cost of the services of entertainers, singers, actresses, and so forth, the figure would be appalling.

But because it was donated we figure it did not cost anything, but it did cost something. Not only did the people of the United States respond to the call to purchase Liberty bonds in a patriotic manner but they gave of their time and money to the campaign itself. Most of them were generous to the point of sacrifice in order to make that campaign successful.

Mr. President, I wish to pause long enough in my argument at this point to pay high tribute to the great patriots whose efforts brought success to the Liberty-bond campaign. Except for their courage and unfaltering efforts, such a gigantic

task never could have been accomplished. In fact, there were many sensible and patriotic citizens who did not believe it could be done, but great men like Secretary of the Treasury William G. McAdoo and CARTER GLASS said that it could be done. To their aid came one of the greatest armies of patriotic workers ever assembled. To their aid came great actors, like Mary Pickford and Charlie Chaplin. To their aid came great industrial and financial leaders. To their aid came the rank-and-file citizens of America and accomplished the seemingly impossible. Therefore, I pause in my argument to pay tribute to them for the successful accomplishment of that Herculean task.

But in spite of the fact that it was a noble accomplishment, it does not change the fact that it was accomplished at great waste and loss of energy, not because of the men and women who gave their services but for the want of a system.

Under the direction of men and women of lesser courage, patriotism, and ability, it could not have been accomplished at all, because it is a disjointed, unsystematic, illogical method of raising money.

Cards advertising the loan appeared in street cars in 3,200 cities and towns. These cards were furnished without cost to the Government. Also electric signboards were furnished free of charge. Free advertisements were contributed on 5,000 metal billboards, and also without cost to the Government. There appeared before millions of persons every day on the screens of motion-picture houses the exortation, "Buy a Liberty bond."

Now, in addition to all the time and energy and material and services and money that was donated by the millions of patriots in order to sell the bonds, let us consider some of the concrete expenses which were not absorbed by donation.

One of the features which most of us remember of those campaigns was the lavish use of posters and placards. Uncle Sam or the Goddess of Liberty stared at us from every window and billboard.

In the first loan drive, it was the expressed intention to have one or more of such posters in every bank and shop window in the United States. In addition two full-size display sheets were prepared for 11,000 billboards.

Every railway and streetcar station was papered with posters. The Treasury Department, for the second campaign, awarded contracts for 4,000,000 posters in 8 designs and 500,000 window cards of one design. These designs were selected from more than 150 sketches submitted in competition. (Official bulletin, September 5, 1917, p. 2.)

Then during the third loan drive, seven tons of mail matter advertising the Liberty Loan were sent out daily, including Sundays, for distribution in the Seventh Federal Reserve district alone—seven tons daily, including Sunday, for the Seventh Federal Reserve district alone. One poster for every 25 persons was displayed in streetcars, office buildings, and other public places.

More than one piece of Liberty Loan advertising matter for every man, woman, and child in the United States was sent out during the campaign.

It was estimated that during this campaign, 7,000,000 posters, 42,000,000 poster stamps, 5,000,000 motor windshield posters, 5,000,000 Boy Scout folders, 12,000,000 farmers' circulars, 12,000,000 buttons, 8,000,000 Liberty Loan primers, 300,000 Boy Scout primers, 2,000,000 source books, and about 10,000,000 miscellaneous items were distributed. (Weekly Press Matter, Treasury Department, Bureau of Publicity, No. 61, September 18, 1918.)

Now I wish to read from the Secretary of the Treasury Report on the Expenses of the Campaign, which, of course, includes only such expenses as were not donated.

First Liberty Loan: For publicity only	$274,154.98
Second Liberty Loan: For publicity only	536,521.58
Third Liberty Loan: For publicity only	1,698,748.61
Fourth Liberty Loan: For publicity only	2,449,855.05
Fifth Victory Loan: For publicity only	3,593,748.54
Grand total cost of publicity only for 5 Liberty Loan drives	8,553,028.76

This figure of $8,553,028.76 represents the cost of publicity alone in the Liberty-bond campaigns. Now let us examine the entire cost of these compaigns, including all items of expense to the Government, but not including, of course, money, services, and materials which were donated:

First Liberty Loan campaign expenditures	$3,061,824.98
Second Liberty Loan campaign expenditures	6,306,962.53
Third Liberty Loan campaign expenditures	10,722,414.77
Fourth Liberty Loan campaign expenditures	13,757,817.13
Fifth Victory Loan campaign expenditures	11,999,890.72
Grand total expenditures for all 5 Liberty Loan campaigns	45,848,910.13

It is not my intention in listing these expenditures to criticize the amount of the expenditure. It appears to be very modest when we consider the task which was accomplished. However, if we could total up the amounts of energy, material, and services which were donated and add them to this figure, it would make an impressive expenditure.

But I do want to center attention on the fact that the voluntary system of financing war requires a considerable outlay of money in addition to a vast amount of lost motion and duplication of effort.

INDICTMENT NO. 7: FURTHERMORE, MR. PRESIDENT, I INDICT THE OLD METHOD OF FINANCING WAR BY THE VOLUNTARY SALE OF BONDS BECAUSE IT BREAKS DOWN WHEN IT IS MOST NEEDED

To prevent profiteering and to prevent injustices during wartime is very desirable, but the most important objective of all is to win the war. Everything else must be of secondary consideration to the objective of winning the war.

When a nation goes to war, it proceeds on the general assumption that if it loses the war it loses everything. Therefore it must win the war at all costs. To win the war is of primary importance.

Two things are necessary to win a war—men and money. If you are able to provide the men but unable to provide the money, you cannot win the war.

A government must be able to supply its own needs. If we were able to provide an army of 10,000,000 fighting men and were unable to arm, clothe, and feed them, we would be as defenseless as the Chinese are today. China has the largest population in the world, and from the standpoint of manpower could mobilize the greatest army in the world, but she is unable to arm and equip that army. Therefore she is at the utter mercy of a much smaller nation.

The power is written into our Constitution "to provide for the common defense." This means that our Government has power to supply its needs in times of war. It means that our Government has the inherent and constitutional power to mobilize every man, woman, and child for national defense. It means that our Government has the power to commandeer all industrial and natural resources; that it has power to utilize every dollar of the Nation's wealth for the national defense if necessary.

In other words, because it is assumed that if the Nation loses the war, it loses everything, the Government is therefore empowered to use everything to win the war.

VOLUNTARY METHOD UNRELIABLE

We learned a long time ago that the voluntary method of raising an army was inefficient, unreliable, and altogether unsatisfactory.

Furthermore, we learned that the voluntary system was unfair since it allowed those of colder and more calculating nature to shirk their fair share of the responsibilities of a citizen.

But most important of all, we learned that the voluntary system did not supply the Government with a constant stream of men as they were needed. It resulted in more volunteers than were needed for the first calls but not enough for the later calls. Therefore, the United States abandoned the voluntary method of raising an army and adopted the better method of a selective draft.

Looking back through the CONGRESSIONAL RECORD when the bill for the selective draft was pending before Congress, I find that the very same arguments were made then in support of the voluntary system of raising an army as are now

being made in support of the voluntary system of raising money.

The experience of the World War showed beyond any reasonable argument that the selective draft method is superior to the voluntary method of raising an army.

The voluntary method of raising money is unreliable because it relies upon ballyhoo and emotional appeal for its success. It is well known that as a general rule the richer a man is, the less he is affected by emotional appeal. Whether it is the cause or the effect makes no difference but the fact remains, as a general rule, that a man's sales resistance increases in direct ratio to his bank account.

It is a well-known fact that millions of poor people in America made heartbreaking sacrifices during the war in order to contribute financially what they considered was their share to win the war, but the purchase of bonds on the part of the very wealthy class was not made because of an overwhelming surge of patriotism, but those purchases were made from a cool, calculating business standpoint and such purchases involved no sacrifice whatever on the part of the ultrarich. On the contrary, they added to their already swollen fortunes.

When the announcement was made that one individual, for example, had purchased a million dollars' worth of bonds, or $5,000,000 worth of bonds, a feeling of appreciation swept over the country and people in their hearts applauded what seemed to be a patriotic act on the part of the purchaser. But did the purchaser forego a meal? Did he forego needed clothes or even a pleasure in order that he might purchase a million or $5,000,000 worth of bonds? Not likely.

Therefore, we had the poor who were motivated by emotional appeal making actual sacrifices in order to raise money for the war, and the rich who were motivated by business judgment increasing their fortunes by the purchase of war bonds.

Thousands of emotional people subscribed for bonds which they were unable to buy. They overestimated their ability because they were overwrought by emotional appeals. They were subscribing for bonds in amounts which they would like to be able to buy but which they actually could not and did not buy.

Therefore, a system of financing based on emotional appeal is too unreliable to depend upon during a national emergency.

Governments which have depended upon the voluntary system of financing war have found that the voluntary system breaks down right when money is most needed.

The governments then turn to the printing presses for money, with the disastrous results which always follow the issuance of flat money.

This has been done in nations where the financial resources had not been exhausted but had simply hidden out, as they always do in time of war, and, further, because those governments had no legislative machinery for reaching the capital resources in a systematic and equitable manner. History is replete with the stories of governments which broke down within before the armies gave way on the front.

The worthless Confederate currency of the South and the depreciated "greenbacks" of the North are ample evidence of the desperate efforts which those two Governments made in order to continue fighting after the voluntary system of financing had broken down.

The United States was not in the World War very long compared to the total length of the war. Furthermore, our Nation was not in danger of attack, and we were never in doubt as to the final result. Yet under these most favorable conditions the voluntary system of financing was breaking down.

It became increasingly more difficult to raise money, as the committees who put on the Liberty Bond drives will testify. But we are now told by those who defend the old voluntary system that the bond issues were all oversubscribed, which statement is correct but very misleading.

Perhaps in your imagination you see a man at a desk handing out the bonds just as fast as he and his helpers can hand them out, and perhaps you imagine a crowded room with men tiptoeing and waving check books and shouting bids for so many dollars' worth of bonds. And then, perhaps, you see the Secretary of the Treasury close the door while these patriotic millionaires are still begging for a chance to buy more bonds.

But that was not the case. The true picture is that in every nook and corner of the United States we had high-pressure committees going to people's places of business, going to their homes, going to public meetings, and using all of the modern methods of salesmanship in order to sell their quota of bonds.

We had strong-arm committees and kangaroo courts threatening and intimidating people to force them to buy what was said to be their quota of bonds.

The Government spent eight and a half million dollars on advertising alone in order to sell those bonds. The Government spent a total of $45,848,000 in order to sell those bonds. It used 2,000,000 feet of moving-picture films and thousands of tons of printed advertising materials.

The most colossal campaign of propaganda that was ever launched in the history of the world was launched in order to sell those bonds.

Millions of colorful billboards were plastered all over the United States. Heartbreaking scenes appeared everywhere you turned. Uncle Sam pointed his finger toward you no matter where you looked. The Statue of Liberty with blazing eyes shouted to you to buy bonds. Pictures of broken and bleeding soldiers pled with you to buy bonds. Pictures of babies with tiny uplifted hands pled for you to buy bonds.

A captured submarine was brought into different ports of the United States and trainloads of captured war paraphernalia made tours all over the United States in order to dramatize that campaign.

Boy Scouts, 4-minute speakers, beautiful girls, torchlight parades, and bonfires were all used to create enthusiasm in order to sell those bonds.

Famous people climbed flagpoles and fire ladders in order to whip up the excitement. Ministers were asked to plead from their pulpits, which thousands of them did. Images of the Kaiser and the Crown Prince were burned in effigy, and troops of wounded and disabled soldiers made tours through the country, pleading with the people to buy bonds.

In other words, after staging the most gigantic selling campaign in the history of the world, we were able to oversubscribe the bonds.

Now let us look at the amount of oversubscription. The First Liberty Loan was oversubscribed 52 percent, the Second 54 percent, the Third 39 percent, the Fourth 16½ percent, and the Fifth Victory Loan, was oversubscribed 16⅔ percent. In other words, with all of the pressure and emotional appeal which the genius of America could create, the oversubscription slumped from 52 percent to 16⅔ percent.

How much longer do you think we could have kept up that high-pressure campaign? Yet even with that pressure the oversubscription decreased from 52 percent to 16⅔ percent.

But that is only half of the story. Now let us look at the rising interest rates which it was necessary for the Government to pay in order to coax enough money out of hiding to continue the war. The ultrarich did not buy bonds as a result of these emotional appeals, but they bought from a purely business standpoint. Therefore, while the enthusiasm for buying bonds was continually going down, the interest rate was going up. In other words, it was necessary to increase the interest rate for each bond issue in order to make a more attractive business proposition.

The first bond issue bore 3½-percent interest, the next 4 percent, the next 4¼ percent, and the last 4¾ percent, and if the war had continued long enough, judging from history, we would have reached the point where the Government could not have borrowed money at any rate of interest. Then we would have turned to the printing presses and destroyed ourselves, all for the lack of an efficient system for reaching the wealth which is in this country.

Financial resources have been referred to as the sinews of war. At least, we know that two things are essential to win a war. They are men and money. If we are able to supply the one but not the other, we are defenseless. In case of war, the United States should be able to supply these two essentials of war in a constant, unending stream. Therefore, the Government should have equal power to raise money as that granted to raise men.

But during the last war the Government raised an army by compulsory draft laws and raised money by public begging. Although the stream of men flowing into the Army was not diminished as the war proceeded, yet it was very evident from the facts which I have just submitted that the voluntary method of raising money was breaking down.

Had the war proceeded to the point where it would have been impossible for the Government to raise money by the voluntary system, we then would have been in the inconsistent position of a nation with adequate wealth but without the systematic machinery for reaching that wealth while we had operating a perfectly working draft system for supplying manpower.

In other words, we would have had a great Army but would have been unable to supply it with ammunition, food, clothes, or transportation, not because there was not enough wealth in our country, but because we were depending upon the unreliable method of raising money by voluntary subscription.

INDICTMENT NO. 8: THEN AGAIN I INDICT THE OLD VOLUNTARY METHOD OF FINANCING WAR AS BEING INCONSISTENT WITH A LYSTEM OF DRAFTING MEN

The Constitution says—and I quote:

Congress shall have power to raise and support an Army.

Here are two grants of authority connected by a conjunction. One says Congress has power to raise an Army; the other says Congress has power to support an Army. They are coexistent. The grant of authority is equal in force.

But during the World War, Congress exercised only one of these powers; that is, the one to raise an army. And, accordingly, Congress raised an army of 3,000,000 men, but it was necessary to feed that army and clothe that army and provide the transportation and equipment and munitions for that army. But Congress did not exercise the power granted in the Constitution to provide the money for supporting that army. The Government depended rather upon the voluntary method of raising money.

The language of the Constitution is simple and straightforward. It says in part as follows:

Congress shall have power * * * to raise and support an army * * * and to make all laws which will be necessary and proper to carry into execution the foregoing powers.

There is the explicit grant of constitutional authority for legislation to finance war.

During the last war, the Government raised an army of men by compulsory draft laws and supported that army by voluntary appeals for money.

It raised an army by force and supported it by solicitation.

It raised an army by coercion and supported it by persuasion.

It raised an army by command and supported it by entreaty.

It raised an army by order and supported it by supplication.

It raised an army by law and supported it by grace.

The Government drafted men and begged for money.

To me it is unthinkable that Congress has the power to raise an army of men by compulsion and does not have the power to raise finances by the same compulsion. The power to raise an army and the power to support an army are, in my opinion, coexistent. The one cannot exist without the other. Of what effect is an army without ammunition? Without guns? Without hand grenades? Without transportation? Without food?

In the last war the power exerted to draft men was mandatory. The power to raise money was volitional. We raised the army by mandate and fed it by volition. What an inconsistency.

The power to equip, feed, clothe, and support an army and the power to raise an army are inseparable ingredients of war and the power to feed, clothe, and equip an army means the power to raise money in a manner as equally mandatory as the manner used to call men to the colors.

In my opinion, it is almost unthinkable that the United States, the richest Nation on the face of the earth, a Nation worth over $350,000,000,000, should be embarrassed during a national crisis for the want of enough money to defend its boundaries against the aggression of a foreign foe.

To me it is almost unthinkable that a government which has power to draft a man and send him to his death in the front-line trenches must stage a flambouyant circus at home in order to raise enough money to buy the genuine uses.

During the darkest days of the Civil War, Abraham Lincoln went to New York to raise more money to feed and clothe and arm the soldiers. He saw that the bankers were holding out for better terms. He stood up with the fire flashing from his eyes. He said:

I can draft a widow's only son. I can take her only means of support from between the plow handles and place him at the front of the battle where his life will not last 6 minutes. But I cannot lay my hands on enough money to pay for the food he eats before he is shot.

It was true in the Civil War, it was true in the World War, and unless we do something about it now it would be true in case of another war.

HISTORY OF PLAN TO DRAFT USE OF CAPITAL IN CASE OF WAR

Mr. President, having decided that the voluntary method of financing war is not satisfactory, the next question is what plan should we adopt? In the consideration of a plan for mobilizing the financial resources of the Nation, I believe we should devote our attention to broad and general principles, before we concern ourselves with details. Because if a majority of the Members of Congress can agree upon the general principles of a plan, there will be little difficulty in working out the details.

In casting about for a proposal, let us consider the recommendations of the soldiers who fought in the World War.

That war taught us that the only fair, just, and democratic way to raise an army is by a selective draft of manpower, and by the same token we believe that the only fair, just, and efficient way to finance war is by a universal draft of capital.

The first national American Legion convention that adopted a resolution referring to the conscription of wealth was at Kansas City, Mo., in 1921. That convention recommended the appointment of a national committee to study:

The question of universal draft in time of national emergency of all persons capable of military and industrial service, together with the universal draft of land, material, plants, and capital suitable for preparation and prosecution of war.

So definite were the ex-service men in their announcements for such legislation that Congressman Royal C. Johnson, of South Dakota, who introduced the bill in Congress that created the American Legion, also introduced on September 21, 1922, a proposed amendment to the Constitution of the United States, providing as follows:

That in the event of a declaration of war by the United States of America against any foreign government or other common enemy the Congress shall provide for the conscription of every citizen and of all money, industries, and property of whatsoever nature necessary to the prosecution thereof, and shall limit the profits for the use of such moneys, industries, and property.

This was the first effort to secure legislation to draft money in case of war. It was adopted by the American Legion convention in New Orleans, October 16, 1922. From that time on until 1930, Congressman Johnson continued to reintroduce it. The Senator from Kansas Mr. [CAPPER], introduced a similar bill in the Senate. This bill was originated by those who first organized the American Legion, and the language of this bill is very plain. It says:

The Congress shall provide for the conscription of every citizen and of all money.

This was not to be the statute, but the enabling act under which the law was subsequently to have been passed. Some

thought it was necessary to have an amendment to the Constitution, granting the power to thus draft capital in case of war. But the point I want you to bear in mind is that the American Legion has been committed to the proposition of drafting money in case of war from its very organization, and that the same man who introduced the bill which provided for the organization of the American Legion was also the man who introduced the proposed constitutional amendment which was adopted by the American Legion in its national convention, and that that amendment called for the conscription of money and limitation of profits for the use of such moneys. There was no intention to confiscate the money thus drafted, but to—

Limit the profits for the use of such moneys.

In 1929, the convention met at Louisville, Ky., and adopted the following resolution:

Whereas the American Legion has, since its first caucus in 1919, advocated the universal conscription in time of war of all of the resources of the Nation, including capital, etc: Therefore, be it resolved—

Let me emphasize the language of that resolution. Notice the phrase "including capital." The American Legion favors—

The universal conscription in time of war of all of the resources of the Nation, including capital.

Then again, at the national convention which met at Miami, Fla., in 1934, the American Legion adopted the following resolution:

Whereas constantly since its organization the American Legion has presented to the Congress of the United States a plan providing for the universal draft and conscription of capital, industry, and manpower in the event of war, etc. * * *: Therefore, be it resolved—

Again let me repeat the language of that resolution. The American Legion favors the—

Plan providing for a universal draft and the conscription of capital.

No one can misunderstand that language. In 1936 the American Legion met at Cleveland, Ohio, and adopted the following resolution:

Whereas the American Legion has continuously since its organization advocated a universal service act providing for the draft of capital, industry, etc. * * *: Therefore, be it resolved—

Here again I call to your attention the unmistakable language of the resolution adopted by the American Legion in its national convention favoring draft of capital in case of war.

In all the other national conventions similar resolutions have been adopted. Therefore, the American Legion as an organization is unequivocally committed to the proposition of drafting money in case of war.

OTHER EX-SERVICE ORGANIZATIONS FAVOR DRAFT OF WEALTH

At the 1936 encampment of the Veterans of Foreign Wars they adopted the following resolution:

Resolved, That the Thirty-seventh National Encampment, Veterans of Foreign Wars of the United States, demand a universal conscription law to be enacted by Congress as a preventive of war which shall draft wealth and industry without profit and on the same basis as manpower in the event of war; and be it further

Resolved by this encampment, That the Veterans of Foreign Wars of the United States continue to demand a policy of "profit for none" in connection with this Nation's possible future participation in war.

At the last national convention of the Veterans of Foreign Wars a resolution was adopted calling for legislation that in case of war would draft money as well as men. I wish to read that resolution:

Whereas in the event of unwanted war the wealth of the Nation should be just as much subject to conscription and mobilization as its manpower; and

Whereas under the provisions of S. 2911 introduced by the Honorable JOSH LEE, a graduated proportionate part of the wealth of every resident would in the event of war, be subject to conscription, by requiring the purchase of taxable Government bonds, paying interest of not more than 1 percent per annum, which would effectively and equitably draft the use of money and credit, thus speeding up the successful prosecution of any such war: Now, therefore, be it

Resolved by this Thirty-eighth National Encampment of the Veterans of Foreign Wars of the United States, That we vigorously advocate and press for the enactment of S. 2911 effectively to provide for the conscription of wealth in the event of war.

Therefore, it is evident from these resolutions that the ex-service men favor raising money for financing a war by methods which are as equally compulsory as those used to raise an army of men.

Not only have the veterans expressed themselves as favoring a compulsory draft of capital in case of war, but both political parties are on record as favoring that method of financing a war.

The Democratic Party platform of 1924 included this statement:

War is a relic of barbarism and it is justifiable only as a measure of defense.

In the event of war in which the manpower of the Nation is drafted, all other resources shall likewise be drafted. This will tend to discourage war by depriving it of its profits.

The platform of the Republican Party for 1924 included this statement:

We believe that in time of war the Nation should draft for its defense not only its citizens but also every resource which may contribute to success. The country demands that should the United States ever again be called upon to defend itself by arms the President is empowered to draft such material resources and such services as may be required, and to stabilize the prices of services and essential commodities, whether utilized in actional warfare or private activity.

Then President Roosevelt in a message to Congress on January 28, 1938, recommended legislation—

Aimed at the prevention of profiteering in time of war and the equalization of the burdens of possible war.

Therefore, in response to this oft-repeated demand for legislation to draft money in case of war, I prepared and introduced in the Senate on the 22d day of July 1937—

A bill (S. 2911) to promote peace and the national defense through a more equal distribution of the burdens of war by drafting the use of money according to ability to lend to the Government.

This bill was referred to the Senate Committee on Military Affairs and a subcommittee was appointed to hold hearings. Accordingly, hearings were held between the dates of February 23 and March 3, 1938. The bill was favorably reported to the Committee on Military Affairs which reported the bill to the Senate, where it remained on the calendar until the end of that session.

The bill was reintroduced in the first session of the Seventy-sixth Congress under the number of S. 1650, and was placed on the calendar.

A minority report was made by the Senator from New Hampshire [Mr. BRIDGES], the Senator from Vermont [Mr. AUSTIN], and the Senator from South Dakota [Mr. GURNEY].

The plan for drafting capital which is provided in S. 1650 was written and introduced as an answer to that demand. For 20 years the soldiers have been asking for legislation to draft capital in case of war, and in all of that time no other plan for drafting capital has been presented to Congress.

There are people who say, "I favor the principle, but I do not like this particular method of doing it," when the truth is they are actually against the plan itself.

The two largest ex-service organizations have advocated legislation drafting capital in case of war. The two major political parties have in their platforms committed themselves to the principle of drafting capital in case of war, but in all of the time that has expired since the World War, no plan has been submitted to Congress for drafting capital except this bill S. 1650.

Most Members of Congress some time or other have expressed themselves as being in favor of drafting capital as well as men, and as long as the proposition is expressed in general language, it will have almost universal support, but when we undertake to reduce it to the concrete terms of a specific bill we lose the support of many who profess loyalty

to the proposition as long as it is expressed in general, abstract terms.

Therefore I believe we should undertake to agree upon the fundamental principles involved here before we debate the terms of the bill. Therefore I propose that we should determine the following general principles before we concern ourselves with the details.

First. Should the money be raised by taxation or loan?

Second. Should it be a mandatory or a voluntary method?

Third. Should the amount provided by each individual be determined by himself or by a schedule?

Fourth. Which provides a better basis for financing war, income or net wealth?

We cannot use income as the sole basis for financing war, because income does not necessarily represent an individual's wealth. For example, an employee with no capital wealth whatever may have an income as great or greater than some other individual who has considerable capital wealth but which wealth, because of certain conditions, is not at the time yielding an income which is indicative of the value of the capital.

A forced loan based upon net wealth as a backlog for determining the ability to lend is more equitable than a capital levy. While the net wealth is a fair yardstick for determining the ability to lend, by using that net wealth as security for the loan, it is not necessarily a fair yardstick for determining ability to pay taxes, since the income from the property might not be a correct method of determining the value of the property. Therefore it is advisable in case of war, where the Government must raise more money than can possibly be raised from income, to have such a system of forced loans based upon the backlog of net wealth, and then pay those loans from taxes which have been levied on income. Such a plan is a compromise between net wealth and income, that is, it uses net wealth for determining ability to lend and then uses income for determining ability to pay.

The property tax or ad valorem tax, which is now used by local communities, in many cases amounts to confiscation of property; that is, when a farm, for example, does not yield enough to pay the taxes assessed against it, then a part of the value of the farm is taken by the taxing unit of the Government. If several years in succession occur in which the farm does not produce enough to pay the taxes, then the taxing unit takes possession and ownership of the farm.

The local tax units are already taxing property to the limit on this basis. Now, therefore, if the Federal Government, in order to finance a war, should use property values instead of income as a basis for levying a tax, or capital levy, in order to pay the cost of the war, the result would be Government ownership of most of the property.

But while the Government should not use the property value as a basis for taxation, it could use the property value as the basis for a forced loan and then use income as a basis for raising taxes from which to pay off this loan.

It should be perfectly apparent that net wealth and income are not parallel, and that income is liquid and can be a basis for taxation, but that net wealth is not liquid and although it is not a good basis for taxation, it would be a good basis for lending, since it represents the real backlog of all capital within the Nation.

The wealth of the United States is estimated at $350,000,000,000. This represents all of the capital goods in the Nation. Any system of credit based upon this backlog of actual wealth should be sound.

Now, then, as to national income, that has been estimated at $65,000,000,000. This, of course, is liquid and can be used as a basis for taxation from which to pay the money borrowed on the basis of net wealth.

I will not quarrel with anyone as to the details of such a measure, but there are some of the fundamental principles which we should consider.

We should consider, first, are we going to finance by mandatory or voluntary methods? If we are to finance by voluntary methods, then we should not raise man power on a mandatory basis; I think that would be a great mistake. I believe that when war comes we should consider, as England has considered, that everything is available to win the war, that we would stand to lose if we lost the war, and that means every man, woman, and child, all money and material, and every available resource of the country. As I see it, that is the only way in which this subject can be approached.

From that standpoint, shall we say that we are going to use the national income as a basis for financing war, or use the total wealth of the Nation as a basis for financing war? We cannot use the income, because it is not adequate. No nation has ever been able to finance a war on the basis of income. Besides, income is not parallel with wealth. Sometimes the income of a secretary, a stenographer, or other employee, even a soldier's income, might be greater than that of some other person who temporarily had less income, but was much more wealthy. Therefore we cannot use income as a basis for financing a war.

What should we use? Everything we stand to lose if we lose the war. What is that? It is the wealth of the United States. Economists say that, in round figures, the wealth of this country amounts to $350,000,000,000. Then we should have a program which would make possible translating this nonliquid wealth into liquid wealth, if need be, which could be used in case of war, without issuing dollars which would not be secured by property.

Certainly we should have a tax system. This is not the tax I am talking about. We should have a tax system going along at the same time, and we should use the revenues from the taxes collected, excess-profits taxes, income taxes, and other taxes with which to retire the bonds which we would require the people of this country to buy in proportion to their ability.

The proposal which I offered changes our present system of financing war in only three major particulars.

Before I number those three, let Senators get in mind that the method I have in mind of drafting capital does not mean the seizure of property. It means raising money by a bond system such as we had in the last war. It does not mean the raising of the money we need all at one time, any more than our system of drafting men means that all the manpower we need shall be raised at one time. It means, however, a change from the old system in three major particulars.

In the first place, the purchase of the bonds would be mandatory instead of voluntary.

In the second place, the amount purchased would be determined by a fair scale or schedule according to ability, based on net wealth, instead of the amount purchased being determined by pressure, patriotism, or profit.

Thirdly, the bonds would not bear high interest rates and would not be tax exempt. In that way we could prevent profiteering, but, most important of all, in that way we could get money as we needed it.

The objective of preventing profiteering is, of course, a beneficent and good one, but that objective and all similar objectives must be pushed to the background in time of war. The primary objective must be to win the war, and the removing of profits, of course, is secondary.

Here is a plan whereby we can get money at the time we need it and, at the same time, prevent profiteering as well as hold down inflation and also equalize the burden of war by placing that burden upon each individual according to his ability to bear it.

How would we go about reducing the nonliquid wealth in the country to liquid wealth so it could be used? We must have some plan which will do that. The wealth of America is found in land, buildings, nonliquid securities. We must have a method which will reach that wealth. I believe the plan outlined in the bill to which I referred does it.

I would not quarrel with anyone as to details, but the plan amounts to this. Let us take an example. Here is a man who has $100,000. He is worth $100,000 net, but he does not have any cash. He is operating a factory. In the first place, because he does not have any cash, would anyone say

that he should not contribute anything toward the financing of the war? No; I think everyone will agree that he should buy some bonds. Then how much should he buy? Are we going to leave it to the high-pressure committee, or are we going to leave it to his patriotism; are we going to leave it to his desire for tax-exempt, high-interest-bearing bonds? None of those are fair criteria for measuring his ability to lend and thus equalize the burden of war.

But if we have a schedule which fixes his fair share, such, for instance, as our income-tax schedule does, would that not be a fair method of determining the amount he should lend?

Let us suppose that the Government offers a bond issue. The schedule in the bill referred to, which is not important in itself—some other schedule might be better, but a schedule is needed—is based on the income-tax schedule, which I thought was fair. According to that schedule, which would require a man worth $10,000 to buy $90 worth of bonds, would require the man worth $100,000 to buy $1,890 worth of bonds. Let us suppose this man does not have $1,890 lying around. In the first place he can borrow it. Any proposal must be compared with the actual system that is in operation before it is judged fairly. It is not fair to compare any one proposal with the theoretical ideal plan. It must be considered as compared with the alternative, and what is the alternative in this case? It is the present bond system we have. When a man's wife compares him with the fellow she did not marry, he always suffers by the comparison, because she knows his faults, but she does not know the faults of the fellow she did not marry. Any comparison must be made with the system we have. What would be the alternative if we did not do anything to provide a method for financing war? The alternative would be the system we have now, which is utterly wrong and bad. Because it offers an incentive to war profiteering, which does not afford the money as we need it, which does not equalize the burdens of war, but which augments the accumulation of wealth and increases poverty.

Let us take an extreme case. Suppose the man in question could not borrow that $1,890. It would be almost a preposterous and ridiculous supposition that a man worth $100,000 could not borrow that comparatively small amount of money. People borrowed money during the war. Farmers borrowed money and paid 10 percent interest, and their paper was discounted, and they lost money in doing it. Suppose the man in question could not borrow the money. What, then, does the bill provide? It provides in that case that the Government may, at his request, take his note secured by property. That is the method by which the nonliquid wealth can be made liquid. The Government could sell his note, or the Government could put his note, secured by property, in a bank, and issue money against it, without issuing a single dollar that was not secured by a dollar's worth of property. In that way we could make liquid the nonliquid property in the country and get money if and when we needed it.

Mr. President, the War Department has already a plan which, upon the threat of war or the declaration of war, they would ask Congress to pass, which provides for the drafting of men. That is as it should be. That is proper.

I understand the President has in mind and has already taken some steps to confer with the industrial and commercial leaders of the Nation looking to an industrial mobilization in case of national emergency, and to provide against a national threat of war. But we have not taken a single step, so far as I can learn, which would provide for a mobilization of the finances of the United States so we could raise money when we needed it.

What would happen if we started to raise money? What is happening even now as we raise money for the national defense? With the prices of things going up generally, the interest rates will go up. The prices of materials will go up, and as we borrow this money and use it to purchase materials we will be borrowing less than 100-cent dollars. We will not get our money's worth, because we have no plan for financial mobilization.

Mr. President, on the basis of justice, justice to the soldier, whose blood would be spilled, I hope we can consider this measure or some measure for providing financial mobilization in case of war.

America is today the richest nation on the face of the earth. Its wealth should be available to the Government if needed and as needed. Every country that has depended upon the voluntary system has regretted it.

INFORMATION AS TO NUMBER OF ALIENS EMPLOYED BY THE GOVERNMENT

The PRESIDING OFFICER (Mr. DAVIS in the chair). The hour of 2 o'clock having arrived, the resolution, S. Res. 273, submitted by the Senator from North Carolina [Mr. REYNOLDS] will be placed on the calendar.

CALL OF THE ROLL

Mr. GEORGE. Mr. President——

The PRESIDING OFFICER. Under the agreement entered into yesterday, the unfinished business is automatically laid aside, and the consideration of the calendar for unobjected-to bills is now in order.

The Chair recognizes the Senator from Georgia.

Mr. GEORGE. I suggest the absence of a quorum. It is understood that the Senator from Mississippi [Mr. HARRISON] desires to address the Senate at this time.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Donahey	Lodge	Schwellenbach
Ashurst	Ellender	Lucas	Sheppard
Austin	George	Lundeen	Shipstead
Bailey	Gerry	McCarran	Slattery
Bankhead	Gibson	McKellar	Smathers
Barkley	Gillette	McNary	Smith
Bilbo	Guffey	Maloney	Stewart
Bridges	Gurney	Mead	Taft
Brown	Hale	Miller	Thomas, Idaho
Bulow	Harrison	Minton	Thomas, Okla.
Burke	Hatch	Murray	Thomas, Utah
Byrd	Hayden	Neely	Tobey
Byrnes	Herring	Norris	Townsend
Capper	Hill	Nye	Truman
Caraway	Holman	O'Mahoney	Tydings
Chandler	Holt	Overton	Vandenberg
Chavez	Hughes	Pepper	Van Nuys
Clark, Idaho	Johnson, Calif.	Pittman	Wagner
Clark, Mo.	Johnson, Colo.	Radcliffe	Walsh
Connally	King	Reynolds	Wheeler
Danaher	La Follette	Russell	White
Davis	Lee	Schwartz	Wiley

The PRESIDING OFFICER. Eighty-eight Senators having answered to their names, a quorum is present.

CONDITION OF NATIONAL FINANCES

Mr. HARRISON. Mr. President, this morning for some several hours I was engaged in conference with some gentlemen from the other House, the Secretary of the Treasury, various tax experts from the Treasury, and our own tax expert, Mr. Stam. I was delayed in reaching the Senate. As I walked into the Chamber, the Senator from Maryland [Mr. TYDINGS] was making a very eloquent speech, an important speech, delivered in his usual vigorous way, in which he stated among other things that he was in favor of the imposition of taxes now in order to finance the emergency national-defense program. I cannot believe and I do not believe that the Senator from Maryland had any intention of creating the impression that his remarks were in criticism of the administration, the Ways and Means Committee of the House, or the Finance Committee of the Senate for not presenting a tax bill.

For several weeks numerous conferences have been held by many of us in the House and Senate with Treasury officials and others, and at least on one occasion, for more than an hour, I discussed this matter with the President of the United States.

There has been a wide difference of opinion upon the part of Members of this body, and I am sure upon the part of the Members of the other body, whether it would be the wisest course to increase the present limitation of the national debt in order to provide additional funds for emergency national-defense purposes at this session of Congress, or whether we should levy additional taxes for that purpose. In addition, many have felt it would be the better course to wait until

the convening of Congress in January before any steps are taken looking toward the passage of legislation to finance this program. There has been a question in my mind whether or not the Treasury would be able to maintain until next January a sufficient working cash balance to carry on its necessary operations. I had believed that a thorough study of the whole fiscal condition of the Government could not be made satisfactorily until this Congress had completed its labors and the sum total of appropriations, including the funds considered necessary to take care of the present national-defense program as well as the regular appropriation bills, was known. I am sure Senators will appreciate how difficult it would be to know at the present moment whether the Treasury could have on hand an adequate amount in its balance for any and all purposes and whether the present $45,000,000,000 debt limitation would be reached in January of next year or even earlier.

After conferring at length with those in a position to know, I am now convinced that by the time Congress convenes in January, in view of developments which I need not repeat, we will have practically reached the debt limit of $45,000,000,000. Indeed, on February 1 of next year, if no additional and emergency appropriations are necessary at this session, we will be within $15,000,000 of the debt limit.

Of course, the Treasury maintains adequate cash funds in order to assure safety in the matter of financing and refinancing necessary securities. It is not necessary for me to point out the importance of the Treasury maintaining an adequate amount for this purpose. Occasions may arise where the Government, for its own protection, must employ these funds for security purchases, where certain groups attempt to gouge or take advantage of the situation respecting interest rates.

I am clearly convinced that we should provide at this session sufficient funds to meet the cost of the national-defense program and any other emergency that may arise.

I am making these remarks because I do not want the country to get the impression, from the remarks of the Senator from Maryland and others, that they indicate any criticism of us for not having up to now brought forward a tax bill. The funds are adequate up to this time; and in my opinion there never has been a moment since this emergency arose when the Congress was not ready and willing to respond and to meet every emergency which has arisen or might arise. There is no doubt about that. One needs only to point to the two magnificent votes which recently occurred in support of increased appropriations for the Army and Navy. A few days ago I stated on this floor that the country need have no fear that the Congress would shirk its duty or that the national-defense program would be hampered or impeded by a lack of the necessary funds to carry it through. I am convinced now, because of the overwhelming sentiment in the country, and the knowledge that our people are ready to bear their part of the burden, that we should at this session make adequate provision to take care of any condition which may arise. The administration is in thorough accord with this view. The Secretary of the Treasury has stated to the press of the country that there was unanimity among those who attended the conference this morning, and that view is shared by the President of the United States, that we ought to proceed at this session of Congress, before adjournment, to increase the national debt at least $3,000,000,000 over the present limit of $45,000,000,000; and in the same legislation there should be raised in additional taxes between $600,000,000 and $700,000,000 annually to retire in an orderly manner the principal and interest on the securities issued for defense purposes.

The chairman of the House Ways and Means Committee has called a meeting of his committee for 10 o'clock tomorrow morning. I have called a meeting of the Finance Committee for 10 o'clock tomorrow morning; and I hope all members will be there. Of course, we can do nothing until the House passes the tax bill; but we can discuss every phase of the problem thoroughly, map our program, and be ready so that when the bill comes to us we can immediately proceed with its consideration.

I do not believe there will be any great delay in the adjournment of Congress. I may be too optimistic about that. Perhaps we cannot adjourn by the 8th of June, as predicted by some; but we can at least get away in time for you gentlemen on the other side to arrive at the burial ground of your next convention. [Laughter.]

I should withdraw that statement, because I do not want to bring partisan politics into my remarks; but we have a certain plan that we are going to suggest to the appropriate committees for their consideration. If they want to accept it, well and good. If they want to amend it, a majority can do that. I can say that the plan, in brief, is to give the Treasury authority to issue national-defense bonds to a maximum of $3,000,000,000. Supplementing that, we intend to levy additional taxes to raise between $600,000,000 and $700,000,000 annually for the next 5 years. This revenue will be utilized to liquidate these national-defense obligations. I hope that in this program we shall be meeting the views of the Senator from Maryland [Mr. TYDINGS], and I am sure he is going along with us 100 percent. We may not be able to meet some of the views expressed by the Senator from Virginia [Mr. BYRD] today, but we shall meet them at least in part; and he is such a good soldier that I am sure he will enlist for this emergency period. I hope that when the bill comes on the floor very few of the many different and conflicting ideas that have been expressed by the various Senators will be offered as amendments.

The Senator from Oklahoma [Mr. LEE] has his views with reference to the matter. His proposal might take up a great many days of discussion if he should insist on its consideration. There are others; but I am hopeful we can get together in the Finance Committee after the bill has been sent over here by the House. I trust, of course, we can proceed harmoniously and expeditiously. I am hopeful that we can form a coalition that will be unbreakable on the floor and that we can have an early adjournment of Congress.

Without going into details as to what taxes we may levy to raise the amounts I have heretofore mentioned, it is our intention to be just as reasonable and fair as possible under the circumstances. We do not want to intentionally hamper any of the enterprises that are going to help us out in this emergency. I believe in what we work out the people will feel that we have done our duty and borne our responsibility.

That is all I care to say today. I am glad I have had the opportunity of presenting these few remarks. I hope what I have said will be carried in the same editions of the newspapers in which the speeches of the Senator from Maryland and the Senator from Virginia today will be carried.

Mr. VANDENBERG. Mr. President, from the Republican minority side of the Senate Finance Committee, I desire to express my complete hospitality to the statement of general purposes which has just been made by the able chairman of the committee. This is not the time or place to enter upon a survey of details. I might dissent from his suggestion that it is necessary to increase the debt limit. I might hope that there are other ways to proceed. At long last, we might even try a little general economy. But, regardless of detail, I rise simply to assert my belief, and I am sure the substantial belief on this side of the aisle, that in meeting this national emergency in respect to defense preparedness we should pay as we go, so far as is humanly practicable and possible. This is precisely what I asked for on last Monday.

In connection with President Roosevelt's statement regarding national defense on Sunday night, although he presumed to cover all other phases of the subject, I sadly missed any reference in his address to the question of how the national-defense bills shall be paid. The subject was completely ignored. I considered it a great gap in the formula. I am happy to know that the gap in preparedness is to be filled. Certainly, the protection of a sound public credit is the protection of the first line of defense in respect

to the national defense, and certainly the public credit could not much longer stand the impact of interminable deficits. I am sure the able Senator from Mississippi will meet with complete cooperation from his Republican colleagues in the task which he has assigned to our committee, and to which he is directing the attention of the Senate. I think the country would be disappointed if we did not produce a national-defense tax. I think it would convict us of a failure to meet the whole responsibility of this critical moment.

I know of nothing more significant in the newspapers of the past week than the so-called Gallup poll of last Sunday, which showed not only that 86 percent of our people approve the defense program, but that 76 percent are willing to pay for it now; and it is particularly significant in respect to the detail of that poll that 80 percent in the upper-income group are willing, 76 percent in the middle-income group are willing, and even 74 percent in the lower-income group are willing to pay as we go, so far as it is possible. So I am hoping that this new tax can be definitely identified as a national defense tax, so that the people will understand precisely what the situation is. It is well for all of us to be reminded that war and preparation against war are costly, burdensome adventures.

Again I say that I rose solely for the purpose of expressing my personal appreciation of the statement which has been made by the able Senator from Mississippi; and even though there may be sharp disagreement in detail, I think he will find the same unanimity of purpose in regard to the tax program that there has been in respect to the defense program.

Mr. BARKLEY. Mr. President, I wish simply to express to the Senator from Mississippi [Mr. HARRISON] my appreciation for the very frank statement he has made to the Senate and to the country. While during normal times there has been considerable speculation over a period of weeks, or I might say months, as to whether and when Congress would adjourn, and whether a tax bill would be brought forward at this session, I think I am within the truth when I say that nobody in this body or in the other body, and I hope nobody in the Nation, has doubted the willingness of Congress to meet its full responsibility in regard to all these matters in view of the emergency which has been thrust upon us in recent weeks. I myself have never had any doubt that Congress would be willing to stay here a sufficient length of time to perform its duty without being suspected by the country of trying to run away from its duty or to dodge its responsibility.

Therefore I am glad to have the opportunity to express to the Senator from Mississippi, the able chairman of the Committee on Finance, my appreciation of his frankness in speaking of the situation which confronts us, as I think the country will appreciate it.

I wish to state that in ordinary circumstances, when we have been faced with the necessity of a tax bill, or an increase in the debt limit has presented itself as an alternative, I have always felt, and would still feel if our situation were normal, that I would prefer a tax bill to an increase in the debt limit. Even if this emergency had not come upon us, and we had been required to increase revenue, either by borrowing or by taxing. I would have preferred the taxing method to the borrowing method.

I have believed, and have so stated, that in ordinary circumstances the country at large would be better pleased and more reassured if the people were required to pay additional taxes, in order to meet the expenses of the Government, rather than have the national debt increased. If these were normal times and we were in normal circumstances, I would still feel that way about it. But I doubt very seriously whether it will be possible or wise to raise all the money needed in this defense program by taxation. For that reason, without in any way going into detail, or knowing what the details will be when they reach us in any bill sent to us from the House, I feel that under the present circumstances we must combine both taxes and borrowing. But it should be made as clear as it can be made that the taxes we may levy will be for the purpose of discharging the additional debt created in order that the program of national defense made necessary, but which we have not brought upon ourselves, may be carried out.

I reiterate my statement of appreciation of the action of the Senator from Mississippi, and I also wish to thank the Senator from Michigan for his assurance of cooperation. I believe that in the two Houses of Congress, and in the country at large, we can work out a program which will give assurance that we propose not to use this particular situation as an excuse for in any way complicating our financial situation, but that we are willing in this day to meet our responsibility and discharge it without wishing it all upon the generations yet to come.

Mr. TYDINGS. Mr. President, I am sure that nothing which has been said for a long while will more hearten the country than the remarks of the chairman of the Committee on Finance of the Senate. What he said contains so much of good sense, as well as promise of relief in the immediate necessity, that coming from the chairman of the Committee on Finance, in whom I am sure the country has tremendous confidence, it will make everyone feel that the defense program is to be a rounded-out affair.

However, there is one point which for a moment I should like to stress again. I doubt whether in the next 10 years, even though the war does not come to us, we will ever be in as good a position to balance income against expenditure as we are now. I doubt whether in the next 10 or 20 years, if events take their projected course, we will be in as good a condition to balance income against expenditure as we have been during the last 4 years, and I cannot subscribe to the rosy picture that the raising of six or seven hundred million additional dollars is going to be more than a gesture toward bringing about sound financial arrangements in this Government.

In my humble judgment, after the war is over the unemployment problem, plus the disruption in world trade, plus the state of chaos and decay which will attack the governments now engaged in the war, will plunge this country into another depression which might conceivably be as great as the one through which we have just been passing, and perhaps greater. Therefore, while we have comparative prosperity as we look around at other countries, we will not do our job well at all if we do not visualize, to some extent, at least, the dire consequences which are bound to follow in the wake of the European war, and now, while we have the time, do not do more than make a gesture. It would be the height of folly not to do so. I believe the hour has struck when we should approach a balanced Budget in this Government. Too long we have delayed taking that necessary step.

I feel confident that when the Senate Finance Committee meets, and when the House Committee on Ways and Means meets, and they visualize the state of our national debt, the increased expenditures which will be necessary for the Army and the Navy, and the preparation we must make for the inevitable depression which is to come after the war, these two committees will feel inclined to go as much past the six or seven hundred million dollar increase as the whole business situation of the country and the exigencies of the moment will permit.

Of course, everyone knows that we can overdo taxation, and destroy the very purpose for which the taxes are levied, namely, to get additional revenue. I feel that we have gone far enough on borrowed money, and I doubt very sincerely whether or not the time will ever come, certainly it will not come in the years in the immediate future, when we will be as well able to pay as we are at this very time.

I wish to conclude by thanking the chairman of the Committee on Finance for his heartening statement, and again to reiterate these observations, which I feel will, with the passage of time, stand out as pretty fair prophecy as the Senate continues to meet from year to year.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the Speaker had

affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R. 7543. An act to authorize the Secretary of the Navy to accept real estate granted to the United States by the city of Miami, Fla., and for other purposes;

H. R. 7737. An act to amend the Judicial Code by adding a new section thereto, designated as section 266a, to provide for intervention by States in certain cases involving the validity of the exercise of any power by the United States, or any agency thereof, or any officer or employee thereof, and for other purposes; and

H. R. 9140. An act to authorize the Secretary of the Navy to acquire land at Key West, Fla.

THE CALENDAR

The PRESIDING OFFICER (Mr. MILLER in the chair). Under the order entered yesterday, the calendar is now in order.

Mr. BARKLEY. Mr. President, inasmuch as during the many calls of the calendar certain bills which appear on the first two pages of the calendar are always objected to and go over, I ask unanimous consent that the call today begin with Calendar No. 1118.

The PRESIDING OFFICER. Is there objection?

Mr. PEPPER. What is the request?

Mr. BARKLEY. I ask that the call today begin with Calendar No. 1118, so that we may save some time, and not have bills called which have been objected to time and time again.

Mr. PEPPER. I reserve the right to object until I see where the call would begin. [After a pause.] Very well, Mr. President.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the clerk will begin the call of the calendar with No. 1118.

ASSISTANCE TO AMERICAN REPUBLICS

The Senate proceeded to consider the joint resolution (H. J. Res. 367) to authorize the Secretaries of War and of the Navy to assist the governments of American republics to increase their military and naval establishments, and for other purposes.

The amendments heretofore agreed to (August 5, 1939) were ordered to be engrossed.

The joint resolution was ordered to a third reading, read the third time, and passed, as follows:

Resolved, etc., That (a) the President may, in his discretion, authorize the Secretary of War to manufacture in factories and arsenals under his jurisdiction, or otherwise procure, coast-defense and antiaircraft matériel, including ammunition therefor, on behalf of the government of any American republic; to sell such matériel and ammunition to any such government; to test or prove such matériel and ammunition prior to sale or delivery to any such government; to repair such matériel on behalf of any such government; and to communicate to any such government plans, specifications, or other information relating to such matériel and ammunition as may be sold to any such government.

(b) The President may, in his discretion, authorize the Secretary of the Navy to construct vessels of war on behalf of the government of any American republic in shipyards under his jurisdiction; to manufacture armament and equipment for such vessels on behalf of any such government in arsenals under his jurisdiction; to sell armament and equipment for such vessels to any such government; to manufacture antiaircraft artillery and ammunition therefor, on behalf of any such government in factories and arsenals under his jurisdiction; to sell antiaircraft artillery and ammunition therefor to any such government; to test or prove such vessels, armament, artillery, ammunition, or equipment prior to sale or delivery to any such government; to repair such vessels, armament, artillery, or equipment on behalf of any such government; and to communicate to any such government plans, specifications, and other information relating to such vessels of war and their armament and equipment or antiaircraft artillery and ammunition therefor, as may be sold to any such government or relating to any vessels of war which any such government may propose to construct or manufacture within its own jurisdiction: *Provided*, That nothing contained herein shall be construed as authorizing the violation of any of the provisions of any treaty to which the United States is or may become a party or of any established principles or precedents of international law: *And provided further*, That no transaction authorized herein shall result in expense to the United States, nor involve the extension of credits by the United States: *And provided further*, That no contract shall be entered into under the terms of this joint resolution which shall interfere with or delay the United States in the full use of its shipyards, arsenals, munition plants, and other equipment for its own purposes.

SEC. 2. In carrying out transactions authorized by section 1, the Secretary of War and the Secretary of the Navy are authorized, in their discretion and provided that it be not inconsistent with any defense requirements of the United States or of its possessions, to communicate or transmit to the government of any American republic or to any duly authorized person for the use of such government information pertaining to the arms, ammunition, or implements of war sold under the terms of that section or to any vessels of war constructed within the jurisdiction of any such government, and to export for the use of any such government coast defense and antiaircraft matériel and ammunition therefor, and vessels of war and their armament and equipment involving such information: *Provided*, That any information thus communicated or transmitted or involved in any such arms, ammunition, implements of war, or equipment when exported shall cease to be considered restricted after 1 year from the date that such communication or transmission has been authorized or such exportation made.

SEC. 3. All contracts or agreements made by the Secretary of War or the Secretary of the Navy for the sale to the government of any American republic of any of the arms, ammunition, or implements of war, the sale of which is authorized by this joint resolution, shall contain a clause by which the purchaser undertakes not to dispose of such arms, ammunition, or implements of war, or any plans, specifications, or information pertaining thereto, by gift, sale, or any mode of transfer in such manner that such arms, ammunition, implements of war, or plans, specifications, or information pertaining thereto, may become a part of the armament of any state other than an American republic.

SEC. 4. The Secretary of War or the Secretary of the Navy, as the case may be, shall, when any arms, ammunition, implements of war, or equipment are exported pursuant to the provisions of this joint resolution, immediately inform the Secretary of State, Chairman of the National Munitions Control Board, of the quantities, character, value, terms of sale, and destination of the arms, ammunition, implements of war, or equipment so exported. Such information shall be included in the annual report of the Board.

SEC. 5. (a) There is hereby authorized to be appropriated from time to time, out of any moneys in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions and accomplish the purposes of this joint resolution.

(b) All moneys which may be received from the government of any American republic, in payment for any article delivered or service rendered in compliance with the provisions of this joint resolution, shall revert to the respective appropriation or appropriations out of which funds were expended in carrying out the transaction for which money is received, and such moneys shall be available for expenditure for the purpose for which such expended funds were appropriated by law, during the fiscal year in which such funds are received and the ensuing fiscal year.

SEC. 6. The Secretary of War and the Secretary of the Navy shall in all contracts or agreements for the sale of such matériel fully protect the rights of all citizens of the United States who have patent rights in and to any such matériel which is hereby authorized to be sold and the funds collected for royalties on such patents shall be paid to the owners and holders of such patents.

SEC. 7. The Secretaries of War and of the Navy are hereby authorized to purchase arms, ammunition, and implements of war produced within the jurisdiction of any American republic if such arms, ammunition, or implements of war cannot be produced in the United States.

RESOLUTION AND BILLS PASSED OVER

The resolution (S. Res. 168) providing for an investigation of the immigration of aliens into the United States, was announced as next in order.

Mr. SCHWELLENBACH. Let the resolution go over.

The PRESIDING OFFICER. The resolution will be passed over.

The bill (S. 3130) relating to the citizenship and compensation of certain employees on military construction work in the Panama Canal Zone was announced as next in order.

Mr. KING. Let us have an explanation.

Mr. McKELLAR. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 7941) relating to the citizenship and compensation of certain employees on military construction work in the Panama Canal Zone, was announced as next in order.

Mr. KING. Let that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

CONTROL OF SOIL EROSION IN CLEVELAND NATIONAL FOREST

The bill (H. R. 169) to facilitate the control of soil erosion and/or flood damage originating upon lands within the exterior boundaries of the Cleveland National Forest in San Diego County, Calif., was announced as next in order.

Mr. KING. Let us have an explanation of the bill.

Mr. SMITH. Mr. President, this measure was reported unanimously by the Committee on Agriculture and Forestry.

It is a House bill and is endorsed by the Department of Agriculture. It is merely designed to protect against erosion of land owned by the Government. The bill was called on a previous occasion, and those who then objected said they would look into it. I think it is necessary for the protection of the Government's land.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

CONTROL OF SOIL EROSION IN ANGELES NATIONAL FOREST

The Senate proceeded to consider the bill (H. R. 2009) to facilitate the control of soil erosion and/or flood damage originating upon lands within the exterior boundaries of the Angeles National Forest, Calif.

Mr. SMITH. Mr. President, this bill is of the same nature as the one just passed.

The bill was ordered to a third reading, read the third time, and passed.

CONTROL OF SOIL EROSION IN SEQUOIA NATIONAL FOREST

The Senate proceeded to consider the bill (H. R. 2417) to facilitate the control of soil erosion and/or flood damage originating upon lands within the exterior boundaries of the Sequoia National Forest, Calif., which had been reported from the Committee on Agriculture and Forestry with an amendment, on page 2, line 4, after the word "resources", to insert the words "other than mineral"; so as to make the bill read:

Be it enacted, etc., That the Secretary of Agriculture, with the approval of the National Forest Reservation Commission established by section 4 of the act of March 1, 1911 (U. S. C., title 16, sec. 513), is hereby authorized to acquire by purchase any lands, or interests therein, within the boundaries of the Sequoia National Forest, in the State of California, which, in his judgment, should become the property of the United States in order that they may be so managed with other lands of the United States as to minimize soil erosion and flood damage, and to pay for said lands, or interests therein, from the entire receipts from the occupancy of public land or the sale of natural resources, other than mineral, within the Sequoia National Forest, which receipts are hereby authorized to be appropriated for that purpose until said lands have been acquired: *Provided*, That any appropriated amounts which are unexpended and unobligated at the close of the fiscal year for which appropriated shall be transferred to the national-forest receipts of that fiscal year and amounts so transferred and such part of the entire receipts of any fiscal year as are not appropriated shall be disposed of in like manner as other national-forest receipts.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

NATIONAL FOREST ADMINISTRATION

The bill (S. 3226) to facilitate and simplify national-forest administration was announced as next in order.

Mr. ADAMS. Let the bill go over.

Mr. SMITH. Mr. President, I hope the Senator who has objected to the bill will read the report of the Department on it. The amount of money collected from the sale of products of the forests is so small and inconsequential that the Comptroller General has been asked to suspend the requirement that bills be sent to him for approval, as every protection is thrown around these sales. Most of them are below $100.

Mr. ADAMS. Mr. President, I have read the report. My objection to the bill is to a provision contained in it that the regulations and decisions of the Secretary of Agriculture shall be final and conclusive on all agencies of the Government, and, be the amount involved large or small, I will not agree that any administrative officer may have the authority absolutely to control every other agency of the Government, legislative, judicial, or executive.

Mr. SMITH. Mr. President, the amounts involved in these permits are $300 or less, and I think it is quite safe to assume that the Secretary of Agriculture will not be embarrassed.

Mr. McKELLAR. Mr. President, I should like to ask the Senator a question. Does this money go into the Treasury of the United States, or is it to be used by the Department for departmental purposes?

Mr. SMITH. It goes into the Treasury of the United States.

Mr. ADAMS. I am not concerned with the amount. I wish to say, however, that no Member of the Senate has more consistently taken his stand on principle rather than on the mere matter of dollars when it comes to giving final conclusive authority to any department of the Government than has the Senator from South Carolina, and I know that my position is in accord with the time-honored practices and views of the Senator from South Carolina.

Mr. SMITH. The Senator has called attention to the fact that I have stood firm for keeping each agency of the Government to its allotted sphere. After reading the provision referred to and hearing it discussed, while I think it is a little drastic, yet it does not affect the aggregate finances.

Mr. ADAMS. I think the Senator could cure the difficulty by a brief amendment striking out a few words.

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair). Does the Chair understand that the Senator from Colorado has objected?

Mr. ADAMS. Yes.

The PRESIDING OFFICER. The bill will be passed over. Likewise Calendar 1381, House bill 7643, will be passed over when it is reached on the calendar.

CONSTRUCTION OF SMALL RESERVOIRS

The Senate proceeded to consider the bill (S. 3136) to authorize an appropriation for the construction of small reservoirs under the Federal reclamation laws, which had been reported from the Committee on Irrigation and Reclamation with an amendment, on page 1, line 3, after the words "That from", to insert "any funds in the Treasury not otherwise appropriated or from", so as to make the bill read:

Be it enacted, etc., That from any funds in the Treasury not otherwise appropriated or from the special fund in the Treasury of the United States created by the act of June 17, 1902, and therein designated "the reclamation fund", there is hereby authorized to be appropriated the sum of $5,000,000 for expenditure by the Secretary of the Interior, under the Federal reclamation laws, in the construction of small storage reservoirs at such locations within the States subject to the Federal reclamation laws as the said Secretary may select, no reservoir to be constructed hereunder the estimated cost of which exceeds $50,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN C. CROSSMAN

The bill (S. 3339) for the relief of John C. Crossman was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money appropriated for the support of the National Guard for the current fiscal year, to Sgt. John C. Crossman the sum of $5,000 in full settlement of all claims against the Government for injuries sustained by him while in the performance of his duties at Camp Hulen, Palacios, Tex., August 10, 1933, caused by the explosion of a gasoline lantern: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

ESTATE OF REXFORD M. SMITH

The bill (H. R. 5089) conferring jurisdiction upon the Court of Claims of the United States to hear, examine, adjudicate, and render judgment on the claim of the legal representative of the estate of Rexford M. Smith was considered, ordered to a third reading, read the third time, and passed.

RESOLUTIONS PASSED OVER

The resolution (S. Res. 232) limiting debate on general appropriation bills was announced as next in order.

Mr. VANDENBERG. Let the resolution go over.

The PRESIDING OFFICER. The resolution will be passed over.

The joint resolution (S. J. Res. 114) authorizing the Bureau of Labor Statistics to make studies of productivity and labor costs in industry was announced as next in order.

Mr. HOLMAN. I ask that the joint resolution go over.

The PRESIDING OFFICER. The joint resolution will be passed over.

INVESTIGATION OF RAILROAD FINANCING

The resolution (S. Res. 240) further continuing Senate Resolution 71, Seventy-fourth Congress, authorizing an investigation of railroad financing and certain other matters, was considered, and agreed to, as follows:

Resolved, That Senate Resolution 71, Seventy-fourth Congress, first session, agreed to May 20, 1935, authorizing an investigation of railroad financing and certain other matters, as continued by Senate Resolution 227, Seventy-fourth Congress, second session, and Senate Resolution 273, Seventy-fifth Congress, third session, and as amended by Senate Resolution 86, Seventy-fifth Congress, first session, is hereby continued in full force and effect during the sessions, recesses, and adjourned periods of the Senate in the Seventy-seventh Congress, and the Committee on Interstate Commerce is hereby authorized to expend from the contingent fund of the Senate, during such sessions, recesses, and adjourned periods, the amounts heretofore authorized for said purposes.

BILLS AND RESOLUTIONS PASSED OVER

The bill (H. R. 6480) to amend the Agricultural Adjustment Act of 1933 was announced as next in order.

Mr. KING. Mr. President, may we have an explanation of that bill?

Mr. SMITH. Mr. President, that is a bill in which the Senator from North Dakota [Mr. FRAZIER] is interested. In his absence the bill should go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3368) to amend the Civil Service Retirement Act and other retirement acts was announced as next in order.

Mr. McKELLAR. I ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 5784) to provide for the conservation and transfer of accumulated sick leave and vacation time due classified civil-service employees who succeed to the position of postmaster, and for other purposes, was announced as next in order.

Mr. CLARK of Missouri. Mr. President, may we have an explanation of that bill?

The PRESIDING OFFICER. The bill was reported by the Senator from New York [Mr. MEAD], who is not present in the Chamber at the moment.

Mr. CLARK of Missouri. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 7643) to facilitate and simplify national-forest administration was announced as next in order.

The PRESIDING OFFICER. That bill will be passed over under the previous order.

The resolution (S. Res. 231) favoring the deletion from the Sixteenth Census population schedule of inquiries Nos. 32 and 33, relating to compensation received, was announced as next in order.

Mr. BAILEY. I ask that the resolution go over.

The PRESIDING OFFICER. The resolution will be passed over.

MANIFESTS AND VESSEL PERMITS

The bill (H. R. 6751) to repeal certain laws with respect to manifests and vessel permits was announced as next in order.

Mr. McKELLAR. Mr. President, may we have an explanation of the bill?

The PRESIDING OFFICER. An explanation is requested. The measure was reported by the chairman of the Committee on Commerce, the Senator from North Carolina [Mr. BAILEY].

Mr. BAILEY. The bill merely provides for the repeal of certain obsolete sections in navigation acts. It is recommended by the Bureau of Navigation and also by the Maritime Commission.

Mr. McKELLAR. I have no objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 6884) to encourage travel in the United States, and for other purposes, was announced as next in order.

Mr. McKELLAR. I ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

RECOGNITION OF SERVICES OF CERTAIN EMPLOYEES ON PANAMA CANAL CONSTRUCTION

The bill (S. 1162) to provide for the recognition of the services of the civilian officials and employees, citizens of the United States, engaged in and about the construction of the Panama Canal was announced as next in order.

Mr. KING. Let the bill go over.

Mr. PEPPER. Will the Senator be kind enough to withhold his objection for a brief explanation of the bill?

Mr. KING. Yes.

Mr. PEPPER. This bill has twice been considered by the Interoceanic Canals Committee of the Senate. A similar bill was introduced by the chairman of the committee, the Senator from Missouri [Mr. CLARK], and because there were certain duplications in that bill of legislation now on the statute books, the bill was vetoed. The chairman of the committee, who is here to speak for himself, is in favor of the bill. More than 40 Senators have addressed the proponents of the bill and stated that they favor it.

I will state what in substance the bill proposes. In 1915 the Congress made provision for the officers of the Army and the Navy and the Public Health Service, who actually served in residence upon the Isthmus during the construction of the Panama Canal. They were advanced a grade in rank and given retirement pay that was adequate. No provision of any kind was ever made for the civilian employees who actually labored on the Isthmus in general canal construction.

I have before me a statement by President Theodore Roosevelt, a paragraph of which I will read. It indicates what the bill actually would accomplish and the sentiment behind it. President Roosevelt in writing to a Mr. Simmons, who was interested in such legislation, said:

DEAR MR. SIMMONS: In view of the action taken by the Congress in substantially rewarding certain officers of the United States Army, Navy, and Public Health Service, who served for more than 3 years in the construction of the Panama Canal by providing for their promotion and retirement upon application, I can see no reason why the civilian employees who served for a similar period and who in any event would not benefit by the liberal pension arrangements provided for the service men, should not be rewarded by a like recognition.

As one who was instrumental in getting this work under way, and who has followed its progress with deep interest and keen satisfaction, I am greatly concerned in seeing proper recognition accorded the civilian employees. General Goethals has designated these men as the real builders of the Panama Canal.

I sincerely trust that prompt action will be taken by Congress toward the early enactment of legislation to this end.

Very truly yours,

THEODORE ROOSEVELT.

I have before me a statement from General Wood, written in March of this year to our committee, and other eminent officers who led in the construction of the Canal, and they without exception feel that there was an unfair discrimination in favor of those in the service, to the disadvantage of the civilian employees.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. CLARK of Missouri. Since the Senator has mentioned the name of General Wood, who is certainly one of the leading and most respected business executives in the United States, let me illustrate the purpose of the bill by using General Wood's name in pointing out a situation which actually occurred.

During the building of the Panama Canal, General Wood and Mr. C. A. McIlvaine, a civilian employee, were doing precisely the same work in the construction of the Canal. They actually lived together at some time during the con-

struction of the Canal. General Wood, being an Army officer, came under the provisions of the Retirement Act of 1915, and was permitted to retire with a step-up in grade, and at an age very much less than the ordinary age of retirement. He went into business and became one of the leading and most respected business executives of the United States.

Mr. McIlvaine remained in the service of the United States on the Panama Canal for the period from 1915 until last year, when by reason of age he was retired on a very small and inadequate pension, as I see it, in view of the fact that men who put in their lives in the Panama Canal are not permitted to remain in the Panama Canal Zone after their retirement and are out of touch with any source of employment in the United States at the retirement age.

So General Wood, having been permitted to retire on full retirement pay in the Regular Army, was able to go into business and make for himself a fine business career, while Mr. McIlvaine, who finally became the executive secretary to the Governor of the Panama Canal Zone and really was the administrative head in view of the frequent changes in the Governor of the Panama Canal, has been authorized to retire on a very small and inadequate pension.

Inasmuch as General Wood's name has been mentioned, I will say that there is no stronger advocate of this measure than General Wood himself.

The PRESIDING OFFICER. The time of the Senator from Florida has expired.

Mr. CLARK of Missouri. Mr. President, I shall claim the floor in my own right.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. CLARK of Missouri. There has been no stronger advocate of this particular measure, which seeks to do justice to civilian employees who were not taken care of by the Retirement Act of 1915, than General Wood, who served with them and who knows all about them. It seems to me that it is simply a matter of equity and justice. The bill which was passed last year, which I introduced, merely provided for the employees who had remained as employees of the Panama Canal, and who had reached a certain length of service—25 or 30 years. This bill is more just, more equitable, and broader than the one which I introduced, for the reason that it takes care of all the men who sacrificed and worked for a certain length of time during the construction of the Canal. I hope the Senator from Utah [Mr. KING] can see his way clear to withdraw his objection.

Mr. BAILEY. Mr. President, can the Senator inform the Senate as to what the bill would cost annually?

Mr. CLARK of Missouri. I do not have the figures at hand. I did have them in the consideration of the bill in the committee. It is a relatively small sum at present. It will reach its peak, as I recall, in 3 years; and from that time on it will diminish year by year until, in 12 or 15 years, it will be absolutely negligible.

Mr. PEPPER. Mr. President, the best estimate we have been able to obtain by consultation with the civil-service authorities, and the records of those who were employed on the Canal is that the maximum cost would be about $1,000,000 a year.

The PRESIDING OFFICER. The Senator from Florida has already exhausted his time. Is there objection to the present consideration of the bill?

Mr. ADAMS. Mr. President, I should like to add a word. It seems to me that the bill would be a very unwise, as well as an expensive, precedent. The men in the service who went to Panama went because they were ordered to do so. The civilian employees went of their own choice. If we start a process of pensioning civil employees who went to Panama, we shall be setting a precedent and will be called upon to pension employees who went to Boulder Dam and employees who engage in all classes of Government construction.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. ADAMS. Certainly.

Mr. CLARK of Missouri. The Senator is now raising a question which has been a source of great indignation for many years with myself and every other man from civilian life who served as an officer in the World War. The argument is that because one set of men were ordered to go to France, or to go to war, they should be put in a separate status from those who volunteered in time of national emergency. It seems to me that there is no rhyme or reason for saying that because a man was ordered to go to Panama and participate in the construction of the Panama Canal he should be permitted to retire on three-fourths pay while still a young man, while another man went down there because the President of the United States called for trained men or men who had the facilities and were willing to make the sacrifice of going down and braving yellow fever and the many dangers in the Panama Canal Zone at that time should be penalized because he was not, forsooth, on the permanent roll of a permanent establishment of the United States.

Mr. ADAMS. Mr. President, I think there is no parallel between the situation in the Panama Canal Zone and the situation in the World War as between a man who went in from the draft and a man who volunteered. I think there is a very decided difference between the status of the civilian employees, the engineers, who went down to Panama under adequate compensation, at their own choice, and that of members of the Army. In any event, I think the bill should not be passed on the call of the calendar.

Mr. PEPPER. Mr. President, I wish to read one paragraph from a letter by Gen. George W. Goethals, which will show the Senator from Colorado [Mr. ADAMS] the basic error of the statement he has just made. This is what General Goethals said:

> It has been asserted that the service men had no choice but to obey orders which detailed them to duty with the Commission, while the civilians came of their own volition. This assertion, as it relates to the service men, is not founded on fact. With one exception, all of the Army and Navy officers, and the same is true of the Public Health Service, who received recognition were detailed only after they had been consulted and had expressed a willingness to come. Furthermore, they all received compensation in advance of that specified by law for the positions they occupied in the Government service, this compensation in some instances exceeding three times the amount they would have received had they performed in the States or elsewhere the same duty they were called upon to perform on the Isthmus. The increases granted by the act in the cases referred to are very substantial, amounting as high as 60 percent, which continues throughout the career of the officer affected. The privilege of retirement with advanced grade has been taken advantage of by several with great pecuniary gain. All of these facts are known to the civilians, who labored as zealously and who received no reward.

Mr. President, I give notice that at the conclusion of the call of the calendar I shall move that the bill be considered.

The PRESIDING OFFICER. Does the Senator from Colorado insist on his objection?

Mr. ADAMS. I do.

The PRESIDING OFFICER. The bill will be passed over under objection.

The clerk will call the next bill.

AMENDMENT OF CANAL ZONE CODE

The Senate proceeded to consider the bill (H. R. 5584), to amend the Canal Zone Code, which had been reported from the Committee on Interoceanic Canals, with an amendment in section 2, on page 5, after line 10, to strike out:

> 271. Maintenance and operation of the Canal Zone Postal Service.—The Governor of the Panama Canal is authorized:
>
> a. To maintain and operate a postal service in the Canal Zone, including a money-order system, a parcel-post system, a postal-savings system, and such other services as may be necessary or convenient in connection with the postal service;
>
> b. To prescribe such rules and regulations as may be necessary for the maintenance and operation of the postal service;
>
> c. To establish and discontinue post offices;
>
> d. To prescribe the postage rates and the rates for transportation of the mails: *Provided, however,* That the United States domestic postage rates shall be applicable to regular mail exchanged with the United States; and
>
> e. To prescribe the postage stamps and other stamped paper which shall be used in such service.

And to insert in lieu thereof:

271. Maintenance and operation of the Canal Zone Postal Service: The Postal Service of the Canal Zone shall be governed, except as otherwise provided in the Canal Zone Code, by such of the laws, rules, regulations, and conventions of the Postal Service of the United States as by their terms apply in the Canal Zone and by such additional laws, rules, and regulations of the Postal Service of the United States as the Governor of the Panama Canal shall by regulation determine to be applicable to conditions existing in the Canal Zone. The Governor may prescribe such additional rules and regulations as are necessary for the maintenance and operation of the Canal Zone Postal Service.

The Governor of the Panama Canal is authorized—

a. To maintain and operate a postal service in the Canal Zone, including a money-order system, a parcel-post system, a postal-savings system, and such other services as may be necessary or convenient in connection with the postal service;

b. To establish and discontinue post offices;

c. To prescribe the postage rates: *Provided, however,* That the United States domestic postage rates shall be applicable to regular mail exchanged with the United States; and

d. To prescribe the postage stamps and other stamped paper which shall be used in such service.

So as to make the bill read:

Be it enacted, etc., That section 10 of title 2 of the Canal Zone Code, approved June 19, 1934, is amended so as to read as follows:

"10. Injuries to vessels, cargo, crew, or passengers, occasioned by operation of Canal: The regulations of the President, authorized under section 9 of this title, shall provide for the prompt adjustment and payment by the Governor of the Panama Canal, subject to the limitations hereinafter contained in this section, of damages for injuries to vessels, or to the cargo, crew, or passengers of vessels, which may arise:

"(a) By reason of the passage of such vessels through the locks of the canal under the control of officers or employees of the Panama Canal: *Provided, however,* That no such damages shall be paid in any case wherein the Governor shall find that the injury was proximately caused by the negligence or fault of the vessel, master, crew, or passengers: *And provided further,* That in any case wherein the Governor shall find that the negligence or fault of the vessel, master, crew, or passengers proximately contributed to the injury, he shall diminish the award of damages in proportion to the negligence or fault, as determined by him, attributable to the said vessel, master, crew, or passengers.

"(b) By reason of the presence of such vessels in the waters of the Canal Zone, other than the locks, when the Governor shall find that the injury was proximately caused by negligence or fault on the part of any officer or employee of the Panama Canal acting within the scope of his employment and in the line of his duties in connection with the operation of the Canal: *Provided, however,* That when the Governor shall further find that the negligence or fault of the vessel, master, crew, or passengers proximately contributed to the injury, he shall diminish the award of damages in proportion to the negligence or fault, as determined by him, attributable to the said vessel, master, crew, or passengers: *And provided further,* That, in the case of any vessel which is required by or pursuant to regulations heretofore or hereafter prescribed under section 9 of this title to have a Panama Canal pilot on duty aboard, no damages shall be adjusted and paid for injuries to any such vessel, or to the cargo or passengers of any such vessel, incurred while the vessel is under way and in motion, unless at the time such injuries are incurred the navigation or movement of the vessel is under the control of a Panama Canal pilot.

"The amounts of the respective awards of damages, under this section and the regulations authorized herein, may be adjusted, fixed, and determined by the Governor by mutual agreement, compromise, or otherwise, and such amounts shall be payable promptly out of any moneys appropriated or allotted for the maintenance and operation of the Panama Canal, and acceptance by any claimant of the amount awarded to him shall be deemed to be in full settlement of such claim against the Government of the United States: *Provided, however,* That the Governor shall not adjust and pay any claim for damages for injuries arising by reason of the presence of a vessel in the waters of the Canal Zone, other than the locks, where the amount of the claim exceeds $60,000, but shall submit the same to the Congress by a special report containing the material facts and his recommendations thereon.

"With respect to any claim for damages for injuries arising by reason of the passage of any vessel through the locks of the Canal, as hereinbefore provided, any claimant for damages who considers himself aggrieved by the findings, determination, or award of the Governor, in reference to his claim, may bring an action on such claim against the Panama Canal in the United States District Court for the District of the Canal Zone and in any such action the provisions of this section, and of the regulations of the President authorized under section 9 of this title, applicable to the determination, adjustment, and payment of such claims for damages, by the Governor, shall be applicable, and any judgment obtained against the Panama Canal shall be paid promptly out of any moneys appropriated or allotted for the maintenance and operation of the Panama Canal.

"Except as otherwise provided in the next preceding paragraph of this section, no action for damages for injuries arising in connection with the operation of the Canal and by reason of the presence of a vessel in the waters of the Canal Zone shall lie in any court against the United States or the Panama Canal, or against any officer or employee of the Panama Canal: *Provided, however,* That nothing in this section shall be construed to prevent or prohibit actions against officers or employees of the Panama Canal for damages for injuries resulting from acts of such officers or employees outside the scope of their employment and not in line with their duties, or from acts of such officers or employees committed or performed with intent to injure the person or property of another."

SEC. 2. That chapter 14 of title 2 of the Canal Zone Code, which chapter now consists of sections 271 to 275 of said title 2, is hereby amended so as to read as follows:

"271. Maintenance and operation of the Canal Zone Postal Service: The Postal Service of the Canal Zone shall be governed, except as otherwise provided in the Canal Zone Code, by such of the laws, rules, regulations, and conventions of the Postal Service of the United States as by their terms apply in the Canal Zone and by such additional laws, rules, and regulations of the Postal Service of the United States as the Governor of the Panama Canal shall by regulation determine to be applicable to conditions existing in the Canal Zone. The Governor may prescribe such additional rules and regulations as are necessary for the maintenance and operation of the Canal Zone Postal Service.

"The Governor of the Panama Canal is authorized—

"a. To maintain and operate a postal service in the Canal Zone, including a money-order system, a parcel-post system, a postal-savings system, and such other services as may be necessary or convenient in connection with the postal service;

"b. To establish and discontinue post offices;

"c. To prescribe the postage rates: *Provided, however,* That the United States domestic postage rates shall be applicable to regular mail exchanged with the United States; and

"d. To prescribe the postage stamps and other stamped paper which shall be used in such service.

"272. Defraying expenses from revenue so far as possible: The expenses of operating the Canal Zone Postal Service shall be defrayed, so far as possible, from the revenue derived therefrom, the use of which for that purpose is authorized.

"273. Acceptance of postal-savings deposits: Such of the post offices of the Canal Zone as may be designated by the Governor are hereby authorized, under such regulations as the Governor may prescribe, to receive postal-savings deposits, and to issue therefor postal-savings certificates in the form to be prescribed by the Governor.

"274. Rate of interest on postal-savings certificates: Postal-savings certificates issued as provided in this chapter shall bear interest at such rate, not exceeding 3 percent per annum, as shall be established by the President.

"275. Faith of United States pledged to payment of deposits: The faith of the United States is pledged to the payment of postal-savings certificates issued as provided in this chapter, with accrued interest thereon, in the same manner as such faith is pledged by law with respect to deposits made in postal-savings depository offices in the United States.

"276. Control of money order and postal-savings funds: The funds received from the issuance of money orders and postal-savings certificates by the Canal Zone Postal Service shall be under the control of the Governor.

"277. Deposit of money order and postal-savings funds in United States Treasury: The Governor is authorized to cause to be deposited in the United States Treasury for safekeeping but subject to his control all or any part of the funds, including interest thereon, received from the issuance of money orders and postal-savings certificates, and such funds or any part thereof may be withdrawn from time to time under such regulations as may be prescribed by the Governor.

"278. Deposit of money order and postal-savings funds in banks; security: The Secretary of the Treasury is hereby authorized to designate one or more national-banking associations to be depositories, under such regulations as may be prescribed by him, of funds received from the issuance of money orders and postal-savings certificates, including interest therefrom, and is hereby directed to require the associations thus designated to give satisfactory security, by the deposit of United States bonds or otherwise, for the safekeeping and prompt payment of the funds deposited with them, and such associations are authorized to give such security as may be required. All pledges of securities heretofore made for the safekeeping and prompt payment of any such funds are hereby ratified, approved, and validated.

"279. Investment of money-order and postal-savings funds in securities of the United States: The Governor is hereby authorized to invest all or any part of the funds referred to in the two preceding sections in bonds or other securities of the United States and to deposit such securities with the Treasurer of the United States for safekeeping, and to sell such securities, or any part of them, when such sale is necessary or desirable in the interest of the Postal Service. Before making such purchases or sales of securities, the Governor shall request the advice of the Secretary of the Treasury.

"280. Use of interest and profits on money-order and postal-savings funds: The interest and profits received from the deposit in banks or the investment, as provided in this chapter, of money-order and postal-savings funds shall form a part of the Canal Zone postal revenues and shall be available to pay the interest on postal-savings certificates, the expenses of operating the Canal Zone Postal Service, and the losses which are chargeable to the said service.

"281. Application of foregoing provisions to deposit money orders: All the provisions of this chapter relating to postal-savings certificates and the funds received therefrom, including interest, shall apply equally to money orders issued to lieu of postal-savings certificates prior to the effective date of this act, and to the funds received therefrom, including interest."

SEC. 3. That section 843 of title 5 of the Canal Zone Code is amended so as to read as follows:

"843. Placing signs on lands or structures in Canal Zone: The Governor of the Panama Canal is hereby authorized to make rules and regulations in respect to the construction or placing of signs, bills, posters, or other advertising devices on any lands, buildings, or other structures in the Canal Zone. Any person who shall violate any provision of such rules and regulations shall be punished by a fine of not more than $25, or by imprisonment in jail for not more than 10 days, or by both; and every day that any such advertising device shall remain upon such lands or structures, in violation of such rules and regulations, shall constitute a separate offense."

SEC. 4. That section 125 of title 6 of the Canal Zone Code is amended so as to read as follows:

"125. Proceedings on plea of guilty: If the defendant pleads guilty, the magistrate may hear testimony to determine the gravity of the offense and, within 24 hours after such plea or hearing of testimony, shall render judgment as to the punishment to be imposed."

SEC. 5. That section 521 of title 6 of the Canal Zone Code is amended so as to read as follows:

"521. Warrant for execution of judgment of death; time of execution: When judgment of death is rendered, a warrant signed by the judge and attested by the clerk, under the seal of the court, must be drawn and delivered to the marshal. It must state the conviction and judgment, and appoint a day on which judgment is to be executed, which must be not less than 90 nor more than 120 days from the time of judgment, and must direct the marshal to deliver the defendant, within 10 days from the time of judgment, to the warden of the penitentiary, for execution."

SEC. 6. That this act shall take effect 60 days after the date of its enactment.

The amendment was agreed to.

Mr. KING. Mr. President, may we have an explanation of the bill?

Mr. CLARK of Missouri. Mr. President, in answer to the request of the Senator from Utah, let me say that the bill was previously reported from the Committee on Interoceanic Canals; and because of a possible conflict which was seen by the Solicitor for the Post Office Department, was recommitted at my request to the Committee on Interoceanic Canals. There being an agreement between the War Department and the Post Office Department, it has been again reported. It involves only certain very small administrative changes in the Panama Canal Zone Code.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

CLAIMS AGAINST THE UNITED STATES

The Senate proceeded to consider the bill (H. R. 8150) providing for the barring of claims against the United States.

Mr. THOMAS of Oklahoma. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Oklahoma will be stated.

The CHIEF CLERK. On page 2, line 4, after the word "established" it is proposed to insert a colon and the following:

Provided further, That nothing in this act shall be construed to deprive individual Indians or Indian tribes of rights or benefits to which they may be entitled under existing law.

Mr. THOMAS of Oklahoma. Mr. President, the purpose of the original bill was to fix a time limit within which certain claims might be presented and considered. The amendment merely provides that the rights of Indians under existing law may not be interfered with. It is simply an amendment to protect the Indians throughout the United States in their rights.

Mr. KING. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. KING. As the Senator may know, a subcommittee of the Committee on the Judiciary, of which the Senator from Texas [Mr. CONNALLY] is chairman, has been considering Indian legislation in a broad way. I was wondering whether or not this measure would come within the purview of the activities of that subcommittee.

Mr. THOMAS of Oklahoma. Not being a member of the subcommittee, of course, I cannot say; but I do not desire that any action be taken prior to their report and the enactment of subsequent legislation which will in any way interfere with the rights of the Indians as they now exist. That is my only purpose in offering the amendment.

Mr. KING. I shall not object if it may be understood that after inquiry of the Senator from Texas as to whether or not there is a possible conflict between this measure and the one under consideration by the committee a motion to reconsider may be interposed.

The PRESIDING OFFICER. The Senator has that right under the rule.

The question is on agreeing to the amendment offered by the Senator from Oklahoma [Mr. THOMAS].

The amendment was agreed to.

Mr. SCHWELLENBACH. Mr. President, I intended to object to the bill, and I thought the Senator from Utah [Mr. KING] was objecting.

The PRESIDING OFFICER. The Senator from Utah announced that he had withdrawn his objection.

Mr. SCHWELLENBACH. I ask for an explanation of the bill.

The PRESIDING OFFICER. Is there objection?

Mr. SCHWELLENBACH. I object.

The PRESIDING OFFICER. Objection is heard, and the bill will be passed over.

BILLS PASSED OVER

The bill (H. R. 3838) to protect trade-mark owners, producers, distributors, and the general public against injuries and uneconomic practices in the distribution of competitive commodities bearing a distinguishing trade-mark, etc., was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1460) to provide uniform reciprocal hospitalization in any Army or Navy hospital for retired personnel of the Army, Navy, Marine Corps, and Coast Guard was announced as next in order.

Mr. McKELLAR. Mr. President, may we have an explanation of the bill?

The PRESIDING OFFICER. An explanation is requested.

Mr. McKELLAR. If not, let it go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3243) to provide for a customhouse building at Miami, Fla., was announced as next in order.

Mr. McKELLAR. Mr. President, may we have an explanation of the bill?

The PRESIDING OFFICER. The bill was introduced by the Senator from Florida [Mr. ANDREWS] and reported by the Senator from Texas [Mr. CONNALLY]. Neither Senator appears to be present.

Mr. KING. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

DISPOSITION, CONTROL, AND USE OF CERTAIN SURPLUS FEDERAL PROPERTY

The Senate proceeded to consider the bill (H. R. 7233) to amend the act entitled "An act to provide for the disposition, control, and use of surplus real property acquired by Federal agencies, and for other purposes," approved August 27, 1935 (Public, No. 351, 74th Cong.), which had been reported from the Committee on Public Buildings and Grounds, with amendments.

The first amendment of the Committee on Public Buildings and Grounds was, in section 1, on page 1, line 3, after the word "That", to strike out "an" and insert "the first section of the"; on page 2, line 2, after the word "amended", to strike out "as follows."

At the end of section 1 add to subsection (c) the following: ": *Provided*, That if no bids, or if bids which are not satisfactory as to price or" and to insert "by inserting, be-

fore the period at the end thereof, a colon and the following: "*Provided*, That if no bids which are satisfactory as to price and", so as to make the section read:

That the first section of the act entitled "An act to provide for the disposition, control, and use of surplus real property acquired by Federal agencies, and for other purposes," approved August 27, 1935 (Public, No. 351, 74th Cong.; 49 Stat. 885; U. S. C., Supp. II, title 40, sec. 304 (a) to (e)), be, and the same is hereby, amended by inserting, before the period at the end thereof, a colon and the following: "*Provided*, That if no bids which are satisfactory as to price and responsibility of bidder are received as a result of such public advertisement, the Commissioner of Public Buildings, with the approval of the Federal Works Administrator, is authorized to sell such property by negotiation, upon such terms as may be deemed to be to the best interest of the Government, but at a price not less than that bid by the highest responsible bidder."

The amendment was agreed to.

The next amendment was, in section 2, on page 2, line 15, after "Sec. 2.", to strike out "At the end of the act add" and insert in lieu thereof "Such act of August 27, 1935, is further amended by adding at the end thereof"; in line 18, after the word "There", to strike out "is" and insert "are"; in line 19, after the word "such", to strike out "amount" and insert "amounts"; on page 4, line 4, after the words "shall fail to", to strike out "so"; in line 5, after the word "buildings", to insert "of his determination as to whether such building is an historic building of national significance"; in line 9, after the word "said", to strike out "building" and insert "building", so as to make the section read:

SEC. 2. Such act of August 27, 1935, is further amended by adding at the end thereof the following sections:

"SEC. 6. There are hereby authorized to be appropriated such amounts as may be necessary to cover the costs incident to the sale or lease of real property, or demolition of buildings thereon as hereinafter authorized, which have been or may hereafter be declared surplus to the needs of any Federal agency in accordance with the provisions of this act, and the care, maintenance, and protection thereof, including, but not limited to pay of employees, travel of Government employees, brokers' fees not in excess of rates paid for similar services in the community where the property is situated, appraisals, photographs, surveys, evidence of title and perfecting of defective titles, advertising, and telephone and telegraph charges: *Provided, however*, That a Federal agency shall remain responsible for the proper care, maintenance, and protection of the aforesaid property, notwithstanding any declaration that the same is in excess of its needs until such time as custody is assumed by the Federal Works Agency or other disposition is made thereof.

"SEC. 7. The Commissioner of Public Buildings, with the approval of the Federal Works Administrator, is authorized, upon their determination that such action will be to the best interest of the Government, to demolish any building declared surplus to the needs of the Government in accordance with the provisions of this act: *Provided*, That before proceeding with the demolition of any building, the Commissioner of Public Buildings shall inform the Secretary of the Interior in writing of his intention to demolish it, and shall not proceed with the demolition until he shall have received written notice from the Secretary of the Interior that said building is not an historic building of national significance within the meaning of the act entitled 'An act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes', approved August 21, 1935 (Public, No. 292, 74th Cong.; 49 Stat. 666): *Provided, however*, That if the Secretary of the Interior shall fail to notify the Commissioner of Public Buildings of his determination as to whether such building is an historic building of national significance within 90 days of the receipt of the notice of intention to demolish the Commissioner of Public Buildings may proceed to demolish said building."

The amendment was agreed to.

The next amendment was, on page 4, after line 9, to strike out:

SEC. 3. In sections 1 to 4, inclusive, of said act approved August 27, 1935, (a) strike out the words "the Secretary of the Treasury" and insert in lieu thereof the words "the Federal Works Administrator"; (b) strike out the words "the Director of Procurement" and insert in lieu thereof the words "the Commissioner of Public Buildings"; (c) strike out the words "the Procurement Division" and insert in lieu thereof the words "the Public Buildings Administration."

And to insert in lieu thereof:

SEC. 3. Sections 1 to 4, inclusive, of such act of August 27, 1935, are amended (a) by striking out the words "Secretary of the Treasury" wherever they appear and inserting in lieu thereof the words "Federal Works Administrator"; (b) by striking out the words "Director of Procurement" wherever they appear and inserting in lieu thereof the words "Commissioner of Public Buildings"; (c) by striking out the words "Procurement Division" wherever they appear and inserting in lieu thereof the words "Public Buildings Administration."

The amendment was agreed to.

Mr. DANAHER. Mr. President, may we have an explanation of the bill, as amended?

The PRESIDING OFFICER. An explanation is requested. The bill was reported by the Senator from Texas [Mr. CONNALLY]. Is there objection to the present consideration of the bill?

Mr. WHEELER. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

INTERNATIONAL TECHNICAL COMMITTEE OF AERIAL LEGAL EXPERTS

The joint resolution (S. J. Res. 228) providing for an annual appropriation to meet the share of the United States toward the expenses of the International Technical Committee of Aerial Legal Experts, and for participation in the meetings of the International Technical Committee of Aerial Legal Experts and the commissions established by that Committee was announced as next in order.

The PRESIDING OFFICER. A similar joint resolution, Calendar No. 1496, House Joint Resolution 490, is on the calendar. Without objection, the House joint resolution will be substituted for the Senate joint resolution and will be now considered.

There being no objection, the joint resolution (H. J. Res. 490) providing for an annual appropriation to meet the share of the United States toward the expenses of the International Technical Committee of Aerial Legal Experts, and for participation in the meetings of the International Technical Committee of Aerial Legal Experts and the commissions established by that Committee was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate Joint Resolution 228 is indefinitely postponed.

BILL PASSED OVER

The bill (H. R. 801) to assure to persons within the jurisdiction of every State due process of law and equal protection of the laws and to prevent the crime of lynching was announced as next in order.

Mr. McKELLAR. Let that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

PROHIBITION OF TRANSPORTATION OF CONVICT-MADE GOODS

The bill (S. 3550) to make unlawful the transportation of convict-made goods in interstate and foreign commerce was announced as next in order.

Mr. SCHWELLENBACH. Mr. President, I ask for an explanation of the bill.

Mr. CLARK of Missouri. Mr. President, I am not a member of the committee or the subcommittee which reported this bill, but have been familiar with the progress of the bill for some time since long before its introduction. The purpose of the bill is very briefly and explicitly stated in the bill itself as briefly as I could possibly explain it. It provides:

That whoever knowingly shall transport or cause to be transported in interstate or foreign commerce in any manner or by any means whatsoever or aid or assist in obtaining transportation for or in transporting any goods, wares, and merchandise manufactured, produced, or mined wholly or in part by convicts and prisoners (except convicts or prisoners on parole or probation), or in any penal or reformatory institution, from one State, Territory, Puerto Rico, Virgin Islands, or District of the United States, or place noncontiguous but subject to the jurisdiction thereof, or from any foreign country, into any State, Territory, Puerto Rico, Virgin Islands, or District of the United States, or place noncontiguous but subject to the jurisdiction thereof, shall be punished by a fine of not more than $1,000 or by imprisonment for not more than 1 year, or both: *Provided*, That nothing herein shall apply to commodities manufactured in Federal penal and correctional institutions for use by the Federal Government: *Provided further*, That this act shall go into effect 1 year after its approval by the President.

Mr. TAFT. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The Senator from Washington has the floor. Does he yield to the Senator from Ohio?

Mr. CLARK of Missouri. Mr. President, the Senator from Washington had the floor and called for an explanation of

the bill. I claimed the floor in my own right to make the explanation.

The PRESIDING OFFICER. The Chair did not so understand the situation.

Mr. SCHWELLENBACH. I yield to the Senator from Ohio.

Mr. TAFT. As I read the bill, I would be subject to fine and imprisonment if I should drive my automobile with an Ohio license tag on it—and in Ohio all license tags are made in the penitentiary—from Ohio to Washington, crossing State lines. It seems to me that under its terms I would be violating the provisions of this bill if I should take such a trip.

Mr. SCHWELLENBACH. Mr. President, I merely wish to make a statement.

Mr. TAFT. Does the Senator have any reason to advance why what I have stated would not be so?

Mr. SCHWELLENBACH. I beg the Senator's pardon. I thought he had concluded.

Mr. TAFT. I asked the question whether under the terms of this proposal I would not be violating the provisions of the bill and subjecting myself to a penalty if I drove my own car from Ohio to Washington?

The PRESIDING OFFICER. There seems to be no one who can answer the question of the Senator from Ohio.

Mr. TAFT. Mr. President, as there is no answer, I ask that the bill be passed over.

The PRESIDING OFFICER. On objection, the bill will be passed over.

Mr. SCHWELLENBACH. Mr. President, I have the floor and desire to make a statement.

There has been a danger so far as the Constitution of the United States is concerned, in the last 10 years, that has come from the unwillingness of the Supreme Court to recognize its responsibility so far as the matter of the regulation of commerce between the States is concerned. The Congress passed a bill called the Hawes-Cooper Act, which was approved by the Supreme Court of the United States. The Congress then passed the Ashurst-Sumners Act. Both those acts presented to the Supreme Court the question of whether or not the Federal Government should submit its rights to the States. In the case of Whitefield against Ohio, the Supreme Court went half way; in the Kentucky Whip and Collar case the Supreme Court went all the way. The Supreme Court, in the old case of Hammer against Dagenhart, refused to recognize the right of the Federal Government to control child labor. It said that the Federal Government could not do indirectly what it could not do directly. Then, later, because of the fact that the question of convict labor was involved, the Court approved the two acts I have mentioned. Certainly nobody can read the Ashurst-Summers Act and read the opinion of the Supreme Court in the Kentucky Whip and Collar case and not agree that by that decision the Supreme Court certainly overruled its decision in the case of Hammer against Dagenhart. Yet the Supreme Court, because it was not willing to face the facts, because it was not willing to face the issue, said:

> We will approve of the Ashurst-Sumners Act; we will permit the Federal Government to surrender its right to control interstate commerce, and yet we will specifically hold that we have not overruled the decision in the Hammer against Dagenhart case.

I wish to say frankly that I do not know exactly what this particular bill provides, but I think the time has come when the Congress of the United States should go rather slowly. The Constitution was written and the Federal Government was established because under the Articles of Confederation there were set up as between the colonies, or States, or whatever they may be called, tariff barriers which made it impossible for them to function. So we adopted a Constitution for the purpose of setting up a Federal Government. I think the Supreme Court was wrong in its decision in the case of Hammer against Dagenhart, but I certainly think the Supreme Court should have accepted the responsibility in the other two decisions.

So far as I am concerned, I am not willing to agree that any amendment may be made in the prison-goods law which may go further, permit a further break-down of our confederation as a National Government, and permit the States to control by means of what really are tariff barriers as between themselves the shipment of goods into the various States. So I object to the consideration of this bill.

The PRESIDING OFFICER. The time of the Senator from Washington has expired.

Mr. CLARK of Missouri. Mr. President, was objection made to this bill?

The PRESIDING OFFICER. Objection has been made.

Mr. CLARK of Missouri. Very well; I will wait until the next bill is called and take the floor on that.

The PRESIDING OFFICER. The next bill on the calendar will be stated.

The bill (H. R. 57) to provide for the use of net weights in interstate and foreign commerce transactions in cotton, to provide for the standardization of bale covering for cotton, and for other purposes, was announced as next in order.

SEVERAL SENATORS. Let the bill go over.

Mr. CLARK of Missouri. Mr. President, if Senators who made objection will withhold it for a moment, let me say that I do not wish to enter into any dispute with the eminent Senator who is, and the eminent jurist who is soon to be, about the construction of Supreme Court decisions. I say only that I regret that the Senator from Washington in his senatorial career has waited to express such a high regard for the rights of the States and of the Federal Government until just as he is about to be translated to the Federal judiciary, where he will have a much better opportunity than he has had in the Senate to overrule the Supreme Court of the United States. [Laughter.]

I simply say that I, of course, do not contest the right of the Senator from Ohio to act as a sponsor for convict-made goods if he desires to, but desire to give notice, upon the authority of the Senator from West Virginia, who is in charge of this bill, that at the first opportunity a motion will be made to take up the bill in due course for consideration.

Mr. TAFT. I am curious to know why this bill would not prohibit interstate transportation under license tags, which are generally made in prisons by convict labor.

Mr. CLARK of Missouri. If the Senator objects, when the bill comes up again for consideration such amendments may be made as will obviate any valid objection. Certainly it was not the intention of the sponsors of the bill to prohibit automobiles traveling in interstate commerce, and if the consideration of the bill would be permitted, if there should be a question in the mind of the Senator from Ohio or any other Senator that the bill would prohibit a citizen of Ohio from driving an automobile with Ohio license tags which are made by convicts, that could very readily be arranged. The bill is based on the language of the Supreme Court, if I may be permitted to quote it, that—

> All such legislation—

That is, legislation against convict-made goods—

> All such legislation, State and Federal, proceeds upon the view that free labor, properly compensated, cannot compete successfully with the enforced and unpaid or underpaid convict labor of the prison.

I did not draw this bill; I was not on the committee that considered it, but I know that the purpose at which it is aimed is extremely meritorious; I know that nobody can successfully stand on this floor and argue for the transportation of convict-made goods in interstate commerce, and I know that to pick out a particular flaw and to say, "This bill may be defective in a certain particular and therefore we will not even consider it and throw it open to amendment" is begging the question.

Mr. SCHWELLENBACH. Mr. President——

Mr. CLARK of Missouri. I yield to the Senator from Washington.

Mr. SCHWELLENBACH. I have been very much interested in what the Senator has said, but I think he probably will appreciate my position.

Mr. CLARK of Missouri. I have appreciated the Senator's position, Judge, Your Honor. [Laughter.]

Mr. President, I would not argue with the Senator from Washington for fear of being put in jail for contempt of court. [Laughter.]

Mr. SCHWELLENBACH. For the rest of my life I probably shall never have a chance effectively to criticize the Supreme Court of the United States.

Mr. CLARK of Missouri. Mr. President, I will say that we shall all enjoy all the remarks that the Senator from Washington can squeeze in before the end of the session, as we have enjoyed all the remarks he has made during our service with him here in this body.

The PRESIDING OFFICER. The bill will be passed over.

REIMBURSEMENT OF NAVAL PERSONNEL FOR PROPERTY LOST OR DESTROYED IN SERVICE

The Senate proceeded to consider the bill (S. 2891) to amend the act of October 6, 1917, "An act to provide for the reimbursement of officers, enlisted men, and others in the naval service of the United States for property lost or destroyed in such service," which had been reported from the Committee on Naval Affairs with amendments, on page 2, line 2, after the word "thereof", to insert "and by adding a proviso at the end of the act"; on page 2, line 23, after the words "limited to", to strike out "such articles of personal property as the Chief of the Bureau of Navigation of the Navy Department, with reference to the personnel of the Navy, or the Major General Commandant of the Marine Corps, with reference to the personnel of that corps, in his discretion, shall decide to be reasonable, useful, and proper for such officer, enlisted man, or other person while engaged in the public service in line of duty" and insert "replacement in kind of the clothing such individual may be required by regulation to have in his possession, reimbursement in cash of other personal effects which shall include toilet articles not exceeding $5 and where required for aviation ratings a watch not exceeding $25, and in addition, for chief petty officers, cooks, and stewards such additional clothing as the Chief of the Bureau of Navigation with reference to the personnel of the Navy, or the Major General Commandant of the Marine Corps, with reference to the personnel of that corps, shall decide to be reasonable"; and on page 6, line 11, after the word "Coast", to strike out "Guard" and insert "Guard: *And provided further*, That the provisions of this act shall apply to the personnel of the Coast and Geodetic Survey in like manner as to the personnel of the Navy, except that all reimbursement shall be made in money and shall be limited to such articles of personal property as the Director of the Coast and Geodetic Survey shall decide to be reasonable, useful, and proper for such officer, member of the crew, or other person while engaged in the public service in line of duty, without reference to articles required by the United States Naval Regulations, and all of the duties, which, under this act, devolve upon the Major General Commandant of the Marine Corps with reference to the personnel of that corps, shall devolve upon the Director of the Coast and Geodetic Survey, and in cases involving persons in the Coast and Geodetic Survey reimbursement shall be made by a disbursing officer for the Coast and Geodetic Survey from the Coast and Geodetic Survey appropriation from which the officer or man is paid", so as to make the bill read:

Be it enacted, etc., That the act approved October 6, 1917 (vol. 40, Stat. L., p. 389), "An act to provide for the reimbursement of officers, enlisted men, and others in the naval service of the United States for property lost or destroyed in such service," be amended by adding the words "or by fires, floods, earthquakes, hurricanes, or similar disasters, occurring, on land" immediately following the word "disaster" in line 8 thereof, and by adding a proviso at the end of the act, the act as amended to read as follows:

"That the Paymaster General of the Navy be, and he is hereby, authorized and directed to reimburse such officers, enlisted men, and others in the naval service of the United States as may have suffered, or may hereafter suffer, loss or destruction of or damage to their personal property and effects in the naval service due to the operations of war or by shipwreck or other marine disaster, or by fires, floods, earthquakes, hurricanes, or similar disasters, occurring on land, when such loss, destruction, or damage was without fault or negligence on the part of the claimant, or where the private property so lost, destroyed, or damaged was shipped on board an unseaworthy vessel by order of an officer authorized to give such order or direct such shipment, or where it appears that the loss, destruction, or damage of or to the private property of the claimant was in consequence of his having given his attention to the saving of the lives of others or of property belonging to the United States which was in danger at the same time and under similar circumstances. And the liability of the Government under this act shall be limited to replacement in kind of the clothing such individual may be required by regulation to have in his possession, reimbursement in cash of other personal effects which shall include toilet articles not exceeding $5 and where required for aviation ratings a watch not exceeding $25, and in addition, for chief petty officers, cooks, and stewards such additional clothing as the Chief of the Bureau of Navigation with reference to the personnel of the Navy, or the Major General Commandant of the Marine Corps, with reference to the personnel of that corps, shall decide to be reasonable, and the certificate of said chief of bureau or Major General Commandant, as the case may be, shall be sufficient voucher for and shall be final as to all matters necessary to the establishment and payment or settlement of any claim filed hereunder; and the action of the said chief of bureau or Major General Commandant, as the case may be, upon all claims arising under this act shall be final, and no right to prosecute a claim or action in the Court of Claims or in any other court of the United States, or before any accounting officer of the United States, or elsewhere, except as herein provided, shall accrue to any person by virtue of this act: *Provided*, That the liability of the Government under this act shall be limited to such articles of personal property as are required by the United States Naval Regulations and in force at the time of loss or destruction for such officers, petty officers, seamen, or others engaged in the public service in the line of duty: *Provided further*, That with reference to claims of persons in the Marine Corps filed under the terms of this act the paymaster of the Marine Corps shall make the reimbursement in money, and the quartermaster of the Marine Corps shall make the reimbursement in kind herein provided for: *Provided further*, That all claims now existing under this act shall be presented within 2 years from the passage hereof and not hereafter; and all such claims hereafter arising shall be presented within 2 years from the occurrence of the loss, destruction, or damage: *Provided further*, That the term 'in the naval service', as herein employed, shall be held to include service performed on board any vessel, whether of the Navy or not, provided the claimant is serving on such vessel pursuant to the orders of duly constituted naval authority: *Provided further*, That all claimants under this act shall be required to submit their claims in writing and under oath to the said Chief of the Bureau of Navigation or Major General Commandant, as the case may be: *Provided further*, That claims arising in the manner indicated in this act and which have been settled under the terms of previously existing law shall be regarded as finally determined and no other or further right of recovery under the provisions hereof shall accrue to persons who have submitted such claims as aforesaid: *Provided further*, That sections 288, 289, and 290, Revised Statutes, and the act of March 2, 1895 (28 Statutes, page 962), are hereby repealed: *Provided further*, That reimbursement for loss, destruction, or damage sustained and determined as herein provided shall be made in kind for such articles as are customarily issued to the service and shall be made in money for other articles at the valuation thereof at the time of their loss, destruction, or damage: *Provided further*, That in cases involving persons in the Navy reimbursement in money shall be made from the appropriation 'Pay of the Navy', and reimbursement in kind shall be made from the appropriation 'Outfits on first enlistment', and in cases involving persons in the Marine Corps reimbursement in money shall be made from the appropriation 'Pay, Marine Corps', and reimbursement in kind shall be made from the appropriation 'Clothing, Marine Corps', respectively, current at the time the claim covering such loss, damage, or destruction is paid: *And provided further*, That the provisions of this act shall apply to the personnel of the Coast Guard in like manner as to the personnel of the Navy, whether the Coast Guard is operating under the Treasury Department or operating as a part of the Navy, and all of the duties, which, under this act, devolve upon the Major General Commandant of the Marine Corps with reference to the personnel of that corps, shall devolve upon the Commandant of the Coast Guard, and in cases involving persons in the Coast Guard reimbursement in money shall be made by a disbursing officer for the Coast Guard from the appropriation 'Pay and allowances, United States Coast Guard', and reimbursement in kind shall be made by the Commandant from the appropriation 'Pay and allowances, United States Coast Guard': *And provided further*, That the provisions of this act shall apply to the personnel of the Coast and Geodetic Survey in like manner as to the personnel of the Navy, except that all reimbursement shall be made in money and shall be limited to such articles of personal property as the Director of the Coast and Geodetic Survey shall decide to be reasonable, useful, and proper for such officer, member of the crew, or other person while engaged in the public service in line of duty, without reference to articles required by the United States Naval Regulations, and all of the duties, which, under this act, devolve upon the Major General

Commandant of the Marine Corps with reference to the personnel of that corps, shall devolve upon the Director of the Coast and Geodetic Survey, and in cases involving persons in the Coast and Geodetic Survey reimbursement shall be made by a disbursing officer for the Coast and Geodetic Survey from the Coast and Geodetic Survey appropriation from which the officer or man is paid."

Mr. KING. Mr. President, I desire to ask the Senator from Massachusetts whether there is in the bill any limitation as to the amount that will be required to meet these obligations.

Mr. WALSH. Mr. President, there is now a law which permits the departments of the Government, including the Navy Department, to reimburse officers and enlisted men for losses which they sustain of necessary personal property which they must have in their service if the losses occur while at sea. There is no general law permitting the authorities in the departments of the Government to adjust the losses if they do not occur at sea. The result is that a large number of bills are presented each year for losses at Quantico by fire, and for losses by hurricane or earthquake in the Canal Zone and at other places. This bill permits the general law which now applies to such losses when they occur at sea to apply to losses on Government property and on land.

The PRESIDING OFFICER. The question is on agreeing to the amendments reported by the committee.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

STUDIES OF PRODUCTIVITY AND LABOR COSTS IN INDUSTRY

The joint resolution (H. J. Res. 265) authorizing the Bureau of Labor Statistics to make studies of productivity and labor costs in industry was announced as next in order.

Mr. KING. Let the joint resolution go over.

The PRESIDING OFFICER. This measure, being similar to a Senate resolution on the same subject which has already been objected to, will also be passed over.

Mr. WAGNER. Mr. President, I was about to suggest that the junior Senator from Oregon [Mr. HOLMAN], who is out of the Chamber at the moment, objected to a similar Senate measure upon the calendar under my name. For that reason, in his absence, I ask that the House joint resolution go over, although I should very much like to have it passed.

The PRESIDING OFFICER. The joint resolution has been passed over.

Mr. HOLMAN subsequently said: Mr. President, I ask unanimous consent that the Senate return to Calendar No. 1310, Senate Joint Resolution 114, to which I previously made an objection. The joint resolution has been explained to me, and I now should like to withdraw my objection and have the joint resolution passed.

The PRESIDING OFFICER. Senate Joint Resolution 114 is identical with House Joint Resolution 265, Calendar No. 1475. The latter joint resolution having already passed the House, without objection, the Senate will consider that measure in lieu of the Senate joint resolution.

Mr. HOLMAN. Very well.

There being no objection, the joint resolution (H. J. Res. 265) authorizing the Bureau of Labor Statistics to make studies of productivity and labor costs in industry was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate Joint Resolution 114 will be indefinitely postponed.

BILL PASSED OVER

The bill (H. R. 6324) to provide for the more expeditious settlement of disputes with the United States, and for other purposes, was announced as next in order.

Mr. McKELLAR. Mr. President, may we have an explanation of this bill?

Mr. HATCH. Mr. President, I shall be very glad to make an explanation of the bill; but I am quite sure the majority floor leader wishes to object to the consideration of the bill.

Mr. BARKLEY. Oh, yes, Mr. President; there is no time now to explain the bill. I ask that it go over.

Mr. KING. I give notice that tomorrow, if possible, a motion will be made to take up for consideration the so-called Logan bill.

The PRESIDING OFFICER. The bill will be passed over.

BENEFITS FOR CERTAIN AIR CORPS RESERVE OFFICERS

The bill (S. 3266) to provide pensions, compensation, retirement pay, and hospital benefits to certain Reserve officers of the Army of the United States was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That all Reserve officers of the Air Corps of the Army of the United States, who were called or ordered into the active military service with the Air Corps, Regular Army, by the Federal Government for extended military service in excess of 30 days on or subsequent to July 1, 1928, and who suffered disability in line of duty from injury while so employed shall be deemed to have been in the active military service during such period and shall be in all respects entitled to receive the same pensions, compensation, retirement pay, and hospital benefits as are now or may hereafter be provided by law or regulation for officers of corresponding grades and length of service of the Regular Army.

SEC. 2. That the duties, powers, and functions incident to the administration and payment of the benefits herein provided are hereby vested in the Veterans' Administration: *Provided*, That in the administration of the retirement provisions provided herein, the determination whether disability exists and whether such disability was incurred in line of duty shall be made by the Secretary of War, or by someone designated by him in the War Department, in the manner, and in accordance with the standards, provided by law or regulations for Regular Army personnel: *And provided further*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The title was amended so as to read: "A bill to provide pensions, compensation, retirement pay, and hospital benefits for certain Air Corps Reserve officers who were disabled while on active duty with the Regular Army."

GREENVILLE MEMORIAL COMMISSION

The joint resolution (H. J. Res. 385) establishing a Greenville Memorial Commission to formulate plans for the construction of a memorial building to commemorate the Treaty of Greene Ville at Greenville, Ohio, was considered, ordered to a third reading, read the third time, and passed, and the preamble was agreed to, as follows:

Whereas Greenville, Ohio, is the site of Fort Greene Ville, where was signed the famous Treaty of Greene Ville; and

Whereas the treaty thus negotiated in 1795, between General "Mad Anthony" Wayne and the Indians and signed by President George Washington and William Henry Harrison, aide de camp to General Wayne and later President of the United States, was one of the most important events in the life of our Nation; and

Whereas Greene Ville, named after General Wayne's Revolutionary compatriot, Gen. Nathanael Greene, marked the headquarters from which General Wayne pressed on to victory over the Indians, caused the British to retire from Detroit and other lake points, and opened to peaceful invasion the entire territory north of the Ohio River and east of the Mississippi River, from which were formed the great States of Ohio, Indiana, Illinois, Michigan, Minnesota, and Wisconsin; and

Whereas the pledge of security given by the treaty stimulated emigration to a remarkable degree and made possible the founding of such outstanding cities as Chicago, Cincinnati, Cleveland, Detroit, Fort Wayne, Indianapolis, Milwaukee, Minneapolis, and many other great cities; and

Whereas the victory is considered the most complete and most important ever gained over the Northwestern Indians during the 40 years' warfare it put to an end, and actually terminated the Revolutionary War; and

Whereas the Treaty of Greene Ville made possible the onrush of Americans into the great Northwest Territory, laying the foundation of the United States as a world power; and

Whereas there are now housed in the Public Library of Greenville, Ohio, hundreds of mementos and trophies of this critical period of American history which should be placed in a suitable memorial building in order to be preserved for future generations: Therefore be it

Resolved, etc., That there is hereby established a Commission, to be known as the Greenville Memorial Commission, and to be composed of nine Commissioners, three to be appointed by the President of the United States, three Senators to be appointed by the President of the Senate, and three Members of the House of Representatives to be appointed by the Speaker of the House. Such Commission shall consider and formulate plans for designing and constructing a permanent memorial building at Greenville, Ohio.

SEC. 2. Such Commission may, in its discretion, accept from any source, public or private, money or property to be used for the purpose of making surveys and investigations, formulating,

preparing, and considering plans for the construction of such memorial, or other expenses incurred, or to be incurred, in carrying out the provisions of this joint resolution.

SEC. 3. The Commission shall report its recommendations to Congress as soon as practicable.

SEC. 4. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $10,000, which shall be available to defray the necessary expenses of the Commission for the performance of their duties hereinafter prescribed. Disbursement of sums herein authorized to be appropriated shall be made upon vouchers approved by the chairman of the Commission.

BILL PASSED OVER

The bill (H. R. 5827) to authorize the cancelation of deportation proceedings in the case of John L. Harder and children, Paul William Harder, Irvin W. Harder, Edna Justina Harder, Elsie Anna Harder, and Elizabeth Harder was announced as next in order.

Mr. REYNOLDS. Let the bill go over. I object to it.

Mr. KING. Mr. President, will the Senator yield?

Mr. REYNOLDS. Yes; I yield.

Mr. KING. Let me say that the Committee on Immigration and Naturalization had this bill under consideration and it was unanimously reported, even by some who entertain largely the views of the Senator from North Carolina.

Mr. REYNOLDS. I thank the Senator, but I shall be forced to object to it, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

MINAS KIRILLIDIS

The bill (S. 3442) to authorize the cancelation of deportation proceedings in the case of Minas Kirillidis was announced as next in order.

Mr. REYNOLDS. I object.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2768) authorizing the naturalization of Thomas A. Lambie was announced as next in order.

Mr. REYNOLDS. I object.

The PRESIDING OFFICER. The bill will be passed over.

Mr. RADCLIFFE. Mr. President, will the junior Senator from North Carolina give me his attention for a moment? I hope he will reconsider his objection. Dr. Lambie was a citizen of this country. It was necessary, for good and sufficient reasons which I shall not go into at this time, for him to become a citizen of Abyssinia.

Mr. REYNOLDS. I should like very much to accommodate the Senator; but not having been advised——

Mr. RADCLIFFE. Dr. Lambie was an American citizen, born and raised here. He became a citizen of Abyssinia in order to hold missionary property in Abyssinia. That is now out of the picture because of the conquest of Abyssinia, and he is desirous of again becoming an American citizen. There is no reason why he should not. He is a man of good standing and splendid reputation, and he only became a citizen of Abyssinia in order to meet certain technical requirements of the missionary work which he was doing there.

Mr. REYNOLDS. For the present, I shall have to ask that the bill go over; but I shall be very glad to look into the matter and discuss it with the Senator from Maryland.

The PRESIDING OFFICER. Objection being made, the bill will be passed over.

Mr. REYNOLDS subsequently said: Mr. President, I wish to withdraw my objection to Calendar No. 1531, Senate bill 2768, in which the Senator from Maryland [Mr. RADCLIFFE] is interested.

The PRESIDING OFFICER. Is there objection to the present consideration of Senate bill 2768, which will be stated by title for the information of the Senate?

The LEGISLATIVE CLERK. A bill (S. 2768) authorizing the naturalization of Thomas A. Lambie.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding any other provision of law, at any time within 1 year after the date of enactment of this act, Thomas A. Lambie, of Owings Mills, Md., may be naturalized as a citizen of the United States by taking the naturalization oath of allegiance before any court having jurisdiction of the naturalization of aliens.

MR. AND MRS. NATHAN KAPLAN

The Senate proceeded to consider the bill (H. R. 6964) for the relief of Mr. and Mrs. Nathan Kaplan.

Mr. REYNOLDS. Mr. President, what is the number of this bill?

The PRESIDING OFFICER. House bill 6964, Calendar No. 1532.

Mr. KING. It is not an immigration bill.

Mr. REYNOLDS. I do not wish to object to its consideration.

The bill was ordered to a third reading, read the third time, and passed.

JOHN R. ELLIOTT

The bill (H. R. 7306) for the relief of John R. Elliott was considered, ordered to a third reading, read the third time, and passed.

HERMOSA-REDONDO HOSPITAL, C. MAX ANDERSON, AND OTHERS

The bill (H. R. 8317) for the relief of the Hermosa-Redondo Hospital, C. Max Anderson, Julian O. Wilke, Curtis A. Wherry, Hollie B. Murray, Ruth M. Laird, Sigrid I. Olsen, and Stella S. Guy was considered, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 3204) for the relief of Louise Hsien Djen Lee Lum was announced as next in order.

Mr. REYNOLDS. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2148) for the admission of Ruth Molimau Kenison to American citizenship was announced as next in order.

Mr. REYNOLDS. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

APPLICATION OF COMPENSATION ACT TO OFFICERS AND ENLISTED MEN OF ARMY RESERVE

The bill (S. 3131) to extend the benefits of the United States Employees' Compensation Act to members of the Officers' Reserve Corps and of the Enlisted Reserve Corps of the Army who were physically injured in line of duty while performing active duty or engaged in authorized training between dates of February 28, 1925, and July 15, 1939, both inclusive, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That where in time of peace any member of the Officers' Reserve Corps or of the Enlisted Reserve Corps of the Army was physically injured in line of duty (1) while on active duty, or (2) while engaged in authorized travel to and from such duty, or (3) while engaged in authorized training without pay, or dies or has died as the result of such physical injury, where such injury or death occurred between the dates of February 28, 1925, and July 15, 1939, both inclusive, he or his beneficiary shall be entitled to all the benefits prescribed by law for civil employees of the United States who are physically injured in line of duty or who die as a result thereof, and the United States Employees' Compensation Commission shall have jurisdiction in such cases and shall perform the same duties with reference thereto as in the cases of civil employees of the United States so injured: *Provided*, That the benefits shall accrue to any such member, or his beneficiary, whether the disability or death is the result of sickness or disease contracted in line of duty while on active duty when such sickness or disease is proximately caused by service on active duty: *Provided further*, That employees' compensation under this act shall not be paid concurrently with active-duty pay or pension based on military service, and in the event a person becomes eligible for the benefits of the United States Employees' Compensation Act and is also eligible for, or is in receipt of, a pension based upon military service, he shall elect which benefit to receive: *Provided further*, That authorized training without pay is defined as inactive-status training under written authorization by competent military authority covering a specific training assignment and prescribing a time limit: *Provided further*, That for the purpose of determining benefits to which entitled under the provisions of this act members of the Officers' Reserve Corps or of the Enlisted Reserve Corps of the Army physically injured when engaged in authorized training without pay will be held and considered as receiving the pay and allowances they would have received if in a pay status: *Provided further*, That Reserve officers entitled to the benefits of the last proviso of section 5 of the act of April 3, 1939 (Public, No.

18, 76th Cong.), shall not be entitled to the benefits of this act: *And provided further*, That nothing herein shall be construed to authorize compensation benefits which may have accrued for any period prior to the approval of this act, but eligibility for compensation benefits shall be determined as of the date of approval of this act and any benefits payable shall date only from such approval.

Where injury or death has been sustained by any member of the Officers' Reserve Corps or Enlisted Reserve Corps while performing authorized training without pay upon inactive status it shall be presumed that such training was being performed under written authorization of competent military authority covering a specific training assignment and prescribing a time limit and thus subject to the provision of this act unless a duly appointed examining board, appointed at the time of said accident, has found and reported to the contrary.

All claims for disability or death benefits allowed under the provisions of this act shall be made within 1 year from its approval by the President.

BILL PASSED OVER

The bill (S. 1432) authorizing the Snake or Piute Indians of the former Malheur Indian Reservation of Oregon to sue in the Court of Claims, and for other purposes, was announced as next in order.

Mr. McNARY. I ask that the bill go over for the present.

The PRESIDING OFFICER. The bill will be passed over.

RELIEF OF INDIANS WHO HAVE PAID TAXES ON ALLOTTED LANDS

The bill (H. R. 952) for the relief of Indians who have paid taxes on allotted lands for which patents in fee were issued without application by or consent of the allottees and subsequently canceled, and for the reimbursement of public subdivisions by whom judgments for such claims have been paid, was considered, ordered to a third reading, read the third time, and passed.

DISTRICT JUDGE FOR SOUTHERN DISTRICT OF NEW YORK

The Senate proceeded to consider the bill (H. R. 5906) to repeal the prohibition against the filling of a vacancy in the office of district judge for the southern district of New York, which was read, as follows:

Be it enacted, etc., That the provision of subsection (d) of section 4 of the act entitled "An act to provide for the appointment of additional judges for certain United States district courts, circuit courts of appeals, and certain courts of the United States for the District of Columbia," approved May 31, 1938 (52 Stat. 585; U. S. C., title 28, sec. 4j–1), which reads: "*Provided*, That the first vacancy occurring in the office of district judge for the southern district of New York by the retirement, disqualification, resignation, or death of judges in office on the date of enactment of this act shall not be filled," be, and it is hereby, repealed.

Mr. CLARK of Missouri. Mr. President, may we have an explanation of the bill?

The PRESIDING OFFICER. An explanation is requested.

Mr. CLARK of Missouri. Why was not this provision contained in the omnibus bill which was recently passed, providing for new judgeships?

Mr. WAGNER. This measure came from the House as a separate bill.

Mr. MILLER. Mr. President, when this particular judgeship was provided for there was a provision in the bill to the effect that on the death of the incumbent the appointment should not be renewed; but the incumbent was appointed to the circuit court of appeals of that circuit, there being a vacancy there, leaving a situation which was not within the contemplation of the Congress when the original act was passed. The situation which we attempted to cure by the original legislation was thwarted by the appointment of the judge to another court. This bill is designed to meet that condition.

The bill was ordered to a third reading, read the third time, and passed.

NAVY CLUB OF THE UNITED STATES OF AMERICA

The bill (H. R. 5880) to incorporate the Navy Club of the United States of America was considered, ordered to a third reading, read the third time, and passed.

GENERAL PULASKI'S MEMORIAL DAY

The joint resolution (H. J. Res. 400) authorizing the President of the United States of America to proclaim October 11, 1940, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski was considered, ordered to a third reading, read the third time, and passed.

RIGHT-OF-WAY FOR BLUE RIDGE PARKWAY ACROSS CHEROKEE INDIAN RESERVATION

The Senate proceeded to consider the bill (H. R. 6668) to grant the State of North Carolina a right-of-way for the Blue Ridge Parkway across the Cherokee Indian Reservation in North Carolina, to provide for the payment of just compensation for said right-of-way, and for other purposes, which had been reported from the Committee on Indian Affairs with an amendment to strike out all after the enacting clause and to insert:

That the Secretary of the Interior is authorized and directed to convey to the State of North Carolina for use as a right-of-way in connection with the Blue Ridge Parkway in the State of North Carolina all right, title, and interest of the United States and the Eastern Band of Cherokee Indians in such land and the timber thereon, to be determined as hereinafter provided, within the Cherokee Indian Reservation in the State of North Carolina as may be necessary for the construction and maintenance of such parkway over the following course: Beginning at a point in State Highway No. 293 near Soco Gap and extending to a junction with State Highway No. 107, near the mouth of the Ravens Fork of the Oconoluftee River by way of the following approximate controls: Leaving Soco Gap and following the east and northerly slopes of Soco and Bunches Bald ridge and crossing through Docks Gap to the south and west side of Soco and Bunches Bald; thence crossing Lickstone Ridge and entering Bunches Gap from the south; thence from Bunches Gap, following the south slopes of the main ridge, crossing Jenkins Divide ridge and entering Big Witch Gap from the southeast; thence leaving Big Witch Gap in a northwesterly direction and keeping on the northerly and westerly slopes of the main ridge, but crossing the various spur ridges circling around the heads of Mingo Creek and Sherrills Cove, and around the north end of the ridge lying immediately northeast of the Ravensford Mill site, crossing the Oconoluftee River to the junction with State Highway No. 107, previously referred to, and, in addition, starting in a northeasterly direction from Bunches Gap, passing about one-half mile north of Soco Bald; thence turning north and intersecting the boundary between the Qualla Indian Reservation and the Great Smoky Mountains National Park at a point approximately 1 mile northeast of Bunches Gap.

SEC. 2. Before making such conveyance, the Secretary of the Interior shall have the lands along such course surveyed and shall determine the exact location and boundaries of the land to be conveyed for use as such right-of-way, which shall not exceed 125 acres per mile. The deed of conveyance for such land shall contain an accurate description of the location and boundaries of such land in order that the interests of the United States and the Eastern Band of Cherokee Indians may be properly protected.

SEC. 3. In consideration of conveyance, the State of North Carolina shall construct without expense to the United States or to the Cherokee Indians a suitable road between Soco Gap and Cherokee Village and shall pay to the United States the sum of $40,000, or $30 per acre, whichever sum is the largest, which shall be deposited in the Treasury to the credit of the Eastern Band of Cherokee Indians and held in trust by the United States for the Eastern Band of Cherokee Indians.

SEC. 4. The Secretary of the Interior is hereby authorized, in his discretion, to grant to the Eastern Band of Cherokee Indians the beneficial interest in any lands selected by the council of said band within the tracts in the vicinity of Ravensford, N. C., now owned by the United States and known, respectively, as the Ravensford tract, containing approximately 322 acres, and the Boundary Tree tract, containing approximately 884 acres; and the said Secretary is hereby directed to exclude from the Great Smoky Mountains National Park any lands so selected and granted: *Provided, however*, That the quarry site within the Ravensford tract shall not be granted to said band. Prior to the consummation of any such grant, payment shall be made for all lands included therein by the transfer of a sum equal to the fair market value of such lands, as determined by the Secretary of the Interior, from any funds in the United States Treasury to the credit of said band, including funds made available under section 3 hereof, to the credit of the fund "National Park Service, donations," which transfer the Secretary of the Treasury is hereby authorized to make upon request by the council of said band approved by the Secretary of the Interior. Funds so transferred shall be available for national-park and monument uses, including the acquisition of lands for inclusion in the Great Smoky Mountains National Park. All lands purchased or otherwise acquired for the Eastern Band of Cherokee Indians under authority contained in this act shall constitute a part of the Cherokee Indian Reservation in North Carolina, shall be held by the United States in trust for said band, and shall be nontaxable, nonalienable to the same extent as other lands within said reservation.

Mr. THOMAS of Oklahoma. Mr. President, this bill has given the committee very much concern. The Government and the State of North Carolina have joined to build a road in that section of the country. The road is to run through

the Cherokee Indian Reservation, located in North Carolina. The bill has had much consideration. The Senate Committee on Indian Affairs even sent its attorney to the reservation to work out the details. An agreement has been reached between all parties concerned; and I desire at this time to submit an amendment to the committee amendment.

The Senate committee struck out the original bill and substituted a new bill. I now desire to offer some amendments to the committee amendment. In order to simplify the matter, I send to the desk a list of the several amendments.

The PRESIDING OFFICER. The amendments offered by the Senator from Oklahoma to the amendment reported by the committtee will be stated.

The CHIEF CLERK. It is proposed to strike out all of section 3 of the committee amendment, and in lieu thereof to insert the following:

SEC. 3. In consideration of conveyance, the State of North Carolina shall pay to the United States the sum of $40,000 or $30 per acre for the lands embraced in the right-of-way described in section 1, whichever sum is the largest, which shall be deposited in the Treasury to the credit of the Eastern Band of Cherokee Indians and held in trust by the United States for the Eastern Band of Cherokee Indians. It is understood and agreed that the State of North Carolina shall build without further payment for right-of-way, and without expense to the United States or the Cherokee Indians, a suitable State highway between Soco Gap and Cherokee Village, subject to the same laws, rules, and regulations applicable to all State highways of North Carolina.

The amendment to the amendment was agreed to.

The CHIEF CLERK. In the committee amendment, on page 10, line 21, after the words "within the", it is proposed to strike out "tracts in the vicinity of Ravensford, N. C., now owned by the United States and known, respectively, as the Ravensford tract, containing approximately 322 acres, and the".

The amendment to the amendment was agreed to.

The CHIEF CLERK. In the committee amendment, on page 11, line 4, after the word "granted", it is proposed to strike out the colon and the following: *"Provided, however,* That the quarry site within the Ravensford tract shall not be granted to said band."

The amendment to the amendment was agreed to.

The PRESIDING OFFICER (Mr. GURNEY in the chair). The question is on agreeing to the amendment of the committee as amended.

The amendment, as amended, was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "An act to authorize the Secretary of the Interior to convey to the State of North Carolina for use in connection with the Blue Ridge Parkway certain land within the Cherokee Indian Reservation in the State of North Carolina."

PRESENTATION TO EIRE OF A STATUE OF COMMODORE JOHN BARRY

The Senate proceeded to consider the joint resolution (S. J. Res. 157) authorizing the President of the United States to present to Eire on behalf of the people of the United States a statue of Commodore John Barry, which had been reported from the Committee on Foreign Relations with an amendment, on page 2, after line 10, to strike out section 3, as follows:

SEC. 3. The statue to be presented shall be executed by a sculptor to be chosen by a committee of three members. Such committee shall be composed of one member appointed by the President and two members appointed by the Joint Committee on the Library: *Provided*, That such members shall serve without compensation or remuneration.

And to insert a new section 3, as follows:

SEC. 3. The statue to be presented shall be executed by a sculptor to be chosen by a committee of three members, who shall serve without compensation or remuneration. This committee shall be appointed by the President. The design and cost of the statue shall be approved by the committee.

So as to make the bill read:

Resolved, etc., That the President of the United States be, and he is hereby, authorized and directed to present to the Irish nation, now known as Eire, a statue of Commodore John Barry in honor of the bicentenary of the birth of Commodore John Barry in 1945.

SEC. 2. There is hereby authorized to be appropriated the sum necessary to effectuate the purposes of this joint resolution.

SEC. 3. The statue to be presented shall be executed by a sculptor to be chosen by a committee of three members, who shall serve without compensation or remuneration. This committee shall be appointed by the President. The design and cost of the statue shall be approved by the committee.

The amendment was agreed to.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was rejected.

INDIAN CLAIMS

The Senate proceeded to consider the bill (S. 3352) to amend the act of August 27, 1935 (49 Stat. 2194), and for other purposes, which had been reported from the Committee on Indian Affairs with amendments, on page 1, line 8, after the word "filed", to insert the words "by Indians", and on line 8, after the word "all", to insert the word "such", so as to make the bill read:

Be it enacted, etc., That the act of August 27, 1935 (49 Stat. 2194), be, and the same is hereby, amended so as to allow the submission of claims by Indians thereunder at any time prior to June 30, 1941. The Comptroller General of the United States is directed to receive and settle any additional claims filed by Indians before said date and to reconsider all such claims which have been heretofore disallowed on account of failure to file them within the period of 2 years imposed by the act.

SEC. 2. Irrespective of the date of death or the sum involved or any contrary rule or practice with respect to payment of the claims, all amounts found due deceased Indians whose heirs have been determined by the Secretary of the Interior shall be paid to the appropriate superintendent or other bonded officer of the Indian Service for the benefit of the heirs, to be handled and accounted for by him with other moneys under his control in accordance with existing law and regulations. The amounts due deceased claimants whose heirs have not been thus determined shall be so paid upon applications therefor filed by the superintendent, for credit to the estates.

SEC. 3. The superintendent of the Consolidated Chippewa Agency is hereby authorized to file claims for any and all claimants or heirs of claimants whose whereabouts cannot be determined after due and diligent search, and a verified certificate filed by the superintendent that such due and diligent search has been made, shall be sufficient condition precedent to the right to file any such claim.

SEC. 4. Claims filed hereunder may be sworn to before a local postmaster or a superintendent or other officer of the Indian Service authorized to administer oaths.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HAYWARD INDIAN SCHOOL, WISCONSIN

The Senate proceeded to consider the bill (S. 2984) authorizing the transfer of title of the Hayward Indian School to the State of Wisconsin, which had been reported from the Committee on Indian Affairs with an amendment, to strike out all after the enacting clause and to insert:

That the Secretary of the Interior be, and he is hereby, authorized to transfer to the State of Wisconsin, upon such terms and in such manner as may be mutually agreed upon, for institutional or other public use, title to all or any part of the property known and designated as the Hayward Indian School, located at Hayward, Wis.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

TOMAH INDIAN SCHOOL, WISCONSIN

The bill (H. R. 7530) to transfer the site and buildings of the Tomah Indian School to the State of Wisconsin was considered, ordered to a third reading, read the third time, and passed.

WHITMAN, MALHEUR, AND UMATILLA NATIONAL FORESTS

The Senate proceeded to consider the bill (H. R. 2418) to extend the provisions of the Forest Exchange Act, as amended, to certain lands so that they may become parts of the Whitman, Malheur, or Umatilla National Forests, which had been reported from the Committee on Public Lands and Surveys with an amendment, on page 2, line 1, after the word "forests", to insert a colon and the words *"Provided,* That such exchanges are approved by the board of county commissioners

of the county or counties in which said lands are situated", so as to make the bill read:

Be it enacted, etc., That any lands in private, State, or county ownership within the following-described area, which are found by the Secretary of Agriculture to be chiefly valuable for national-forest purposes, may be offered in exchange under the provisions of the act approved March 20, 1922, as amended (U. S. C., title 16, secs. 485, 486), and upon acceptance of title shall become parts of the Whitman, Malheur, or Umatilla National Forests, Oreg., and shall thereafter be subject to the laws, rules, and regulations applicable to national forests: *Provided*, That such exchanges are approved by the board of county commissioners of the county or counties in which said lands are situated.

To the Whitman National Forest: The east half of section 1; the southeast quarter of section 11; the south half and the northeast quarter of section 12; section 13; the east half of section 14; the east half of section 23; sections 24, 25, 26, 35, and 36; township 1 north, range 40 east.

Sections 6, 7, 18, 19, 30, and 31; township 1 north, range 41 east.

The south half of section 12; section 13; the east half of section 14; sections 23, 24, 25, 26, 35, and 36; township 1 south, range 39 east.

Sections 1, 2, 3, 4, and 5; the south half of section 6; sections 7 to 36, inclusive; township 1 south, range 40 east.

Section 1; township 2 south, range 39 east.

Sections 5 and 6; the north half of section 7; sections 8 and 16; the southwest quarter of section 35; township 2 south, range 40 east.

The east half of section 11; the southwest quarter of section 12; section 13; the east half of section 14; the east half of section 23; sections 24, 25, and 26; the east half of section 27; sections 35 and 36; township 3 south, range 40 east.

The west half of section 30; section 31; the southwest quarter of section 32; township 3 south, range 41 east.

Sections 5, 8, 9, 10, 11, 14, and 23; township 4 south, range 38 east.

Section 1; the east half of section 2; the east half and the northwest quarter of section 12; the northeast quarter of section 13; township 4 south, range 40 east.

Sections 5, 6, 7, and 8; the west half of section 9; sections 16 to 21, inclusive, and 28 to 33, inclusive; the west half of section 34; township 4 south, range 41 east.

Section 36; township 5 south, range 37 east.

Sections 2, 3, 10, 11, 14, 15, 16, 22, 23, 26, and 27; the east half of section 28; the southwest quarter of section 31; sections 33, 34, and 35; township 5 south, range 38 east.

The south half of section 1; the south half of section 2; sections 11, 12, 13, and 14; the east half of section 23; sections 24 and 25; the east half of section 26; township 5 south, range 40 east.

The west half of section 3; sections 4 to 10, inclusive; the southwest quarter of section 14; sections 15 to 36, inclusive; township 5 south, range 41 east.

Section 19; the north half of section 30; township 5 south, range 42 east.

Sections 31 and 32; portions of sections 33, 34, 35, and 36, which lie south of the North Fork John Day River; township 6 south, range 31 east.

Sections 4, 5, 6, 7, 8, 9, 17, 18, 19, 20, 29, 30, 31, and 32; township 6 south, range 38 east.

Sections 1 to 6, inclusive, and 8 to 12 inclusive; township 6 south, range 41 east.

Section 1; portions of sections 2, 3, 4, 5, and 6, which lie south of North Fork John Day River; sections 7 to 25, inclusive; township 7 south, range 30 east.

Sections 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, and 33; township 7 south, range 38 east.

Section 3; township 8 south, range 31 east.

The south half of section 3; section 4; the north half of section 5; sections 9, 10, 11, 14, 15, 16, 21, 22, 23, 26, 27, 28, and 35; township 8 south, range 38 east.

Section 1; township 9 south, range 38 east.

The north half of section 8; township 9 south, range 39 east.

The south half of section 2; the southwest quarter of section 4; the southwest quarter of section 10; the south half of section 23; section 25; township 10 south, range 37 east.

The south half of section 29; the south half of section 30; township 10 south, range 38 east.

The east half, the southeast quarter of the northwest quarter and the southwest quarter of section 3; sections 16 and 21; the west half of section 28; section 33; township 10 south, range 39 east.

Sections 31, 32, and 33; township 11 south, range 37 east.

The north half of section 10; the west half of section 11; the north half, the south half of the south half, and the north half of the southeast quarter of section 30; township 11 south, range 39 east.

Section 1; the south half of section 2; the southwest quarter of section 4; the southeast quarter of section 5; the east half of section 8; sections 9, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, and 36; township 11 south, range 40 east.

The south half of section 2; the south half of section 3; section 7; the west half of section 8; sections 10 to 21, inclusive; the west half of section 22; the north half of section 28; sections 29, 30, 31, and 32; township 11 south, range 41 east.

Sections 1, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, and 24; the north half of section 29; township 12 south, range 32 east.

Sections 1 to 12, inclusive; sections 17, 18, and 19; the north half of section 30; township 12 south, range 33 east.

Sections 7 and 8; the northwest quarter and the south half of section 9; the south half of section 10; the west half of section 15; sections 16, 17, 18, 20, and 21; the west half of section 22; sections 27 and 34; township 12 south, range 34 east.

Section 16; the northeast quarter of section 17; the north half of section 21; sections 22, 26, 27, 34, and 35; township 12 south, range 36 east.

Sections 5, 6, 7, and 8; township 12 south, range 37 east.

The northeast quarter of section 4; township 12 south, range 39 east.

Sections 1, 2, 3, 10, and 11; the north half of section 12; the west half of section 15; the north half of section 19; the north half of section 20; the north half of section 21; the northwest quarter of section 22; township 12 south, range 40 east.

Sections 6 and 7; township 12 south, range 41 east.

Sections 1 and 2; the north half of section 3; sections 11, 12, and 13; the north half of section 14; the north half of section 24; township 13 south, range 34 east.

The west half of section 19; the northwest quarter of section 30; the west half of section 31; township 13 south, range 35 east.

The north half of section 2; sections 3, 10, 15, 16, 22, 27, and 34; township 13 south, range 36 east.

To the Malheur National Forest:

Sections 14, 15, 16, and 23; the west half of section 26; the west half of section 35; township 9 south, range 31 east.

The south half of section 27; sections 31, 32, 33, and 34; township 9 south, range 32 east.

Sections 1 and 2; township 10 south, range 31 east.

The west half of the west half of section 4; section 5; the north half of section 6; township 10 south, range 32 east.

Sections 31 and 32; the south half of section 33; the south half of section 34; the south half of section 35; township 11 south, range 29 east.

The south half of section 10; the north half of section 15; section 16; the east half of section 29; the south half of section 32; township 11 south, range 30 east.

To the Umatilla National Forest:

Sections 13, 14, 15, 16, 21, and 22; the west half of section 28; the west half of section 33; township 1 north, range 38 east.

Sections 2, 3, 8, 9, 10, 11, 15, 16, and 17; township 2 north, range 39 east.

The south half of section 13; sections 23, 24, and 34; township 3 north, range 39 east.

Sections 19, 20, 21, and 22; the northwest quarter of section 29; section 30; township 3 north, range 40 east.

All Willamette base and meridian.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

AMUSEMENT FACILITIES ON FARM ISLAND, S. DAK.

The Senate proceeded to consider the bill (H. R. 6446) amending section 4 of the act entitled "An act to authorize the city of Pierre, S. Dak., to construct, equip, maintain, and operate on Farm Island, S. Dak., certain amusement and recreational facilities; to charge for the use thereof; and for other purposes," which had been reported from the Committee on Public Lands and Surveys with an amendment, to strike out all after the enacting clause and to insert:

That section 3 of the act entitled "An act to authorize the city of Pierre, S. Dak., to construct, equip, maintain, and operate on Farm Island, S. Dak., certain amusement and recreational facilities; to charge for the use thereof; and for other purposes," approved August 16, 1937, is amended to read as follows:

"SEC. 3. The enterprises authorized to be operated on Farm Island by the provisions of the first section of this act shall be owned and operated by the city of Pierre or by concessionaires of such city. All funds derived by such city from the operation of such enterprises and from the granting of concessions for the operation of such enterprises shall be maintained by such city in a separate fund and shall be used exclusively for the purpose of maintaining, developing, and policing Farm Island."

SEC. 2. Section 4 of such act is amended by adding at the end thereof the following: "Nothing in this act shall be deemed to prohibit such city, such State, or any agency of the United States performing functions on such island from removing therefrom, by such means as it may deem appropriate or advisable, such wild animals and wild birds (except migratory birds for the removal of which a permit has not been issued pursuant to the provisions of the Migratory Bird Treaty Act) as may become detrimental to the maintenance of said island as a wild-game refuge, park, or forest."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to amend the act entitled 'An act to authorize the city of Pierre, S. Dak., to construct, equip, maintain, and operate on Farm Island, S.

Dak., certain amusement and recreational facilities; to charge for the use thereof; and for other purposes,' approved August 16, 1937."

M. E. M'GIVERN

The bill (S. 3742) for the relief of M. E. McGivern, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to M. E. McGivern the sum of $465 in full settlement of all claims against the United States, including a claim for refund of the purchase price for the tract described as the southwest quarter northeast quarter of section 30, township 40 north, range 5 east of the fourth principal meridian, arising out of transactions relating to lands situated within the Lac du Flambeau Indian Reservation.

EDWARD SMITH

The bill (S. 3578) for the relief of Edward Smith was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the superintendent of the Tomah Indian Agency, out of any money in the Treasury not otherwise appropriated, the sum of $450 for disbursement under the individual Indian money regulations of the Department of the Interior for the benefit of Edward Smith, or his heirs and assigns, for loss sustained by failure to obtain title to the south half of the southeast quarter of the northeast quarter of section 33, township 24 north, range 3 east, of the fourth principal meridian, in Wisconsin.

SALE OF PRODUCTS FROM INDIAN RESERVATIONS

The bill (S. 2983) to authorize the sale of lumber and other forest products obtained from the forests on Indian reservations by Indian enterprises, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the lumber and other forest products produced by Indian enterprises from the forests on Indian reservations may be sold under such regulations as the Secretary of the Interior may prescribe, without compliance with section 3709 of the Revised Statutes.

TAXATION OF INDIAN LANDS

The bill (H. R. 5918) amending Public Law No. 96 of the Seventy-fifth Congress, being an act entitled "An act amending section 2 of Public Law No. 716 of the Seventy-fourth Congress, being an act entitled 'An act to relieve restricted Indians whose lands have been taxed or have been lost by failure to pay taxes, and for other purposes,'" was considered, ordered to a third reading, read the third time, and passed.

GALLUP MERCANTILE CO., OF GALLUP, N. MEX.

The bill (H. R. 7853) for the relief of the Gallup Mercantile Co., of Gallup, N. Mex., was considered, ordered to a third reading, read the third time, and passed.

ALIENATION OF LAND BY UNIVERSITY OF NEW MEXICO

The bill (H. R. 5961) granting to the regents of the University of New Mexico the right to alienate certain lands conveyed to them under authority of the act of Congress approved August 19, 1935 (49 Stat. 659), in exchange for an equivalent amount of land more expediently situated was considered, ordered to a third reading, read the third time, and passed.

MINNESOTA CHIPPEWA TRIBE LANDS

The bill (H. R. 7833) to set aside certain lands for the Minnesota Chippewa Tribe in the State of Minnesota, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

PERKINS GINS, OF MEMPHIS, TENN.

The bill (S. 3107) for the relief of Perkins Gins, formerly Perkins Oil Co., of Memphis, Tenn., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the statutes of limitation, so far as they bar the cotton linter claim of Perkins Gins, a corporation of Memphis, Tenn., formerly the claim of Perkins Oil Co., also a corporation of Memphis, Tenn., arising out of purchase contract No. 8418, entered into by the said Perkins Oil Co., of Memphis, Tenn., predecessor of said Perkins Gins, of Memphis, Tenn., on September 16, 1918, with the United States of America be, and the same are hereby, waived and revoked.

SEC. 2. That the said claimant is hereby authorized to file within 1 year after the date of the enactment of this act its said claim and have the same adjudicated by the Court of Claims of the United States.

EBERHART STEEL PRODUCTS CO., INC.

The bill (S. 3789) for the relief of the Eberhart Steel Products Co., Inc., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the United States Court of Claims, notwithstanding the lapse of time or any statute of limitations, with instructions to hear and determine and render judgment upon the claims of the Eberhart Steel Products Co., Inc., of Buffalo, N. Y., against the United States growing out of 43 certain contracts dated on and between January 28 and September 24, 1920, for the manufacture and delivery by said company to the War Department of certain material and parts for class B military trucks, notwithstanding any failure or error of any Government official to give proper written orders for changes made in any of said contracts, or fix the value thereof, or any previous decisions or decrees rendered with reference thereto, and without regard to any alleged settlement or adjustment heretofore made, or termination agreement, except only for proper credits to be given for any and all payments heretofore made: *Provided*, That no judgment rendered on this claim for an amount due such company shall exceed the amount heretofore found by the Court of Claims as the fair cost of manufacture of supplies left on claimant's hands, manufactured in accordance with the terms of the foregoing original contracts and changes thereunder.

Mr. KING subsequently said: Mr. President, I did not notice, when Calendar 1562 was called, that a similar bill had been vetoed by the President. What explanation is to be made in that case?

Mr. BROWN. The President vetoed a similar bill solely on an objection to section 1. We have eliminated section 1, and are now asking the Senate to enact section 2, to which the President urged no objection in his veto message.

Mr. KING. Very well.

RECORDING & COMPUTING MACHINES CO., OF DAYTON, OHIO

The Senate proceeded to consider the bill (H. R. 4031) to confer jurisdiction on the Court of Claims to hear claims of Recording & Computing Machines Co., of Dayton, Ohio, which was read as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the Court of Claims of the United States to hear, determine, and render judgment upon the claim or claims of the Recording & Computing Machines Co., of Dayton, Ohio, arising out of a series of transactions, contracts, and provisional adjustments between said Recording & Computing Machines Co., of Dayton, Ohio, and the War Department for the manufacture of ordnance materials, equipment, instruments, etc., between the years 1916 and 1920, inclusive, and suit on such claims shall be instituted within 1 year from the date of approval of this act.

Mr. BROWN. Mr. President, there is an amendment I desire to offer.

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair). The clerk will state the amendment.

The CHIEF CLERK. It is proposed to insert on page 2, after line 3, the following:

SEC. 2. Jurisdiction is conferred upon said court to hear and determine, in any suits instituted within 1 year from the date of the enactment of this act, jointly or severally, by the First National Steamship Co., the Second National Steamship Co., and the Third National Steamship Co., the claims of such companies on account of (1) certain sums deposited by them with the United States Shipping Board, in 1920; (2) certain disbursements made by them, for and on behalf of the United States, in 1920, for other than physical operation costs, in connection with the vessels *Independence*, *Hoxie*, and *Scottsburg*, owned by the United States; and (3) certain improvements and equipment placed aboard said vessels and not removed therefrom by said companies, in 1920; and, if the court shall determine that there was no sale of, or valid contract to sell, said vessels to said companies, and that the payment made to said companies on October 7, 1935, was not in full payment of the just claims of said companies existing on that date, to enter such decrees or judgments against the United States as will provide full reimbursement and just compensation to such companies on account of said claims, notwithstanding any statute of limitations.

Mr. KING. Mr. President, I should like to ask the Senator whether this is an attempt to revive some of the war-settlement cases.

Mr. BROWN. Mr. President, the amendment relates to a bill which passed through the committees of the House and Senate and passed both bodies of the Congress, and was vetoed by the President on the ground that a certain defense of settlement would be eliminated from consideration by the Court of Claims. The amendment as drafted eliminates that question and permits the Government in the Court of Claims to set forth that defense. It meets the objection which the President raised in his veto message.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Michigan [Mr. BROWN].

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "An act to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claim or claims of the Recording and Computing Machines Co., of Dayton, Ohio, and for other purposes."

CAPT. DAVID H. PASSELL AND FIRST LT. PAUL E. LAMASTER

The bill (S. 3763) for the relief of Capt. David H. Passell and First Lt. Paul E. LaMaster was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Capt. David H. Passell, Finance Reserve, the sum of $1,158.21, less any amount subsequently recovered, public funds for which he is accountable, and which were stolen from First Lt. Paul E. LaMaster, Field Artillery Reserve, class "A" agent officer for the said Captain Passell, in a pay-roll robbery at the Twenty-six Hundred and Sixty-fourth Company, Civilian Conservation Corps, Camp Carroll, Mount Carroll, Ill., on March 31, 1939: *Provided*, That the said Lieutenant LaMaster is hereby relieved of pecuniary responsibility for the loss of the said public funds and the Comptroller General of the United States is authorized and directed to settle the final pay accounts of the said Lieutenant LaMaster without deduction for the loss of the said public funds.

SCHROEDER EMPLOYEES' THRIFT CLUB

The Senate proceeded to consider the bill (S. 3218) for the relief of Schroeder Employees' Thrift Club, which was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to accept from Schroeder Employees' Thrift Club of Milwaukee, Wis., the sum of $16,955.63 in full satisfaction of all claims of the United States against such corporation for income taxes (including interest, penalties, and additions to the taxes) for the period October 31, 1923, through October 31, 1933.

Mr. McKELLAR. Mr. President, may we have an explanation of the bill? I see that the Department has recommended against its passage.

Mr. WILEY. Mr. President, I am sorry the Senator from Wyoming [Mr. SCHWARTZ] is not present. He was a member of the committee to which the bill was referred, and he went into the matter thoroughly.

Mr. McKELLAR. The Acting Secretary of the Treasury recommends against the enactment of the bill, and I think it should go over, under the circumstances, until the Senator from Wyoming can be here to explain it.

Mr. WILEY. I think it is very important. The entire Committee on Claims went into the matter; and, as I recall, the Senator from Wyoming has filed a report showing the equities of the situation, and there was no dispute in the committee.

Mr. WHEELER. Let the bill go over.

Mr. BROWN. Mr. President, let me make a statement to the Senator from Tennessee. I understand he objected.

Mr. McKELLAR. The Senator from Montana and I both objected.

Mr. BROWN. Let me say to both Senators that the Committee on Claims went into the matter very thoroughly. It appeared to us that the individuals involved were technically liable for a tax, but that it was never intended, in the enactment of tax laws, that such a thrift society as is here involved should be taxed. This society consisted of certain employees of a hotel company who got together a certain amount of money in the form of savings. There was no form of income involved whatsoever, and there was no justification whatever for the imposition of an income tax. It was a very small affair, so far as the Government was concerned, and in my judgment the Treasury report is based solely upon a supertechnical interpretation of the law. I think the Senators should withdraw their objection to this bill.

Mr. McKELLAR. I call the attention of the Senator to a statement in the report of the Acting Secretary of the Treasury. He says:

It is the position of the Treasury Department that in claims such as that now under consideration the claimants have no just cause for complaint, since the statutes imposing penalties, interest, and additions to the tax are eminently just and fair and impose no burdens or hardships other than those which result directly from the claimant's own failure to comply with the requirements of law.

Mr. BROWN. The measure is solely for the remission of penalties imposed on people who did not have the slightest idea in the world that they were subject to taxation. I am not now able to go into the details, but the construction of the law by the Department struck the committee as most unfair. The bill remits the penalties, which were unjustly imposed on these persons.

Mr. McKELLAR. With that assurance, I withdraw my objection.

Mr. WHEELER. I withdraw my objection.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BOLINROSS CHEMICAL CO., INC.

The Senate proceeded to consider the bill (S. 3590) conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Bolinross Chemical Co., Inc., which had been reported from the Committee on Claims with amendments, on page 1, line 7, before the word "raid" to strike out the words "alleged unlawful", and on page 2, line 3, before the name "February" to insert "or about", so as to make the bill read:

Be it enacted, etc., That jurisdiction is hereby conferred upon the Court of Claims of the United States to hear, determine, and render judgment upon the claim of the Bolinross Chemical Co., Inc., of Newark, N. J., for damages or losses resulting from the raid on its chemical plant at 12–22 Orange Street, Newark, N. J., including the alleged destruction of its machinery, equipment, raw materials, and finished products, and the loss of its business, by prohibition agents of the United States, on or about February 20, 1929.

SEC. 2. Suit upon such claim may be instituted at any time within 1 year after the enactment of this act, notwithstanding the lapse of time or any statute of limitations, and proceedings for the determination of such claim, appeals therefrom, and payment of any judgment thereon shall be in the same manner as in the cases over which such court has jurisdiction under section 145 of the Judicial Code, as amended.

The amendments were agreed to.

Mr. KING. Mr. President, I invite the attention of whoever has the bill in charge to a statement by the Acting Secretary of the Treasury from which it would appear that this claim is not just. I should like to have an explanation.

The PRESIDING OFFICER. An explanation is requested. The bill was introduced by the Senator from New Jersey [Mr. SMATHERS] and was reported by the Senator from Wyoming [Mr. SCHWARTZ]. Neither Senator being present, is there objection?

Mr. KING. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

ESTATE OF K. J. FOSS

The bill (H. R. 1843) for the relief of the estate of K. J. Foss was considered, ordered to a third reading, read the third time, and passed.

ESTATE OF MARGARET R. LEWIS

The bill (H. R. 5459) for the relief of George F. Lewis, administrator of the estate of Margaret R. Lewis, was considered, ordered to a third reading, read the third time, and passed.

ESTHER ROSS

The bill (H. R. 7072) for the relief of Esther Ross was considered, ordered to a third reading, read the third time, and passed.

A. S. TAIT

The Senate proceeded to consider the bill (H. R. 1435) for the relief of A. S. Tait, which had been reported from the Committee on Claims with an amendment, on page 1, line 5, after the words "sum of" to strike out "$1,500" and insert "$1,000," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $1,000 to A. S. Tait, of Friendship, N. Y., in full settlement of all claims against the United States for injuries sustained in line of duty as mail messenger on September 3, 1937: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

MRS. GOTTLIEB METZGER

The Senate proceeded to consider the bill (H. R. 6552) for the relief of Mrs. Gottlieb Metzger, which had been reported from the Committee on Claims with an amendment, on page 1, line 6, after the words "sum of", to strike out "$5,000" and insert "$3,000", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Gottlieb Metzger, of Mount Vernon, S. Dak., the sum of $3,000. The payment of such sum shall be in full settlement of all claims against the United States for damages sustained as the result of the accidental and negligent death of her husband, Gottlieb Metzger, while an official automobile passenger engaged upon authorized Federal activity for the Forest Service, United States Department of Agriculture: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. GURNEY. Mr. President, before the bill is acted upon I wish to make a brief statement. The bill as originally introduced in the House provided for $6,500 for the relief of Mrs. Gottlieb Metzger. The bill as passed by the House contained the amount of $5,000 and is now reported from the Committee on Claims with an amendment reducing the amount to $3,000.

I wish briefly to explain the bill and offer an amendment to it.

Mr. Metzger was killed on the 1st day of December 1938, while riding in an automobile owned by the Forest Service, Department of Agriculture, and driven by an employee of the Department. The employee was negligent. His negligence caused the accident which resulted in the death of Mr. Metzger. The Forest Service admits the negligence of its employee, and has recommended the payment of the claim in the amount of $5,000.

Mr. Metzger lived on a 60-acre farm adjoining the city of Mount Vernon, in Davison County, S. Dak. He had been a farmer all his life, and left his widow in straitened circumstances. At the time of his death he was serving either his second or third term as county commissioner, having been elected to that position on the Democratic ticket. The approximate value of his farm land and buildings was $2,500. His personal property was valued at $500. He left unpaid debts, including funeral expenses, estimated at $1,485. This unpaid debt, subtracted from the amount of $3,000 carried in the bill, will not leave much for his widow. There were no insurance, rentals, or other cash assets to accrue to the benefit of the widow.

The Department of Agriculture recommends the enactment of this bill in the amount of $5,000. This sum represents $3,000, the maximum allowed under the South Dakota Workmen's Compensation law, and $2,000 to provide for payment of outstanding obligations, attorneys fee, and incidentals.

I move, therefore, that the amount of $5,000 contained in the bill as it passed the House, be restored to the bill, and that the Senate concur in the bill as passed by the House.

The PRESIDING OFFICER. Let the Chair suggest to the Senator from South Dakota that the objective which he seeks to attain can be reached by a rejection of the committee amendment.

The question is on agreeing to the committee amendment.

The amendment was rejected.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

PEARL WALDREP STUBBS AND GEORGE WALDREP

The Senate proceeded to consider the bill (H. R. 6334) for the relief of Pearl Waldrep Stubbs and George Waldrep, which had been reported from the Committee on Claims with amendments, on page 1, line 6, after the words "mother of", to strike out the comma and the words "and George Waldrep, father of,"; in lines 7 and 8, after "Illinois, the", to strike out the words "sums of $4,000 and $1,000, respectively" and insert "sum of $1,750"; and in line 9, to strike out the word "sums" and to insert "sum", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Pearl Waldrep Stubbs, mother of Clarence Waldrep, deceased, formerly of Chicago, Ill., the sum of $1,750. The payment of such sum shall be in full settlement of all claims against the United States on account of the death of said Clarence Waldrep on May 4, 1938, when struck by an automobile belonging to the United States Government, at the time being driven by Clarence P. Rossner, an investigator for the Bureau of Internal Revenue, United States Government, and who at the time was on duty and engaged in his regular duties as an employee of the United States Government: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person or persons violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "An act for the relief of Pearl Waldrep Stubbs."

WILLIAM A. WHEELER

The bill (S. 3443) for the relief of William A. Wheeler was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William A. Wheeler, of Hurricane, W. Va., the sum of $600 in full satisfaction of his claim against the United States for injuries suffered when acting on May 8, 1939, as a volunteer fire fighter in an explosion of a kerosene tank on a Works Progress Administration road project in attempting to save property endangered by the explosion: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with said claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

HEIRS OF LT. WILLIAM LEE CLEMMER

The bill (S. 3487) for the relief of the heirs of Lt. William Lee Clemmer, Coast Guard, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to transfer to H. Adria Clemmer, widow, and to the legal guardian of Constance N. Clemmer and William L.

Clemmer, minor children of Lt. William Lee Clemmer (deceased), United States Coast Guard, by means of an appropriate legal instrument, the right, title, and interest of the United States over and above the license rights to be reserved under the appended proviso, in and to a certain invention made by the said Lt. William Lee Clemmer and consisting of new and useful improvements in method and means for determining vertical angles of energy waves, for which application has been made to the Commissioner of Patents for the grant of letters patent of the United States under the act of March 3, 1883 (22 Stat. 625), as amended by the act of April 30, 1928 (45 Stat. 467; U. S. C. title 35, sec. 45), such application having been executed April 30, 1937, and filed May 26, 1937, being designated as Serial No. 144871: *Provided, however,* That such legal instrument shall reserve to the Government of the United States, in all departments, independent establishments, and corporate and other agencies thereof, a nonexclusive, irrevocable, and nontransferable royalty-free license to make, to have made for it, to use, to practice, to maintain in repair, and to sell as surplus and condemned material, or otherwise as provided by law, any and all devices, methods, and inventions disclosed or claimed in the said application, or in any divisions or continuations thereof or substitutes therefor, under and for the full term or terms of any United States letters patent which may be granted on said application or on any divisions, extensions, continuations, or reissues thereof or substitutes therefor; and shall reserve to the Government of the United States as represented by the Secretary of the Treasury the irrevocable and exclusive right to prosecute any above-referred-to application, together with the full power of substitution and revocation of powers of attorney therein, including the right to make alterations and amendments to any said application, to transact all business in the Patent Office connected therewith, and to prosecute, conduct, and make adjustments and settlements of any interferences or other actions or proceedings that any such application may encounter or in which any such application may become involved.

ALFRED G. BALLS

The bill (S. 3706) for the relief of Alfred G. Balls was announced as next in order.

Mr. McKELLAR. Mr. President, I should like an explanation of the bill. Otherwise I shall ask that it be passed over.

Mr. HUGHES. Mr. President, I will ask that the bill be passed over temporarily.

The PRESIDING OFFICER. The bill will be passed over without prejudice.

Mr. McKELLAR subsequently said: Mr. President, I ask the Senate to return to Calendar 1575, Senate bill 3706. I have read the report of the Secretary of the Interior and I think the bill ought to be passed. I withdraw my objection.

The PRESIDING OFFICER. Is there objection to the present consideration of Senate bill 3706.

There being no objection, the bill (S. 3706) for the relief of Alfred G. Balls was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the account of Alfred G. Balls, former special disbursing agent, Alaska Railroad, Anchorage, Alaska, in the amount of $1,995, which was paid by him to Phil O. Herriman as salary for services rendered the Alaska Railroad during the period July 1, 1933, to May 31, 1934, the said sum having been disallowed on account of failure to report this position on lists submitted to the Bureau of the Budget, in conformity with letter of the President, dated July 23, 1932.

DEPOSIT OF CREDIT TO ESTATES OF CERTAIN NAVAJO INDIANS

The bill (S. 3794) for the relief of certain Navajo Indians, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to the Secretary of the Interior the sum of $30,000, which amount shall be deposited as individual Indian money to the credit of the estates of the following-named deceased Navajo Indians, and in the respective amounts stated for distribution to the heirs of such deceased Indians as determined by the Secretary of the Interior in accordance with existing law: Wilson Platero, $5,000; Meguelius Sacatero, $5,000; Tom Wood, $5,000; John Apachite, $5,000; Roy Chavez, $5,000; and John Chavez, $5,000.

SEC. 2. The Secretary of the Treasury is also authorized and directed to pay to the Secretary of the Interior the sum of $3,000, which amount shall be deposited as individual Indian money to the credit of Dempsey Sacatero and Jose Mexicano, or their heirs, in the sum of $1,500 each.

SEC. 3. The amounts herein appropriated shall be in full compensation for claims for deaths or injuries sustained in an accident occurring near Gallup, N. Mex., on December 6, 1936: *Provided,* That the amounts herein appropriated shall be expended in accordance with the regulations governing the handling of individual Indian money: *Provided further,* That no part of the amount herein appropriated shall be paid to or received by any agent or attorney on account of services rendered in connection with these claims, and any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

SURVEY OF CONDITION OF INDIANS

The resolution (S. Res. 217) further continuing the authority for a general survey of the condition of Indians in the United States was considered and agreed to, as follows:

Resolved, That Senate Resolution 79, agreed to February 2, 1928, and continued by subsequent resolutions, authorizing the Committee on Indian Affairs, or any subcommittee thereof, to make a general survey of the condition of the Indians in the United States, hereby is continued in full force and effect during the Seventy-seventh and succeeding Congresses.

ADOPTION OF MINORS BY INDIANS

The Senate proceeded to consider the bill (H. R. 8499) relating to adoption of minors by Indians, which had been reported from the Committee on Indian Affairs with an amendment, on page 2, line 18, after the word "request", to strike out "of" and to insert "or", so as to make the bill read:

Be it enacted, etc., That, in probate matters under the exclusive jurisdiction of the Secretary of the Interior, no person shall be recognized as an heir of a deceased Indian by virtue of an adoption—

(1) Unless such adoption shall have been—

(a) by a judgment or decree of a State court;

(b) by a judgment or decree of an Indian court;

(c) by a written adoption approved by the superintendent of the agency having jurisdiction over the tribe of which either the adopted child or the adoptive parent is a member, and duly recorded in a book kept by the superintendent for that purpose; or

(d) by an adoption in accordance with a procedure established by the tribal authority, recognized by the Department of the Interior, of the tribe either of the adopted child or the adoptive parent, and duly recorded in a book kept by the tribe for that purpose; or

(2) Unless such adoption shall have been recognized by the Department of the Interior prior to the effective date of this act or in the distribution of the estate of an Indian who has died prior to that date: *Provided,* That an adoption by Indian custom made prior to the effective date of this act may be made valid by recordation with the superintendent if both the adopted child and the adoptive parent are still living, if the adoptive parent requests that the adoption be recorded, and if the adopted child is an adult and makes such a request or the superintendent on behalf of a minor child approves of the recordation.

SEC. 2. This act shall not apply with respect to the distribution of the estates of Indians of the Five Civilized Tribes or the Osage Tribe in the State of Oklahoma, or with respect to the distribution of estates of Indians who have died prior to the effective date of this act.

SEC. 3. This act shall become effective 6 months after the date of its approval.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

JURISDICTION OF KANSAS OVER OFFENSES ON INDIAN RESERVATIONS

The bill (S. 372) to relinquish concurrent jurisdiction to the State of Kansas to prosecute Indians or others for offenses committed on Indian reservations was announced as next in order.

The PRESIDING OFFICER. Without objection, Calendar No. 1628, House bill 3048, will be substituted for the Senate bill. Is there objection to the present consideration of the House bill?

There being no objection, the bill (H. R. 3048) to confer jurisdiction on the State of Kansas over offenses committed by or against Indians on Indian reservations was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Calendar No. 1579, Senate bill 372, will be indefinitely postponed.

PURCHASERS OF LANDS IN CERTAIN INDIAN RESERVATIONS

The Senate proceeded to consider the bill (S. 3101) for the relief of certain purchasers of, and entrymen upon, opened

lands of certain Indian reservations, which had been reported from the Committee on Indian Affairs, with an amendment, to strike out all after the enacting clause, and to insert the following:

That the Secretary of the Interior is hereby authorized to reinstate any entry or purchase, in existence December 31, 1936, on the opened lands within the ceded areas of the Cheyenne River, Coeur d'Alene, Colville, Fort Berthold, Fort Peck, Pine Ridge, Rosebud, or Standing Rock Indian Reservations, or any of the Chippewa lands in Minnesota opened in accordance with the act of January 14, 1889 (25 Stat. 642), that has been canceled in toto for failure of the claimant thereof to make payment of the purchase money and interest due, or any such entry canceled in part by relinquishment, upon the filing by the claimant in the proper district land office within 60 days from the date of the enactment of this act, an application for reinstatement accompanied by the full amount of money due under governing laws: *Provided*, That all other requirements of the laws under which the entry or purchase was made have been complied with.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

INDIANS OF THE CROW RESERVATION, MONT.

The bill (H. R. 5477) for the benefit of the Indians of the Crow Reservation, Mont., and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

DENTAL DISEASES

The bill (S. 3607) to authorize research, by the Public Health Service, relating to the cause, diagnosis, and treatment of dental diseases, was announced as next in order.

Mr. TAFT. Mr. President, may we have an explanation of the bill?

Mr. MURRAY. The bill provides for scientific research by the United States Public Health Service. It was carefully studied and unanimously reported by the committee. The bill is recommended by the United States Public Health Service. It provides for carrying on a very beneficial investigation into the causes of dental diseases, which have become so prevalent in the United States. It appears that about 90 percent of the young people of the country are affected by dental diseases, and it is expected through this research that some method may be devised to cope with that serious situation among our people. I think the bill should pass.

Mr. GERRY. I object, and ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

BILL AND JOINT RESOLUTION PASSED OVER

The bill (S. 2883) for the relief of Daniel Steele was announced as next in order.

Mr. McKELLAR. Mr. President, may we have an explanation? The Department does not approve that bill. If we can have no explanation at this time, I ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over under objection.

The joint resolution (S. J. Res. 225) relating to the conditions for payment with respect to sugarcane harvested from certain plantings in the mainland cane-sugar area was announced as next in order.

Mr. KING. Let the joint resolution go over.

The PRESIDING OFFICER. The joint resolution will be passed over.

ALGY FRED GILES

The Senate proceeded to consider the bill (S. 3653) for the relief of Algy Fred Giles, which had been reported from the Committee on Military Affairs with an amendment, on page 1, line 11, after the word "act", to insert "or subsequent thereto", so as to make the bill read:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, or benefits upon honorably discharged soldiers, Algy Fred Giles, serial No. 6232471, who enlisted January 29, 1926, and was discharged July 16, 1928, shall be held and considered to have been honorably discharged from the military service of the United States on July 16, 1928: *Provided*, That no pension, back pay, bounty, compensation, or allowance shall be held to have accrued prior to the passage of this act or subsequent thereto.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. KING. Mr. President, with respect to the bill just passed, I notice that the Secretary of War strongly recommends against the bill. In view of that recommendation, I ask that the vote by which the bill was passed be reconsidered, and that the bill be passed over.

The PRESIDING OFFICER. Without objection, the vote by which the bill was passed will be reconsidered, and the bill will be returned to the calendar.

DISPOSITION OF CONDEMNED ORDNANCE AND OTHER CONDEMNED MATERIAL

The Senate proceeded to consider the bill (H. R. 7074) to amend an act to authorize the Secretary of War and the Secretary of the Navy to make certain disposition of condemned ordnance, guns, projectiles, and other condemned material in their respective Departments, which had been reported from the Committee on Military Affairs with an amendment, on page 2, line 2, after the word "Republic", to insert "posts of the Veterans of Foreign Wars of the United States", so as to make the bill read:

Be it enacted, etc., That the act entitled "An act to authorize the Secretary of War and the Secretary of the Navy to make certain disposition of condemned ordnance, guns, and cannonballs in their respective Departments," approved May 22, 1896, as amended, is amended to read as follows:

"That the Secretary of War and the Secretary of the Navy are each hereby authorized, in their discretion, to loan or give to soldiers' monument associations, posts of the Grand Army of the Republic, posts of the Veterans of Foreign Wars of the United States, posts of the American Legion, and other recognized war veteran associations, State museums, and incorporated museums operated and maintained for educational purposes only, whose charter denies them the right to operate for profit, municipal corporations, and posts of the Sons of Veterans' Reserve, condemned or obsolete ordnance, guns, projectiles, books, manuscripts, works of art, drawings, plans, models, and other condemned or obsolete material which may not be needed in the service of either of said Departments.

"Such loan or gift shall be made subject to rules and regulations covering the same in each Department, and the Government shall be at no expense in connection with any such loan or gift."

SEC. 2. All acts or parts of acts in conflict with this act are hereby repealed.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

ERNEST FRANCIS WHITE

The bill (H. R. 1312) granting a pension to Ernest Francis White was considered, ordered to a third reading, read the third time, and passed.

TIMOTHY A. LINEHAN

The bill (H. R. 1379) granting a pension to Timothy A. Linehan was considered, ordered to a third reading, read the third time, and passed.

HELEN M. CROWLEY

The bill (H. R. 2143) granting a pension to Helen M. Crowley was considered, ordered to a third reading, read the third time, and passed.

LIZZIE MAY WILBUR CLAYTON

The bill (H. R. 2273) granting a pension to Lizzie May Wilbur Clayton was considered, ordered to a third reading, read the third time, and passed.

MAUD PATTERSON

The bill (H. R. 2285) granting a pension to Maud Patterson was considered, ordered to a third reading, read the third time, and passed.

JOHN W. SWOVELAND

The bill (H. R. 5007) granting a pension to John W. Swoveland was considered, ordered to a third reading, read the third time, and passed.

SERVICE PENSION ACTS

The bill (H. R. 7147) to amend the service pension acts pertaining to the War with Spain, Philippine Insurrection,

and the China Relief Expedition to include certain continuous service, was announced as next in order.

Mr. BYRD. Mr. President, may we have an explanation of the bill?

Mr. MINTON. Mr. President, under existing law 90 days' service in the Spanish-American War, the Boxer Rebellion, or the Philippine Insurrection entitles a man to a service pension; but if he happened to have 70 days' service in the Spanish-American War and 20 days' service in the Philippine Insurrection, he may not combine the 20 days and the 70 days to make the required 90 days. The bill would permit adding service in the Spanish-American War, the Philippine Insurrection, and the Boxer Rebellion to make up the 90 days, and thereby entitle the man to a pension, rather than requiring that the 90 days' service be confined to one or the other of the campaigns.

Mr. BYRD. Mr. President, what would be the cost?

Mr. MINTON. I think I have the figures before me.

Mr. MEAD. Mr. President, as I understand, the bill will affect 300 veterans now receiving compensation. The cost will be approximately $130,000 for the first year. There may be some other veterans who are not receiving a pension; but their number is negligible, and the cost will be slight. The bill is recommended by the Veterans' Bureau, and has the approval of the Bureau of the Budget; and I understand it has the approval of the House and Senate committees.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

INCREASE OF PENSIONS FOR VETERANS OF REGULAR ESTABLISHMENT

The bill (H. R. 7733) to provide increased pensions for veterans of the Regular Establishment with service-connected disability incurred in or aggravated by service prior to April 21, 1898, was announced as next in order.

Mr. BYRD. Mr. President, may we have an explanation of the bill?

Mr. MINTON. Mr. President, peacetime soldiers who have suffered disability in line of duty are entitled to certain pensions at certain rates if they were in the service after April 21, 1898. Peacetime soldiers who suffered certain disability prior to that date are entitled to a pension at a different rate. The bill simply makes all the pensions payable at the same rate. The bill is approved by the Veterans' Administration and is recommended by the Administrator in order to equalize conditions.

Mr. BYRD. What will the cost be?

Mr. MINTON. One hundred and sixty-four thousand dollars.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

PENSIONS TO CERTAIN WIDOWS OF CIVIL WAR VETERANS

The bill (H. R. 7981) to grant pensions to certain unremarried dependent widows of Civil War veterans who were married to the veterans subsequent to June 26, 1905, was announced as next in order.

Mr. BYRD. Mr. President, may we have an explanation of the bill?

Mr. MINTON. Mr. President, any woman who married a Civil War veteran after June 26, 1905, is not entitled to a service pension. The bill would pension certain widows who married veterans after June 26, 1905, provided the widow married the veteran 10 years prior to his death, and lived with him continuously from the date of marriage to the date of his death, except that no pension would be payable to a widow under 60 years of age.

Mr. BYRD. I object.

The PRESIDING OFFICER. Objection is heard, and the bill will be passed over.

MARY JANE BLACKMAN

The bill (S. 1138) granting a pension to Mary Jane Blackman was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Jane Blackman, widow of William O. Blackman, late of Company B, Ninth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $30 per month.

ARMINDA BAUMAN

The bill (S. 2413) granting a pension to Arminda Bauman was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Arminda Bauman, widow of Jacob K. Bauman, late of Troop H, Sixth Regiment United States Cavalry, and pay her a pension at the rate of $30 per month.

ALICE F. THOMAS

The Senate proceeded to consider the bill (S. 537) granting a pension to Alice F. Thomas, which had been reported from the Committee on Pensions with an amendment, on page 1, line 8, after the words "at the rate of", to strike out "$50" and insert "$30", so as to make the bill read:

Be it enacted, etc., That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alice F. Thomas, widow of George M. Thomas, late of Company D, Sixty-third Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BERT W. HELMER

The Senate proceeded to consider the bill (S. 1009) granting a pension to Bert W. Helmer, which had been reported from the Committee on Pensions with an amendment, on page 1, line 7, after the words "at the rate of", to strike out "$100" and insert "$30", so as to make the bill read:

Be it enacted, etc., That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Bert W. Helmer, late of the United States Coast Guard, and pay him a pension at the rate of $30 per month.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES A. COFFELT, SR.—RECOMMITTAL

The bill (S. 1771) granting a pension to James A. Coffelt, Sr., was announced as next in order.

Mr. MINTON. Mr. President, the proposed beneficiary of this bill having died since the bill was introduced, I ask that the bill be recommitted to the committee.

The PRESIDING OFFICER. Without objection, the bill will be recommitted to the Committee on Pensions.

TIMOTHY C. TOLER

The Senate proceeded to consider the bill (S. 2263) granting a pension to Timothy C. Toler, which had been reported from the Committee on Pensions with an amendment, on page 1, line 8, after the words "at the rate of" to strike out "$45" and insert "$30", so as to make the bill read:

Be it enacted, etc., That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Timothy C. Toler, of Cambridge, Mass., formerly a surfman in the Coast Guard, and pay him a pension at the rate of $30 per month.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

REPEAL OF CERTAIN ACTS OF CONGRESS—POCKET VETOED

The bill (H. R. 3233) to repeal certain acts of Congress—pocket vetoed—was considered, ordered to a third reading, read the third time, and passed.

EXTENSION OF BENEFITS OF EMERGENCY OFFICERS' RETIREMENT ACT

The Senate proceeded to consider the bill (S. 458) extending the benefits of the Emergency Officers' Retirement Act of May 24, 1928, to provisional, probationary, or temporary

officers of the Army, Navy, Marine Corps, and Coast Guard who served during the World War, which had been reported from the Committee on Military Affairs with an amendment, at the end of the bill to add a proviso, so as to make the bill read:

Be it enacted, etc., That section 1 of the act entitled "An act relating to the retirement of officers of the Army, Navy, Marine Corps, and Coast Guard," approved March 3, 1931, as amended, entitled "An act making eligible for retirement, under certain conditions, officers and former officers of the Army, Navy, and Marine Corps of the United States, other than officers of the Regular Army, Navy, or Marine Corps, who incurred physical disability in line of duty while in the service of the United States during the World War," are hereby extended to provisional, probationary, or temporary officers of the military or naval forces or Coast Guard, who served subsequent to April 6, 1917, and who are now in a status of honorable separation from the military, naval, or Coast Guard Service, if application for such benefits is filed with the Administrator of Veterans' Affairs within 12 months after the passage of this act: *Provided*, That the benefits under this act shall take effect from the date of application, if approved.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PAYMENT OF PREVAILING WAGES ON FEDERAL PUBLIC WORKS IN ALASKA AND HAWAII

The bill (S. 3650) to require the payment of prevailing rates of wages on Federal public works in Alaska and Hawaii was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 1 of the act entitled "An act relating to the rate of wages for laborers and mechanics employed on public buildings of the United States and the District of Columbia by contractors and subcontractors, and for other purposes" approved March 3 1931 (46 Stat. 1494) as amended is further amended by striking out the words "States of the Union or the District of Columbia" and inserting in lieu thereof "States of the Union, the Territory of Alaska, the Territory of Hawaii, or the District of Columbia"; and by striking out the words "or other civil subdivision of the State" and inserting in lieu thereof "or other civil subdivision of the State or the Territory of Alaska or the Territory of Hawaii."

SEC. 2. The amendments made by this act shall take effect on the thirtieth day after the date of enactment of this act but shall not affect any contract in existence on such effective date or made thereafter pursuant to invitations for bids outstanding on the date of enactment of this act.

BILLS PASSED OVER

The bill (H. R. 6782) for the relief of James Robert Harman was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3524) conferring jurisdiction on the Court of Claims to hear and determine the claims of the Choctaw Indians of the State of Mississippi was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2705) creating the Great Falls Bridge Commission and authorizing the construction, maintenance, and operation of a bridge across the Potomac River near Great Falls of the Potomac was announced as next in order.

Mr. WHEELER. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT

The bill (S. 3886) to amend the Soil Conservation and Domestic Allotment Act, as amended, the Agricultural Adjustment Act of 1938, as amended, and for other purposes, was announced as next in order.

Mr. BYRD. Mr. President, may we have an explanation of the bill?

Mr. THOMAS of Oklahoma. Mr. President, the bill embodies certain recommendations made by the Secretary of Agriculture. In the main, the amendments are clerical and explanatory. A number of terms are defined. Save for those reasons, I know of no good reason for the passage of the bill. The committee says it is necessary, for the efficient administration of the act, to have certain provisions clarified as to their exact meaning, and certain terms redefined.

Mr. BYRD. Does the bill change the amount anyone is to receive?

Mr. THOMAS of Oklahoma. I think not.

Mr. KING. The President once vetoed the bill.

Mr. MILLER. Mr. President, I am familiar with this bill and another similar bill on the calendar. I do not think they ought to be passed on the call of the calendar. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

CLAIMS OF CHEROKEE INDIANS

The Senate proceeded to consider the bill (S. 2952) authorizing the Court of Claims to adjudicate and render judgment on certain claims of the Cherokee Indians, and for other purposes, which had been reported from the Committee on Indian Affairs with an amendment, to strike out all after the enacting clause and to insert:

That the Court of Claims is hereby authorized and directed to reinstate the suits entitled "Eastern or Emigrant Cherokees against the United States," No. 42077, and "Western or Old Settler Cherokees against the United States," No. 42078, heretofore dismissed by that court on December 2, 1935, and February 3, 1936, respectively: *Provided*, That application therefor is made within 1 year after the approval of this act, and jurisdiction is hereby conferred on the Court of Claims to hear and determine the claims asserted in said suits de novo and without regard to any prior adjudication of the claims asserted therein, it being the intent hereby specifically to waive the effect as res judicata of the prior decisions of such court and of the United States Supreme Court on the claims asserted in said suits. The Court of Claims shall reinstate and retry said suits under such provisions of the act of April 25, 1932 (47 Stat. 137), as are not in conflict herewith.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to reinstate in the Court of Claims the suits entitled 'Eastern or Emigrant Cherokees against the United States,' No. 42077, and 'Western or Old Settler Cherokees against the United States,' No. 42078."

CHARLES B. PAYNE

The Senate proceeded to consider the bill (S. 217) for the relief of Charles B. Payne, which had been reported from the Committee on Claims with amendments, on page 1, line 6, after the words "the sum of" to strike out "$5,000" and insert "$1,000"; and on page 2, after the word "Provided," to strike out: "That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with such claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with such claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000" and insert in lieu thereof "That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles B. Payne, of San Felipe, N. Mex., the sum of $1,000 in full satisfaction of all claims against the United States resulting from injuries sustained by James Wallace Payne, minor son of said Charles B. Payne, as a result of an attack made upon said James Wallace Payne on September 20, 1934, by Pedro Velasquez, an insane Indian then living on the San Felipe Pueblo Reservation: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GRANT OF LAND BY SOUTH CAROLINA FOR USE BY COAST GUARD

The bill (S. 3775) to accept the grant to the United States of certain land by the State of South Carolina and to authorize its use by the United States Coast Guard was announced as next in order.

The PRESIDING OFFICER. Senate bill 3775 is the same as House bill 9441, Calendar No. 1630. Is there objection to the substitution of the House bill for the Senate bill, and the present consideration of the House bill?

There being no objection, the bill (H. R. 9441) to accept the grant to the United States of certain land by the State of South Carolina and to authorize its use by the United States Coast Guard was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 3775 will be indefinitely postponed.

BILL PASSED OVER

The bill (H. R. 8423) to amend an act entitled "An act to increase the efficiency of the Coast Guard," approved January 12, 1938, was announced as next in order.

Mr. McKELLAR. Mr. President, may we mave an explanation of the bill?

The PRESIDING OFFICER. An explanation is requested of Calendar No. 1615, House bill 8423, reported by the Senator from North Carolina [Mr. BAILEY], chairman of the committee.

Mr. KING. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. PEPPER subsequently said: Mr. President, I ask unanimous consent that the Senate revert to Calendar No. 1615, House bill 8423, having to do with the Coast Guard. The Senator from Utah [Mr. KING] has withdrawn his objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 8423) to amend an act entitled "An act to increase the efficiency of the Coast Guard," approved January 12, 1938, was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 2 of the act entitled "An act to increase the efficiency of the Coast Guard", approved January 12, 1938 (52 Stat. 4), is hereby amended to read as follows:

"SEC. 2. The Secretary of the Treasury, at the direction of the President, shall assemble annually a Coast Guard Personnel Board (hereinafter referred to as the Board), to be composed of not less than five commissioned officers of the rank of captain or above on the active list of the Coast Guard. It shall be the duty of the Board (a) to recommend for retirement such commissioned officers of the Coast Guard who have 30 or more years of service, as the Board determines, in its discretion, should be retired from active service, (b) to recommend for retirement such commissioned officers of the Coast Guard who have been placed out of line of promotion and who have 10 years or more of commissioned service, as the Board determines, in its discretion, should be retired from active service, and (c) to recommend for placing out of line of promotion such lieutenant commanders on the active list as the Board determines, in its discretion, should be placed out of line of promotion. The proceedings, findings, and recommendations of the Board shall be transmitted to the Commandant of the Coast Guard for review. If the Commandant shall approve the recommendations of the Board, notification thereof shall be given by him in writing to each officer concerned, who, for the first time under this act is recommended for retirement or for placing out of line of promotion; and any such officer who, within 30 days after receipt of such notification, files with the Commandant a written protest of the action taken by the Board in his case, shall not be retired involuntarily or placed out of line of promotion under this act unless a subsequent annual Board, none of the members of which were members of the previous Board which recommended such officer's retirement or placing out of line of promotion, determines, in its discretion, that such officer should be retired or placed out of line of promotion, and so recommends, in which case such officer may, upon approval by the President, be retired from active service with retired pay as prescribed by section 3 hereof, or be placed out of line of promotion, as the case may be, as hereinafter provided. At the expiration of 30 days after receipt by an officer of notice aforesaid, in the event that no such protest is filed by him, such officer may, upon approval by the President, be retired from active service with retired pay as prescribed by section 3 hereof, or be placed out of line of promotion, as the case may be, as hereinafter provided. If the Commandant shall disapprove any recommendation of the Board, the officer concerned shall retain his status in the Coast Guard to the same extent as if his case had not been considered by such Board. Except as hereinbefore provided, each recommendation of the Board which is finally approved by the Commandant, together with the proceedings and findings of the Board, shall be transmitted to the Secretary of the Treasury for further review, and if the Secretary shall disapprove any recommendation of the Board, the officer concerned shall retain his status in the Coast Guard to the same extent as if his case had not been considered by such Board. Each recommendation of the Board which is not disapproved by the Secretary shall be laid before the President by the Secretary with his recommendation in the case. The President may, in any calendar year, pursuant to recommendations so laid before him:

"(a) Place out of line of promotion such number of lieutenant commanders on the active list as will not exceed the whole number nearest to 2 percent of the officers in that grade as of January 1 of such year; except that such limitation shall not be construed to limit the number of lieutenant commanders who may be placed out of line of promotion, in accordance with regulations prescribed by the Secretary of the Treasury for failing to establish their mental, moral, and professional fitness for promotion.

"(b) Place upon the retired list such number of commissioned officers who have 30 or more years of service as will not exceed the whole number nearest to 5 percent of the number of officers falling within that classification on January 1 of such year.

"(c) Place upon the retired list any officer who has been placed out of line of promotion and who has 10 years or more of commissioned service."

COAST GUARD DEPOT, SEATTLE, WASH., AND COAST GUARD BASE, CHATTANOOGA, TENN.

The bill (H. R. 8537) to provide for the enlargement of the Coast Guard depot at Seattle, Wash., and for the establishment of a Coast Guard servicing base at or near Chattanooga, Tenn., was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized to acquire, at a cost not to exceed $8,500, by purchase, condemnation, or otherwise such additional land adjacent to the present Coast Guard depot at the foot of Twenty-seventh Avenue West, Seattle, Wash., and to make such improvements thereon as may be necessary for the development of the depot to best meet the needs of the Coast Guard.

SEC. 2. The Secretary of the Treasury is authorized to acquire, at a cost not to exceed $5,000, by purchase, condemnation, or otherwise such land and to make such improvements thereon as may be necessary for the establishment of a Coast Guard servicing base in such locality as the Commandant of the Coast Guard may recommend at or in the vicinity of Chattanooga, Tenn.

BILL PASSED OVER

The bill (H. R. 6618) to provide for the registration of trade-marks used in commerce, to carry out the provisions of certain international conventions, and for other purposes, was announced as next in order.

Mr. WHEELER, Mr. GERRY (and other Senators). Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

COUNSEL IN CERTAIN CRIMINAL CASES

The bill (S. 3727) limiting the operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised Statutes of the United States with respect to certain counsel was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That nothing in sections 109 and 113 of an act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909, as amended (U. S. C., title 18, secs. 198 and 203), or in section 190 of the Revised Statutes of the United States (U. S. C., title 5, sec. 99), or in any other act of Congress forbidding officers or employees or former officers or employees of the United States from acting as counsel, attorney, or agent for another before any court, department, or branch of the Government or from receiving or agreeing to receive compensation therefor, shall be deemed to apply to Fred B. Woodard, in the event he shall be employed, retained, or appointed by the Secretary of the Interior or under authority of the Department of the Interior.

ESTATE AND MINOR CHILDREN OF DALE W. AND GLADYS M. GUISE AND OTHERS

The Senate proceeded to consider the bill (H. R. 3161) for the relief of the estate and minor children of Dale W. and Gladys M. Guise, Sally C. Guise, and Martha G. and Arnold E. Orner, which had been reported from the Committee on Claims with amendments, on page 1, line 5, after the word "appropriated", to strike out "to William Durboraw, Gettysburg, Pa., as administrator of the estate of" and insert "to the First National Bank of Gettysburg, Pennsylvania, as legal guardian of the three minor children of", and on page 2, line

1, after the word "said", to strike out "William Durboraw, administrator" and insert "First National Bank of Gettysburg, Pennsylvania", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the First National Bank of Gettysburg, Pennsylvania, as legal guardian of the three minor children of Dale W. Guise and Gladys M. Guise, both deceased, the sum of $11,398.16. The payment to the said First National Bank of Gettysburg, Pennsylvania, shall be in full settlement of all claims against the United States for hospital, medical, and funeral and burial expenses incurred on account of the injuries and death of the said Dale W. Guise and for funeral and burial expenses incurred on account of the death of the said Gladys M. Guise. Such injuries and deaths resulted from a collision, on April 10, 1938, on United States Highway No. 40, about 7 miles east of Zanesville, Ohio, when the automobile of the said Dale W. Guise in which he and his wife were riding was struck by an ambulance (No. 71090) in the service of the Civilian Conservation Corps.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sally C. Guise, Arendtsville, Pa., the sum of $5,000. The payment of such sum shall be in full settlement of all claims against the United States on account of the death of Christian Guise, her husband, who was a passenger in the car of Dale W. Guise and was killed in the collision described in section 1.

SEC. 3. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Martha G. Orner, Arendtsville, Pa., the sum of $5,000, and to Arnold E. Orner, her husband, the sum of $1,975.99. The payment of such sums shall be in full settlement of all claims against the United States for damages sustained on account of the injuries received by the said Martha G. Orner, who was a passenger in the car of Dale W. Guise and suffered injuries in the collision described in section 1, which resulted in the permanent disfigurement and disablement of the said Martha G. Orner and the loss of her unborn child: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. McKELLAR. Mr. President, does the Department recommend the bill?

Mr. TOBEY. It does.

The PRESIDING OFFICER. The question is on agreeing to the amendments reported by the committee.

The amendments were agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act for the relief of the First National Bank of Gettysburg, Pa., as legal guardian of the three minor children of Dale W. Guise and Gladys M. Guise, both deceased, and Sally C. Guise, Martha G. and Arnold E. Orner."

ALLOWANCE OF MOVING EXPENSES TO EMPLOYEES IN RAILWAY MAIL SERVICE

The Senate proceeded to consider the bill (H. R. 1827) to allow moving expenses to employees in the Railway Mail Service, which had been reported from the Committee on Post Offices and Post Roads with amendments, on page 1, line 4, after the words "Mail Service", to strike out "and Post Office Inspection Service,"; and in line 6, after the word "duty", to insert "and who actually have to change their residence", so as to make the bill read:

Be it enacted, etc., That hereafter officers and regular clerks in the Railway Mail Service when arbitrarily transferred under orders of the Department from one official station to another for permanent duty, and who actually have to change their residence, may be allowed their actual and necessary transportation expenses for moving their household goods, including packing and drayage, not in excess of 3,500 pounds.

Mr. DANAHER. Mr. President, I should like to ask the Senator from New York [Mr. MEAD] if he will please tell us, in the course of an explanation of the proposed amendments, whether or not there is any supervision over the amount of expenses; and if so, who supervises it? Is there any supervision over the maximum amount which is to be paid?

Mr. MEAD. Mr. President, there is a limitation on the amount of household goods which may be moved. The matter is under the direction and in the discretion of the Second Assistant Postmaster General and the General Superintendent of the Railway Mail Service.

The committee in considering the measure struck out the post-office inspection service so that it is limited only to the Railway Mail Service and only to such railway-mail clerks as are arbitrarily forced from one domicile to another.

The reason for it is that a great many railroad companies are withdrawing train service, minor branch lines are being eliminated or torn up, and railway-mail clerks are moved arbitrarily or moved by order of the Department from one section of the country to another.

The bill is well safeguarded and will be administered, as I have said, under the direction of the Second Assistant Postmaster General and the General Superintendent of the Railway Mail Service.

The PRESIDING OFFICER. The question is on agreeing to the amendments reported by the committee.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

PUNISHMENT FOR KILLING OR ASSAULTING FEDERAL OFFICERS

The Senate proceeded to consider the bill (H. R. 7019) to amend section 1 of the act providing punishment for the killing or assaulting of Federal officers, which had been reported from the Committee on the Judiciary with amendments, on page 2, line 8, after the word "Agriculture", to insert "or of the Department of the Interior"; and in line 9, after the word "Agriculture", to insert "or the Secretary of the Interior", so as to make the bill read:

Be it enacted, etc., That section 1 of the act of May 18, 1934 (ch. 299, 48 Stat. 780), as amended (U. S. C., title 18, sec. 253), be, and it is hereby, amended to read as follows:

"That whoever shall kill, as defined in sections 273 and 274 of the Criminal Code, any United States marshal or deputy United States marshal or person employed to assist a United States marshal or deputy United States marshal, any officer or employee of the Federal Bureau of Investigation of the Department of Justice, post-office inspector, Secret Service operative, any officer or enlisted man of the Coast Guard, any employee of any United States penal or correctional institution, any officer, employee, agent, or other person in the service of the customs or of the internal revenue, any immigrant inspector or any immigration patrol inspector, any officer or employee of the Department of Agriculture or of the Department of the Interior designated by the Secretary of Agriculture or the Secretary of the Interior to enforce any act of Congress for the protection, preservation, or restoration of game and other wild birds and animals, any officer or employee of the National Park Service, any officer or employee of, or assigned to duty in, the field service of the Division of Grazing of the Department of the Interior, or any officer or employee of the Indian field service of the United States, while engaged in the performance of his official duties, or on account of the performance of his official duties, shall be punished as provided under section 275 of the Criminal Code."

The amendments were agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

MITTIE GAFFNEY

The bill (S. 1770) granting a pension to Mittie Gaffney was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mittie Gaffney, widow of Claude L. Gaffney, late a veteran of the Spanish-American War, and of Anderson's Battery H, South Carolina Volunteer Artillery, and pay her a pension at the rate of $30 per month from and after August 1, 1930.

BOOKS FOR THE ADULT BLIND

The bill (S. 3645) to amend the act entitled "An act to provide books for the adult blind," approved March 3, 1931, was anounced as next in order.

The PRESIDING OFFICER. There is on the calendar a House bill which is identical with the Senate bill. Without objection, the House bill will be substituted for the Senate bill, and be now considered.

There being no objection, the bill (H. R. 9236) to amend the act entitled "An act to provide books for the adult blind,"

approved March 3, 1931, was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act entitled "An act to provide books for the adult blind", approved March 3, 1931, as amended (U. S. C., 1924 edition, Supp. IV, title 2, sec. 135a), is amended by striking out the figures "$275,000", wherever occurring therein, and inserting in lieu thereof the figures "$350,000", and by striking out the figures "$175,000" and inserting in lieu thereof the figures "$250,000".

The PRESIDING OFFICER. Without objection, Senate bill 3645, which is identical with the House bill, will be indefinitely postponed.

PERMISSION FOR PIPE LINES

The Senate proceeded to consider the bill (S. 3693) to authorize the Secretary of War to grant permission for pipe lines, which had been reported from the Committee on Military Affairs with an amendment, to strike out all after the enacting clause, and insert:

That the Secretary of War be, and he is hereby, authorized and empowered to grant, under such terms and conditions as are deemed advisable by him, to the Texas Pipe Line Company, its successors, and/or assigns, an easement for a period not exceeding 50 years for a right-of-way for pipe lines for the transportation of oil and/or gas over, across, in, and upon certain lands owned by the United States of America, situated in the State of Louisiana and in the parish of Plaquemines, described as follows: Sections 30, 31, 32, 36, and 39, township 21 south, range 19 east; and sections 2, 4, 6, 8, and 9, township 22 south, range 19 east, including any accretions thereto; and such portion of section 29, township 22 south, range 32 east as remains, and to cross the channels of Cheniere and Pass a Loutre with said pipe lines: *Provided*, That such easement for right-of-way shall be granted only upon a finding by the Secretary of War that the same will be in the public interest and will not substantially injure the interest of the United States of America and the property affected thereby: *Provided further*, That all or any part of such easement for right-of-way may be annulled and forfeited by the Secretary of War for failure to comply with the terms and conditions of any grant hereunder, or for nonuse or for abandonment of rights granted under authority hereof.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to authorize the Secretary of War to grant an easement for pipe lines across public lands reserved for military purposes in the parish of Plaquemines, Louisiana."

LEASING OF ALLOTMENTS OF DECEASED INDIANS

The Senate proceeded to consider the bill (H. R. 8024) to provide for the leasing of restricted allotments of deceased Indians in certain circumstances, and for other purposes, which had been reported from the Committee on Indian Affairs with an amendment on page 1, at the beginning of line 4, to insert "except for oil and gas mining purposes", so as to make the bill read:

Be it enacted, etc., That restricted allotments of deceased Indians may be leased, except for oil and gas mining purposes, by the superintendents of the reservation within which the lands are located (1) when the heirs or devisees of such decedents have not been determined and (2) when the heirs or devisees of the decedents have been determined, and such lands are not in use by any of the heirs and the heirs have not been able during a 3-months' period to agree upon a lease by reason of the number of the heirs, their absence from the reservation, or for other cause, under such rules and regulations as the Secretary of the Interior may prescribe. The proceeds derived from such leases shall be credited to the estates or other accounts of the individuals entitled thereto in accordance with their respective interests.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time, was read the third time, and passed.

COVERAGE UNDER RAILROAD RETIREMENT ACTS

The joint resolution (S. J. Res. 234) providing for more uniform coverage under the Railroad Retirement Acts of 1935 and 1937, the Carriers Taxing Act of 1937, and subchapter B of chapter 9 of the Internal Revenue Code, was announced as next in order.

The PRESIDING OFFICER. The Chair is advised that an identical House measure, House Joint Resolution 496, is on the calendar. Without objection, the House joint resolution will be substituted for the Senate joint resolution, and be now considered.

There being no objection, the Senate proceeded to consider the joint resolution (H. J. Res. 496) providing for more uniform coverage under the Railroad Retirement Acts of 1935 and 1937, the Carriers Taxing Act of 1937, and subchapter B of chapter 9 of the Internal Revenue Code.

Mr. KING. Mr. President, I should like to ask the Senator from Montana to explain the joint resolution.

Mr. WHEELER. Mr. President, this measure was introduced by me at the request of the department. It is also concurred in by the railroad carriers and the railroad brotherhoods. Under the present law a certain amount has to be deducted from the salaries of employees upon major railroads. In Mexico the government requires that all persons working on Pullman cars on the railroads be citizens of that country.

Mr. KING. I was desirous principally of knowing whether the measure was approved by the railroad brotherhoods.

Mr. WHEELER. Yes; it has been approved by all concerned.

The PRESIDING OFFICER. The question is on a third reading of the joint resolution.

The joint resolution was ordered to a third reading, read the third time, and passed, as follows:

Resolved, etc., That subsection (c) of section 1 of the Railroad Retirement Act of 1937, approved June 24, 1937 (50 Stat. 307), is hereby amended by changing the period at the end thereof to a colon and adding the following: *"Provided further*, That an individual not a citizen or resident of the United States shall not be deemed to be in the service of an employer when rendering service outside the United States to an employer who is required under the laws applicable in the place where the service is rendered to employ therein, in whole or in part, citizens or residents thereof; and the laws applicable on August 29, 1935, in the place where the service is rendered shall be deemed to have been applicable there at all times prior to that date."

Subsection (d) of section 1 of said act is hereby amended by substituting for the proviso therein the following: *"Provided, however*, That an individual shall not be deemed to be in the employment relation to an employer unless during the last pay-roll period in which he rendered service to it he was with respect to that service in the service of an employer in accordance with subsection (c) of this section."

The amendments in this section shall operate in the same manner and have the same effect as if they had been part of the Railroad Retirement Act of 1937 when that act was enacted on June 24, 1937.

SEC. 2. Subsection (c) of section 1 of the Railroad Retirement Act of 1935, approved August 29, 1935 (49 Stat. 967), is hereby amended by changing the period at the end thereof to a colon and adding the following: *"Provided, however*, That an individual not a citizen or resident of the United States shall not be deemed to be in the service of a carrier when rendering service outside the United States to a carrier conducting the principal part of its business in the United States if such carrier is required under the laws applicable in the place where the service is rendered to employ therein, in whole or in part, citizens or residents thereof; and the laws applicable on August 29, 1935, in the place where the service is rendered shall be deemed to have been applicable there at all times prior to that date."

Subsection (d) of section 1 of said act is hereby amended by changing the period at the end thereof to a colon and adding the following: *"Provided, however*, That an individual shall not be deemed to be in the employment relation to a carrier unless during the last pay-roll period in which he rendered service to it he was with respect to that service in the service of a carrier in accordance with subsection (c) of this section."

The amendments in this section shall operate in the same manner and have the same effect as if they had been part of the Railroad Retirement Act of 1935 when that act was enacted on August 29, 1935.

SEC. 3. Subsection (b) of section 1532 of the Internal Revenue Code, approved February 10, 1939 (53 Stat. 1), is hereby amended by substituting for the second proviso therein the following: *"Provided, however*, That an individual shall not be deemed to be in the employment relation to a carrier unless during the last pay-roll period in which he rendered service to it he was with respect to that service in the service of an employer in accordance with subsection (d) of this section."

Subsection (d) of section 1532 of said code is hereby amended by changing the period at the end thereof to a colon and adding the following: *"Provided further*, That an individual not a citizen or resident of the United States shall not be deemed to be in the service of an employer when rendering service outside the United States to an employer who is required under the laws applicable in the place where the service is rendered to employ therein, in whole or in part, citizens or residents thereof; and the laws applicable on August 29, 1935, in the place where the service is rendered shall be deemed to have been applicable there at all times prior to that date."

The amendments in this section shall operate in the same manner and have the same effect as if they had been part of the Internal Revenue Code when that code was enacted on February 10, 1939, and as if they had been part correspondingly of subsections (b) and (d) of the Carriers Taxing Act of 1937 (50 Stat. 435) when that act was enacted on June 29, 1937.

The PRESIDING OFFICER. Without objection, Senate Joint Resolution 234, which is identical with the House joint resolution just passed, will be indefinitely postponed.

ALTERATIONS OF BRIDGES OVER NAVIGABLE WATERS

The Senate proceeded to consider the bill (H. R. 9381) to provide for the alteration of certain bridges over navigable waters of the United States, for the apportionment of the cost of such alterations between the United States and the owners of such bridges, and for other purposes.

Mr. TAFT. Mr. President, I should like an explanation of the bill.

Mr. TRUMAN. Mr. President, House bill 9381 is identical with a bill heretofore passed by the Senate and the House which was vetoed by the House on certain grounds. Those grounds have been met in the pending bill. It has to do principally with the raising of bridges over inland waterways and meeting the expenses of such alteration. All the objections of the President have been met; the bill has been made to conform to his objections. I hope the Senator will allow it to be passed. It unanimously passed the other House, and there is no objection to it from any source, so far as I know.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc.,

DEFINITIONS

SECTION 1. When used in this Act, unless the context indicates otherwise—

The term "alteration" includes changes of any kind, reconstruction, or removal in whole or in part.

The term "bridge" means a lawful bridge over navigable waters of the United States, including approaches, fenders and appurtenances thereto, used and operated for the purpose of carrying railroad traffic, or both railroad and highway traffic.

The term "bridge owner" means any corporation, association, partnership, or individual owning any bridge, and, when any bridge shall be in the possession or under the control of any trustee, receiver, trustee in bankruptcy, or lessee, said term shall include both the owner of the legal title and the person or entity in possession or control of such bridge.

The term "bridge owner" shall also mean and include all joint owners, particularly States, counties, municipalities, or other participants in ownership of bridges for both railroad and highway traffic.

The term "Secretary" means the Secretary of War acting directly or through the Chief of Engineers.

The term "United States", when used in a geographical sense, includes the Territories and possessions of the United States.

OBSTRUCTION OF NAVIGATION

SEC. 2. No bridge shall at any time unreasonably obstruct the free navigation of any navigable waters of the United States.

NOTICE, HEARINGS, AND FINDINGS

SEC. 3. Whenever any bridge shall, in the opinion of the Secretary, at any time unreasonably obstruct such navigation, it shall be the duty of the Secretary, after notice to interested parties, to hold a hearing at which the bridge owner, those interested in water navigation thereunder or therethrough, those interested in either railroad or highway traffic thereover, and any other party or parties in interest shall have full opportunity to offer evidence and be heard as to whether any alteration of such bridge is needed, and, if so, what alterations are needed, having due regard to the necessity of free and unobstructed water navigation and to the necessities of the rail or highway traffic. If, upon such hearing, the Secretary determines that any alterations of such bridge are necessary in order to render navigation through or under it reasonably free, easy, and unobstructed, having due regard also for the necessities of rail or highway traffic thereover, he shall so find and shall issue and cause to be served upon interested parties an order requiring such alterations of such bridge as he finds to be reasonably necessary for the purposes of navigation.

SUBMISSION AND APPROVAL OF GENERAL PLANS AND SPECIFICATIONS

SEC. 4. It shall be the duty of the bridge owner to prepare and submit to the Secretary, within 90 days after service of his order, general plans and specifications to provide for the alteration of such bridge in accordance with such order, and for such additional alteration of such bridge as the bridge owner may desire to meet the necessities of railroad or highway traffic, or both. The Secretary may approve or reject such general plans and specifications, in whole or in part, and may require the submission of new or additional plans and specifications, but when the Secretary shall have approved general plans and specifications, they shall be final and binding upon all parties unless changes therein be afterward approved by the Secretary and the bridge owner.

CONTRACTS FOR PROJECT; GUARANTY OF COST

SEC. 5. After approval of such general plans and specifications by the Secretary, and within 90 days after notification of such approval, the bridge owner shall, in such manner as the Secretary may prescribe, take bids for the alteration of such bridge in accordance with such general plans and specifications. All bids, including any bid for all or part of the project submitted by the bridge owner, shall be submitted to the Secretary, together with a recommendation by the bridge owner as to the most competent bid or bids, and at the same time the bridge owner shall submit to the Secretary a written guaranty that the total cost of the project, including the cost of such work as is to be performed by the bridge owner and not included in the work to be performed by contract, shall not exceed the sum stated in said guaranty. The Secretary may direct the bridge owner to reject all bids and to take new bids, or may authorize the bridge owner to proceed with the project, by contract, or partly by contract and partly by the bridge owner, or wholly by the bridge owner. Upon such authorization and fixing of the proportionate shares of the cost as provided in section 6, the bridge owner shall, within a reasonable time to be prescribed by the Secretary, proceed with the work of alteration; and the cost thereof shall be borne by the United States and by the bridge owner, as hereinafter provided.

APPORTIONMENT OF COST

SEC. 6. At the time the Secretary shall authorize the bridge owner to proceed with the project, as provided in section 5, and after an opportunity to the bridge owner to be heard thereon, the Secretary shall determine and issue an order specifying the proportionate shares of the total cost of the project to be borne by the United States and by the bridge owner. Such apportionment shall be made on the following basis: The bridge owner shall bear such part of the cost as is attributable to the direct and special benefits which will accrue to the bridge owner as a result of the alteration, including the expectable savings in repair or maintenance costs; and that part of the cost attributable to the requirements of traffic by railroad or highway, or both, including any expenditure for increased carrying capacity of the bridge, and including such proportion of the actual capital cost of the old bridge or of such part of the old bridge as may be altered or changed or rebuilt, as the used service life of the whole or a part, as the case may be, bears to the total estimated service life of the whole or such part: *Provided*, That the part of the cost of alteration of any bridge for both highway and railroad traffic, attributable to the requirements of traffic by highway, shall be borne by the proprietor of the highway: *Provided further*, That in the event the alteration or relocation of any bridge may be desirable for the reason that the bridge unreasonably obstructs navigation, but also for some other reason, the Secretary may require equitable contribution from any interested person, firm, association, corporation, municipality, county, or State desiring such alteration or relocation for such other reason, as a condition precedent to the making of an order for such alteration or relocation. The United States shall bear the balance of the cost, including that part attributable to the necessities of navigation.

PAYMENT OF SHARE OF THE UNITED STATES

SEC. 7. When the Secretary shall have approved the general plans and specifications for the alteration of such bridge and the guaranty with respect to the cost thereof, and shall have fixed the proportionate shares thereof as between the United States and the bridge owner, he shall furnish to the Secretary of the Treasury a certified copy of his approval of such plans and specifications and guaranty, and of his order fixing the proportionate shares of the United States and of the bridge owner, and the Secretary of the Treasury shall thereupon set aside, out of any appropriation available for such purpose, the share of the United States payable under this act on account of the project. When the Secretary finds that such project has been completed in accordance with his order, he shall cause to be paid to the bridge owner, out of the funds so set aside, the proportionate share of the total cost of the project allocated to the United States; or he may, in his discretion, from time to time, cause payments to be made on such construction costs as the work progresses. The total payments out of Federal funds shall not exceed the proportionate share of the United States of the total cost of the project paid or incurred by the bridge owner, and, if such total cost exceeds the cost guaranteed by the bridge owner, shall not exceed the proportionate share of the United States of such guaranteed cost, except that if the cost of the work exceeds the guaranteed cost by reason of emergencies, conditions beyond the control of the owner, or unforeseen or undetermined conditions, the Secretary may, after full review of all the circumstances, provide for additional payments by the United States to help defray such excess cost to the extent he deems to be reasonable and proper, and shall certify such additional payments to the Secretary of the Treasury for payment. All payments to any bridge owner herein provided for shall be made by the Secretary of the Treasury through the Division of Disbursement upon certifications of the Secretary of War.

APPROPRIATION AUTHORIZED

SEC. 8. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

FAILURE TO COMPLY WITH ORDERS; PENALTIES; REMOVAL OF BRIDGE

SEC. 9. Any bridge owner who shall willfully fail or refuse to comply with any lawful order of the Secretary, made in accordance with the provisions of this act, shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished in any court of competent jurisdiction by a fine not exceeding $5,000, and every month such bridge owner shall remain in default shall be deemed a new offense and subject such bridge owner to additional penalties therefor. In addition to the penalties above prescribed the Secretary may, upon the failure or refusal of any bridge owner to comply with any lawful order issued by the Secretary in regard thereto, cause the removal of any such bridge and accessory works at the expense of the bridge owner; and suit for such expense may be brought in the name of the United States against such bridge owner and recovery had for such expense in any court of competent jurisdiction. The removal of any bridge erected or maintained in violation of the provisions of this act or the order or direction of the Secretary made in pursuance thereof, and compliance with any order of the Secretary made with respect to any bridge in accordance with the provisions of this act, may be enforced by injunction, mandamus, or other summary process upon application to the district court of any district in which such bridge may, in whole or in part exist, and proper proceedings to this end may be instituted under the direction of the Attorney General of the United States at the request of the Secretary.

REVIEW OF FINDINGS AND ORDERS

SEC. 10. Any order made or issued under section 6 of this act may be reviewed by the circuit court of appeals for any judicial circuit in which the bridge in question is wholly or partly located, if a petition for such review is filed within 3 months after the date such order is issued. The judgment of any such court shall be final except that it shall be subject to review by the Supreme Court of the United States upon certification or certiorari, in the manner provided in sections 239 and 240 of the Judicial Code, as amended. The review by such Court shall be limited to questions of law, and the findings of fact by the Secretary, if supported by substantial evidence, shall be conclusive. Upon such review, such Court shall have power to affirm or, if the order is not in accordance with law, to modify or to reverse the order, with or without remanding the case for a rehearing as justice may require. Proceedings under this section shall not operate as a stay of any order of the Secretary issued under provisions of this act other than section 6, or relieve any bridge owner of any liability or penalty under such provisions.

REGULATIONS AND ORDERS

SEC. 11. The Secretary is authorized to prescribe such rules and regulations, and to make and issue such orders, as may be necessary or appropriate for carrying out the provisions of this act.

EXISTING PROVISIONS OF LAW

SEC. 12. (a) The first sentence of section 4 of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906 (U. S. C., 1934 ed., title 33, sec. 494), and section 18 of the act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved March 3, 1899 (U. S. C., 1934 ed., title 33, sec. 502), shall be inapplicable with respect to any bridge to which the provisions of this act are applicable, except to the extent provided in this section.

(b) Any bridge, the construction, reconstruction, or alteration of which was required by an order of the Secretary issued prior to July 1, 1939, and was not completed on such date, and in the case of which no penalties have accrued at the time of the enactment of this act, shall be constructed, reconstructed, or altered as required by such order, and not in accordance with the provisions of this act. In the case of any such bridge, however, the Secretary shall apportion the cost of the project between the bridge owner and the United States, and payment of the share of the United States shall be made, in the same manner as if the provisions of this act applied to such construction, reconstruction, or alteration, subject to the following limitations:

(1) In case such construction, reconstruction, or alteration has not begun on or before April 1, 1940, such apportionment of cost shall be made only if (A) the construction, reconstruction, or alteration is carried out in accordance with plans and specifications, and pursuant to bids, approved by the Secretary, and (B) the bridge owner has submitted to the Secretary a written guaranty of cost as provided for in section 5.

(2) The Secretary's determination as to such apportionment, and as to such plans and specifications and bids, shall be final.

(3) Such apportionment shall not be made if such construction, reconstruction, or alteration is not completed within the time fixed in such order of the Secretary or within such additional time as the Secretary, for good cause shown, may allow.

(c) Any bridge (except a bridge to which subsection (b) applies) the construction, reconstruction, or alteration of which was required by an order of the Secretary issued prior to June 1, 1939, and was not begun before such date, shall be subject to the provisions of this act as though such order had not been issued, and compliance with the provisions of this act and with such orders as may be issued thereunder shall be considered to constitute compliance with such order issued prior to July 1, 1939, and with the provisions of law under which it was issued.

RELOCATION OF BRIDGES

SEC. 13. If the owner of any bridge used for railroad traffic and the Secretary shall agree that in order to remove an obstruction to navigation, or for any other purpose, a relocation of such bridge or the construction of a new bridge upon a new location would be preferable to an alteration of the existing bridge, such relocation or new construction may be carried out at such new site and upon such terms as may be acceptable to the bridge owner and the Secretary, and the cost of such relocation or new construction, including also any expense of changes in and additions to rights-of-way, stations, tracks, spurs, sidings, switches, signals, and other railroad facilities and property, and relocation of shippers required for railroad connection with the bridge at the new site, shall be apportioned as between the bridge owner and the United States in the manner which is provided for in section 6 hereof in the case of an alteration and the share of the United States paid from the appropriation authorized in section 8 hereof: *Provided*, That nothing in this section shall be construed as requiring the United States to pay any part of the expense of building any bridge across a navigable stream which the Secretary of War shall not find to be, in fact, a relocation of an existing bridge.

MISSOURI RIVER BRIDGE AT RANDOLPH, MO.

The bill (S. 3801) to extend the times for commencing and completing the construction of a railroad bridge across the Missouri River at or near Randolph, Mo., was announced as next in order.

The PRESIDING OFFICER. The Chair is advised that there is on the calendar an identical House bill, House bill 9261. Without objection, the House bill will be substituted for the Senate bill and be now considered.

There being no objection, the bill (H. R. 9261) to extend the times for commencing and completing the construction of a railroad bridge across the Missouri River at or near Randolph, Mo., was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 3801 will be indefinitely postponed.

SUPPLEMENT TO COMPILATION OF FEDERAL LAWS RELATING TO CARRIERS

The resolution (S. Res. 259) submitted by Mr. TYDINGS on April 22, 1940, and reported from the Committee on Interstate Commerce, on May 8, 1940, was considered and agreed to, as follows:

Resolved, That the Interstate Commerce Commission is hereby requested to prepare in such manner as is deemed by it to be necessary and desirable in the circumstances and transmit to the Senate a manuscript in form suitable to be printed, to supplement and bring as closely to date as is practicable Senate Document No. 166, Seventieth Congress, first session, and Senate Document No. 139, Seventy-third Congress, second session, entitled "Compilation of Federal Laws Relating to the Regulation of Carriers Subject to the Interstate Commerce Act, With Digests of Pertinent Decisions of the Federal Courts and the Interstate Commerce Commission and the Text of or Reference to General Rules and Regulations," and that such manuscript when transmitted by the Commission to the Secretary of the Senate be printed as a Senate document.

HOMESTEADS IN HAWAII

The Senate proceeded to consider the bill (H. R. 9185) to amend section 73 of an act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended, which had been reported from the Committee on Insular Affairs with amendments, on page 1, line 6, after the word "following", to strike out "paragraph" and insert "paragraphs"; and in line 9, after the word "paragraph", to insert "excluding those homesteads under the control of the Hawaiian Homes Commission, as provided in section 203 of the Hawaiian Homes Commission Act, 1920", so as to make the bill read:

Be it enacted, etc., That the act entitled "An act to provide a government for the Territory of Hawaii", approved April 30, 1900, as amended, is hereby further amended by adding at the end of section 73 thereof the following paragraphs:

"Any person or persons holding an unpatented homestead under a special homestead agreement, entered into prior to the effective date of this paragraph, excluding those homesteads under the control of the Hawaiian Homes Commission as provided in section 203 of the Hawaiian Homes Commission Act, 1920, shall be entitled to a reamortization of the indebtedness due the Territory of Hawaii on account of such special homestead agreement

upon filing an application for the reamortization of said indebtedness with the Commissioner within 6 months after the effective date of this paragraph. Upon the filing of any such application, the Commissioner shall determine the balance due the Territory in the following manner: The amount of the principal which would have been paid during the full period of payment provided for in the special homestead agreement had the agreement been duly performed according to its terms and the amount of the interest which would have been paid under the special homestead agreement prior to the effective date of this paragraph had the agreement been duly performed according to its terms shall be computed and added together; from the sum of these amounts there shall be deducted all moneys that have been actually paid to the Territory on account of the special homestead agreement, whether as principal or as interest. The balance thus determined shall be the total amount remaining due and payable for the homestead covered by such special homestead agreement, any other terms, conditions, or provisions in any of said agreements, or any provisions of law to the contrary notwithstanding: *Provided, however,* That nothing herein contained shall be deemed to excuse the payment of taxes and other charges and assessments upon unpatented homestead lands as provided in said agreements, nor to excuse or modify any term, condition, or provision of said agreements other than such as relate to the principal and interest payable to the Territory. The total amount remaining due, determined as hereinabove provided, shall be payable in 15 equal biennial installments. Simple interest at the rate of 3 percent per annum shall be charged upon the unpaid balance of such installments, whether matured or unmatured, said interest to be computed from the effective date of this paragraph and to be payable semiannually. The first payment on account of principal shall be due 2 years subsequent to the effective date of this paragraph, and thereafter the due dates of principal payments shall be at regular 2-year periods; the first payment on account of interest shall be due 6 months subsequent to the effective date of this paragraph, and thereafter the due dates of interest payments shall be at regular 6-month periods. In case of default in payments of principal or interest on the due dates as hereby fixed the Commissioner may, with the approval of the Governor, with or without legal process, notice, demand, or previous entry, take possession of the land covered by any such special homestead agreement and thereby determine the estate created by such agreement as hereby modified. When the aforesaid payments have been made to the Territory of Hawaii, and all taxes, charges, and assessments upon the land have been paid as provided by said agreements, and all other conditions therein stipulated have been complied with, except as herein excused or modified, the said special homestead agreements shall be deemed to have been performed by the holders thereof, and land-patent grants covering the land described in such agreements shall be issued to the parties mentioned therein, or their heirs or assigns, as the case may be.

"Neither the Territory of Hawaii nor any of its officers, agents, or representatives shall be liable to any holder of any special homestead agreement, past or present, whether or not a patent shall have issued thereon, or to any other person, for any refund or reimbursement on account of any payment to the Territory in excess of the amount determined as provided by the preceding paragraph, and the legislature shall not recognize any obligation, legal or moral, on account of such excess payments."

SEC. 2. This act shall take effect upon its approval.

The amendments were agreed to.

Mr. DANAHER. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 4, line 2, after the word "modified", it is proposed to strike out the period, insert a comma and the following words:

Whereupon liability for payment of any balance then due under such special homestead agreement shall terminate.

Mr. DANAHER. Mr. President, a brief explanation will be afforded, I think, if I merely read the sentence as it would read if the amendment were agreed to, starting on page 3, line 20:

In case of default in payments of principal or interest on the due dates as hereby fixed the Commissioner may, with the approval of the Governor, with or without legal process, notice, demand, or previous entry, take possession of the land covered by any such special homestead agreement and thereby determine the estate created by such agreement as hereby modified, whereupon liability for payment of any balance then due under such special homestead agreement shall terminate.

The objective sought to be attained is simply to correct and remove the possibility of a deficiency judgment once the homesteader's land is taken in answer to the claim.

Mr. TYDINGS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Maryland?

Mr. DANAHER. I yield.

Mr. TYDINGS. I take it the Senator is discussing the amendment which he suggested some time ago?

Mr. DANAHER. That is correct.

Mr. TYDINGS. I may explain that at the time the Senator suggested the amendment the majority of the members of the Committee on Territories and Insular Affairs had already approved the bill as it was introduced. The Senator's amendment did not come before the committee in time. Hence, although there was no objection, so far as I know, the committee could not report the amendment because it never had considered it. So far as I am concerned, I can see no objection to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Connecticut [Mr. DANAHER].

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. DANAHER. Mr. President, I ask unanimous consent that the RECORD at this point include a letter from the Acting Secretary of the Interior to me approving this particular amendment.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF THE INTERIOR,
Washington, May 11, 1940.

Hon. JOHN A. DANAHER,
United States Senate, Washington, D. C.

MY DEAR SENATOR DANAHER: I am referring to your telephone conversation on May 1 with the Division of Territories and Island Possessions of the Department regarding H. R. 9185 "A bill to amend section 73 of an act entitled 'An act to provide a government for the Territory of Hawaii,' approved April 30, 1900, as amended," which relates to the adjustment of special homestead agreements in Hawaii.

It is understood you recommend that the sentence commencing in line 16 on page 3 of the bill and ending in line 23 on that page with the word "modified", be supplemented by adding thereafter the following language: "whereupon liability for payment of any balance then due under such special homestead agreement shall terminate."

The Department is agreeable to the insertion of this language, which appears to clarify the intent of the bill with respect to defaults in the payment of principal and interest by the homesteaders, by relieving them of further liability in case the Territory finds it necessary to take possession of the land covered by any special homestead agreements.

Sincerely yours,

E. K. BURLEW,
Acting Secretary of the Interior.

FOUR HUNDREDTH ANNIVERSARY OF THE DISCOVERY OF THE MISSISSIPPI

The joint resolution (S. J. Res. 175) to provide for the observance and celebration of the four hundredth anniversary of the discovery of the Mississippi River by Hernando De Soto was announced as next in order.

Mr. TAFT. Mr. President, I should like an explanation of the joint resolution, particularly as to "The Forest of Repentance."

Mr. McKELLAR. Mr. President, the joint resolution was introduced by the Senator from Minnesota [Mr. LUNDEEN] to provide for a celebration of the discovery of the Mississippi. It does not appropriate any money; it merely proposes to create a commission to make plans for what is called in the joint resolution "a conservation exposition in celebration of the four hundredth anniversary of the discovery of the Mississippi River by Hernando De Soto." I hope the Senate will pass the joint resolution.

The PRESIDING OFFICER. Is there objection?

There being no objection, the joint resolution was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That there is hereby established a commission to be known as the Mississippi Re-Discovery Commission (hereinafter referred to as the "Commission") to be composed of 11 Commissioners, as follows: The President of the United States; two Members of the Senate, one from each of the two major parties, to be appointed by the President of the Senate; two Members of the House of Representatives, one from each of the two major parties, to be appointed by the Speaker of the House of Representatives;

the Secretary of the Interior; the Secretary of Agriculture; the Chief Conservation Engineer of the Tennessee Valley Authority; and three individuals from private life, all of whom shall be residents of the Mississippi Valley, to be appointed by the President of the United States. The Commissioners shall serve without compensation and shall elect a chairman from among their number.

SEC. 2. It shall be the duty of the Commission—

(a) To set up, supervise, and maintain in the Mississippi Valley in 1941 a conservation exposition in celebration of the four hundredth anniversary of the discovery of the Mississippi River by Hernando De Soto, said conservation exposition to be held at such places in the Mississippi Valley as may be designated by the Commission, the object of which shall be an effective dramatization of the present conservation activities of the Federal and State Governments; and

(b) To prepare and submit to Congress a specific recommendation for a forest memorial to be known as "The Forest of Repentance," to be administered by the National Park Service of the Department of the Interior, or such other agency as the Commission may designate, and to be situated at or near the point of discovery of the river by Hernando De Soto, as determined by the Commission on the basis of the report of the fact-finding committee of the United States De Soto Expedition Commission. Such recommendation shall include a plan or plans for a memorial building within the "Forest of Repentance" to contain therein a bronze tablet on which there shall be set forth the Nation's resolve to conserve henceforth the natural resources of the river and its valley, with this forest as a symbol and earnest of that resolve.

SEC. 3. The Commission is authorized and directed to prepare, print, bind, and distribute a pamphlet on the conservation activities of the Federal and State Governments within the Mississippi Valley.

SEC. 4. The Commission is authorized to procure advice and assistance from any governmental agency and to procure advice and assistance from and cooperate with individuals and agencies, public or private. The Commission is authorized to accept and utilize voluntary and uncompensated services of any person and, without additional compensation, the services of such experts, consultants, research assistants, clerks, and stenographers as may be detailed by the heads of departments and establishments of the Government for the purpose of assisting the Commission to carry out the provisions of this act.

SEC. 5. The Commission is authorized to accept and utilize for the purposes of this act donations and bequests of money and real and personal property.

SEC. 6. The Commission shall cease to exist within 6 months of the date of expiration of the celebration.

The preamble was agreed to.

RELIEF OF CERTAIN VETERANS' ADMINISTRATION EMPLOYEES

The bill (S. 3749) to relieve certain employees of the Veterans' Administration from financial liability for certain overpayments and allow such credit therefor as is necessary in the accounts of certain disbursing officers, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the employees responsible for the excess or erroneous payments represented by the sums (including interest accruals) herein stated be, and they are hereby, relieved of financial liability therefor and the Comptroller General is authorized and directed to allow credit in the settlement of the accounts of the following-named former disbursing officers of the Veterans' Administration and Guy F. Allen, chief disbursing officer, Treasury Department, in such amounts not exceeding the sums (including interest accruals) stated herein which have been, or hereafter may be, disallowed as may be necessary to relieve such disbursing officers of financial liability therefor: *Provided,* That this act shall not be construed to bar recovery of the amounts herein specified from the persons to whom and through whom such amounts have been paid:

First. J. B. Schommer, former disbursing officer, Veterans' Administration, Washington, D. C., in the sums of $3,654.84, symbol 99–220; $1,680.69, symbol 11–499; $75.21, symbol 11–501; $3,197.75, symbol 11–532; and $7,102.47, symbol 11–666; which amounts were expended during the period from July 1, 1929, through June 30, 1934.

Second. William H. Holmes, former disbursing officer, Veterans' Administration, Washington, D. C., in the sums of $162.70, symbol 11–465, and $6,843.73, symbol 11–348; which amounts were expended during the period from January 1, 1919, through June 30, 1929.

Third. Norma E. Hesterly, former disbursing officer, Veterans' Administration, Albuquerque, N. Mex., in the sum of $154.32, symbol 99–101, which amount was expended on September 16, 1931.

Fourth. C. A. Wood, former disbursing officer, Veterans' Administration, Atlanta, Ga., in the sum of $4,319.24, symbol 99–102, which amount was expended during the period from November 1, 1929, through June 30, 1933.

Fifth. D. H. Geiger, former disbursing officer, Veterans' Administration, Augusta, Ga., in the sum of $116.72, symbol 11–449, which amount was expended in June 1934.

Sixth. Warren A. Minnis, former disbursing officer, Veterans' Administration, Bay Pines, Fla., in the sum of $1,045.49, symbol 99–126, which amount was expended during the period from May 1 through May 31, 1931.

Seventh. H. H. Barraclough, former disbursing officer, Veterans' Administration, Boston, Mass., in the sum of $203.54, symbol 99–106, which amount was expended during the period from October 1, 1929, through July 31, 1933.

Eighth. Ivan Carrico, former disbursing officer, Veterans' Administration, Charleston, W. Va. (now Huntington), in the sum of $534.20, symbol 99–110, which amount was expended during the period September 10, 1930, through March 20, 1931.

Ninth. John W. Reynar, former disbursing officer, Veterans' Administration, Charlotte, N. C., in the sums of $1,906.51, symbol 99–111; and $100, symbol 11–374, which amounts were expended during the period from March 1, 1931, through August 31, 1933.

Tenth. Cary Dawson, former disbursing officer, Veterans' Administration, Cincinnati, Ohio (now Dayton, Ohio), in the sums of $439.25, symbol 99–113; and $60, symbol 11–400, which amounts were expended during the period from September 1, 1927, through April 16, 1935.

Eleventh. L. W. Looker, former disbursing officer, Veterans' Administration, Cleveland, Ohio, in the sum of $80.29, symbol 99–114, which amount was expended during the period from December 1, 1930, through July 29, 1931.

Twelfth. Charles S. Gawler, former disbursing officer, Veterans' Administration, Columbia, S. C., in the sums of $732.25, symbol 99–115; and $3,377.98, symbol 11–403, which amounts were expended during the period from May 11, 1927, through March 31, 1935.

Thirteenth. Lorena Duncan, former disbursing officer, Veterans' Administration, Dallas, Tex., in the sum of $531, symbol 99–116, which amount was expended during the period from March 1, 1928, through March 31, 1931.

Fourteenth. Roy E. Waters, former disbursing officer, Veterans' Administration, Dallas, Tex., in the sum of $12, symbol 11–519, which amount was expended on July 31, 1932.

Fifteenth. W. Weldon, former disbursing officer, Veterans' Administration, Hines, Ill., in the sums of $1,270.91, symbol 99–231; and $50.27, symbol 11–521, which amounts were expended during the period from March 1, 1931, through June 30, 1934.

Sixteenth. Noel Jeffrey, former disbursing officer, Veterans' Administration, Hines, Ill., in the sum of $311.26, symbol 99–227, which amount was expended on June 7, 1930.

Seventeenth. E. L. Hlinak, former disbursing officer, Veterans' Administration, Jefferson Barracks, Mo., in the sum of $265.62, symbol 99–152, which amount was expended during the period from May 1, 1931, through November 1, 1932.

Eighteenth. E. D. Duncan, former disbursing officer, Veterans' Administration, Little Rock, Ark., in the sum of $863.72, symbol 99–128, which amount was expended during the period from February 1, 1931, through July 31, 1931.

Nineteenth. N. B. Harrison, former disbursing officer, Veterans' Administration, Los Angeles, Calif., in the sum of $693.01, symbol 99–129, which amount was expended during the period from May 1 through May 31, 1931.

Twentieth. P. E. Haase, former disbursing officer, Veterans' Administration, Louisville, Ky., in the sum of $348.06, symbol 99–130, which amount was expended on April 17, 1931.

Twenty-first. Joseph F. Routhier, former disbursing officer, Veterans' Administration, Manila, P. I., in the sum of $281.36, symbol 99–207, which amount was expended during the period from January 1 through January 31, 1928.

Twenty-second. N. H. Cobbs, former disbursing officer, Veterans' Administration, Manila, P. I., in the sum of $66.43, symbol 99–217, which amount was expended during the period from January 1 through January 31, 1929.

Twenty-third. A. B. Gilman, former disbursing officer, Veterans' Administration, Manila, P. I., in the sum of $595.39, symbol 99–214, which amount was expended during the period from January 1, 1930, through March 31, 1931.

Twenty-fourth. T. H. Daley, former disbursing officer, Veterans' Administration, New Orleans, La., in the sum of $72.26, symbol 11–256, which amount was expended in March 1925.

Twenty-fifth. Don Iler, former disbursing officer, Veterans' Administration, New York, N. Y., in the sums of $1,439.37, symbol 99–138, and $192.85, symbol 11–333, which amounts were expended during the period from April 1, 1931, through October 15, 1934.

Twenty-sixth. Marvin L. Morris, former disbursing officer, Veterans' Administration, Oklahoma City, Okla., in the sum of $388.69, symbol 99–139, which amount was expended during the period from January 1 through January 31, 1931.

Twenty-seventh. P. J. Carney, former disbursing officer, Veterans' Administration, Philadelphia, Pa., in the sum of $640.75, symbol 99–141, which amount was expended during the period from December 1, 1928, through July 31, 1934.

Twenty-eighth. J. A. Walker, former disbursing officer, Veterans' Administration, Pittsburgh, Pa., in the sum of $621.84, symbol 99–210, which amount was expended on August 2, 1932.

Twenty-ninth. H. F. Heisey, former disbursing officer, Veterans' Administration, Richmond, Va. (now Roanoke), in the sum of $184.58, symbol 99–148, which amount was expended during the period from February 1, 1928, through March 31, 1931.

Thirtieth. M. B. Norvell, former disbursing officer, Veterans' Administration, San Antonio, Tex., in the sum of $378.97, symbol 99–222, which amount was expended during the period from April 1, 1931, through October 31, 1932.

Thirty-first. L. S. McCracken, former disbursing officer, Veterans' Administration, San Francisco, Calif., in the sum of $86,

symbol 11–262, which amount was expended during the period from November 1, 1923, through May 31, 1924.

Thirty-second. H. S. Knapp, former disbursing officer, Veterans' Administration, Seattle, Wash., in the sum of $1,194.24, symbol 99–215, which amount was expended on April 23, 1931.

Thirty-third. J. William Yates, Jr., former disbursing officer, Veterans' Administration, Tuscaloosa, Ala., in the sum of $333.78, symbol 99–104, which amount was expended during the period from May 9, 1929, through July 31, 1931.

Thirty-fourth, Richard H. Zohm, former disbursing officer, Veterans' Administration, Wood, Wis., in the sums of $630.63, symbol 99–216; and $1,272.28, symbol 11–430, which amounts were expended for the period from January 1, 1918, through March 15, 1935.

Thirty-fifth. Guy F. Allen, chief disbursing officer, Treasury Department, Washington, D. C., in the sums of $40,585.11, symbols 99–280 to 99–292, inclusive; $65.36, symbol 89–888; $4,829.59, symbol 11–647; $9,010.88, symbol 11–561; $133.18, symbol 11–564; $160, symbol 11–566; $99, symbol 11–569; $858.90, symbol 11–571; $10, symbol 11–575; $111.67, symbol 11–583; and $82.36, symbol 11–559, which amounts were expended during the period from July 1, 1934, through July 31, 1938, and for which certifying officers are held financially liable.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay to C. A. Blackburn, finance officer, Veterans' Administration, Little Rock, Ark., the sum of $187.16, which amount was paid by him on November 7, 1936.

AVIS COLLINS, A MINOR

The Senate proceeded to consider the bill (S. 3587) for the relief of Avis Collins, a minor, which had been reported from the Committee on Claims with amendments, on page 1, line 5, after the word "to", to strike out "Avis Collins, of Brattleboro, Vt., the minor daughter of"; in line 6, after the name "Collins", to insert "of Brattleboro, Vt."; in line 7, after the words "sum of", to strike out "$250" and insert "$128.50"; in line 8, after the word "of", to strike out "her" and insert "his"; in line 9, after the word "for", to insert "dental expenses and"; and in the same line, after the word "injuries", to strike out "sustained by her" and insert "incurred by Avis Collins, a minor daughter", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Earl P. Collins, of Brattleboro, Vt., the sum of $128.50, in full satisfaction of his claim against the United States for compensation for dental expenses and personal injuries incurred by Avis Collins, a minor daughter, as the result of a collision which occurred when the truck in which she was riding was struck by a United States Army truck operated by Richard Landus, a private, Quartermaster Corps, United States Army, in Greenfield, Mass., on August 29, 1939: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Earl P. Collins."

VERNON C. BROWN AND F. L. COPELAND

The Senate proceeded to consider the bill (S. 3597) for the relief of Vernon C. Brown and F. L. Copeland, which had been reported from the Committee on Claims with an amendment, at the end of the bill to insert a proviso, so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Vernon C. Brown the sum of $80.35 and to F. L. Copeland the sum of $227.75 in full settlement of their claims for personal injuries and loss of employment arising out of a collision between an automobile being driven by Vernon C. Brown and a truck owned by the Work Projects Administration and driven by Bryant Merryman on August 1, 1939, near Phoenix, Ariz.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BLUE RIDGE PARKWAY, VIRGINIA-NORTH CAROLINA

The bill (H. R. 4282) to amend the act of June 30, 1936 (49 Stat. 2041), providing for the administration and maintenance of the Blue Ridge Parkway, in the States of Virginia and North Carolina, by the Secretary of the Interior, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

SLUM CLEARANCE IN ALASKA

The bill (S. 3686) to authorize the Legislature of the Territory of Alaska to create a public corporate authority to undertake slum clearance and projects to provide dwelling accommodations for families of low income and to issue bonds and other obligations of the authority for such purpose, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Legislature of the Territory of Alaska may create a public corporate authority to undertake slum clearance and projects to provide dwelling accommodations for families of low income within the Territory.

SEC. 2. The Legislature of the Territory of Alaska may provide for the appointment and terms of the commissioners of such authority and for the powers of such authority, except that such authority shall not be given any power of taxation, nor any power to pledge the faith of the people of the Territory for any loan whatever.

SEC. 3. The Legislature of the Territory of Alaska may authorize such authority to issue bonds or other obligations with such security and in such manner as the legislature may provide, except as provided in this act. Such bonds and other obligations shall not be a debt of the Territory of Alaska or any political or municipal corporation or other subdivision of the Territory other than such authority; and such bonds and other obligations shall not constitute a debt, indebtedness, or the borrowing of money within the meaning of any limitation or restriction on the issuance of bonds or other obligations contained in the laws of the United States applicable to the Territory of Alaska or any political or municipal corporation or other subdivision of the Territory.

HOT SPRINGS DIVISION, WESTERN JUDICIAL DISTRICT OF ARKANSAS

The Senate proceeded to consider the bill (H. R. 7811) to establish the Hot Springs division of the Western Judicial District of Arkansas, which had been reported from the Committee on the Judiciary with amendments, on page 2, line 16, after the name "Garland" to strike out "Grant"; on page 2, line 1, after the name "October" to insert "and for the Hot Springs division at Hot Springs on the third Mondays in March and September"; on the same page, line 4, after the name "Fayetteville" to insert "and Hot Springs"; in line 9, after the word "building", to insert "or addition or annex thereto"; in line 10, after the words "constructed in", to strike out "Fayetteville; and for the Hot Springs division, at Hot Springs on the third Mondays in March and September: *And provided further*, That accommodations for holding terms of court at Hot Springs shall be furnished free of cost to the United States" and insert: "Fayetteville or Hot Springs: *Provided further*, That the referee in bankruptcy of the western division of the eastern district may be appointed by the judge of the western district as referee in bankruptcy for the division herein created at Hot Springs."; in line 21, after the name "El Dorado", to strike out "and"; and in the same line, after the name "Harrison", to insert "and Hot Springs", so as to make the bill read:

Be it enacted, etc., That subsections (a), (b), (c), (d), (e), (f), and (g) of section 71 of the Judicial Code, as amended (U. S. C., 1934 ed., title 28, sec. 144), are amended to read as follows:

"SEC. 71. (a) The State of Arkansas is divided into two districts, to be known as the western and eastern districts of Arkansas.

"(b) The western district shall include six divisions constituted as follows: The Texarkana division, which shall include the territory embraced on July 1, 1920, in the counties of Sevier, Howard, Little River, Hempstead, Miller, Lafayette, and Nevada; the El Dorado division, which shall include the territory embraced on such date in the counties of Columbia, Ouachita, Union, Ashley, Bradley, and Calhoun; the Fort Smith division, which shall include the territory embraced on such date in the counties of Polk, Scott, Logan, Sebastian, Franklin, Crawford, and Johnson; the Harrison division, which shall include the territory embraced on such date in the counties of Baxter, Boone, Carroll, Marion, Newton, and Searcy; the Fayetteville division, which shall include the territory

embraced on such date in the counties of Benton, Madison, and Washington; and the Hot Springs division, which shall include the territory embraced on such date in the counties of Pike, Clark, Garland, Hot Spring, and Montgomery.

"(c) Terms of the district court for the Texarkana division shall be held at Texarkana on the second Mondays in May and November; for the El Dorado division, at El Dorado on the third Mondays in April and October; for the Fort Smith division, at Fort Smith on the second Mondays in January and June; for the Harrison division, at Harrison on the first Mondays in April and October; for the Fayetteville division, at Fayetteville on the second Mondays in March and October; and for the Hot Springs division, at Hot Springs on the third Mondays in March and September: *Provided*, That suitable rooms and accommodations for holding court at Fayetteville and Hot Springs are furnished without expense to the United States: *Provided further*, That nothing in this section shall be construed to prevent the provision of quarters for the officers of said court and appropriate courtrooms for the holding of the sessions of said court in any new Federal building or addition or annex thereto which may be constructed in Fayetteville or Hot Springs: *Provided further*, That the referee in bankruptcy of the western division of the eastern district may be appointed by the judge of the western district as referee in bankruptcy for the division herein created at Hot Springs.

"(d) The clerk of the court for the western district shall maintain an office in charge of himself or a deputy at Texarkana, Fort Smith, El Dorado, Harrison, and Hot Springs. Such offices shall be kept open at all times for the transaction of the business of the court.

"(e) The eastern district shall include four divisions constituted as follows: The eastern division, which shall include the territory embraced on July 1, 1920, in the counties of Desha, Lee, Phillips, St. Francis, Cross, Monroe, and Woodruff; the northern division, which shall include the territory embraced on such date in the counties of Fulton, Independence, Cleburne, Stone, Izard, Sharp, and Jackson; the Jonesboro division, which shall include the territory embraced on such date in the counties of Crittenden, Clay, Craighead, Greene, Mississippi, Poinsett, Randolph, and Lawrence; the western division, which shall include the territory embraced on such date in the counties of Arkansas, Chicot, Cleveland, Conway, Dallas, Drew, Faulkner, Grant, Jefferson, Lincoln, Lonoke, Perry, Pope, Prairie, Pulaski, Saline, Van Buren, White, and Yell.

"(f) Terms of the district court for the eastern division shall be held at Helena on the second Monday in March and the first Monday in October; for the northern division at Batesville on the fourth Monday in May and the second Monday in December; for the Jonesboro division, at Jonesboro on the first Monday in May and the fourth Monday in November; and for the western division, at Little Rock on the first Monday in April and the third Monday in October.

"(g) The clerk of the court for the eastern district shall maintain an office in charge of himself or a deputy at Helena, Batesville, Jonesboro, and Little Rock. Such offices shall be kept open at all times for the transaction of the business of the court."

SEC. 2. The act of April 21, 1926 (ch. 168, 44 Stat. 304), is hereby repealed.

The amendments were agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time, was read the third time, and passed.

AMENDMENT OF PERISHABLE AGRICULTURAL COMMODITIES ACT, 1930

The bill (S. 3464) to amend the Perishable Agricultural Commodities Act, 1930, as amended, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That (a) paragraph (4) of the first section of the Perishable Agricultural Commodities Act, 1930, as amended, is amended to read as follows:

"(4) The term 'perishable agricultural commodity' means (A) any fresh fruit or fresh vegetable, whether or not frozen or packed in ice, or (B) cherries in brine, as defined by the Secretary in accordance with trade usages."

(b) The first sentence of paragraph (6) of the first section of such act, as amended, is amended by inserting therein after the words "unless such product is frozen or packed in ice" a comma and the following: "or consists of cherries in brine,".

SEC. 2. (a) Paragraph (1) of section 2 of such act, as amended, is amended to read as follows:

"(1) For any commission merchant, dealer, or broker to engage in or use any unfair, unreasonable, discriminatory, or deceptive practice in connection with the weighing, counting, or in any way determining the quantity of any perishable agricultural commodity received, bought, sold, shipped, or handled in interstate or foreign commerce;".

(b) Paragraph (5) of section 2 of such act, as amended, is amended by inserting therein before the word "condition" the following: "quantity, size, pack, weight,".

ARTHUR A. SCHIPKE

The bill (S. 3223) for the relief of Arthur A. Schipke was considered, ordered to be engrossed for a third reading, read the third time, and passed as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Arthur A. Schipke, of Meriden, Conn., the sum of $148.15, in full satisfaction of his claim against the United States for property damage resulting from a collision between his automobile and a Department of Agriculture truck in Union, Conn., on March 10, 1939: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

HARRY D. GANN

The Senate proceeded to consider the bill (S. 3649) for the relief of Harry D. Gann, which had been reported from the Committee on Claims with an amendment, on page 1, line 6, after the words "sum of," to strike out "$5,782.60" and insert "$2,462.64," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harry D. Gann, of Reidsville, N. C., the sum of $2,462.64, in full settlement of all claims against the United States for hospitalization, medical services, and personal injuries sustained by his two minor sons as a result of an accident involving an Army airplane, PB–2A, Air Corps, Numbered 35–45, Reidsville, N. C., on September 3, 1938: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

COOPERATION BETWEEN BUREAU OF RECLAMATION AND FARM SECURITY ADMINISTRATION

The bill (S. 3683) to remove the time limit for cooperation between the Bureau of Reclamation and the Farm Security Administration in the development of farm units on public lands under Federal reclamation projects was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act of August 7, 1939 (Public, No. 307, 76th Cong., 1st sess.), is hereby amended by striking out "during the fiscal year 1940,".

TRANSFER OF HARDEMAN COUNTY, TEX., TO WICHITA FALLS DIVISION

The bill (H. R. 9013) to transfer Hardeman County, Tex., from the Fort Worth division to the Wichita Falls division of the northern judicial district of Texas was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 3918) adopting and authorizing the improvement of East River, N. Y., was announced as next in order.

Mr. McNARY. Mr. President, I want that bill to go over until I have an opportunity to investigate it. The President recently sent to the Committee on Commerce a letter opposing this project, and I desire to examine the bill.

The PRESIDING OFFICER. The bill will be passed over under objection.

LIMITATION OF INTERPRETATION OF TERM "PRODUCTS OF AMERICAN FISHERIES"

The bill (H. R. 8475) to limit the interpretation of the term "products of American fisheries" was considered, ordered to a third reading, read the third time, and passed.

PROTECTION OF THE BALD EAGLE

The bill (S. 1494) to preserve from extinction the American eagle, emblem of the sovereignty of the United States of America, was announced as next in order.

The PRESIDING OFFICER. This bill is identical with House bill 4832, Calendar No. 1704. Without objection, the House bill will be considered.

Mr. WALSH. I ask that the House bill be substituted for the Senate bill and be now considered.

There being no objection, the bill (H. R. 4832) for the protection of the bald eagle was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 1494, being identical with the House bill, will be indefinitely postponed.

BILL PASSED OVER

The bill (H. R. 9264) to provide for uniformity of allowances for the transportation of household goods of civilian officers and employees when transferred from one official station to another for permanent duty was announced as next in order.

The PRESIDING OFFICER. The present occupant of the Chair asks that this bill go over.

DAUPHIN ISLAND-CEDAR POINT BRIDGE, ALABAMA

The Senate proceeded to consider the bill (S. 3780) authorizing Alabama Bridge Commission (an agency of the State of Alabama) to construct, maintain, and operate a toll bridge and causeway between Dauphin Island and the mainland at or near Cedar Point, within the State of Alabama, which had been reported from the Committee on Commerce with an amendment, on page 2, line 4, after "1906," to strike out "*Provided*, That in the event that said bridge shall be constructed by the State of Alabama or an agency thereof under the authority of the legislature of the State of Alabama or the tolls for the use thereof shall be prescribed by a contract entered into by or with the State of Alabama or an agency thereof the provisions of section 4 of said act approved March 23, 1906, with reference to tolls, shall not be applicable" and insert "subject to the exemptions provided in section 1 of the act of August 21, 1935 (49 Stat. 670): *Provided*, That when the period during which the Alabama Bridge Commission is authorized to operate and maintain such bridge for toll, pursuant to Act No. 580, General and Local Laws of Alabama, 1939, approved September 22, 1939, has been completed, the bridge shall be operated free of toll."; so as to make the bill read:

Be it enacted, etc., That Alabama Bridge Commission (an agency of the State of Alabama), its successors and assigns, be, and they are hereby, authorized to construct, maintain, and operate a toll bridge and causeway and approaches thereto at a point suitable to the interests of navigation, between Dauphin Island and the mainland at or near Cedar Point, within the State of Alabama, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, subject to the exemptions provided in section 1 of the act of August 21, 1935 (49 Stat. 670): *Provided*, That when the period during which the Alabama Bridge Commission is authorized to operate and maintain such bridge for toll, pursuant to Act No. 580, General and Local Laws of Alabama, 1939, approved September 22, 1939, has been completed, the bridge shall be operated free of toll.

SEC. 2. Public Law No. 232, Seventy-sixth Congress, approved July 26, 1939, is hereby repealed.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

KETTLE RIVER BRIDGES, WASHINGTON

The Senate proceeded to consider the bill (S. 3643) granting the consent of Congress to the Secretary of the Interior and Stevens County, State of Washington, to construct, maintain, and operate a highway bridge across the Kettle River near Kettle Falls, Wash., which had been reported from the Committee on Commerce with an amendment, on page 1, line 7, after the word "near," to strike out "Kettle Falls" and insert "Marcus", so as to make the bill read:

Be it enacted, etc., That the consent of Congress is hereby granted to the Secretary of the Interior and Stevens County, State of Washington, jointly or separately, to construct, maintain, and operate a toll-free highway bridge across the Kettle River at a point suitable to the interests of navigation, near Marcus, and between Ferry County and Stevens County, Wash., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting the consent of Congress to the Secretary of the Interior and Stevens County, State of Washington, to construct, maintain, and operate a highway bridge across the Kettle River near Marcus, Wash."

The Senate proceeded to consider the bill (S. 3644) granting the consent of Congress to the Secretary of the Interior and the Great Northern Railway Co. to construct, maintain, and operate two railroad bridges across the Kettle River, near Kettle Falls, Wash., which had been reported from the Committee on Commerce with an amendment, on page 2, line 1, after the word "near", to strike out "Kettle Falls" and insert "Marcus", so as to make the bill read:

Be it enacted, etc., That the consent of Congress is hereby granted to the Secretary of the Interior and the Great Northern Railway Co., a corporation organized and existing under the laws of the State of Min `esota, and their successors and assigns, jointly or separately, to construct, maintain, and operate two railroad bridges across the Kettle River at points suitable to the interests of navigation, near Marcus, and between Ferry County and Stevens County, Wash., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations of this act.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting the consent of Congress to the Secretary of the Interior and the Great Northern Railway Co. to construct, maintain, and operate two railroad bridges across the Kettle River near Marcus, Wash."

MISSOURI RIVER BRIDGE, DECATUR, NEBR.

The bill (S. 3419) authorizing the county of Burt, State of Nebraska, to construct, maintain, and operate a toll bridge across the Missouri River at or near Decatur, Nebr., was announced as next in order.

The PRESIDING OFFICER. This bill is identical with House bill 8589. Without objection, the House bill will be substituted for the Senate bill.

The Senate proceeded to consider the bill (H. R. 8589) to authorize the county of Burt, State of Nebraska, to construct, maintain, and operate a toll bridge across the Missouri River at or near Decatur, Nebr., which was ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 3419 will be indefinitely postponed.

RIO GRANDE BRIDGE OR FERRY, BOCA CHICA, TEX.

The bill (H. R. 3138) authorizing J. E. Pate, his successors and assigns, to construct, maintain, and operate a bridge or ferry across the Rio Grande at Boca Chica, Tex., was considered, ordered to a third reading, read the third time, and passed.

SPOKANE RIVER BRIDGE, WASHINGTON

The bill (S. 3642) granting the consent of Congress to the Secretary of the Interior and the State of Washington to construct, maintain, and operate a highway bridge across the Spokane River, Wash., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Secretary of the Interior and the State of Washington, jointly or separately, to construct, maintain, and operate a toll-free highway bridge across the Spokane River at a point suitable to the interests of navigation, between Stevens County and Lincoln County, Wash., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

CONVEYANCE OF FISH HATCHERY PROPERTY AT PUT IN BAY TO STATE OF OHIO

The bill (H. R. 6481) to authorize the conveyance of the United States Fish Hatchery property at Put in Bay, Ohio, to

the State of Ohio, was considered, ordered to a third reading, read the third time, and passed.

STATE COMPACTS WITH RESPECT TO FISHING ON ATLANTIC COAST

The Senate proceeded to consider the joint resolution (H. J. Res. 302) to authorize compacts or agreements between or among the States bordering on the Atlantic Ocean with respect to fishing in the territorial waters and bays and inlets of the Atlantic Ocean on which such States border, and for other purposes, which was read, as follows:

Resolved, etc., That the consent of Congress is hereby given to any two or more of the States of Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, and Florida, to enter into compacts or agreements, not in conflict with any law of the United States, for cooperative effort and mutual assistance for the uniform, common, or mutual regulation of fishing or of any species of fish, mollusks, or crustacea in the territorial waters and bays and inlets of the Atlantic Ocean on which such States border or to which their jurisdiction otherwise extends and of anadromous fish spawning in the inland waters of those States.

SEC. 2. The consent of Congress is hereby granted to States other than those specified but which have jurisdiction over inland waters frequented by anadromous fish of the sea to enter into compacts or agreements authorized by this act.

SEC. 3. The consent of Congress is hereby given to any of the aforementioned States to establish such agencies or authorities, joint or otherwise, as they may deem desirable for making effective compacts or agreements herein authorized.

SEC. 4. Any such compact or agreement shall not be binding or obligatory upon the signatory States unless it has been approved by the legislatures of such States and by the Congress of the United States.

SEC. 5. The right to alter, amend, or repeal this resolution is hereby expressly reserved.

Mr. LODGE. Mr. President, may we have an explanation of the bill?

Mr. BILBO. Mr. President, the explanation is found in the wording of the bill. If the Senator from Massachusetts will read the bill he will ascertain what the fishermen along the Atlantic seaboard want to do in the way of control of the fishing industry along the Atlantic seaboard. The bill provides for a compact, an agreement.

Mr. LODGE. What is the need for doing this?

Mr. BILBO. I myself am not a fisherman, but the persons who are interested in the bill insist that in order to conserve and protect the fishing industry along the Atlantic seaboard it is necessary that certain practices be abated.

Mr. LODGE. Will the Senator state who it is that is interested in this bill?

Mr. BILBO. The information brought to the committee was from the fishing industry generally, and especially from those who are engaged in the packing as well as the catching of fish along the Atlantic coast line from Florida to Maine.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. LODGE. I yield.

Mr. WHITE. As the Senator from Mississippi has said, the bill authorizes the States named in it to enter into State compacts with respect to the fisheries along the North Atlantic seaboard. It is patterned after a similar authority which was given to the States bordering on the Great Lakes. I think it envisages a study by those interested in the preservation of our fisheries of ways and means to insure that end.

The joint resolution has the approval of most of the State commissions whose States border upon the Atlantic seaboard; and I may say that any agreements which are entered into under the authority given in the joint resolution must ultimately come back to the Congress for final sanction.

The joint resolution deals with the problems of what I may call migratory fish. It is not a measure to which I have given particular attention, but I know generally its purpose and its terms, and I think I know both generally and specifically the great need for study if we are to preserve many of our fish species.

Mr. KING. Mr. President, if the Senator will permit an inquiry, would not the passage of the joint resolution facilitate the organization of monopolies for the purpose of controlling specific points along the coast?

Mr. WHITE. I have heard that suggestion made, and I do not quite see how it would make any contribution to that end.

Mr. DANAHER. Mr. President, from the beginning I have followed this particular idea. It was before the Congress at the last session in a measure which passed both Houses unanimously, but the measure at that time provided that the States could enter into a compact irrespective of the approval of Congress, and the President therefore vetoed it. The bill now before us does no more than authorize any two States to enter into joint agreement to control the natural fishing grounds and the crustacea grounds, so that mutually effective remedies may be provided to wipe out pollution, to regulate fishing out of season, and things of that kind. It will help the State of Massachusetts, in conjunction with the State of New Hampshire, to regulate salmon fishing when salmon runs are restored to the North Atlantic. Such matters are under consideration now.

The bill has the support of State governments. An agreement has been reached by the Commission on State Cooperation of the Commonwealth of Massachusetts, for instance. I hold in my hand a resolution of approval from Boston, which the Senator from Massachusetts might like to examine. I know that nothing could be done under the proposed compact plan which would be deleterious to the interests of individuals, nor would it create any monopolies, as the Senator from Utah suggests.

The PRESIDING OFFICER. The question is on the third reading of the joint resolution.

The joint resolution was ordered to a third reading, read the third time, and passed.

FISHERY EDUCATIONAL SERVICE

The bill (H. R. 4985) to provide for a Fishery Educational Service in the Bureau of Fisheries, was announced as next in order.

Mr. TAFT. I should like to have an explanation of the bill.

Mr. BILBO. I will ask the Senator from Florida to explain the bill.

Mr. PEPPER. Mr. President, all this bill, which came over from the House of Representatives, contemplates is that the Department of the Interior shall establish an agency which will set up an educational service, so that fishery products may be publicized and advertised, through services which may be projected, radio programs, and the like, to inform the public as to the value of fish as a food commodity. It calls for only a small appropriation. I think the total appropriation is $75,000.

Mr. KING. I think the bill had better go over.

The PRESIDING OFFICER. Objection is heard, and the bill will be passed over.

FRANKFORD CREEK, PA.

The bill (H. R. 8452) to declare Frankford Creek, Pa., to be a nonnavigable stream, was considered, ordered to a third reading, read the third time, and passed.

HOURS OF WORK ON INLAND WATERS

The bill (S. 2305) relating to hours of work of licensed officers and seamen on tugs operating in certain inland waters of the United States, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the second sentence of section 2 of the act of March 4, 1915, as amended (U. S. C., 1934 ed., Supp. IV, title 46, sec. 673), is amended to read as follows: "Except in the case of an extraordinary emergency affecting the safety of the vessel or life or property, no licensed officer or seaman in the deck or engine department of any tug documented under the laws of the United States (except boats or vessels used exclusively for fishing purposes) navigating the Great Lakes, harbors of the Great Lakes, and connecting and tributary waters between Gary, Ind.; Duluth, Minn.; Niagara Falls, N. Y.; and Ogdensburg, N. Y., shall be required or permitted to work more than 8 consecutive hours in any 1 day, and such work shall be performed within a period of time not exceeding 9 consecutive hours."

PAYMENT OF COST OF RETURNING REMAINS, FAMILIES, AND EFFECTS TO THE UNITED STATES

The bill (S. 3899) to defray the cost of returning to the United States the remains, families, and effects of officers and employees dying abroad, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in case any civilian officer or employee of the United States dies (1) while in a travel status away from his official station in the United States, or (2) while performing official duties in a Territory or possession of the United States or in a foreign country or in transit thereto or therefrom, the head of the department, independent establishment, agency, or federally owned or controlled corporation, hereinafter called department, in the service of which such officer or employee was engaged, is hereby authorized, under regulations to be prescribed by the President and except as otherwise provided by law, to pay from the appropriation available for the activity in which he was engaged—

(a) In case of the death of the officer or employee in such travel status in the United States, or in the case of the death of the officer or employee while performing official duties in a Territory or possession of the United States or in a foreign country or in transit thereto or therefrom, the expenses of preparing and transporting the remains of such officer or employee to his home or official station or such other place as the head of the department concerned shall determine to be the appropriate place of interment.

(b) In case of the death of the officer or employee while performing official duties in a Territory or possession of the United States or in a foreign country or in transit thereto or therefrom, the transportation expenses of his dependents, including expenses incurred in packing, crating, drayage, and transportation of household effects and other personal property to his former home or such other place as the head of the department shall determine.

SEC. 2. The benefits of section 1 of this act shall not be denied in any case on the ground that the deceased was temporarily absent from duty when death occurred.

SEC. 3. This act shall become effective 60 days after its enactment.

BOARD OF INDETERMINATE SENTENCE AND PAROLE

The bill (H. R. 9210) to amend an act entitled "An act to establish a Board of Indeterminate Sentence and Parole for the District of Columbia and to determine its functions, and for other purposes," approved July 15, 1932, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

ADOPTION IN THE DISTRICT OF COLUMBIA

The bill (H. R. 7084) to amend the act entitled "An act to regulate proceedings in adoption in the District of Columbia," approved August 25, 1937, was considered, ordered to a third reading, read the third time, and passed.

AMOS B. COLE

The bill (S. 1560) for the relief of Amos B. Cole was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia are authorized and directed to extend the benefits of relief from the policemen and firemen's relief fund, District of Columbia, to Amos B. Cole, formerly a member of the Metropolitan Police Department of the District of Columbia, in the same manner and to the same extent as if the said Amos B. Cole had, while a member of such Department, become so permanently disabled through an injury received or disease contracted in line of duty as to incapacitate him for the performance of duty.

SEC. 2. For the purposes of this act the rate of salary received by the said Amos B. Cole on the date of his separation from such Department shall be deemed to be the rate of salary received at the date of retirement.

PARKING AUTOMOBILES IN THE MUNICIPAL CENTER

The bill (S. 3663) to authorize the Commissioners of the District of Columbia to provide for the parking of automobiles in the municipal center was announced as next in order.

The PRESIDING OFFICER. Without objection, the Senate will consider an identical bill which has today been messaged over from the other House.

There being no objection, the bill (H. R. 9115) to authorize the Commissioners of the District of Columbia to provide for the parking of automobiles in the municipal center, was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 3663 will be indefinitely postponed.

CODE OF LAWS FOR THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (S. 3533) authorizing the appointment of a commission to prepare a new code of laws for the District of Columbia, which had been reported from the Committee on the District of Columbia with amendments, on page 1, line 3, after the word "five" to strike out "not less than four of whom shall be members of the bar of the District Court of the United States for the District of Columbia, and not less than three of whom shall have had at least 10 years' continuous actual practice before said court immediately prior to appointment"; on page 1, line 9, after the word "States" to strike out "by and with the approval of the majority of the membership of said court sitting in general term"; on page 2, line 11, after the name "United States" to strike out "and to said court for consideration"; on line 14, after the name "United States" to strike out "and by said court sitting in general term"; on page 3, line 5, after "States" to strike out "shall" and insert "may"; after line 10 to strike out section 4, as follows:

SEC. 4. There is hereby appropriated and allocated to the Attorney General of the United States, out of any money in the Treasury of the United States not otherwise appropriated, a sum sufficient to cover the compensation of said commission during its first year.

And to insert a new section 4, as follows:

SEC. 4. There is hereby authorized to be appropriated and allocated to the Attorney General of the United States a sum sufficient to cover the compensation of said commission during the first year, said sum to be prorated as follows: 40 percent from the funds of the United States not otherwise appropriated, and 60 percent from the funds in the Treasury to the credit of the District of Columbia not otherwise appropriated.

So as to make the bill read:

Be it enacted, etc., That a commission of five shall be appointed by the Attorney General of the United States to prepare a Code of Laws for the District of Columbia with complete index thereto. Such code, so far as practicable, shall be a restatement of the laws, general and permanent in their nature, relating to or in force in the District of Columbia, together with such modifications thereof, amendments thereto, and such new legislation as may seem desirable or necessary, except such laws as are of application in the District of Columbia by reason of being laws of the United States, general and permanent in their nature. Such code shall be prepared in sections and shall be presented by sections to the Attorney General of the United States, and upon completion thereof, and upon being approved by the Attorney General of the United States, such code shall be submitted to the Congress for adoption as the code for the District of Columbia. Said commission shall complete it work and make its final report within 3 years from the date of its organization unless its tenure be extended by the Attorney General of the United States.

SEC. 2. Each member of the commission shall receive an annual salary of $6,000, payable semimonthly. The Attorney General of the United States may remove any member of the commission and fill any vacancy in the manner hereinbefore provided for original appointments.

SEC. 3. The Attorney General of the United States shall assign and set apart for the use of the commission suitable quarters in the Department of Justice Building or elsewhere and the commission shall have the free use of the postal facilities. The Attorney General of the United States may assign to the commission such law clerks, stenographers, and other assistants as the commission shall deem necessary and at such compensation as the Attorney General shall determine and shall fix. The Attorney General shall also supply the commission with necessary office equipment, typewriters, and supplies.

SEC. 4. There is hereby authorized to be appropriated and allocated to the Attorney General of the United States a sum sufficient to cover the compensation of said commission during the first year, said sum to be prorated as follows: 40 percent from the funds of the United States not otherwise appropriated, and 60 percent from the funds in the Treasury to the credit of the District of Columbia not otherwise appropriated.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

NAVAL EXPANSION

The bill (H. R. 8026) to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes, was announced as next in order.

Mr. KING. Mr. President, is this a naval expansion bill?

Mr. WALSH. Yes; it is a naval expansion bill.

Mr. KING. I think we should have some explanation of the bill, but I do not think we should take the bill up now under the unanimous-consent agreement.

Mr. WALSH. I think it would be well to have the bill passed over at this time.

Mr. KING. I should be glad to join the Senator in an effort to have the bill taken up at an appropriate time.

The PRESIDING OFFICER. The bill will be passed over.

RELIEF OF SETTLERS IN KETCHUM, IDAHO

The bill (S. 1251) for the relief of certain settlers in the town site of Ketchum, Idaho, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That if, within 3 years from the date of enactment of this act, it shall be shown to the satisfaction of the Secretary of the Interior that any lot in the town site of Ketchum, Idaho, as shown on the official plat thereof on file in the General Land Office, has been held in good faith in peaceful, adverse possession by a citizen of the United States, his ancestors or grantors, for more than 10 years next preceding the date of enactment of this act under claim or color of title, and that during such time valuable improvements have been placed on such lot, or taxes levied on such lot have been paid, the Secretary may, in his discretion and under such rules and regulations as he may prescribe, cause a patent for such lot to issue to such citizen, upon payment therefor of such price not less than the minimum provided in sections 2384 and 2385 of the United States Revised Statutes, as may be fixed by the Secretary, without requiring a showing of privity with any persons entitled to purchase the lot as a preemption under section 2383, United States Revised Statutes: *Provided*, That notice of intention to purchase the lot under the provisions of this act is posted for a period of 30 days in the land office for the district in which the town site is situated and is published once a week for four consecutive weeks in some newspaper designated by the Secretary and that no valid protest is filed against such purchase.

REPRODUCTION OF PHOTOGRAPHS OF NATIONAL PARK SCENERY

The Senate proceeded to consider the bill (S. 769) authorizing the Secretary of the Interior to furnish mats for the reproduction in magazines and newspapers of photographs of national-park scenery, which had been reported from the Committee on Public Lands and Surveys with amendment, on page 2, line 5, after the word "for" to strike out "each fiscal year, begining with"; on line 6, to strike out "June 30, 1940, a sum not in excess of $5,000 for the purpose," and to insert, "June 30, 1941, the sum of $3,000 for the purpose", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to have prepared mats which may be used for the reproduction in magazines and newspapers of photographs of such of the scenery in the national parks as, in the opinion of the Secretary, would be of interest to the people of the United States and foreign nations. Any such mats may be furnished, without charge and under such regulations as the Secretary may prescribe, to the publishers of magazines, newspapers, and any other publications which may carry photographic reproductions.

SEC. 2. There is hereby authorized to be appropriated for the fiscal year ending June 30, 1941, the sum of $3,000 for the purpose of carrying out the provisions of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

TITLE TO COASTAL SUBMERGED LANDS

The joint resolution (S. J. Res. 92) declaring the conservation of petroleum deposits underlying submerged lands adjacent to and along the coast of California below low-water mark and under the territorial waters of the United States of America, essential for national defense, maintenance of the Navy, and regulation and protection of interstate and foreign commerce; reserving the same as a naval petroleum reserve, subject to any superior vested right, title, or interest; and authorizing appropriate judicial proceedings to assert, ascertain, establish, and maintain the right and interest of the United States of America in such reserve, and to eject trespassers was announced as next in order.

SEVERAL SENATORS. Over. Over.

Mr. CONNALLY. Mr. President, several objections have already been registered to the consideration of this joint resolution, but I wish to say that it is a measure which seeks to instruct the Attorney General to bring suit for title to coastal submerged lands. Of course it would affect the interests of every State in the Union which touches on the seacoast.

The Attorney General now has the authority, if the United States has any interest in such lands, to bring the suits contemplated, and the only purpose of having the measure passed by the Congress is to give color and congressional sanction to some sort of asserted right or title to these lands. I do not think it is just or right for the Congress to seek to declare as a matter of law that the United States Government owns these lands.

A year ago, in the Committee on Public Lands and Surveys, the Department of the Navy boldly and openly charged that the Government not only had the title to these lands, but that if it did not have the title, it had, in the interest of national defense, a right to take the lands without any compensation whatever. That is the spirit that is behind the measure. Of course, we are going to resist it. The joint resolution now before us is a diluted and dehorned form of the original measure. I congratulate the Committee on Public Lands and Surveys, of which my distinguished friend the Senator from Colorado [Mr. ADAMS] is chairman, for the operation on the measure as far as it went, but it did not go far enough. The Senator should cut off its head.

I register my protest and my objection to the measure, and I hope Senators from other States will all be present when the calendar is next called, because on a former occasion, without anyone knowing what was in the measure, it slipped through the Senate and went over to the House and had to be killed in the House.

The PRESIDING OFFICER. Objection being heard, the joint resolution will be passed over.

LAURA TRICE CONVERSE

The bill (S. 3887) for the relief of Laura Trice Converse was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Laura Trice Converse, widow of Charles A. Converse, late American consul at Manchester, England, the sum of $3,600, such sum representing 1 year's salary of her deceased husband who died while in the Foreign Service.

FIVE-YEAR FISHERIES BUILDING PROGRAM

The bill (S. 1492) to provide for a 5-year building program for the United States Bureau of Fisheries was announced as next in order.

Mr. McKELLAR. Mr. President, may we have an explanation of the bill?

Mr. BILBO. This bill was introduced by the Senator from Arizona [Mr. HAYDEN]. It is in line with a bill which passed at the last session setting up a 5-year program for the construction of fish hatcheries throughout the United States. The President vetoed the bill passed last year.

Mr. McKELLAR. Mr. President, if the Senator will yield, the Department recommended against the bill this year. It authorizes the appropriation of a very large amount of money. I ask the Senator to let it go over for the day, anyway, so that we can look into it.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

ALASKAN INTERNATIONAL HIGHWAY COMMISSION

The bill (H. R. 9271) to extend the existence of the Alaskan International Highway Commission for an additional 4 years and for other purposes was considered, ordered to a third reading, read the third time, and passed.

MRS. A. R. BARNARD AND OTHERS

The bill (S. 3307) to amend an act entitled "An act for the relief of Mrs. A. R. Barnard, Charles A. Stephens, Donald W. Prairie, and dependents of Vern A. Needles," approved July 15, 1939, was considered, ordered to be en-

grossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act of July 15, 1939 (Private, No. 95, 76th Cong., 1st sess.), is amended by striking out all of that portion thereof reading "and the sum of $5,000 to Mrs. Vern A. Needles, Newport, Oreg., widow of Vern A. Needles, who, as a member of the crew of the motorboat *M. E. Sloan,* was drowned when such motorboat was capsized and destroyed as aforesaid: *Provided",* and substituting in lieu thereof "and the sum of $2,500 to Mrs. Vern A. Needles, Newport, Oreg., widow, and the sum of $2,500 to Charles V. Needles, minor son of Vern A. Needles, who, as a member of the crew of the motorboat *M. E. Sloan,* was drowned when such motorboat was capsized and destroyed as aforesaid: *Provided,* That payment of the last-named amount shall be made to the legal guardian of Charles V. Needles, for his use and benefit: *Provided further".*

RELIEF OF DISBURSING OFFICERS OF THE CIVIL WORKS ADMINISTRATION

The bill (S. 3868) for the relief of certain former disbursing officers for the Civil Works Administration and the Federal Emergency Relief Administration was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of disbursing officers for payments made in good faith on public account from appropriations made available to the Civil Works Administration and the Federal Emergency Relief Administration for expenditure, notwithstanding the failure to comply with requirements of existing law or regulations: *Provided,* That the Commissioner of Work Projects or his duly authorized representative shall certify that the payments appear to be free from fraud or collusion on the part of the disbursing officer making the payment.

SEC. 2. No charge shall be made against the certifying officer for the amount of any payment for which credit shall be allowed under the preceding section where the Commissioner of Work Projects or his duly authorized representative certifies that the payment appears to have been made without fraud or collusion on the part of the certifying officer.

ESTATE OF LEWIS MARION GARRARD HALE

The bill (H. R. 4349) for the relief of the estate of Lewis Marion Garrard Hale was considered, ordered to a third reading, read the third time, and passed.

RELIEF OF EMPLOYEES OF THE NATIONAL REEMPLOYMENT SERVICE

The bill (S. 3978) for the relief of certain former employees of the National Reemployment Service was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John Brown Bethea, Jr., the sum of $247.55; to Oliver Hardy Stone the sum of $78.26; to Mamie Bolling Ham the sum of $71.14; to Grover Cleveland Harris, Jr., the sum of $95.14; to Katherine Diffly the sum of $42.83; to Irene Scott Boyd the sum of $31.33; to Samuel Earle Greene the sum of $83.71; to Franklin Millard Houston the sum of $136.71; to John Henry Jones the sum of $211.57; to David Lloyd Hairston the sum of $75.86; to William Francis Russell the sum of $78.14; to Herbert Spence Sutton the sum of $299.58; to Lloyd William Taylor the sum of $63.75; to Shelby Chadwick Patton the sum of $139.02; to John Burns Wood the sum of $93.32; such sums being in full satisfaction of all claims against the United States for accrued annual leave while claimants were in the employ of the National Reemployment Service: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

LAWRENCE T. POST AND OTHERS

The bill (S. 3916) for the relief of Lawrence T. Post, G. F. Allen, and D. Buddrus was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit to Dr. Lawrence T. Post, consultant in the Indian Service, and to allow credit in the accounts of G. F. Allen, chief disbursing officer, and D. Buddrus, formerly cashier and certifying officer of the Five Civilized Tribes Agency, Muskogee, Okla., for the amount of $94.56, representing per diem and travel expenses paid to said Lawrence T. Post for the period June 8 to June 21, 1938, inclusive.

I. M. COOK AND OTHERS

The bill (S. 3351) for the relief of I. M. Cooke, J. J. Allen, and the Radiator Specialty Co. was announced as next in order.

Mr. McKELLAR. May we have an explanation of this? If not, let it go over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. REYNOLDS subsequently said: Mr. President, I have talked with the Senator from Tennessee [Mr. McKELLAR] in regard to Senate bill 3351, Calendar No. 1690, in which I am interested. The bill has been favorably reported by the Claims Committee.

Mr. McKELLAR. Mr. President, I withdraw my objection to the bill.

The PRESIDING OFFICER. The title of the bill will be stated for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3351) for the relief of I. M. Cook, J. J. Allen, and the Radiator Specialty Co.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Claims, with amendments, on page 1, line 5, after the initials "I. M.", to strike out "Cooke" and insert "Cook"; and on page 2, line 2, after the words "known as the" to strike out "Cooke" and insert "Cook," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to I. M. Cook of Charlotte, N. C., the sum of $10,890.54; to J. J. Allen of Charlotte, N. C., the sum of $9,275.34; and to the Radiator Specialty Co. of Charlotte, N. C., the sum of $1,500 in full satisfaction of their respective claims against the United States for compensation for losses sustained by them by reason of a fire which destroyed a building, known as the Cook Body Co. Building, in Charlotte, N. C., in December 1938; such fire having started from an oil stove in a part of such building which was occupied by the Works Progress Administration: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of I. M. Cook, J. J. Allen, and the Radiator Specialty Co."

COMPROMISE OF SUITS ON CONTRACTS OF INSURANCE

The Senate proceeded to consider the bill (S. 2679) to amend the Independent Offices Appropriation Act, 1934, as amended, with respect to the authority of the Attorney General to compromise suits on certain contracts of insurance, which was read, as follows:

Be it enacted, etc., That the sixth paragraph following the subtitle "Veterans' Administration" in the first section of the Independent Offices Appropriation Act, 1934, as amended, is amended by striking out the words "yearly, renewable term insurance" and inserting in lieu thereof the words "yearly renewable term insurance or United States Government life insurance (converted insurance)".

Mr. KING. Let us have an explanation of the bill.

Mr. GEORGE. Mr. President, this bill merely gives authority to the Attorney General to approve compromises of suits or actions on converted life insurance held by veterans. The same authority was conferred upon the Attorney General so far as war-risk insurance was concerned, and this merely extends the authority to make compromises of suits when brought upon the ordinary life or converted life policies.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ARMY PROMOTION SYSTEM—CONFERENCE REPORT

Mr. SHEPPARD submitted the following report, which was ordered to lie on the table:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9243) to provide for the promotion of promotion-list officers of the Army after specified years of service in grade, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 3, and 4.

MORRIS SHEPPARD,
ROBT. R. REYNOLDS,
ELBERT D. THOMAS,
WARREN R. AUSTIN,
STYLES BRIDGES,
Managers on the part of the Senate.

A. J. MAY,
EWING THOMASON,
DOW W. HARTER,
L. C. ARENDS,
THOS. E. MARTIN,
CHAS. H. ELSTON,
Managers on the part of the House.

TAXES ON LAND UNDER FEDERAL JURISDICTION

The bill (H. R. 6687) to authorize the levy of State, Territory, and District of Columbia taxes upon, with respect to, or measured by sales, purchases, or use of tangible personal property or upon sellers, purchasers, or users of such property measured by sales, purchases, or use thereof occurring in United States national parks, military and other reservations or sites over which the United States Government may have jurisdiction, was announced as next in order.

Mr. GEORGE. Mr. President, this is a rather important bill. It authorizes the levy of sales and use taxes on personal property where such sales or uses take place within military reservations, army posts, and so forth. I think the bill ought to go over until it can be more fully considered.

The PRESIDING OFFICER. The bill will go over under objection.

Mr. WALSH. Mr. President, a memorandum was sent me by the Navy Department making certain objections to the bill, and I will discuss the matter with the Senator from Georgia.

Mr. GEORGE. The bill has been very carefully considered, I will say to the Senator from Massachusetts, and the subcommittee considering the bill was fully advised of the objections by the Navy Department. I have an amendment which I will offer at the proper time which I think possibly will meet the Department's objection.

Mr. McKELLAR. Mr. President, does the bill provide for a general sales tax?

Mr. GEORGE. No; it merely permits the States to collect a sales tax on sales that are made within a reservation which lies within the extraterritorial jurisdiction of the State. It is not intended to confer any power upon the State, but simply to relieve the situation that now prevents the collection. I think the bill should go over.

The PRESIDING OFFICER. The bill has already been passed over.

Mr. GEORGE. I think the bill should be considered, and I shall move to take it up at the first reasonable opportunity.

Mr. BILBO. In connection with House bill 6687, I express the hope that the Senator from Georgia will seek at the earliest possible opportunity to call the bill up for final action. It means a great deal to those States which have the sales tax.

The PRESIDING OFFICER. The bill has been passed over under objection.

APPLICATIONS UNDER WORLD WAR ADJUSTED COMPENSATION ACT

The Senate proceeded to consider the bill (S. 1910) to extend the time within which applications for benefits under the World War Adjusted Compensation Act, as amended, may be filed, which had been reported from the Committee on Finance with an amendment, on page 1, line 7, after "January 2," to strike out "1950" and to insert "1945", so as to make the bill read:

Be it enacted, etc., That sections 2, 3, and 4 of Public Law No. 312, Seventy-fourth Congress, approved August 23, 1935, are hereby amended by striking out "January 2, 1940" wherever it appears in such sections and inserting in lieu thereof "January 2, 1945."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CONTINUATION OF STUDY OF TELEGRAPH INDUSTRY

The resolution (S. Res. 268) continuing the authority for a study of the telegraph industry in the United States was considered and agreed to, as follows:

Resolved, That Senate Resolution 95, Seventy-sixth Congress, first session, agreed to June 19, 1939, directing a study of the telegraph industry and certain other matters, is hereby continued in full force and effect during the sessions, recesses, and adjourned periods of the Senate in the Seventy-seventh Congress, and the Committee on Interstate Commerce is hereby authorized to expend from the contingent fund of the Senate, during such sessions, recesses, and adjourned periods, the amounts authorized for said purposes.

DOCTOR'S DAY

The Senate proceeded to consider the joint resolution (S. J. Res. 256) designating a day to be observed as Doctor's Day.

Mr. DANAHER. Mr. President, I should like to ask the author of the joint resolution if there is any particular kind of doctor he has in mind?

Mr. BILBO. If the Senator had been in the Chamber at the time I delivered an address on the joint resolution, he would have heard my explanation that the measure applies primarily to the family doctor. It applies also to all members of the medical profession to whom humanity is indebted. It does not include horse doctors.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution (S. J. Res. 256) designating a day to be observed as Doctor's Day was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That the 22d day of June in each year is hereby designated, and shall hereafter be known as, Doctor's Day, in commemoration of the great sacrifices and untiring efforts and devotion of the members of the medical profession in performing their duty to humanity by caring for the sick and injured in times of individual need and during periods of pestilence, war, and other disasters and catastrophes.

SEC. 2. The President is authorized and requested to issue annually a proclamation calling upon officials of the Government to display the United States flag on such day and inviting the people of the United States to observe such day in an appropriate manner.

ADMISSION OF CERTAIN PERSONS TO ST. ELIZABETHS HOSPITAL

The bill (H. R. 9576) relating to the admission to St. Elizabeths Hospital of persons resident or domiciled in the Virgin Islands of the United States was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 3900) requiring approval by the Attorney General of the validity of title to lands purchased by the United States for the erection of public buildings thereon, and for other purposes, was announced as next in order.

Mr. AUSTIN. Mr. President, I have been requested to ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

JAMES G. BAILEY

The bill (H. R. 4394) granting a pension to James G. Bailey was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 1550) granting an increase of pension to Christopher C. Popejoy was announced as next in order.

Mr. McKELLAR. Mr. President, I am told that this item is already included in a general pension bill, but inasmuch as the House has already passed the bill would it not be better to let it be passed, because only one pension would be granted in any event?

Mr. MINTON. I am very reliably informed that it is within the provisions of House bill 7733, Calendar No. 1595, which was unanimously passed by the Senate.

Mr. McKELLAR. Let the bill be passed over until we can ascertain the situation.

The PRESIDING OFFICER. The bill will be passed over without prejudice.

TRANSFER OF CERTAIN INDIAN LANDS TO GRAND RIVER DAM AUTHORITY

The bill (H. R. 7901) to transfer certain Indian lands to the Grand River Dam Authority, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

CRIME OF TRAIN WRECKING

The bill (S. 3202) to make it a crime to wreck or attempt to wreck a train engaged in interstate commerce was announced as next in order.

The PRESIDING OFFICER. This bill is identical with House bill 8086. Without objection, the House bill will be substituted for the Senate bill. Is there objection to the present consideration of the House bill?

There being no objection, the bill (H. R. 8086) to make it a crime to wreck or attempt to wreck a train engaged in interstate commerce was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 3202 will be indefinitely postponed.

AMENDMENT OF ACTS PERTAINING TO THE COAST GUARD

The bill (H. R. 9553) to amend and clarify certain acts pertaining to the Coast Guard, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, an identical Senate bill, S. 3865, will be indefinitely postponed.

Mr. KING. Mr. President, before that measure is finally disposed of I should like to inquire whether the bill creates new officers in the Coast Guard with increased salaries.

Mr. PEPPER. Mr. President, I am chairman of the subcommittee on the Coast Guard of the Senate Commerce Committee. We held a hearing on the bill, and Admiral Waesche, Commandant of the Coast Guard, came before the committee and testified personally. The bill has the favorable recommendation of the Treasury Department and relates only to certain technical adjustments relative to promotion and status, and the like, inside the Coast Guard. I certainly hope there will be no objection.

Mr. KING. There is no objection.

The PRESIDING OFFICER. The bill has already been passed.

JOINT RESOLUTION PASSED OVER

The joint resolution (H. J. Res. 537) to make temporary emergency provision for the determination of foreign construction costs under section 502 (b) of the Merchant Marine Act, 1936, as amended, was announced as next in order.

Mr. KING. May I inquire, with respect to Joint Resolution 537, whether, in the light of the construction of ships and war materials, and what not, this would be any impediment or obstruction, or would interfere in any way with any plan that might be devised to expedite the program for national defense?

The PRESIDING OFFICER. The Senator from Utah has asked any members of the Commerce Committee who may be present, or any Senators familiar with House Joint Resolution 537, Calendar No. 1709, which is identical with Calendar No. 1722, kindly to give an explanation.

Mr. KING. A Senator who is absent from the Chamber requested that I ask that Calendar No. 1709 and Calendar No. 1722, covering identical bills, go over. I have no knowledge with respect to the matter myself.

Mr. PEPPER. Does the Senator ask that they be temporarily passed over?

Mr. KING. Yes; at the request of another Senator temporarily called from the Chamber.

The PRESIDING OFFICER. On objection House Joint Resolution 537 and Senate Joint Resolution 255, being identical measures, will be passed over.

BILL PASSED OVER

The bill (S. 2753) to amend part I of the Interstate Commerce Act, as amended, with respect to the use of refrigerator cars, was announced as next in order.

SEVERAL SENATORS. Over. Over.

The PRESIDING OFFICER. The bill will be passed over.

CAPT. VICTOR GONDOS, JR.

The bill (H. R. 6681) granting a pension to Capt. Victor Gondos, Jr., was considered, ordered to a third reading, read the third time, and passed.

PAYMENTS IN CONNECTION WITH CONSERVATION LANDS

The bill (S. 1717) to revise the method of determining the payments to be made by the United States to the several States with respect to conservation lands subject to the jurisdiction of the Department of Agriculture was announced as next in order.

Mr. DANAHER. Mr. President, I should like very much to have that particular bill explained before we act on it while considering measures on the Unanimous Consent Calendar.

Mr. BILBO. Mr. President, the purpose of the bill is to require the Federal Government, in the case of purchased land, which is now under the control of the Department of Agriculture, as set out in subsection 2 of the bill, to contribute to the support of schools, where the Government has taken over practically all the land subject to taxation, and only a few farms are paying taxes in the particular territory. For instance, in two districts in Perry County, Miss., more than 90 percent of the land has been bought by the Federal Government, and 10 percent of the land has to bear the burden of construction and maintenance of roads, to some extent the payment of interest on bonds, the payment of teachers, and all other expenses for maintenance of the schools. In some counties in my State so much land has been taken over by the Federal Government that the counties are practically bankrupt, and the schools in the county and the county governments are unable to meet expenses. This is merely an attempt to have the Federal Government contribute to the support of the local subdivisions in those sections where the Government has absorbed practically all the land, thus loading the expenses onto the local citizens. What I have stated is true not only with respect to Mississippi but with respect to a great many other States throughout the West and South. The Government often buys great areas of land for the preservation of timber, and for one purpose or another. I think the legislation contemplated by the bill is very righteous.

Mr. DANAHER. Mr. President, will the Senator yield for a question?

Mr. BILBO. I yield for a question. I do not know whether or not I can answer it.

Mr. DANAHER. Has the Senator from Mississippi in his file a committee report on the bill?

Mr. BILBO. No.

Mr. DANAHER. Where is the report?

Mr. BILBO. We have not had any report.

Mr. DANAHER. I shall object to the present consideration of the bill.

The PRESIDING OFFICER. The bill will go over under objection.

Mr. HARRISON. Mr. President, I did not know whether or not there was a report, but there were extended hearings on this matter. The hearings are available. The bill, if passed, would afford great help to many persons and would not involve much money. I think about $2,000,000 is the limit. I had hoped that the Senator would not object.

The PRESIDING OFFICER. The bill has gone over under objection.

EXECUTIVE SESSION

Mr. BARKLEY. Mr. President, it is obvious that we cannot conclude the calendar this afternoon. I think the Senate

has done pretty good work today. I therefore suggest that the call of the calendar be suspended.

I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

Mr. WAGNER, from the Committee on Banking and Currency, reported favorably the nomination of Sumner T. Pike of Maine, to be a member of the Securities and Exchange Commission for the remainder of the term expiring June 5, 1943, vice George C. Mathews, resigned.

Mr. SHEPPARD, from the Committee on Military Affairs, reported favorably the nomination of First Lt. Harold Myers Deane, Veterinary Corps Reserve, to be first lieutenant, Veterinary Corps, with rank from date of appointment.

He also, from the same committee, reported favorably the nominations of sundry officers for appointment, by transfer, in the Regular Army.

He also, from the same committee, reported favorably the nominations of several officers for promotion in the Regular Army.

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

Mr. BAILEY, from the Committee on Commerce, reported favorably the nominations of sundry officers for promotion in the Coast Guard.

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair). If there be no further reports of committees, the clerk will state the nominations on the calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

That concludes the calendar.

RECESS

Mr. BARKLEY. Mr. President, for the benefit of Senators I wish to announce that when we meet tomorrow the call of the calendar will be continued until it is concluded.

As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 52 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, May 29, 1940, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 28, 1940

POSTMASTERS

ARKANSAS

Joe C. Allen, Cove.
Edgar G. Gunnels, Emerson.
Hoyt D. Estep, Hartman.
Bunyan Gilbert, McRae.
Norine W. Thomas, Norman.
Alvin J. Wages, Norphlet.
Frank N. Johnston, Ozark.
Kenneth W. Crook, Pangburn
Lewis F. Strickland, Trumann.

IDAHO

Edward J. Doyle, Bonners Ferry.
James V. Hawkins, Coeur d'Alene.
James B. Poynor, Council.
Arthur I. Dennis, Hagerman.
Dazel B. Howells, Oakley.
Marie E. McCarty, Plummer.
Frank A. McCall, Salmon.
Wallace H. Hanson, Shelley.
Robert J. Wood, Weiser.

KANSAS

George J. Roeback, Arcadia.
Lloyd A. Johnson, Belleville.
Winona D. Stough, Cherokee.
John E. Brogan, Coffeyville.
Clarence H. Johnson, Enterprise.
William J. Lyons, Jr., Fort Leavenworth.
Gay A. Small, Galva.
Omar G. Beougher, Gove.
Laurence C. Forker, Haven.
Goldie L. Blades, Independence.
William S. Harris, Kiowa.
William D. O'Loughlin, Lakin.
Kathryn E. Schieferecke, Lenora.
Howard H. Spear, Leoti.
Glenn B. Hale, Mankato.
Oscar J. Strong, Mound City.
Florence J. Lehman, Nickerson.
Edwin W. Coldren, Oberlin.
Edwin Fitzgerald Hammond, Osage City.
Ellen Rae Silvers, Preston.
Raymond R. Staab, Satanta.
George W. Lank, Solomon.
William E. Wohler, Sylvan Grove.
Grover Miller, Syracuse.
Bessie M. Anderson, Tribune.
Charles W. Hickok, Ulysses.
Iris C. Schoepf, Utica.
Peter J. Romme, Victoria.
Ernest H. Hillman, Wakeeney.
Grover P. Nutt, Waverly.

LOUISIANA

Reynald J. Patin, Breaux Bridge.
Elizabeth S. Crawford, Gretna.
Henry Buller, Iowa.
John H. Lyons, Lake Charles.
John A. Williams, Oakdale.
Charles W. Lavigne, Ponchatoula.
Berenice K. Schuchs, Saint Joseph.

MARYLAND

W. George Miller, Accident.
Mayme B. Boulden, Cecilton.
Elsie V. Botts, Darlington.
Edgar R. Twilley, East New Market.
Michael G. Labuda, Fort Howard.
Marjorie E. Williams, Goldsboro.
Joseph F. Mattingly, Indianhead.
Louis E. Lamborn, McDonogh.
Ellwood E. Matthews, Pocomoke City.
Maude R. Toulson, Salisbury.
Elliott W. Marshall, Snow Hill.
Evelyn B. McBride, Street.
Earl T. Kelbaugh, Thurmont.
Robert Kemp Hughlett, Trappe

MINNESOTA

Hugh P. Griffin, Cold Spring.
Herman Herder, Jordan.
Teresa C. Franta, Wabasso.

NORTH CAROLINA

Sam H. Ingram, Burgaw.
Ruth F. White, Colerain.
Gladys O. Howard, Cornelius.
William E. Baldwin, Dunn.
Walling D. Vreeland, Fort Bragg.
Thaddeus T. Russell, Granite Falls.
William W. Fleming, Hot Springs.
William E. Blakely, Kings Mountain.
Miriam H. Calhoun, Laurel Hill.
Robert A. Rudisill, Maiden.
Wendell W. McDevitt, Marshall.
Jarnagin C. Rice, Montreat.
Fuller T. Currie, Pinehurst.
James C. McPhail, Red Springs.
Grace S. Lambertson, Rich Square.

Helen H. Leggett, Scotland Neck.
Everett S. Stevens, Smithfield.
Charles Fred Moseley, Warrenton.
Samuel R. Fowle, Jr., Washington.
Alexander Elmo Powell, Whiteville.
William M. Sutton, Windsor.
James C. Helms, Wingate.

OREGON

John B. Wade, Bandon.
Henry J. Atlee, Banks.
Edward M. Hoare, Canyon City.
Delbert E. Pearson, Carlton.
Margaret M. R. Calendine, Cascade Locks.
Arlena Kuhn, Dundee.
Eldon A. Rush, Elgin.
William G. Hoover, Fossil.
James W. Drinkard, Halsey.
Sanford Stanley Partridge, Garibaldi.
Cecil G. Colby, Gervais.
Irwin D. Pike, Grass Valley.
Lemuel T. McPheeters, Hillsboro.
Lawrence G. Allen, Joseph.
Thomas B. Hoover, Kinzua.
Merrill V. Smith, Lebanon.
Sidney B. Powers, Molalla.
Rodrick A. Chisholm, Monroe.
Charles F. Cox, Ontario.
Percy Pope Caufield, Oregon City.
Vinnie B. Lay, Powers.
Susie B. Dillard, St. Helens.
William A. Rankin, Turner.

PENNSYLVANIA

Michael Heffren, Jr., Adah.
Morris A. Rood, Albion.
Charles W. Goerman, Ambridge.
Ward T. Deise, Avis.
Urban W. O'Donnell, Bethlehem.
Arthur W. Kinsloe, Burnham.
Edith M. Cockins, Canonsburg.
Charles I. Donley, Carmichaels.
Michael J. Hoban, Carnegie.
Ardrey D. Boyle, Centerville.
Harry D. Farnen, East Butler.
Christian A. Jansen, Essington.
Alvin C. Winner, Hatboro.
James L. Kinter, Homer City.
Earle Phillips Robbins, Knoxville.
Robert E. Pfautz, Lititz.
Matthew C. Fox, Jr., Media.
John H. Shields, New Alexandria.
Charles C. Bernd, Red Hill.
John N. Backenstose, Schaefferstown.
Harold G. Freeman, Sinking Spring.
Frank J. Fulton, Stoystown.
Thomas F. McBride, Upland.
Jacob F. Hertzog, West Lawn.
Randall H. Weaver, Worthington.

PUERTO RICO

Irma E. Kryzanowsky, Ponce.

SOUTH DAKOTA

Kelsey R. Highsaw, Belle Fourche.
Martha Nieveen, Corsica.
A. Harold Hoffman, Frederick.
Emil P. A. Erdmann, Groton.
James L. Manion, Keystone.
George Kremer, Lesterville.
Joseph H. Ryan, Madison.
Anthony J. Rozum, Mitchell.
Harry H. Jarl, New Effington.
Paul A. Wiest, Newell.
Randolph Y. Bagby, Pierre.
Hermine Minnie Boschker, Pollock.
Eugene L. Bangs, Rapid City.
James A. Robertson, Sisseton.
Justin J. Snyder, Stephan.
Roy B. Nelson, Viborg.
Lysle T. Dartt, Wall.
Thomas J. Delaney, Webster.
Lee D. Batien, Willow Lake.
Thomas R. Mickelson, Wilmot.

WASHINGTON

Harold W. Lewis, Bingen.
William Robert Ross, Grand Coulee.
Dewey Harvel Baker, Naches.
Mabel G. Rosauer, Parkwater.
Henry Thom, Ritzville.
Charles O. Snapp, Springdale.
Daisy M. McDowell, Toledo.
Edward N. Blythe, Vancouver.

HOUSE OF REPRESENTATIVES

TUESDAY, MAY 28, 1940

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Beneath Thy mighty hand, O God, we humble ourselves in prayer. Thou hast a palm in conflict and an unextinguished cheer amid the outward chill. Grant that our deepest needs and highest wants may find fulfillment in Thee. The mantling cloud of war is hiding the faintest pulse of quivering light; while the Rachels are weeping and humanity seems to be sinking in the morass of despair, Thy good earth is strewn with the wreckage of men, women, and children. The heavy roads by night and day are filled with trudging, heart-broken wayfarers driven by the lash of the fiends of war. Heavenly Father, Thy kingdom is so far away and the voice of our prayer seems to die out in the disconsolate and empty spaces of a wicked world; forgive, dear Lord, our lack of faith and lift us out of the valley and set our feet on the mountain made beautiful by the feet of our redeeming Lord. Grant that the countless mercies which are now blessing our country may call us to the altar of humility and prayer. In this hour of earthly calamity, move us by imperative duty and by the cries and yearnings of humanity, awakening us from repose and preparing us for any coming day. In the name of our Saviour, the Prince of Peace. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed a bill and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 1970. An act to eliminate certain oppressive labor practices affecting interstate and foreign commerce, and for other purposes; and

S. J. Res. 254. Joint resolution providing for the observance of National Dairy Day.

The message also announced that the Vice President had appointed Mr. BARKLEY and Mr. GIBSON members of the Joint Select Committee on the part of the Senate, as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of executive papers in the following departments and agencies:

1. Department of Agriculture.
2. Department of Commerce.
3. Department of the Interior.
4. Department of Justice.
5. Department of the Navy.
6. Administrative office of the United States courts.
7. Civil Aeronautics Authority.
8. General Accounting Office.
9. Interstate Commerce Commission.

10. The Panama Canal.
11. United States Maritime Commission.

EXTENSION OF REMARKS

Mr. COURTNEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a short but timely article appearing in today's Times-Herald by Messrs. Pearson and Allen on our army-promotion system.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter from Mr. J. Frank Webber, national field representative of the Make Europe Pay War Debts Committee, addressed to King George VI of Great Britain, and further to extend my remarks and include a statement by the same committee on the subject Bermuda and the Caribbean Isles Needed for Defense.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

NATIONAL LABOR RELATIONS BOARD

Mr. COX. Mr. Speaker, I ask unanimous consent to address the House for one-half minute.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COX. Mr. Speaker, we have been hearing a great deal of talk about the "fifth column." Who constitute the "fifth column?" Who is it that is sabotaging business through the corrupt administration of a harsh law? When we come to consider the Smith amendments to the Wagner Act we will find out.

Again I want to say, Mr. Speaker, that Nathan Witt and Saposs in policy-making positions with the Labor Board is 10,000 times more dangerous than 10,000 Harry Bridges in the field. We are going to deport Bridges. I wonder what we are going to do with Witt, Saposs, Madden, and the unspeakable Edwin Smith. [Applause.]

[Here the gavel fell.]

OUR NATIONAL DEFENSE

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a brief editorial.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. SPRINGER. Mr. Speaker, while we are assembled in this Chamber deliberating upon the very serious problems of the day, we cannot fail to recognize the very serious conditions in Europe. The press carried the headline this morning that the armies of Belgium have surrendered. England and France are now fighting in this war with their backs to the wall. These very serious observations cause our people to reflect. While we do not want any part in this war in Europe, and I am bitterly opposed to sending any American boy across the Atlantic Ocean to help fight this war in Europe, yet we have the problem of making our own Nation safe against any aggressor, and to that problem we must devote our undivided attention. We must not be found to be unprepared for the defense of our Nation, its people, and its institutions.

Mr. Speaker, while the President has requested that large appropriations of money be immediately made for our national defense, yet there was one omission in his message, and that was the method by which this money is to be obtained for this very essential purpose. It is a very sad commentary for us to reflect upon the very great waste of money during the past 7 years by this present administration, because we need that money now; we need that money for our national defense; we need it for our own protection and for the protection of our institutions. While it is comparatively easy for one to request the appropriation of money for a worthy project, one which meets with general public approval, yet the problem of raising that money is the one which is involved in very serious implications. It is the wish and the will of our people that we be prepared adequately for our own defense, and in view of that general demand by the people of our Nation, as one Member of this House I am wholeheartedly in favor of the passage of such measures which will allocate such funds as are necessary therefor, and, at the same time, I am in favor of passing such tax laws as may be necessary to raise the funds with which to meet the necessary expenditure for that laudable purpose.

A very carefully prepared editorial appeared in the Washington Daily News on Monday, May 27, 1940, on the very sad omission of the President in this respect, which editorial I incorporate at this point, and which editorial reads as follows:

THE PRESIDENT'S OMISSION

The President's talk last night was calmer and more reassuring than his other recent utterances. Because of that, it should help him win the confidence and cooperation he needs for the task of rearmament.

His statistics on what we have to show for the money already spent on defenses were—as statistics frequently are—slightly on the argumentative side, in that he lumped weapons on hand with weapons under order, whereas there is a real difference between a loaded gun in your hand and a picture in the catalog. The Army and Navy usually have to wait a year or more to get deliveries on their orders.

But that is of comparatively slight importance, for it is much easier to speed up the production of weapons already under order from qualified manufacturers than it is to obtain new manufacturing capacity.

Realistically the President recognizes that private industry cannot make all the capital investments in plant expansions that the abruptly enlarged defense program calls for. Properly he states that the Government is ready to provide some of the capital and assume some of the risks involved in a business where another sudden change in international affairs might stop future orders.

Also encouraging should be the President's announcement that he will call in experienced men from industry to help accelerate production of the new weapons the Army and Navy need.

We say "should be" rather than "is," because it is not clear yet who these men of private industry will be, nor how much responsibility they will have. If, as is reported around Washington, these production experts are to function only as advisers to and coordinators for Cabinet officers, it is doubtful if they can achieve any real efficiency. The problem of restoring vigor to industries now dormant and of building new industries for mass production of new needs cannot be solved merely by hiring a few "leg men" to work under Henry Morgenthau and Harry Hopkins. Getting deliveries from a plant capacity not now existing is a problem that can be solved only by giving responsibility to an independent authority composed of men who know how. Their production brains will be wasted if their hands are tied by Army and Navy procurement routines and the red tape of the Treasury and Commerce Departments. If this job is to be accomplished speedily and effectively, it will have to be done outside the Government's departmental set-up.

Another point on which the President dwelt was the retaining of all the New Deal's social gains—old-age security, unemployment insurance, help to the underprivileged, conservation of resources, subsidies to agriculture, and housing. The emergency, he said, is not such as to require yielding on any of these. Indeed, he hopes to enlarge on such blessings. We wish we could feel as sanguine as Mr. Roosevelt does. But it is a fact that all these things cost money the Government hasn't got. And the imperative new weapons of defense will cost more money the Government hasn't got.

The President, in our opinion, deserves 100-percent support on his assertion that there must be "no new group of war millionaires * * * growing rich and fat in an emergency of blood and slaughter and human suffering." But we wish the President had gone further and had advocated taking the one step necessary to prevent the war profiteering he denounces—and, incidentally, the one step necessary to preserve some of the social gains he cherishes and to obtain our imperative defense needs, namely, taxation.

The Gallup poll reports that 76 percent of the people favor special defense taxes now. Unfortunately, neither the President nor Congress appears to believe that our citizens are ready for that inescapable sacrifice. Instead, their policy continues to be more borrowing.

In this election year the President and Congress are still dealing with voters as if they were irresponsible children. They are still pursuing a policy of appeasement.

Mr. Speaker, I cannot leave this highly important subject without making another and a further observation respecting the raising of the money with which to meet the staggering appropriations which have been asked by the President, and that observation is this: It is far easier to impose a tax at the time the money is appropriated than it is after the money is spent. These elements should be followed in each instance in this body and in every appropriation of money a tax bill should immediately follow. The passage of the one bill should assure the passage of the other. In this manner the people of this Nation would become entirely cognizant of the cost of their Government. The pay-as-you-go plan would enlighten our taxpayers on the subject of "spending our way into prosperity." And every American is fully advised that we cannot buy prosperity; yet, when a tax is imposed which will raise the money to meet the expenditures of government as they are made the people will quickly realize the grave danger involved in the unlimited spending of the unearned resources of our Nation.

Mr. Speaker, while I am in favor of the passage of all necessary legislation which will assure to our Nation an adequate national defense in this critical period, yet I am definitely committed to that policy which will require the careful and conservative expenditure of all such funds which are appropriated, and which will give to our Nation one dollar in value for every dollar which is spent, and I urge that tax legislation be passed at this session of the Congress which will raise the funds necessary with which to meet the huge appropriations requested for national defense. Let us be unafraid to meet this issue. Let us legislate as statesmen at this session, and before we adjourn. [Applause.]

EXTENSION OF REMARKS

Mrs. O'DAY asked and was given permission to extend her own remarks in the RECORD.

Mr. MAAS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD by inserting a Memorial Day address by Bishop O'Hara.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address by the gentleman from Massachusetts, the Honorable JOSEPH W. MARTIN, Jr., delivered before the Republican State convention at Montpelier, Vt., on May 24.

I also ask unanimous consent to extend my own remarks in the RECORD and include my address delivered before the Republican State convention assembled at Montpelier, Vt.

The SPEAKER. Is there objection to the requests of the gentleman from Vermont?

There was no objection.

NATIONAL LABOR RELATIONS BOARD

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. May I say along the same line just referred to by the gentleman from Georgia [Mr. COX] that we will not get very far with any program for defense so long as we keep the Labor Board and the Wagner law as they now are. That Board is worse than a parasite on industry. It stirs up labor trouble. It prevents production. Its activities are an aid to those who would prevent national defense.

I wonder if the Members of the House have forgotten how for 24 days in one factory and 41 days in another an organization which the Labor Board has protected and aided held up production at the Philadelphia Navy Yard by withholding at Detroit in the plants of the Bohn Aluminum & Brass Corporation the Navy's own materials and blocks for the manufacture of airplane motors? Have you forgotten that? What is the sense of giving the administration money and then letting an administrative board aid those who hold up production after you have appropriated the money and after the material is in the factories, and when it is ready for delivery? [Applause.]

[Here the gavel fell.]

NATIONAL DEFENSE

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, as we notice in the headlines that Belgium has surrendered, we are talking now of legislation to take care of the "fifth column" which is very essential and very important to the welfare of this Nation, but it is just as important to the welfare of this Nation that Congress remain in session [applause] and not permit any individual, regardless of how well he might be qualified, to look after the interests of this country at a critical time such as we are now going through, and I do hope that the Members of Congress, if we are going to prepare for our national defense, will take some action with respect to how we are going to pay for the things that we are going to add to our defense, that is very important. [Applause.]

[Here the gavel fell.]

THE CITIZENS' MILITARY TRAINING CAMPS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that I may include in my remarks an editorial from the Lowell Sun regarding the importance of the C. M. T. C.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I hope the membership of the House will join me in increasing the membership of the citizens' military training camps. I need not remind them that it may be one or two or three of their sons that some day will be very glad of the training that the citizens' military training camps give. Some day Members may be haunted because they did not grant that training. The following is the editorial in the Lowell Sun of May 24:

THE C. M. T. C.

The proposal of Congresswoman EDITH NOURSE ROGERS that the C. M. T. C. be permitted to increase its enrollment this year from 32,000 to 100,000 should find few demurrers.

The C. M. T. C. has been one of the country's greatest physical and character builders in youth, while at the same time giving the Nation's young men an insight to the rudiments of warfare during peacetime.

This organization should not be considered solely in the light of a military outfit, although it does devote considerable time to this particular aspect. It may have a still greater significance in that direction now that the air is filled with talk of military preparedness.

Back of the military maneuvers indulged in by the C. M. T. C. boys, however, is the physical and moral development afforded them throughout the summer training period. The popularity of the organization is demonstrated annually when the demand for reservations greatly exceeds the accommodations. Young America does not have to be conscripted for this service. Its general appeal to the growing boy of today warrants the extension of enrollments, as suggested by Mrs. ROGERS.

Also, Mr. Speaker, I would like to ask the membership of the House if I may not be granted hearings upon the resolution that I introduced for our remaining in continuous session.

Conditions in the world are grave, even tragic, today and hearings should be granted. I believe it imperative that we remain in session. I have written to the chairman of the committee, the gentleman from North Carolina [Mr. DOUGHTON], and I hope that the Members will join me in requesting hearings upon that vital subject. From the minute I introduced my resolution I have received telegrams and messages from all over the country urging that we remain in session. [Applause.]

[Here the gavel fell.]

IMPORTANCE OF MODERN AERIAL WARFARE

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. BRADLEY of Michigan. Mr. Speaker, the administration and the Army high command have finally come to a full realization of the importance of modern aerial warfare. This ably was drawn to the attention of the country years ago by Gen. Billy Mitchell, and for that he was crucified; but, Mr. Speaker, we cannot train 50,000 pilots, we cannot adequately train the future flying officers of this country with 50,000 airplanes, or 100,000 airplanes, without an adequate system of airports all around this country, and yet not one word has been said in all this preparedness program about our inadequacy of available and worth-while and dependable airports, and I do not refer now to air-line terminals. I refer to airports from which our planes can fight any enemy that may approach our shores. [Applause.]

Mr. Speaker, we have an excellent system of air-line terminals that we should continue to improve from time to time as our funds will permit. The cost, however, should, in my opinion, not fall wholly upon the Federal Government but on the States and municipalities as well that most directly benefit from air-line service and the air lines themselves should bear their just share of the original cost, their share of the cost of improvements, and their share of the cost of maintenance and operation. But these air-line terminals should remain just that in the interest of safety. It is not safe, in the main, to train any such a huge army of student pilots as now contemplated and as may be proper at this time from these air-line terminal airports. With the possible exception of the emergency operation of bombers in wartime, accompanied by any protective fighter force, these terminals are not adapted for the defense program of the Nation. Therefore, in any preparedness program we might adopt, the air-line terminal operators should not be permitted to immediately seize upon these appropriations as a bonanza for their own selfish development program.

On the contrary, we should properly include in our preparedness program a fund sufficient to provide for the expansion and improvement of many existing small airports and landing fields around each of the borders of this Nation and in our interior. We should provide adequately for the construction of many new fields. It is from these that our fledgling pilots can best receive their primary training; it is from these fields these new pilots who have but recently soloed can best continue their practice flights. A network of such fields will keep these youths off the air-line terminals, will promote safety of air-line passengers and private-plane operators as well. It would permit a wider scope for the training program, and economy as well, by permitting these fledglings to remain and live at their homes, to follow their daily peaceful pursuits while continuing their flight training.

Should warfare actually come to our shores, then these smaller fields in a network over this land will prove to be one of our best sources of defense against aerial destruction, for it is from these that our interceptor aircraft can best operate. The nations of Europe, one after another, have learned that large accumulations of aircraft on large airports near large centers of population have invited disaster from enemy bombers. A few ships operating from each of a number of scattered small fields, given time to attain fighting altitude, and converging simultaneously upon their enemy bomber attacking force can raise merry hob with the attackers.

Mr. Speaker, I repeat, we cannot train, we cannot fight, without an adequate system—without an adequate network—of small airports. We have built and improved many in the past through the W. P. A., the slowest, most inefficient, and most costly method possible. Let us build in the future with modern, efficient, up-to-date road-building machinery. Let us give the taxpayer some break for his money.

EXTENSION OF REMARKS

Mr. ROUTZOHN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein some editorial comment on the National Labor Relations Board.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. JOHNSON of Illinois and Mr. KEFAUVER asked and were given permission to revise and extend their own remarks in the RECORD.

WHERE WE CAN GET THE MONEY

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, the gentleman from Pennsylvania [Mr. RICH] has been asking where we are going to get the money to meet the expenditures for national defense. I want to appeal to the administration to use the power we gave in 1933 to issue $3,000,000,000 in currency against our gold-reserve issue, United States notes, without passing through the Federal Reserve banks. So we will not have to pay them interest on it. Issue this $3,000,000,000 for that purpose, and then we will not have to raise the debt limit, nor will we have to levy additional taxes, but we will start farm prices to rising; it will raise commodity prices throughout the country, restore prosperity to the American farmer, which he cannot enjoy unless we are able to bring the price of cotton back to around 15 or 20 cents a pound, wheat to $1.50 to $2 a bushel, and other farm prices in proportion. I shall insist on this course from now on. It will do the work. [Applause.]

[Here the gavel fell.]

THE LATE RALPH T. O'NEIL

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. LAMBERTSON. Mr. Speaker, I rise to pay tribute to Ralph T. O'Neil, who passed away very suddenly Saturday evening in Wichita, Kans. You will remember that Mr. O'Neil was recently national commander of the American Legion. He was one of the most distinguished constituents of the First District living in Topeka.

He died suddenly at the end of a day's proceedings of the State bar association of which he was president and the presiding officer.

Dyke O'Neil, as he was familiarly and affectionately known, was only 51. It happened to be my pleasure to have known Dyke's father while I was a member of the State board of administration. His distinguished father was State business manager.

Dyke was a public-spirited citizen. Having served recently on the State board of regents, he was always active in local betterment for everything in his home city and State. He was a particularly delightful human being. His friends were legion with every group and class of people. He was a distinguished member of the bar, a law partner of many years of John Hamilton, chairman of the Republican National Committee.

With war resounding in Europe worse than it ever has before and with our own Decoration Day just at hand, it was pathetic that so distinguished a patriot and soldier and all-round American should suddenly be taken from our midst.

We need the guiding hand of sober patriots like Dyke in these strenuous times of fretful fever.

Topeka loses in his passing one of her best and strongest human beings; the State and Nation, a leader; and the ex-service men over the whole United States a friend in the fullest sense.

TO EXPEDITE SHIPBUILDING

Mr. VINSON of Georgia. Mr. Speaker, I call up the bill (H. R. 9822) to expedite naval shipbuilding, and for other purposes, and move that the House resolve itself into the Committee of the White House on the state of the Union for the consideration of the bill. Pending that I ask unanimous consent that general debate be limited to 1 hour on each side, one-half to be controlled by myself and one-half to be controlled by the gentleman from Minnesota [Mr. MAAS].

The SPEAKER. The gentleman from Georgia moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 9822), and pending that motion asks unanimous consent that general debate upon the bill be limited to 2 hours, one-half to be controlled by himself, and one-half by the gentleman from Minnesota [Mr. MAAS]. Is there objection?

Mr. MARTIN of Massachusetts. Mr. Speaker, I reserve the right to object, to ask the gentleman from Minnesota or the gentleman from Georgia if this will adequately take care of the membership who have expressed themselves as desiring to speak on the bill.

Mr. VINSON of Georgia. It will take care of all on this side who have spoken to me up to this time. As the debate progresses, some Members may come in and want time, but of course I cannot anticipate that. My requests for time take up only 50 minutes.

Mr. MARTIN of Massachusetts. This is an extremely important matter.

Mr. VINSON of Georgia. And there will be liberal time granted under the 5-minute rule. I think an hour on a side for general debate is ample time.

Mr. MARTIN of Massachusetts. The gentleman would be quite liberal under the 5-minute rule if some Member wanted to make remarks, particularly to the subject.

Mr. VINSON of Georgia. Of course, and I am anxious to be able to finish this bill and another bill today and we will try to be as liberal as possible.

Mr. MARTIN of Massachusetts. Of course, we want to cooperate in expediting the passage of this legislation, which is essential, but we do want it thoroughly considered, and everybody given an opportunity who desires to express himself.

Mr. VINSON of Georgia. I assure the gentleman there will be no effort to hasten too quickly the consideration of the bill under the 5-minute rule.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Georgia that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 9822.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 9822, with Mr. O'NEAL in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Without objection, the first reading of the bill will be dispensed with.

There was no objection.

Mr. VINSON of Georgia. Mr. Chairman, I yield myself 30 minutes. At the outset of my remarks, let me say this: I would be very glad at any time to yield to any Member to endeavor to explain the bill or to answer any questions he might see fit to ask.

Mr. Chairman, the object and purpose of this proposed legislation is to recommend ways and means by which naval shipbuilding can be expedited

In view of the international situation, it is considered necessary to speed up our shipbuilding program and to expedite the completion of ships now on the ways.

With this in mind, the Committee on Naval Affairs had exhaustive hearings last week to determine what steps were necessary to speed up our shipbuilding program.

During these hearings we had the benefit of the views and recommendations of the officials of the Navy Department directly connected with shipbuilding, as well as executives from the private shipbuilding industry having contracts for naval vessels.

The legislation proposed by the bill now under consideration is the result of the hearings.

The committee has approached this question after careful deliberation and without any hysteria. We have sought by this bill to expedite the shipbuilding program in a sane, sensible, common-sense, and businesslike manner.

Our shipbuilding program has been progressing normally and without too much delay. Since 1933 we have built and put in commission 111 ships as follows: 3 aircraft carriers, 2 heavy cruisers, 9 light cruisers, 62 destroyers, 26 submarines, 2 gunboats, 7 auxiliary vessels.

In view of the world conditions as they are today it is considered that steps should be taken at once to step up our progress and get our ships finished and in service with the fleet at the earliest possible moment.

It will be noted that the provisions of this bill provide for the relaxation of some of our protective measures, but these relaxations are of a temporary nature and will be in force for a limited time only.

With world conditions as they exist it is imperative that this building program be speeded up, and it is with this objective that the Naval Affairs Committee has reported the bill to the House and urges unanimous approval.

However, at this point let me digress and point out some of the accomplishments since 1933 in the way of legislation of a major character enacted for the naval defenses.

We passed bills which:

Provide for the construction of 238 combatant ships and 56 auxiliary ships, making a total of 294 ships.

Increased by 2,063 the authorized number of officers of the line.

Increased authorized number of planes from 1,000 to 4,500.

Authorized 6,000 Naval Reserve aviators.

Provided construction of eight graving docks and two floating drydocks.

Eighteen air bases have been authorized.

The total amount of money authorized for the naval preparedness since 1933 has been $4,200,000,000.

Let me call your attention to this fact:

With the fleet at the present time are 155 ships of 991,215 tons underage. There are 152 overage ships with the fleet with a tonnage of 250,270 tons.

Breaking it down, the fleet today is composed of: 15 battleships, 6 airplane carriers, 18 heavy cruisers, 19 light sruisers, 185 destroyers, 64 submarines; making a grand total of 307 ships.

In material and personnel the House can rest assured that the American Navy is unsurpassed by any navy in the world.

A review of the above indicates strongly that the Congress has not been negligent or indifferent to the needs of the Navy.

We are building, but we are not building fast enough, and we are not building as fast as we can.

We have done as well as the law allows, but that is not good enough in the face of today's tragic abandonment of peace and human rights.

The events in this day and age move fast. It takes time to create building ways, armor facilities, machine tools, and the other necessities of naval construction. It takes precious time to get geared up for the sort of mass production that America knows how to turn out. It takes months and years to build ships—months to start mass production of planes.

We must leave no stone unturned in order to speed up naval-defense measures.

Now, I submit to you that there are definite measures which we can take to speed up naval production. Some of those measures may entail temporarily waiving treasured American privileges; but if we wish to perpetuate those privileges, then we must be prepared to make temporary sacrifices and to resort to heroic measures. We have devised protective checks and balances for normal times to safeguard our own way of living; we have sought to prevent unjust monopolies; we have sought equality of opportunity for business; we have enacted wage and hour safeguards; we have fought profiteering; we have devised means for protecting the Government's interests; we have sought to stimulate employment and recovery; we have enacted labor legislation and civil-service legislation. All of these protective checks are in line with the American way of thinking and are proper in times of peace; but in view of the uncertainties as they exist today, we must face the fact that all of them complicate the transaction of business and must of themselves slow down the processes of business.

There is no harm in a little lost motion in times of peace, but any delay is unthinkable in time of national danger. The man who would cling to impeding processes at such a time for selfish reasons fails to have the patriotic conception of his duty to his Government.

There are factors holding back the progress of naval construction; those factors can be eliminated, and for the duration of this uncertain period they must be suspended.

The obvious remedy lies in suspending, in times of national emergency, such restrictive legislation that slows up vital work.

The basic principles of the restrictive legislation is right and proper for normal peacetimes but we must all remember that these are not normal times. The suspension in whole or in part of such restrictive legislation is provided for in this measure and will accomplish for the Navy's building program that which every patriotic American earnestly and wholeheartedly urges today—the swiftest possible completion of authorized naval construction.

And in this connection I wish to emphasize that speeding up of the shipbuilding program under the provisions of this bill will be reflected in the construction of over 170 naval vessels, 68 of which are now under construction and the remainder are to be started within the next 12 months. This latter number is made up of the 19 in the 1941 naval appropriation bill; 42 that have been authorized by the acts of 1934 and 1938, and 43 that are carried in the naval expansion bill now pending in the Senate.

There are 10 sections in this bill:

Section 1 of the bill permits the Secretary of the Navy, when authorized by the President, during any national emergency, to advance to contractors 30 percent of the contract price and thereafter to make partial payments on the balance remaining. This section is of little or no force or effect in its application to the large shipbuilding plants and the large makers of naval machinery and appliances that have adequate plants and are customarily performing such work.

However, the increased tempo of expediting naval shipbuilding demands that there be the maximum competition for all articles, materials, and devices used by the Navy and, as many of these things, including perhaps some of the ships themselves, will be produced by contractors that have not the necessary machinery or plants to take on the additional work, much delay in obtaining such articles can be saved by advancing to reputable firms upon satisfactory security the funds for the needed plant extensions. Many of our ships are increasingly complicated in design as required by the demands of modern warfare.

Our battleships, in particular, require machine tools, plant appliances, enormous weight-lifting devices, furnaces, and the like, many of which are far greater in size than the average shipbuilder has in his own plant. The 30-percent advance permitted under this section will permit such firms to obtain such articles without delay and will result in a definite saving of time in completing naval contracts.

I might add that an identical provision was enacted into law under the urgent deficiency appropriation bill of 1917, so that this is no new line of thought. If there are no questions from any members of the committee on this first section, I shall go on to section 2.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. Certainly.

Mr. CELLER. What is the situation now with reference to advances?

Mr. VINSON of Georgia. Under the law today no advances can be made at all, and as a matter of fact this will hardly be applicable to the big shipbuilding plants like the Bethlehem and the New York, but it will enable the small plants to come into being if the Government requires them to expedite this building.

Section 2 of the bill would permit the Secretary of the Navy to negotiate contracts without the necessity for competition, which competition is required by sections 3709 and 3718 of the Revised Statutes.

The normal time required for advertising is from 60 to 90 days, whereas a contract can be negotiated in a few days or a week, in many instances. Time is valuable and this provision of the bill will save time. That applies only to the 68 ships that are under construction today.

In order that there may be no delay in completing the program as a whole and in order to avoid the possibility that some firms by successful bidding might place a destroyer on a building way capable of taking a battleship and thus preclude the laying down of such a battleship some months later, it is absolutely necessary that competitive bidding be abandoned and the Navy Department be authorized to place its shipbuilding contracts at those yards where facilities are available.

Furthermore, again in order to obtain the best results and the quickest results, it is but plain common sense to assign to a yard that is skilled in building destroyers, more destroyers, rather than a new and unfamiliar type of ship; by so doing the speed of work is increased—the men are familiar with the character of work, but few additional drawings are required, and the best possible results are obtained.

Several months ago, in anticipation of the conditions that confront us now, the Navy Department made informal inquiries among the shipbuilders and the navy yards and has worked out tentative assignments of ships to private plants and to navy yards that will fulfill these conditions. To carry out these plans, the use of competitive bidding for the naval ships contained in the present and expected programs would be fatal, and there would be no telling when our badly-needed ships would be finished.

In abolishing this necessity of securing competitive bids, however, we require the Secretary to report back to the Congress at each session every contract he has entered into without using the competitive-bid system. It is estimated that there will be a saving of anywhere from 60 to 90 days to as much as 4 months in getting these ships under way.

Mr. MARTIN of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. MARTIN of Massachusetts. The gentleman states the Secretary of the Navy is to be required to report to the Congress at the beginning of each regular session as to the number of contracts entered into.

Mr. VINSON of Georgia. That is correct.

Mr. MARTIN of Massachusetts. The Congress, of course, could not do anything about it.

Mr. VINSON of Georgia. That is true, but at least Congress would be cognizant of what the Secretary was doing. The probability is Congress would not want to do anything about it.

Mr. MARTIN of Massachusetts. Of course, we could not say as to that. The contract would have been entered into and the work started under those contracts. The point I want to bring out is that this is no protection at all to the American people. It is just a gesture and no safeguard.

Mr. VINSON of Georgia. All right. May I ask the gentleman how he would protect it?

Mr. MARTIN of Massachusetts. I am just trying to establish the facts.

Mr. VINSON of Georgia. All right. Does the gentleman want Congress to have the Secretary report before any negotiation is made? Does the gentleman want Congress to say whether or not negotiated contracts shall be entered into?

What we are driving at is a way to get ships as early as possible and to set around the expenditure of these funds all the safeguards possible so that Congress will not lose complete control of the situation.

Mr. MARTIN of Massachusetts. All I am trying to establish is the fact that such a provision is no safeguard at all. The gentleman agrees with me, does he not?

Mr. VINSON of Georgia. I agree with the gentleman to the extent that we do not require the Secretary to report until the contract has been awarded.

Mr. MARTIN of Massachusetts. And there would not be any chance to back out of any contract afterward.

Mr. VINSON of Georgia. That may be true, but at the same time the Secretary of the Navy would have to submit to Congress the contracts that are going to be entered into by negotiation and the Congress can determine whether it will do what the Secretary said we should do.

Mr. COLE of New York. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. COLE of New York. I would like to point out to the gentleman that all of these contracts which may be negotiated would still be subject to the 10-percent profits limitation.

Mr. VINSON of Georgia. Certainly they would be subject to the 10-percent profits limitation. There is not a single line in this bill but what has been drawn with the thought in mind of furnishing every protection possible. We are not trying in this bill to break down the limitation on profits, and we certainly hope that through the provisions of this bill and growing out of this speed-up campaign no millionaires will be made.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. CELLER. I think we are all in sympathy with the gentleman in the matter of negotiated contracts, but I am curious to know what effect the elimination of competitive bidding will have on the applicability of the Walsh-Healey Act.

Mr. VINSON of Georgia. Let no man disturb himself about the Walsh-Healey Act. It is not touched one particle by this legislation.

Mr. CELLER. Mr. Chairman, will the gentleman yield further?

Mr. VINSON of Georgia. Yes; but I know what the gentleman is driving at. I understand that the Administrator of the Walsh-Healey Act is seeking to put his clumsy hand of administration on various provisions of this bill. What is going through the mind of the gentleman from New York is to put the negotiated contracts under the Walsh-Healey Act. Now, if that is done you might as well eliminate some of the provisions of this bill. I certainly hope this Committee will not do it. We have had that up with the Administrator. The Navy Department has told us positively that they could not agree to his recommendations.

Mr. CELLER. The Judiciary Committee, of which I am ranking member, has for some time been discussing this matter.

Mr. VINSON of Georgia. We are all very well aware of the fact that the gentleman from New York is the ranking member of the Committee on the Judiciary.

Mr. CELLER. I am glad the gentleman is aware of that. I, however, did not want to emphasize that as the gentleman has emphasized it. But let me point out that the Comptroller General has written to one of the chairmen of the subcommittees of the Committee on Appropriations to the effect that where there is no competitive bidding the provisions of the Walsh-Healey Act do not apply.

Mr. VINSON of Georgia. That is true.

Mr. CELLER. How can the gentleman reconcile that with his previous statement?

Mr. VINSON of Georgia. The gentleman does not understand the Walsh-Healey Act. That deals with the question of labor. The other provisions deal with the question of profits under what is known as the 1934 bill limiting profits.

Mr. DONDERO. Mr. Chairman, will the gentleman yield for a question?

Mr. VINSON of Georgia. I yield.

Mr. DONDERO. I think the country would be interested in knowing how many ships and how many airplanes we have now in existence today.

Mr. VINSON of Georgia. I gave that information a minute ago.

Mr. DONDERO. The gentleman gave the information about ships but not with reference to planes.

Mr. VINSON of Georgia. We will come to that when we take up airplanes.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. VOORHIS of California. Is there anything in the bill which changes the present profits limitations?

Mr. VINSON of Georgia. I am coming to that in 1 second. The next section does.

You cannot eat your cake and have it, too. You cannot throw around this bill all the safeguards and all the limitations that we normally have in peacetime and at the same time secure results in a short period of time. What the Naval Affairs Committee, which has reported this bill unanimously, is driving at is speed. We want to build these ships in the shortest possible time and we are seeking to cut this red tape that has hampered to a certain extent the building program. This probably was all right in peacetimes, but we are living now in abnormal times.

Section 3 of the bill raises the limit of exemptions under the Vinson-Trammell Act, limiting profits to 10 percent, from $10,000 to $25,000. It has been effectively shown to the committee that there are a number of small concerns who are deterred from bidding under the terms of the Profit Limiting Act by virtue of their unfamiliarity with the act and lack of legal and clerical staffs, and the general feeling of becoming involved in governmental red tape.

The effect of this, and partly due to other causes, has been a reduction in the number of bids on proposals issued by the Navy Department from about seven per proposal to five or less per proposal.

This means that competition is becoming more and more limited; and for the purpose of getting supplies and materials as rapidly as possible, it is most desirable that as many firms as practicable participate in their production.

Section 3, therefore, will also expedite naval shipbuilding and naval defense by broadening the market for naval material and appliances and thus obtaining quicker deliveries.

The committee will understand that under the act of 1934 all contracts over $10,000 must be audited, and there is a 10-percent limitation in them. This has had the effect of slowing down bidding, and it has had the effect of doing away with a certain amount of competition, because small business firms have hesitated on account of the Government red tape to bid. The Navy Department has requested, and I think wisely, that this limit be raised to $25,000, which means that any contract involving from $1 to $25,000 will not fall within the purview of the 10-percent limitation.

Section 4 of the bill also relates to the application and administration of the Vinson-Trammell law limiting profits on certain contracts to not more than 10 percent. There has developed during the last few years a difficulty regarding this that should be corrected in the interest of expediting naval shipbuilding and naval defense.

Under the present ruling and interpretation of the law, a contractor who has to furnish special additional and perhaps very expensive plant extensions or equipment for the execution of a naval contract is not informed as to the amount of the capital expenditures which he makes for them

which may be included as an item of cost under his contract until after the completion of the contract. Some shipbuilding contracts last as long as 4 years in the case of large battleships.

The contractors are thus left in the dark at the time of bidding as to how they will come out under the contract, and this has definitely resulted in the failure of not a few contractors to submit bids.

Section 4 allows the cost of special equipment needed for the accomplishment of a contract to be charged in whole or in part to the cost of that contract, and makes the Secretary of the Navy the arbiter in such matters, subject to approval by the President and review by the Federal courts, so that at the time the contract is entered into the contractor may be as fully informed as possible as to what his financial outcome is likely to be.

Section 4 also provides that similar changes may be made during the life of the contract to care for the contingency that additional plant equipment may be desired by the Navy for the purpose of expediting contracts that are now in existence.

By the provisions of this section the contractor will know where he stands from the beginning. He will be dealing with but one branch of the Government and he will not fear ex post facto rulings. He can reach his decision more quickly and come to terms by negotiation with the Navy Department more quickly.

This section of the act I consider of very great importance. It will overcome the reluctance of many shipbuilders and other furnishers of Navy material to bid. It will broaden the market. It will save time directly in connection with negotiated contracts. It will save time indirectly by increasing the number of bidders and permitting the Secretary of the Navy to spread contracts so that the shortest possible delivery times can be obtained.

You will understand that under the act of 1934 the Secretary of the Treasury and his officials determine what plant extensions shall be charged against a contract. We propose in this bill to let that determination be reached by the Secretary of the Navy, so that when a shipbuilder bids on a ship and states that it is necessary to put out ways or have machine tools, they will be in better and more intelligent position to determine whether or not that should be charged against the construction of that ship or amortized against the contract over a longer period of time. As I stated, under this bill that determination will be made by the Secretary of the Navy instead of by the Secretary of the Treasury as at present. If this power is lodged in the Secretary of the Treasury, the shipbuilder does not know what he can charge and what he cannot charge, and it naturally follows he bids much higher because there is an uncertainty with reference to whether or not he can charge this plant extension or that plant extension. I will definitely say that this provision permitting the Secretary of the Navy to make this determination in advance will enable the contractor to know what he can charge and what he cannot charge and will reflect a saving of millions upon millions of dollars in the construction of these ships. Therefore, this provision should be in here during this limited time, and possibly should become permanent law in the future.

Mr. KEEFE. Will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Wisconsin.

Mr. KEEFE. I have observed in the discussion of all these sections up to this time that the dominating influence the committee is seeking to bring about is speed.

Mr. VINSON of Georgia. Yes.

Mr. KEEFE. A reading of these sections, including section 5, discloses the fact that they are all predicated and dependent upon a finding on the part of the President that there is a national emergency existent.

Mr. VINSON of Georgia. Of course.

Mr. KEEFE. Has there been any such finding?

Mr. VINSON of Georgia. Oh, yes. On September 8, 1939, the President issued a proclamation of a limited emergency, and we have specified in section 10 that this national emergency shall be construed to be a limited emergency.

Mr. KEEFE. I did not see that.

Mr. VINSON of Georgia. If the gentleman will read section 9 or 10 he will see it. Section 9 states that the President on September 8, 1939, declared a limited emergency and in section 10 we provide:

> As used in this act the words "national emergency" shall be deemed to include the limited national emergency declared by the President on September 8, 1939.

Mr. KEEFE. You have restricted it to that?

Mr. VINSON of Georgia. Yes.

[Here the gavel fell.]

Mr. VINSON of Georgia. Mr. Chairman, I yield myself 7 additional minutes.

Mr. Chairman, I want to call the attention of the Members of the House to section 5, which deals with labor, and I invite everyone's attention to this, particularly the gentleman from New York [Mr. CELLER]:

Section 5 deals with the hours of work and overtime pay. I desire to invite particular attention to the fact that nothing in this section operates to destroy or adversely affect in any way the benefits to labor from the various labor acts that have been passed during the present administration, such as the Bacon-Davis Act, the Walsh-Healey Act, and the Fair Labor Standards Act. This section fixes for all naval employees, including those in Washington, D. C., and the field, and for the employees of contractors having contracts in connection with naval vessels or aircraft or parts thereof or other work incidental thereto the regular hours of labor at a 5-day week of 8 hours per day, and 40 hours a week.

It further provides that all work in excess of these hours be paid for at overtime rates for all employees except certain clerical and salaried employees whom the committee did not feel were entitled to overtime pay because of their salaried status and common acceptance of the fact that such employees are expected, being on a per annum salary basis, to work beyond regular working hours from time to time as the needs of the office or the business may require.

Of course, that does not apply to stenographers, messengers, and others of the clerical force down in the Navy Department.

In order further to prevent any exploitation of labor, this section provides that the hours of labor in any one week shall not exceed 48, unless the President shall declare it necessary in the interests of national defense.

It is not expected that the President will make such declaration unless the present situation becomes very much graver than it is.

This section further provides that the Saturday Half-Holiday Act may be suspended by the President if it should be found that this act interferes with obtaining the desired rapidity of ship construction and other naval defense work.

The final proviso in this section authorizes the Secretary of the Navy to modify existing contracts accordingly. This means that contracts entered into in good faith by the business firm contemplated only regular working hours, whereas the Navy Department may, upon the passage of this act, call upon him for earlier deliveries, which may necessitate overtime work. The Government, of course, will have to pay the additional price for such overtime work and will obtain as a benefit the quicker delivery.

The committee was assured that it was the Navy Department's intention to work shifts rather than overtime whenever possible, and as proof of that intention the Navy Department on May 21 issued instructions to all of its field establishments to that effect but there are certain shops and certain trades or occupations in which shift work is impossible. For example, due to the shortage of certain naval architects and marine engineers, it is not possible to work shifts because the needed additional talent is not available in the country.

Furthermore, working shifts on a complicated design problem on the drafting board is just as impossible as for artists

to work shifts in painting a portrait. It is to take care of just these conditions that the overtime prescribed in this section should be authorized. I know it is the desire of the Navy Department, as it is the desire of the committee and of the whole Congress, to spread employment as much as possible and reduce the appalling number of unemployed in this country.

I am happy to state that the Navy Department over a year ago recognized these conditions and began a course of training for employees in those trades in which there is a shortage in order that as soon as a sufficient number were trained overtime work would not be necessary and shifts could be worked.

I desire again to emphasize that notwithstanding the erroneous reports that have appeared in the press and elsewhere that some of the sections of this bill are mere subterfuges to destroy the hard-won rights of labor; such is emphatically not the case, and, on the contrary, this section 5 thereof preserves those rights and is in my opinion a bill and a section that are eminently fair to both employers and employees.

Section 6 of the bill is to permit the reemployment of certain civilian employees of the naval service who have been retired on account of age.

It has been ascertained that many of these employees are still hale and hearty and able to render useful service. Under regulations agreed upon by the Civil Service Commission and the Navy Department, it is proposed to recall such employees to work where their services are needed, just as the Navy Department has already been authorized to recall to duty retired commissioned naval officers who are in such good physical condition that they can be restored to active duty.

The Civil Service Commission has stated that it concurs in this section of the bill. A proviso under this section makes it unnecessary for any retired civil employee thus recalled to duty to make any further contributions to the retirement fund if he is already entitled to the maximum, but at the option of the employee permits him to submit to retirement deductions from his active-duty pay if he desires thereby to increase the annuity he will receive when his services are no longer required.

The other proviso of this section I consider of great importance. It suspends during the emergency the statute requiring that no civilian employee may be discharged for cause without preferring charges, receiving a statement from the accused employee, and obtaining satisfactory proof of his offense. In times like these it is of utmost importance to the Navy and to the Nation that every single civilian employee be a loyal, patriotic worker, and that the Navy Department be permitted to remove without question any employee who is or might be a subversive element in our navy yards and gun factories or who, there is reason to believe, renders more loyalty to possible enemies of this country than to the United States. In other words, the Navy Department in particular, among all executive departments of the Government, should have the right to insure that it can count upon its working force for honest, loyal service, and to remove anyone who does not meet these requirements.

The present law, in effect, makes the Navy Department wait until the act of spying or the act of sabotage has actually been accomplished and the damage done. It is the purpose of this proviso to prevent the execution of any such acts and to prevent the damage being done.

Section 7 of the bill is for the purpose of enabling those employees who do not really need annual vacations to sacrifice their vacations and work for the benefit of the country, and in return this section provides that they shall not be deprived of the vacation pay to which they would otherwise be entitled.

For obvious reasons, this section is applicable only to employees in those trades and occupations wherein a shortage exists because there is no intention on the part of the committee or the Navy Department to make the civilian employees forego their leave to the possible detriment of their health and well-being, unless the exigencies of the situation demand their presence, in which case I submit that it is the duty of such employees to give up their holidays in the interests of national defense, particularly since they will be paid for so doing.

Section 8 of the bill takes account of the fact that working overtime and other means of expediting naval shipbuilding will result in additional costs of vessels. Certain vessels, namely those authorized by the act of July 30, 1937, had limits of cost fixed by the Congress. Section 8 provides that these limits may be increased by the amounts of additional costs resulting from the provisions of this act.

Section 9 provides that this bill shall be applicable to the present limited emergency declared by the President on September 8, 1939.

Section 10 limits the application of this bill for a period of 3 years beginning with the date of approval of this act, by which time I sincerely trust the emergency and the gravity of the situation will have disappeared. If not, the Congress in its wisdom may of course extend the act for such period as may unfortunately be necessary.

In conclusion, let me impress this one fact upon you that this bill will not destroy one iota of the structure that has been built up for the benefit of the workingman, for the prevention of the exploitation of labor, for the curbing of monopolies, and for the curbing of accumulation of unwarranted and excess profits. The sole underlying purpose of this bill is to see that everything possible to expedite naval shipbuilding and naval defense be undertaken now, at once, without delay.

Mr. HEALEY. Will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Massachusetts.

Mr. HEALEY. Section 2 of this bill provides that after the President has declared a national emergency, the Secretary of the Navy is then authorized to negotiate contracts without competition. Is that true?

Mr. VINSON of Georgia. That is correct.

Mr. HEALEY. I just want to say to the gentleman that in this instance, where contracts are negotiated without competition, the provisions of the Walsh-Healey law do not apply. Those are considered open-market purchases, and the provisions of the Walsh-Healey Act do not apply to open-market purchases.

Mr. VINSON of Georgia. That is right.

Mr. HEALEY. So the effect of the gentleman's bill would be to suspend the provisions of the Walsh-Healey Act entirely, if section 2 is left intact.

Mr. VINSON of Georgia. I do not agree with the gentleman. I do not agree at all that the Walsh-Healey Act is being suspended by the provisions of this bill.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Michigan.

Mr. MICHENER. Under the law as it is now the Bacon-Davis Act fixes the wage as that prevailing in the local community. The national wage and hour law fixes a uniform wage throughout the country. The Walsh-Healey Act fixes the wage that the Secretary of Labor shall determine to be the prevailing wage in the locality, which determination is made by the Secretary of Labor and which has been extended to include 13 States. Under this bill, which wage is going to prevail, the Walsh-Healey Act wage or the Wage and Hour Act wage? They are different in many instances. The wage fixed by Secretary Perkins is in many cases much higher than the wage and hour wage.

Mr. VINSON of Georgia. May I say to the gentleman that I have it all in my manuscript and could answer the question, but I do not want to take any more time right now. I will explain that under the 5-minute rule when we get to that provision of the bill.

Mr. MARTIN of Massachusetts. I wish the gentleman would go on and explain the bill. We ought to know fully what is in the bill.

Mr. VINSON of Georgia. All right, I will take the rest of the time.

[Here the gavel fell.]

Mr. VINSON of Georgia. Mr. Chairman, I yield myself 10 additional minutes.

Labor laws affected by the provisions of section 5 of the bill, H. R. 9822, are as follows:

First. The act of August 1, 1892, as amended by the act of March 3, 1913 (U. S. C., title 40, sec. 321), provides that laborers and mechanics employed by the Government or by contractors or subcontractors shall not work more than 8 hours a day except in case of an extraordinary emergency.

Effect of this bill: Permits these employees to work more than 8 hours a day by the simple expedient of paying them time and a half for overtime. In other words, does away, temporarily, with the requirement that it takes an extraordinary emergency to justify work in excess of 8 hours a day.

Nobody knows just what constitutes an "extraordinary emergency," anyway.

Second. The act of June 19, 1912 (U. S. C., title 40, sec. 324) frequently called the 8-hour law, prohibits work in excess of 8 hours a day by laborers and mechanics employed by contractors and subcontractors with the Government, and provides a penalty of $5 per day for every such employee who is required to exceed those hours.

Effect of this bill: Removes, temporarily, this prohibition and penalty, by permitting work in excess of 8 hours a day on condition that time and a half is paid for such overtime.

This 1912 act is not applicable to transportation, the transmission of intelligence, or purchase of supplies by the Government, except armor and armor plate. In 1917 the President was given authority to suspend this act during a national emergency and he still has it. This act was inadvertently omitted in complying with the Ramseyer rule when the bill was reported.

Third. The act of June 30, 1936 (U. S. C., Supp. V, title 41, secs. 35–45) better known as the Walsh-Healey Act, applies to any person—not just laborers and mechanics—employed by a contractor manufacturing or furnishing materials, supplies, articles, or equipment to the United States, if the contract exceeds $10,000. The hours of labor specified are 8 hours a day and 40 hours a week. These hours may be exceeded with the approval of the Secretary of Labor, but if they are, time and a half for overtime must be paid.

Effect of this bill: Practically none, except that the approval of the Secretary of Labor would not be required for overtime work on naval contracts included in the bill—naval vessels or aircraft, or parts thereof, or other work incidental thereto. This question is academic because the Secretary of Labor has issued regulations which, so far as these contracts are concerned, permit unlimited hours so long as time and a half is paid for overtime.

Other requirements of the Walsh-Healey Act are not disturbed—child labor, convict labor, factory working conditions, qualifications of contractors. Common carriers, perishables, and so forth, were excepted from the act. The Walsh-Healey Act still applies to other Government contracts.

Fourth. The act of June 25, 1938 (U. S. C., Supp. V, title 29, ch. 8), is the Fair Labor Standards Act of 1938. It applies to all employees of private concerns, and so far as hours of labor are concerned it deals mainly with the hours per week, as distinguished from the hours per day. The first year after this act became law the workweek was 44 hours; the second year 42; and thereafter it will be 40. In other words, after June 25, 1940, the workweek will be 40 hours. All time over the specified workweek counts time and a half.

In certain cases, by agreement resulting from collective bargaining (a) on the basis of total hours for a period of 26 consecutive weeks and (b) the same for 52 consecutive weeks and (c) seasonal industries, the hours of work per week may be varied from the basic 40. If this is done, time and a half must be paid for overtime in excess of 12 hours a day or 56 hours per week.

Effect of this bill: None. This bill is patterned from this act. Possible exception: Until June 25, 1940, the workweek under the act is 42 hours, and the bill specifies 40. For a period of something less than a month, therefore, employees would draw overtime for work in excess of 40 hours instead of 42. This is negligible.

General comment on this section of the bill:

(a) There is precious little, if anything, in this section that labor, or anyone connected with it, can complain about. It conforms to the Fair Labor Standards Act, which is an intelligently drawn law in all respects, particularly the flexibility permitted in the question that concerns us—hours of labor. The rigid provisions of other laws, such as the "extraordinary emergency" with heavy penalties for violation, and the $5 per day per laborer penalty under the 1912 act, which says flatly "8 hours a day," are what makes this section necessary.

(b) This section is such a logical solution to the question of how to speed up shipbuilding that it does not seem open to criticism from any quarter. It is obvious that more man-hours on shipbuilding will do one of two things: Permit a given number of ships to be built in less time, or permit in a given time, the building of more ships. Some of the increase in man-hours can be effected by working shifts, which will, of course, increase employment; by increasing the workday and workweek it will be possible to speed up the work that is not susceptible of being done by shifts.

(c) If only one labor law were involved, the solution would be apparent—amend or suspend that law. With a multiplicity of laws the sensible course is to reduce the hours of labor to a common denominator, and this is being proposed. The result, happily, will be mutually advantageous to labor and the Government.

Let us not begin to draw red herrings across this speeding-up bill. Let us get down like businessmen and put some pep into the building of these ships and cut this red tape that has been hamstringing the Nation. [Applause.]

Mr. MICHENER. That is just what I am interested in.

Mr. VINSON of Georgia. I hope the gentleman heard my explanation.

Mr. MICHENER. I did, but I have a question I should like to ask and that is, Why do we not establish one standard here, one wage and hour law?

Mr. VINSON of Georgia. We do.

Mr. MICHENER. Why have the Walsh-Healey Act in the picture at all? Why not leave the wage and hour law control?

Mr. VINSON of Georgia. It is not in the picture at all. The gentleman from Massachusetts and his colaborer are apprehensive that we are going to destroy labor. We are just as much interested in labor as they are.

Mr. MICHENER. I am not worrying about labor or capital as such. I am worrying about our country in this conflict.

Mr. VINSON of Georgia. There is no conflict.

Mr. MICHENER. You can clarify this matter very easily by saying that the Walsh-Healey law will not apply, and then you will not have to make all these restrictions.

Mr. VINSON of Georgia. The Walsh-Healey Act does not apply anyhow.

Mr. MICHENER. Then why not say so?

Mr. VINSON of Georgia. Let me say to my friend that we set up here a standard of 5 days a week, 8 hours a day, 40 hours a week. That is fixed in the bill, and then we say that if you work over 40 hours a week you get time and a half overtime, and it cannot go more than 48 hours. This puts a ceiling on labor.

Mr. MICHENER. What is the objection to just using the wage and hour law, so far as these contracts are concerned, and saying so in so many words, without trying to mollify or deceive anybody or having any controversy about it?

Mr. VINSON of Georgia. The fair wage and hour law is exactly what applies in this matter.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. I yield to my friend from New York.

Mr. CELLER. I want to say that I want to cooperate with the gentleman, but I want some clarification——

Mr. VINSON of Georgia. Then certainly the gentleman will not offer the amendment about the Administrator——

Mr. CELLER. I am going to offer the amendment because I feel it is proper to do so if the gentleman from Massachusetts [Mr. HEALEY] does not do so.

Mr. VINSON of Georgia. By the gentleman's acts we will determine whether he is trying to cooperate or block the legislation.

Mr. CELLER. That is perfectly proper and I am willing to be judged by that. On page 4, lines 7 and 8, you have the words "notwithstanding the provisions of any other law." That refers, undoubtedly, to the Walsh-Healey Act and the Bacon-Davis Act, the act of 1912, the 8-hour law, and so forth.

Mr. VINSON of Georgia. That is correct.

Mr. CELLER. Now, notwithstanding those acts and including the Walsh-Healey Act, I admit you make provision for time and a half pay and for hours of employment, but the Walsh-Healey Act, in addition to the provisions that you have adverted to, has what is known as enforcement machinery. It has many other provisions like those concerning child labor, convict labor, and so forth.

Mr. VINSON of Georgia. We do not disturb that.

Mr. CELLER. Does the gentleman say unconditionally that the Walsh-Healey Act applies to this entire bill?

Mr. VINSON of Georgia. I say the Walsh-Healey Act is not disturbed in the slightest degree by this bill.

Mr. CELLER. The gentleman does not answer the question.

Mr. VINSON of Georgia. I do not know how to answer it any other way.

Mr. CELLER. Then does the gentleman say that the Walsh-Healey Act applies in its entirety?

Mr. VINSON of Georgia. We only disturb two labor provisions. One is with respect to extraordinary leaves and one is the $5 a day penalty.

Mr. CELLER. But there are other provisions of the Walsh-Healey Act that you do not mention.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman.

Mr. MICHENER. The gentleman states that the Walsh-Healey Act does not apply, and in the next breath he says it does apply insofar as inspectors are concerned. The gentleman talks about red tape and yet in order to comply with the Walsh-Healey Act you must comply with the rulings of the Secretary of Labor as to working conditions, and they send out inspectors under the Walsh-Healey Act and then they send out inspectors under the wage-hour law, duplicating inspection.

Mr. VINSON of Georgia. That is true.

Mr. MICHENER. Now, what are you going to do here? If you repeal the Walsh-Healey Act and still have the Walsh-Healey inspectors, why not cut all the red tape?

Mr. VINSON of Georgia. I have stated to the gentleman and to the committee that so far as labor is concerned, we are establishing the labor standards as provided for in the Walsh-Healey Act, 5 days a week, 8 hours a day, 40 hours a week, with provision for time and a half for overtime. The other provisions of the Walsh-Healey Act are not affected by this bill. The provisions with reference to inspection and the other requirements of the Walsh-Healey Act are not disturbed. The child-labor provision and the provision for working conditions and the qualifications of contractors are not touched by this bill.

Mr. MICHENER. Does the gentleman understand that the purpose of the Walsh-Healey Act was to accomplish that which was declared unconstitutional under the N. R. A. law?

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. MARTIN of Massachusetts. Mr. Chairman, will the gentleman yield to me to ask a question or two if I can get a few minutes of time for him? I desire to inquire about something that has nothing to do with the Walsh-Healey Act.

Mr. VINSON of Georgia. Yes.

Mr. MAAS. Mr. Chairman, I yield the gentleman 2 minutes.

Mr. MARTIN of Massachusetts. The gentleman has not said anything concerning section 9.

Mr. VINSON of Georgia. Of course, but I was cut off in time.

Mr. MARTIN of Massachusetts. I appreciate that. I would like to have that cleared up in my mind, in respect to the national emergency.

Mr. VINSON of Georgia. Under the proclamation issued by the President on September 8, 1939, he declared a limited emergency. We have defined the phrase "national emergency" to fall within that proclamation in respect to a limited emergency.

Mr. MARTIN of Massachusetts. That does not give any more emergency powers than are now possessed.

Mr. VINSON of Georgia. Not one bit, and if the gentleman will read further he will see that the next proviso limits the life of this bill to 3 years. What we are trying to do is to hold it down to what he classified as a limited emergency and we do this in the use of the phrase "national emergency." It is to be interpreted in accordance with that proclamation.

Mr. MARTIN of Massachusetts. And no powers are given other than to expedite this construction bill?

Mr. VINSON of Georgia. That is all the power given.

Mr. MARTIN of Massachusetts. It is suggested to me this section legalizes the national emergency declared by the President in September.

Mr. VINSON of Georgia. No. What we are trying to do is to so define the President's proclamation as a national emergency as to come within the meaning of the limited emergency.

Mr. MARTIN of Massachusetts. Did the gentleman inquire as to whether the President had any right to declare that special emergency?

Mr. VINSON of Georgia. No; we did not, because we presumed that he would not have declared a limited emergency unless he had some constitutional authority.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. MAAS. Mr. Chairman, I yield the gentleman 2 minutes more.

Mr. MARTIN of Massachusetts. Will the gentleman tell us how the civil service is affected by this legislation?

Mr. VINSON of Georgia. Oh, yes. This provision was written by Mr. Moyer of the Civil Service Commission. It merely permits recalling the people who have gone off the civil service on account of age or retirement. This will permit the Civil Service Commission or the Navy Department to discharge any civil-service employee without going through the red tape of filing charges and complaint, when in the judgment of the Navy Department it is not to the public interest to have that particular employee in the service. It is a direct way of getting rid of subversive influence that might be in the Department.

Everything is written exactly by the Civil Service Commission and approved by that Commission, and it does not disturb the civil-service rules and regulations at all, except those people who come in can have a reduction made of their pay, to apply on their retirement, if they want to increase it, or get the whole thing and put it in their pockets at this time.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. Yes.

Mr. DONDERO. I am wondering if Hitler restricted himself by the same legislative chains we bind ourselves by in section 5?

Mr. VINSON of Georgia. If the gentleman will go along with us and this House will go along with us, we will have plenty of ships here in a short time to meet any international emergency.

Mr. DONDERO. That is what we all want.

Mr. HEALEY. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. Yes.

Mr. HEALEY. Is it not true that by the terms of this bill you have endeavored to carry out the policies of the Chief Executive?

Mr. VINSON of Georgia. Yes.

Mr. HEALEY. And nothing in this legislation would be permitted to destroy the laws that the Congress in its judgment executed for the protection and benefit of labor?

Mr. VINSON of Georgia. That is right, and the forward steps taken are not to be impaired by this legislation.

Mr. ALLEN of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. Yes.

Mr. ALLEN of Pennsylvania. I do not think the gentleman has to apologize for any relaxation of any of these restrictive laws which may be in this bill, because in the long run the rank and file of American labor would prefer to work overtime rather than to have the sublabor standards of a dictator country imposed upon them.

The CHAIRMAN. The time of the gentleman from Georgia has again expired.

Mr. MAAS. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. COLE].

Mr. COLE of New York. Mr. Chairman, taking up the discussion of this bill at the point where the gentleman from Georgia [Mr. VINSON] left off, there is no question at all but that this measure does to some extent relax and modify the Walsh-Healey Act and the Bacon-Davis Act. In both of those measures employees of the Government on public works and employees of contractors with the Government are prohibited from working longer than 8 hours. This measure relaxes that provision and gives the Secretary of the Navy and other contract employers the right to work their men more than 8 hours by paying time and a half for overtime. The testimony before the committee with regard to this entire measure given to us by the Navy Department and by representatives of the shipbuilding industry was that of all the statutes which have impeded the progress of ship construction, the Walsh-Healey Act stood out preeminent among them all. First on their list of recommendations was that the provisions of the Walsh-Healey Act should be suspended during the time of this emergency insofar as shipbuilding and airplane contracts were concerned.

Mr. HEALEY. Mr. Chairman, will the gentleman yield?

Mr. COLE of New York. Yes.

Mr. HEALEY. And they also stated that the Vinson Act which limited the profits to 10 percent was also an act that should be repealed. They made that recommendation also?

Mr. COLE of New York. The Department recommended modification of the profit limitation in the Vinson-Trammell Act.

Mr. HEALEY. They said that impeded shipbuilding.

Mr. COLE of New York. Let me answer the gentleman. Not so much because of the 10-percent limitation on profits as because of the red tape and the preparation of reports and that sort of thing.

Mr. HEALEY. Oh, I see. They were not interested in getting additional funds.

Mr. COLE of New York. The committee thought so much of the recommendation of the Navy Department and the shipbuilders that they inserted in the bill a provision giving the President authority to suspend the provisions of the Walsh-Healey Act as set forth in section 3. That section stayed in until final consideration of the bill in the committee, when it was decided that that section was not necessary for the reason that under the construction authorization acts for ships and airplanes the President is given authority to suspend the operations of the Walsh-Healey Act in a national emergency.

Mr. CELLER. Mr. Chairman, will the gentleman yield briefly at that point?

Mr. COLE of New York. Let me continue, please. It is to be hoped that if the allegations made by the Navy Department, and made by those in the industry who are in position to know, are correct, the President will not hesitate in this emergency to suspend the operations of that act.

Mr. MICHENER and Mr. CELLER rose.

Mr. COLE of New York. Mr. Chairman, I yield to the gentleman from Michigan.

Mr. MICHENER. May I say to the gentleman from New York that when the Walsh-Healey bill was up for consideration in the beginning, the Navy Department then opposed its enactment because they said it would do the very things they now find it is doing. Within the last year they have appeared before the Judiciary Committee and opposed the extension of the Walsh-Healey bill. That is now before the Judiciary Committee. So the Navy Department certainly has at all times and on all occasions opposed the Walsh-Healey bill as one of the things that would interfere in handling a condition such as that with which we are now confronted.

Mr. COLE of New York. That is true. They came in then and prophesied the disadvantageous effect of the Walsh-Healey Act; and today they have appeared and offered proof of their contention.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. COLE of New York. I cannot yield further. There are so many phases of the bill I would like to discuss, but I shall not have time. Let it be clearly understood that the only way the Walsh-Healey Act is affected by this bill is that employees may be permitted to work longer than 8 hours a day, but that they shall be paid time and a half for overtime. Certainly nobody, least of all the employees, should object to that.

Mr. CELLER. Mr. Chairman, will the gentleman yield for just one question?

Mr. COLE of New York. No.

Going back to the beginning of the bill, section 1 permits the Secretary of the Navy to advance 30 percent of the contract price. While this may be a rather startling relaxation of the present law, it seems to be justified under the circumstances, and I would call to your attention that the Secretary of the Navy is not permitted to do this until after he has required adequate security for the protection of the Government for the payments so made.

The provisions which we have inserted throughout the bill requiring the Secretary of the Navy to submit a report to the Congress may have the color of locking the door after the horse is stolen, but at the same time under all the circumstances it is imperative that we place some confidence, some reliance, on our public officials; and I feel that we have done as much as we possibly can to protect the interests of the Government and the taxpayers, and at the same time accelerate this program.

So far as section 2 is concerned, which permits the Secretary of the Navy to negotiate contracts rather than procure them through competitive bidding, we need have no great fear that excessive prices will be charged, because they still will be under the limitation on profits of 10 percent in the case of ships and 12 percent in the case of aircraft.

Mr. BRADLEY of Michigan. Mr. Chairman, will the gentleman yield for an observation?

Mr. COLE of New York. I yield.

Mr. BRADLEY of Michigan. In the determination of cost is there included in "cost" what is known as standard shipyard practice, namely, the bare cost plus 25 percent for overhead plus 25 percent profit?

Mr. COLE of New York. I am sorry I cannot give the gentleman the answer to that question.

Mr. BRADLEY of Michigan. It was my understanding that most of the design work, most of the engineering, is done by the Navy at Government expense. The 25 percent which covers overhead in standard shipyard practice, therefore, seems to me should be taken care of by a provision in this bill.

Mr. COLE of New York. Continuing a discussion of the bill from the point where the chairman left off, the only way in which this measure relaxes the provisions of the civil-service law is that the Navy Department is given authority to recall from the retired lists any individuals whose services may be deemed necessary, whose places could not be filled from the regular channels of labor. In addition, the Department is permitted to discharge any civil-service employee without going through the formality of

establishing cause. This provision is similar to a provision in the military bill adopted last week and is designed to permit the Government to summarily discharge those in the Naval Establishment whose patriotism is questionable.

I ask your particular attention to section 7. This seems to me to be somewhat unnecessary and a dangerous section. It permits the Navy Department to retain any of its employees during the period of their vacation and to pay that employee for the time of his vacation. The effect is to make it possible for an employee of the Navy Department to sell his vacation to the Government. While it may be true that in some instances, because of the shortage of specialized labor, this may be necessary, yet I cannot help feeling that it establishes an undesirable precedent which will operate to cause ill feeling, discontent, and jealousies in the departments. It is questionable whether the gain is worth the price we shall eventually have to pay if it is adopted.

Mr. TREADWAY. Mr. Chairman, will the gentleman yield at that point?

Mr. COLE of New York. I yield.

Mr. TREADWAY. I would like to have it made clear that the man would be getting his vacation pay also. In other words, he would be getting paid twice for the same time.

Mr. COLE of New York. That is it exactly.

Mr. TREADWAY. That is what I suppose the gentleman intended to state.

Mr. COLE of New York. It says they may be paid in addition to the regular pay the equivalent of the pay they would have drawn during the period of such vacation.

Mr. VINSON of Georgia. It means that an employee will get 13 months' pay instead of 12 if he does not take his vacation.

Mr. COLE of New York. Or in the event that he has accumulated 60 days' leave he will get 14 months' pay instead of 12.

Mr. CHURCH. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. ROBSION of Kentucky. Will the gentleman yield?

Mr. COLE of New York. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. Does that mean that he is off on vacation and gets paid too?

Mr. COLE of New York. No; he must stay on the job.

Mr. ROBSION of Kentucky. He must work?

Mr. COLE of New York. Oh, yes; he must stay on the job.

Mr. Chairman, section 8 relaxes the limitation on the cost of ships authorized in the Construction Act of 1937, which provided for the construction of certain auxiliary vessels. Of course, if this bill is enacted into law the cost of construction of ships will be greatly increased, so as a precautionary measure it was necessary to wipe out this limitation.

Mr. REED of New York. What is the limitation there?

Mr. COLE of New York. Fifty million dollars.

Mr. REED of New York. Has the gentleman any estimate at all as to what the increased cost will be?

Mr. COLE of New York. Representatives of the Navy Department believe this program providing for the acceleration of construction will cost 15 percent additional to what it otherwise would.

Mr. KNUTSON. Will the gentleman yield?

Mr. COLE of New York. I yield to the gentleman from Minnesota.

Mr. KNUTSON. Has the gentleman any information as to whether or not the international bankers have been prompted to acquire the Newport News Shipbuilding Co. in anticipation of the passage of this legislation?

Mr. COLE of New York. That subject was not inquired into at any great length.

Mr. KNUTSON. That is the largest shipbuilding plant in the country?

Mr. COLE of New York. One of the largest at least.

Mr. Chairman, the impression has gone out throughout the country that the Congress, the officials and officers of the Navy and Navy Department have been derelict in their duty in the matter of military preparedness. At least, that was the impression until night before last. In justice to ourselves, in justice to the officers of the Navy, and for the sake of reassurance of the country, I feel it might not be amiss at this time to go over what has been accomplished in the past 6 years by way of naval construction. Bear in mind, of course, that up until 1933 and 1934 the entire world was practically at peace. We, along with the other nations of the world, had no thought of excessive, burdensome, and expensive armament. But in 1934 the Congress authorized the replacement of our treaty Navy which when prosecuted over a period of 10 years would result in a complete duplication of every ship that we then had or authorized to have by the treaty, with the exception of battleships.

Mr. AUGUST H. ANDRESEN. Will the gentleman yield?

Mr. COLE of New York. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. As I understand, that program was started in 1934?

Mr. COLE of New York. Yes.

Mr. AUGUST H. ANDRESEN. Six years have elapsed since that time?

Mr. COLE of New York. Yes.

Mr. AUGUST H. ANDRESEN. How is the program progressing?

Mr. COLE of New York. That is what I propose to tell the gentleman. In 1938 the Congress again authorized a 20-percent increase in the treaty strength, which then amounted to 1,200,000 tons. So we raised the authorized under-age strength of our Navy by 295,000 tons, making a total of 1,557,000 tons. Again this year the House authorized a further increase of 11 percent in the under-age tonnage and the bill is still pending in the Senate. So that now the authorized strength of the Navy is 1,724,000 tons as against 1,200,000 tons 6 years ago, or an increase of approximately 38 percent. That is what we have done so far as authority is concerned.

What has been actually accomplished? In 1934 we had 14 battleships. On May 15 of this year we had 15. One of the old ones has been reconditioned. In 1934 we had 10 cruisers while today we have 18. In 1934 we had 10 light cruisers and today we have 19. In 1934 we had three aircraft carriers. Today we have 6. Six years ago we had 71 destroyers. Today we have 189. Six years ago we had 40 submarines. Today we have 64. This made a total combatant Navy in 1934 of 148 ships as against 311 today, an increase in the actual number of ships on hand and in commission of over 100 percent. [Applause.] So that the country need have no fear that the Congress or the Navy Department have let them down in any way.

Mr. Chairman, the fact that this bill was reported unanimously by the Committee on Naval Affairs without a dissenting voice from the minority members is an indication of the readiness of the minority party to raise no political considerations in the adoption of these measures. [Applause.] Much has been said and written in the past week or so about the necessity for concerted action and cooperation between both political parties in these times of stress. With that, the minority agrees completely. Cooperation, however, is not a one-way street; it involves mutual assistance and mutual forbearance. It does not mean that the lips of the minority must be sealed while the tongues of the majority are permitted to carp incessantly that the emergency requires the continuance in office of the Chief Executive. It is as much the part of cooperation that the President should announce a willingness to serve in the Cabinet of the next administration as that a Republican should now be willing to serve in his. [Applause.]

We in the Congress, and the people of the Nation as a whole have a twofold responsibility at this hour. Not only must we make all possible speed to arm to the teeth in preparation for the conflict which is made inevitable by the defeat of the democracies of Europe but we must constantly guard against the internal development here of the very force which we so dread from abroad. The danger of this lies not solely with the "fifth columns" but with our very selves as

well. Only by jealously adhering to the principles, institutions, and traditions of our Republic, only by mutual assistance and mutual forbearance, only by placing patriotism above personal glorification can we hope to avoid stumbling into that type of government which knows no law, which depends upon the will and the whim of one man, and which leaves in its wake destitution, blood, and ruin. [Applause.]

Mr. DREWRY. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. The time is controlled by the gentleman from Georgia.

Mr. CELLER. Is it in order to secure two additional minutes by unanimous consent?

The CHAIRMAN. The gentleman would have to secure that time from the gentleman who controls the time.

Mr. CELLER. Mr. Chairman, I am in thorough sympathy with this bill, and I would vote for it a dozen times if I had the right to vote for it that frequently, but I do want some clarification of it, particularly section 2 thereof. We passed the Walsh-Healey Act. I want some unconditional statement as to whether that act does or does not apply. All I get is some qualified statement. Let us have frankness about it. In one breath we find the distinguished chairman of the committee saying the Walsh-Healey Act does apply, and in another breath he says it does not apply. There was evidently an intention to have the Walsh-Healey Act apply, because original section 3, suspending its operation, was stricken from the bill, but as I read the bill now, only certain provisions of the Walsh-Healey Act apply and other provisions of the Walsh-Healey Act are out and do not apply.

The President Sunday night in his fireside chat stated that he did not want any relaxation of those conditions that were beneficial to labor. He said that succinctly and definitely. The distinguished chairman of the Committee on Naval Affairs apparently agrees and had this to say, and I am reading from page 3296 of the hearings:

> We should "not go on with the wholesale wiping out of laws which have been on the statute books and which have been enacted for the good of the laboring man and for the economic soundness of the country."

Let me read verbatim what the President said:

> For that reason we must make sure, in all that we do, that there be no break-down or cancelation of any of the great social gains which we have made in these past years. We have carried on an offensive on a broad front against social and economic inequalities and abuses which had made our society weak. That offensive should not now be broken down by the pincers movement of those who would use the present needs of physical military defense to destroy it.
>
> There is nothing in our present emergency to justify making the workers of our Nation toil for longer hours than now limited by statute. As more orders come in and as more work has to be done, tens of thousands of people who are now unemployed will receive employment.
>
> There is nothing in our present emergency to justify a lowering of the standards of employment. Minimum wages should not be reduced. It is my hope, indeed, that the new speed-up of production will cause many businesses which now pay below the minimum standards to bring their wages up.
>
> There is nothing in our present emergency to justify a breaking down of old-age pensions or unemployment insurance. I would rather see the systems extended to other groups who do not now enjoy them.
>
> There is nothing in our present emergency to justify a retreat from any of our social objectives—conservation of resources, assistance to agriculture, housing, and help to the underprivileged.

I am simply following in the footsteps of the President and following in the footsteps of the distinguished chairman of the Committee on Naval Affairs when I ask that the provisions of the Walsh-Healey Act be retained in the bill. That bill created many benefits for labor. It would be a simple matter to state that the Walsh-Healey Act shall apply in its entirety, but that apparently has met with opposition for some reason. Probably because of the opposition of the Navy Department we cannot get that simple provision in the bill. There is no question but that the Walsh-Healey Act is not in this bill, except in those particular instances which were adverted to by the chairman, because section 9 of the Walsh-Healey Act specifically exempts purchases of materials, supplies, articles, or equipment when bought in the open market or are purchased or where construction is had without competitive bidding. This provision, to wit, section 9, of the Walsh-Healey Act has been interpreted by the Comptroller General to exempt all contracts which are let without competitive bidding, and section 2 provides for letting contracts without competitive bidding. I ask anyone to controvert that. In other words, since section 2 allows construction and purchasing contracts to be let without competition, the Walsh-Healey Act does not apply. The bill, of course, has proper provisions as to labor, concerning hours and pay but that is all. Those hour and pay provisions are as good, if not better, than similar provisions contained in the Walsh-Healey Act, but there are many other salutary provisions of that act which are not in the pending bill, for example: First, those concerning enforcement machinery to insure that proper pay and hours of employment; second, convict labor; third, child labor, and so forth.

[Here the gavel fell.]

Mr. MAAS. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. GEHRMANN].

Mr. GEHRMANN. Mr. Chairman, I am in sympathy with the bill, because we are in an extraordinary period and naturally we must give extraordinary powers to one man, whoever happens to be our President. I do not like to feel that we are in that period, but evidently we are, especially the way things are developing in Europe. No doubt we are in that emergency, and we must give that power.

I wish to mention a few things that perhaps are not in this bill but that bear indirectly on the point that is aimed at in this bill, namely, the expediting of the building of our ships, building them much faster than we have heretofore. We know there are a great many shipyards, especially on the Great Lakes, that are not being utilized at all because they are at a disadvantage under existing laws. They are not even being utilized by the Maritime Commission, which builds all kinds of small vessels that can be gotten out of the Lakes or that can be used primarily in the Lakes, such as vessels for the Lighthouse Service and the Coast Guard Service as well as many smaller auxiliary vessels. We enacted a law, the Merchant Marine Act, a few years ago that gives certain subsidies to some sections of the country for transportation of materials, and that gives them the further advantage that the Government may accept those vessels at the point of construction. We do not have such advantages on the Great Lakes. This is why I am sure that if we could relieve some of the shipyards that are now building these smaller auxiliary vessels and award those contracts to some of our shipyards on the Great Lakes we could relieve the congestion and pressure on some of the yards on the eastern or on the western coast that are equipped to build large naval ships. I know in my own district where is located the port of Duluth and Superior, and perhaps most of the Members here do not know this, next to New York we have the largest port in point of tonnage in the United States. This, no doubt, is news to many Members, but I have stressed this fact before and, of course, the figures of the Department of Commerce will prove it. Not only this, but we have a shipyard in Superior that was in operation 24 hours a day during the war period. The Government then had all kinds of boats built there that they needed, including boats for the Navy. We have several hundred expert shipbuilders in Superior today. Most of them are idle and dependent on W. P. A. for a living. The yard is owned by the American Ship Building Co. that has several other yards with headquarters at Cleveland. They have not built any vessels up there for many years. They maintain it only as a repair plant now.

I have attempted to get some shipbuilding done in Superior, but I find that because of the subsidies, given mainly to southern and western shipbuilding yards, it is impossible for them to compete. They cannot compete against the 6-percent subsidy that is granted to certain yards.

Mr. DARDEN of Virginia. Mr. Chairman, will the gentleman yield?

Mr. GEHRMANN. I yield.

Mr. DARDEN of Virginia. There are no subsidies or differentials given to Virginia yards. I think the gentleman must be mistaken about that.

Mr. GEHRMANN. There are certain yards that are given subsidies. Of course, that does not come under the Navy, but comes under the Merchant Marine Act and under the Maritime Commission, and what I mean is that this subsidy does not apply directly in this case, but indirectly it would relieve the present congestion and make use of a shipyard that is idle and expert shipbuilders that are now on relief. It would make available these larger shipyards on the eastern coast and on the western coast that are now building these small auxiliary vessels by giving the contracts to the shipyards located on our Great Lakes, on Lake Michigan and Lake Superior. In my city, for instance, there is located the only drydock, of 750 feet, that is on the south shore or, in fact, that is located anywhere in the United States, on Lake Superior. It is the only drydock there, and they maintain it only as a repair shop today, because they cannot compete in building ships with yards where subsidies are granted.

I have gone as far as the President in my attempt to utilize this shipyard and the expert shipbuilders. I have conferred with Admiral Leahy, and Admiral Leahy happens to have been born and reared and appointed to Annapolis from my congressional district. Admiral Leahy is very familiar with the situation and in full sympathy.

[Here the gavel fell.]

Mr. CHURCH. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. GEHRMANN. But he finds that under existing law nothing can be done to use these experts and existing facility. I even appealed to the President, and after thorough consideration he answered with a three-page letter that nothing can be done.

I feel that the President today has the power by Executive order to grant subsidies to such districts under the Merchant Marine Act. In the first place, he must consider the strategic position of a certain port and then the next thing the unemployment situation and the facilities for constructing ships. This is written into the law, and I have tried to persuade or convince the President that he has this power, but his answer has been that the shipyards or the ship-building companies on the Great Lakes heretofore have not shown any great interest and have not even attempted to build and, of course, the reason they have not is because they have not had this subsidy that is granted elsewhere. Give us the same subsidies and we can build ships up there in a yard now idle and by experts now on relief. [Applause.]

Please let me point out that this twin port of Duluth-Superior is certainly one of the most strategic in the United States. With the necessity of modern equipment, steel is absolutely essential. Let us remember that 80 percent of all the iron ore consumed in this country is shipped out of Lake Superior ports. The greater part of the Nation's grain is stored for distribution in the great elevators of this port. Coal likewise is shipped in there by boats for distribution for consumers in this northwest territory.

We have often marveled at the fact that no fortifications are necessary along the Canadian-United States border. It may become necessary to change that, especially if the Allies should be defeated. This twin port is at the very border of Canada. I believe that it is not only fair, but absolutely necessary that some money be invested in this Great Lakes region that is not as easily subject to attack as are most of the coastal cities. Let us establish air bases as well as ship-building facilities, plane-parts factories, and enlarge the now existing munition plants in a section of this country that is ideally suited for it because it is far removed from possible attack.

[Here the gavel fell.]

Mr. MAAS. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. HAWKS].

Mr. HAWKS. Mr. Chairman, the President has again addressed the citizens of our country in a fireside chat. After a rather detailed statement regarding national defenses, he referred to domestic problems. In part, he said that under no circumstances would the social gains of the past 7 years be jeopardized or changed in any respect.

What does he mean? And what does the New Deal mean by "social gains"?

Does he mean that minimum wages and maximum hours is one of the gains? If he does, how about the 10,000,000 or more unemployed?

Does he mean that the Securities and Exchange Commission is one of these so-called "social gains"? If he does, why are over $5,000,000,000 in deposits frozen in our banks?

Why has investment in private enterprise come practically to a standstill? It could not be that these investors have no confidence—or could it?

Does he mean that the National Labor Relations Act, as it now stands, the so-called Magna Carta of labor, is one of the social gains? If he does, why this continued fight between the A. F. of L. and the C. I. O.? And why this multitude of labor troubles all over the country?

Does he mean that a $45,000,000,000 debt is a social gain? That recurring deficits of three to five billion dollars annually is a social gain?

Does the President imply that paying the farmers to produce less, on the theory that they will get more, is a social gain?

Is robbing Peter to pay Paul a social gain?

Is he trying to convince us that the destruction of our merchant marine by subversive labor elements on the west coast, and now on the east coast, is a social gain?

Does he mean that outfits like the H. O. L. C., the F. S. A., the F. H. A., the F. T. A., and many other alphabetical contraptions, are social gains? The record is quite to the contrary, and instead of gains, practically all of them have shown tremendous losses to the American taxpayers.

Does he mean that W. P. A., P. W. A., and other relief projects are "social gains"; and that they should be permanent? If he does, he implies that America is all done, that we are sliding backward. And I cannot subscribe to that theory.

I wish this administration would realize that the war on depression, on hunger, the battle for jobs and a decent living, is still on within our own boundaries, and that that war is still as serious as it ever was, and certainly much closer to every American citizen.

Is this administration trying to sell the American public the idea that because they have absolutely failed in almost every detail in solving the problems at home during the past 7 years, that this failure qualifies them above everybody, to successfully keep America out of this European war?

Does failure in one respect beget success in another?

Has labor and industry thoroughly studied the revised industrial mobilization plan, as approved by Louis Johnson and Charles Edison? Has industry and labor and the American citizen studied the "capital levy" bill known as the Lee bill, which is now on the Senate calendar?

The question that comes to my mind is just this: Who is going to cooperate with who, and why? [Applause.]

Mr. DREWRY. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. LANHAM].

Mr. LANHAM. Mr. Chairman, these are serious and solemn times. They demand on our part calm and intelligent thought and action. Our country has had entirely too much of idle and inaccurate talk. Hysteria is worse than useless; it is enervating.

In these days of stress and strain our minds and our endeavors turn naturally to our national defense, for the protection of our people, for the protection of our principles. The patriotic citizens of America are ready and willing to bear the burden necessary for our security and the preservation of our liberties. As their representatives in the Congress, our present task calls for the wise application of the knowledge and the experience gained through our service in these legislative halls.

I feel that I voice your sentiments and those of the great majority of the American people in the statement that we want to keep our boys out of this European conflict, to prepare adequately for our own defense against aggression, and to prevent and punish the subversive activities of agents and followers of foreign powers within our own borders.

We come today to make provision for the necessary expansion of our first line of defense, the American Navy, which since the birth of our Nation has added glory to our history in its honorable and heroic accomplishments. By land and sea and air we must be ready to repel any invasion which may come to our shores.

Carved on the memorial monument at Yorktown where we won our freedom is a motto whose vigorous observance will preserve our freedom. It may well be our slogan in this all-important matter of defense. These are its significant words, "One Country—One Constitution—One Destiny."

"One Country." It is true that many of the early explorers of our western world were prompted by thoughts of greed and conquest, but the people who came to be its settlers were inspired and motivated by a fervent desire to escape the persecution of dictators and to enjoy the blessings of liberty. Our land was called appropriately the melting pot, mingling the blood of many nations into one common brotherhood. Unfortunately in later years that melting pot has been taxed and overloaded far beyond the capacity to achieve its full purpose, and propagandists hostile to Americanism and all the beneficent things it represents have spread through our land preaching their spurious doctrines from abroad. Secretly and insidiously they plan their nefarious intrigues. They have even deceived some of our citizens with their sterile roses of promise which in fact rarely bud and never bloom. They are seeking to establish in this country many of the very conditions and doctrines from which our forefathers fled to found a government of free men.

With prophetic vision George Washington warned against them and their activities. He counseled that the time would likely come in America when men would arise who would endeavor to undermine the God-given teachings they could not easily overthrow. Today they labor boldly to destroy our institutions and our morale. Surely the time has come for us of America, in patriotic and appreciative unity, to be not merely the passive admirers of that sturdy band of pioneers who gave us our Government, but their ardent and active and worthy successors in preserving its blessings for the children of men. This is a time of emergency when these exponents of foreign dictators' whims and caprices, inimical to the genius of our people, should be dealt with in no uncertain way and with a firm and unyielding hand. In the spirit of the fathers, the duty is upon us all to keep this "One Country."

"One Constitution." In the days when statesmen and patriots were formulating our organic law, it was the Father of his Country who said, "Let us raise a standard to which the wise and the honest may repair; the event is in the hand of God." So blessed of the Almighty was that historic undertaking that the amendments of 150 years have concerned the machinery of Government rather than its principles. Truth does not change. The fading lines of the original document may pass away, but its teachings are written in the hearts of loyal Americans. The best exemplification of its virtue is to be found in the lives of our people. It has come to us as the heritage of the ages and the foundation of liberty. The first 10 amendments, the Bill of Rights, are practically a part of the original instrument. Aside from Holy Writ, it is doubtful if there are 462 more significant words in any language. They epitomize the essential principles of a free people. In their observance they vouchsafe to us the fundamental rights and liberties of free men. Security in our homes, in our persons, in our minds, in our souls, are among the guaranties of their protection.

Today there are lands across the seas where such rights are prohibited, and there are agitators in our own land who would pervert the privilege of free speech into seditious conspiracy. Ah, we have so much to defend, so much upon which depend "the blessings of liberty to ourselves and our posterity." The enemies of our Constitution are our enemies. We must defend this God-given birthright and in defending it be militant in thwarting the foes who would banish its blessings from our land. Preparation for such defense is more than a duty; it is a transcendent privilege. This can be kept the "One Country" the fathers intended if we will but adhere loyally to that gift of their genius, "One Constitution."

"One Destiny." What is it? More than 20 years ago, in keeping with a laudable purpose, we engaged in a militant effort to make the world safe for democracy. Noble as were our aspirations and our efforts, they have proved in vain. Dictatorship now threatens the very European scenes where our brave soldiers fought in a worthy cause. But, if the world cannot be made safe for democracy, let us in this beloved country see to it that democracy is kept safe for America. That primarily must be our mission and our destiny. And let us hope, through the genial influence of example and as the leaven that may finally leaven the lump, the peoples of the earth may learn from the exemplification of our ideals and philosophy of government that man, made in the image of God, was never fashioned to be the serf and slave of an autocratic despot. To preserve in a war-torn world the blessings of liberty, to live the truth that makes men free, to keep for the ages the rich legacy our fathers have left us, is but to fulfill the destiny which has come to us as a sacred trust.

In his farewell message to the American people, the immortal Washington taught that religion and morality are the indispensable supports of all free government. There are ideologies in the world today which recognize no such dependence. By might and power they would vanquish right and truth. Brotherhood, fraternity, love, peace, are words that have no place in their vocabulary; but if we treasure the heritage of our history, if we believe in the God who has made possible our progress and accomplishment, we Americans will never cease to strive for the survival of these ennobling graces that enrich the life of even the humblest citizen of the land.

Many years ago Longfellow wrote of the building of the ship, and in that stanza depicting the glory of our ship of state gave expression to sentiments more significant today than when they fell from the poet's pen. What of America? He said:

> Humanity with all its fears,
> With all the hopes of future years,
> Is hanging breathless on thy fate.

Humanity, with even graver concern, now hangs more breathlessly on the fate of our free people and the preservation of their priceless liberties. The poet told of "false lights on the shore," but they were not so false or so menacing as the diabolical propaganda now spread by the enemies within our gates.

Surely, in such times our duty is plain. We must defend this country and we will. We shall keep it the bulwark of free government and a free people. We shall keep the course so wisely chartered by the fathers. In appreciation of their service and their sacrifice, of the blessings of liberty their labors have bestowed, we shall keep this "One Country" with "One Constitution" fulfilling the "One Destiny" which alone can lead to our security and our happiness. [Applause.]

Mr. DREWRY. Mr. Chairman, I yield as much time as he may desire to use to the gentleman from Louisiana [Mr. GRIFFITH].

Mr. GRIFFITH. Mr. Chairman, these are very serious times and I believe that an overwhelming majority of the American people realize that the situation in Europe is very grave and that this country should be well prepared at the earliest possible and practical moment to defend the United States, and enforce the Monroe Doctrine, against any aggressor nation, or combination of aggressor nations. To do this, it will be necessary for us to speed up the building

program of our Navy, which woefully lagged for a number of years immediately following the termination of the World War. It has only been a few years since we really commenced to build a new Navy. Our naval shipyards have been permitted to go down, and were working with a greatly reduced force, which had dwindled in number to a few more than 8,000 men. I am happy to say, however, that this force has now been increased to more than 50,000 men. It is my opinion that the Government shipyards are now well organized and ready to carry on the work of the emergency program.

The Naval Affairs Committee, of which I am a member, has been holding hearings, both in the forenoons and afternoons for some time, considering the testimony of, and advising with—

First, the heads of the Bureaus of the Navy who are responsible for the designing and construction of Navy vessels.

Second, the personnel officers who are responsible for furnishing the manpower necessary to carry on the work.

Third, the representatives of the larger private shipbuilding companies that construct naval vessels.

Fourth, representatives of labor; and Mr. Mitchell of the Civil Service.

There has been manifested a wonderful spirit of cooperation, and sincere desire, on the part of members of the Naval Affairs Committee, and all of those who have appeared before the committee, to do everything that was possible to be helpful in speeding up the program as fast as it was practical to do so.

The committee was mindful of the fact that in an emergency every precaution was necessary to properly conserve the expenditure of money; and that it was necessary to place every safeguard to protect Government funds in an emergency that it was practical to place in the legislation. Therefore, with this in view, we have been most careful in the preparation of this legislation. I believe that every safeguard that could be placed in the bill has been placed there.

It is my opinion that the American people are behind the President in his emergency program for preparedness; and they want an adequate Army, Navy, and air force, well equipped to properly defend our country on all sides against any, and all enemies, and combination of enemies at the earliest possible moment.

I further believe that an overwhelming majority of our people are opposed to entering the war, unless, it be in defense of our own country, and the enforcement of the Monroe Doctrine. There are some few that might want us to enter the war immediately on the side of the Allies. I have had a few letters saying that they thought we should enter the war immediately. It is my opinion that we are not prepared to enter a foreign war, and we would be of little or no help at the present time. By the time we could land three or four hundred thousand men in Europe, and that would be only a drop in the bucket where millions of men are now fighting on both sides, the war would probably be over and our Army might be stranded, and possibly captured in a foreign country. I hate to think about what demands would then be made of this Nation, and what the consequences would be. Anyhow, it is a possibility that we might have to face, and that is worthy of thought.

The Allies at present have not sufficient equipment to supply their own armies of millions and especially is this true of air equipment, which they woefully lack. We should think of the number of ships that would be required to carry the equipment that it would be necessary to send over with a large army, as well as a large number of ships that would be necessary to carry the men. Our entire Navy would be required to act as convoys; our entire air force that is available, and will be available for several months, would be insufficient to properly protect the convoys with the preponderance of air power that Germany now has.

Let us push to rapid completion our naval vessels that are under construction; also all of those that have been provided for. Let us push the construction of all of the different necessary types of airplanes to properly balance and protect the fleet. Let us increase as rapidly as possible our facilities for training a much greater number of air pilots, and then train these pilots as fast as possible. The Navy with a sufficiently large air force as one of its principle units will be our first line of defense; and if it is efficient and big enough the aggressor nations will let us alone.

I am willing, and believe that a majority of us are willing, to vote millions to prepare for adequate defense of this country, but that we will not vote for 1 cent to send our boys to Europe.

I am now in favor of furnishing the allied countries with airplanes and munitions, as fast as we can produce them, provided it does not interfere with our own emergency preparedness program.

It has been brought out in hearings that the present program providing for naval construction is about all that the existing facilities for shipbuilding will take care of, and a provision has been made in this bill to enlarge the present facilities, and to increase the personnel wherever needed.

I hope that in a short while our facilities for the construction of naval vessels and airplanes will be greatly increased and that we will be able to take care of any expansion that may be needed.

Let us all support this bill and I hope that the Members of Congress will not offer amendments that might weaken the legislation. Of course, if anyone has an amendment which he thinks would strengthen the legislation, or hasten the program, I think that it should receive favorable consideration.

I hope that the American people and the Congress of the United States will never again permit our different lines of defense and our equipment to deteriorate as it did for a number of years immediately following the World War. We should profit by the present serious and deplorable plight of England and France, and especially from the unpreparedness of England. We should realize that dictators are always well prepared with trained troops that are well equipped with the most modern implements of war, and that these dictators never respect the rights of human beings.

I sincerely hope that we will have the largest, most modern, best equipped, and most efficiently manned navy in the world, supplemented by the largest and best fleet of airplanes of different types. When we gain navy and air supremacy I hope that we will have sense enough to maintain it, and I further hope that we will not permit those with visionary ideas to again persuade us to destroy any ships under construction.

We were deceived into fighting a useless war in Europe in 1917 and 1918, and I hope that we will never be misled again into believing that the way to avoid war is to disarm. One or two nations may make an honest effort to disarm, but the others will increase their armaments. The only nation that will be safe in the future is the one that is prepared.

I still believe, as did the Father of his Country, that we should avoid all foreign alinements and entanglements that might involve us in war.

I think that we should let Germany know in no uncertain terms that we disapprove of her actions and methods.

I am voting for and supporting this bill, and expect to vote for the funds necessary to carry out this program.

I will vote for still more funds if it is proven that it is necessary for me to do so.

I think that we should pass a tax bill that will provide funds to carry out this program and sufficient additional funds to provide a surplus with which to enlarge the program at a later date if it becomes necessary.

No matter how strong the provocation may be, I will always vote against sending American boys to Europe to fight. [Applause.]

Mr. DREWRY. Mr. Chairman, I yield such time as he may desire to the gentleman from Virginia [Mr. DARDEN].

Mr. DARDEN of Virginia. Mr. Chairman, I should like, after a very brief preliminary statement, to devote the time allotted me to a discussion of naval expenditures over the past 7 years.

There has been of late some discussion of the disposition of the sums of money appropriated for our Navy, and the country has every right to expect from us an accounting of the funds disbursed.

In my opinion, there are several matters which at this time should claim our attention.

In the first place, we must realize, and our people must realize, that we are facing a task that is not only going to require at best a considerable period of time but also tremendous sums of money. The supplemental or additional appropriation requested by the President a few days ago will be of material help in getting this work started, but it is folly for us to assume that with this appropriation available we have done more than made a beginning on what is a Herculean task.

We are faced with the necessity of placing this country on a war basis; that is, a basis which will permit the immediate defense of its vital interests.

We have for many years hoped that a way might be found to preserve peace without the necessity of diverting much of our production to the materials of war.

While our military expenditures have been heavy, they have not been on the basis comparable with our needs.

The onslaught in northern France has sounded the death knell of our dreams of a peaceful world from which force has disappeared or is about to disappear.

If we fail to heed this terrible lesson we do so at our great peril. To omit to make every possible effort to place the defenses of our country in an impregnable condition is to court inevitable disaster and to gamble recklessly with the lives of the American people.

We are watching with terror and indecision the most ruthless conquest of modern history. We see the democracies of Europe reeling under the sledge-hammer blows of an efficient military machine controlled by men without conscience and without humanity.

The destruction of open towns, the relentless and unremitting bombing of countless thousands of unarmed and panic-stricken refugees and their merciless slaughter by machine-gun fire as they struggle to escape by the congested roads of Belgium and France are but an evidence of the utter heartlessness and cruelty of the forces which challenge the principles for which our Government and our people stand.

National defense instead of being simply one of the functions of our Government must be made for the time being the primary function. Until safety has been achieved, all other demands save those vital to the State must be deferred.

Let no one be deceived into thinking that the program here set forth for the Navy and the program embodied in the Army bill of last week constitute an answer to our needs. They are but a beginning, and for that reason it seems to me imperative that a tax program be considered in order that we may be able so far as possible to meet this additional financial burden which is great and which promises to be with us for some time to come.

We have the time, we have the resources, and the skill—we need only the will to carry our program to a successful conclusion.

We cannot do it by adjourning Congress and hurrying home at this critical moment in our history. We cannot do it by abdicating in this hour of desperate need. We are the Representatives of the American people; their responsibilities are our responsibilities. Unless we are prepared to discharge our duties, our Government cannot hope to survive.

The Navy is an organization of which we have just cause to be proud. Ship for ship it is, I believe, the most powerful fighting force at sea today.

The fleet is superior to the bases on which it rests—it is superior to the industrial organization upon which it must rely for continued fighting power. On these much work is being done, and much remains to be done.

In order that the House may have a clearer idea of our problem I will devote what is left of my time to what has been accomplished in recent years.

From 1922 to 1932 we built or started 6 submarines, 1 aircraft carrier, and 14 cruisers—a total of 21 ships. It must be remembered that during this period we were subject to the limitations of the Washington and later the London naval treaties. We sincerely attempted, by example, to lead the way in world disarmament.

Since 1933 we have started 179 vessels. As of the first of this month, May 1, we have completed 111. Of the 68 remaining, which are the subject of part of this speed-up legislation, 19 will be completed in 6 months, 13 within the next 6 months, 18 in the next 6, 6 in the next 6 months, the remaining 12 in a little over the next 6 months, or 2 years in all.

Of the 111 ships which have joined the fleet since 1933 there have been 11 cruisers, 2 heavy and 9 light; there have been 3 aircraft carriers; 62 destroyers and 26 submarines; 2 gunboats and 7 noncombatant ships.

Of the 68 vessels for which we are here asking for funds in order to rush the completion there are 8 battleships, six 35,000-ton vessels, and two 45,000-ton ships—the latter we believe to be the most powerful units afloat—1 aircraft carrier, 6 light cruisers, 14 submarines, 27 destroyers, and 12 other ships, such as tenders, mine sweepers, repair ships, and so forth.

The addition of these vessels to the fleet will, of course, materially add to its striking power.

It will, I believe, please you to know that an investigation by our committee of ship construction now in progress showed that the program was being expedited in every possible way, and that in most instances construction was well ahead of contract. There is every reason for us to feel satisfied with the progress of the building program—a program which started with 8,750 men being employed and which now engages 53,750.

A considerable sum of money has been spent on this naval program in recent years. On increase of Navy—which item covers new ships—we spent in the fiscal year 1934 from the naval appropriation of $266,581,699.68, $43,066,761.26 plus emergency fund of $23,664,076.48; in 1937 we spent from an appropriation of $503,350,016.63, $155,008,729.19 plus $26,513,345.28 from emergency funds; in the fiscal year 1939, from naval appropriations of $635,474,414.22, we spent $222,484,222.72 plus emergency funds of $4,225,083.44 on new building.

It can be readily seen that new building has taken larger sums each year. Since ships are appropriated for as they progress, you can see that the undertaking is one of major proportions—rising from approximately sixty-seven millions in 1934 to about one hundred and eighty-one millions in 1937 and two hundred and twenty-seven millions in 1939.

The regular Navy appropriations have been quite substantial in recent years:

1934	$266,581,699.68
1935	327,554,194.01
1936	404,702,348.42
1937	503,350,016.63
1938	575,453,311.07
1939	635,474,414.22

In addition to these sums there was made available during these years—1934 to 1939, inclusive—$336,935,780.01 from emergency funds. Of these, about two hundred and sixty-two million was used for new vessels, about nineteen million for aircraft, and about forty-nine million for public works.

During this period about $80,000,000 of the regular appropriation went for aircraft and about thirty-eight millions for public works.

It is interesting, I think, to see that military pay took in—

1935	$151,830,604
1936	184,875,987
1939	219,575,752

While maintenance other than military pay required in—

1937	$128,203,545.64
1938	158,688,968.17
1939	155,040,121.43

Not only have great additions been made to our fleet in recent years but the money for public works has been spent to great advantage. [Applause.]

I regret that time does not permit me to set forth other items which I think would be of interest.

Mr. DREWRY. Mr. Chairman, this bill has been very carefully considered for more than 30 days by the Committee on Naval Affairs, and that committee has reported it unanimously. Representatives of the shipbuilding companies, the Civil Service Commission, and the American Federation of Labor appeared before the Naval Affairs Committee. The bill represents the steps that should be taken at this time to speed up our naval construction.

This bill is a bill to expedite naval shipbuilding. It was considered by the Committee on Naval Affairs of the House for nearly a month, and everyone who wished to present his views was permitted to do so. Included in the witnesses who testified as to the provisions of the bill were representatives of the Navy Department, representatives of shipbuilding companies, officials of the Civil Service Commission, and representatives of the American Federation of Labor, and they were closely questioned by the members of the committee as to the steps that could be taken at once to expedite naval construction. The bill is not permanent in its character, but is temporary, to be effective for a period of 3 years, beginning with the date of its approval. The necessity for speed arose out of the fact that several of the most powerful nations in the world were engaged in a death grapple in Europe. No one could foresee the result of that conflict and no one could prophesy what the world would be after it was over. Some contended that these nations would come out of the conflict in such condition that there need not be any fear on the part of the United States of any aggression from any of them for many years to come, and that in that time we would be able to build our naval construction to a point where we would be immune from attack. Others took the view that with the world at war and the distances between the United States and other continents very much narrowed by the developments in air and sea construction, that we should be prepared for any eventuality. The advocates of speedier building pointed to the negligence of other countries that had been overrun by the aggressive Germans because they had not prepared in time of peace against sudden attack.

The committee reported unanimously in favor of reporting the bill, showing that the impression was in their minds, and they thought there was a feeling in the country that necessitated a quicker preparation for our naval defense. It must be remembered that the Navy is our first line of defense and that if our extensive coast lines are to be properly guarded, it is most essential that the first line be prepared to meet any force that might be brought against it by water. In order to get a true perspective of the entire situation, it might be well to point out that in 1922, the United States had probably built and was building the strongest navy in the world. In order, however, to join in with other nations with the idea of decreasing the enormous expense for ships and armament, the United States agreed to sink $350,000,000 of its ships to put us on a ratio of 5–5–3, which at that time was agreed upon as to battleships and aircraft carriers, as between the United States, England, and Japan. Future conferences were successful, as the United States thought, in reducing the cost and production of ships in other categories along similar ratios. The United States, thinking that a great step forward had been taken and that the people of these countries would adhere to the general proposition to limit and decrease ships and armaments, did not even take the trouble to bring our Navy up to the 5–5–3 ratio. England was not so satisfied as we were and undertook some naval construction, and Japan went ahead with its building, and when the treaty was finally abrogated, there was no definite understanding of what the naval construction of Japan had been. Germany and Italy had not been party to all the elements of the treaty, and had gone ahead in certain categories which they thought specially adapted to their position in Europe.

If it had not been for our trusting disposition and our negligence in the matter, and the objection of a great many people in the country to spending money on naval defense, thinking it would be better to provide for internal expenses, there would be no necessity now of the large expenditure necessary to build up our Navy.

It can surely be said that the high ranking naval officers and the Naval Committee saw the danger in this inaction with reference to ship construction and proposed from time to time certain expenditures to enable the Navy to build up to a degree that would not leave it utterly defenseless in time of danger; but little heed was paid to these warnings, and not until the troubled condition of the world became more apparent about 1933 was much done. Even at that time, the time limit in the contracts for ships was long and there was a great deal of delay; but the activity did not begin until 1933 and we had been made aware of our unpreparedness and the necessity for speed in production. Fifty-two ships were provided for in the acts of June 16, 1933, and June 19, 1934, and they have been completed. On March 27, 1934, a building program was started to provide for 1,262,068 tons of underage ships, with estimated expenditure of $1,690,000,000, which with replacements, up to this time, and almost completed, makes 119 ships. In 1938, a 20 percent expansion was authorized providing for an increase of 46 combatant ships and 26 auxiliary ships, at an estimated expenditure of $1,121,546,000, and under this and previous acts there are now being built 56 combatant ships and 12 auxiliary ships.

However, they should be completed without delay, and I wish to call attention again to the fact that the committee has proceeded on the theory of preparedness for the last 7 years, and only the conditions above described prevented their recommendations from being followed. If their recommendations had been followed, there would never have been such negligence in having a prepared Navy, and, of course, as the money was not spent in those years of indifference and neglect, we must now be willing to spend the money which should have been spent previously. As the navy yards were not being given work to keep them going, they reduced their forces and facilities; and, again, changes in design were made due to the improvements in shipbuilding. Another cause of delay, however, was due to the fact that hours of labor in this country per week were below those of other nations. When we now learn that Germany was going full speed ahead with the construction of its ships and airplanes under a 60-hour week, we can very readily understand why Germany was enabled to win its recent successes with ships and machines and airplanes over France, which, like ourselves, had only a 40-hour week.

This bill does not make any change in the present industrial movements with reference to hours of labor, but the time may soon come when it will be necessary to call on our workers, as well as all other classes of American citizens, to be willing to devote more time and more energy to the defense of the country. This bill, therefore, provides for expediting work that has to be done in this national emergency, which has been declared by the President of the United States to exist, to negotiate contracts for naval vessels and aircraft, including their equipment and tools, without going through the usual slow course of bidding.

There should not be any objection at this time to putting such matters in the hands of the Executive; in fact, it is absolutely necessary that it be done. If it is not done now, it will have to be done later, for no nation could do its work in war times if it was hampered by the slow processes of the passage of bills through legislative procedure. When that time comes, if it should come, the welfare of every man, woman, and child in the country will depend upon how the President, the Commander in Chief of the Army and Navy, who is declared by the Constitution of the United States to be the controlling power in such circumstances, shall direct the military forces of the country. In giving him such power as we see fit, we are merely doing now what we may be required to do later, and the granting at this time of such power puts us that much ahead of an expected emergenecy. I am referring generally, of course, to the provisions in the bill which

allow certain determinations to be made by the President instead of going through a long-drawn-out legislative procedure of committee action with its hearings and other processes which we follow in peacetime.

I will not go into a long-drawn-out explanation of these provisions of the bill, for they have been admirably discussed by the chairman of the committee; nor is it necessary to do so, for the entire country is aroused to the danger of a lack of preparedness, and with more insistence than I have ever known, have called upon Members of Congress to authorize the work to be done that is necessary, to appropriate the money, and to give the President the right to proceed as expeditiously as can be done.

As indicative of how the crisis has been finally approached by us, I wish to quote a statement by Admiral Van Keuren, of the Construction Corps of the United States Navy, who stated during the hearing before the committee:

> During the period 1922–32 we built or started 6 submarines, 1 carrier, and 14 cruisers—a total of 21 ships. Since 1933 we have started 179 vessels. We have completed, as of May 1, 111 vessels. Of the 68 vessels remaining to be completed, 19 will be completed in 6 months; 32 will be completed in 12 months, including the previous 19; 50 will be completed in 18 months, including the previous 32; 56 will be completed in 24 months, including the previous 50; and the remaining 12 ships in something over 2 years.
>
> At the beginning of the program we had employed 8,750 men in navy yards and private yards on new construction. Today we have 53,750—a 650-percent increase.

The Navy has moved and probably would have moved faster if its requests for new ships had been granted sooner. The Congress is now moving to meet the situation; and the Executive is, with his usual energy, going ahead with the general supervision of the work with speed. It therefore falls back on the people of the country to do their part, and it will require the patriotic endeavors of every person of sufficient age to enter into it. Our manufacturers and our workingmen must be willing to go ahead without grumbling, even if they do have to work longer hours; and there is a great deal that the people of the country itself can do in being ready to make such sacrifices as are demanded in this great emergency.

The people of the country should keep in mind that it is essential that the Navy of the United States be maintained in time of peace in order to prevent war. They must also understand that in order to prevent the effects of war within the country itself by invading forces that the Navy must be ready to prevent the landing of such invaders. Everybody hopes that there will be no war on the part of the United States with any other power. We are at heart a pacifistic nation and wish to live in harmony and peace with all other peoples of the world. Americans are also people of independence and courage; and if war should come, which God forbid, the people of this Nation will direct its military forces to be ready and prepared and to fight to resist any aggression. Love of country requires that every man shall do his part to insure that end and the success of our resistance to aggression from any other nation.

Mr. MAAS. Mr. Chairman, I yield now to the gentleman from New Jersey [Mr. WOLVERTON].

Mr. WOLVERTON of New Jersey. Mr. Chairman, the purpose of the legislation brought to the House by the House Naval Committee, and which is now under consideration, is to expedite naval shipbuilding, aircraft, and auxiliary agencies of the Navy.

Since the President made his appeal to Congress for additional strength for our national defense Congress has acted promptly and effectively. Already legislation has been passed by this House to strengthen and expand our Army. Now this legislation is before us, after careful consideration by the House Naval Affairs Committee and with its favorable recommendation. It represents an effort to cut the red tape that now ties up the letting of contracts for naval vessels.

The gentleman from Virginia [Mr. DREWRY], a distinguished member of the Naval Affairs Committee, and for whom I have a high personal regard, has just assured the membership that this bill has had the careful consideration of the Naval Affairs Committee. Such is the case. Any time and every time the Naval Affairs Committee recommends legislation to this House under the leadership of its distinguished chairman, the gentleman from Georgia [Mr. VINSON], the membership of the House can be satisfied that it has been carefully studied and is entitled to favorable consideration.

The committee has sensed the need for our country to proceed with all possible speed to strengthen our naval forces. Time is an important consideration under present conditions. I am inclined to think that there are few Members of this House who realize the great length of time that is necessary to complete the construction of a battleship or heavy cruiser. It takes anywhere from 3 to 5 years and requires the services of thousands of trained and highly skilled employees. It is also well to remember that the different trades necessary in the building of ships are more numerous and varied than in any other industry. These forces of skilled mechanics cannot be recruited overnight. They require long years of service to attain the efficiency that is necessary in the performance of the important work incidental to the drafting of plans and the actual construction work. The men employed in our shipyards are necessarily among the highest skilled workers in our Nation. During the World War they gave an excellent account of themselves. They will do so again in this hour of emergency. But we must not overlook the importance of the time element in preparing our national defense. This, as I have pointed out, is a particularly necessary consideration in the building of ships. Thus this bill, as it cuts red tape, is a material contribution to the effort that is being made to strengthen our naval force in the shortest possible time and deserves the support of the entire membership.

The experience gained in the last war should be sufficient to convince anyone, who thinks in terms of the welfare and security of this Nation, that our greatest need from a defensive standpoint is a strong Navy. The intervening years between the World War and the present time, that have culminated in the awful tragedy now being enacted in Europe, also make plain that an adequate air force is likewise necessary. The one supplements and makes stronger the other. It is my understanding that a bill to authorize the construction or acquisition of naval aircraft will immediately follow the bill now under consideration. It was likewise reported favorably to the House by the Committee on Naval Affairs and deserves the support of the membership.

The necessity for this Nation to give further and more serious consideration to our naval strength arises at this time because of the uncertainty and doubt that surrounds the European situation. In the past the English Navy has always been considered as part of a cooperative naval force with our own to maintain the principles of free people. No one has ever seriously considered the possibility of the British Navy being rendered useless by an opposing force. Thus, we have always had the thought that in any great emergency that involved our national security that the Navy of Great Britain would be found on our side. But today we see the British Nation hard pressed and many people commencing to think about the consequences that will follow if Great Britain should fail and its Navy be taken over by opposing powers or even destroyed. In neither contingency could the British Navy be counted upon as an ally to us. The very possibility of this situation arising is sufficient to drive us ahead to procure at the earliest possible day an American Navy that will be sufficient to protect us from attack on either ocean, and no longer should we depend upon Great Britain or any other nation to supply our deficiency in naval forces.

Since 1921 our Nation has respected the purpose and intent of the Washington Treaty. We sought by deed as well as word to convince the world of our sincerity to limit naval armaments. As a result of that treaty we destroyed, built or building, approximately 800,000 tons of warships, of a value of $400,000,000. Other nations accepted the principle but in most cases made no sacrifice by destroying any of their existing battleships. The years that have followed the signing of

the Washington Treaty showed a continuing desire upon our part as a Nation to uphold the principle of limitation of naval armament laid down in that treaty. During the same years other nations, who were parties to the treaty, built up their naval forces. Our failure to build in those categories that were not prohibited to us by the treaty has enabled other nations to outstrip us. Today, therefore, because of our adherence to the terms of the Washington Treaty, in spirit as well as deed, we have dropped far behind in naval strength. Since 1936 there has been no treaty limitation that has precluded our building on as large a scale as conditions made necessary or advisable. It has been the reverses that have come to the British Nation that had awakened us to the danger that now exists. Whatever justification or lack of justification there may be for the delay in shipbuilding during the last few years, the fact now is, we are aroused and fully realize the precarious position in which we would find ourselves if an attack should be directed at us. Now that we are awake and fully appreciate the need there can be no excuse for further delay.

In conclusion, permit me to remind you and also emphasize the fact, that the American Navy is one of the strongest influences for peace in the world. The American Navy never declares or provokes war, but, time and again its strength has been a stabilizing influence for peace. It is an agency of peace and will continue to be as long as the spirit and desire of America is for peace. Any additional strength given to our Navy makes more certain and secure our own peace and the peace of those weaker nations of the Western Hemisphere that are dependent upon us.

Mr. MAAS. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. HEALEY].

Mr. HEALEY. Mr. Chairman, there has been a great deal of discussion lately as to the effect of the Walsh-Healey Act on the program upon which we are about to embark. There have been allegations to the effect that this act would tend to interfere with and impede the speed of this program. In order that there may not be any misunderstanding about the provisions of that act and in fairness to the act itself, I obtained this time to explain that the act itself makes full provision for the requirements of any emergency. Section 6 of the act provides that in the event of an emergency the Secretary of Labor may suspend any and all provisions of the Walsh-Healey Act. That is in the law itself, and when the law was framed those of us who worked on it had in mind of course that an emergency might occur when it would not be in the public interest to rigidly enforce all of the provisions of the law and that situations may occur requiring the suspension of some of the provisions of the act. That language will be found in section 6 of the Walsh-Healey Act. We who framed the act had foresight enough to have included in the act the language which would take care of such emergencies. Section 6 of the act, under which such exemptions may be granted, reads as follows:

Upon a written finding by the head of the contracting agency or department that the inclusion in the proposal or contract of the representations or stipulations set forth in section 1 will seriously impair the conduct of Government business, the Secretary of Labor shall make exceptions in specific cases or otherwise when justice or public interest will be served thereby. Upon the joint recommendation of the contracting agency and the contractor, the Secretary of Labor may modify the terms of an existing contract respecting minimum rates of pay and maximum hours of labor as he may find necessary and proper in the public interest or to prevent injustice and undue hardship. The Secretary of Labor may provide reasonable limitations and may make rules and regulations allowing reasonable variations, tolerances, and exemptions to and from any or all provisions of this act respecting minimum rates of pay and maximum hours of labor or the extent of the application of this act to contractors, as hereinbefore described. Whenever the Secretary of Labor shall permit an increase in the maximum hours of labor stipulated in the contract, he shall set a rate of pay for any overtime, which rate shall be not less one and one-half times the basic hourly rate received by any employee affected.

I am appending to my remarks a list of exemptions that have been granted by the Secretary of Labor under this section. These examples will amply demonstrate that there is no situation which cannot be covered under any emergency by the present provisions of the act which give adequate power to lift its application wherever and whenever the public interest may require it.

The President of the United States has spoken to the Congress and to the Nation; he has taken the people of this country into his confidence. He has given them an account of the defense preparations that have been made since this administration came into office in March 1933. Those of you who listened to his speech Sunday night heard a frank and straightforward statement of the progress that has been made in the preparation of the naval and military arms of our Government. But he unequivocally stated that under the program which he recommended to the Congress, and which I am sure the Nation expects us to pass with the greatest expedition, there shall be created no more war millionaires, and that this national emergency shall not be used as a pretext for the destruction of the social advances that have been gained under this administration. The gentleman from New York [Mr. COLE] said that from the outset that certain officials of the Navy had complained that the Walsh-Healey Act had retarded it in going forward with its program. I say to that gentleman that they also complained of the Vinson-Trammell Act. The Vinson-Trammell Act provided that there shall be a limitation of 10-percent profit on all Navy contracts. Section 3 of this bill does suspend the provisions of the Vinson-Trammell Act on all contracts to be awarded where the amount is under $25,000. Should the emergency occur wherein the public interest requires the suspension of the provisions of the Walsh-Healey Act, which afford protection for labor, I am sure that the persons affected will willingly and patriotically comply. Is it unreasonable to expect that an equivalent sacrifice will be made by capital, industry, and, in fact, all elements of our Nation in the interest of an adequate defense program?

Exemptions from the act which have been granted

Docket No.	Industry	Exemption requested	Department
E-20	Airplane	For contract for 1 airplane from provisions of act in order that this 1 airplane might be constructed along with 6 others, contracted for before effective date of act.	U. S. Coast Guard through Procurement.
70/3	Bankers' directory	For contract with Rand-McNally Co. for period beginning Dec. 1, 1938, until Nov. 30, 1939, for Bankers' Directory, including supplements as published by said company.	Procurement.
E-1	Cotton textile	For employment of girls between 16 and 18 years of age	Cotton Textile Institute through Procurement.
E-11	Drills, radial, motor-driven	For contract for drills from provisions of act concerning keeping of records and 8-hour day and 40-hour week.	Navy.
E-22	Furniture, items Nos. 8136 to 26-S-8220.	For contract for weed stools from provisions of act, stating Great Northern Chair Co. had been awarded contract before was noticed that this company excluded operation of act in its bid.	Procurement.
E-30	Lamps, incandescent	For employment of 10 female employees between 16 and 18 years of age (Hygrade Sylvania Corporation).	Do.
E-27	Radio tubes	For employment of certain female employees (183) under 18 years of age, all of whom will reach this age during 1938. (RCA Manufacturing Co.).	Do.
E-26	Sound motion pictures	For contracts for rental of sound motion-picture films to Veterans' Administration from stipulations of sec. 1 of act because films are offered to Veterans' Administration at practically charity rates.	Veterans' Administration and Procurement.

Requested exemptions from the act which have been denied

Docket No.	Industry	Exemption requested	Department	Action taken
E-5	Boring machines, 3-inch spindle.	For contract for 3 horizontal boring, drilling, and milling machines from provisions of act, stating parts for assembling machines were to be taken out of stock.	Navy	Request withdrawn after understanding was reached that stipulations of act applied only to employees engaged in assembling machines and preparing them for actual shipment.
70/1	Lumber	For contract awarded to Colfax Lumber & Creosoting Co. for lumber because stipulations of act were omitted from contract through mutual mistake of contractor and contracting officer.	Agriculture	Request denied on ground that the Department of Labor has not power to grant relief in this situation.
E-10	Machine tool	From provisions of act on the premise that it would impair conduct of Government business.	Navy	Request denied since 1 company agreed to conform to stipulations of act.
E-7	Petroleum	For refinery workers of Associated Oil Co. from application of art. 1, sec. (c), of Regulation 504 and sec. 1, subsection (c) of act regarding number of working hours per day.	do	Request denied. Held that Secretary of Labor has no authority to grant exemption from 8-hour day, 40-hour week limits.
E-6	Twine	For exemption from provisions of act since only bids deleted stipulations concerning act.	do	Request denied in order to investigate market for flax twine and also to determine whether other bidders would submit bids and execute contract subject to stipulations of act. Navy now having no difficulty in securing flax twine.

Requested exemptions which have been withdrawn or closed with consent of all parties

Docket No.	Industry	Exemption requested	Department	Action taken
E-8	Airplane	Beech Aircraft Co. requested exemption from provisions of act with reference to number of working hours and overtime rate of pay.	Navy	Held because component parts had been manufactured in group production operation before contract had actually been entered into, requirements of Regulation 504 need not be kept. Contractor later designated willingness to comply with requirements of act.
E-3	Boiler, oil burning, marine	From provisions of art. 601 of Regulations 504	War	
E-15	Copper	If a broker not qualified as a regular dealer under our Regulations files low bid, would Secretary consider his bid acceptable? American Metal Co. requested exemption by way of a tolerance for waiting periods caused by break-downs.	Navy	Mr. Reilly granted tolerance. Since copper companies have changed their attitude toward bidding on contracts for Navy, request for exemption is no longer active.
E-12	Electric hydraulic power plants.	From act because compliance with stipulations would materially increase cost of production.	do	Conference held after which company was awarded contract without necessity for exemption.
E-25	Fuel oil	From provisions of act for Alaska, Juneau Gold Mining Co. which refuses to conform to requirements of act, and no other source of supply in Alaska is available.	Treasury	Since this company is only source of supply, Treasury may make open-market purchase from that company under purchase statute, Rev. Stat. 3709, which purchases are exempt from act.
E-23	Hemp	Ruling requested as to whether act applied to production of American hemp.	Navy	Products processed for first sale by original producers are exempt from act.
E-14	Lumber	National American Wholesale Lumber Association requested blanket exemption for all wholesale lumber dealers from operation of art. 101 (b) of Regulation 504 defining a regular dealer.	None	Case closed. Amendment to art. 101 (b) makes exemption unnecessary.
E-2	Mattress lumber	For contractors requiring them to be a regular dealer	War	Held a perishable and therefore not included within the purview of sec. 9 of the act.
E-9	Machine tool, shaper planer	For contract for shaper planer from provisions of act	Navy	Conference held after which company submitted bid in compliance with act.
E-17	Machine tool	From stipulations set forth in sec. 1 of act which seriously impair conduct of Government business in that no bid can be obtained from a manufacturer who is willing to comply therewith.	do	Request no longer active since Navy has purchased machines involved.
E-21	do	For machine tool from provisions of act, stating it was impossible to get satisfactory bids for performance of a contract in accordance with stipulations of the law.	do	Navy no longer having difficulty in securing these machines.
E-28	Paper	American Paper and Pulp Association requested general exemption for tour workers to maintain continuity of operation despite absence of party holding similar position in relieving crew, to be applicable to any manufacturer of paper and pulp who supplies products to the United States.	Procurement	Mr. Walling advised company its application for exemption of shift workers futile. Case is closed.
E-19	Petroleum	From provisions of act which caused companies to refrain from bidding on Government contracts (Inland Waterways Corporation).	War	No exemption necessary since act is not applicable.
K-4	Shipbuilding	For blanket exemption from act insofar as provisions would apply to repair contracts in excess of $10,000 (Inland Waterways Corporation).	do	Held that contracts for construction and repair do not come within the purview of the Walsh-Healey Act.
E-16	Steel	Of sec. 1 of act which will seriously impair conduct of Government business and cause Navy to discharge mechanics and laborers if they cannot depend upon required continuity of steel deliveries as work progresses.	Navy	Since steel industry has adopted 40-hour week and Navy no longer has difficulty in obtaining steel bids, request for exemption unnecessary.
E-13	Steel box cars	From requiring bidders to comply with provisions of the act (Inland Waterways Corporation).	War	Labor stipulations set forth in act not applicable. Held that transaction was an open-market purchase within art. 2 (a) of Regulation 304.
E-18	Tires and tubes	For tires and tubes from provisions of sec. 9 of act under open-market purchases; requested by several tire dealers.	Procurement; transmitted without recommendation.	Conference held which resulted in tire manufacturers bidding in full compliance.
E-29	Zinc, slab (spelter)	By Navy Department under date of July 12, 1937	Navy	Navy readvertised and received satisfactory bids, so need for exemption no longer exists.
70/2	Educational orders of munitions of war.	By War Department through Procurement under date of Nov. 16, 1938.	War	Procurement advised on Dec. 3, 1938, that act and regulations thereunder do not prevent award of contracts under Public, 639; therefore, further action is unnecessary.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. MAAS. Mr. Chairman, this bill has been very carefully considered and it represents the minimum requirements as recommended to us by the Navy Department and shipbuilders to expedite the shipbuilding program. We have been fortunate in the past in the fact that we had two oceans as moats to protect us. Those oceans are of value to us only so long as we control them. As a matter of fact, the ocean is the easiest and cheapest way to transport large numbers of troops. Because of this these very oceans become liabilities if we do not control them. So unless we control the sea approaches in both the Atlantic and the Pacific Oceans, they become a liability. They are an asset

only if we can control them. In order to maintain control of them we must speed up our naval construction as quickly as possible so as to bring our Navy up to full strength.

The proposals in this bill do not in any way surrender any of the progressive advances that have been made in this country. They provide that they may be suspended, or such parts of them suspended as may be necessary, in the interest of expediting the shipbuilding program. No injustice is done to anyone. These powers of the people are not surrendered by the Congress. We grant authority to the President and in some cases to the Secretary of the Navy during the emergency to suspend the operation of certain laws. Certainly we are in an emergency at the present time as relates to the state of the building progress of our Navy. We have placed a safeguard in the bill providing a time limit on the exercise of the right to suspend these laws. Should the emergency be continued indefinitely these powers will expire in 3 years and then a new Congress may decide whether they are to be extended or not. The mere continuance of a declaration of emergency will not be enough to perpetuate the suspension of these laws.

I am going to touch on just a very few of the points. The gentleman from Georgia, Chairman VINSON, has made an excellent statement on the bill in detail. I shall merely emphasize some of the provisions of the bill.

A great deal has been said about negotiated contracts. There is every safeguard in these negotiated contracts. They are not the old wartime contracts of cost plus which was, of course, a terrible thing, and a terribly costly thing in more ways than one. These contracts are cost plus a fixed fee. The experts in the Navy Department will estimate the cost of a project, and then the fee will be based upon 6 percent of that estimated cost on the progress of the work as determined by the Navy Department.

Mr. COLE of New York. Mr. Chairman, will the gentleman yield?

Mr. MAAS. I yield.

Mr. COLE of New York. The gentleman is referring to the provision contained in the second bill concerning the construction of operating basis rather than this question of negotiated contracts.

Mr. MAAS. The gentleman is correct; I had that in mind.

Mr. COLE of New York. That is in the bill to follow. These contracts are subject to the 10-percent limitation.

Mr. MAAS. That is right. These are the 10-percent contracts under the Vinson-Trammell Act, which limits profits. There is no danger that they are going to run away with any profits because the Government is going to get it all back in some other form of tax anyway; you know that. Nobody is going to nor should make very much money out of war contracts nowadays.

Mr. DARDEN of Virginia. Mr. Chairman, will the gentleman yield?

Mr. MAAS. I yield.

Mr. DARDEN of Virginia. Before the gentleman concludes would he be so kind as to give us his views of the possibility of keeping open the Panama Canal for the use of the fleet in either ocean during a time of emergency?

Mr. MAAS. Yes; I shall be pleased to. I think the gentleman knows I have always been apprehensive about the Panama Canal.

Mr. DARDEN of Virginia. That is the reason I asked the question. I would like to hear the gentleman's views on that.

Mr. MAAS. The gentleman from Virginia and I were down there recently and made a personal study of this matter. I am frankly apprehensive about the Panama Canal. That is why I have advocated for years that we have two fleets. We are a two-ocean nation, we have two oceans to defend. Our entire defense policy today is dependent upon the uninterrupted transit of the fleet through the Canal, or the availability of uninterrupted transit through the Canal. There are many things that can make that impossible: The destruction of a lock, the destruction of the Canal at any point, or an air attack, and the grave danger, of course, of sabotage.

I do not believe that we are going to be threatened in either ocean, as a matter of fact, unless we are threatened in both at the same time, in which case whether the Canal is open or not, we should have two fleets, one in the Pacific and one in the Atlantic, both capable of the mission for which they would be required, that is, the defense of our territorial and hemisphere waters in both oceans. We are in a precarious position even with all of the present authorized strength of the Navy if we could build it up at once, and certainly to do less than that would be national suicide. This is the least we can do, and I hope that this Nation will show its responsibility in this regard and then will continue to build its naval strength until we have a fleet in both oceans.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield for a question?

Mr. MAAS. I yield.

Mr. HOFFMAN. Where is our Navy now?

Mr. MAAS. It is in the Pacific.

Mr. HOFFMAN. What protection have we in the Atlantic now?

Mr. MAAS. Such protection as can be afforded by the Atlantic squadron, which is inadequate, of course, to meet a hostile naval force, and such protection as we have temporarily by reason of the fact that the other nations with European navies seem to be engaged in a war at the present time that will keep their fleets in Europe. But when that is over we may find ourselves in a very different and critical position.

Mr. MILLER. Mr. Chairman, will the gentleman yield?

Mr. MAAS. I yield.

Mr. MILLER. Not exactly on the same subject, but could the gentleman tell us whether any study has been made recently in view of changed world conditions as to where the line will be drawn between the part the Navy air service and the Army air service will take in coast defenses?

Mr. MAAS. This bill does recognize a change in that regard. Heretofore there has been a sort of unwritten agreement and understanding between the Army and the Navy that the Navy was to go to sea and their flying was to be done over the water, although they might be land-based for the purpose of their patrol planes. The Army was to do the actual flying for the defense of the coast itself. The mission of Navy planes was to be only far out at sea. That has been changed. It has become necessary for the Navy to provide some of its own protection for its bases with its own fighting craft based on shore, and the old relationship will be very materially changed, in my opinion, from now on.

Mr. MILLER. Study is being given to that currently?

Mr. MAAS. Yes; it is being given close attention now. I think the old arrangement has to be abandoned. It is not practical because when the Army is once given a mission, it may have to concentrate its entire air force in a given theater and leave the Navy bases unprotected; in that case, the Navy will have to provide its own protection; therefore, the protection must be under the same control that operates the forces themselves, that is, the Navy. Similarly, the Army will also be prepared to fly out to sea when the Army's mission requires such support, and at the moment the Navy is unable to supply it.

Mr. DWORSHAK. Will the gentleman yield?

Mr. MAAS. I yield to the gentleman from Idaho.

Mr. DWORSHAK. The gentleman has referred to the placing of contracts under the proposed legislation without competition and spoke of the limitation of profits. Is the proposed plan comparable to the cost-plus system which prevailed during the last World War?

Mr. MAAS. No.

Mr. DWORSHAK. What is the difference?

Mr. MAAS. The cost-plus system during the World War guaranteed a profit based on cost and the higher you could run your cost the higher you would run your profit. That is not involved in this legislation at all.

Mr. COLE of New York. Will the gentleman yield?

Mr. MAAS. I yield to the gentleman from New York.

Mr. COLE of New York. The cost-plus contracts guaranteed a profit, while there is no guaranty of profit in here.

Mr. MAAS. Yes. The war contracts were on a cost-plus basis with a guaranteed profit. There is no such guarantee in this bill at all.

Mr. SHANLEY. Will the gentleman yield?

Mr. MAAS. I yield to the gentleman from Connecticut.

Mr. SHANLEY. If the Mississippi River divided the United States into two nations, each of those nations would have a separate fleet on either ocean?

Mr. MAAS. Yes.

Mr. SHANLEY. Of course, the Mississippi River divides a united nation, but that does not change the necessity for having a fleet in both oceans?

Mr. MAAS. The gentleman is absolutely right. I have been advocating two fleets for a long time and I think the day is not far distant when we will see two fleets, one in the Atlantic, and one in the Pacific.

Mr. HOFFMAN. Will the gentleman yield?

Mr. MAAS. I yield to the gentleman from Michigan.

Mr. HOFFMAN. How long would it take to get our fleet home from Pearl Harbor? That is where it is now.

Mr. MAAS. It is somewhere in that vicinity.

Mr. HOFFMAN. How long would it take to get that fleet home?

Mr. MAAS. What does the gentleman mean by "home"?

Mr. HOFFMAN. New York.

Mr. MAAS. It depends on whether they would go through the Panama Canal or not.

Mr. HOFFMAN. In either case, around or through. I am sure the gentleman can tell me either way.

Mr. MAAS. I could tell the gentleman. I could give him a figure that would be approximate at least.

Mr. HOFFMAN. All right, but give me a guess anyway.

Mr. MAAS. You could get the fleet to New York in 3 weeks, though the regular time under normal conditions is 4 weeks. The distance through the Canal is over 6,600 miles.

Mr. HOFFMAN. And around?

Mr. MAAS. Around where?

Mr. HOFFMAN. Oh, around South America.

Mr. MAAS. It would normally take 8 weeks to go around the Horn of South America. Under forced draft it could be done with favorable conditions in six and a half weeks. The distance from Honolulu to New York around the Horn is about 13,500 miles.

Mr. HEALEY. Will the gentleman yield?

Mr. MAAS. I yield to the gentleman from Massachusetts.

Mr. HEALEY. Does the gentleman think that section 2 of the act, which provides that these contracts may be negotiated without competition, will mean that substantially all this material will be acquired by the Navy in that manner?

Mr. MAAS. I think it probably will be, and if it becomes necessary in the expedition of this program to acquire it that way, I think the materials should be acquired that way. Time is the essence of this problem. We ought to stop talking and look at what has been going on in Europe. They have been talking for years. Now look at them. What we want is some action in this country. [Applause.] England and France would not be in the position they are today if they had done a little something instead of talking for 5 years. I hope that our talking period is over in this country and that it will be action from now on.

Mr. CRAWFORD. Will the gentleman yield?

Mr. MAAS. I yield to the gentleman from Michigan.

Mr. CRAWFORD. Here is a copy of a bill which is now being considered by the Banking and Currency Committee. This bill clearly proposes to have the R. F. C. create new corporations, Government corporations, which in turn are to go out and build plants, acquire raw material, bring together their working capital and start production. Why in the name of heaven do we not use the idle plant capacity now available in this country?

Mr. MAAS. I cannot argue with the gentleman about that, because I agree with him. I think we ought to find a way to use both our idle labor and our idle plants, and it can be done.

Another provision in this bill would permit the Secretary of the Navy to administer the 10-percent profit limitation act as it relates to naval contracts in order to enccurage plant expansion. Mr. Chairman, we are bottlenecked in a number of ways. One is in reference to plant facilities that now exist, and if we are going to get these companies to expand their plants, we must permit them to charge the legitimate cost of that plant expansion into their contracts. If we do no permit them to do so, they are not going to expand and the whole plan of speeding up the building of the fleet will be defeated.

Mr. CELLER. Will the gentleman yield?

Mr. MAAS. I yield to the gentleman from New York.

Mr. CELLER. I have before me the act approved May 17, 1938, which has provisions in it exactly like the pending naval bill of 1940. The 1938 act specifically provides that the Walsh-Healey Act shall apply. All of the construction authorized by these two bills and all subsequent construction are by competitive bidding. By the very terms of the Walsh-Healey Act, namely section 9 thereof, the provisions of the Walsh-Healey Act applies, but such terms do not apply in cases of negotiated contracts, that is, when there is no competitive bidding. How does the gentleman reconcile the assertions made repeatedly here that the Walsh-Healey Act applies to the provisions of the pending bill? The gentleman from Georgia says the sections of the 1938 and 1940 naval construction bills concerning the Walsh-Healey Act apply to the pending bill. I say they only apply when the bidding is competitive.

Mr. MAAS. It does apply except as provided in the exceptions, and those exceptions are necessary. I want to remind the gentleman that Germany is not winning this war with a 40-hour week.

Mr. CELLER. I agree with the gentleman. That does not answer my question.

Mr. MAAS. That is what has happened to France and England. If we have to work 48 or 58 hours or even more to save our democracy, we are going to work that long. [Applause.]

Mr. CELLER. I am not objecting to that.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That whenever in the opinion of the President of the United States such course would be in the best interests of national defense during any national emergency declared by the President to exist, the Secretary of the Navy is authorized to advance, from appropriations available therefor, payments to contractors in amounts not exceeding 30 percent of the contract price, upon such terms as he shall prescribe, and he shall require adequate security for the protection of the Government for the payments so made. He is further authorized in his discretion to make partial payments on the balance of the contract price from time to time during the progress of the work, such partial payments not to exceed the value of the work already done, but to be subject to a lien as provided by the act of August 22, 1911 (37 Stat. 32; U. S. C., title 34, sec. 582), entitled "An act authorizing the Secretary of the Navy to make partial payments for work already done under public contracts": *Provided*, That the Secretary of the Navy shall report to the Congress at the beginning of each regular session the advance payments made under the authority of this section.

Mr. COLLINS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in the Washington Times-Herald of today we find an article which reads as follows:

PLANES CARRYING 30-TON TANKS CALLED HITLER'S SECRET WEAPON

NEW YORK, May 27.—The secret weapon which Germany plans to use in attacking England was described at Roosevelt Field today as a huge type of airplane, capable of carrying a 30-ton tank.

The gigantic German plane, not yet used in the war, has been manufactured in large numbers in a factory in Germany's Black Forest, according to the Roosevelt Field informant. He is a German, now living in this country, whose home for a time was near the Black Forest.

The tank-carrying ships, of which 200 were said to have been completed before the war began, have a wing spread of 200 feet and are equipped with 4 motors of 1,200 horsepower each, the German said.

The fuselage is really a massive shell with a trap door in the bottom, through which the tank is placed aboard. The inside of the fuselage is equipped with fittings for anchoring the tank during flight.

Aeronautical engineers at Roosevelt Field said it would be possible for a plane of the size described to carry a 30-ton tank.

Mr. Chairman, the tank-carrying plane is not a secret weapon. A composite drawing of a plane carrying a tank has been hanging on the wall in my office for 8 or 10 years. My military friends have considered it a fantastic idea, but European countries have found that new weapons of this and other types are a threat to their very existence.

We in this country must change our military technique. Modern manufacturable implements are our chief need of the moment. [Applause.]

GEN. BILLY MITCHELL

Mr. RANKIN. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I agree thoroughly with the statement of my distinguished colleague the gentleman from Mississippi [Mr. COLLINS] on the subject of mechanized equipment. We see what it is doing in Europe today.

For many years it has been my contention that we ought to have a more adequate air force. We must prepare to defend America against all probable enemies, now and throughout the generations to come.

I was here when Gen. Billy Mitchell announced to the world that he could sink any naval vessel from the air. They defied him to prove it by demonstration. They put on the demonstration I believe in Hampton Roads, and he proved every statement he made. Finally they said, "Oh, well, these are small vessels you are sinking. Suppose we had a real war vessel." Well, they had one, the *Ostfrieland*, the largest German vessel captured by us during the World War. They agreed to put on a test to see whether or not he could sink that vessel, and strange as it may seem, they set the very day for that bombing contest for the day we had set to vote on the Fordney-McCumber tariff bill, so that neither Democrats nor Republicans could afford to leave Washington to witness the results.

However, there was an ex-Congressman living at Congress Hall at that time who did go, and when he came back he said to me:

This is a world-changing event.

I do not know how much truth there is in what he said, but I am going to give you his statement to me. He said:

I was about 2 miles from the *Ostfrieland* when the bombing began. They were dropping 2-ton bombs—

I believe he said—

The first one missed the *Ostfrieland*. The next one went right down by the side of it and exploded.

It blew a hole in the side of it into which you could roll a house. The vessel turned over on its back, the water rolled over it about 4 feet deep, and the next plane that came over dropped a bomb right on top of it, and we never saw the *Ostfrieland* again.

Mr. WOODRUFF of Michigan. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Michigan.

Mr. WOODRUFF of Michigan. Does not the gentleman recall that the *Ostfrieland* was one of the ships that had been built by Germany with the view of making them unsinkable?

Mr. RANKIN. Yes; it was one of Germany's boasted unsinkable vessels.

I said to this gentleman, "How long did this bombing contest last?" He said, "About 20 minutes." In 20 minutes they destroyed the pride of the German Navy, with three bombs from an airplane, just what General Mitchell told them he could do.

As a result of General Mitchell's activities and his criticism of our unpreparedness, our lack of national defense, he was finally court-martialed and driven from the service. He went down to his grave with a broken heart. The time will come when the American people will erect a monument to him for his contribution to our national defense and for warning us in time.

I sincerely trust that this program will go through and that every dollar of this money will be so spent as to make our country so strong that no nation, or set of nations, will dare attack us. [Applause.]

[Here the gavel fell.]

Mr. McCORMACK. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, when I came here in 1928 as a new Member, one of the Members who were in this body at that time and who had preceded me in his membership in this body was the gentleman from Mississippi [Mr. COLLINS]. I recall that in 1930 when the Democrats took control of the House and in 1931 and 1932 the gentleman from Mississippi [Mr. COLLINS] was chairman of the Subcommittee on War Department Appropriations. I remember well the various speeches he made during those years, and I opposed them as did many other Members. I am frankly admitting now that the gentleman was right on that occasion and I was wrong. The gentleman was making speeches for a mechanized Army. He wanted a mechanized Army so that our country would be prepared for defense and would be prepared to inflict punishment on any nation or combination of nations that might wage war upon us.

The gentleman was years ahead of his time. He was a lone voice with very few in those days supporting him. He was attacked throughout the country, and I was one of those who misunderstood the gentleman, and in my misunderstanding took a position opposite to his, and in my misunderstanding unintentionally and unconsciously became one of those who criticized him. I am pleased to say, in view of what is happening abroad, that the gentleman from Mississippi [Mr. COLLINS] was absolutely correct; he was years ahead of his time; and I am pleased to make these few observations to give credit where credit is due. So far as this country is concerned, the gentleman from Mississippi [Mr. COLLINS] is the first American citizen, certainly the first Member of Congress, that I know of, in my time and during my years of experience, that advocated what is now apparent to all of us, a powerfully mechanized Army, Navy, and air force, in order to assure adequate defense of our country. [Applause.]

The Clerk read as follows:

SEC. 2. That whenever deemed by the President of the United States to be in the best interests of the national defense during any national emergency declared by the President to exist, the Secretary of the Navy is hereby authorized to negotiate contracts for the acquisition, construction, repair, or alteration of complete naval vessels or aircraft, or any portion thereof, including plans, spare parts, and equipment therefor, that have been or may be authorized, and also for machine tools and other equipment, without competition: *Provided*, That he shall determine the price to be fair and reasonable: *Provided further*, That the Secretary of the Navy shall report to the Congress at the beginning of each regular session the contracts entered into under the authority of this section.

With the following committee amendment:

On page 2, in line 21, after the word "competition", insert "and all orders for such machine tools and other equipment shall, in the discretion of the President, take priority over orders for export."

The committee amendment was agreed to.

Mr. HEALEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HEALEY: On page 3, line 2, after the period in line 2, insert the following: "*Provided further*, That contracts negotiated by the Secretary of the Navy pursuant to the provisions of this section shall not be deemed to be contracts for the purchase of such materials, supplies, articles, or equipment as may usually be bought in the open market within the meaning of section 9 of the act entitled 'An act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes,' approved June 30, 1936."

Mr. HEALEY. Mr. Chairman, section 2 of this bill authorizes the Secretary of the Navy to negotiate contracts for the purchase of materials and supplies without competition. The Walsh-Healey Act provides in section 9 that such articles as may be purchased on the open market are exempted from the provisions of that act. Therefore, if

this provision in this bill is permitted to stand as it is written, the practical effect will be to suspend the application of the provisions of the Walsh-Healey Act to the purchase of the materials that are enumerated in this section.

Now, Mr. Chairman, the amendment which I have introduced will still permit the Secretary of the Navy to negotiate for these supplies without competition, but will take such supplies out of the category of open-market purchases and will permit the provisions of the Walsh-Healey Act to apply to such purchases.

As I stated a while ago, the President of the United States in his broadcast on Sunday said that this emergency—or this program that we are about to embark upon—should not be permitted to break down the social advances we have made or to destroy the protective laws that we have enacted for the benefit of labor. The Walsh-Healey Act, back in 1936 when standards affecting labor were on a downward spiral, when sweatshops and cutthroat competition were everywhere prevalent, was enacted to remedy such conditions insofar as Government purchases were concerned. That was the policy as enunciated by the Congress of the United States, and since the passage of that act millions of dollars of contracts have been filled under decent labor standards, and there has been little complaint about the administration of the act. But now those who seek to attack all labor laws, who have long been engaged in an assault on all laws affecting labor, are using this emergency program as an excuse for weakening this act.

Mr. Chairman, the act itself, as I explained before, takes care of emergencies by permitting the Secretary of Labor in the event of an emergency to suspend its provisions whenever public policy so requires.

Do not forget, Mr. Chairman, that that act also provides against the employment of child labor and convict labor, safeguards to which I submit we ought to cling. If this amendment is adopted, it will not impede the expeditious start and completion of the work contemplated under this bill.

Mr. BRADLEY of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. HEALEY. I yield to the gentleman from Pennsylvania.

Mr. BRADLEY of Pennsylvania. The gentleman is the author of the Fair Labor Standards Act which bears his name and I would like to ask him if in his judgment an amendment such as he has offered is necessary in order to maintain the provisions of the Walsh-Healey Act.

Mr. HEALEY. In my judgment it is absolutely necessary.

Mr. VINSON of Georgia. With reference to the hours of labor?

Mr. HEALEY. With reference to the hours of labor as well as the other provisions.

Mr. VINSON of Georgia. Mr. Chairman, I ask unanimous consent that all debate upon this section and all amendments thereto close in 15 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CELLER. Mr. Chairman, I rise in favor of the amendment. I yield to no man in my desire to have the strongest possible Navy, and I yield to no man in my desire to have that strongest possible Navy built as quickly as possible. I am not an obstructionist, and I am not going to be used as a scapegoat because I seek clarification and clearing up of uncertainties in the bill. I want clarification of the bill concerning labor's banner provisions as embodied in the Walsh-Healey Act. There are grave doubts in the bill. We do not know whether the Walsh-Healey Act applies or does not apply wholly or partly. Portions of the Walsh-Healey Act undoubtedly do apply, particularly with reference to wages and hours, but there is no Walsh-Healey enforcement machinery with reference to wages and hours in the pending bill. The Walsh-Healey Act provides excellent enforcement machinery. What is the workingman going to do if he is denied time and a half wages under the provisions of this act? He is relegated to his common-law remedy in the courts, and what defenseless laborer is going into the courts to fight these giant shipbuilding corporations? No laborer is going to risk his job to do that. The Walsh-Healey Act provides enforcement machinery and, in a word, says that the Secretary of Labor, where there is such violation of the wage and hour question, may withhold from the contractor, from the shipbuilding concern, proceeds from the contract to the extent of the wages that are due the workingman which have not been paid him. That is why I am anxious to have a categorical statement put into the RECORD by the chairman of the committee to the effect that the Walsh-Healey Act applies.

It is not sufficient to say that it applies only with reference to the number of hours and time and a half overtime. We want the other provisions of the Walsh-Healey Act inserted and made applicable, and I say that particularly because of what the President said Sunday night, that he does not want subtracted from labor one iota of the benefits heretofore created for it, and I say that because of what the distinguished chairman of the committee himself said, to the effect that we should not attempt to take away any of the rights heretofore granted to labor.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. CELLER. In just a moment. The gentleman from Georgia [Mr. VINSON] states that in the act of 1938, as of May 17, and in the pending similar naval bill of 1940 there is a provision that all construction and alteration and furnishing and equipment of any naval vessel authorized by those acts or for any ships the keels of which are laid down subsequently, shall be affected by the Walsh-Healey Act, and the Walsh-Healey Act shall apply, but he fails to tell you that the Walsh-Healey Act by its terms provides that where there is no competitive bidding and contracts are allocated and negotiated, then the Walsh-Healey Act does not apply, so that it avails us nothing to cite these acts of 1938 and 1940—the latter pending—which provide, of course, the Walsh-Healey Act applies to all the ships covered by those acts, since they provide for competitive bidding. The chairman fails to point out that distinction. He fails to tell you that all construction under those acts, unlike under the pending bill, involves competition. For that reason it is well to clarify the situation and say what we mean, that it does not apply. Let us, therefore, remove the joker in the bill. The pending amendment does just that. The Navy Department has repeatedly opposed before our Judiciary Committee the Walsh-Healey Act and amendments thereto. They want no Walsh-Healey provisions in the pending act. That is the sum and substance of it all.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOOK. Mr. Chairman, I rise in support of the amendment. It may be refreshing in these days of strife and turmoil, to review a little of what happened in Europe. After the World War, Germany, of course, seemed to be crushed. A republic arose. As the economic condition of the German people became worse, the Communist organization and communistic philosophy found it a fertile ground to plant the seeds that have finally brought forth dragon teeth. Communism became rife. It was the order of the day. Then they fought communism with destructive capitalism. Capitalism went into Germany and took charge, to fight communism. The result was that capitalism then prevailed, but it was destructive capitalism. Then this creature called Hitler came into the picture with his Nazi godless element of force and revenge, with the help of destructive capitalism, took charge of a people tired in body and broken in spirit because of the economic condition they labored under.

The first thing that Hitler did after he was placed in power was to wipe out all labor unions and all social legislation. When this was accomplished he then outlawed all political parties excepting the National Socialist Party. Little by little through murder and fear, he gained complete control. The next move was to wipe out the capitalistic system and set up a totalitarian dictatorship which controls the body and souls of men and women. He wiped out all religion and all freedom for the individual.

We talk about preserving democracy. The only way we shall preserve democracy is to preserve the capitalistic system. You cannot preserve the capitalistic system by allowing destructive capitalism to crush labor. Labor and the capitalistic system must go hand in hand. Industry and labor must cooperate in the interest of national defense.

The capitalistic system which I refer to is the system of free competition. The chance of American youth to compete in everyday life. A chance to rise from the bottom to the top depending on his individual initiative, character, and ability. His right to free speech, free press, to worship God according to the dictates of his own conscience. Democracy is born in the hearts and minds of people. That spark so born can only be preserved if we preserve our individual rights. Individual rights can only be preserved by fair competition in industry, in agriculture, and labor. May God grant that we will rise as one in support of our President and create a military-defense program that will be able to meet any threat to our freedom or our Nation. However, in doing that we must consider that we must keep the things that are worth while defending. Let us keep America as we know it, as we love it. Let not any "fifth column," be it Nazi, Communist, Fascist, or destructive capitalism interfere with the preparation of a defense of our shores.

By destructive capitalism I mean the industrialist who is the chiseler. Ninety percent of the businessmen and industrialists of this country are honest, conscientious men and women, but about 10 percent of them are chiselers or destructive capitalists. It is that 10 percent that we must fight and guard against. They drag honest industry down to their level in order to compete, and the laboring man must pay. In the interest of the defense of America, in the interest of national defense, do not lower the standards of living or sabotage the social legislation that has been placed in our laws.

The laboring man was not wanting at any critical point in our history. He will gladly give his all for his country. He is an integral part of the national defense. Be fair to labor and labor will be fair to you. I know that working together we need fear no enemy either foreign or domestic.

Mr. VINSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. HOOK. I yield.

Mr. VINSON of Georgia. I wish the gentleman would point out where we are trying to crush labor by any provision in this bill.

Mr. HOOK. I am not saying that you are trying to crush labor by this bill. I am saying that we should not in any way let the bars down on the Walsh-Healey bill.

Mr. VINSON of Georgia. All right; now let us get down to facts, let us talk intelligently about this. Point out now where this bill lets down the bars of the Walsh-Healey bill or where in any particular this bill would crush labor. The gentleman is making these accusations. He should be able to justify them. Let us see what he says.

Mr. HOOK. All right. Let me ask the gentleman this: Why not accept the amendment just offered? Will it hurt the bill to accept the amendment?

Mr. VINSON of Georgia. Yes; and I will explain why.

Mr. HOOK. Then, if it hurts the bill to accept the amendment there must be some effect with regard to the Walsh-Healey Act. I am asking the gentleman why he is not willing to accept this amendment if the bill does not affect the Walsh-Healey Act.

Mr. VINSON of Georgia. The gentleman is making a speech and is advocating that this amendment should be adopted for various reasons. I have asked him a question, and I submit that he should furnish the House with the foundations for his statement instead of by innuendo saying that those who oppose the amendment are trying to wreck labor.

Mr. HOOK. But we protecting labor must in every way guard its interests.

Mr. HEALEY. Mr. Chairman, will the gentleman yield?

Mr. HOOK. I yield.

Mr. HEALEY. The gentleman from Georgia asked the gentleman from Michigan how it would affect the bill. I think I have explained the amendment. I have explained that under the provisions of section 2 of this bill the Secretary of Labor may acquire these supplies by negotiation and without competition. Section 9 of the Walsh-Healey Act exempts open-market purchases. Those can be purchased in the open market under the terms of this bill. Therefore it would not be affected.

Mr. VINSON of Georgia. How does that affect labor?

Mr. HEALEY. Because the hour and wage provision of the Walsh-Healey bill would not apply.

[Here the gavel fell.]

Mr. VINSON of Georgia. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I hope this House will bear in mind the objectives of this bill. The main objective of this bill is to cut red tape and to get down to the business of building ships. That is the main objective. [Applause.] If you want to accomplish that, accept the work of the committee. After 2 weeks' hearings the Committee on Naval Affairs brought in a bill that is technical in a great many details, and we are asking this House now to go on record whether it wants to do one of two things, and I use the word advisedly because it is correct—to let the clumsy fist of the administrator of the Healey-Walsh Act to continue to impede shipbuilding or not?

What happened? Mr. Metcalfe Walling, the administrator, ever since this bill now before the Committee was proposed, has been trying to horn in on it. He has been down to the Navy Department every day and has called my office time after time. I pointed out to him that there was not any suspension, as far as labor was concerned, by any provision of this bill against his rights under the Healey-Walsh Act. He said, "You provide time and a half for overtime, but who is going to administer that?" He said, "We want to administer it to see that the laboring man gets his time-and-a-half overtime."

Now, that is what they are driving at—that is the whole thing. They want to put these negotiated contracts under the provisions of the Healey-Walsh Act so Mr. Walling can see that the laboring man gets his time and a half overtime. The law of self-preservation, one of the first laws of Nature, will take care of that. Every union will see that every man who works overtime gets his time and a half pay.

Mr. HEALEY. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. No; not now. That is at the bottom of the whole thing. Here is an amendment which was submitted to the Navy Department and the Navy Department rejected it. I am asking this House now to show to the American people that it means business by cutting red tape to build these ships in the shortest possible time—by adopting this bill just like this committee has written it. [Applause.]

Mr. Chairman, I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The amendment was rejected.

The Clerk read as follows:

SEC. 3. The President of the United States is hereby authorized during any national emergency declared by him to exist to suspend, with respect to naval contracts, the provisions of the act approved June 30, 1936 (49 Stat. 2036; U. S. C., Supp. V, title 41, secs. 35–45), whenever, in his judgment, compliance therewith would be prejudicial to the national defense.

With the following committee amendment:

Strike out all of section 3.

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 4. The provisions of section 3 of the act of March 27, 1934 (48 Stat. 505), as amended by the acts of June 25, 1936 (49 Stat. 1926), and April 3, 1939 (53 Stat. 560; U. S. C., Supp. V, title 34, sec. 496), shall, during the period of any national emergency declared by the President to exist, be limited to contracts or subcontracts where the award exceeds $25,000.

With the following committee amendment:

Page 3, line 10, strike out the figure "4" and insert in lieu thereof the figure "3."

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 5. During any national emergency declared by the President to exist the decision of the Secretary of the Navy as to the necessity and the cost, including the proportion thereof to be charged against the particular contract, of special additional equipment and facilities required to facilitate the completion of any naval vessel or aircraft, or parts thereof, in private plants shall be final, subject to review only by the President and the Federal courts. This decision may be made at any time after the contract is awarded if in the judgment of the Secretary of the Navy sufficient data are available to permit of reasonable accuracy: *Provided*, That the Secretary of the Navy shall report to the Congress, at the beginning of each regular session, the cost of such special equipment and facilities to be borne by the Government under each contract.

With the following committee amendments:

Page 3, line 17, strike out "5" and insert "4."

Page 3, lines 23 and 24, strike out the words "review only" and insert in lieu thereof the word "approval."

Page 3, line 24, after the word "and", insert the words "review by."

The committee amendments were agreed to.

Mr. VOORHIS of California. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I believe that every Member of the House shares the desire to promote the program of national defense. I know I do. I think it of great importance, however, that we consider this whole question as carefully, calmly, and deliberately as is possible for us to do. There is also importance, in my opinion, in having some of us rise in our place from time to time to ask questions in order that we may understand and in order that insofar as possible we may work this thing out in a way that is going to be fair and just to everybody. I prepared an amendment to this section which I showed to the chairman of the Committee on Naval Affairs. He told me if the amendment were adopted it would seriously cripple the program, and therefore I have not offered the amendment, but I want to ask some questions regarding it.

As I understand this section, it means that the Secretary of the Navy may make arrangements so that if a contract is given to somebody to furnish a ship or equipment for the Navy, and if that manufacturer does not have the necessary equipment, the ways, or what not with which to do the job, then the cost of such equipment or facilities can be made a part of the contract price and hence paid for by the Government. It seems to me that if the Government is to pay for such facilities on the ground that it is important to national defense, then they ought to belong to the Government.

My question is, Why is that not reasonable, and does the Government of the United States have any protection against going out and literally paying for plant equipment and then giving it away as a free gift to some private manufacturer?

Mr. VINSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Georgia.

Mr. VINSON of Georgia. The gentleman is absolutely correct. If the Government puts up money to aid a shipbuilder in building or carrying out his contract, and pays for the additional ways or machine tools, by some agreement entered into between the Government and a shipbuilder, the property would naturally belong to the Government.

What happens is this: Some big shipbuilding company or a small shipbuilding company makes a bid for a contract. The Government enters into that contract for the construction of a vessel. The shipbuilder says, "We can not build this ship immediately because we have not the money to put up a ways upon which it can be constructed." Then the Navy Department says, "We will advance to you $2,000,000 or $3,000,000, and we will charge it against that contract or we will amortize it over a period of years in which you will have other contracts coming in." Of course, if the shipbuilder charged it all against the first contract and he got subsequent contracts, then his subsequent contracts must be reduced the amount that it cost in the first instance. So there is no need or necessity of saying that the property will belong to the Government because the contract that the Government will make, when it advances the money, will take care of those situations.

Mr. VOORHIS of California. Then, as I understand the gentleman, in cases where the Government advances that money it would pay that much less to the builder?

Mr. VINSON of Georgia. Why, certainly. For instance, in the appropriation now there are more than $6,000,000 provided to be spent over here in a steel plant. If that $6,000,000 were to be charged in the first instance against the armor, when the next contract comes along, having had an expenditure of $6,000,000 in the first instance, we are entitled to a reduced price by $6,000,000.

Mr. VOORHIS of California. I thank the gentleman.

Mr. MAGNUSON. Will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Washington.

Mr. MAGNUSON. I have just come from attending a hearing—and if the ship contractor keeps these tools, then the Comptroller puts a value on those tools and about how much in value they have lost. If you think they can get anything out of them, you go and attend one of these hearings and listen to what the Comptroller General says about cutting the amount down.

Mr. VOORHIS of California. There is one more thought that I have in connection with this matter. I am glad to note in today's press that it has been decided to hold Congress in session at least until a tax measure has been passed. Some of us have been advocating that for a long time. And I want to say once more that the most logical, the most just, the most appropriate tax that could and should be levied now is a tax on excess profits resulting from the war and national-defense situation. Such a tax will place the burden on those who benefit from this present tragic situation and will not place it on those many people and industries whose business has been crippled by it. For my part, I think I would have us begin with ourselves and go right down the line with a tax program that will put us on as nearly a pay-as-you-go basis as possible.

[Here the gavel fell.]

The Clerk read as follows:

SEC. 6. Notwithstanding the provisions of any other law the regular hours of labor for employees of the United States Government, and of contractors and subcontractors, when such employees are engaged in work in connection with naval vessels or aircraft or parts thereof or other work incidental thereto, shall, during the period of any national emergency declared by the President to exist, be a 5-day week of 8 hours per day and 40 hours per week: *Provided*, That these hours may be exceeded and that such employees shall receive compensation for their employment in excess of the hours above specified at a rate not less than one and one-half times the regular rate at which they are employed: *Provided further*, That such compensation for overtime shall apply only to per diem, hourly, professional, and subprofessional employees and to blue printers, photostat and rotoprint operators, inspectors, supervisor planners, estimators, and progressmen and assistants to shop and plant superintendents of the C. A. F. service, all as defined by the Classification Act of March 4, 1923 (42 Stat. 1488; U. S. C. 5, ch. 13), as amended, and by the classification rules of the United States Civil Service Commission in the case of Government employees; and to similar classes of employees of contractors and subcontractors: *Provided further*, That in determining the overtime compensation of per annum Government employees the pay for one day shall be considered one three-hundred-and-sixtieth of their respective per annum salaries: *Provided further*, That the hours of labor in any one week shall not exceed 48 unless the President shall declare it necessary in the interest of the national defense: *Provided further*, That the President of the United States is authorized to suspend during the period of any national emergency declared by him to exist, the provisions of the act of March 3, 1931 (48 Stat. 1482), if in his judgment such course is necessary in the interest of the national defense: *And provided further*, That the Secretary of the Navy is authorized to modify existing contracts accordingly.

With the following committee amendments:

Page 4, line 7, strike out "6" and insert "5."

Page 4, line 22, strike out "rotoprint" and insert "rotaprint" and strike out "supervisor planners" and insert "supervisory planners and."

The committee amendments were agreed to.

Mr. HOFFMAN. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN: Page 5, line 18, at the end of section 5, add a new section to be known as section 5 (a) to read as follows:

"SEC. 5 (a). Notwithstanding the provisions of this act and notwithstanding the provisions of any other law, the provisions of the National Labor Relations Act shall not be applicable to nor shall the jurisdiction of the National Labor Relations Board extend over any activity undertaken under this act."

Mr. VINSON of Georgia. Mr. Chairman, I make the point of order that the amendment is not germane.

The CHAIRMAN. Does the gentleman from Michigan [Mr. HOFFMAN] desire to be heard?

Mr. HOFFMAN. Yes. This amendment falls under the same rule that covers the other exceptions, for instance, the one beginning on page 4 reading "notwithstanding the provisions of any other law." In fact, it is copied from that. The only difference is a change in the name of the act.

The CHAIRMAN. Does the gentleman from Georgia desire to be heard?

Mr. VINSON of Georgia. No.

The CHAIRMAN. The Chair is of the opinion that the amendment offered by the gentleman from Michigan [Mr. HOFFMAN] has reference to the subject of the requirement relative to the appointment of labor, and therefore is germane. The Chair overrules the point of order.

Mr. HOFFMAN. Mr. Chairman, I have three amendments. I do not propose to talk on all of them separately, but I ask unanimous consent to proceed at this time for 10 minutes so that I may discuss the principle involved in all of these amendments.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Chairman, whatever may be said about Hitler one fact remains, that he is efficient. We cannot dispute that. Most of us know how he prepared for this war. He did not have any Walsh-Healey Act; he did not have any Wage and Hour Act; he did not have any N. L. R. A., and some way he got along without an N. L. R. B. The fact also remains that if we have now an emergency, the man who is threatening us is Hitler, and it does seem that it would be no more than common sense and prudence for us, if we do not care to copy all of his methods—and I am sure we do not, at least no more than we must—to take into consideration how he achieved his present powerful position, to note what made him so powerful that no nation has as yet been able to resist his armed forces. It might be well for us to consider how he got his tanks and how he fabricated his airplanes and his bombers. Perhaps we can learn something from him. We failed to follow the advice of the gentleman from Mississippi [Mr. COLLINS], to whom that fine and well-deserved tribute was just paid today by the gentleman from Massachusetts [Mr. MCCORMACK], but we might now profit, if we want to, from what Hitler has done by adopting at least some of his decent methods of production, of preparedness.

This is not a bill to end the depression; this is not a bill to regulate wages and hours; this is a bill, the sole purpose of which is to enable us to meet whatever hostile force may come. It is essential for us, so we have been told and we must perforce accept that statement, to have planes and tanks and guns and munitions and transportation and communication. We must have them. What is the easiest and most efficient way to get them?

If war comes to our shores, it is not going to be a 40-hour-a-week war, nor will any man fighting that war get time and a half overtime pay. That is not the kind of a war that Hitler is waging across the seas. We were advised today that shortly we are to have a new tax bill, and I think we should begin to pay as we spend. I think this Congress should have the courage to put through a tax bill. If we are going to have a new tax bill, and some day we must have one, and if our people are to be taxed, as they will be, to the utmost of their ability to pay, then why should we in this bill limit production by retaining and making applicable to the working of this bill provisions in other laws which have to do with limiting hours? Do you suppose the American workingman—and no one questions his patriotism, his willingness to serve, or his willingness to give—is today thinking about time and a half or a 40-hour week? His leaders, his organizers, labor politicians, and those who profit by a labor vote, may be thinking of those things, but the American workingman is thinking about how he can do his utmost to contribute to this program. He is not working for time and a half, or rather, he will not be working for time and a half when this program goes into effect. He will not be working for a minimum week or because of a minimum week. He will be working because he wants to prepare to protect his home and his family as well as his Nation. That is what he will be working for.

How can you get production? Oh, you are going to draft the factories, you are going to draft the industrialists. Fine; go ahead. And when you have the factories, when you have the chief executives, undoubtedly those men will cooperate; but neither the factories nor the executives nor the two combined can give us production. You have to have labor and you have to have harmony to do that, but how are you going to get it with outsiders interfering all the time?

Remember Steel? You have the Labor Board over here. Are they interested in production? Have they ever been interested in production? No; not since the day they took office have they cared about production. What do they do? They are interested as the organizing agent for the C. I. O., which, as William Green recently said, has altogether too many Communists in key positions.

You can only judge of the future by remembering what has been done in the past. On the 2d day of June 1937 there was a prospect of trouble down at Pittsburgh in the steel mills. Move it ahead and put it this June, or put it next June, in 1941, if you will, and you can visualize what might happen to us. Then there was a prospect of trouble down there. It could all have been ironed out with the right kind of men in charge, with the right kind of men giving advice, but what happened? The secretary of the Labor Board, Nathan Witt, went down to Pittsburgh on the 2d day of June in answer to the call of C. I. O. officials, and there he met the general counsel, Lee Pressman, and Phil Murray, the vice president, and, according to the records of the Board—not according to the testimony of some industrialists, not according to the testimony of some labor spy, but according to the records of the Labor Board—his visit was in answer to the call of the C. I. O. He instigated the strike, which held up production, and the controversy was not decided for 2 years and 8 months.

My point is this: If we are interested, and, of course, we are vitally so, in preparedness; if we want production, and we must have production if we are to prepare to defend ourselves, let the Labor Board and the N. L. R. A., until this House takes action, function as they have or as they choose, in other industrial operations; but, as to this measure, where an act of this kind has for its sole objective the production of these things which, the President tells us are absolutely essential if we are to continue to exist as a Nation, and to resist the aggression which he, a week ago next Thursday, pictured as coming to our shores, and which can only come through efficiency and the continuous operation of factories, let us sweep aside all that red tape. Let us get rid of, so far as this act is concerned, the National Labor Relations law; of the National Labor Relations Board, which has paralyzed production, created industrial strife and brought about discord, in so many, many instances where it has been called upon to act.

I appeal to the chairman of the committee; let us get rid of the Labor Board, which has been a disgrace to our system of government; which has been unjust, arbitrary, and destructive of cooperation. Let us get rid of all of that influence which exists wherever the Board acts; put the Board and the act out of this picture, and, as the gentleman said a while ago, let us make our ships; let us make our aircraft; let us make our munitions that we are preparing for national defense.

Let us do all these things unhampered and free from interference by this Board which, like an enemy boring from within, can do so much to nullify all that we may do here. [Applause.]

Mr. VINSON of Georgia. Mr. Chairman, the gentleman from Michigan [Mr. HOFFMAN] has submitted an amendment and during the 10 minutes he occupied the floor he did not point out to the committee what effect the amendment would have or how the amendment would expedite the building of the ships and the cutting of red tape.

Mr. HOFFMAN. Mr. Chairman, will the gentleman let me answer that?

Mr. VINSON of Georgia. Ordinarily I agree with a great deal that the gentleman has to say, but this bill is very technical and there are a great many laws that have to be changed. It has been worked on for weeks and weeks by the committee and the Judge Advocate General's office and other legal divisions.

I want to be frank and candid with the House and say that I do not know what effect the gentleman's amendment would have in slowing down this program, but I do know that if it would speed up the construction of these ships it would have been put into this bill, and therefore I have the apprehension that we might be doing something that we have not thoroughly worked out and it might have the opposite effect from what the gentleman wants; and for that reason I trust the committee will go along with what we have already done and reject the amendment. I therefore ask for a vote on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. HOFFMAN].

The amendment was rejected.

The Clerk read as follows:

SEC. 7. Notwithstanding the provisions of section 204 of the act of June 30, 1932 (47 Stat. 404; U. S. C., title 5, sec. 715), the Secretary of the Navy is authorized to reemploy during the period of any national emergency declared by the President to exist, retired employees of the Navy Department and the Naval Establishment, under such rules and regulations as may be agreed upon by the Navy Department and the Civil Service Commission. Such reemployment shall be without prejudice to any rights to retirement or annuity heretofore or hereafter accruing to such employee, as provided by law, except that the payment of such annuity shall be suspended for the duration of the reemployment.

With the following committee amendment:

Strike out all of section 7 and insert:

SEC. 6. Notwithstanding the provisions of section 2 of the act of May 29, 1930 (46 Stat. 468), and section 204 of the act of June 30, 1932 (47 Stat. 404), any person heretofore or hereafter retired under the Civil Service Retirement Act of May 29, 1930, as amended, may be reemployed in the service of the Navy Department: *Provided*, That there shall be deducted and withheld from the basic salary, pay, or compensation of such person and credited to his account as provided in section 12 (a) of the act of May 29, 1930, as amended, the regular deductions prescribed by the said act: *Provided further*, That upon separation from the service for any cause such person may elect to receive a refund of the total deductions so withheld together with interest a 4 per cent per annum compounded on June 30 of each year, or receive credit for the additional service in the computation of any annuity awarded thereafter: *Provided further*, That payment of the annuity of such person shall be suspended during the period of such employment: *And provided further*, That in connection with the defense program of the United States the provisions of section 6 of the act of August 24, 1912 (37 Stat. 555; U. S. C., title 5, sec. 652), may be waived in any case when approved by the Secretary of the Navy.

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 8. The act of March 14, 1936, entitled "An act to provide for vacations to Government employees and for other purposes" (49 Stat. 1161) is hereby amended by adding, after section 7, a new section to read as follows:

"SEC. 8. Employees of the Navy Department and the Naval Establishment may, during the period of any national emergency declared by the President to exist, be employed during the time they would otherwise be on vacation without deprivation of their vacation pay for the time so worked. Employees who forego their vacations in accordance with the provisions of this section may be paid, in addition to their regular pay, the equivalent of the pay they would have drawn during the period of such vacation. The provisions of this section shall be applicable only to employees in those trades and occupations wherein a shortage exists."

With the following committee amendment:

Page 7, line 5, strike out "8" and insert "7."

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 9. The limit of cost of the vessels authorized by the act of July 30, 1937 (50 Stat. 544), is hereby increased by an amount equal to additional costs resulting from the provisions of this act.

With the following committee amendment:

Page 7, line 20, strike out "9" and insert "8."

The committee amendment was agreed to.

Mr. COCHRAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am heartily in favor of the President's program and I want action. I want to stand by the committee, that is so well informed on the subject. The only objection that I have to this measure is the committee has paid too much attention to the interests of the shipbuilders and the interests of the employees working for the shipbuilders, as well as the employees in the navy yards. I do not yield to any man in this House from the standpoint of supporting labor legislation. My record is 100 percent, but this is a national emergency.

Word has already come to us this morning that we are going to be asked to increase the national debt $3,000,000,000. On top of that, as I understand it, we are going to be asked to pass a tax bill, whereby we are to raise $700,000,000 a year in order that we may be able to retire the $3,000,000,000 of national defense bonds in 5 years. Who is going to pay for this? The taxpayers of the country. They are the patriotic people who are going to foot the bill for this national-defense program, and I insist we should pay more attention to the interests of the taxpayers than to the shipbuilders or the employees in our navy yards and shipyards, who are the best paid union men in the entire United States. You have law after law benefiting the men who work in the navy yards and shipyards on Government ships. For the last 15 years I have helped to enact them. They receive sick leave and many other benefits that employees in other private industries do not receive. All through this bill you think of nothing but taking care of the shipbuilders and the employees. The patriotic taxpayers of this country, none of whom is complaining, and all of whom are going along with the President of the United States in providing a proper national defense, should be in our minds.

I hope when this bill is finally enacted into law it will not provide for excessive profits, and I further hope that when the revenue bill comes in here we will provide for a reasonable profit for those who are going to build these ships, those who are going to manufacture aircraft, who are going to supply us with other munitions of war, and that we shall also provide that over and above a reasonable profit 100 percent in excess profits shall go back into the Treasury of the United States.

If there are any laws on our statute books now that might retard progress in this shipbuilding program, as well as our program for other phases of our national defense, then in this emergency let us have the courage to suspend them.

We have been told certain laws have slowed up the regular building program and increased the cost. I do not know whether or not it is true; but if it is, then I am ready and willing now to take the necessary action to see that it does not occur in this emergency. We owe it to those who must advance the cash to get just as much for the money we spend for national defense as it is possible to get. We should profit by our experience in the World War. We have heard it said we want no new millionaires as a result of this program. So far as I am concerned, I am willing to limit the profits so no one will get rich at the expense of the taxpayers in these trying times. Those who get work as a result of this legislation should be willing to make some concessions. Let us not ask the taxpayers to shoulder the entire burden. [Applause.]

[Here the gavel fell.]

The Clerk read as follows:

SEC. 10. During any national emergency declared by him to exist the President of the United States is authorized to suspend such

portions of the Civil Service Act or the civil-service rules as may be necessary to prevent any delay in obtaining required acceptable civilian employees in the Navy Department and the field service thereof.

With the following committee amendment:

Strike out all of section 10.

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 11. As used in this act, the words "national emergency" shall be deemed to include the limited national emergency declared by the President on September 8, 1939.

With the following committee amendment:

Page 8, line 5, strike out the figure "11" and insert the figure "9."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 12. The provisions herein contained shall be effective for a period of 3 years beginning with the date of approval of this act.

With the following committee amendment:

Page 8, line 8, strike out the figure "12" and insert the figure "10."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. VINSON of Georgia. Mr. Chairman, I move the Committee do now rise and report the bill back to the House with the amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. O'NEAL, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill H. R. 9822 and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. VINSON of Georgia. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question now is on the passage of the bill.

Mr. VINSON of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 401, nays 1, not voting 28, as follows:

[Roll No. 127]

YEAS—401

Allen, Ill.	Beam	Bryson	Celler
Allen, La.	Beckworth	Buck	Chapman
Allen, Pa.	Bell	Buckler, Minn.	Chiperfield
Andersen, H. Carl	Bender	Buckley, N. Y.	Church
Anderson, Calif.	Blackney	Bulwinkle	Clark
Anderson, Mo.	Bland	Burch	Clason
Andresen, A. H.	Bloom	Burdick	Claypool
Andrews	Boehne	Burgin	Clevenger
Angell	Boland	Byrne, N. Y.	Cochran
Arends	Bolles	Byrns, Tenn.	Coffee, Nebr.
Arnold	Bolton	Byron	Coffee, Wash.
Austin	Boren	Camp	Cole, Md.
Ball	Boykin	Cannon, Fla.	Cole, N. Y.
Barden, N. C.	Bradley, Mich.	Cannon, Mo.	Collins
Barnes	Bradley, Pa.	Carlson	Colmer
Barry	Brewster	Carter	Connery
Barton, N. Y.	Brooks	Cartwright	Cooley
Bates, Ky.	Brown, Ga.	Case, S. Dak.	Cooper
Bates, Mass.	Brown, Ohio	Casey, Mass.	Corbett
Costello	Hall, Leonard W.	McKeough	Sasscer
Courtney	Halleck	McLaughlin	Satterfield
Cox	Hancock	McLean	Schaefer, Ill.
Cravens	Hare	McMillan, Clara	Schafer, Wis.
Crawford	Harness	McMillan, John L.	Schiffler
Creal	Harrington	Maas	Schuetz
Crosser	Hart	Maciejewski	Schulte
Crowe	Harter, N. Y.	Magnuson	Schwert
Crowther	Harter, Ohio	Mahon	Scrugham
Culkin	Hartley	Maloney	Seccombe
Cullen	Havenner	Marshall	Secrest
Cummings	Hawks	Martin, Ill.	Seger
Curtis	Healey	Martin, Iowa	Shanley
D'Alesandro	Hendricks	Martin, Mass.	Shannon
Darden, Va.	Hennings	Mason	Sheppard
Davis	Hess	Massingale	Short
Delaney	Hill	May	Simpson
Dempsey	Hinshaw	Michener	Smith, Conn.
DeRouen	Hobbs	Miller	Smith, Ill.
Dickstein	Hoffman	Mills, Ark.	Smith, Ohio
Dies	Holmes	Mills, La.	Smith, Va.
Dingell	Hook	Monkiewicz	Smith, Wash.
Dirksen	Hope	Monroney	Smith, W. Va.
Disney	Horton	Moser	Snyder
Ditter	Houston	Mott	Somers, N. Y.
Dondero	Hull	Mouton	South
Doughton	Hunter	Mundt	Sparkman
Douglas	Izac	Murdock, Ariz.	Spence
Doxey	Jacobsen	Murdock, Utah	Springer
Drewry	Jarrett	Murray	Steagall
Duncan	Jeffries	Myers	Stearns, N. H.
Dunn	Jenkins, Ohio	Nelson	Stefan
Dworshak	Jenks, N. H.	Nichols	Sullivan
Eaton	Jensen	Norrell	Sumner, Ill.
Eberharter	Johns	O'Brien	Sumners, Tex.
Edelstein	Johnson, Ill.	O'Connor	Sutphin
Edmiston	Johnson, Ind.	O'Day	Sweeney
Elliott	Johnson, Luther A.	O'Leary	Sweet
Ellis	Johnson, Lyndon	Oliver	Taber
Elston	Johnson, Okla.	O'Neal	Talle
Engel	Johnson, W. Va.	Osmers	Tarver
Englebright	Jones, Ohio	O'Toole	Tenerowicz
Evans	Jones, Tex.	Pace	Terry
Fay	Jonkman	Parsons	Thill
Fenton	Kean	Patman	Thomas, Tex.
Ferguson	Keefe	Patrick	Thomason
Fernandez	Kefauver	Patton	Tibbott
Fish	Keller	Pearson	Tolan
Fitzpatrick	Kelly	Peterson, Fla.	Treadway
Flaherty	Kennedy, Martin	Peterson, Ga.	Van Zandt
Flannagan	Kennedy, Md.	Pfeifer	Vincent, Ky.
Flannery	Kennedy, Michael	Pierce	Vinson, Ga.
Ford, Leland M.	Keogh	Pittenger	Voorhis, Calif.
Ford, Miss.	Kilburn	Plumley	Vorys, Ohio
Ford, Thomas F.	Kilday	Poage	Vreeland
Fries	Kinzer	Polk	Wadsworth
Fulmer	Kirwan	Powers	Wallgren
Gamble	Kitchens	Rabaut	Walter
Garrett	Kleberg	Ramspeck	Ward
Gartner	Knutson	Randolph	Warren
Gathings	Kocialkowski	Rankin	Weaver
Gavagan	Kramer	Rayburn	Welch
Gearhart	Kunkel	Reece, Tenn.	West
Gehrmann	Lambertson	Reed, Ill.	Wheat
Gerlach	Landis	Reed, N. Y.	Whelchel
Geyer, Calif.	Lanham	Rees, Kans.	White, Idaho
Gibbs	Larrabee	Rich	Whittington
Gifford	Leavy	Richards	Wigglesworth
Gilchrist	LeCompte	Robertson	Williams, Del.
Gillie	Lesinski	Robinson, Utah	Williams, Mo.
Goodwin	Lewis, Colo.	Robsion, Ky.	Winter
Gore	Lewis, Ohio	Rockefeller	Wolcott
Gossett	Luce	Rodgers, Pa.	Wolfenden, Pa.
Graham	Ludlow	Rogers, Mass.	Wolverton, N. J.
Grant, Ala.	Lynch	Rogers, Okla.	Wood
Grant, Ind.	McAndrews	Romjue	Woodruff, Mich.
Gregory	McArdle	Routzohn	Woodrum, Va.
Griffith	McCormack	Rutherford	Youngdahl
Gross	McDowell	Ryan	Zimmerman
Guyer, Kans.	McGehee	Sabath	
Gwynne	McGranery	Sacks	
Hall, Edwin A.	McGregor	Sandager	

NAYS—1

Marcantonio

NOT VOTING—28

Alexander	Green	McLeod	Sheridan
Caldwell	Jarman	Mansfield	Starnes, Ala.
Cluett	Jennings	Merritt	Taylor
Darrow	Kee	Mitchell	Thomas, N. J.
Durham	Kerr	Norton	Thorkelson
Faddis	Lea	Risk	Tinkham
Folger	Lemke	Shafer, Mich.	White, Ohio

So the bill was passed.

The Clerk announced the following pairs:

General pairs:

Mr. Mansfield with Mr. Thomas of New Jersey.
Mr. Caldwell with Mr. Cluett.
Mr. Faddis with Mr. Alexander.
Mr. Starnes of Alabama with Mr. Jennings.
Mr. Taylor with Mr. Shafer of Michigan.
Mr. Durham with Mr. Tinkham.

Mr. Jarman with Mr. Risk.
Mr. Merritt with Mr. Darrow.
Mr. Kerr with Mr. Thorkelson.
Mr. Folger with Mr. White of Ohio.
Mr. Green with Mr. Lemke.
Mr. Johnson of Oklahoma with Mr. McLeod.
Mr. Lea with Mr. Kee.
Mr. Sheridan with Mr. Mitchell.

Mr. SUTPHIN. Mr. Speaker, my colleague the gentlewoman from New Jersey, Mrs. NORTON, is absent on account of official business. If she were here, she would have voted "yea" on the bill just passed.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, my colleague the gentleman from Minnesota, Mr. ALEXANDER, was unavoidably absent. Had he been present, he would have voted "yea."

Mr. CASE of South Dakota. Mr. Speaker, the gentleman from Montana, Mr. THORKELSON, is unavoidably absent. Had he been present he would have voted "yea."

The result of the vote was announced as above recorded.

EXTENSION OF REMARKS

Mr. EDMISTON asked and was given permission to revise and extend his own remarks.

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an article by Henry R. Luce, editor of Time magazine.

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. ENGEL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein certain letters.

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. SHORT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a brief editorial.

The SPEAKER. Without objection it is so ordered.

There was no objection.

CONSTRUCTION OF NAVAL AIRCRAFT AND CERTAIN PUBLIC WORKS

Mr. VINSON of Georgia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 9848) to authorize the construction or acquisition of naval aircraft, the construction of certain public works, and for other purposes; and pending that motion I ask unanimous consent that general debate may be limited to 2 hours, to be equally divided and controlled by the gentleman from Minnesota [Mr. MAAS] and myself.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Georgia.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 9848) to authorize the construction or acquisition of naval aircraft, the construction of certain public works, and for other purposes, with Mr. O'NEAL in the chair.

The Clerk read the title of the bill.

By unanimous consent the first reading of the bill was dispensed with.

Mr. VINSON of Georgia. Mr. Chairman, I yield myself 25 minutes.

Mr. Chairman, we are all conscious of the increasingly important part played by the aviation arm in warfare. The lessons of the current war in this regard are being brought home to us with greater emphasis every day.

While we are keenly aware of the destruction which aircraft are capable of imposing upon the organized military and naval forces, and realize that these losses must be regarded as the legitimate tolls of war, we cannot lose sight of the fact that this new weapon in the hands of those who subscribe to the ruthless doctrine of "total war" can also be used to bring death and desolation to the doorsteps of a civilian population.

It is a well-established principle that once an air attack is launched it is the most difficult of all forms of attack to frustrate. It follows, therefore, that in the aviation branches of the armed services advantage rests with the offensive to a greater extent than in any other arm. The avenue of the air is broad and high. It lends itself to innumerable directions, speeds, and altitudes of approach, to cloud concealment, to surprise.

One way to counter this threat lies in the expansion of existing aircraft bases and the establishment of additional ones so located strategically as to permit aircraft operating from them to give the earliest possible warning of the movements of hostile surface or air units and thus to permit to concentrate, in time, the forces needed to defeat the attainment of the enemy's objective.

A still greater degree of security would be attained by the expansion of our Navy and its air components to an extent which would contemplate in war an offensive against all threatening bases and ships used for the operations of aircraft and so to forestall the launching of air attacks or render such bases and ships impotent for other operations.

It is realized that no monetary outlay for national-defense purposes is sufficient to give us positive and permanent protection in all the areas of our national interest. It is necessary, therefore, to compromise and evaluate carefully what our reasonable minimum needs would be. This bill reflects those needs insofar as naval aviation is concerned. Its shore development features follow, in general, the original recommendations of the Hepburn Board.

The general nature of the tasks which confront our naval aviation, if we were engaged in a two-ocean war, has been recognized. The magnitude of those tasks continues to increase. Although the current naval expansion bill provides for additional cruisers with aircraft complements, for three additional aircraft carriers over the number now authorized, and for additional tenders to support the operations of Navy patrol planes, it is evident from a survey of the coast lines and of the vast ocean areas into which it may be necessary to project our naval effort that these surface units cannot, of their own resources, cover, protect, and defend the areas of vital interest without the assistance of strategically located coastal or island shore-based aircraft.

Therefore the purpose of this bill is to grant authority to the President to expand and to improve naval aviation by increases in personnel, aircraft, and shore facilities.

The increase in personnel will ultimately provide for a total of 16,000 naval aviators and enlisted pilots.

The increase in aircraft provides for the acquisition and maintenance of useful naval planes at not less than 10,000 and lighter-than-air craft at not less than 48.

The bill also provides for the improvement and expansion of existing shore aviation facilities as well as the establishment and development of some additional ones.

With the increase in planes and personnel as authorized in this bill, it naturally follows that there must be corresponding increases in the aviation facilities.

Not only are these increases necessary to provide the additional training facilities required to meet the greatly increased output of aviators and pilots to meet the rapid expansion but facilities will be required at which the greatly increased number of planes can be based and at which the aviators can be stationed after qualifying in order to continue with the proper advanced training so essential to maintain the efficiency to this branch of the naval service.

We have in the world today examples of the lack of preparedness and readiness which are being borne home to every thinking man and woman in this country.

Steps taken a few short months ago to improve and strengthen our national defense have become, in the light of events of the past week, totally inadequate and insufficient.

The importance of time, so thoroughly understood by every student of war, has also been brought home to us, as it has to many now engaged in a life-and-death struggle.

The full and awful significance of the words "too late" already has been indelibly inscribed on the minds of those whose lives and fortunes are hanging in the balance. It is

our solemn duty to insure that no such crisis or fate awaits us.

The ocean distances which separate us from the areas of strife, strife which certainly must be defined as nothing short of "total war," have lulled us heretofore into a feeling of security. That this has been a false sense of security there can now be no doubt. Consideration of cold, hard facts must displace wishful thinking. The necessity confronts us of taking immediate steps toward greater preparedness in order that we, too, may not at some future date be forced to write "too late."

Aircraft are now being developed that will make flying the Atlantic Ocean a comparatively easy task.

The thought "it can't happen here" has brought realization to the fact that "it can happen here" unless we are determined to take vigorous steps for its prevention, and to take them immediately. That is what this bill proposes to do.

It is evident, too, that we cannot place our dependence upon others. We must find within ourselves our needed strength and build it up with the utmost possible speed if we are to face the future with the confidence and composure so vital to the welfare of the Nation.

The word "speed" has taken on new significance, and that is the objective of this bill to speed up in providing an adequate air defense for this country.

Nations desiring peace must be stronger than those desiring war.

Even though it has taken so long to come to this realization, it is not yet "too late," but we should not waste any more time in strengthening our armament so that we can be so strong no nation will dare to challenge our security.

Now, as to the bill, one of the main purposes is to provide in the very shortest time possible 16,000 aviators for the Navy.

At this time we need not be concerned about combat planes, for we must first get the aviators before we get the planes; however, let me assure you that there will be no difficulty in providing sufficient training planes immediately to carry out this expansion program.

In the past the main source of obtaining aviators for the Navy has been the Naval Academy. With the expansion of the fleet it became apparent that this source would not furnish sufficient aviators.

Therefore, on April 15, 1935, Congress enacted what is known as the aviation cadet bill, which permits students from the various colleges and universities to be inducted into the Naval and Marine Corps Reserve and sent to Pensacola for flight training.

After 1 year of training at Pensacola, these reserves were assigned to duty with the fleet for a period of 3 years.

Under this training program, 1,520 aviators have been trained and sent to the fleet.

At the beginning of this program in 1935, only 50 students entered Pensacola per month; however, this has been steadily increased until the present time, and on July 1 they will begin taking in 150 students per month.

This number of students completely utilizes the facilities at Pensacola, which has been enlarged to its fullest possibility.

At the rate at which the students have been taken in the past it would have provided all of the aviators required for the fleet, but you must bear in mind that this program goes far beyond that. We are not only providing sufficient aviators for the fleet but we are also providing for aviation units to operate from shore bases which are provided for in this bill.

These aviators who will operate from shore bases will be a part and parcel of the Navy and will perform their duty in connection with naval missions. There will be no duplication with the Army by basing these aviators on shore, for they will operate seaplanes and long-range bombers.

In order to expedite the training program to provide aviators for these shore bases, it will be necessary to utilize the aviation facilities at Jacksonville and Miami and to establish an additional training center at Corpus Christi, Tex.

With the expansion of the present facilities at Miami and Jacksonville, which can be accomplished by the end of the year, it is estimated that it will permit an intake of 500 students per month at Pensacola, Miami, and Jacksonville.

The training of these 500 students will be coordinated between these three stations, each affording facilities for a specific part of the training.

Out of this 500 who commence training, it is estimated that at least 70 percent will qualify, which will mean an increase of 350 aviators per month for the Navy. This program can get in full swing by the end of this year.

It is absolutely essential to reach 16,000 within the shortest time possible, and in order to do so it is necessary to provide training facilities for more than an intake of 500 per month.

In order to bring this about, in view of the fact that Pensacola has been expanded to its very limit, there is provided in this bill for the establishment of a training station at Corpus Christi, Tex., as recommended by the Hepburn board.

It is contemplated that just as soon as this bill becomes law that additional training facilities will get under way at Corpus Christi. This is being done so that the number of students who can begin training each month can be considerably increased over the 500 that will be trained at Pensacola, Miami, and Jacksonville.

With the expenditure of $25,000,000 at Corpus Christi, it is believed that by July 1, 1941, training can begin at that station, and the number taken in each month can be raised to 300 per month.

Of course, the station will not be finished when training gets under way. It will take years to build the station in accordance with the recommendation of the Hepburn board, but such facilities can be provided within the next year which will permit the training to commence.

Now, with these combined facilities it will permit an intake of 800 students per month, which means in reality that the Navy will be increased by 560 aviators per month shortly after July 1, 1941.

This aviation program as set forth in this bill was not conceived as a result of hysteria. It is a well-rounded and thought-out program, carrying out the recommendations of the Hepburn board submitted to Congress in 1939.

Following this aviation expansion it is going to be necessary to submit to the Congress legislation to establish in the Navy an air unit along the lines of the Marine Corps.

The defense and security of this Nation demands that the Navy be invincible in the air as well as on the water and under the water. That is the sole object and purpose of this bill.

This is no paper authorization. Just as soon as this bill becomes a law, a deficiency appropriation to provide the money will be asked for. When this program has been completed and the 10,000 planes have been purchased and the 16,000 aviators obtained, it will entail an expenditure of approximately $1,150,000,000.

If Congress and the American people but adhere to the advice of the Father of his Country—no entangling alliances, and in peacetime prepare for war—this Republic will never perish from the face of the earth. [Applause.]

Mr. TERRY. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. TERRY. I notice a provision on the first page of the bill for the acquisition or construction of lighter-than-air craft to a total of not less than 48. What sized aircraft does the committee have in mind?

Mr. VINSON of Georgia. We hope they will be what are called blimps.

Mr. TERRY. It is not the purpose to go into the construction of large dirigibles?

Mr. VINSON of Georgia. No; we have no intention whatsoever of building duplicates of the *Akron* and the *Macon*.

Mr. TERRY. Nothing has happened abroad to indicate that they are going back to lighter-than-air craft.

Mr. VINSON of Georgia. That is true. The close proximity of countries over there make lighter-than-air craft ineffective, but with our enormous coast lines and the carrying out of our naval missions on this hemisphere they can be used advantageously.

Mr. TERRY. Why should we provide that they construct as many as 48?

Mr. VINSON of Georgia. That could be cut down. It is limited to 48.

Mr. Chairman, I yield back the balance of my time.

Mr. MAAS. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. BATES].

Mr. BATES of Massachusetts. Mr. Chairman, I believe this is one of the most important days in the history of this Republic, for the reason that we are today dealing with uncertainties and we do not know just what tomorrow will bring.

The Committee on Naval Affairs, of which it has been my privilege to be a member for the past 4 years, has given unstintedly of its time and effort to the study of various naval-defense problems of the country. To that end down through the last 4-year period, we have brought to the floor of the House what we considered to be legislation imperative for the national defense of this Nation. The bill before us today is just a continuation of the program we have already developed and which has been approved by the Navy officials and already accepted in part by the House in previous years. This is the culmination of the well-defined, well-rounded plan based on a careful study of the defense needs of this Nation not only as they apply to the mainland itself but also to our outlying possessions in the Pacific, the Atlantic, and the Caribbean.

The measure before us contemplates an expansion of our naval aviation base facilities, and particularly the enlargement of our naval air training facilities at Corpus Christi in conjunction with our naval aviation training which is now carried on at Pensacola, Fla.

Whatever may be said about the defense condition of this country, it cannot be truthfully stated that the Committee on Naval Affairs has in any way shirked its responsibility or that the members thereof have not given unstintingly of their time to the naval problems before them. I want to call your attention to facts which are very important to keep in mind, and I do this for the benefit of the Members of the House and the people of the country as a whole.

Should the Committee on Naval Affairs make no further recommendations in the line of naval authorizations, it will have brought to your attention certain defense needs during the past 3 years and which the Congress has already approved for a total authorization for construction of both combatant and auxiliary ships as of July 1, 1940, of $2,561,650,039.

On July 1, 1940, the Navy will have a total authorization for vessels building and to be built of:

	Tons
Combatant ships	897,330
Auxiliary ships	213,834

The total estimated cost of the above tonnage is:

Combatant ships	$2,412,947,870
Auxiliary ships	472,600,800
Total	2,885,548,670

Against this total authority there will have been expended $323,898,631, leaving on July 1, 1940, a total authority to spend for shipbuilding $2,561,650,039.

It is estimated that the above total authority, assuming normal rate of expenditures—that is, without the expediting which should follow enactment of H. R. 9822—will be as follows:

Fiscal year	Combatant	Auxiliary	Total
1941	$355,231,178	$58,948,812	$414,179,990
1942	635,473,858	133,863,034	769,336,892
1943	601,822,295	114,494,097	716,316,392
1944	322,083,624	65,963,439	388,047,063
1945	168,305,207	22,329,509	190,634,716
Subsequent	75,034,986	8,100,000	83,134,986
Total	2,157,951,148	403,698,891	2,561,650,039

Rough estimate, additional cost for expediting the above program, $350,000,000.

It will be seen from the above that the grand total to be expended under the ship-construction program which the Navy plans to start on July 1, 1940, if the money is appropriated, will be $2,911,650,039.

The bill now before us, H. R. 9848, calls for a total of not less than 10,000 naval airplanes. The estimated cost of these planes will be $1,500,000,000. The aviation facilities incorporated in this bill will add $144,000,000 more.

It will be noted that the sum total of all money that can be spent for the above facilities under authorizations as of July 1 of this year and including authorizations in this bill will be $4,555,650,039. To this may be added the cost of additional shore facilities, already planned, amounting to over $100,000,000.

[Here the gavel fell.]

Mr. MAAS. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. BATES of Massachusetts. Mr. Chairman, that in itself shows the character of the work that the House Committee on Naval Affairs has been doing during the past 4 years, ably led by the very distinguished chairman of that committee who has an experience of 25 years behind him. I commend this legislation to you for immediate and urgent passage, believing, as we all do, in the building of a great national defense for this country without waste of any time, in order that we may feel secure from the ravages of those who would trample on us if the opportunity arose. [Applause.]

[Here the gavel fell.]

Mr. MAAS. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. FISH].

Mr. VINSON of Georgia. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Chairman, the able gentleman who has just spoken to the committee stated that this is one of the most important days in the history of our country. If that is so it seems to me that the distinguished gentleman who is a member of the Committee on Naval Affairs should have more than 5 minutes to discuss the pending bill in the House of Representatives. What I protest against is the consideration of this important legislation with undue speed and under a condition of hysteria. We will pay for it in grief and the expenditure of huge sums of money later. There should be full and free debate and deliberation on our defense policy.

We are confronted with the greatest national emergency in recent world history. I do not limit it to the history of America. The American people expect the Congress in this great national emergency to stay on the job and to safeguard their vital interests. We Members of Congress, are paid $10,000 a year to protect the interests of the American people and to serve their interests, yet only a few days ago it was seriously proposed to rush national-defense legislation through, and adjourn the Congress by the 15th of June without considering raising revenue to pay for the expenditure of the $3,000,000,000 for preparedness. I submit that the Congress has a duty to the country, not only in enacting this national-defense program, but in providing revenue to pay for it. All of us in the Congress are for preparedness. We propose to make America invincible on land, sea, and air, and we likewise propose to keep America out of Europe and Europe out of America. [Applause.] But if we are to do our full duty, we should remain here and consider and enact revenue legislation to defray the cost.

Mr. Chairman, as unpopular as it may be, the time has come in this crisis to enact tax measures. I would suggest a 2½ percent or a 2¼ percent manufacturers' sales tax. As long as 20 years ago the Congress talked about it, but it was afraid to enact such legislation at that time. However, the time has come in the financial condition of our country when we will have to raise revenue one way or the other, and that is one of the few ways that is left. The other

way, which I also recommend, is an excess-profits tax on all munitions or goods made for war purposes. [Applause.]

We are in the midst of war hysteria, of fear, and a dread of war. Many columnists in the East, internationalists and interventionists, like Kaltenborn, Lippmann, Dorothy Thompson, and Frederic Wile, are every day deluging the American people with war propaganda, war hysteria, and that in the defense of America we must enter the European war. The American people have become almost hysterical. Many good Americans believe today that the Congress has failed in its duty to provide an adequate Navy, that we are as defenseless and as helpless as Abyssinia, Poland, China, Holland, or Belgium, and that we are about to be attacked. Even such a distinguished Member of the House as the chairman of the Committee on Naval Affairs, who just spoke, and no one knows more about national defense than he, and he has rendered a great service to his country by seeing to it that we have a great and powerful Navy, the best navy in the world today, goes a little bit too far when he suggests airplanes flying over here and attacking America. Colonel Lindbergh, whom I submit in this instance knows more than the distinguished gentleman, stated in a recent radio speech that we have nothing whatever to fear from attacks by foreign airplanes, at least for a number of years. Every Member of Congress must know that there is not a foreign airplane that has been invented up to now which could fly over, bomb the city of New York or the city of Washington, and get back to its base; yet the American people believe all these hysterical statements and actually believe that we are about to be attacked by Germany, that we are utterly defenseless, and that Germany will come over here and swallow us up as they have done Denmark, Holland, and Belgium, their neighbors.

We are still 3,000 miles from Europe, and as President Washington said, and it applies precisely to present-day conditions, why forego the advantages of so peculiar a situation, why quit our own to stand upon foreign ground? Yet there are those who think that we may be attacked overnight by some foreign fleet. Let us look at the record. Let us see what the record discloses and what the facts really are.

Thanks to the gentleman and his committee, we have for the first time in our history, except for a short period after the World War and the Civil War, the greatest fleet in the world. Our Navy today for the first time is greater than the British Navy. It is six or seven times larger than the German Navy. If this war continues a month or so it will be much greater than the German and English Navies combined. Every admiral will testify that any foreign country to attack the United States must have a fleet two or three times larger than ours even to dare to attack us, not even to land troops but to attack us. Those words of George Washington have more meaning today than they did 150 years ago, because in those days an enemy fleet with sails, brought their own means of locomotion with them. They might take 2 weeks or 2 months to get over here. Today a modern fleet loses 20 percent of its efficiency every 1,000 miles it gets away from its base. They cannot even bring over their torpedo boats with them and many of the auxiliary naval ships, with the net result that must be obvious to everybody, that if they came over to attack us and if their battleships were disabled, they would have no way to get back to their shipyards. Yet this hysteria persists and we do not answer it.

We in Congress, particularly the distinguished gentleman who is the head of this committee and who has given us the most powerful Navy in the world, has permitted this propaganda to spread throughout the country. We remain silent and allow the hysterical propaganda of these interventionists and internationalist columnists who want to get us into the European war to permeate America. We Americans are told that we are prey to any foreign nation that wants to pounce upon us. I do not believe it is fair to the country and fair to the American people to let this type of propaganda spread throughout the land and deceive our people and make them think the Congress has failed in providing a strong, powerful, and efficient Navy.

I believe everybody in the House is for this bill, and the committee is to be congratulated, but this bill provides not only for the increase of our naval airplanes to 10,000, but also for the acquisition of a great number of airports that are badly needed in the United States. But I want to go further than this bill. I want to follow the advice of Charles Lindbergh, given in his radio address to the country only a few days ago, when he said that if we really want to be prepared we should take in the whole Western Hemisphere, we should make agreements with the Latin American countries so that we could have air bases there and defend the Panama Canal and all of Central America and South America. If any attack came, it would not come first against the United States, it would come against South and Central America, and we have no air bases there to help uphold the Monroe Doctrine and to defend this hemisphere.

Furthermore, I should like to see this bill followed up or have negotiations begun by the State Department or the President to liquidate a part of our war debt and ask in return from England those islands off our shores that rightly belong to us—Bermuda, Nassau, Jamaica, and the West Indies, so that we could use those islands as air bases and submarine bases for the protection of our own country. They are no good to England. They serve no real purpose to England. It probably costs England money to maintain them. It might even cost us money to maintain them, but they will provide adequate air bases and submarine bases to protect the Panama Canal, our shores, and Latin America.

As long as we are talking today in terms of preparedness on land, sea, and air, then I believe this bill ought to be followed up by acquiring air bases in Central America and South America and taking over these West Indian Islands from Great Britain in payment of her war debt.

Mr. MAAS. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield to the gentleman from Minnesota.

Mr. MAAS. Has anything along those lines emanated from the gentleman's committee, the Committee on Foreign Affairs, where it would, of course, have to originate?

Mr. FISH. There are a number of bills pending, but we have not been able to get hearings on them as yet.

Mr. MAAS. You have had no hearings on the subject?

Mr. FISH. We have had no hearings. Some of us in Congress have advocated acquiring these islands off our coasts for more than 15 years—since right after I came into the Congress—as have other Members in the House, and as has Senator LUNDEEN in the Senate. That would provide for national defense and that is what we want in America.

I was not so concerned when the Navy bill was under consideration a few months ago and added three more airplane carriers. I did not believe we needed them. I voted for them, but I did not think we needed them then. I do not think we need them now, except for aggression, and I am opposed to aggression. I would not vote one dollar for the Navy or for the air force unless it is for defense. Instead of spending $130,000,000 for those additional airplane carriers that we do not need, I should like to acquire these islands off our shores that would afford real protection, and use that $130,000,000 in that way.

Mr. DARDEN of Virginia. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield to the gentleman from Virginia.

Mr. DARDEN of Virginia. What would you do with your fleet operating in the North Atlantic? Granted that the bases in the South Atlantic might be taken care of, what would you do about carriers in the North Atlantic?

Mr. FISH. I am glad the gentleman mentioned that because I overlooked it. I would buy Greenland just as quickly as possible.

Mr. DARDEN of Virginia. Suppose you could not buy it?

[Here the gavel fell.]

Mr. VINSON of Georgia. Mr. Chairman, I yield 1 additional minute to the gentleman from New York.

Mr. FISH. I believe every Member of this House agrees with what I am going to say this time, even the Democrats. I think we should make known to the world that we believe in the Monroe Doctrine and that we intend to uphold it, and that if any nation, Germany, Japan, or any other nation, invades any part of Latin America it means war with the United States.

If we let the world know that, no nation will try to invade any part of Latin America. If we can acquire Greenland, we ought to do so, and we ought to also acquire those islands off of Ecuador in the Pacific Ocean. [Applause.]

[Here the gavel fell.]

Mr. SUTPHIN. Mr. Chairman, I yield 5 minutes to the gentleman from West Virginia [Mr. RANDOLPH].

Mr. RANDOLPH. Mr. Chairman, at the outset I express my appreciation of the patriotic promptness which causes the members of the Committee on Naval Affairs to bring to this body a comprehensive measure incorporating the need now for an additional plane force, well manned by trained aviators.

I would not turn back the pages of the CONGRESSIONAL RECORD to March 17, 1938, except to point out my position at that time and to read just a few sentences from certain remarks which I made in connection with an amendment which I offered to strike out the item for the authorization, as it was, in H. R. 9218, for construction of three additional battleships. I felt then, as I have felt since, that that authorization, with the resulting appropriation, should be turned into legislation bringing about a stronger naval air force rather than a concentration upon the building of what I claimed then and I claim now were not three floating fortresses of the oceans, but floating targets of the sea.

I realize that it is not easy to quote poetry on this floor, and it has been said repeatedly that there is more truth than poetry in certain statements individuals make. I do recall, however, to the membership of this body that in 1840, a century ago, a poet named Alfred Lord Tennyson did write prophetic lines. I think we can well repeat them here this afternoon. In the poem, Locksley Hall, he used these prophetic words:

Heard the heavens fill with shouting, and there rained a ghastly dew
From the nations' airy navies grappling in the central blue.

Thus, a century ago Tennyson foretold what is actually taking place in the world of warfare and conflict today. On March 17, 1938, when I offered the amendment, I stated:

I simply say this to you, with all the feeling which I tried to present day before yesterday and a few weeks ago when we had the regular naval appropriation bill before us, and at the cost of being charged with repeating something that you might say is not worth repeating, that the scene of modern warfare, whether we admit it this afternoon or not—and we will admit it some day—the scene of conflict and bloodshed has shifted from the land and sea into the air.

Mr. BREWSTER. Was it not the contention of many at that time that insufficient consideration—I think the gentleman who is speaking was one who led in that contention—had been given by our various executive authorities to the consideration of the aerial forces of our combat arms?

Mr. RANDOLPH. I think the statement of the gentleman from Maine is true, and I recall that many members, including the gentleman from Maine, supported the amendment which was lost at that time by a teller vote of 63 to 98.

I want to hurry on. I call attention in this concluding moment to this further statement I made in March 1938:

It is going to be proven to the Members of this body and to the citizenry of America that what I have said about this scene of warfare shifting to the air is true. It is going to be so demonstrated, and the people of America, whether they live on the broad plains of the Middle West, on the west coast, in the deep South, or on the shores of New England, will say that it is the hour for new methods in adequately preparing ourselves—not for aggression but for the best defense.

That is what this bill before us today does. It presents a program designed to aid in giving the best possible defense to this country. Again I compliment this committee, and in doing so I feel that I express the feelings of this Congress and the American people.

The hour has come when we must finish with fitful, sporadic, half-way, and vacillating methods and lay down a long-range plan of national defense for this country, with emphasis on air strength as our best safeguard. [Applause.]

[Here the gavel fell.]

Mr. MAAS. Mr. Chairman, I yield 5 minutes to the gentleman from Maine [Mr. BREWSTER].

Mr. BREWSTER. Mr. Chairman, a vote of 400 to 1 sufficiently indicates the unity of patriotic purpose of the Congress in our national defense.

Congress and the country are today air-minded. This is naturally a matter of gratification to those of us who 2 years ago fought in vain to place more emphasis upon development of our aeronautical defense.

Aircraft today have revolutionized the conduct of war on land and sea. America finds itself with most of its planes rendered obsolete by the developments of recent months.

Yet 2 years ago in a formal report to this House as a member of the House Committee on Naval Affairs I pointed out that the bill then proposed by the administration and reported to the House by the majority of the committee "limited naval aircraft when the importance of aircraft for defense is increasing with revolutionary rapidity and other nations are spending 10 times what we are for experimentation in aircraft development for defense."

The report went on to call the attention of the House to the famous Inskip report on the vital necessity of aircraft for defense.

I quote from the minority report of March 7, 1938:

The evidence before our committee emphasized the extreme flexibility of aircraft in the defense of the American continent where aircraft can be available in either ocean within 24 hours.

The Congress may also most profitably read the evidence before the committee as to the amazing advances in aircraft even in the past 2 years since the Inskip report was published. Each day witnesses new achievements by aircraft.

The disconcerting aspect of the proposed legislation in regard to aircraft is its imposition for the first time of a limit on the number of aircraft the Navy may possess.

Insofar as aircraft are concerned this legislation limits the existing authorization.

Under the Vinson-Trammell Act it is provided that "the President is hereby authorized to procure the necessary naval aircraft for vessels and other naval purposes in numbers commensurate with a treaty navy."

The Navy decided that this meant 2,050 planes, but this limit rested solely in Executive discretion and could be altered at will.

The authorization was unlimited so far as Congress or treaty was concerned.

The proposed legislation now for the first time imposes a limit of 3,000.

Yet England has just presented an air program providing 12,000 planes and placed air defenses on a parity with the Army and the Navy in the amount of the appropriations. This is in startling contrast to the American allocation although America seems ideally adapted to emphasize air defense.

The unanimity of the House today with only a single dissenting vote indicates America is now aroused.

May our voices now be heeded in urging that an industrial coordinator of competent abilities shall be placed in charge of procurement.

The task is a tremendous one. The labor of thousands of men must be brought into efficient operation in plants all over the United States. Thousands of men must be trained to operate and care for all the intricate creations that are a part of a modern mechanized defense.

There might be argument as to whether this task should be entrusted to the Army and the Navy and the Air Corps or to an industrial coordinator.

There can be no argument that the task cannot be properly entrusted to the Secretary of the Treasury whose entire industrial experience is confined to operating an apple orchard at Hyde Park.

The chairman of the committee has pointed out that every measure we would desire for defense is not possible. Selection must be made. Our defense program must be unified. Competition between the Army, the Navy and the Air Corps

must be controlled both in the matter of appropriation and procurement.

The renewed consideration of a Department of National Defense is an encouraging indication that the lessons of Europe are having their effect. Defense must be totalitarian. Lack of liaison between the various branches of the service apparently explains many of the difficulties of the Allies.

To suggest that such unified control exists in the Chief Executive is placing far too much responsibility for detail in the lap of one already overburdened man.

Pending such unification of control of our armed forces there can be no doubt as to the imperative necessity of an industrial coordinator of the first caliber.

The tremendous task of prompt procurement of planes and tanks and all the other paraphernalia of modern war must have a single responsible head if a tragic failure is not to be the inevitable result.

An advisory committee without even a chairman such as is now proposed cannot possibly supply the need.

Any competent businessman will recognize the fundamental principle of organization that is necessarily involved.

It is to be hoped that 2 years from today it will not be necessary to call attention to this warning when time may not then suffice to repair the errors of our course.

Mr. ANDERSON of Missouri. Mr. Chairman, will the gentleman yield?

Mr. BREWSTER. I yield.

Mr. ANDERSON of Missouri. Who would the gentleman suggest as an industrial coordinator?

Mr. BREWSTER. The gentleman asks whom I would name. There are a dozen industrial leaders of the highest competency and patriotic purpose to whom the task might properly be assigned.

One thing I would not do. I would not appoint an advisory committee and then refuse to let its report see the light of day.

Napoleon said, "One bad general is better than two good generals." In military operations or industrial preparedness it is imperative there be one directing head. Policies may be made by a board or a congress. They must be executed by a man. [Applause.]

[Here the gavel fell.]

Mr. MAAS. Mr. Chairman, I yield 5 minutes to the gentleman from New Hampshire [Mr. JENKS].

Mr. JENKS of New Hampshire. Mr. Chairman, whether we like it or not, it seems to me that the policy of our national defense is regulated by foreign countries. I remember, as you do, how 2 years ago when we heard rumblings of war in Europe the Naval Affairs Committee brought into this House a bill to increase our Navy by 25 percent. The pending bill, in my judgment, would not be here had it not been for those rumblings in Europe that finally broke into open warfare.

I listened last night to the radio and heard a man ask this question: "What are we going to defend?" I think we have a great deal to defend. Some say that not more than 25 miles separates this country from Russia at the western tip of Alaska. This country is not more than 25 miles from Russia. We have a coast line stretching all the way from Alaska down the Pacific coast, and if we defend the Monroe Doctrine, as we say always we are going to, we go down the coast of South America, way around Cape Horn and up on the Atlantic side of South America.

It seems to me any man who would ask the question, What are we going to defend? has not given much thought to the geography of this country.

Mr. Chairman, in my opinion this bill is not sufficient to protect our shores and never will be until we have a two-ocean navy. We are not unmindful of the fact that one of our great hazards is the Panama Canal. After what has happened by bombs being dropped on battleships and on different kinds of naval craft in the present war in Europe, I can see where a hostile nation coming to our shores might be willing to sacrifice hundreds of planes and hundreds of men in order to get in and drop a few bombs to put our Panama Canal out of business.

In the 4 years I have been a member of the Naval Affairs Committee, our fleet has been on the Pacific coast most of the time, I presume because our Navy Department felt it was wise to keep it there. But how about the Atlantic coast? We have some interests on the Atlantic coast that need protection. In my own district we have a navy yard making nothing but submarines, the only navy yard in this country making submarines exclusively, and that yard has not even the protection of one aircraft gun. I believe there may be developments in Europe, before we realize it, that may make it necessary for us or another Congress to plan for a two-ocean navy. We have always considered the British Fleet friendly to us, but who knows where the British Fleet might be in a very short time from now?

[Here the gavel fell.]

Mr. MAAS. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut [Mr. MILLER].

Mr. MILLER. Mr. Chairman, at the outset I want to commend the Naval Affairs Committee for bringing this bill to us today, and may I say that because I had the good fortune or misfortune to play an insignificant part in the development of the Air Corps during the war I do not pose as an expert on aeronautical matters. Because of that service and because of the fact there are substantial aviation industries within my district, I have tried to keep current with the development of aviation.

I particularly want to commend the committee for including in the bill provisions for the expansion of air bases. I believe the biggest weakness in the development of our air-defense program is to be found in the training of pilots, and, second to that, the acquiring of adequate airports, and, next, meeting our needs in the procurement of the aircraft itself, although I believe we can meet them. This bill provides for a needed expansion of air bases and I hope that when the Military Affairs Committee completes its program a substantial sum of money will be set aside for the establishment of needed airports for our armed forces. At the present time at the East Boston, Mass., airport you will find aircraft tied outdoors, staked down, row after row, almost up to the runways. It is ridiculous to talk about 20,000, 30,000, or 50,000 military and Navy airplanes in this country until we have a place for them to land and a place from which they can operate. However, there is not the thrill to providing airports that perhaps there is to providing aircraft. People do not go to airports to see the construction of the airport. They go to see the planes. But the airport is mighty essential and thus far we have neglected to provide for these much needed airports.

Mr. Chairman, I want to take just a minute to pay tribute to the men who have developed the aircraft industry in the United States. We necessarily have to put a great deal of confidence in the manufacturers of aircraft and it is fortunate that we can truthfully say that the patriotism of those who are developing our aircraft industry at the present time cannot be questioned. Some of the executives of our larger aircraft units received their early training in either Annapolis or West Point. Many others saw service during the World War.

I believe that the Congress can with a great deal of confidence approve of negotiated contracts with these people, knowing that the men who are conducting that industry have a very real stake and a very real interest in providing the very best in the way of aircraft construction, because they know, as we all know, that should we have the misfortune of having an attack upon our shores these plants will be the first of the military objectives to be attacked.

In the remaining moment I desire to refer to some of the remarks that have been made about acquiring an air force of 50,000 planes. I think that was a very unfortunate remark. Perhaps it was made in a spirit of enthusiasm. I am glad that the House Naval Affairs Committee has not been swept off its feet by any enthusiasm or hysteria of that nature. I am glad it brought in a bill requesting a reasonable number

of aircraft, something that we can hope to attain, because I will stake my reputation on the statement that it will be many long years in this country before we can turn out 50,000 airplanes for our Army and Navy, in addition to providing for the allied forces and keeping up our civilian airlines at the same time. [Applause.]

[Here the gavel fell.]

Mr. MAAS. Mr. Chairman, I yield 5 minutes to the gentleman from South Dakota [Mr. CASE].

AUTHORITY TO ACQUIRE ISLAND BASES

Mr. CASE of South Dakota. Mr. Chairman, I wish to call attention to a part of the bill as it will come before us which deals with a need that has been mentioned, but to which language attention has not been directed in the remarks I have heard. I refer to a committee amendment for section 2 which will permit the acquisition and development of island bases.

Section 2 starts out—

The Secretary of the Navy is hereby authorized to establish, develop, or increase naval aviation facilities, with which shall be included the authority to purchase, accept by gift, or otherwise acquire land and to construct buildings and accessories—

And then follow several specific places for the expenditure of approximate sums of money. Following this, in italics, as a committee amendment, will be found a proposal for two additional authorizations. The first is for aviation bases for the Naval Reserve within the continental United States:

At such localities within the continental limits of the United States as may in his judgment be necessary for the Naval Reserve, which authority shall also include the acquisition of existing facilities, $10,000,000.

The authority for the outlying bases comes in these few important words in the next and last clause of the amendment—

And in such vicinities as he may, in his discretion, deem advisable, $10,000,000.

"In such vicinities as he may deem advisable." There is a definite recognition of the need and a provision for acquisition of land bases either adjacent to the Panama Canal east or west of it or wherever in the judgment of the Secretary it is found advisable to have them.

The gentleman from New York [Mr. FISH] spoke of his advocacy of such a step some time past. The gentleman from West Virginia [Mr. RANDOLPH] and others have made similar proposals. The very able ranking minority member of the Naval Affairs Committee [Mr. MAAS] has been active in the matter. Many of the proposals have been associated with a plan to acquire these bases in exchange for credits to nations in default on their war debts.

I added my own bit to the proposition when I introduced House Concurrent Resolution No. 49 on February 28, just 3 months ago today. It was when we were considering the third set of locks in the civil bill for the War Department, a matter which will come again before this House tomorrow, I believe. I advocated the bases as an immediately usable alternative to the locks in defense plans.

MIGHT USE GOLD OR CREDITS ON WAR DEBTS

My resolution differed from other proposals in that in addition to granting credits on defaulted war debts it suggested use of gold from the stabilization fund administered by the Secretary of the Treasury for part payment. My aim there was to accomplish something definite in the redistribution of gold. Today we have over 70 percent of the world's gold in the United States—$19,200,000,000 of it. The use of a part of the $1,800,000,000 in the stabilization fund to acquire needed land bases would permit dealing with nations that are not in default to us. Some of them may have bases that we need, if they can be peacefully and properly acquired.

Today we hear an increasing demand from some quarters for a modification of the Johnson Act which prevents private loans to foreign debtors who are in default to this country. This demand arises from the mistaken notion that these nations need credits today. They do not—they have spent only a small part of the credits they already have in this country. That may change, of course, but it will be far preferable to buy something from them—these bases for example—than to give them credits which will be only so much ink on the books.

The committee proposal here is to set up an authorization of $10,000,000. I have no idea that that will do the job that should be done in land acquisition and improvement, but if a start is made, the fund can be increased. The money is to come by regular appropriation from the Treasury, which might be handled so as to use gold from the stabilization fund if that was most persuasive and, I presume, that the Treasury might arrange to apply credits on defaulted debts if that was a part of a bargain negotiated by the Secretary of the Navy under the power "to purchase, accept by gift, or otherwise acquire."

In any event, here we have before us today, a concrete proposal to make possible the acquisition of bases for naval aviation outside the continental United States. In my judgment, it is one of the most important parts of the legislation we shall pass today.

BETTER THAN COUNTING ON CANAL LOCKS

I have mentioned the fact that tomorrow we are expected to take up the conference report on the appropriation bill for the civil functions of the War Department. One of the items in disagreement is the proposal to start the 6-year construction of a third set of locks at the Panama Canal at an estimated cost of $277,000,000.

Let me suggest to you now that in your thinking about this bill you keep in mind for tomorrow the possibility of acquiring land bases east and west of the Canal as a very desirable alternative to the building of a third set of locks. In 6 hours from the time we acquire island bases or land bases east or west of the Canal they could be ready to do more for the defense of the Panama Canal than 6 years of building on a third set of locks. Estimated normal time to construct them is 9 years, and it will take at least 6 years under the emergency speed-up program, the engineers have estimated. And, when done, they will be merely another set of locks a quarter or a half-mile away from the existing double locks. The land bases needed to keep an enemy away from the Canal can be acquired and developed in much less time, of course, than that; in fact, some of them will be usable instantly on their acquisition.

I use the words "east and west of the Canal" because it must be remembered that from whatever direction you expect the potential enemy to come, if you have merely a guard stationed at the front door it would be a simple thing for him to go around to the back door. If either door is closed, the power of our Navy is nearly cut in two. Consequently, in our thinking of the acquisition of land bases for the protection of the Canal we must think of the west as well as the east, and of the east as well as the west.

I am confident from conferences, correspondence, public statements, and private expressions that the men who are charged with the responsibility of our defense in both the Army and the Navy are most anxious that some such land bases be acquired. Testimony to this effect has been given repeatedly before the Subcommittee on Appropriations for the War Department, much of it off the record, but some of it is on the record.

On page 8 of our hearings on the appropriation bill for civil functions of the War Department you will find this statement by General Strong, who is Chief of War Plans on the General Staff:

The prevention of air raids on the Panama Canal from either carrier-based aviation or land-based aviation makes it highly desirable that our defensive aircraft cover generally a line whose radius is about 1,000 miles from the Canal Zone. * * * You will note that Puerto Rico is at the northern end of this arc. From a purely military standpoint, it would be of very great advantage in the defense of the Canal if we had another such base located either on the north coast of South America or on some of the southern islands of the Lesser Antilles.

ALSO A QUESTION OF FOREIGN RELATIONS

In the same statement General Strong made a further observation, which is highly significant, and which should be considered in this connection. He said:

In this connection, however, in view of the international questions involved which are essentially those of governmental policy, the War Department can make no recommendation as to the acquisition of land now under foreign control but which, if it belonged to us, might be used for national-defense purposes. The question of the acquisition of such land is primarily a question of foreign relations. The War Department is limited to considering the use of our own territory, and can make no recommendation in the premises unless and until so requested by the State Department.

Obviously, the Navy Department is under the same restrictions as is the War Department. And obviously, the acquisition of outlying bases by the Navy is as much a question of foreign relations as it would be if done by the War Department.

I proposed that the Secretary of State act in consultation with the Secretary of War and the Secretary of the Navy. To handle it in the bill before us, when we reach the appropriate point in consideration of the committee amendment, I shall offer an amendment. I believe in centralizing responsibility for any action. I shall not propose to take that away from the Secretary of the Navy. My amendment will merely propose that in exercising this authority to acquire what he deems desirable, the Secretary shall act in consultation with the Secretary of War and the Secretary of State.

I include the Secretary of War because he is charged with defense also, and because we have found that bases are established sometimes where a little consultation might have made a base more usable for both arms of the service. I have in mind the situation in Alaska, where we have the naval base at Kodiak and also a proposed Army base at Anchorage. There is some authority for the thought that possibly those should have been combined. I do not know that that is the case, but at least that point has been raised. So, when we come to that portion of the bill where the committee amendment is offered, I shall offer a slight amendment to propose that, in acquiring what he deems desirable, the Secretary of the Navy shall consult with the other branch of the service and the Department of State. [Applause.]

[Here the gavel fell.]

Mr. SUTPHIN. Mr. Chairman, I yield 10 minutes to the gentleman from Oklahoma [Mr. JOHNSON].

Mr. JOHNSON of Oklahoma. Mr. Chairman, it will certainly be no surprise to Members of this House for me to announce at this time that I shall gladly and enthusiastically support the pending defense bill. In discussing another defense measure, brought here a few days ago by the Military Affairs Committee of the House, I stated then that although there have been several times when there has been serious doubt in my mind about the advisability and practicability of some phases of our defense program in the past, particularly with reference to the construction of some of the large battleships that cost from sixty to a hundred million dollars each, I have always resolved any doubt in favor of defense, whether it be on the land, on water, or in the air. [Applause.]

As the gentleman from West Virginia [Mr. RANDOLPH] pointed out a few minutes ago, I have not hesitated to remind Members of Congress that it takes from 4 to 5 years to build one of those great battleships, and yet for a hundred million dollars we can within a few months build literally thousands of the fastest and most powerful bombers in the world.

The pending bill provides for only 10,000 planes. Frankly, I am disappointed that it does not call for at least twice that number. But I realize full well that the problem of building ten or twenty thousand planes immediately with our present facilities is not an easy assignment. Members should be reminded, however, that America has private industries, such as the great automobile factories at Detroit, that within a few months could greatly increase our present manufacture of planes. Of course, these same industries are in position now to turn out thousands of the best Army trucks and other equipment necessary for national defense to be found on the face of the earth.

But, getting back to the defense program in the air for a moment, let me say that our people in the great Southwest are very much concerned about the necessity for at least one more air base in that area. I have this week discussed the proposal of an air base to be located in Oklahoma with the Secretary of War, Woodring; with the Chief of the Air Corps, General Arnold; with General Fickel; and others in authority in the Air Corps; and I think I am not giving away any secret or overstating the situation to say that both the Secretary of War and the Air Corps would look with favor on an air base to be located somewhere within a radius of 50 or 60 miles of Fort Sill, Okla. Several available locations for an Oklahoma air base have been suggested—one in Cotton County, 25 or 30 miles to the south, one several miles east of Fort Sill, and still another location west of El Reno, where the War Department now owns several sections of land. Certainly such a base should be immediately placed somewhere in southwest Oklahoma.

Recent developments and disclosures of "fifth column" activities, spies, saboteurs, and other subversive activities along the Mexican border, and especially across the Rio Grande in Mexico, cannot be laughed off nor ignored. It is well known that there is but one air base between Kansas and Mexico. That air base is, of course, at San Antonio—only a few minutes by air from the Mexican border. With our vast resources in the Southwest, and particularly considering our great oil fields, coal fields, lead and zinc mines, we cannot afford to permit them to go unprotected from any potential enemy, whether they be Communists, Fascists, Nazis, or "fifth column" spies, who might come over the Mexican border riding their Trojan horses. [Applause.]

I understand hearings on the Military Establishment bill will start tomorrow, and I have requested the opportunity of appearing before that subcommittee to stress the necessity of an air base to be established in Oklahoma, and give notice now that I shall leave no stone unturned, either before the committee or on the floor of this House, to see that every reasonable effort is made that this be done.

Let me say in passing that I agree thoroughly with the gentleman from West Virginia and others that Congress should immediately make adequate defense preparations, but that those preparations should be made, not for an offensive warfare against anyone or any nation, but to defend ourselves against the invasion of any war-mad or power-mad country that might be foolish enough to ever attack us. This, of course, will never occur if we really protect ourselves now against any invasion of a foreign foe and also against enemies within our borders.

The American Legion, in State and National conventions, year after year, has repeatedly warned the country against subversive un-American activities in the United States. So has the Veterans of Foreign Wars. Some of those on this floor today who are now becoming somewhat excited about our defense program, as well as the subversive activities, have heretofore scoffed at the Legion, Veterans of Foreign Wars, and other patriotic organizations which have had the courage and foresight to warn the country repeatedly of the necessity of curbing, jailing, and, if necessary, deporting the damnable, treacherous foreign spies within our own borders. [Applause.]

It is also very significant that some Members of Congress who today, and during the past several days, are bitter in their criticism of the President of the United States, for what they call his tardiness in bringing to the attention of the Congress the necessity for a well-rounded program of national defense, only a few short months ago were using every scheme and excuse possible to thwart, delay, and actually defeat the President's preparedness program. As I pointed out on the floor of this House a few days ago, one of the high-powered Republican spellbinders who always manages to insert partisanship in any speech he makes on the floor of this House, and who never fails to grasp the opportunity of lambasting, ridiculing, and unduly criticizing the President of the United States, only last June enthusiastically supported an amendment to a defense bill prohibiting

the construction of more than 1,000 planes in any 1 year. He is the same gentleman who criticizes the President because as he says "the administration's hindsight is so much better than its foresight."

Today my good friend the able gentleman from Maine [Mr. BREWSTER] repeatedly referred to the gentleman farmer from Hyde Park. I am not sure that I know the gentleman to whom he refers. Furthermore, I hope that I am mistaken in the inference I gathered from his remarks. But if the gentleman from Maine, in his caustic remarks and veiled criticisms, has reference to our great, beloved Chief Executive, then I will say to him that for my part, so far as national defense is concerned, I expect in the future, as in the past, to go along with Franklin D. Roosevelt. [Applause.]

Mr. BREWSTER. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. Yes; I yield to the distinguished gentleman from Maine.

Mr. BREWSTER. I was not on the floor, but I understand that my reference to the farmer from Hyde Park was applied to the President of the United States.

Mr. JOHNSON of Oklahoma. Well, I will say to my friend that I said I did not know to whom the gentleman referred but assumed he had in mind the President of the United States.

Mr. BREWSTER. I certainly want to clear the record immediately. I thought that my discussion was sufficiently clear to indicate the one to whom I referred. I referred to the recent newspaper report that the President had designated Secretary Morgenthau as the industrial coordinator. My remark was not at all applied to the President, because I know his interest in the Navy and his very great desire to see us adequately defended.

Mr. JOHNSON of Oklahoma. I thank the gentleman for that explanation.

The gentleman from New York [Mr. FISH] a few moments ago delivered an interesting address. But as usual, the distinguished gentleman was unable to conclude without criticising the President. I am glad to note, however, that even the gentleman from New York is becoming much less vicious in his criticisms of the President, to whom he refers as "his constituent." His mellowing attitude would indicate that his distinguished constituent from Hyde Park, who is today the most popular and best beloved citizen in all the world, is a whale of a lot more popular up in his New York district than the gentleman who has been so critical of him evidently thought he was a few months ago. [Applause.]

Let me add here that although I find myself seldom in agreement with the gentleman from New York, I agree with him that this Congress should not adjourn during this international crisis until the President's defense program has been enacted in full. [Applause.] And I know that the entire delegation in Congress from Oklahoma voice the same sentiment. I can go further with the gentleman in saying that the Congress should not adjourn while this crisis is so acute and uncertain unless, and until, this Congress raises the tax limit or authorizes the Committee on Ways and Means to begin working on a bill to do so, provided by law. This Congress must not ignore the fact that we must enact a tax bill to raise whatever finances are necessary to meet the demands for the payment of the President's defense program. To do so would not only be shortsighted and indefensible but it would be running out on the people whom we represent. [Applause.]

I cannot agree with the gentleman from New York, however, in his advocacy of what he calls the "manufacturers' sales tax" to finance the entire defense program. That, in my judgment, is unthinkable. During my 7 years in the State Senate of Oklahoma I consistently voted against all sales-tax legislation. One of the first bills I was called upon to vote for when I came to this Congress back in those dark days of Republican misrule under the Hoover regime was the so-called Hoover Federal sales-tax bill. I refused to vote for it then, believing as I did and still do, that a sales tax is a poor man's tax. It was conceived and brought forth by the greedy rich who desired to escape income taxes. It is for the purpose of heaping the burden of the Government on those less able to pay. Let those of us who pay income taxes dig a little deeper and as we dig, thank God that we live in America, about the one and only democracy left on the face of the globe.

Some of those of you who are criticising this legislation, yet who will vote for it, insist on saying that Congress is becoming hysterical in rushing through this defense legislation. Certainly there is nothing hysterical, unreasonable, or impractical about the pending defense bill. It is altogether possible that additional defense bills may of necessity be brought here before very long. We cannot ignore our responsibilities. We must not run out on our President or the people who are looking to us to enact all needed preparedness legislation now. We cannot afford to run home to campaign, or for any other reason, during this crisis, as long as we are needed in Washington. What happens to us individually is of little consequence when the destiny of our Nation is at stake. [Applause.]

In closing may I express the hope that there will not be a single vote cast against the pending bill. Let us present a solid front. That is the language that the power-mad dictators understand. A united front today is another notice to the war-mad dictators that the Congress of the United States is determined to be adequately prepared to defend the liberties of American citizens against any foreign foe. [Applause.]

[Here the gavel fell.]

Mr. MAAS. Mr. Chairman, I yield such time as he may desire to use the gentleman from Nebraska [Mr. STEFAN].

Mr. STEFAN. Mr. Chairman, many a truth has been spoken on the floor of this House, but none can overshadow Napoleon's remark that "an army marches on its stomach." Food supplies in wartime have always created a problem. To keep the kitchen moving with advancing troops is as essential to a successful campaign as high-geared munition trains. The morale of an army depends on how it is fed. That is why I now present to you the necessity of including roads in a national-defense program. America has thousands of lines of secondary highways that are in need of improvement and in many cases reconstruction. They constitute the all-important network that connects our rich agricultural back country with our main arterial highways. Tons and tons of food consumed in metropolitan areas are transported over these highways daily. But this is normal, peacetime service. In time of war, their importance is doubled. Their dependability must be beyond question. They must serve us under all conditions, all tests.

Highway engineers report that thousands of miles of America's rural roads are still fit for nothing more than "horse and buggy" traffic. They are dirt paths of another era. During the spring thaw and wet seasons they present their problems. Often they become altogether useless. Yet we look to these roadways to get fresh foodstuffs and dairy products to market and to carry millions of rural school children to educational centers daily. Failure of these roads in time of national distress would place our military units in a grave situation. We must not sit back now—now when we have the opportunity to overcome these deficiencies. We must make a real effort to eliminate and iron out all our weaknesses so that our defensive strength will indeed have that invulnerable quality of which the President speaks.

But a few months ago, a national highway survey was made by a group of American road builders. It was made purposely to compare our present system of highways with road facilities actually needed for our mechanized Army. Their findings were alarming. The report reads:

> American military forces would be hopelessly entangled within 24 hours because of lack of adequate highways for troops and supply movement in the event of an armed invasion.

That should strike home, gentlemen, because it goes to the very roots of our first line of roads. It attacks our road system from our main highways on down. The assertion in this re-

port that our highways are entirely inadequate for national defense certainly is sufficient warning to stimulate some action on our part.

In peace—

The report further states—

It is good policy to prepare for war. Heading the list of defense preparations that constitute the best possible investment while at peace is a modern highway system. * * * Roads built for rapid transportation of mechanized units will serve equally well for rapid transportation of American citizens in automobiles, buses, trucks, and trailers while the country is at peace.

So the appropriation for highways meet a twofold purpose. They stand for cultural and commercial profit in peacetime and for defense in time of conflict. It has been proved that efficient military mobility is only possible on an adequate system of modern roadways. European warfare has proved this fact. Mounted on rubber-tired wheels, armies move 200 miles and more a day. Armies can be split and reunited again in a matter of hours. They can be concentrated on sectors and quickly moved to other points of defense, but only on a system of modern interregional motorways. With the best road-construction engineering minds in the country attempting to work out plans to overcome these defects, I feel our cooperation and support is a major factor in the success of their efforts.

There are no specifically designated national military roads, according to the War Department. Lt. Col. Paul Tombaugh, speaking for the Department, recently said—

Highways which must be constructed for commerce and national development will, in general, be identical with those required for military purposes.

We can well assume, then, that recommendations of the Public Road Administration for a system of peacetime highways will be favorably regarded by the military authorities. Peacetime and military highways are, after all, synonymous. An adequate road system, minus traffic congestion at important centers, is the paramount necessity in both cases. Congested areas are not an uncommon thing in our present road system. Main highways pour thousands of cars hourly into already heavy city traffic. We find trucks carrying essential food and commercial products converging at these points and losing hours of time in their movement. If this happens to our commercial and pleasure vehicles in normal times, imagine the confusion troop movements would encounter if thousands of men, hundreds of equipment pieces, and supply trucks were suddenly required to move swiftly and without hitch. To reroute our main arteries of supply leading to these centers is the only answer.

I began by warning you of our poor system of secondary roads which carry daily food supplies to metropolitan centers. And I mean to reiterate—they are sorely in need of attention. You have heard the report of leading American engineers on our primary system of roads. It points out that to correct our deficiencies, many problems are involved. In fact, so great are our needs in the first line of highways that no consideration was given to the farm-to-market road. We know, however, that time, money, and great energy in man-hours are put forth each year on our secondary highway system. We know that our road builders recognize their importance in relation to the primary system, so I say, let us recognize the role we legislators play in bringing about a giant united effort to combat our highway shortcomings.

Our neglected secondary roads are doing a job that is almost beyond their ability to perform. In the West, we find trucks hauling cattle, grain, and wheat. Coming east to industrial centers, we find them conveying coal, reinforcing and fabricated steel. In the South we find the movement of food, clothing, and machinery, as well as refrigerator trucks bearing fresh fruits and vegetables. These feeder highways bring all this commerce into common veins of traffic which connect different regions and centers of distribution. They are like the nerves of the human body which perform the function of keeping all parts coordinated. They make up an integral part of our national life in peace and our national defense in time of war.

You have but to read the news from the war-torn countries of Europe today to realize the importance of roads. It was the privilege of a few of us to visit Germany some months ago and inspect the hundreds of miles of "autobahns" or superhighways which stretch across that country to see the importance of highway systems in time of war. We inspected the farm-to-market or secondary highways in that country. We found how these secondary roads are closely linked to these superhighways in order to facilitate the rapid transit of foods to the highly mechanized troops which so rapidly traverse over these "autobahns" from one part of the country to another. In planning national defense here in America we cannot eliminate the importance of the roads which lead to the doors of our Nation's source of food and raw materials. [Applause.]

Mr. VINSON of Georgia. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Chairman, I did not intend to take any of the time of the Committee, but am moved to say a few words because of receiving only about an hour ago a special-delivery letter from a man whom I consider one of the most promising experts on airplane construction that I have ever had the pleasure of meeting. About 2 years ago I urged the Air Corps of the War and Navy Departments to accord him a hearing and have experts go over with him ideas and designs that he had long been working on for the perfection of the helicopter and also for aerial torpedoes.

My interest in such things had been greatly increased by my realization at about that time that the Nation needed a great deal more preparedness for defensive purposes than it then had. It was on March 18, 1938, to be exact, that I made a speech here in which I pointed out my belief that Adolf Hitler was a man who had an insatiable ambition for world dominion in the back of his head and that it behooved the United States to prepare itself for any emergency. About everything I predicted has already come true. This was within a few days of the time Hitler took Austria. I predicted he would also take Czechoslovakia, Danzig, and then Poland. I cannot resist quoting just a few words here from my speech of March 18, 1938, and then the House can judge for itself how nearly I was right:

There is not the slightest doubt in my mind but that Hitler, Mussolini, and the raving-mad Japanese war lords are in a conspiracy to divide the entire world among themselves. Great Britain, rather late, is commencing to realize its danger. Does Poland realize her danger? If this nefarious triumvirate should effect the dismemberment of the great British Empire, what would become of Canada? Could we still feel free and at ease without present-day Canada?

I asked that question of you more than 2 years ago, and in the light of what has transpired since that time I repeat the question now. If Germany proves to be powerful and audacious enough to attack Great Britain and deprive her of her colonies and dominions, of which Canada is one, I submit that Hitler would not be too far removed from us to give us plenty of concern. Of course, along with every other American, I am hoping against hope that if he does try it he will fail, and fail miserably.

I am recalling the thoughts that were in my mind 2 years ago to explain why I was taking new interest in the development of all types of military aircraft, and why in that speech I became for the first time an advocate of big and bigger preparedness and voted for the enlarged national defense program as urged by President Roosevelt. I felt that because of this war maniac Hitler we should have enough defense preparedness to be able to cope with any eventuality that might arise. And I am thinking now that we started none too soon.

At the time I made the speech I have alluded to some of my colleagues thought I was fearful about things that could never happen, but they are happening, and in view of conditions I feel that we should not delay or hesitate, but should make every preparation possible for a warm reception for Adolf Hitler and his military satellites if they should ever dare to place a foot on American shores.

Personally, I am against sending a single American boy or man across the seas [applause], but I am perfectly willing

and anxious to do everything on earth short of that to make ourselves impregnable and safe.

But, Mr. Chairman, coming back to the communication which I have just received and which time does not permit me to read, but which I shall turn over to the committee, I wish to say that a few days before making the preparedness speech which I mentioned, a colleague of mine asked that I grant an interview to a gentleman of extraordinary ability in aircraft construction. Acting upon that request I met the gentleman and I was actually amazed with the knowledge he possessed and with the experience he had had in aeronautics. As I recollect, he was a man who was an instructor in aviation during the World War and had devised many improvements of aircraft. He urged me to obtain the interest of the aeronautics divisions of the departments to which he sought to submit a model of his helicopter which he claimed had greater speed and lifting power than any other theretofore devised.

I then urged the Department to give consideration to his invention, whereupon he was invited to Washington and made several trips here and to Dayton, Ohio, and had conferences with General Arnold and several other officers, most of whom he had worked with during the war, and from the correspondence which he showed me it appeared they were familiar with his extraordinary ability. However, they stipulated that he should first build a helicopter and aerial bomber for demonstration purposes. He pointed out to them that he was without means but that with a small allowance he would do so. While we had appropriated $2,000,000 for experimental purposes, the Department failed to allocate to him a few thousand dollars to build a helicopter which he believed would enable him to prove conclusively his contention as to its worth and practicability. He then appealed to several of his friends with whom I joined in contributing enough to enable him to construct a 6-foot model which, in a demonstration that I witnessed, raised and flew according to his prediction. He brought the model to Washington and it was then demanded of him that he build a model large enough to demonstrate by an actual flying trial. Without finances he was unable to do so, and he left Washington to again obtain the help of friends to raise sufficient money to construct the larger model. I was informed a few months ago that he was successful in raising enough funds to start construction on the helicopter as well as on an aerial bomber.

Mr. Chairman, I call attention to this situation because I feel that the knowledge of such an inventor should have been sought by our air service and that a few thousand dollars—not hundreds of thousands—should have been allocated to him to build a helicopter on the basis of the successful demonstration of the small model which he had constructed on his own time and without expense to the Government. I wish to say that I am not an engineer or a mechanic, but I was tremendously impressed, and requested several outstanding engineers to check and investigate as to the practicability of his device.

He informed me later that three or four of the engineers predicted to him that his principle some day would be adopted. I again asked the Department to give him an opportunity, but to no avail. I therefore came to the conclusion that our experts and engineers in this field feel that no one not actually connected with their Department has anything worth while. In taking that attitude I feel they are making a great mistake. I understand that millions are being expended for experimental purposes, and I cannot understand why an individual of such knowledge and inventive capacity should not have been allotted a small amount and welcomed to aid them in developing his helicopter. This gentleman stated to me that he knew as a fact that Germany had spent over $3,000,000 to develop a helicopter and that our own country as well as private concerns had failed in their attempts to develop a satisfactory helicopter. He gave me the underlying reasons why they failed and how he could overcome the defects that were responsible for their failures. Therefore I hope—and I address the chairman of the Naval Affairs Committee—that you will look into this situation. I turn over to you the recent letter I received from the gentleman, not wishing to burden you with many letters on the subject, in the hope that without undue delay he will be assigned to a plant to make possible the completion of the devices he has started to construct.

Mr. Chairman, as you and the membership have observed, I have not mentioned the name of this gentleman, as I do not want to have anyone assume that I want to publicize him, but I repeat, I have the utmost confidence in his ability, because since his boyhood he has spent nearly 30 years of his life studying and experimenting with aeronautics. I feel in honor bound to direct the attention of the House to the possibility of the utilization of this man's services in our defense plans, and at the same time I hope he will receive consideration by those in charge and whose duty it is to avail themselves, especially at this time, of any and all devices that will not only improve but tremendously reduce the cost of our aircraft program. [Applause.]

[Here the gavel fell.]

Mr. VINSON of Georgia. Mr. Chairman, I yield such time as he may desire to use to the gentleman from Indiana [Mr. LUDLOW].

Mr. LUDLOW. Mr. Chairman, I have asked for this very brief time to ask the chairman of the committee a question. I may say that I am following the very able leadership of the gentleman from Georgia with regard to naval preparedness, and I note that we are spending something like $2,000,000,000 on a naval-expansion program. I want to ask the distinguished chairman if provision is to be made in this elaborate program of preparedness for the training of Negroes for the Navy and for aviation service in the Navy. The Negroes of America have demonstrated their loyalty, courage, and patriotism in every war in which our country has been engaged. I note that there is a naval station at Charlotte Amalie in the Virgin Islands, and it occurs to me this would be a very proper and appropriate place to inaugurate training for Negroes for the naval service. What can the gentleman tell me about that?

Mr. VINSON of Georgia. Mr. Chairman, I will say to the gentleman from Indiana that all laws apply to all citizens of the United States equally, and any citizen of the United States, regardless of his race or color, who can comply with these requirements is eligible for military training.

Mr. LUDLOW. I thank the gentleman from Georgia.

Mr. MAAS. Mr. Chairman, I yield the remainder of my time to myself.

The CHAIRMAN. The gentleman is recognized for 18 minutes.

Mr. MAAS. Mr. Chairman, this bill is not something brand new or hysterically arrived at. It is merely carrying out a program which was worked out by the Navy Department and our committee and recommended 2 years ago, long before the present European war broke out. I know everybody in the House is going to support this bill; they are all for national defense. The only thing that surprises me, in view of the almost unanimous present support for national defense and the fact that everybody in the House apparently has been advocating all of these things for years, is why this was not all passed long ago. At last Congress is going to pass bills that it now appears practically every Member has been ardently advocating for years. There are only one or two elements that are new at all in this bill, and they are part of the general plan. One is to provide for Federal acquisition of Naval Reserve aviation bases. There is no use in training thousands of pilots to be reserves in case of war and then not provide facilities to keep up their training, because if a pilot does not fly constantly he loses the touch and is not available for flying duty when needed. After being away from flying for a year or two, a man becomes not only rusty but even dangerous. It is better to take and train a brand new youngster who has never flown an airplane. Therefore, we must provide facilities to keep up the flying of those we are today training as pilots. We have provided for that in this bill. We have also provided that if additional naval air operating bases and auxiliary

bases become necessary either in outlying islands or anywhere else, the authority is there to immediately convert them to the defense of this Nation.

We have provided that the Navy shall build not less than 48 lighter-than-air ships. Those are expected to be nearly, if not entirely, all nonrigid blimps. The blimp has demonstrated tremendous value in offshore patrol work.

Another recognition in this bill is that the Navy has come to the conclusion in conjunction with the Army that the Navy will have to be prepared to provide for its own protection for its own shore base facilities. Heretofore the theory and plan has been that the Navy operated far out at sea, and the Army defended all land bases, whether Army or Navy, but in view of the fact that the Army may have to concentrate its entire force suddenly in a certain area and the Army air force in a sudden effort may be required in an entirely different theater of operation from fixed shore bases, it has become apparent that the Navy, in addition to the planes necessary for fighting and patrol with the fleet, has to have a complement to protect its own shore facilities. This bill in providing 10,000 planes recognizes that, and will provide the pilots and the planes necessary for the complete fleet operation, with expanded bases for the increase in patrol planes. The bill also provides training planes necessary, and the minimum requirements for air protection of the continental shore base naval activity as well as their outlying bases.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. MAAS. Yes.

Mr. CRAWFORD. Page 3, lines 2 and 3 read:

And in such vicinities as he may, in his discretion, deem advisable, $10,000,000.

Could the Secretary of the Navy, under that language, expend money in the fortification of Guam?

Mr. MAAS. No. It says within the continental limits of the United States, as I read the bill. The first part, at the bottom of page 1, refers to continental limits of the United States.

Mr. VINSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. MAAS. Yes.

Mr. VINSON of Georgia. It is distinctly understood that of the $10,000,000 referred to in the two places in the bill by the committee, not one dollar of that money will be expended at Guam. Guam is out of the picture so far as this Congress is concerned, but gentlemen, by that statement, should not understand that we agree that Guam should be out of the picture in the next Congress.

Mr. CRAWFORD. If the gentleman will yield further—in other words, the language in lines 2 and 3 at the top of page 3, while it permits a wide range outside continental United States, yet by agreement the money is not to be used for Guam. Is that correct?

Mr. MAAS. That is correct, but I will say that it was not done with my approval. If I had my way we would fortify Guam tomorrow morning. I think history will demonstrate that one of the worst votes ever cast in this House was the vote against fortifying Guam. When this Nation says to the world that we are not going to defend any part of our territory, it is a sad state of affairs.

Mr. Chairman, I yield to the chairman of the Committee on Naval Affairs.

Mr. VINSON of Georgia. I agree with the gentleman exactly about the fortification of Guam. But Congress has spoken, this Congress has rejected it, and every Member can understand definitely and positively that not one dollar of this money will be spent at Guam at this time.

Mr. MAAS. That is correct. The Navy Department takes it as a directive, in view of the fact that Congress turned down Guam, that they must not spend any of this money there. As I said, if I had anything to do with it, they certainly would spend a part of it over there, and right now.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield once again?

Mr. MAAS. Certainly.

Mr. CRAWFORD. As the gentleman said to me earlier in the afternoon, he did not want to argue with me on that point, and I will say to the gentleman at this time that he certainly cannot get into any argument on this with me now and this new program which we are now launching, insofar as the fortification of Guam is concerned. I am astonished that the committee has had an agreement with reference to this particular language.

Mr. VINSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. MAAS. I yield to the gentleman from Georgia.

Mr. VINSON of Georgia. Those present will remember that earlier in this Congress a bill was before us to provide a minor air-defense program at Guam, and the Congress rejected it. The usual procedure is that when a bill has been defeated during a session of Congress it is not brought up again during that Congress. At the next session of Congress, however, the matter of Guam will be presented again for further consideration.

Mr. MAAS. And I predict that it will pass overwhelmingly.

Mr. CRAWFORD. So do I.

Mr. MAAS. If we had fortified Guam 2 years ago we would not now be worrying about what might happen to the Dutch East Indies, for we would not have to worry about it. [Applause.]

Mr. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. MAAS. I yield.

Mr. CHURCH. How long would it take to fortify Guam?

Mr. MAAS. It would depend on how far you wanted to go in providing defenses there. We could at least dredge out the coral heads at once.

Mr. CHURCH. Would it not take 5 years to fortify Guam?

Mr. MAAS. You could not make a Gibraltar out of Guam in less than 5 years. But let me tell the gentleman something. If you would dredge the coral heads out of the harbor so seaplanes could land and take off and put enough Marines over there with proper equipment, they would hold that island against Japan or anyone else for a long time.

Let me say to the gentleman from Illinois that I would rather defend America over there than over here. Let me tell you that the way to keep an enemy at home is to be in such a position that you can strike quickly at his homeland if he attempts acts against you. Guam could serve that purpose for us and would keep Japan at home, if properly developed.

Mr. CHURCH. How well you could fortify Guam and, in what length of time, would depend on the money at our disposal for that purpose.

Mr. MAAS. You could prepare Guam to withhold a considerable siege in a matter of 6 months to a year.

Mr. CHURCH. It would be my judgment that it would take from 3 to 5 years to do it.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. MAAS. I yield.

Mr. VORYS of Ohio. Changing the course of the discussion somewhat, I wish to ask the gentleman concerning the training program. I understand it is proposed to give an all-around training to all the pilots?

Mr. MAAS. That is not correct.

Mr. VORYS of Ohio. Let me finish the question and then I would be very happy if the gentleman would explain the training plans. As I understand it, flying a seaplane, flying a land-based bomber, and working from an aircraft carrier are so entirely different that when you are in a hurry and need a lot of pilots you can save time by training a pilot to do just one of those things and keeping him in practice. As I read the hearings, however, I understand that it is proposed, since they do not know what proportion of the planes authorized will go to the different categories, that they are going to give these new pilots an all-around training. I wonder if it would not be better to train these

men to be specialists in flying a particular type of ship, if by so doing we would not train them more rapidly and keep them in condition more economically.

Mr. MAAS. I may say to the gentleman from Ohio that that is exactly what the Navy is doing.

The gentleman understands, of course, that the basic training is the same for all naval pilots. After they receive their basic training they will receive a specialized course. The primary training is the same, that is fundamental. Then they are divided up for tactical training when some learn to fly the big boats, some the pontoon planes for duty on battleships and cruisers, and others go to landplanes, which is the type of plane used on the carriers. What the gentleman has in mind is exactly what the Navy is going to do, and in fact is now doing.

Mr. VORYS of Ohio. I am delighted to know that.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. MAAS. I yield.

Miss SUMNER of Illinois. Does the gentleman know of any potential enemy except Japan that might be preparing to fight the United States within the next year and a half?

Mr. MAAS. I do not know. I am no seer. All I know is that America is the garden spot of the world, and it is hardly feasible to believe that the hungry wolves of the rest of the world will stay out of our garden unless we build a doggone good high picket fence; and that is what I want to see done now by passing this bill.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. MAAS. I yield.

Mr. VAN ZANDT. We are now very active in building up our national defenses, and are spending a tremendous amount of money on them. I wonder if the gentleman can give us any assurance that after this war is over, probably in the next few weeks we may then find ourselves playing our part in an armament-reduction program?

Mr. MAAS. I feel that I can say positively that not within the memory of any of the Members of this House shall we ever again see any of our American ships sunk by a treaty.

From now on we will build such a Navy as we need for our protection, independent of what anybody else does, and then we will maintain it forevermore. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. All time has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the President of the United States is hereby authorized to acquire or construct naval airplanes and nonrigid airships and spare parts and equipment, as may be necessary to provide and maintain the number of useful naval airplanes at a total of not less than 10,000, including 850 airplanes for the Naval Reserve, and the number of useful nonrigid airships at a total of not less than 48. He is also authorized to provide such training facilities as may, in his judgment, be necessary for 16,000 naval aviators and enlisted pilots: *Provided*, That nothing herein shall be construed to limit or affect the responsibility of the Secretary of the Navy as defined in the act of July 12, 1921 (42 Stat. 141; U. S. C., title 34, sec. 732).

With the following committee amendments:

Page 1, line 4, strike out "nonrigid airships" and insert "lighter-than-air craft."

Page 1, line 9, strike out "nonrigid airships" and insert "lighter-than-air craft."

The committee amendments were agreed to.

Mr. NICHOLS. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma [Mr. NICHOLS]?

There was no objection.

Mr. NICHOLS. Mr. Chairman, of course, I shall support this bill and every other national-defense bill. I am becoming a little alarmed, though, about the hysteria that has developed in this Congress toward adjournment. I just wonder what the hurry is. We have been a long time realizing that this Nation is not adequately prepared; and we cannot hope to, within a few short days after this realization has dawned on us, complete legislation which will completely meet the demands of national defense as we see it today.

We have only touched the surface when we pass a bill authorizing an expansion of the Army, Navy, and Air Corps. If we do that, then smugly go home and tell our folks that we have done a great job, we will have missed the point a long way. There is no hurry to get home.

Hitler has bragged publicly that he was able to do the speedy and devastating job he has done in Europe largely by reason of the operation of what he chooses to call the "fifth column" in the countries of Europe. Anyone who thinks that there are no subversive activities going on in the United States today is one who refuses to face the facts. At the moment the Federal Bureau of Investigation has only a force of 150 men to stamp out Communist, Fascist, Nazi, and other subversive activities in the United States among 130,000,000 people. On last Friday in the office of the F. B. I. in New York alone 147 complaints, supported by information, were filed.

I propose to introduce legislation to correct this. This legislation is now being drafted. I will propose that the Federal Bureau of Investigation be authorized to employ a sufficient number of men to protect the people of the United States against "fifth column" activities in the United States. I will also introduce legislation for the appropriation of sufficient amount of funds to carry on their activities.

Mr. Chairman, we are going to be derelict in our duty if we do not, before this Congress adjourns, provide an authorization and funds to be placed in the hands of one of the greatest men in his specialized line that this Nation has ever seen—J. Edgar Hoover—to combat the "fifth column" movement in the United States. [Applause.]

Mr. CRAWFORD. Will the gentleman yield?

Mr. NICHOLS. I would very much like to yield if I can get more time.

Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes beyond the time allotted me.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma [Mr. NICHOLS]?

Mr. CHURCH. Mr. Chairman, we want to finish. I object.

Mr. VINSON of Georgia. Mr. Chairman, I trust the gentleman from Illinois will not object. We will make more progress if the gentleman from Oklahoma is permitted to proceed for 5 additional minutes.

Mr. CHURCH. In the interest of saving time, may I say that I shall object to anyone speaking out of order for the rest of the consideration of this bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma [Mr. NICHOLS]?

There was no objection.

Mr. NICHOLS. I yield to the gentleman from Michigan.

Mr. CRAWFORD. I wish to ask the gentleman if, in his opinion, the F. B. I. or the Attorney General is authorized to use the emergency fund which we provided about a year and a half ago in an amount of something like $150,000 to $200,000?

Mr. NICHOLS. I do not know. The only information I have is that the Attorney General's Office advised me by telephone that we have but 150 men available for this purpose, and that they will have an additional 100 after July 1.

Mr. MAY. Will the gentleman yield?

Mr. NICHOLS. I yield to the gentleman from Kentucky.

Mr. MAY. May I say to the gentleman from Oklahoma that I have letters from veterans' organizations in New York stating that during the last week over 6,000 people have assembled in Times Square displaying anti-America banners.

Mr. NICHOLS. I thank the gentleman for his statement. I would like to point out a couple of other jobs I think we ought to do before we hurry home. We are paid to stay here, and we can well afford to stay here until the job is completed. We would also be derelict in our duty if we did not make provision by either the levying of taxes or by

an increase in the debt limit to defray the cost of at least this increased defense program. [Applause.] We ought to stay here until that job is done, and fear you not the politics of the thing. Where is the man or women, whether he be Democrat or Republican, who would object to paying taxes in view of the protection afforded him by this program?

Let me tell you something else that we ought to do. Our system of procurement in the Army and the Navy is as antiquated as the "horse and buggy" and I will prove this to you. If there is anything that caused greater scandal than the cost-plus contracts of the last war, I do not know what it is. You have in your procurement law today only two modes of procurement. One is by contract and if for any reason the Army or the Navy does not want to let the bid on contract, and there are many good reasons why in certain instances they should not, then they only have one other mode and that is by cost-plus, and cost-plus is a disgrace. Cost-plus is the plan that urges a manufacturer to increase the cost of an article because in so doing he increases his profit. We should stay here until we correct the procurement law.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. NICHOLS. I yield to the gentleman from Georgia [Mr. VINSON].

Mr. VINSON of Georgia. There is nothing in this bill or in any of the bills that have been considered today with reference to cost-plus contracts. There is cost, plus a fixed fee, which is an entirely different proposition. I agree thoroughly that it is the duty of the Congress at this session to provide the necessary means by which to finance these programs.

Mr. NICHOLS. Do I understand the chairman to say that there is a fixed-fee provision in this bill?

Mr. VINSON of Georgia. The fixed fee is in this bill.

Mr. NICHOLS. That is fine. I doubt, though, that if you used all of the space in your present bill, as short as it is, that you could write a foolproof fixed-fee plan. I am not complaining if you have provided for a fixed fee above cost; that is fine. But in other parts of your procurement law—and I recommend to the membership of this House that you read the present procurement law—you will find many, many antiquated provisions that should be corrected before this Congress leaves.

Mr. O'TOOLE. Mr. Chairman, will the gentleman yield?

Mr. NICHOLS. I yield to the gentleman from New York.

Mr. O'TOOLE. Does not the last section of this bill contain a cost-plus provision?

Mr. VINSON of Georgia. Not at all. The bill provides for cost plus a fixed fee, and there is a broad distinction between that and a cost-plus contract. When a contractor gets the contract, the fee is fixed then and there, regardless of the matter of cost.

Mr. NICHOLS. I have pointed out only three or four things. I believe every one of you will surely agree with me that they are important.

Let me speak of one other thing. The jealousy, the petty favoritism rife in our Army and Navy will unduly delay perfection and carrying out of our defense program if something is not done to stamp out forever the practice of inflicting punishment upon men very many times simply because they have advanced ideas which go beyond the mossback ideas of some old generals or admirals who for years and years have been unwilling or unable to get their minds out of a narrow groove and thus keep abreast with modern development. [Applause.]

I call your attention to the case of the late General Mitchell. You can well go back now and read the record of that trial. What a sad commentary was the case of Mitchell, and the same thing is going on in the Army and in the Navy today. I am not too critical of them, and if they are big men they will not mind my talking like this. I think that now is the time the Army and the Navy should show a little patriotism themselves and quit being selfish in their search for advancement, quit being selfish in their search for things which will be the best for them individually. Let us call on the Army and the Navy now to be as patriotic as we want all the people of the United States to be. The soldiers, both enlisted men and officers, will be heroic and patriotic on the battlefield if the worst should come. This is an emotional patriotism linked with the long-enjoyed American tradition of bravery, and no one doubts that this sort of patriotism will again be in evidence as it has always in the past. The kind of patriotism that I am talking about, however, is that which would cause the individuals directing the training of men and the development of the modern science of war to throw aside their petty personal differences and their petty personal ambitions and cooperate in peace as they would in war. These and many other things this Congress can well devote its attention to before adjourment. [Applause.]

[Here the gavel fell.]

Mr. COLE of New York. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLE of New York: On page 1, line 10, strike out "less" and insert in lieu thereof "more."

Mr. VINSON of Georgia. We have no objection to this amendment, Mr. Chairman. It definitely fixes the number of lighter-than-air craft.

The CHAIRMAN. Does the gentleman desire to be heard on his amendment?

Mr. COLE of New York. Not unless there is to be some opposition to it.

Mr. VINSON of Georgia. We accept the amendment, Mr. Chairman.

Mr. COLE of New York. I do want to make just a brief statement on it.

Mr. CHURCH. If the gentleman will yield, I believe that the gentleman has in mind that the gentleman from Minnesota [Mr. MAAS] is in opposition to the amendment.

Mr. COLE of New York. The effect of the amendment is perfectly clear. It places a ceiling on the number of blimps or rigid lighter-than-air ships the Navy may build, rather than a floor under it. In the case of airplanes, this bill directs the Navy Department to acquire as rapidly and as speedily as possible 10,000 planes. I do not believe it is the intention of the Congress to direct the Navy Department to acquire not less than 48 blimps. At the present time we have 4, 5, or 6 blimps. The military usefulness of this type of airship has not been established. It may still be useful and we feel that it is proper for the Navy Department to have some of them to keep the art alive, but to go to the extent of directing them to get not less than 48 of them is to proceed further, I believe, than any of us intend to go. That is the purpose of the amendment. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. COLE].

The amendment was agreed to.

Mr. CARTWRIGHT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, earlier this afternoon my colleague the gentleman from Oklahoma [Mr. JOHNSON] in addressing this body urged that Congress remain on the job here during the present international crisis as long as necessary to carry out the President's defense program. He further suggested that this Congress raise the necessary taxes to pay for defense. My colleague the gentleman from Oklahoma [Mr. NICHOLS] has voiced the same sentiment. Today the Oklahoma delegation in Congress adopted a resolution along the line suggested by both of my colleagues from Oklahoma and have delegated me to announce same to this House and the country. This resolution is as follows:

We, the Oklahoma delegation in the House of Representatives, being in agreement with the President's program as outlined in his message to the Congress on May 15, 1940, for the expansion of our Army, Navy, and Air Corps, urge that Congress remain in session until Congress shall have enacted a preparedness program that will insure the United States against attack by any nation or combination of nations from without, or from subversive activities from within. We recommend and support, in addition to the President's program, the following emergency defense measures:

(1) Raising the debt limit immediately to provide adequate funds for the present emergency and the passage of an adequate emergency tax bill at this session of Congress.

(2) Passage and strict enforcement of legislation to curb "fifth column" activities.

(3) The military training of an adequate civilian military force to supplement existing authorized forces.

(4) Sufficient funds for the Commodity Credit Corporation to maintain adequate food supplies and reserves to meet any eventuality, and the immediate purchase of adequate strategic raw materials necessary for defense.

Wesley E. Disney, First District; Jack Nichols, Second District; Wilburn Cartwright, Third District; Lyle H. Boren, Fourth District; Mike Monroney, Fifth District; Jed Johnson, Sixth District; Sam Massingale, Seventh District; Phil Ferguson, Eighth District; Will Rogers, at large.

Mr. RAYBURN. Mr. Chairman, will the gentleman yield?

Mr. CARTWRIGHT. I yield to the gentleman from Texas.

Mr. RAYBURN. After that program is enacted, then does the Oklahoma delegation want to stay here?

Mr. CARTWRIGHT. I might say to my good friend and neighbor, our distinguished floor leader, that our delegation wants to stay here until it is really done. Of course, our resolution speaks for itself. May I call your attention to the fact that it says:

We urge that Congress remain in session until Congress shall have enacted a preparedness program that will insure the United States against attack by any nation or combination of nations without or from subversive activities from within.

That, I will say to the gentleman from Texas, is thoroughly in keeping with the suggestions and recommendations of the President of the United States.

Mr. RAYBURN. I thank the gentleman. I somehow got the impression from the statement of the gentleman from Oklahoma [Mr. JOHNSON] that the Oklahoma delegation had passed a resolution not to adjourn the session of Congress as long as this emergency lasts.

Mr. CARTWRIGHT. Let me say, Mr. Chairman, that the Oklahoma delegation in Congress is enthusiastically supporting the President, and we want to stay here until his defense program is completed.

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. CARTWRIGHT. I yield.

Mr. JOHNSON of Oklahoma. I will say that although I did not mention the resolution passed unanimously by our delegation today, I am, of course, for the program announced, as announced, and feel very definitely that we should stick to our posts of duty here until every item in the President's preparedness program is enacted into law.

Mr. CARTWRIGHT. Yes.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. CARTWRIGHT. Sorry I cannot yield further, as I see my time is up.

[Here the gavel fell.]

Mr. BOREN. Mr. Chairman, in connection with the statement released by the Oklahoma delegation I am 100 percent behind the President in the development of a national defense program, adequate beyond any question of doubt for the security of America.

I feel very strongly that the Congress should stay in session until such a program is enacted into law. I am personally willing to see the Congress remain in session continuously from now on if that appears best for the Nation's need. We can let that depend on when we get the job done.

I am for paying the cost of defense as we go, but I feel that raising the debt limit and voting preparedness bonds is essential to meet the emergency. It will take weeks or months to work out a tax bill, and it will take many months more to collect the taxes. We must have the money now. Taxation is necessary, but it is too slow a method in itself.

Mr. SUMNERS of Texas. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, these are times which try the souls of people. These are challenging times. This session is being held in the midst of one of the world's greatest tragedies. This is a solemn hour for America and for the world. Tremendous responsibility rests upon my colleagues in this Chamber. The eyes of the Nation today are turned toward this Chamber. The Nation should be enheartened today as it looks upon this scene, Democrats and Republicans in the hour of the Nation's necessity, possibly in the hour of its danger, no longer conscious that they are Democrats or Republicans. I believe that every Member of this House, man and woman, today feels a thrill of patriotic love for this country which they have not had in a long time. I do—you do.

This emergency is going to do a great thing for America. We have gotten mighty soft in America. People to a large degree had ceased to love their country. We have taken our liberties and blessings as a matter of course, without gratitude and without responsibility. We had come to look upon America and upon this Government as the place from which we get something that we have not already had. We cannot preserve ourselves as a free people, bottle-fed and rocked to sleep in the arms of a government. [Applause.]

This is a day for preparation in America—not only preparation to defend ourselves against attack but preparation to live—a high peak in the history of the ages today; one of those solemn, serious times in the history of the ages when nations and civilizations, as I have had occasion to say before, this is one of those times when they stand at the bar of judgment and must answer for their right to live. There is no doubt about it. Such times come, and fascinatingly interesting they are. This is the time and you are in responsibility in such a time. We have gotten soft in America. We have got rough going ahead of us. Before we get through, our muscles are going to be harder and we are going to be fitter to live than we were when we started. This great problem—this challenge today to a soft, ease-loving, pleasure-loving, shallow-thinking people—has come in the goodness of God Almighty to make this generation fit to live. This is a day of preparedness, but this preparation—the great preparation, the preparation which will make us secure—cannot be done under the dome of this Capitol. The preparation has got to be far-flung, reaching into every community of the Nation and into the heart and soul of every American citizen. That is the sort of preparation we have got to have if we win through. I believe we are going to win through. I doubted it until comparatively recently. I have been taking some samples of public attitudes in the country, and I believe America is receiving a baptism of patriotism and of fitness to live.

[Here the gavel fell.]

Mr. VINSON of Georgia. Mr. Chairman, I ask unanimous consent that the gentleman from Texas may proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. SUMNERS of Texas. This is a solemn hour in my Nation's life. It would be a great thing for those people who are fabricating the machinery necessary to defend this country, not to make any profit out of their fabrication—a great thing for their souls. Nobody has any right to live beneath the Stars and the Stripes and have it in his purpose to make a profit out of the necessities of his Nation in the hour of its peril. [Applause.] Talk about the "fifth column." We have got to do something with the "fifth column," but we have got to do something with our hearts today, purpose and courage, patriotism and determination, solemn dedication and sacrifice.

We have heard some talk about labor. I want to say for my laboring men, my working men in my country are just as patriotic as anybody on the face of this earth, and it is an unjustifiable insult to indicate that they will not do their work unless they get a better cut out of the situation than somebody else. It is not the truth.

We are going to do this job in America. God bless you Republicans and you Democrats. It would be an inspiring thing if the Nation could look at you today as you stand shoulder to shoulder in defense of the greatest Government

that ever existed on the earth. [Applause.] A day of preparation, a day of dedication, this is the hour of dedication in America of the people in this country if we are to remain free.

It is not written in the book of destiny that we on this shore are to be protected against the necessity of demonstrating our fitness to be free. All about us the crash of democracies is heard. We are not preparing to fight anybody. Let that get across the country, too. We are preparing to defend the shores of America in the interest of this people.

We are preparing to preserve on the earth, under God, one spot in these dark hours where free government shall obtain. Men and women in this House today, that is a great commission. You and I have a great commission, the American people have a great commission, because we hold in our hand the hope of the ages—nothing less than that. It is a tremendous challenge to you and to myself and to the American Nation today because if America fails, free government on the earth for centuries and centuries may fail. It is a great thing for you and me and the American people to have a chance to stand at the threshold of free government and beat back its foes. [Applause.]

Mr. SCHAFER of Wisconsin. Mr. Chairman, I offer the following amendment, which I send to the desk:

The Clerk read as follows:

Amendment offered by Mr. SCHAFER of Wisconsin: Page 1, line 9, strike out the word "useful."

Mr. SCHAFER of Wisconsin. Mr. Chairman, this is a pro forma amendment, which is useful in order to talk within the rules of the House, after the gentleman from Illinois [Mr. CHURCH] said that he would oppose debate on pro forma amendments. I agree with preceding speakers who said that this Congress should remain in session and should pass tax legislation in order to raise the money to pay for our national defense expansion program.

I intend to vote for this bill, although I regret to vote for a bill which will give such vast powers to the present New Deal President of the United States, in view of the record which he has made. Since the President's last fireside chatter, and the testimony of responsible officials in charge of our Navy and Army, revealing the failure of the New Deal to provide for an adequate national defense, and the gross inadequacy of our present national defense after 7 long years of New Deal maladministration, I am going to vote for this bill, even though our national debt has almost reached the $45,000,000,000 limit. The President recently said that the Congress and the President should work as a team in the matter of national defense. We all know that when the Army and the Navy play their annual football game at Philadelphia, neither the Army nor the Navy send their quarterback to play for them and leave the rest of the team at home. I believe that the entire team should stay in Washington, and I am one of those who will vote against the adjournment of Congress because of the unsettled world conditions and the distressing and perplexing domestic problems which the New Deal has failed to solve after 7 long years of maladministration.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. SCHAFER of Wisconsin. Wait until I get through, and when I get more time I shall be glad to yield.

Mr. DINGELL. Oh, you will not get any more time.

Mr. SCHAFER of Wisconsin. That is just what I understand. That is the reason why I don't intend to yield to the gentleman at this time. The gentleman will observe that two can play at that game as well as one.

With reference to national defense, our real danger lies within and not without. I sincerely hope that our New Deal brethren will soon realize that Santa Claus does not furnish the funds which are voted so promiscuously by the New Deal controlled Congress. If the New Deal spending spree of borrowed public moneys is not curbed the Federal Government will be plunged into bankruptcy and inflation, which might lead to the destruction of our American conception of constitutional representative government.

Mr. Chairman, our New Deal President would serve our country better if he would remove from the Federal Government pay rolls all of the New Deal Communists and Communist "fellow travelers" who were pointed out by the Dies committee. Mr. President, let us have more action to curb these New Deal Communist "fifth column" fellows and less fireside chatter. I sincerely hope that before we adjourn we will enact a bill which the Committee on Immigration unanimously reported—the bill to deport Harry Bridges, the big alien Trojan horse leader of the Communist "fifth column" who has been permitted to run wild in the United States by President Franklin D. Roosevelt and Madam Perkins; Harry Bridges, the alien British subject who has been permitted to carry on a guerrilla warfare in order to get control of our American merchant marine, which is as essential to an adequate national defense as any cruiser, battleship, or airship provided for in this bill.

In his last fireside chatter our New Deal President compared his national-defense record of 7 years with 7 Republican years. He did not, however, relate that in 1932 he traveled around the country denouncing the Republican expenditures for the Army and the Navy, which totaled less than $650,000,000, and promised to reduce them by 25 percent. The President's fireside chatter did not mention that the Democrats, who had control of the House of Representatives in 1932, in the name of economy made a drive to reduce the Army officer personnel 2,000 and the Navy officer personnel 2,000, although we did not have sufficient officers for an adequate national defense.

The President also failed to tell the American people that in 1932 the Democrats who controlled the House of Representatives also tried to reduce the appropriations for the National Guard and Reserves and to sell our limited number of Army transports to private interests.

I sincerely hope that in the interest of national defense, since the President recently said he did not have time to talk politics, that he will take the 30 seconds necessary to say that he does not choose to run for a third term. Then he can spend all of his time on the many problems which he said he had to solve when Mr. Landon recently visited him. The President should end his third-term blitzkrieg in the interest of our national security, welfare, and defense. [Applause.]

[Here the gavel fell.]

Mr. SCHAFER of Wisconsin. Mr. Chairman, I ask unanimous consent to withdraw my pro forma, but so useful, amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The Clerk read as follows:

SEC. 2. The Secretary of the Navy is hereby authorized to establish, develop, or increase naval aviation facilities, with which shall be included the authority to purchase, accept by gift, or otherwise acquire land and to construct buildings and accessories, with approximate costs as indicated, at or in the vicinity of Norfolk, Va., $13,246,000; San Juan, P. R., $2,330,000; Coco Solo, C. Z., $12,690,000; Seattle, Wash., $4,670,000; Kodiak, Alaska, $2,012,000; Pearl Harbor, T. H., $5,807,000; Kaneohe Bay, T. H., $578,000; Midway Island, $1,870,000; Wake Island, $5,582,000; Johnston Island, $460,000; Quonset Point, R. I., $24,204,000; Quantico, Va., $2,326,000; Guantanamo, Cuba, $2,886,000; Charlotte Amalie, V. I., $1,510,000; San Diego, Calif., $5,637,000; Alameda, Calif., $6,861,000; Unalaska, Alaska, $2,963,000; Canton Island, $1,500,000; Tongue Point, Oreg., $2,000,000; Corpus Christi, Tex., $25,000,000: *Provided*, That the approximate cost indicated for each project enumerated above may, in the discretion of the Secretary of the Navy, be varied upward or downward by an amount not to exceed 25 percent of the approximate cost indicated, but the total cost shall not exceed $124,132,000: *Provided further*, That this shall be in addition to all authorizations heretofore made for projects in these vicinities.

Committee amendment: Page 2, line 14, strike out "Pearl Harbor" and insert in lieu thereof "Island of Oahu."

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 2, line 14, strike out "$5,807,000" and insert in lieu thereof "$6,485,000."

Mr. VINSON of Georgia. Mr. Chairman, there is a typographical error in the amount. I offer an amendment to correct it.

The Clerk read as follows:

Amendment offered by Mr. VINSON of Georgia to the committee amendment: Strike out the figures "$6,485,000" and insert in lieu thereof "$6,385,000."

The amendment to the committee amendment was agreed to.

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 2, line 15, strike out the following: "Kaneohe Bay, Hawaii, $578,000."

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 2, after the figures "$25,000,000", in line 23, insert the following: "at such localities within the continental limits of the United States as may, in his judgment, be necessary for the Naval Reserve, which authority shall also include the acquisition of existing facilities, $10,000,000; and in such vicinities as he may, in his discretion, deem advisable, $10,000,000: *Provided.*"

Mr. VINSON of Georgia. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. VINSON of Georgia to the committee amendment: Page 3, line 3, after the word "advisable", insert the following: "for auxiliary aviation bases."

The amendment to the committee amendment was agreed to.

Mr. CASE of South Dakota. Mr. Chairman, I have at the desk an amendment to the committee amendment which I have submitted to the chairman of the committee and to which he said he had no objection.

The Clerk read as follows:

Amendment offered by Mr. CASE of South Dakota to the committee amendment: On page 3, line 2, strike out the words "in his discretion" and insert "in consultation with the Secretary of the Navy and the Secretary of State."

Mr. VINSON of Georgia. I have no objection to the amendment, Mr. Chairman.

The CHAIRMAN. The question is on the amendment to the committee amendment.

The amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

Mr. HOFFMAN. Mr. Chairman, I have an amendment at the desk.

The CHAIRMAN. The Chair will say to the gentleman from Michigan that committee amendments are being disposed of at the present time.

The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 3, line 8, strike out "$124,132,000" and insert in lieu thereof "$144,132,000."

Mr. RICH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to ask the chairman of the Committee on Naval Affairs about these increases. I realize it is necessary to have these funds, but is the chairman of this committee aware of any committee of the House that is now making any preparation to secure these funds from the people in order that this defense program may be paid for?

Mr. VINSON of Georgia. Speaking personally for myself, I hope some committee will bring in the necessary legislation to take care of the preparedness program called for.

Mr. RICH. I hope the gentleman from Georgia will use his great influence with the Appropriations Committee to that end.

By unanimous consent the pro forma amendment was withdrawn.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: On page 3, line 10, after the word "vicinities", insert the following: "*And provided further*, That the Secretary of the Navy shall report to the Congress, at the beginning of each regular session, the extent to which he has exercised the authority herein contained with respect to Naval Reserve aviation and the location of those facilities left to his descretion."

The committee amendment was agreed to.

Mr. HOFFMAN. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN: Page 3, after line 15, add a new section, to be known as section 2 (a), as follows:

"SEC. 2. (a) Notwithstanding the provisions of any other law the regular hours of labor for employees of the United States Government, and of contractors and subcontractors, when such employees are engaged in work in connection with naval vessels or aircraft or parts thereof or other work incidental thereto, shall, during the period of any national emergency declared by the President to exist, be a 5-day week of 8 hours per day and 40 hours per week: *Provided*, That these hours may be exceeded and that such employees shall receive compensation for their employment in excess of the hours above specified at a rate not less than one and one-half times the regular rate at which they are employed: *Provided further*, That such compensation for overtime shall apply only to per diem, hourly, professional and subprofessional employees, and to blueprinters, photostat and rotaprint operators, inspectors, supervisory planners and estimators, and progress men, and assistants to shop and plant superintendents, by the classification rules of the United States Civil Service Commission in the case of Government employees; and to similar classes of employees of contractors and subcontractors: *Provided further*, That in determining the overtime compensation of per annum Government employees the pay for 1 day shall be considered one three-hundred-and-sixtieth of their respective per annum salaries: *Provided further*, That the hours of labor in any one week shall not exceed 48 unless the President shall declare it necessary in the interest of the national defense: *Provided further*, That the President of the United States is authorized to suspend during the period of any national emergency declared by him to exist, the provisions of the act of March 3, 1931 (46 Stat. 1482), if in his judgment such course is necessary in the interest of the national defense: *And provided further*, That the President is authorized to modify existing contracts accordingly."

Mr. HOFFMAN. Mr. Chairman, may I ask the chairman of the Committee on Naval Affairs why that provision was not included in this bill? I refer to section 5 of the preceding bill.

Mr. VINSON of Georgia. In reference to what?

Mr. HOFFMAN. Where all the argument rose about the Walsh-Healey Act.

Mr. VINSON of Georgia. There is no need or necessity for that because the Government will not be doing this work. This will be done by contract.

Mr. HOFFMAN. The other applied to contracts too.

Mr. VINSON of Georgia. The other applied to contracts and work done in the navy yards. The gentleman's amendment would not be in harmony with what we are trying to do. I agree in general with what runs through the gentleman's mind in regard to a great many things, but do not involve this bill with that matter right now.

Mr. HOFFMAN. I do not suppose the gentleman would accept it if it were good.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. HOFFMAN].

The amendment was rejected.

Mr. HOFFMAN. Mr. Chairman, I have another amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN: Page 3, after line 15, add a new section to be known as section 2 (b) as follows:

"SEC. 2 (b). Notwithstanding the provisions of this act and notwithstanding the provisions of any other law, the provisions of the National Labor Relations Act shall not be applicable to any activity carried on under the provisions of this act."

The amendment was rejected.

Mr. BULWINKLE. Mr. Chairman, I move to strike out the last word in order to ask the chairman of the Committee on Military Affairs a question. The amendments that have been introduced in the last few minutes on page 3, lines 1, 2, and 3, according to my recollection, run something like

this: Also include the acquisition of existing facilities in consultation with the Secretary of War and someone else, $10,000,000, and in such vicinities as he may, after consultation with the Secretary of the Navy, and so forth.

Mr. VINSON of Georgia. May I suggest to the gentleman from North Carolina [Mr. BULWINKLE] that the amendment of the gentleman from South Dakota merely permits consultation and collaboration between the Secretary of War and the Secretary of State in reference to the acquisition of naval reserves, both in this country and outside of the country.

It is all right to consult the Secretary of War with reference to Naval Reserve bases in this country that may be acquired, because we do not want duplication between the reserve bases for the Army and the Navy. It is all right to consult the Secretary of State with reference to auxiliary bases outside the United States. That is all the amendment does and there is no harm to it whatsoever.

Mr. MAAS. As I understand the amendment, it merely requires consultation, but still leaves the decision with the Secretary of the Navy?

Mr. VINSON of Georgia. Certainly.

Mr. BULWINKLE. I did not gather that.

Mr. VINSON of Georgia. It is highly important for the Secretary of the Navy to consult the Secretary of State with reference to auxiliary bases outside continental United States. It is also highly important for the Secretary of the Navy to consult the Secretary of War with reference to Naval Reserve bases, which is entirely separate and distinct from the auxiliary bases which are in the United States, and it will keep down duplication.

Mr. BULWINKLE. It could have been drafted better than it is.

The Clerk read as follows:

SEC. 3. There is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, such sums as may be necessary to effectuate the purposes of this act.

Mr. DINGELL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise at this time to ask the chairman of the Committee on Naval Affairs with regard to the provision in line 9, page 1, having to do with lighter-than-air craft. Am I to understand that under this bill metal-clads will be permitted?

Mr. VINSON of Georgia. Lighter-than-air craft has reference to metal types or fabric types, either one.

Mr. DINGELL. Is that merely permissible, or does it mean that perhaps at this late date the Navy might condescend to build a metal-clad ship or two?

Mr. VINSON of Georgia. That is a matter entirely up to the Navy Department. By using the language "lighter-than-air craft" we have reference to either one.

Mr. DINGELL. I may say at this time I think the Navy and some of the mossbacks in the Navy have had about 10 or 12 years' tie to put into effect something that has proven its value in the lighter-than-air field. It seems to me there ought to be some mandatory provision that out of 48 lighter-than-air ships at least 1 or 2 all-metal ships should be included. It ought to be mandatory. We have given the Navy altogether too much discretion.

Mr. VINSON of Georgia. I trust the Navy Department in its judgment will construct some metal-clad ships as well as fabric ships.

Mr. DINGELL. I cannot agree that the Navy has any judgment; that is, those who are passing upon this particular phase.

Mr. VINSON of Georgia. If I was of the same opinion that the gentleman is that the Navy officials have no judgment, I certainly would not stand on the floor of the House and vote $1,130,000,000 for them to spend. [Applause.]

Mr. DINGELL. I may say to the gentleman that not all of this money goes for airships of the type under discussion. I am in harmony with 99 percent of the bill and I am of the same opinion that the gentleman has previously expressed about lighter-than-air metal-clad ships. That is, that the Navy ought to have them, but each time we give them permission to use discretion, that is the end, the Navy never builds them.

I have sufficient confidence to believe that 99 percent or more of the provisions of the bill will be carried out as directed by the Congress, but, in the absence of specific instructions to build metal-clad airships, I have no confidence that the Navy will use discretion to build any but the old rubber or fabric type nonrigid or the fabric rigid ships. Somebody once said that it was more difficult for the Navy to give up an old idea than to accept a new idea. What I am interested in is that the Navy shall at this late date build at least one or two metal-clad airships. The record of this type of ship justifies further experimentation.

Mr. MAAS. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from Minnesota.

Mr. MAAS. Of course, the gentleman knows that the Navy does have an all-metal-clad ship now?

Mr. DINGELL. Yes; only one and the original model and the most valuable and proven thing in the experimental field that the Navy has ever had. On the basis of the experience with the flying tin can the Navy ought to build at least one more to carry on further experiment. The gentleman from Minnesota, as an expert on aviation, has agreed with me on more than one occasion that that should be done.

Mr. MAAS. Yes; but does the gentleman have any apprehension that they will not build some of these all-metal-clad airships?

Mr. DINGELL. I am almost convinced that they will not unless Congress tells them that they must.

Mr. MAAS. I am convinced they will.

Mr. DINGELL. Then I will take the gentleman's word for it. [Applause.]

The Clerk read as follows:

SEC. 4. The provisions of section 4 of the act approved April 23, 1939 (53 Stat. 590, 592), shall be applicable to all facilities authorized by this act, including facilities located within the continental limits of the United States: *Provided*, That the fixed fee to be paid the contractor as a result of any contract entered into under the authority contained herein shall not exceed 6 percent of the estimated cost of the contract, exclusive of the fee, as determined by the Secretary of the Navy: *Provided further*, That all contractors who enter into contracts authorized by this section shall be held to be agents of the United States for the purposes of such contracts.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

On page 3, line 21, after "April", strike out "23" and insert "25."

The committee amendment was agreed to.

The Clerk read as follows:

On page 4, beginning in line 3, after "Navy", change the colon to a period and strike out the remainder of the section.

The committee amendment was agreed to.

Mr. VINSON of Georgia. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. O'NEAL, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 9848) to authorize the construction or acquisition of naval aircraft, the construction of certain public works, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. VINSON of Georgia. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. VINSON of Georgia. Mr. Speaker, on the passage of the bill I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 402, nays, 1, not voting 27, as follows:

[Roll No. 128]

YEAS—402

Allen, Ill.	Crowe	Harrington	McLaughlin
Allen, La.	Crowther	Hart	McLean
Allen, Pa.	Culkin	Harter, N. Y.	McMillan, Clara G.
Andersen, H. Carl	Cullen	Harter, Ohio	McMillan, John L.
Anderson, Calif.	Cummings	Hartley	Maas
Anderson, Mo.	Curtis	Havenner	Maciejewski
Andresen, A. H.	D'Alesandro	Hawks	Magnuson
Andrews	Darden, Va.	Healey	Mahon
Angell	Davis	Hendricks	Maloney
Arends	Delaney	Hennings	Marshall
Arnold	Dempsey	Hess	Martin, Ill.
Austin	DeRouen	Hill	Martin, Iowa
Ball	Dickstein	Hinshaw	Martin, Mass.
Barden, N. C.	Dies	Hobbs	Mason
Barnes	Dingell	Hoffman	Massingale
Barry	Dirksen	Holmes	Michener
Barton, N. Y.	Disney	Hook	Miller
Bates, Ky.	Ditter	Hope	Mills, Ark.
Bates, Mass.	Dondero	Horton	Mills, La.
Beam	Doughton	Houston	Monkiewicz
Beckworth	Douglas	Hull	Monroney
Bell	Doxey	Hunter	Moser
Bender	Drewry	Izac	Mott
Blackney	Duncan	Jacobsen	Mouton
Bland	Dunn	Jarrett	Mundt
Bloom	Dworshak	Jeffries	Murdock, Ariz.
Boehne	Eaton	Jenkins, Ohio	Murdock, Utah
Boland	Eberharter	Jenks, N. H.	Murray
Bolton	Edelstein	Jennings	Myers
Boren	Edmiston	Jensen	Nelson
Boykin	Elliott	Johns	Nichols
Bradley, Mich.	Ellis	Johnson, Ill.	Norrell
Bradley, Pa.	Elston	Johnson, Ind.	O'Brien
Brewster	Engel	Johnson, Luther A.	O'Connor
Brooks	Englebright	Johnson, Lyndon	O'Day
Brown, Ga.	Evans	Johnson, Okla.	O'Leary
Brown, Ohio	Fay	Johnson, W. Va.	Oliver
Bryson	Fenton	Jones, Ohio	O'Neal
Buck	Ferguson	Jones, Tex.	Osmers
Buckler, Minn.	Fernandez	Jonkman	O'Toole
Buckley, N. Y.	Fish	Kean	Pace
Bulwinkle	Fitzpatrick	Keefe	Parsons
Burch	Flaherty	Kefauver	Patman
Burdick	Flannagan	Keller	Patrick
Burgin	Flannery	Kelly	Patton
Byrne, N. Y.	Folger	Kennedy, Martin	Pearson
Byrns, Tenn.	Ford, Leland M.	Kennedy, Md.	Peterson, Fla.
Byron	Ford, Miss.	Kennedy, Michael	Peterson, Ga.
Cr ıp	Ford, Thomas F.	Keogh	Pfeifer
Cannon, Fla.	Fries	Kerr	Pierce
Cannon, Mo.	Fulmer	Kilburn	Pittenger
Carlson	Gamble	Kilday	Plumley
Carter	Garrett	Kinzer	Poage
Cartwright	Gartner	Kirwan	Polk
Case, S. Dak.	Gathings	Kitchens	Powers
Casey, Mass.	Gavagan	Kleberg	Rabaut
Celler	Gearhart	Knutson	Ramspeck
Chapman	Gehrmann	Kocialkowski	Randolph
Chiperfield	Gerlach	Kramer	Rankin
Church	Geyer, Calif.	Kunkel	Rayburn
Clark	Gibbs	Lambertson	Reece, Tenn.
Clason	Gifford	Landis	Reed, Ill.
Claypool	Gilchrist	Lanham	Reed, N. Y.
Clevenger	Gillie	Larrabee	Rees, Kans.
Cochran	Goodwin	Lea	Rich
Coffee, Nebr.	Gore	Leavy	Richards
Coffee, Wash.	Gossett	LeCompte	Robertson
Cole, Md.	Graham	Lesinski	Robsion, Ky.
Cole, N. Y.	Grant, Ala.	Lewis, Colo.	Rockefeller
Collins	Grant, Ind.	Lewis, Ohio	Rodgers, Pa.
Colmer	Gregory	Luce	Rogers, Mass.
Connery	Griffith	Ludlow	Rogers, Okla.
Cooley	Gross	Lynch	Romjue
Cooper	Guyer, Kans.	McAndrews	Routzohn
Corbett	Gwynne	McArdle	Rutherford
Costello	Hall, Edwin A.	McCormack	Ryan
Courtney	Hall, Leonard W.	McDowell	Sabath
Cox	Halleck	McGehee	Sacks
Cravens	Hancock	McGranery	Sandager
Crawford	Hare	McGregor	Sasscer
Crosser	Harness	McKeough	Satterfield
Schaefer, Ill.	Smith, Wash.	Taylor	Warren
Schafer, Wis.	Smith, W. Va.	Tenerowicz	Weaver
Schiffler	Snyder	Terry	Welch
Schuetz	Somers, N. Y.	Thill	West
Schulte	South	Thomas, Tex.	Wheat
Schwert	Sparkman	Thomason	Whittington
Scrugham	Spence	Tibbott	Wigglesworth
Seccombe	Springer	Tinkham	Williams, Del.
Secrest	Steagall	Tolan	Williams, Mo.
Seger	Stearns, N. H.	Treadway	Winter
Shanley	Stefan	Van Zandt	Wolcott
Shannon	Sullivan	Vincent, Ky.	Wolfenden, Pa.
Sheppard	Sumner, Ill.	Vinson, Ga.	Wolverton, N. J.
Sheridan	Sumners, Tex.	Voorhis, Calif.	Wood
Short	Sutphin	Vorys, Ohio	Woodruff, Mich.
Simpson	Sweeney	Vreeland	Woodrum, Va.
Smith, Conn.	Sweet	Wadsworth	Youngdahl
Smith, Ill.	Taber	Wallgren	Zimmerman
Smith, Ohio	Talle	Walter	
Smith, Va.	Tarver	Ward	

NAYS—1

Marcantonio

NOT VOTING—27

Alexander	Faddis	May	Starnes, Ala.
Bolles	Green	Merritt	Thomas, N. J.
Caldwell	Jarman	Mitchell	Thorkelson
Cluett	Kee	Norton	Whelchel
Creal	Lemke	Risk	White, Idaho
Darrow	McLeod	Robinson, Utah	White, Ohio
Durham	Mansfield	Shafer, Mich.	

So the bill was passed.

The Clerk announced the following pairs:

General pairs:

Mr. Mansfield with Mr. Thomas of New Jersey.
Mr. Caldwell with Mr. Cluett.
Mr. Faddis with Mr. Alexander.
Mr. Starnes of Alabama with Mr. Shafer of Michigan.
Mr. Jarman with Mr. Risk.
Mr. Merritt with Mr. Darrow.
Mr. Kee with Mr. Thorkelson.
Mr. Green with Mr. Lemke.
Mr. Whelchel with Mr. McLeod.
Mr. Creal with Mr. Bolles.
Mr. Robinson of Utah with Mr. White of Ohio.
Mr. White of Idaho with Mr. Mitchell.
Mrs. Norton with Mr. Durham.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT

Mr. VINCENT of Kentucky. Mr. Speaker, my colleague the gentleman from Kentucky, Mr. MAY, was called to the Senate for a conference. If present, he would have voted "yea."

Mr. SUTPHIN. Mr. Speaker, my colleague the gentlewoman from New Jersey, Mrs. NORTON, is absent on official business. I have been requested to announce that if here she would have voted "yea."

EXTENSION OF REMARKS

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their own remarks in the RECORD on the two bills considered today.

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker—and I shall not object—may I ask the majority leader if he can tell me what the program is to be for this week?

Mr. RAYBURN. On tomorrow we will go ahead with the remainder of the conference report on the Department of the Interior appropriation bill. Following that, on Thursday we will take up the conference report on the War Department civil functions appropriation bill. On Friday, in all probability—and I say in all probability, because it will be taken up unless something of an emergent nature comes in—we will take up either the rule on the Home Owners' Loan Corporation bill or the rule on the Smith amendments to the National Labor Relations Act. One of those will be up on Friday.

Mr. MARTIN of Massachusetts. Is it the intention to continue with that bill on Saturday or adjourn over from Friday to Monday?

Mr. RAYBURN. I rather think it would be a good idea to complete on Friday the general debate on whichever bill comes up on that day. I believe 4 hours of general debate

is provided on the Smith amendments, with an hour on the rule, and 2 hours of general debate is provided on the Home Owners' Loan Corporation bill.

Mr. MARTIN of Massachusetts. There will be no effort, then, to read either one of those bills on Saturday?

Mr. RAYBURN. I think not.

Mr. MARTIN of Massachusetts. Inquiry has been made as to whether there is any possibility of the Mexican claims bill being brought up this week.

Mr. RAYBURN. Not this week.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

TOLL BRIDGE ACROSS SARASOTA PASS, COUNTY OF MANATEE, FLA.

Mr. PETERSON of Florida. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7615) authorizing the Bradenton Co., its successors and assigns, to construct, maintain, and operate a toll bridge across Sarasota Pass, county of Manatee, State of Florida, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments as follows:

Page 1, line 7, after "Pass," insert "and across Longboat Pass, connecting up the south end of Anna Maria Key with the north end of Longboat Key."

Page 6, after line 21, insert:

"SEC. 11. The word "bridge" where it appears in this act, may be construed either in the singular or plural so as to apply to either or both of such bridges."

Amend the title so as to read: "An act authorizing the Bradenton Co., its successors and assigns, to construct, maintain, and operate a toll bridge across Sarasota Pass, and across Longboat Pass, county of Manatee, State of Florida."

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

PROMOTION OF PROMOTION-LIST OFFICERS OF THE ARMY

Mr. HARTER of Ohio submitted a conference report and statement on the bill (H. R. 9243) to provide for the promotion of promotion-list officers of the Army after specified years of service in grade and for other purposes.

EXTENSION OF REMARKS

Mr. BOREN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD immediately following the statement made by the gentleman from Oklahoma [Mr. CARTWRIGHT] about the delegation's attitude about adjournment.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a short editorial from the Shreveport Times on the President's program.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on two subjects, one having to do with the testimony of Senator THOMAS of Utah before the House Judiciary Committee and the other having to do with the art project of Gardenia High School.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOOK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an address by the Foreign Minister of Finland.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HAVENNER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a radio address delivered by a distinguished constituent of mine, Rabbi Irving F. Reichert, of Congregation Emanu-El, of San Francisco.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

STATEMENT

Mr. AUGUST H. ANDRESEN. Mr. Speaker, my colleague the gentleman from Minnesota, Mr. ALEXANDER, is unavoidably absent. If he had been present, on the last roll call he would have voted "yea."

EXTENSION OF REMARKS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a letter from the commander of the Disabled American Veterans, Mr. Murphy, one to me and one to General Hines, regarding veterans' legislation. Mr. Speaker, this will take one-half page more than the usual allowance, and I ask unanimous consent that that be waived and the letters extended in the RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an address delivered by the gentleman from Pennsylvania [Mr. DITTER] at Philadelphia, on May 25, 1940.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. THILL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a short newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. LEWIS of Ohio. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a newspaper article appearing in the Martins Ferry Times.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. KILBURN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an article by Arthur Krock appearing in this morning's New York Times.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent that on Thursday, May 30, 1940, after the disposition of matters on the Speaker's table I may address the House for 45 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a bill which I introduced in the House today.

The SPEAKER. Is there objection?

There was no objection.

Mr. GRANT of Indiana. Mr. Speaker, I ask unanimous consent to extend my remarks and to include a short article by my predecessor, Mr. Pettengill.

The SPEAKER. Is there objection?

Mr. BREWSTER. Mr. Speaker, I ask unanimous consent to extend my remarks I made today and to include a quotation from a committee report.

The SPEAKER. Is there objection?

There was no objection.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to extend my remarks and to include an address by former President Hoover.

The SPEAKER. Is there objection?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that the business in order tomorrow, calendar Wednesday, be dispensed with.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. Under special order heretofore made the Chair recognizes the gentleman from New York [Mr. DICKSTEIN] for 20 minutes. The gentleman from Texas [Mr. JONES] was entitled to 30 minutes today, but stated to the Chair that he would not use it on this occasion.

SUBVERSIVE INFLUENCE

Mr. DICKSTEIN. Mr. Speaker, in these unusual times it is rather difficult for any Member to keep on calling attention to certain matters pertaining to the welfare of our Government, and sometimes he will be criticized because some may say that he is talking too often. I tried to avoid talking too much, but matters brought to my attention are of such a serious nature that I am forced to take the floor of the House again and again pointing out certain subversive activities carried on in this country without much interference from the distinguished committee known as the Dies committee. I see by the papers that the distinguished gentleman from Texas is going to ask for $100,000 to carry him along until January 2, because we cannot extend the resolution beyond that. A new Congress will come back here then. But what strikes me as funny is that in the last number of weeks I have presented in the RECORD certain definite information which apparently the Dies committee has not taken notice of. It has not taken any notice of what is going on. As recently as a few days ago I exposed a definite plan of a group under an assumed name, actively engaged in sabotage and in propaganda, paid by a foreign nation, and I took the trouble to ascertain the names and addresses of persons actively engaged, persons who are subsidized with foreign money, but the distinguished Dies committee has not taken any action or served subpenas to bring these culprits before that committee.

I spoke yesterday on this floor about what happened in the last few years, about the fact that I called attention to this "fifth column" way back in 1934, again in 1935, and 1936, and 1937, 1938, 1939, and 1940. But oh, no; some Members apparently did not care enough to cooperate in following through the information that was brought to them right on the floor of this House. To be more specific in my examples, I also tried hard, together with the membership of the committee of which I have the honor to be the chairman, to discover and stop certain subversive activities carried on along our Mexican border, but we could not get the great Rules Committee to give us a rule. They did not seem to think it necessary to check smuggling of aliens into this country. We went before the Rules Committee and asked for permission to investigate a group of smugglers and other saboteurs along the Mexican border between Mexico and Texas. Except the sympathy of a few gentlemen on that committee who seemed to realize the importance of the problem we presented to them, we could not get anything from the committee. The distinguished committee wanted to know how much it would cost, and when we said about $10,000 or $15,000 we were told that that was too much money. Yet they have given the Dies committee $200,000 and possibly $300,000, which has made not one single recommendation of a law by which we can eradicate this subversive propaganda which is worse today than it was a year ago. I had certain information on a number of people who can be held responsible for this "fifth column" in our country and if I only had the power of subpena and the power to grant immunity to certain squealers as they are commonly known, who were prepared to give us further information, we could have unearthed the whole plot. But the Rules Committee, which has too many leaders—everyone having his own information and his own remedy—refused to act.

We presented before the Rules Committee evidence of what I am telling you now, and the Committee on Immigration endorsed that resolution unanimously. But no, they would not let us have the rule.

About a year ago the Rules Committee unanimously reported the resolution. It came out on the floor. Then, if you remember, my colleague the gentleman from Virginia [Mr. SMITH] had a resolution of some kind which was defeated. My resolution was to be brought up next, but for some reason they could not get to it. The next day there was enough pressure brought to bear on the Rules Committee to have the Rules Committee rescind their action in voting out the resolution calling for an investigation of back-door smuggling, not only of aliens but of a lot of cheap labor they were bringing in through the back door of this country.

This is no time for quibbling and quarreling. I tell you that I do not mind sitting down with any committee to work out a program to find out how, and how soon, we can get rid of this "fifth column," the Communists, and the Fascists. Apparently, however, the committees of this Congress are closed corporations, just like stock companies. You have to be on the inside before you get the right time even to tell them what you think should be done. In the last 6 years I have worked on this question. I have worked hard to find out where the culprits, the Fascists, and the Nazis are and what their purpose is; but apparently some people who never saw a Nazi, a Fascist, or a Communist are the ones who are telling us what to do about them and how to approach them.

I am going to take another chance today, Mr. Speaker, to see if the Dies committee will bite at this one—and I have my doubts. A new Nazi camp—Camp Bergwald—was just opened last Sunday for the Hitler Youth of America. The idea and the plan of this outfit is to take American-born children of German parentage and to teach them the ideology and theory of the Nazis and the work that is being done by their Fuehrer Hitler. This camp is to accommodate about 1,000 American-born children of German parentage. These children may not want to join the camp but there are their Nazi-inspired parents who want their children to be brought up as Germans and who see to it that they study and know about the German fuehrer and his methods for saving the world. One hundred and eighty acres of land were purchased not by American money but by Nazi money. This German camp was opened on the 26th day of May, I think it was last Sunday, in Passaic County, N. J. I have a map here showing the exact location of the camp. With $200,000 do you not think some of the investigators should find out just what is happening? The residents of that area have a right to demand that their Government stop such insidious activities, but apparently nothing is being done. One bewildered resident of Bloomfield, N. J., discussing the bund activities in New Foundland, N. J., writes:

> I was wondering if you realize that their camp is only a stone's throw from the United States naval base or the Picatinny Arsenal. I have often wondered why the authorities allow them to conduct such un-American activities. I, for one, have actually seen some of these demonstrations and have been so angry and incensed over them that I have not been able to have peace of mind. Passaic, N. J., is a seething hotbed of Nazi activities.

It seems that my good friend, the gentleman from Michigan [Mr. HOFFMAN] stated on the floor yesterday that I ought to take my information to the Dies committee or some other Government agency.

I want him to know, and I want the country to know, that I have turned over plenty of material to the Department of Justice as well as to the Dies committee. The conviction of Nazi spies in this country was the result

of some of the work that I did in uncovering some of these secret movements in this country. The conviction of Fritz Kuhn was one of the things that came about as a result of my efforts. Naturally we have an able district attorney, the Honorable Thomas E. Dewey, who did a good job after he got the information. The Dies committee was not responsible for that conviction. The Dies committee is not responsible for the prosecution of the Christian Front now on trial in the Federal court in Brooklyn. The Dies committee is not responsible for the conviction of the six spies in New York.

What is the Dies committee responsible for? It is responsible for a lot of publicity, a lot of statements, but nothing very concrete in the way of a constructive program.

Perhaps the Dies committee will pay a little attention to the following statement: The K. K. K., with new headquarters in New Jersey for the last 6 months, has solicited memberships and money in the vicinity of Paterson, N. J., which seems to be a hotbed of all kinds of un-American activities, and on Memorial Day they hope to have ceremonies under the auspices and direction of the K. K. K. They are what is known as the "sixth column." They are going to devour the "fifth column." And they expect to have as their principal speaker no less a person than James J. Colscott, imperial wizard himself, of the Klan, from Atlanta, Ga. This meeting will take place at the Tri-County Club in Wayne Township, Passaic County, N. J.

Why not bring some of the K. K. K. leaders and some of the sponsors of this Nazi youth movement before the Dies committee? Why should anyone ask me, Why do you not give your material to the Department of Justice? There are certain things you cannot give to the Department of Justice, because they do not have the power of subpena. I have made that statement dozens of times, yet Members continue to ask the same question, Why do you not give it to the Department of Justice?

Mr. Speaker, if there was proper coordination between Members of Congress and committees in charge of legislation, without this high-hatting business, and if the Members would sit around a table, confer, and discuss these questions, it would not be necessary for another Member to come on the floor of the House and discuss these things publicly. But there seems to be no cooperation nor is there intended to be given cooperation by certain groups in this House. God knows, I get no benefit from standing up here, from working night and day to find this material, preparing it, and bringing it to your attention. I do not need that kind of stuff to be reelected to Congress; but I feel it is my duty as an American, as I have felt right along, to call these facts to the attention of the country. If this Congress had paid more attention to my warnings a few years back there never would have been a strong "fifth column" in this country now, and you never would have had subversive activities because we would not have allowed them to develop.

Mr. SEGER. Will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from New Jersey.

Mr. SEGER. Passaic County has two Representatives. Will the gentleman tell us which part of Passaic County this element is in?

Mr. DICKSTEIN. I will give the gentleman a map, and I think he will be able to read the map much better than I can. I am sort of alien in some parts of New Jersey.

Mr. SEGER. One of the Dies committee members is a Representative from Passaic County.

Mr. DICKSTEIN. I have received a lot of mail from that section of the county. He has a couple of bad birds around there, too, but no attention is being paid to them, it seems.

I remember when my good friend from New York was chairman of the Committee on the Judiciary.

[Here the gavel fell.]

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. DICKSTEIN]?

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, there was a constitutional convention in my State, of which the gentleman from New York [Mr. FISH] was chairman. I recall appearing before that convention and trying to find a constructive way of getting enacted laws that would eradicate nazi-ism, fascism, communism, and their camps, uniforms, and so forth.

Mr. FISH. Will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from New York.

Mr. FISH. I am glad the gentleman has brought that up. As long as we are discussing the question of the "fifth column," I think one of the best things this Congress could do would be to report out and enact a bill I have introduced which would prohibit the arming, drilling, and uniforming of all un-American groups. In that way we would put an end to these Communists and Nazis who are parading about in these different camps to which the gentleman refers.

Mr. DICKSTEIN. I agree with my colleague from New York. Following the gentleman's thought, may I say that I too have introduced a bill in this Congress modeled along the lines of a bill I drew for my own State legislature prohibiting the wearing of these uniforms. I introduced that bill in this Congress, but what do you think happened? The bill was introduced and after begging for a hearing, I got a letter from the chairman of the committee saying that the bill was tabled, without even giving me a chance to present evidence showing how the uniforms were smuggled in and how these suckers paid for them, on an average of about $19.50 a uniform. Some of these people were forced to buy them and wear them at these so-called Nazi camps. The bill was tabled without even giving me a chance to appear before the committee to explain the situation. That shows how much cooperation one can get and how much cooperation one may expect.

Mr. Speaker, I do not want the remarks I made a moment ago to be construed as any criticism of the Dies committee, but I hope to God they will wake up and stop pussyfooting around.

EXTENSION OF REMARKS

Mr. MAY asked and was given permission to extend his own remarks in the RECORD.

The SPEAKER pro tempore. Under a previous special order of the House, the gentleman from Michigan [Mr. DINGELL] is recognized for 15 minutes.

USE OF NATURAL GAS IN DETROIT

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to include a letter in the remarks I am about to make.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DINGELL. Mr. Speaker, the well-being of the people of Detroit, and particularly those of my own Fifteenth District, prompted me to go beyond my ordinary legislative duties in order to aid in bringing to our citizens and industries such advantage as concededly exists in the available cheaper and twice more efficient natural gas. It is a long and an involved story which dates back to my first and second terms in Congress. I spent time, energy, and my own money in order to aid in a great and beneficial plan, a plan which would not only benefit the domestic user by cutting the rate in half while giving twice the amount of heat but a plan which might almost for a certainty make of Detroit the steel center of the United States and magnify our advantage in every other industry.

The plan was complex and highly involved. I conferred with representatives of the city of Detroit, with Members of Congress from Texas, with the Secretary of the Interior, and even with the Attorney General of the United States.

It is a matter of record that the city of Detroit wanted the cheaper, more efficient, and hotter natural gas and that only the Gas Trust stood in the way, barring Detroit and other cities from this product of nature. It is also a matter

of record that the Cities Alliance was interested in a suit which was pending in the courts of Wilmington, Del., because the action then pending was intended to break the stranglehold of the Columbia Gas & Electric Co. upon the Panhandle Eastern Pipeline Co. This action, it was hoped, would make natural gas available to the interested municipalities which were fighting the trust.

The suit instituted in the Federal court against the holding company, known as Columbia Gas & Electric Co., was intended to force divestment on the part of Columbia of its control and domination which prevented the service company, known as the Panhandle Eastern Pipeline Co., from supplying natural gas to Detroit and other cities. It was absolutely necessary to break this hold which was strangling Detroit and forcing our people to use the artificial and more expensive gas. Court action was necessary to free the people of the bondage in which they were held. All the holding company acts of Congress are meaningless and ineffective without the aid of the Federal court.

Mr. Speaker, without the vigorous action of the courts functioning in the public interest, even the Securities and Exchange law becomes a joke and is laughed at by the Hopsons and other unscrupulous gas barons. The courts must function to protect the vital public interest. Every housewife in the Detroit metropolitan area today pays a tribute to the parasites and grafters of Wall Street every time she turns on a gas jet. An unconscionable, oppressive, and one-sided contract was imposed upon the good people of Detroit by clever utility sharps and manipulators who took advantage of the negotiators for the city. As a result my people pay more per thousand cubic feet for a mixture of natural and artificial gas than they used to pay for the artificial product. The rate is calculated upon a B. t. u. basis in such a way as to rob the user of the advantage of natural gas. The entire community is victimized. The old artificial plant, though it is obsolete and useless, is still carried upon the books of the operating company as a capital asset valued at millions of dollars, and this figure is considered and reflected directly in the high gas rate.

This obsolete plant which is classed as a stand-by ought to be dismantled and wiped out. Its continuance is unwarranted. Generally, the stand-by or safety margin of natural gas is that portion of the volume used by the industrial consumer.

When negotiations were about to begin between the representatives of the gas company and the city of Detroit I warned the people to be on guard against trickery. I wrote an open letter to an official of the city which was published with much prominence. I referred to the danger of entering into any binding agreement which might be used as a screen or an excuse to forestall action in the pending suit to force the Columbia Gas & Electric Co. to divest itself of control in the Panhandle Eastern Pipeline Co. That is just what happened—the city got a fake contract which was the basis for a villainous consent decree agreed to by the various parties having an interest. I am not a lawyer, claim no knowledge of the various angles or the interests of the parties involved. I do know that Detroit gave away the valuable rights of its people and was robbed in return. Moreover, this contract was the chief reason or excuse which perpetuated the control by Columbia over Panhandle, and dominates the situation which perpetuates and legalizes the highway robbery of gas users in Detroit and a hundred other cities. I have always been suspicious of these conferences in the private chambers of the judges which culminate in what is generally known as consent decrees. They are not as a matter of fact genuinely legal in that there is no law under which such agreements are sanctioned. It is an innovation of the courts, and in some instances they are a vicious device of unscrupulous judges who betray the public interest to pay certain obligations.

In appearing recently before the Hatch committee of the United States in connection with the Nye resolution to investigate this whole question of natural gas, which has a vital and direct bearing on the Detroit problem, I stated, among other things, that this problem of gas rates so vitally affecting Detroit is so terribly snarled and apparently corrupt that only a most thorough Senate investigation can get to the bottom of it all and is the only method which can correct the situation and give our people a measure of belated relief. I have heard, and it is a matter of record, that a responsible witness appearing before the Senate committee stated that the consent decree was entered into because the court at Wilmington was "a bad court in which to try the case" or that the court was "not the right kind of court" in which the case could be tried successfully.

I always did have a strong suspicion that this whole deal, including above everything else the consent decree, was a betrayal of the public interest, and I so stated before the committee. I added that the stench reached the high heavens. I condemned the cowardice which caused the acceptance of the consent agreement because it was the trick which I warned the negotiators about in my letter of September 3, 1935, which I reproduce herewith.

HOUSE OF REPRESENTATIVES,
Washington, D. C., September 3, 1935.

Hon. JOHN W. SMITH,
Acting Mayor, Detroit, Mich.

DEAR MR. SMITH: In reply to your recent letters concerning the natural-gas question, I want to say that I am still positive in my convictions as to the desirability of piping this valuable fuel product to Detroit for the use of the commercial and industrial interests and for domestic purposes. I favor an expression from the people on the proposal so that we may know whether the citizens of Detroit want a municipal gas system and whether they want natural gas.

I shall be glad to definitely commit myself in favor of the plan which is scheduled to appear on the ballot as originally planned on October 8 and which seems to be properly sidetracked now until November 5. But the most important point which I want to clear up in my mind and the point which will decide my future attitude is naturally based upon the rate which will be charged the consumer, particularly the domestic consumer if and when the gas system is municipally owned. We cannot expect the people of Detroit to commit themselves in the assumption of the responsibility of carrying on a municipal gas business unless they know precisely the extent of the gas-rate reduction.

There is but one way of determining the natural-gas rate and that is by a contractual agreement with the specific cost per thousand cubic feet delivered at the connecting gate of the city's system. In view of the potential Detroit market for natural gas, the negotiators for the city of Detroit are in an ideal position to obtain a base rate lower than that enjoyed by any other city in the United States. I say this advisedly and I am sure you will agree with me, when I point out that the natural gas can be brought to Detroit by extending the line from the terminus of the Panhandle Eastern Pipe Line at Dana, Ind., a distance of approximately 300 miles; a plan which I advocated from the outset. The cost, including compressor stations and a parallel telephone line, should not exceed $12,000,000. I observe that the Detroit News, in a recent article attributed to William G. Woolfolk, president of the Detroit City Gas Co., the statement that the cost of bringing the natural gas to Detroit will amount to $20,000,000. I want to dispute this figure with all the emphasis I can muster. My best estimates from reliable expert sources indicate that $12,000,000 is a liberal and ample sum for the construction of 300 miles of pipe line with all the necessary appurtenances. It is evident to me that the $20,000,000 figure is inflated to include $8,000,000 for the construction of the additional compressor stations which it will be necessary to build in connection with the existing line from the Panhandle of Texas to Detroit, in order to double the present capacity of that line from 75,000,000 cubic feet to a 150,000,000 cubic feet every 24 hours. This is a very important matter and a basic point upon which the rates will be determined. I contend that the necessary investment of $8,000,000 to double the capacity of the existing line now terminating at Dana, Ind., is a definite improvement of the Panhandle Eastern Pipe Line Co. and logically an item chargeable to the capital structure of the Panhandle Eastern. The city of Detroit, through its negotiators, should insist upon a rate based upon the cost of the extension from Dana, Ind., to the gate at Detroit. It is only fair to assume that if and when the city of Detroit contracts for a large amount of gas that the stocks and the bonds of the Panhandle Eastern Pipe Line Co., which is now in the hands of receivers, will rise very materially; in fact this company will be put on its financial feet once again. Even the holding company, which controls the Panhandle Eastern Pipe Line Co., known as Columbia Gas & Electric Co., will be in a position to siphon off profits by way of a tribute levied upon the gas consumers in the great industrial terminus of the proposed line at Detroit.

I am not inclined toward undue haste because we may fall into serious error. I am not only critical, but verp skeptical of the contract which the Detroit City Gas Co. entered into with the Panhandle Eastern. The negotiators for the city of Detroit should insist that any contract between the Detroit City Gas Co. and the

Panhandle Eastern Pipe Line Co. or with the Columbia Gas & Electric Co., or any other outside interests, should not be binding upon the city of Detroit. Such safeguards on the part of the city of Detroit before giving approval to any such contract would give the city of Detroit the right to negotiate its own basic rate. The city of Detroit is in an ideal position to force a deal which will be for the best interests of its citizens and consumers, because the Detroit City Gas Co. is without a franchise and therefore operates within the confines of the city of Detroit only by sufferance, the city of Detroit is a tempting bait for any natural-gas utility. Detroit can obtain a rate that is reasonable and fair to all parties. Should the Panhandle Eastern Pipe Line Co., guided by the controlling hand of the holding company, known as the Columbia Gas & Electric Co., refuse to negotiate with the city of Detroit, there are two possible ways of forcing the issue in the interests of the people of Detroit.

First: There is the suit instituted by the Government of the United States and which is pending at Wilmington, Del. The Government intends to force the Columbia Gas & Electric Co. to divest itself of its interest in the Panhandle Eastern Pipe Line Co. It is the interfering control of this holding company which to date has interfered with Detroit in its quest for cheaper gas. I am assured by the Department of Justice that this case, now being thoroughly investigated by the Government, will be tried early in the fall.

The second point of advantage, insofar as the city of Detroit is concerned, lies in the fact that an entirely new parallel line might be built from Texas to Detroit. The Panhandle Eastern line at the present time has a capacity of 75,000,000 cubic feet every 24 hours and only 48,000000 feet of this capacity is being used. So it appears that the Panhandle Eastern Pipe Line Co. would certainly benefit in every way should its capacity be increased 75,000,000 cubic feet and the absorption of 27,000,000 cubic feet now available in the present line which is not being used.

Let us not overlook the fact that in the background of it all remains what might be called the "ace in the hole" for the city of Detroit. In that the Federal Government might come to the aid of our citizens by advancing the money for the construction of the 300 miles of pipe line from Dana, Ind., to Detroit. Having discussed this matter with Mr. Ickes, I know that the P. W. A. looks upon this project as an ideal undertaking for the Government. It would be an ideal proposition for the city of Detroit because a twelve-million-dollar investment in this line would include a substantial outright grant in cash and the balance would be a well-secured loan which, because of Detroit's heavy use of gas, would guarantee the interest of the Government loan and the repayment of the money loaned by the Government.

Of course you understand that in order to obtain money from the Government the city would have to create a natural-gas authority and it may be necessary for the legislature to act in this connection. This would, of necessity, take a little time but the advantages insofar as the consumers are concerned would be worth it. This is the largest undertaking and equally, if not more important, than the taking over of the Detroit United Railways.

The more I ponder over the contract between the Detroit City Gas Co. and the Panhandle Eastern Pipe Line Co., the more suspicious I become. I am inclined to the belief that this contract has for its purpose tying up the city of Detroit on a long-term contract at an excessive rate which will avail the consumer very little, if any, advantage at all. I scout the possibility that this belated and "generous action" on the part of the Panhandle Eastern Pipe Line Co. and of the holding company, known as the Columbia Gas & Electric Co., entering into an agreement with the Detroit City Gas Co. has another and more important legal aspect in view of the suit which is pending and sure to come up at Wilmington, Del. "By this generous action," the Columbia Gas & Electric Co. will seek to prove that it has not interfered with the Panhandle Eastern Pipe Line Co. and thus counsel for the holding company will be in a position to ask the Government to drop further action.

I can see great possibilities for the city of Detroit should natural gas be made available to the manufacturers and to the domestic consumer, provided the basic rate is fair and just. I can visualize a tremendous growth and an attendant increase in employment through the increase in manufacture in our city. I can prognosticate the increase in the production of steel and steel products in Michigan's metropolis to such an extent as will ultimately make of Detroit the steel center of the United States. The biggest advantage that the city of Pittsburgh has today, and the only reason why Pittsburgh produces so much steel, is because the Pennsylvania city has, for many years, enjoyed the use of cheap, natural gas. To prove the importance of this cheap and efficient fuel in the steel industry, I want to point out the fact that when the Interstate Pipe Line Co. was built from Amarillo, Tex., to Denver, the Colorado Fuel & Iron Co., a Rockefeller subsidiary which produces more coal in the State of Colorado than any other company, used approximately 7,000,000 out of 11,000,000 tons so produced from its own mines at the mills in Pueblo, Colo. Yet upon the completion of this interstate line the Colorado Fuel & Iron Co. contracted to use an amount of gas which, as I recall, amounted to something like thirty or forty million cubic feet every 24 hours. It is generally admitted that the steel company at Pueblo could save itself and continue operation through the use of natural gas. A lateral line or extension was built from the steel mills to the main line some 20 or 25 miles distant. I can foresee a distinct advantage and a healthy, continued growth of Detroit, which will mean employment and prosperity beyond calculation. As time goes on Detroit's industries, together with the domestic consumer, will increase their demands. Should the demand absorb the maximum capacity of Southwestern Gas, it may be possible, and it is very probable, that our industrial Klondike may be able to draw upon and cause to be developed the natural-gas fields of our State. For the time being the Michigan gas field does not offer any assurance of being able to supply the needs of Detroit. This does not mean, necessarily, that our State lacks the necessary amount of gas if development of the gas field was without restraint. You know, as well as I do, that the restricted drilling for oil retards the production of gas. The real purpose of drilling is not for gas, but for oil. It may therefore be said that the development of gas in a given oil field is secondary, and the expansion of such gas production in a given area is dependent upon the loosening of the present restrictive regulation. I am very anxious that Detroit use as much of the Michigan natural gas as is possible, but the surest source for natural gas which will guarantee ample pressure and sufficiency of quantity for the consumer in our city is the Cliff Side structure and the extensive gas fields of Texas, where a billion five hundred million cubic feet of gas is blown into the air every 24 hours and wasted. This is equivalent, if reduced in terms of crude oil, to a hundred seventy-five thousand barrels every 24 hours. It is because of this sinful waste of a great natural resource, which could be used advantageously and at a cheap rate, that Mr. Ickes, Secretary of the Interior, and other conservationists, are very much interested in delivering to a great market like Detroit.

I must of necessity remain in Washington for a period of at least 10 more days. I will be very happy to confer with you and with the mayor and do everything that I can to aid the city in obtaining a favorable contract, and will agree to go along with you on the question of municipal ownership; but I feel that before making such outright and complete commitment I, like the people of Detroit, should know the basic rate per thousand cubic feet for natural gas delivered at the gate of Detroit. I would never forgive myself were I a party to any municipal undertaking which, because of haste or for lack of thoroughness, did not reduce the rate of this essential commodity. Moreover, the argument that because natural gas contains approximately double the amount of B. t. u.'s the rate cannot be lowered much below the present manufactured rate is, to my mind, specious and untenable.

Trusting that I have made my position clear and assuring you of my personal regards, I subscribe myself,

Cordially and sincerely yours,

JOHN D. DINGELL.

It would have been better to have lost everything than to have accepted a shameful, hollow compromise sanctioned by the court which turned out to be of no advantage to the Panhandle Co. and to the city of Detroit. I stated before the committee and I repeat now a warning and a threat, that I care not who the judge might be or where he may preside, one more reference of that kind before this or any other committee of the Congress involving the welfare of my people and I shall exercise my constitutional right of impeachment. I told the committee I would attempt to bring the judge before the Senate for trial and that I was certain that even if the Senate did not convict him or make a good judge out of a "bad" one, such action might make some improvement in his future judicial demeanor. In more than one instance, Mr. Speaker, a corrected and broader propublic viewpoint was aroused and was apparent in judges after Senate trial even if they were not convicted.

I am not casting any reflection upon any specific judge but I am surfeited with such references as were made by responsible officials before this committee. Altogether too frequently they are correct statements of fact and ought to be investigated. The practice of consent decrees, like many other unsound and shady extralegal if not illegal practices indulged in by the Federal courts, sooner or later will have to be outlawed by Congress. They are a menace to the public interest and should be discontinued.

Mr. Speaker, I propose to keep an eye on this problem and to give such assistance as I can to the Senate committee in connection with the proposed Nye resolution. It is the only hope for the people of Detroit. [Applause.]

JAY PIERREPONT MOFFAT

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and

include therein an article from the New York Times regarding the appointment of Mr. Jay Pierrepont Moffat to the important post of United States Minister to Canada.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I am delighted that President Roosevelt has appointed the Honorable Jay Pierrepont Moffat to the important post of United States Minister to Canada. Mr. Jay Pierrepont Moffat has received this promotion so well and so richly deserved. He has served in all branches of the Foreign Service and at the State Department. He is able and thoroughly trained, a tireless worker, and is always guarding the welfare of America. I congratulate the President of the United States on his wisdom in making the appointment, because in so doing he has demonstrated clearly that we have in the career Foreign Service men in whom we can place the greatest trust and be assured that the confidence is not misplaced.

We need not worry so long as we have men of the caliber of Jay Pierrepont Moffat in our foreign posts. In the past we have had experience with some of the playboys politically appointed to diplomatic posts. They do not stick to their assignments when the going is rough—when sound judgment and experienced heads are needed to uphold the policies of the United States Government. Pierrepont Moffat will never run away from his post. Of course, there have been some exceptions, but in the main the political appointees do not stay under fire. We have had numerous instances of career men staying even beyond the demands of duty. I need remind you only of the superb work of Minister and Mrs. Engert during the war at Addis Ababa, Ethiopia, in May 1936. That was an excellent case in point. The post to which Mr. Moffat has been appointed is a most important one. Canada and the United States are good friends at the present time and that friendship should be continued. The assignment will do much to cement further the good feeling between us and our neighbors to the north.

[From the New York Times]

J. P. MOFFAT NAMED ENVOY TO CANADA—SELECTION OF VETERAN CAREER DIPLOMAT INDICATES RISING IMPORTANCE OF POST—CHOICE PLEASES OTTAWA—SUCCESSOR TO CROMWELL AS MINISTER IS NATIVE OF NEW YORK AND HARVARD MAN

WASHINGTON, May 27.—Jay Pierrepont Moffat, Chief of the European Division of the State Department and veteran career diplomat, was appointed by President Roosevelt today Minister to Canada to fill the vacancy caused by the resignation of James H. R. Cromwell.

The selection of an experienced professional diplomat was regarded as proof of the importance Mr. Roosevelt attaches to the post at this time. The appointment will mean the presence in Canada of a technically trained official whose knowledge and tact may be drawn upon heavily, if the fortunes of war project relations between the two countries even more definitely into the forefront of American foreign policy.

The growing importance of close Canadian-American relations, furthermore, has been recognized in the last few months by the appointment, for the first time in the history of the two neighbor nations, of representatives of their respective armed forces to each other's capitals. Canada sent Commodore W. R. Kenny to be air attaché here and the United States sent Maj. John S. Gullet to serve in a similar capacity in Ottawa.

Loring Christie, a career Minister, currently represents Canada in its relations with us. He is at present in Johns Hopkins Hospital recovering from an operation.

FAMILIAR WITH WAR POLICY

Mr. Moffat is thoroughly familiar with all details of United States diplomatic policy toward the war. He has invariably been present at staff conferences held on the subject by Secretary Hull with his ranking officials and experts. He also has a close knowledge of the European scene from his daily duties in the Department and from the circumstances that he accompanied Sumner Welles, Under Secretary of State, on his European tour last winter.

Born in Rye, N. Y., 44 years ago, Mr. Moffat attended Harvard and entered diplomatic circles in 1917 as private secretary to the American Minister to The Hague. Two years later he was appointed to the Foreign Service as a diplomatic secretary and served over the years in Warsaw, Tokyo, Constantinople, and Berne. When the United States established diplomatic relations with Canada in 1927 with William Phillips, now Ambassador to Italy, as Minister, Mr. Moffat was selected by Mr. Phillips as first secretary of the legation. From 1935 to 1937 he was consul general at Sydney, New South Wales.

AN EXPERT ON ARMS LIMITATION

In the course of these years Mr. Moffat also served a number of times in the State Department and at international conferences. At one time in the Coolidge administration he was in charge of protocol for the White House, and from 1932 to 1935 was Chief of the old Western European Division in the Department. He was placed in charge of the present European Division in 1937 in view of the gravity of the situation. At the time he was here on leave of absence from Sydney.

An expert on armament limitation in the years that subject was uppermost in international relations, Mr. Moffat attended in official capacities as technical assistant or adviser meetings of the Preparatory Commission for Disarmament at Geneva in 1927, 1929, and 1930, the Red Cross and Prisoners of War Conference at Geneva in 1929, the special commission for the preparation of a draft convention on the private manufacture of arms and ammunition and implements of war, also at Geneva in 1929. He also attended the conference for the abolition of import and export prohibitions and restrictions at Geneva in 1928.

Mr. Moffat is a son-in-law of Joseph C. Grew, Ambassador to Japan.

OTTAWA, May 27.—President Roosevelt's nomination of Jay Pierrepont Moffat as Minister to Canada was received with satisfaction in the capital tonight.

No official comment was forthcoming immediately, but sources close to the Government expressed satisfaction that the President's nominee was a career diplomat with wide experience.

The post has been vacant since May 22, when J. H. R. Cromwell resigned to accept the Democratic nomination for Senator from New Jersey.

In the past, gaps between appointments have been the rule rather than the exception, but at the present time the appointment takes on new importance in view of the significance thrown on Canadian-American relations by the international situation and President Roosevelt's national-defense program.

CIVILIAN CONSERVATION CORPS

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

[Mr. JOHNSON of Oklahoma addressed the House. His remarks appear in the Appendix.]

SENATE BILL AND JOINT RESOLUTION REFERRED

A bill and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1970. An act to eliminate certain oppressive labor practices affecting interstate and foreign commerce, and for other purposes; to the Committee on Labor.

S. J. Res. 254. Joint resolution providing for the observance of National Dairy Day; to the Committee on the Judiciary.

ENROLLED BILLS SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 7543. An act to authorize the Secretary of the Navy to accept real estate granted to the United States by the city of Miami, Fla., and for other purposes;

H. R. 7737. An act to amend the Judicial Code by adding a new section thereto, designated as section 266a, to provide for intervention by States in certain cases involving the validity of the exercise of any power by the United States, or any agency thereof, or any officer or employee thereof, and for other purposes; and

H. R. 9140. An act to authorize the Secretary of the Navy to acquire land at Key West, Fla.

ADJOURNMENT

Mr. BEAM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 34 minutes p. m.) the House adjourned until tomorrow, Wednesday, May 29, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce on Wednesday, May 29, 1940, at 10 a. m.

Business to be considered: To continue hearings on S. 280 and H. R. 145, motion pictures. The opposition will continue.

COMMITTEE ON MINES AND MINING

The Subcommittee on Mines and Mining that was appointed to consider S. 2420 will continue hearings on Friday, May 31, 1940, at 10 a. m., in the committee rooms in the New House Office Building.

COMMITTEE ON INDIAN AFFAIRS

There will be a meeting of the Committee on Indian Affairs on Wednesday, May 29, 1940, at 10 a. m., for the consideration of H. R. 3402 and H. R. 6583, and hearings on H. R. 9301 at 11 a. m.

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds Wednesday, May 29, 1940, at 10:30 a. m., for the consideration of H. R. 9063.

There will be a meeting of the Committee on Public Buildings and Grounds Thursday, May 30, 1940, at 10:30 a. m., for the consideration of House Joint Resolution 472.

COMMITTEE ON THE JUDICIARY

On Monday, June 3, 1940, the Special Subcommittee on Bankruptcy and Reorganization of the Committee on the Judiciary will hold a hearing on the bill, H. R. 9864, amending the Bankruptcy Act with respect to the basis of property and excluding certain corporations from the provisions of chapter XI. The hearing will be held in the Judiciary Committee room, 346 House Office Building, and will begin at 10 a. m.

EXECUTIVE COMMUNICATIONS, ETC.

1684. Under clause 2 of rule XXIV a letter from the Acting Postmaster General, transmitting a draft of a proposed bill to amend section 4021 of the Revised Statutes and to repeal section 4023 of the Revised Statutes relating to establishment of postal agencies, was taken from the Speaker's table and referred to the Committee on the Post Office and Post Roads.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. TENEROWICZ: Committee on Interstate and Foreign Commerce. S. 1379. An act granting the consent of Congress to the Mackinac Straits Bridge Authority to construct, maintain, and operate a toll bridge or series of bridges, causeways, and approaches thereto, across the Straits of Mackinac at or near a point between St. Ignace, Mich., and the Lower Peninsula of Michigan; with amendment (Rept. No. 2311). Referred to the House Calendar.

Mr. KELLY: Committee on Interstate and Foreign Commerce. H. R. 5382. A bill authorizing the city of Keokuk, Iowa, to purchase, construct, maintain, and operate a toll bridge across the Mississippi River at or near Keokuk, Iowa; with amendment (Rept. No. 2312). Referred to the House Calendar.

Mr. LEA: Committee on Interstate and Foreign Commerce. H. R. 9039. A bill granting the consent of Congress to the Secretary of the Interior and Stevens County, State of Washington, to construct, maintain, and operate a highway bridge across the Kettle River, near Kettle Falls, Wash.; with amendment (Rept. No. 2313). Referred to the House Calendar.

Mr. LEA: Committee on Interstate and Foreign Commerce. H. R. 9050. A bill granting the consent of Congress to the Secretary of the Interior and the State of Washington to construct, maintain, and operate a highway bridge across the Spokane River, Wash.; without amendment (Rept. No. 2314). Referred to the House Calendar.

Mr. LEA: Committee on Interstate and Foreign Commerce. H. R. 9051. A bill granting the consent of Congress to the Secretary of the Interior and the Great Northern Railway Co. to construct, maintain, and operate two railroad bridges across the Kettle River, near Kettle Falls, Wash.; with amendment (Rept. No. 2315). Referred to the House Calendar.

Mr. BLAND: Committee on Merchant Marine and Fisheries. H. R. 8919. A bill to authorize the setting aside of an area within the Canal Zone to preserve and conserve its natural features for scientific study, for providing and maintaining facilities for such study, and for other purposes; with amendment (Rept. No. 2316). Referred to the Committee of the Whole House on the state of the Union.

Mr. DIMOND: Committee on Indian Affairs. H. R. 953. A bill to liquidate the liability of the United States for the massacre of Sioux Indian men, women, and children at Wounded Knee on December 29, 1890; with amendment (Rept. No. 2317). Referred to the Committee of the Whole House on the state of the Union.

Mr. POAGE: Committee on Immigration and Naturalization. H. R. 9774. A bill to provide for the prompt deportation of aliens engaging in espionage or sabotage, alien criminals, and other undesirable aliens; without amendment (Rept. No. 2327). Referred to the Committee of the Whole House on the state of the Union.

Mr. WHITE of Idaho: Committee on Irrigation and Reclamation. H. R. 9877. A bill authorizing the Secretary of the Interior to promulgate and to put into effect charges for electrical energy generated at Boulder Dam, providing for the application of revenues from said project, authorizing the operation of the Boulder power plant by the United States directly or through agents, and for other purposes; without amendment (Rept. No. 2328). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee of conference on the disagreeing votes of the two Houses. H. R. 9243. A bill to provide for the promotion of promotion-list officers of the Army, after specified years of service in grade, and for other purposes (Rept. No. 2329). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Connecticut: Committee on Military Affairs. H. R. 9024. A bill relating to the status of retired officers of the Army, Navy, Marine Corps, and Coast Guard of the United States, and to amend section 113 of the Criminal Code; with amendment (Rept. No. 2330). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. SOMERS of New York: Committee on Coinage, Weights, and Measures. S. 3813. An act to authorize the presentation of a Congressional Medal of Honor to William Sinnott; with amendment (Rept. No. 2318). Referred to the Committee of the Whole House.

Mr. THOMAS of New Jersey: Committee on Claims. H. R. 2070. A bill for the relief of Edwin Forsman; with amendment (Rept. No. 2319). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. H. R. 2489. A bill for the relief of Angie Ward; with amendment (Rept. No. 2320). Referred to the Committee of the Whole House.

Mr. SASSCER: Committee on Claims. H. R. 6145. A bill for the relief of Elizabeth L. Riley; with amendment (Rept. No. 2321). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. H. R. 6703. A bill for the relief of Clara E. Freeman; with amendment (Rept. No. 2322). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. H. R. 7493. A bill for the relief of Roy F. Lassly, former Acting Chief Disbursing Clerk, Department of the Interior; with amendment (Rept. No. 2323). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. H. R. 7825. A bill for the relief of C. S. Hobson; with amendment (Rept. No. 2324). Referred to the Committee of the Whole House.

Mr. JONKMAN: Committee on Claims. H. R. 7880. A bill for the relief of Edna Emery; with amendment (Rept. No. 2325). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 8906. A bill to record the lawful admission to the United States for permanent residence of Nicholas G. Karas; without amendment (Rept. No. 2326). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. RANKIN:

H. R. 9916. A bill to provide for the national defense, to aid interstate commerce by navigation, and to promote the general welfare by constructing a waterway connecting the Tombigbee and Tennessee Rivers; to the Committee on Rivers and Harbors.

By Mr. SASSCER:

H. R. 9917. A bill to amend section 9 of an act entitled "An act to prevent pernicious political activity," approved August 2, 1939; to the Committee on the Judiciary.

By Mr. BLAND:

H. R. 9918. A bill relating to citizenship requirements for manning of vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BURCH:

H. R. 9919. A bill relating to the classification, hours of service, and promotion of substitute postal employees; to the Committee on the Post Office and Post Roads.

By Mr. JENKINS of Ohio:

H. R. 9920. A bill authorizing the county of Lawrence, Ohio, to acquire and operate as a unit certain privately owned toll bridges across the Ohio River adjoining such county; to the Committee on Interstate and Foreign Commerce.

By Mr. LEAVY:

H. R. 9921. A bill to authorize the maintenance and operation of fish hatcheries in connection with the Grand Coulee Dam project; to the Committee on Merchant Marine and Fisheries.

By Mr. SMITH of Washington:

H. R. 9922. A bill authorizing an appropriation for the establishment and development of an Air Corps base at Vancouver, Wash.; to the Committee on Military Affairs.

By Mr. BURCH:

H. R. 9923. A bill to place postmasters at fourth-class post offices on an annual salary basis, and fix their rate of pay; and provide allowances for rent, fuel, light, and equipment, and fix the rates thereof; to the Committee on the Post Office and Post Roads.

By Mr. FLANNERY:

H. R. 9924. A bill extending the jurisdiction of the Civil Aeronautics Authority over certain air-mail services; to the Committee on Interstate and Foreign Commerce.

By Mr. MANSFIELD:

H. R. 9925. A bill authorizing the improvement of certain rivers and harbors in the interest of the national defense, and for other purposes; to the Committee on Rivers and Harbors.

By Mr. COOLEY:

H. R. 9926. A bill to increase the credit resources of Commodity Credit Corporation; to the Committee on Banking and Currency.

By Mr. LANHAM:

H. R. 9927. A bill declaring a forfeiture of certain land heretofore granted by the United States to the board of commissioners of the Orleans levee district, in the city of New Orleans, State of Louisiana, for levee and street purposes; to the Committee on Public Buildings and Grounds.

H. R. 9928. A bill to amend the act relating to preventing the publication of inventions in the national interest, and for other purposes; to the Committee on Patents.

By Mr. BROOKS:

H. R. 9929. A bill to create a new group within the Air Corps, Regular Army, with the designations of junior flight officer, flight officer, and senior flight officer; to the Committee on Military Affairs.

By Mr. STEAGALL:

H. R. 9930. A bill to amend the Home Owners' Loan Act of 1933, as amended; to the Committee on Banking and Currency.

H. R. 9931. A bill to increase the credit resources of the Commodity Credit Corporation; to the Committee on Banking and Currency.

By Mr. SMITH of Ohio:

H. Con. Res. 72. Concurrent resolution providing for a study by the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate to determine ways and means to put our financial house in order and to meet adequate national defense costs; to the Committee on Rules.

By Mr. DEMPSEY:

H. Res. 502. Resolution to amend rule XXXV of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. WHITE of Idaho:

H. Res. 503. Resolution providing for the consideration of H. R. 9877, a bill authorizing the Secretary of the Interior to promulgate and to put into effect charges for electrical energy generated at Boulder Dam, providing for the application of revenues from said project, authorizing the operation of the Boulder power plant by the United States directly or through agents, and for other purposes; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to consider their Assembly Joint Resolution No. 23, concerning the title of the State of California to its tide, submerged, and overflowed lands; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLOOM:

H. R. 9932. A bill for the relief of Anne Howard Lay; to the Committee on Foreign Affairs.

By Mr. CONNERY:

H. R. 9933. A bill for the relief of Louise Peters Lewis; to the Committee on Claims.

By Mr. GREGORY:

H. R. 9934. A bill to confer jurisdiction upon the United States District Court for the Western District of Kentucky to hear, determine, and render judgment upon the claim of Theodore R. Troendle for the Dawson Springs Construction Co.; to the Committee on Claims.

By Mr. JOHNSON of West Virginia:

H. R. 9935. A bill for the relief of Rudolph Farcher; to the Committee on Claims.

By Mr. LEWIS of Ohio:

H. R. 9936. A bill granting a pension to Sina Ethel Stookesberry; to the Committee on Invalid Pensions.

By Mr. McDOWELL:

H. R. 9937. A bill granting a pension to Julia M. Cramer; to the Committee on Pensions.

By Mr. MACIEJEWSKI:

H. R. 9938. A bill for the relief of Dr. Michel Konne and Pauline Lucia Konne; to the Committee on Immigration and Naturalization.

By Mr. RANDOLPH:

H. R. 9939. A bill for the relief of Elizabeth K. Peeples; to the Committee on Claims.

By Mr. THOMAS of Texas:

H. R. 9940. A bill for the relief of Charles F. Emery, Jr.; to the Committee on Pensions.

H. R. 9941. A bill to authorize the President of the United States to present the Congressional Medal of Honor to George L. Keene; to the Committee on Military Affairs.

By Mr. WHITTINGTON:

H. R. 9942. A bill authorizing the Secretary of the Interior to issue to Henry W. Shurlds and Kate Shurlds White a patent to certain lands in the State of Mississippi; to the Committee on the Public Lands.

H. R. 9943. A bill authorizing the Secretary of the Interior to issue to Ruth Gainey Branscome a patent to certain lands in the State of Mississippi; to the Committee on the Public Lands.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8479. By Mr. THOMAS F. FORD: Resolution of the Assembly and Senate of the State of California, protesting against the proposed attack upon the title of the State of California to its tide, submerged and overflowed lands; to the Committee on the Judiciary.

8480. By Mr. KEOGH: Petition of the Union of Marine Draftsmen and Technicians, Navy Yard, N. Y., Chapter 24, Brooklyn, N. Y., urging continuation of the civil-service system in the filling of vacancies and promotions in the Navy Department; to the Committee on the Civil Service.

8481. Also, petition of the Women's International League for Peace and Freedom, New York State Branch, New York City, concerning our national defense program and foreign policy; to the Committee on Foreign Affairs.

8482. By Mr. VOORHIS of California: Petition of Mrs. C. E. Otis, of Los Angeles, Calif., and 25 others, endorsing House Bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional money power; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

8483. Also, petition of William W. Dunlap, of Carlsbad, Calif., and 22 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional money power; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

8484. Also, petition of H. M. Mosher, of Arcadia, Calif., and 20 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of the constitutional money power; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

8485. Also, petition of C. H. Rice, of San Francisco, Calif., and eight others, urging the passage of the war referendum amendment; to the Committee on the Judiciary.

8486. Also, petition of the legislative committee of the Palo Alto Committee to Aid Agricultural Workers, signed by 47 individuals, urging that W. P. A. and F. S. A. receive emergency relief appropriations, and that no more cuts in these appropriations be made; to the Committee on Appropriations.

8487. Also, petition of John A. Kruse, of El Monte, Calif., and 50 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of the constitutional money power; requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

8488. Also, petition of Mrs. Louis H. Vincent, of Baldwin Park, Calif., and 52 others, urging that the President and Representatives in Congress take prompt, decisive action looking toward the early enactment of a national retirement pension law, on a pay-as-you-go basis, embodying the fundamental principles of House bill 5620, now before Congress, which would pay to all citizens of the United States, 60 years of age and over, an adequate monthly annuity, as proposed in said act; to the Committee on Ways and Means.

8489. By Mr. WELCH: Joint Resolution No. 23 of the California State Assembly, protesting against the proposed attack upon the title of the State of California to its tide, submerged, and overflowed lands; to the Committee on the Judiciary.

8490. By the SPEAKER: Petition of U. C. W. O. C., Local No. 90, Long Beach, Calif., petitioning consideration of their resolution with reference to a bill to deport Harry Bridges; to the Committee on Immigration and Naturalization.

8491. Also, petition of the Dairy Workers Union, No. 49, of Hynes, Calif., petitioning consideration of their resolution with reference to a bill to deport Harry Bridges; to the Committee on Immigration and Naturalization.

8492. Also, petition of the United Construction Workers, Local Union No. 118, petitioning consideration of their resolution with reference to a bill to deport Harry Bridges; to the Committee on Immigration and Naturalization.

SENATE

WEDNESDAY, MAY 29, 1940

(Legislative day of Tuesday, May 28, 1940)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty God, whose loving hand hath given unto us all that we possess, grant that, as faithful stewards of Thy bounty, we may honor Thee with our substance by responding to the call to help our anguished brethren everywhere, especially those who suffer from the ravages of war, whose cup of agony and sorrow runneth over. May the blessings hitherto vouchsafed to us as a nation evoke a spirit of devout and humble thankfulness that we are privileged to share all that we are and all that we have, as we minister in Thy name the sacrament of understanding to the human needs of others. And, as we follow in the blessed footsteps of the Master, may it be ours one day to hear His loving voice, saying, "Inasmuch as ye have done it unto one of the least of these my brethren, ye have done it unto me." In His holy name we ask it. Amen.

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Tuesday, May 28, 1940, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 7615) authorizing the Bradenton Co., its successors and assigns, to construct, maintain, and operate a toll bridge across Sarasota Pass, county of Manatee, State of Florida.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 9822. An act to expedite naval shipbuilding, and for other purposes; and

H. R. 9848. An act to authorize the construction or acquisition of naval aircraft, the construction of certain public works, and for other purposes.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Bilbo	Byrnes	Connally
Ashurst	Bone	Capper	Danaher
Austin	Bridges	Caraway	Davis
Bailey	Brown	Chandler	Donahey
Bankhead	Bulow	Chavez	Ellender
Barbour	Burke	Clark, Idaho	George
Barkley	Byrd	Clark, Mo.	Gerry

Gibson	La Follette	O'Mahoney	Thomas, Idaho
Gillette	Lee	Overton	Thomas, Okla.
Guffey	Lodge	Pepper	Thomas, Utah
Gurney	Lucas	Pittman	Tobey
Hale	Lundeen	Radcliffe	Townsend
Harrison	McCarran	Reynolds	Truman
Hatch	McKellar	Russell	Tydings
Hayden	McNary	Schwartz	Vandenberg
Herring	Maloney	Schwellenbach	Van Nuys
Hill	Mead	Sheppard	Wagner
Holman	Miller	Shipstead	Walsh
Holt	Minton	Slattery	Wheeler
Hughes	Murray	Smathers	White
Johnson, Calif.	Neely	Smith	Wiley
Johnson, Colo.	Norris	Stewart	
King	Nye	Taft	

Mr. MINTON. I announce that the Senator from Rhode Island [Mr. GREEN] is unavoidably detained from the Senate.

The Senator from California [Mr. DOWNEY] is absent on official business for the Committee on Banking and Currency.

The Senator from Florida [Mr. ANDREWS] and the Senator from Virginia [Mr. GLASS] are necessarily absent.

Mr. AUSTIN. I announce that the Senator from Kansas [Mr. REED] is absent on official business for the Committee Investigating Campaign Expenditures.

The Senator from North Dakota [Mr. FRAZIER] is necessarily absent.

The VICE PRESIDENT. Ninety Senators have answered to their names. A quorum is present.

EGON KARL FREIHERR VON MAUCHENHEIM AND MARGARETE VON MAUCHENHEIM—VETO MESSAGE (S. DOC. NO. 201)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying bill, referred to the Committee on Immigration and ordered to be printed:

To the United States Senate:

I return herewith, without my approval, S. 1384, a bill entitled "An act for the relief of Egon Karl Freiherr von Mauchenheim and Margarete von Mauchenheim."

This is a private bill which confers on two German aliens, Egon Karl Freiherr von Mauchenheim and Margarete von Mauchenheim, the status of legal residents of the United States and directs the Secretary of Labor to cancel an outstanding warrant for their deportation.

The aliens in question entered the United States on May 19, 1936, and were permitted to proceed in transit to Canada for the purpose of applying for quota visas. Denied visas there, they reentered the United States. The Department of Labor, finding that they could not be given the status of legal residents in the United States, held them for deportation proceedings, but because of the fact that they represented themselves to be political fugitives from Germany they were accorded the privilege of voluntary departure.

An investigation conducted by the State Department has disclosed that these aliens made false statements with respect to acts committed by them in Germany prior to their departure therefrom in 1935, which acts resulted in the initiation of criminal proceedings against them for fraud and civil claims for the recovery of property. The State Department was unable, moreover, to discover that these aliens had been involved in any political difficulties. It does not appear that this information was before the committees of the House and Senate when the bill was being considered by them.

For the above reasons I am returning the bill without my approval.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *May 29, 1940.*

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the following concurrent resolution of the Legislature of New Jersey, which was referred to the Committee on Commerce:

An assembly concurrent resolution memorializing Congress of the United States and the War Department of the United States to investigate the conditions at Newark Airport, Newark, N. J., and the feasibility of this airport being placed under Government control as an integral part of the United States national defense program

Whereas the President of the United States has requested that Congress make available a large emergency appropriation for the purpose of expanding the national defenses of the United States; and

Whereas Newark Airport, Newark, N. J., a municipally owned airfield, is one of the largest airfields in the country and is in the center of the metropolitan district of the east; and

Whereas the Newark (N. J.) municipal authorities have announced the proposed closing of the control tower at Newark Airport due to failure of commercial airlines to adequately compensate the city of Newark; and

Whereas the closing of this control tower means practically the cessation of commercial aviation at this large airfield and the eventual decay of the field; and

Whereas it is the belief of the citizens of New Jersey that this airfield should be an integral part of the air defense program for the New York and New Jersey metropolitan area: Now, therefore, be it

Resolved, by the House of Assembly of the State of New Jersey (the senate concurring):

1. That the Congress of the United States and the War Department of the United States be urged to investigate immediately the conditions at Newark Airport and the feasibility of this airport being placed under Government control as an integral part of the expansion program of national defense now under consideration, and that the city of Newark be adequately compensated for the transfer of the airfield and its facilities to the United States Government; and

2. That certified copies of this resolution be forwarded to the President of the Senate of the United States, to the Speaker of the House of Representatives, to each Member therein representing the State of New Jersey, and to the Secretary of War.

The VICE PRESIDENT also laid before the Senate Assembly Joint Resolution No. 23, Legislature of California, protesting against a proposed attack upon the title of the State of California to its tide, submerged, and overflowed lands, which was referred to the Committee on the Judiciary.

(See resolution printed in full when presented by Mr. JOHNSON of California on yesterday, p. 6958, CONGRESSIONAL RECORD.)

The VICE PRESIDENT also laid before the Senate a resolution of District Council No. 1, International Union United Automobile Workers of America, Congress of Industrial Organizations, Milwaukee, Wis., requesting "that all purchasers of autos and auto equipment for governmental agencies' usage, after taking cognizance of the Ford Motor Car Co.'s continuously flouting the laws of our country, bar the purchase of products therefrom," etc., which was referred to the Committee on Education and Labor.

He also laid before the Senate a resolution of the City Council of Baltimore, Md., endorsing the national-defense program of the President of the United States and favoring the prompt enactment of the necessary legislation therefor, which was ordered to lie on the table.

He also laid before the Senate a resolution of the housing conference of the Industrial Union Council of Maryland and the District of Columbia, Congress of Industrial Organizations, at Washington, D. C., favoring the prompt enactment of the bill (S. 591) to amend the United States Housing Act of 1937, and for other purposes, without hampering amendment thereof, which was ordered to lie on the table.

Mr. LODGE presented memorials of sundry citizens of the State of Massachusetts remonstrating against the enactment of the bill (H. R. 9000) to provide more adequate compensation for certain dependents of World War veterans, and for other purposes, which were referred to the Committee on Finance.

Mr. ASHURST presented a resolution of Ernest A. Love Post No. 6, American Legion, of Prescott, Ariz., favoring immediate negotiations with certain foreign nations looking to acquiring islands, territories, etc., now belonging to such nations for the purpose of establishing additional United States air and naval bases in the Western Hemisphere, which was referred to the Committee on Military Affairs.

He also presented a resolution adopted by Ernest A. Love Post, No. 6, American Legion, of Prescott, Ariz., favoring the prompt enactment of legislation providing immediate compulsory military training for the armed forces of the United States, and also that such compulsory military training be so staggered as to be renewable and continuous, which was referred to the Committee on Military Affairs.

FOREIGN POLICY AND NATIONAL DEFENSE—PETITIONS

Mr. AUSTIN. Mr. President, I ask unanimous consent to present for proper reference and to have noted in the RECORD, without publishing the papers themselves, the fact that I have received certain petitions from the city of Burlington, Vt., signed by many citizens, relating to the subject of our foreign policy and national defense.

The VICE PRESIDENT. Without objection, the petitions will be received, noted in the RECORD, and referred to the Committee on Foreign Relations.

(The petitions presented by Mr. AUSTIN are from sundry citizens of Burlington, Vt., praying that all material aid which may be given legally be rendered to the Allies in the present European war; that all the material resources of the Nation be placed at the disposition of the Allies, and, if necessary to repel an invasion of Great Britain, that part of the United States airplanes, destroyers, and submarines be transferred to the use of the Allies.)

Mr. AUSTIN. I ask to have printed in the RECORD at this point a letter which I have received from Paul D. Evans, head of the department of history, of the University of Vermont, relative to the petitions just presented by me.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE UNIVERSITY OF VERMONT,
Burlington, Vt., May 24, 1940.

Senator WARREN AUSTIN,
Washington, D. C.

DEAR SENATOR AUSTIN: These results enclosed are of a miniature Gallup poll that I've tried to run off here in the city during the past 24 hours to test public sentiment on the amount and nature of material help America should send to the Allies.

I haven't made any attempt to canvass the whole city of Burlington but to take soundings here and there for representative opinion. If the university element is a bit overrepresented, it is because the four of us making the inquiries are closer to it than to any other group. As speed seems to me the essence of this business, I haven't wished to carry the thing beyond 6 o'clock this evening. (I got the mimeographed letters yesterday at 4.)

There may be some slight duplication of names, but offsetting that are a number of signatures that have come in by telephone, such as Patsy MacAuliffe, Clarence Cowles, and others, who subscribe to section 2. Bishop Brady, unhappily, is out of town, and Father Hogan does not wish to commit the diocese in any way.

What amazes me is the huge majority for section 2. I had rather expected it would be the other way around. I expect there will be several more signatures in after I have to close this for the air mail tonight. I have personally met not one refusal to sign either one section or the other except for President Bailey, who is writing you. I have heard of only five refusals.

A telegram has just come in from Waldo Heinrichs in Middlebury (unsolicited) giving his approval to both sections.

The general attitude of those who have signed section 2 is roughly this: We are prepared to strain, even crack, the traditional obligations of international law up to a certain variable. We would not have countenanced British and French carrying of the war to Belgium and Holland in order to get the jump on the Germans; we would consent to any straining of the law which did no violence to humanitarian principles or to innocent third parties. We refuse any longer to accept the all-white, all-black idea of absolute neutrality as traditionally conceived versus outright war. The totalitarian states have found a dozen halfway houses between the two. We see no reason why our democracy cannot find a few.

We cannot face with equanimity America's future as it is likely to be shaped by Hitler's victory in Europe. We find heartily distasteful the prospect of a new era of imperialism which defense needs would probably force on us. We are frankly frightened by the witch hunts that fear of invasion would drive us into and the almost certain curtailment of our traditional liberties. We do not want to see our hopes of a better social order in this country vanish irretrievably. We do not want to pour an ever-increasing increment of our national income into our defensive establishment and we don't like the idea of holding the gold bag to the tune of perhaps twenty billions. And yet, illogically perhaps, we don't want to send our men to fight this war. I personally would gladly go if American participation could be limited to those over 45 but I cannot bring myself to accept a policy which would send my sons instead. But neither do I want them placed in a position where they may have to fight under perhaps still more disadvantageous conditions sometime in the coming decade.

So, I feel, as I think most of the signers of section 2 do, that an American Army bomber operating within the next few weeks in Europe would be worth in terms of American security a score of better bombers in our hangars in 1945; that an American submarine or destroyer working in the Channel or the North Sea in June would be worth a fleet off Greenland or Brazil in 1950.

We have followed your work during these trying weeks at Washington with intense interest and admiration. We are sending this in order that you may know how the sentiment of at least part of this community is taking shape. We know we can trust you to take whatever action is desirable and possible.

Please pardon the hasty construction of my letter; there has been no time to throw it into better shape.

Kindly present my respects to Mrs. Austin and believe me,

Sincerely yours,

PAUL D. EVANS.

REPORTS OF COMMITTEES

Mr. GILLETTE, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 3426) to amend the Agricultural Adjustment Act, as amended, and as reenacted by the Agricultural Marketing Agreement Act of 1937, as amended, reported it with an amendment and submitted a report (No. 1719) thereon.

Mr. GURNEY, from the Committee on Military Affairs, to which was referred the bill (S. 3497) to require the issuance by the General Accounting Office of a quarterly certificate of settlement of money accounts to United States property and disbursing officers of the National Guard of the several States, Territories, and the District of Columbia, reported it without amendment and submitted a report (No. 1720) thereon.

Mr. CONNALLY, from the Committee on the Judiciary, to which was recommitted the bill (H. R. 5138) to make unlawful attempts to interfere with the discipline of the Army, the Navy, and the Coast Guard; to require the deportation of certain classes of aliens; to require the fingerprinting of aliens seeking to enter the United States; and for other purposes, reported it with amendments and submitted a report (No. 1721) thereon.

Mr. ADAMS, from the Committee on Public Lands and Surveys, to which was referred the bill (H. R. 4097) to authorize the use of certain facilities of national parks and national monuments for elementary school purposes, reported it with an amendment and submitted a report (No. 1722) thereon.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HUGHES:

S. 4061. A bill extending the jurisdiction of the Civil Aeronautics Authority over certain air-mail services, and for other purposes; to the Committee on Commerce.

By Mr. BRIDGES:

S. 4062. A bill to establish a national home defense force, and for other purposes; to the Committee on Military Affairs.

By Mr. ASHURST:

S. 4063 (by request). A bill declaring a forfeiture of certain land heretofore granted by the United States to the Board of Commissioners of the Orleans Levee District, in the city of New Orleans, State of Louisiana, for levee and street purposes; to the Committee on the Judiciary.

By Mr. McNARY:

S. 4064. A bill to provide for the establishment of the Oregon Coast National Park, in the State of Oregon, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. MALONEY:

S. 4065. A bill providing for the improvement of the main harbor at New Haven, Conn.; to the Committee on Commerce.

By Mr. McCARRAN:

S. 4066. A bill to provide for the establishment of a fortified military post at or near Boulder Dam; to the Committee on Military Affairs.

(Mr. LUCAS introduced Senate bill 4067, which was referred to the Committee on Patents, and appears under a separate heading.)

By Mr. O'MAHONEY:

S. 4068. A bill for the relief of Frank Ernzen and Mary Ernzen; to the Committee on Immigration.

By Mr. MINTON:

S. 4069. A bill authorizing the Indiana State Toll Bridge Commission to construct, maintain, and operate a toll bridge across the Wabash River at or near Mount Vernon, Posey County, Ind.; to the Committee on Commerce.

By Mr. WHEELER (for himself and Mr. SCHWARTZ):

S. 4070. A bill to provide for more uniform coverage of certain persons employed in coal mining operations with respect to insurance benefits provided for by certain Federal acts, and for other purposes; to the Committee on Interstate Commerce.

INVENTIONS IN THE NATIONAL INTEREST: PREVENTION OF THEIR PUBLICATION

Mr. LUCAS. Mr. President, I ask consent to introduce for proper reference a bill to amend the act relating to preventing the publication of inventions in the national interest, and I also request that a statement relative to the bill may be printed in the RECORD.

The VICE PRESIDENT. Without objection, the bill of the Senator from Illinois will be received, appropriately referred, and the statement will be printed in the RECORD.

The bill (S. 4067) to amend the act relating to preventing the publication of inventions in the national interest, was read twice by its title and referred to the Committee on Patents.

The statement presented by Mr. LUCAS in connection with the bill is as follows:

The proposed act has for its object the broadening of the provisions of an act of Congress passed October 6, 1917 (40 Stat. 394, U. S. Code, title 35, sec. 42). This earlier law provides that when the publication of an invention by the granting of a patent might be detrimental to the public safety or defense, the Commissioner may withhold the grant of the patent and order that the invention be kept secret. However, the law is specifically limited in its operation to times when the United States is at war and its provisions are operative only for the duration of any war.

The proposed act simply removes the restriction to times of war, and makes the law applicable whenever the national interest requires it, such as during an emergency or whenever required by the public safety or defense. There is evidence that the proposed change is actually necessary at the present time. Moreover, it constitutes a preparedness measure which should be on the statute books ready for immediate use whenever the necessity for it arises.

In order to show the exact changes proposed, the present law is set forth below with the words proposed to be canceled inclosed in brackets and the words to be added in italic.

"Whenever [during a time when the United States is at war] the publication of an invention by the granting of a patent might, in the opinion of the Commissioner of Patents, be detrimental to the public safety or defense [or might assist the enemy or endanger the successful prosecution of the war] he may order that the invention be kept secret and withhold the grant of a patent [until the termination of the war] *for such period or periods as in his opinion the national interest requires: Provided,* That the invention disclosed in the application for said patent may be held abandoned upon it being established before or by the Commissioner that in violation of said order said invention has been published or that an application for a patent therefor has been filed in a foreign country by the inventor or his assigns or legal representatives, without the consent or approval of the Commissioner of Patents, or under a license of the Secretary of Commerce as provided by law.

"When an applicant whose patent is withheld as herein provided and who faithfully obeys the order of the Commissioner of Patents above referred to shall tender his invention to the Government of the United States for its use, he shall, if and when he ultimately received a patent, have the right to sue for compensation in the Court of Claims, such right to compensation to begin from the date of the use of the invention by the Government."

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred to the Committee on Naval Affairs:

H. R. 9822. An act to expedite naval shipbuilding, and for other purposes; and

H. R. 9848. An act to authorize the construction or acquisition of naval aircraft, the construction of certain public works, and for other purposes.

ARTICLES, MINERALS, ETC., PRODUCED, PROCESSED, OR MINED UNDER UNITED STATES PATENTS—CHANGE OF REFERENCE

Mr. BONE. Mr. President, a few days ago I made a motion, which I did not press at the time because of the majority leader's suggestion that I confer with individual members of the Committee on Mines and Mining before renewing the motion. I have talked with the Senator from South Dakota [Mr. BULOW] who had in charge the bill in question and he is in harmony with the idea I now suggest.

I ask unanimous consent that the Committee on Mines and Mining be discharged from the further consideration of the bill (H. R. 8285) to limit the importation of articles, products, and minerals produced, processed, or mined under process covered by outstanding United States patents, to define unfair trade practices in certain instances, and for other purposes, and that it be referred to the Committee on Patents.

The VICE PRESIDENT. Is there objection?

Mr. BARKLEY. I will say that the Senator from Pennsylvania [Mr. GUFFEY], the chairman of the Committee on Mines and Mining, has advised me that he has no objection to that course.

Mr. BONE. I may say that the bill deals exclusively with the question of patents.

The VICE PRESIDENT. No objection is heard, and the order is entered.

CONSTRUCTION AT MILITARY POSTS—AMENDMENT

Mr. McCARRAN submitted an amendment intended to be proposed by him to the bill (S. 3982) to authorize appropriations for construction at military posts, and for other purposes, which was referred to the Committee on Military Affairs and ordered to be printed.

APPROPRIATIONS FOR WORK RELIEF AND RELIEF—AMENDMENT

Mr. MALONEY submitted an amendment intended to be proposed by him to the joint resolution (H. J. Res. 544) making appropriations for work relief and relief, for the fiscal year ending June 30, 1941, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 16, line 1, before the period to insert a colon and the following:

"*Provided,* That the head of the agency may waive such contribution in connection with any such project which, in his opinion, will be of value to the United States for the purposes of national defense."

ADDRESS BY SENATOR BROWN ON THE GOVERNMENT'S RESPONSIBILITY

[Mr. BROWN asked and obtained leave to have printed in the RECORD a radio address delivered by him on the subject of the Government's responsibility, which appears in the Appendix.]

ARTICLES FROM NEW YORK TIMES AND LIFE MAGAZINE ON SENATOR M'NARY

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an article by Richard L. Neuberger, published in the New York Times, and an article from the magazine Life, both referring to Senator MCNARY, which appear in the Appendix.]

ADDRESS BY POSTMASTER GENERAL FARLEY AT ASHEVILLE, N. C.

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an address delivered by Postmaster General Farley at Asheville, N. C., on May 27, 1940, together with a letter from Senator BAILEY and a telegram from Senator REYNOLDS in relation to the visit of Postmaster General Farley to North Carolina, which appear in the Appendix.]

GALLUP POLL ON WAR SENTIMENT IN UNITED STATES

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an article by Dr. George Gallup relative to war sentiment in the United States, which appears in the Appendix.]

ADDRESS BY HON. LOUIS JOHNSON IN REPLY TO FORMER PRESIDENT HOOVER

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD a radio address delivered by the Assistant Secretary of War, Hon. Louis Johnson, on May 28, 1940, in reply to former President Hoover, which appears in the Appendix.]

EDITORIAL FROM BIRMINGHAM (ALA.) NEWS ON THE PRESIDENT'S TALK

[Mr. HILL asked and obtained leave to have printed in the RECORD an editorial from the Birmingham (Ala.) News of May 27, 1940, entitled "The President's Talk," which appears in the Appendix.]

STATEMENT BY JOHN COLLIER ON FIRST INTER-AMERICAN CONGRESS ON INDIAN LIFE

[Mr. THOMAS of Oklahoma asked and obtained leave to have printed in the RECORD a statement by John Collier, Commissioner of Indian Affairs, relative to the first Inter-American Congress on Indian Life, held in Mexico, which appears in the Appendix.]

ADJOURNMENT OF POLITICS—EDITORIAL FROM THE CHICAGO TRIBUNE

[Mr. GURNEY asked and obtained leave to have printed in the RECORD an editorial from the Chicago Tribune of May 24, 1940, entitled "Let's Adjourn Politics," which appears in the Appendix.]

CHOCTAW INDIANS OF MISSISSIPPI

The VICE PRESIDENT. When the Senate took a recess yesterday there was an order by unanimous consent that today the Senate would take up the calendar at the place where it left off yesterday for the consideration of unobjected-to bills.

Mr. BILBO. Mr. President, before the calendar is taken up I ask unanimous consent to address the Senate for a few minutes on Senate bill 3524.

The VICE PRESIDENT. Is there objection to the request of the Senator from Mississippi that he may address the Senate at this time?

Mr. McNARY. Mr. President, what is the bill which the Senator desires to discuss?

Mr. BILBO. It is a bill which was passed over yesterday, Senate bill 3524, conferring jurisdiction on the Court of Claims to hear and determine the claims of the Choctaw Indians of the State of Mississippi.

Mr. McNARY. Did the bill go over under objection?

Mr. BILBO. Yes.

Mr. McNARY. Is the Senator now asking unanimous consent for the consideration of the bill?

Mr. BILBO. I wish to speak briefly on it before the calendar is taken up.

Mr. KING. I shall object to its consideration.

The VICE PRESIDENT. Is there objection to the request of the Senator from Mississippi for unanimous consent to address the Senate at this time?

Mr. KING. I have no objection to the Senator's speaking; but, since the matter is before a subcommittee of the Judiciary Committee, I shall feel constrained to object to the consideration of the bill.

The VICE PRESIDENT. The pending request is that the Senator may address the Senate at this time.

Mr. KING. I have no objection.

Mr. BILBO. Mr. President, during recent years we have heard a great deal about Americanism and the forgotten man, and we have preached Americanism and have tried to help the forgotten man. I desire today to say a few words on behalf of a branch of the original Americans who for over 100 years have been the forgotten men among the Indians of America. I refer to the 2,000 Choctaw Indians who reside in the State of Mississippi, where their ancestors lived for centuries before them.

The Choctaw Indians originally constituted the most numerous branch of the great Muskogean linguistic stock, and they were closely related to the Chickasaws, who spoke a different dialect of the same language, and more distantly related to the Creeks and the Seminoles.

According to tradition the Choctaws came originally from a land far distant in the west. It is claimed that they were miraculously guided by a sacred pole, which was carried by their leader during the day and planted by night in their place of encampment. Every morning the pole was found to be leaning toward the east as a signal for them to continue their journey; but when they reach the site of Nanih Waya—a point located in what is now Winston County, Miss.—the pole remained in an upright position. This was taken as a sign that their journey had ended and that Mississippi was their promised land. So the Choctaws settled in Mississippi, built mounds and ramparts, and made Nanih Waya the ceremonial center of the Choctaw Nation. The legend is that the Chickasaws became separated from the Choctaws during their migration and they settled in north Mississippi, adjacent to the territory occupied by the Choctaws.

When the white man first came to America and penetrated the great Mississippi Valley he found the Choctaws to be one of the most advanced, cultured, and peaceful of all the American Indans, with an organized system of tribal government administered by powerful and capable chiefs. History tells us that the Choctaws and Chickasaws were the most advanced of all the American Indians in the matter of agriculture.

The great French explorers who first settled in Mississippi came in contact with the Choctaws and found them to be a very peaceful, industrious, and intelligent people, with good morals and high principles, and whose fidelity could be relied upon.

The Choctaws raised a large quantity of corn, and built barns for its storage, which gave succor to many a weary white traveler and distressed settler.

Throughout our history as a Nation the Choctaws have been uniformly friendly to the white people; and it is an undisputed fact that the Choctaw never drew the blood of the white man, but was always his friend, and rendered great assistance to him in the many struggles of the United States against the British, and against other Indian tribes who sympathized with the British and were hostile to the United States.

Originally the Choctaws owned and controlled over one-half of the territory within the boundaries of the present State of Mississippi, including the ground upon which the capitol of Mississippi is built, and the great Mississippi Delta, which is now the greatest cotton region on earth. They also owned the great timberlands of central and south Mississippi and the great prairie section of east Mississippi. They were well organized and were led by distinguished and able chiefs at the time of the acquisition by the United States of the Mississippi territory. Due to their occupation and control of a definite territory, their advancement in learning and centralized form of government, they gained recognition as a nation in their dealings with the Government of the United States. The Choctaw country was divided into three districts, each under the control of a chief. Their three great chiefs were Apukshunnubbee, Pushmataha, and Moshulatubbee, the most important of whom was Pushmataha, who presided over the central district.

Pushmataha was unquestionably the greatest chief of all time. He was distinguished for his nobility of character, commanding personality, keenness of intellect, eloquence, bravery, resourcefulness, military genius, great leadership of men, and for his lasting friendship for the white man. He successfully frustrated the efforts of Tecumseh to aline the Choctaws with the British and hostile Indians against the United States in the War of 1812. When Gen. Andrew Jackson led his army from Nashville, Tenn., to New Orleans in 1815, Pushmataha joined his forces with General Jackson in Mississippi, while General Jackson was en route to New Orleans, and led more than 600 of his Choctaw warriors into battle under the command of General Jackson in the great Battle of New Orleans, which resulted in a complete rout of Pakenham's army. That was one of the greatest battles of history, in that it convinced the British and the world that the United States was a nation no longer subject to invasion by a foreign foe.

That was not the only battle that the Choctaws fought for the white man. Over 700 of their warriors fought with the whites against the Natchez Indians, a very barbarous and warlike tribe along the lower part of the Mississippi, when that tribe rose against the white settlers. In fact, the Choctaws have furnished many soldiers in every important war in our history, including the World War.

From the time of the Battle of New Orleans, when the Choctaws joined the forces of General Jackson in defense of our country, the history of the Choctaws has been one of friendship and continuous amity toward our white citizens.

In this respect their conduct has been almost unique in the history of Indian affairs in this country.

After the War of 1812 a great tide of emigration of white settlers from the Eastern States to the Mississippi Territory became irresistible. It was inevitable that a proper development of Mississippi as a State should and did from the outset require and demand from the Indians the cession of a large portion of their lands. After the acquisition of the Mississippi Territory by the United States the Federal Government recognized the Choctaws to be the lawful owners of over 14,000,000 acres of land in Mississippi. On October 18, 1820, the United States persuaded the Choctaws to enter into a treaty by which the Choctaws ceded to the United States about 4,000,000 acres of their lands in Mississippi in exchange for lands west of the Mississippi River in the Indian Territory. The lands so acquired by the Choctaws in the West comprised all of the lands afterward known as the territory of the Choctaw Nation in Oklahoma. The treaty of 1820 neither required nor contemplated that any Choctaws should remove to the Indian Territory west of the Mississippi River; for after that cession was made the Choctaws still had remaining 10,423,139 acres of land in Mississippi, upon which they resided, and which was ample for their needs for an unlimited period of time. However, immediately after the signing of the treaty of 1820 a great migration of settlers from Virginia, the Carolinas, Georgia, and other States, poured into Mississippi, and within a few years many thousands of such settlers had settled in the Choctaw country in Mississippi. They not only settled on the lands which had been ceded by the Choctaws to the United States by the treaty of 1820, but a great many of them became squatters on the lands in Mississippi retained by the Choctaws. As a result of this large migration of white people to Mississippi, great concern arose, not only among the Choctaw chiefs and warriors, but it became a matter of national importance to the Federal Government.

This condition led to the visit of Pushmataha to Washington in 1824 to confer with President Monroe about the matter. There is a record of a part of Pushmataha's statement to President Monroe at that time, the last public statement of that great chief, in which he said:

> Father: I have been here some time. I have not talked; have been sick. You shall hear me talk today. I belong to another district. You have no doubt heard of me; I am Pushmataha.
>
> Father: When in my own country, I often looked toward this council house, and wanted to come here. I am in trouble. I will tell my distresses. I feel like a small child, not half as high as its father, who comes up to look in his father's face, hanging in the bend of his arm, to tell him his troubles. So, Father, I hang in the bend of your arm and look in your face, and now hear me speak.
>
> Father: When I was in my own country, I heard there were men appointed to talk to us. I would not speak there; I chose to come here and speak in this beloved house. I can boast and say, and tell the truth, that none of my fathers or grandfathers, nor any Choctaw ever drew bows against the United States.
>
> They have always been friendly. We have held the hands of the United States so long that our nails are long, like birds' claws, and there is no danger of their slipping out. My nation has always listened to the applications of the white people. They have given of their land until it is very small. I came here when a young man to see my father—Jefferson. He told me if we ever got in trouble we must run and tell him. I am come.

Shortly after that historic conference, and on December 24, 1824, Pushmataha died in Washington, and was buried here in the Congressional Cemetery, where a great monument has been erected to his memory, and upon which is inscribed these words:

> Pushmataha, a Choctaw chief, lies here. He was a warrior of great distinction. He was wise in counsel, eloquent in an extraordinary degree, and on all occasions, and under all circumstances, the white man's friend.

The rapid development of the State of Mississippi by 1830 created a demand for a still further curtailment of the remaining Choctaw lands in Mississippi, as well as a demand for the removal of the Choctaws to their lands in the Indian Territory west of the Mississippi River. As a result, the United States appointed commissioners to negotiate a treaty with the Choctaws which would provide for the cession to the Federal Government of their remaining lands in Mississippi, and for their removal to the Indian Territory. The commissioners appointed by the United States for the negotiation of a treaty were the then Secretary of War, John H. Eaton, and John Coffee. These Commissioners arrived at Dancing Rabbit Creek in Mississippi on September 15, 1830; and on September 18, 1830, they met and entered into conference with the chiefs, captains, head men, and warriors of the Choctaw people, at which time John H. Eaton delivered to them a talk in which he addressed the Indians in part as follows:

> By direction of your Great Father, we have come amongst you. It is not your land we seek, but your happiness. If you remain, you will be subject to the jurisdiction of courts, pay taxes, etc.; and if you are satisfied that in such a condition you would be unhappy, then agree to remove beyond the Mississippi, where you will be able to live under your own laws. Record the votes of your head men and let us know who is willing to remove and who are opposed. In 1820 by a treaty a fine country was given you for the use of your people. It was the understanding at that time that the Choctaws would remove. Ten years are passed, and you are still here. If you prefer to live here, surrender the lands west, or otherwise remove to them. Hereafter we will not treat with you.

Even to the untutored mind of the Indian such strong language could not be misunderstood. There was presented the alternative of remaining in Mississippi, forfeiting the lands which they had acquired by the solemn treaty of 1820 in the West, becoming subject to the white man's laws, to the jurisdiction of his courts, and to taxation, or leaving their homes in Mississippi and removing to their territory in the West.

The Choctaws were surprised at the boldness and threatening language of the commissioners, and at first they refused to treat with them. The commissioners then threatened to withdraw and no longer negotiate with the Choctaws. A few days later the Choctaws, being fearful of the consequences of their refusal, proposed to the commissioners that the treaty provide that those who were willing to remove would go to the territory in the West, and those who desired to remain in Mississippi would be permitted to remain, and would be given allotments of land in the ceded territory in Mississippi. The commissioners consented to that proposal.

There were about 20,000 Choctaws in Mississippi at that time, and about 5,000 of them chose to remain permanently in Mississippi. So on September 27, 1830, there was concluded between the commissioners and the Choctaws the Treaty of Dancing Rabbit Creek—seventh Statute 333—in which the Choctaws ceded to the United States their remaining lands in Mississippi, with the exception of a few reservations. With respect to the Choctaws who desired to remain in Mississippi, it was specifically provided in article 14 of the treaty that each head of a family should receive an allotment of 640 acres of land in the ceded territory in Mississippi, each unmarried child over 10 years of age should obtain an allotment of 320 acres, and each child under 10 years of age should receive an allotment of 160 acres. It has been ascertained that the Choctaws who remained in Mississippi after 1830 were entitled to allotments aggregating 1,399,920 acres. Article 18 of the treaty provided that no white person should be permitted to settle within the ceded territory in Mississippi, and that none of the lands should be sold until the Choctaws should remove to their territory in the West; and it was further provided in that article:

> That in the construction of this treaty wherever well-founded doubt shall arise it shall be construed most favorably toward the Choctaws.

Although the Government by this solemn treaty agreed to give the Choctaws who remained in Mississippi allotments of land, its responsible officers and agents permitted these provisions of the treaty to be violated. Malfeasance on the part of the then Indian agent in Mississippi was so gross and unjust with reference to the Choctaws who chose to remain in Mississippi after 1830 that, in spite of all efforts on their part, only 143 of them actually received allotments of land in Mississippi. The Government proceeded to and did sell the lands to white settlers without regard to and in violation of the specific terms of the treaty; and as a result of that action it soon became impossible for the United States to comply with the terms of its own treaty without ousting white settlers who had purchased the lands and actually entered

upon them and built homes, which the Government was unwilling to do.

This condition having been brought to the attention of Congress, it passed the act of August 23, 1842 (5 Stat. 513), which provided for the issuance to the Choctaws who had remained in Mississippi, of scrip which might be used in purchasing any of the public lands subject to entry at private sale in Mississippi, Alabama, Louisiana, and Arkansas. Scrip was thereupon issued for approximately one-half of the land which the Mississipp. Choctaws were entitled to receive under the fourteenth article of the Treaty of Dancing Rabbit Creek; namely, 700,080 acres. That scrip, being negotiable, was traded by the Choctaws to white men for material things of no real or permanent value, leaving them still without the lands they had been promised by the treaty of 1830.

Consequently, on March 3, 1845, Congress made a second attempt to correct the situation by a statute (5 Stat. 777) which determined the lands which the Mississippi Choctaws were promised and were entitled to receive under the fourteenth article of the Treaty of Dancing Rabbit Creek to be of the value of $1.25 per acre. That act provided that the second half of the scrip which had been authorized by the act of August 23, 1842, but which had not yet been issued, "shall not be issued or delivered in the West;" and it also provided that the second half of the scrip "shall carry interest of 5 percent, which the United States will pay annually to the reservees under the treaty of 1830, respectively, or to their heirs and legal representatives forever."

The second half of the scrip not having been delivered, and there being accumulated interest due thereon, the Congress on July 21, 1852 (10 Stat. 19), appropriated the sum of $872,000 to pay the principal of the second half of undelivered scrip, and $21,800 for the payment of accumulated interest thereon, making a total appropriation of $893,800. That act clearly shows on its face that the moneys there appropriated were for the—

Choctaw claimants, under the fourteenth article of the Treaty of Dancing Rabbit Creek, of September 27, 1830, for the lands on which they resided, but which it is impossible to give them, and in lieu of the scrip that has been awarded under the act of August 23, 1842.

It cannot be disputed that it was the clear intent of Congress that the money appropriated by the act of July 21, 1852, should be paid to the Choctaws who had remained in Mississippi in payment for the land which had been guaranteed to them by the fourteenth article of the treaty of 1830, and which the Government had failed to give to them. Yet the Interior Department erroneously and illegally paid out all of this money in the Indian Territory (now Oklahoma) prior to the Civil War, and not one dollar of it was ever paid to a Choctaw Indian in Mississippi.

The fact that Congress intended this money for the Choctaws in Mississippi is further shown by an examination of the "Senate Award" of March 9, 1859. The Choctaw Nation entered into a treaty with the United States on June 22, 1855 (11 Stat. 611), in which it was agreed that the claims of the Choctaw Nation of the Indian Territory should be submitted to the United States Senate as arbitrator for a decision. The Senate awarded to the Oklahoma Choctaws "the proceeds of the sale" of their ceded lands in Mississippi, after deducting therefrom the costs of their survey and sale, and—

Excluding the reservations allowed and secured, and estimating the scrip issued in lieu of reservations at the rate of $1.25 per acre.

(See Congressional Globe, No. 50, 35th Cong., 2d sess., p. 1691.)

The Congressional Globe of March 9, 1859, shows that the Committee on Indian Affairs of the Senate reported to the Senate a proposed award which, if approved by the Senate, would have given to the Oklahoma Choctaws the proceeds of the sale of all the ceded Choctaw lands in Mississippi. To his everlasting credit, however, Senator Sebastian, of Arkansas, made a motion on the floor of the Senate for the adoption of a substitute award which he had prepared, and which specifically excluded from the award to the Oklahoma Choctaws "the reservations allowed and secured" to the Mississippi Choctaws by the fourteenth article of the treaty of 1830, and the scrip issued in lieu of reservations. The substitute award, as presented by Senator Sebastian, was adopted by the Senate without a dissenting vote. It is therefore plain that as late as 1859 the United States Senate thought that the moneys appropriated by the act of July 21, 1852, to liquidate the second half of the undelivered scrip, would be paid to the Mississippi Choctaws, as it excluded them from the award made to the Oklahoma Choctaws.

As no payments were made pursuant to the Senate award, on March 3, 1881, Congress enacted a statute (21 Stat. 504) conferring jurisdiction upon the Court of Claims "to try all questions of difference" between the United States and the Choctaws of the Indian Territory "and to render judgment thereon," and authorized the Court of Claims "to review the entire question of differences de novo," and provided further that from any judgment rendered in the case either party might appeal to the Supreme Court of the United States. A suit instituted by the Oklahoma Choctaws in the Court of Claims pursuant to that jurisdictional act finally resulted in a judgment of the Supreme Court of the United States on November 15, 1886, which adjudged their right to receive a total of $3,078,495.33 (*Choctaw Nation* v. *United States*, 119 U. S. 1). That case is commonly known as the net-proceeds award. In a letter of the Secretary of the Interior to Hon. C. B. Miller, House of Representatives, on January 31, 1913, he states, quoting approvingly from a decision of a Federal judge in the Indian Territory in the case of Jack Amos et al. against Choctaw Nation, that—

not one farthing of it—

This money—

was ever paid to an absent Mississippi Chocktaw. * * * The United States Government, the guardian of these Indians, paid the money over without making any provision for the Mississippi Choctaws to get their share, or intimating that anything was due them. (See hearings before a subcommittee of the Committee on Indian Affairs, United States Senate, 70th and 71st Congs., p. 7716.)

The amount of the judgment of the Supreme Court in the case of the Choctaw Nation against United States was not all that the Oklahoma Choctaws received. They received other large cash benefits, and there was finally allotted to them in the Indian Territory in Oklahoma large tracts of land.

Mr. Reeves, of the Bureau of Indian Affairs, Interior Department, stated in a hearing before a subcommittee of the Committee on Indian Affairs of the House of Representatives on March 28, 1938, that the Choctaw lands in Oklahoma were—

Divided up per capita under which each Indian—

Oklahoma Choctaw—

received 320 acres and $1,020 in cash.

Mr. Reeves further testified before that committee that—

Now it occurs to me that the Government has been remiss in some respects in looking after the Choctaws in Mississippi. There is no question about that. I am satisfied of that personally because in 1916 I went down there and made an investigation of those Choctaw Indians remaining in Mississippi.

Upon making an investigation of the condition of the Mississippi Choctaw Indians I was very much distressed about the situation. They were in need of assistance and were not receiving it practically from any source. It appealed to anyone's human nature. (See hearings before the subcommittee of the Committee on Indian Affairs, House of Representatives, on S. 1478, 75th Cong., 3d sess., p. 56.)

Thus we see that the responsible officials of the Interior Department now admit that the Mississippi Choctaws have not been fairly treated and that the Government has been remiss in looking after their interests. I fail to see how any honest public official could have done other than make such public admission, since the record conclusively shows that the Government violated the plain terms of articles 14 and 18 of the Treaty of Dancing Rabbit Creek and subsequent acts of Congress enacted for the benefit of the Mississippi Choctaws.

It is an admitted fact that the officers charged with the duty of recording the reservations under article 14 of the treaty of Dancing Rabbit Creek, and administering the benefits of the treaty as to the Mississippi Choctaws were entirely and inexcusably derelict in their duties. This is an acknowledged fact, and it is not now and never has been subject to any controversy. The official records of the Government show that in 1831 an Indian agent by the name of Ward was sent to Mississippi, and it was his duty to record the names of the Choctaws who desired to remain in the State, and to allow them to choose their reservations. The official investigations show that he was an habitual drunkard, and incompetent, and that he refused to enroll persons who were entitled to be enrolled, and used every means in his power to prevent the provisions of article 14 of the Treaty of Dancing Rabbit Creek from being complied with. An official Government investigator who later made an investigation of Ward's conduct reported that:

> From the great mass of proof offered to the board, there can be no doubt of the entire unfitness of the agent for the station. His conduct, on many occasions, was marked by a degree of hostility to the claims calculated to deter the claimants from making application to him. His manner to the Indians coming before him for registration was often arbitrary, tyrannical, and insulting, and evidently intended to drive them west of the Mississippi against their will and in violation of the letter and spirit of the treaty.
>
> The agent of the Government, Colonel Ward, unfortunately so managed this business that it is left almost entirely to oral testimony to prove the names of those who applied for registration within the 6 months and the signification of their intention to remain and become citizens of the States. That he kept a book, about foolscap size, containing two or three quires of paper, and which was almost filled with the names of persons registered, is proved, and it is also proved that this book was afterward partially torn up and used as shaving paper.

That report is but a sample of the way our Mississippi Choctaws were treated for many years.

The result was that for a great many years these Indians remained in Mississippi, living in their little settlements just as their ancestors had lived for generations, wrongfully deprived of their property rights and without any of the benefits which Congress provided for other Indians.

When the Government undertook to divide up the property of the Choctaw Nation in Oklahoma, it completely ignored the existence of the Mississippi Choctaws until the persistence of some individuals caused an investigation of their status, with the result that Congress in 1900 (31 Stat. 221, 236) recognized their right to participate under certain conditions, which Congress then prescribed. Again history repeated itself, and those Indians, who now remain in my State in the same settlements where their ancestors had lived for generations, were again deprived of their legal rights as recognized by Congress, by acts of neglect and malfeasance of duty on the part of accredited officers of the United States which would seem unbelievable but for the fact that they are established by the official records in the possession of the Court of Claims and of the Department of the Interior.

Knowing that the majority of these Indians would have to move to the Indian Territory in Oklahoma and file their registrations in Oklahoma within a 6-month period, and notwithstanding the fact that Congress appropriated the money to be used in aiding them to perform this requirement of the law, no effort was made to notify them or even take up the matter of aiding them to remove until 2 weeks before the 6-month period expired, and even then the great majority of them did not receive actual notice. The present claimants lost their right to receive any lands in Oklahoma through no fault of their own. They have appealed to Congress to aid them or to submit their claims against the United States for the loss of their patrimony to the Government's own court, the United States Court of Claims. They have not been guilty of laches, as the records of Congress will show. It would be a strange rule of law in any event that a trustee or guardian, as the Government has been held to be for these Indian people, could plead laches or statutes of limitation against the claims of its wards because of derelictions of duty on the part of Government agents, and especially in a case where the guardian has withheld the privileges of suit although seasonably demanded. These facts are also shown by the records of the Interior Department, and of the Court of Claims, where the question arose in a case brought by the Choctaw Nation, and in which these Mississippi Choctaws were denied, for jurisdictional reasons, the right to intervene. However, that court, speaking of article 14 of the Treaty of Dancing Rabbit Creek, and of the acts upon which this claim is founded, said:

> The article is seemingly free from ambiguity. The rights conferred are positive ones, defined with a degree of precision apparently incapable of misapprehension, and notwithstanding this fact the large number of Indians who remained in the State were subjected to a series of maladministration of the article by accredited representatives of the United States that in and of itself discloses an inexcusable, cruel, and unjust procedure never excelled, if equaled, in the history of Indian affairs.

A study of the Treaty of Dancing Rabbit Creek will reveal that the Choctaw Indians who desired to and did remain in Mississippi after 1830 were given substantive rights by that treaty, and that the Government did not carry out its obligations under the treaty. The supplemental statutes enacted by Congress for the benefit of the Mississippi Choctaws and their descendents likewise have not been carried out, and as a result a branch of the Choctaws have lived in my State for over 100 years neglected by the Federal Government, while their brother Choctaws in the West were well provided for.

The distinguished senior Senator from Oklahoma [Mr. THOMAS], the capable chairman of the Committee on Indian Affairs of the Senate, the distinguished Senator from Ohio [Mr. DONAHEY], and others, have given exhaustive study to this matter, and they think that the time has now come for the Federal Government to right the wrongs due to our Mississippi Choctaws. They have approved Senate bill 3524, introduced by me, which would confer jurisdiction upon the Court of Claims to hear and determine the claims of the Mississippi Choctaws, and enter judgment thereon, and once and for all settle these claims of a truly great people. I quote the final paragraph of the report of the Committee on Indian Affairs, as follows:

> The committee is of the opinion that the Mississippi Choctaws have been denied substantive rights guaranteed to them by treaties and acts of Congress; that they have been the subjects of unjust discrimination, and after thorough consideration we have reached the conclusion that they, in equity, justice, and good conscience are entitled to an opportunity to present their claims to a judicial tribunal and that the conferring of jurisdiction upon the Court of Claims to hear and determine their claims is the only proper way by which their grievances may be redressed.

As Governor of Mississippi for 8 years, I came to know somewhat intimately the condition of these Choctaws of my State and to study and appreciate their situation. They were made citizens of Mississippi under the State constitution adopted on November 1, 1890, and they are entitled to all the rights of any other citizen of my State. They have been a peaceful and law-abiding people. Many of them served in the Army during the World War. They are respected and trusted by the people of my State, and I know that the people of Mississippi as a whole are in sympathy with them, and are very desirous of improving their condition. I not only feel a sense of official duty to them, but I have a deep personal interest in their welfare.

I am convinced that they have a just claim against the United States and that they should be given the right to present their claims to a judicial tribunal for investigation and determination. Congress from time to time has conferred jurisdiction upon the Court of Claims to hear and determine the claims of many Indian tribes. That is all this bill does. There is no reason why our Mississippi Choctaws should not be given the same rights that have been given many times to other Indians. The Court of Claims has held that under existing law it has no jurisdiction to consider their claims. This bill gives the remedy, and, as I am advised, it does not conflict with any rights of the Oklahoma Choctaws and is not opposed by any Indians.

The United States has acquired much territory by purchases made through treaties. It acquired Florida, the great Louisiana Territory, Alaska, the Philippines, the Canal Zone, and the Virgin Islands by treaties of purchase, but in each instance the United States paid for those territories the agreed purchase price in cash on the line. We would have been held up to the reproach of the civilized world if we had not lived up to our solemn treaty obligations with Spain, France, Russia, and Denmark by paying the agreed purchase price for those territories. Yet the President of the United States under the same constitutional authority concluded the Treaty of Dancing Rabbit Creek with the Choctaw Indians, and the United States Senate ratified the treaty on February 24, 1831, by which the United States acquired the territory of the Choctaw Indians in Mississippi, and agreed to pay for it, but the Government has not paid the Mississippi Choctaws for their share in those lands. What would the world have thought about us if we had only partly paid for Alaska, and then defaulted on the balance due? Even little Finland can do better than that. I believe that we are going to live up to our treaty obligations to the Mississippi Choctaws, just as we have lived up to our treaties with foreign nations.

The failure of the United States to live up to its treaty obligations to the Mississippi Choctaws is a sad and shameful story, and by reason thereof these Choctaws in my State have been permitted to drift for more than 100 years without lands, without adequate aid or assistance from the Federal Government, and without protection, which has resulted in great privation and hardship, causing the depletion of the race, notwithstanding the fact that they at one time owned a large portion of the lands of the State of Mississippi. They have been left to drift in ignorance and poverty, without proper medical attention, in a land of plenty, which they once owned, and upon which they were found by the United States "in the quiet and uncontrolled possession."

Mr. President, the condition of these Choctaws in Mississippi may be fittingly described by adopting the language used long ago by Chief Justice Marshall in the case of the *Cherokee Nation* v. *Georgia* (5 Peters 1, 15), as—

> A people once numerous, powerful, and truly independent, found by our ancestors in the quiet and uncontrolled possession of an ample domain, gradually sinking beneath our superior policy, our arts and our arms, have yielded their lands by successive treaties, each of which contains a solemn guaranty of the residue until they retain no more of their formerly extensive territory. * * *
>
> Their relation to the United States resembles that of a ward to his guardian.
>
> They look to our Government for protection, rely upon its kindness and its power, appeal to it for relief to their wants, and address the President as their great father.

Mr. President, I think a great nation should demonstrate its fairness and justice by giving to a great and historic people the opportunity to present their just claims to a court of justice for determination and final adjudication. Anything less would be a denial of justice in a land where every man should have the right to his day in court.

ADMISSION OF RESIDENTS OF VIRGIN ISLANDS TO ST. ELIZABETHS HOSPITAL

Mr. KING. Mr. President, before proceeding with the calendar, I desire to call attention to H. R. 9576, which passed the Senate yesterday. It relates to the admission to a hospital in Washington of persons resident or domiciled in the Virgin Islands. An amendment was to have been offered to the bill, and I now ask unanimous consent that the votes by which the bill was ordered to a third reading and passed be reconsidered in order that the amendment may be offered.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the votes are reconsidered, and the bill will go to the calendar.

Mr. KING. Before concluding the session today, I shall offer the amendment.

The PRESIDENT pro tempore. Does the Senator wish to offer the amendment now?

Mr. KING. I would be glad to offer it at this time.

The PRESIDENT pro tempore. Is there objection to the consideration of the bill at this time?

There being no objection, the Senate proceeded to consider the bill (H. R. 9576), relating to the admission to St. Elizabeths Hospital of persons resident or domiciled in the Virgin Islands of the United States, which was read, as follows:

Be it enacted, etc., That, upon the application of the Governor of the Virgin Islands, the Secretary of the Interior is authorized to transfer to St. Elizabeths Hospital in the District of Columbia for treatment (1) persons who are permanent residents of the Virgin Islands of the United States, who are citizens or nationals of the United States, and who have been legally adjudged to be insane in the Virgin Islands or while temporarily in another insular possession or a Territory of the United States or in the continental United States; and (2) persons who have been legally adjudged to be insane in the Virgin Islands, who are not permanent residents of the Virgin Islands, and who are American citizens whose legal residence in one of the States or Territories or the District of Columbia it has been impossible to establish. The expense of treatment and care may be paid from the appropriation for the support of the hospital.

Upon the ascertainment of the legal residence of American citizens who have been transferred to the hospital and who are not permanent residents of the Virgin Islands, the superintendent of the hospital shall transfer such persons to their respective places of residence, and the expenses of transfer shall be paid from the appropriation for the support of the hospital.

The PRESIDENT pro tempore. The clerk will state the amendment offered by the Senator from Utah.

The CHIEF CLERK. It is proposed to add at the end of the bill the following:

SEC. 2. (a) Section 5 of the Fair Labor Standards Act of 1938 is amended by adding at the end thereof the following:

"(e) No industry committee appointed under subsection (a) of this section shall have any power to recommend the minimum rate or rates of wages to be paid under section 6 to any employees in Puerto Rico or in the Virgin Islands. Notwithstanding any other provision of this act, the Administrator may appoint a special industry committee to recommend the minimum rate or rates of wages to be paid under section 6 to all employees in Puerto Rico or the Virgin Islands, or in Puerto Rico and the Virgin Islands, engaged in commerce or in the production of goods for commerce, or the Administrator may appoint separate industry committees to recommend the minimum rate or rates of wages to be paid under section 6 to employees therein engaged in commerce or in the production of goods for commerce in particular industries. An industry committee appointed under this subsection shall be composed of residents of such island or islands where the employees with respect to whom such committee was appointed are employed and residents of the United States outside of Puerto Rico and the Virgin Islands. In determining the minimum rate or rates of wages to be paid, and in determining classifications, such industry committees and the Administrator shall be subject to the provisions of section 8 and no such committee shall recommend, nor shall the Administrator approve, a minimum-wage rate which will give any industry in Puerto Rico or in the Virgin Islands a competitive advantage over any industry in the United States outside of Puerto Rico and the Virgin Islands."

(b) No wage orders issued by the Administrator prior to the enactment of this act pursuant to section 8 of the Fair Labor Standards Act of 1938 shall, after such enactment, be applicable with respect to any employees engaged in commerce or in the production of goods for commerce in Puerto Rico or the Virgin Islands.

SEC. 3. Section 6 of the Fair Labor Standards Act of 1938 is amended by adding at the end thereof the following:

"(c) The provisions of paragraphs (1), (2), and (3) of subsection (a) of this section shall be superseded in the case of any employee in Puerto Rico or the Virgin Islands engaged in commerce or in the production of goods for commerce only for so long as and insofar as such employee is covered by a wage order issued by the Administrator pursuant to the recommendations of a special industry committee appointed pursuant to section 5 (e)."

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "An act relating to the admission to St. Elizabeths Hospital of certain persons in the Virgin Islands and to amend the Fair Labor Standards Act of 1938 with respect to the fixing of minimum-wage rates for Puerto Rico and the Virgin Islands."

Mr. KING. Mr. President, perhaps a brief explanation should be made to the Senate concerning the amendment just agreed to.

On the 1st of August 1939 the Senate passed S. 2682. The bill had been reported by the Senate Committee on Education and Labor. The Department of Labor, to which the bill had been referred, submitted a favorable report.

A similar bill was offered in the House and referred to the Committee on Labor; and the Senate bill, upon reaching the House, was referred to the same committee. The House committee, as I am advised, submitted a report favoring the bill which had been introduced in the House, which, as I have stated, was textually the same as the bill which passed the Senate. The House report assigns reasons for the passage of the bill.

I might add that Governor Leahy, who is now in Washington, has called attention to the importance of enacting into law the measure which passed the Senate and which also was favorably reported by the House Labor Committee. The amendment which has been adopted is textually the same as the House and the Senate bills.

Hon. BOLÍVAR PAGÁN, Resident Commissioner of Puerto Rico, is appealing to Congress to enact into law the bill which passed the Senate and which was approved by the House committee. He states that the amendment which I have offered is "desperately needed to avoid an economic disaster to American industry and American labor in Puerto Rico, which is competing in the needlework industry with foreign industry and foreign labor."

The report submitted by the House committee in favor of the measure contains the following statement:

> Industries in Puerto Rico and the Virgin Islands now operate under many economic disadvantages not common in the United States. Per unit costs of production aside from labor tend to be high because of lack of raw materials essential to manufacturing industries, management difficulties, and the great expense of plant construction and mechanization due to distance from centers of equipment production. Conclusive evidence that such economic disadvantages do exist in these islands is found in the fact that their wage rates, which are substantially lower than those in the United States, do not attract industries from the United States to any appreciable extent. It is believed that the application to the islands of the inflexible minimum-wage rates prescribed by the act will cause serious dislocation in some insular industries and curtail employment opportunities. The object of this amendment is to fix wage rates for these islands which are high enough to discourage migration of business from the United States but which are low enough to encourage industrial development and to provide employment opportunities in the islands.

THE CALENDAR

The PRESIDENT pro tempore. Under the agreement heretofore entered into the clerk will proceed with the call of the calendar, beginning at the first measure following the last measure considered yesterday.

COOPERATIVE ASSOCIATIONS IN THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (S. 2013) to amend the code of the District of Columbia to provide for the organization and regulation of cooperative associations, and for other purposes, which had been reported from the Commitee on the District of Columbia with amendments.

The amendments of the Committee on the District of Columbia were, in section 2, on page 3, line 5, after the word "incorporate", to insert "in the District of Columbia"; in section 3, line 9, after the word "exchanging", to strike out "and/or" and insert "or"; in line 10, after the word "goods", to strike out "and/or" and insert "or"; in line 12, after the word "association" and the parenthesis, to strike out "and/or" and insert "or"; in section 4, on page 4, line 11, after the word "affairs", to strike out "and/or" and insert "within or"; in section 6, on page 6, line 23, after "fee of $1", to insert "Said fees shall be in lieu of any other fees or payments provided in section 552 of the act entitled 'An act to establish a Code of Law for the District of Columbia," approved March 3, 1901, or in any other section of the Code of Laws of the District of Columbia, to be paid for or at the time of said filing; and the last paragraph of section 552 of such act of March 3, 1901, shall have no application to associations organized under this act"; on page 7, line 9, after the word "incorporated", to strike out "This shall not, however, abridge any rights existing in the State to terminate the existence of a corporation which should not have been formed under this act, or which has been formed without substantial compliance with the conditions prescribed by this act as precedent to incorporation", and insert "This shall not preclude the institution of quo warranto proceedings under sections 1538 through 1548, both inclusive, of the act entitled 'An act to establish a Code of Law for the District of Columbia,' approved March 3, 1901"; on the same page, line 22, after the word "no", to strike out "person," and insert "person or"; in line 24, after the word "the", to strike out "corporation" and insert "association"; in section 7, line 12, after the word "filed", to insert "and recorded"; in section 28, on page 16, line 19, after the word "membership", to insert "but not to exceed $50,"; in section 31, on page 20, line 23, after the word "services", to strike out "(including, but without limitation, housing and/or medical, and/or burial, and/or electric service)"; in section 35, on page 23, line 9, after the word "Reports" and the semicolon, to strike out "Forfeitures; Reinstatement", and insert "Mandamus"; in line 16, after the word "notice", to strike out "the recorder of deeds shall notify it by registered letter that its corporate rights stand forfeited, shall remove its name from his list of live corporations, and notify the district attorney of the United States for the District of Columbia, who shall bring suit in the manner provided by section 409 of the District of Columbia Code, title 5 thereof. If, within 60 days from such forfeiture, the association shall file the report and pay a penalty of $10 and all actual expenses of any suit begun to wind it up, then such forfeiture shall be set aside, such suit shall be dismissed, and the association shall be reinstated to its former rights and legal status"; and insert "any member of the association or the United States attorney for the District of Columbia may by petition for mandamus against the association and its proper officers compel such filing to be made, and in such case the court shall require the association or the officers at fault to pay all the expenses of the proceeding including counsel fees."; in section 36, on page 24, line 10, after "Section 36.", to strike out "Voluntary Dissolution" and insert "Dissolution"; in line 17, after the word "and", to strike out "collect all sums due or owing to the association; and from the amounts so realized they shall pay its debts and expenses, return to the members the par value of their shares or of their membership certificates, return to subscribers the amount paid on their subscriptions, return to patrons the amount of savings returns credited to their accounts toward purchase of shares or membership certificates; and distribute any surplus in either or both of the following ways, as the articles may provide"; and insert "shall distribute them in the manner set forth in this section. A suit for involuntary dissolution of an association organized under this act may be instituted for the causes and prosecuted in the manner set forth in sections 786 through 791, both inclusive, and sections 794 through 797, both inclusive, of the act entitled 'An Act to Establish a Code of Law for the District of Columbia,' approved March 3, 1901: *Provided*, That any distribution of assets shall be in the manner set forth in this section. In case of any dissolution of an association, its assets shall be distributed in the following manner and order: (1) By paying its debts and expenses; (2) by returning to the members the par value of their shares or of their membership certificates, returning to the subscribers the amounts paid on their subscriptions, and returning to the patrons the amount of savings returns credited to their accounts toward the purchase of shares or membership certificates; and (3) by distributing any surplus in either or both of the following ways as the articles may provide—"; on page 25, line 19, before the word "Among", to strike out "(1)" and insert "(a)"; in line 22, before the word "As", to strike out "(2)" and insert "(b)"; in section 38, on page 27, line 16, after the word "gives", to strike out "and giving"; in section 40, on page 28, line 15, after the word "field", to insert "and recorded"; in section 43, on page 29, line 9, after the words "provisions

of", to strike out "title 5 of the Code of the District of Columbia" and insert "sections 574 through 797, both inclusive, of the act entitled 'An act to establish a Code of Law for the District of Columbia', approved March 3, 1901"; in line 14, after the word "act", to strike out "in the case of an association formed hereunder which arranges the rendering to its members, of licensed professional services on a nonprofit basis, said association shall not be subject to the insurance laws, shall not be construed as being in violation of any rule against corporate practice of professions, or in violation of statutes regulating licensure of professions."

On page 29, after line 20, to strike out:

SEC. 44. Subsequent laws: No law of the District of Columbia enacted subsequent to this act which increases existing burdens on associations formed hereunder shall be construed as amending or repealing this act or any part thereof unless such amendment or repeal is expressly stated therein.

On page 30, line 3, to change the section number from 45 to 44; in line 7, after the figures "$10", to strike out "This tax shall be in lieu of all other corporation franchise and income taxes, and taxes and charges upon any reserve"; in line 10, to change the section number from 46 to 45; and after line 15, to insert:

SEC. 46. The Congress reserves the right to alter, amend, or repeal this act or any charter or certificate of incorporation made thereunder.

So as to make the bill read:

Be it enacted, etc.,

ARTICLE I—DEFINITIONS

SECTION 1. Definitions: In this act unless the subject matter requires otherwise—

(1) "Association" means a group enterprise legally incorporated under this act, and shall be deemed to be a nonprofit corporation.

(2) "Member" means not only a member in a nonshare association but also a member in a share association.

(3) "Net savings" means the total income of an association minus the costs of operation.

(4) "Savings returns" means the amount returned to the patrons in proportion to their patronage or otherwise in accordance with the provisions of section 31 herein.

(5) "Cooperative basis" as applied to any incorporated or unincorporated group referred to in sections 4 (7), 13, 23, 37, 40, and 41 herein means—

(a) that each member has one vote and only one vote, except as may be altered in the articles or bylaws by provision for voting by member organizations;

(b) that the maximum rate at which any return is paid on share or membership capital is limited to not more than 8 percent per annum;

(c) that the net savings after payment, if any, of said limited return on capital and after making provision for such separate funds as may be required or specifically permitted by statute, articles, or bylaws, are allocated or distributed to member patrons, or to all patrons, in proportion to their patronage; or retained by the enterprise, for the actual or potential expansion of its services or the reduction of its charges to the patrons, or for other purposes not inconsistent with its nonprofit character.

ARTICLE II—WHO MAY INCORPORATE: PURPOSES AND POWERS OF ASSOCIATIONS

SEC. 2. Who may incorporate: Any five or more natural persons or two or more associations may incorporate in the District of Columbia under this act.

SEC. 3. Purposes: An association may be incorporated under this act to engage in any one or more lawful mode or modes of acquiring, producing, building, operating, manufacturing, furnishing, exchanging, or distributing any type or types of property, commodities, goods, or services for the primary and mutual benefit of the patrons of the association (or their patrons, if any) as ultimate consumers.

SEC. 4. Powers: An association shall have the capacity to act possessed by natural persons and the authority to do anything required or permitted by this act and also—

(1) To continue as a corporation for the time specified in its articles;

(2) To have a corporate seal and to alter the same at pleasure;

(3) To sue and be sued in its corporate name;

(4) To make bylaws for the government and regulation of its affairs;

(5) To acquire, own, hold, sell, lease, pledge, mortgage, or otherwise dispose of any property incident to its purposes and activities;

(6) To own and hold membership in and share capital of other associations and any other corporations, and any types of bonds or other obligations; and while the owner thereof to exercise all the rights of ownership;

(7) To borrow money, contract debts, and make contracts, including agreements of mutual aid or federation with other associations, other groups organized on a cooperative basis, and other nonprofit groups;

(8) To conduct its affairs within or without the District of Columbia;

(9) To exercise in addition any power granted to ordinary business corporations, save those powers inconsistent with this act; and

(10) To exercise all powers not inconsistent with this act which may be necessary, convenient, or expedient for the accomplishment of its purposes, and, to that end, the foregoing enumeration of powers shall not be deemed exclusive.

ARTICLE III—ARTICLES OF INCORPORATION

SEC. 5. Articles of incorporation; contents: Articles of incorporation shall be signed by each of the incorporators and acknowledged by at least three of them if natural persons, and by the presidents and secretaries, if associations, before an officer authorized to take acknowledgments.

Within the limitations of this act the articles shall contain—

(1) A statement as to the purpose or purposes for which the association is formed;

(2) The name of the association which shall include the word "cooperative";

(3) The term of existence of the association which may be perpetual;

(4) The location and address of the principal office of the association;

(5) The names and addresses of the incorporators of the association;

(6) The names and addresses of the directors who shall manage the affairs of the association for the first year, unless sooner changed by the members;

(7) A statement of whether the association is organized with or without shares, and the number of shares or memberships subscribed for;

(8) If organized with shares, a statement of the amount of authorized capital, the number and types of shares and the par value thereof which may be placed at any figure, and the rights, preferences, and restrictions of each type of share;

(9) The minimum number or value of shares which must be owned in order to qualify for membership; if organized without shares, a statement of whether the property rights of members shall be equal or unequal, and if unequal, the rule by which their rights shall be determined;

(10) The maximum amount or percentage of capital which may be owned or controlled by any member; including a statement of whether or not each member shall be limited to a single share, and whether such single shares shall be of various par values;

(11) The method by which any surplus, upon dissolution of the association, shall be distributed, in conformity with the requirements of section 36 herein for division of such surplus.

The articles may also contain any other provisions not inconsistent with law or with this act, for the conduct of the association's affairs.

SEC. 6. Same; filing; recordation; fees; effect of certificate: The articles shall be delivered to the recorder of deeds. If he finds that the articles conform to law, he shall file the same upon the payment of a fee of $5, and he shall record the same, upon payment of a fee of $1. Said fees shall be in lieu of any other fees or payments provided in section 552 of the act entitled "An act to establish a Code of Law for the District of Columbia," approved March 3, 1901, or in any other section of the Code of Laws of the District of Columbia, to be paid for or at the time of said filing; and the last paragraph of section 552 of such act of March 3, 1901, shall have no application to associations organized under this act. After such filing and recording, he shall issue a certificate of incorporation, whereupon the corporate existence shall begin. Such certificate shall be conclusive evidence of the fact that the corporation has been duly incorporated. This shall not preclude the institution of quo warranto proceedings under sections 1538 through 1548, both inclusive, of the act entitled "An act to establish a Code of Law for the District of Columbia," approved March 3, 1901. The filing or recording of the articles or of amendments thereto, or of any other papers pursuant to this act is required for the purpose of affording all persons the opportunity of acquiring knowledge of the contents thereof, but no person or incorporated or unincorporated group dealing with the association shall be charged with constructive notice of the contents of any such articles or papers by reason of such filing or recording.

SEC. 7. Same; amendments; fee: Amendments to the articles may be proposed by a two-thirds vote of the board of directors, or by petition of 10 percent of the association's members. Notice of the meeting to consider such amendment shall be sent by the secretary at least 30 days in advance thereof to each member at his last-known address, accompanied by the full text of the proposal and by that part of the articles to be amended. Two-thirds of the members voting may adopt said amendment and when verified by the president and secretary, it shall be filed and recorded with the recorder of deeds within 30 days of its adoption, and a fee of $1 shall be paid.

If the amendment is to alter the preferences of outstanding shares of any type, or to authorize the issuance of shares having preferences superior to outstanding shares of any type, the vote of two-thirds of the members owning such outstanding shares affected by the change shall also be required for the adoption of the amendment; if the amendment is to alter the rule by which members' property rights in a nonshare association are determined, a vote of two-thirds of the entire membership shall be required.

The amount of capital and the number and par value of shares may be diminished or increased by amendment of the articles, but the capital shall not be diminished below the amount of paid-up capital existing at the time of amendment.

ARTICLE IV—BYLAWS

SEC. 8. Adoption, amendment, or repeal of bylaws: Bylaws shall be adopted, amended, or repealed by at least a majority vote of the members voting.

SEC. 9. Contents of bylaws: The bylaws may, within the limitations of this act provide for—

(1) The method and terms of admission to membership and the disposal of members' interests on cessation of membership for any reason;

(2) The time, place, and manner of calling and conducting meetings;

(3) The number or percentage of the members constituting a quorum;

(4) The number, qualifications, powers, duties, term of office, and manner, time, and vote for election, of directors and officers; and the division or classification, if any, of directors to provide for rotating or overlapping terms;

(5) The compensation, if any, of the directors, and the number of directors necessary to constitute a quorum;

(6) The method of distributing the net savings; and

(7) The various discretionary provisions of this act as well as other provisions incident to the purposes and activities of the association.

ARTICLE V—MEETINGS

SEC. 10. Regular and special meetings: Regular meetings of members shall be held as prescribed in the bylaws, but shall be held at least once a year. Special meetings may be demanded by a majority vote of the directors or by written petition of at least one-tenth of the membership, in which case it shall be the duty of the secretary to call such meeting to take place within 30 days after such demand. Regular or special meetings, including meetings by units as hereinafter provided, may be held within or without the District of Columbia as the articles may prescribe.

SEC. 11. Notice of meetings: The secretary shall give notice of the time and place of meetings by sending a notice thereof to each member at his last-known address not less than the number of days in advance of the meeting specified in the bylaws. In case of a special meeting, the notice shall specify the purpose for which such meeting is called.

SEC. 12. Meetings by units of the membership: The articles or bylaws may provide for the holding of meetings by units of the membership and may provide for a method of transmitting the votes there cast to the central meeting, or for a method of representation by the election of delegates to the central meeting; or for a combination of both such methods.

ARTICLE VI—VOTING

SEC. 13. One member—one vote: Each member of an association shall have one and only one vote, except that where an association includes among its members any number of other associations or groups organized on a cooperative basis the voting rights of such member associations or groups may be as prescribed in the articles or bylaws.

No voting agreement or other device to evade the one-member-one-vote rule shall be enforceable at law or in equity.

SEC. 14. No proxy: No member shall be permitted to vote by proxy.

SEC. 15. Voting by mail: The articles or bylaws may provide for either or both of the following types of voting by mail:

(1) That the secretary shall send to the members a copy of any proposal scheduled to be offered at a meeting, together with the notice of said meeting, and that the mail votes cast by the members shall be counted together with those cast at the meeting if such mail votes are returned to the association within a specified number of days; and

(2) That the secretary shall send to any member absent from a meeting an exact copy of the proposal acted upon at the meeting, and that the mail vote of the member upon such proposal, if returned within a specified number of days, shall be counted together with the votes cast at said meeting.

The articles or bylaws may also determine whether and to what extent mail votes shall be counted in computing a quorum.

SEC. 16. Application of voting provisions in this act to voting by mail: If an association has provided for voting by mail, any provision of this act referring to votes cast by the members shall be construed to include the votes cast by mail.

SEC. 17. Application of voting provisions in this act to voting by delegates: If an association has provided for voting by delegates any provision of this act referring to votes cast by the members shall apply to votes cast by delegates; but this shall not permit delegates to vote by mail.

ARTICLE VII—DIRECTORS AND OFFICERS

SEC. 18. Directors: An association shall be managed by a board of not less than five directors, who shall be elected for a term fixed in the bylaws not to exceed 3 years, by and from the members of the association and shall hold office until their successors are elected, or until removed. Vacancies in the board of directors, otherwise than by removal or expiration of term, shall be filled in such manner as the bylaws may provide.

The bylaws may provide for a method of apportioning the number of directors among the units into which the association may be divided, and for the election of directors by the respective units to which they are apportioned.

An executive committee of the board of directors may be elected in such manner and with such powers and duties as the articles or bylaws may prescribe.

Meetings of directors and of the executive committee may be held within or without the District of Columbia.

SEC. 19. Officers: The officers of an association shall include a president, one or more vice presidents, a secretary and a treasurer, or a secretary-treasurer. The officers shall be elected annually by the directors unless the bylaws otherwise provide. The president and at least one vice president must be directors, but no other officer need be a director.

SEC. 20. Removal of directors and officers: A director or officer may be removed with or without cause, by a vote of two-thirds of the members voting at a regular or special meeting. The director or officer involved shall have an opportunity to be heard at said meeting. A vacancy caused by any such removal shall be filled by the vote provided in the bylaws for election of directors.

SEC. 21. Referendum: The articles or bylaws may provide that within a specified period of time any action taken by the directors must be referred to the members for approval or disapproval if demanded by petition of at least 10 percent of all the members or by vote of at least a majority of the directors: *Provided, however,* That the rights of third parties which have vested between the time of such action and such referendum shall not be impaired thereby.

ARTICLE VIII—SHARES AND MEMBERSHIP

SEC. 22. Limitations upon the return on capital: The return upon capital shall not exceed 6 percent per annum upon the paid-up capital and shall be noncumulative.

Total return upon capital distributed for any single period shall not exceed 50 percent of the net savings for that period.

SEC. 23. Eligibility and admission to membership: Any natural person, association, incorporated, or unincorporated group organized on a cooperative basis, or any nonprofit group, shall be eligible for membership in an association if it has met the qualifications for eligibility, if any, stated in the articles or bylaws and shall be deemed a member upon payment in full for the par value of the minimum amount of share or membership capital stated in the articles as necessary to qualify for membership.

SEC. 24. Subscribers: Any natural person or group eligible for membership and legally obligated to purchase a share or shares of, or membership in, an association shall be deemed a subscriber. The articles or bylaws may determine whether, and the conditions under which, any voting rights or other rights of membership shall be granted to subscribers.

SEC. 25. Share and membership certificates; issuance and contents: No certificate for share or membership capital shall be issued until the par value thereof has been paid for in full. There shall be printed upon each certificate issued by an association a full or condensed statement of the requirements of sections 13, 14, and 26 herein.

SEC. 26. Transfer of shares and membership; withdrawal: If a member desires to withdraw from the association or dispose of any or all of his holdings therein, the directors shall have the power to purchase such holdings by paying him the par value of any or all of the holdings offered. The directors shall then reissue or cancel the same. A vote of the majority of the members voting at a regular or special meeting may order the directors to exercise this power to purchase.

If the association fails, within 60 days of the original offer, to purchase all or any part of the holdings offered, the member may dispose of the unpurchased interest elsewhere, subject to the approval of the transferee by a majority vote of the directors. Any would-be transferee not approved by the directors may appeal to the members at their first regular or special meeting thereafter, and the action of the meeting shall be final. If such transferee is not approved, the directors shall exercise their power to purchase, if and when such purchase can be made without jeopardizing the solvency of the association.

SEC. 27. Share and membership certificates; recall: The bylaws may give the directors the power to use the reserve funds to recall, at par value, the holdings of any member in excess of the amount requisite for membership; and may also provide that if any member has failed to patronize the association during a period of time specified in the bylaws, the directors may use the reserve funds to recall all his holdings and thereupon he shall cease to be a member of the association. When so recalled, such certificates of share or membership capital shall be either reissued or canceled.

SEC. 28. Share and membership certificates; attachment: The holdings of any member of an association, to the extent of the minimum amount necessary for membership, but not to exceed $50, shall be exempt from attachment, execution, or garnishment for the debts of the owner. If any holdings in excess of this amount are subjected to such liability, the directors of the association may either admit the purchaser thereof to membership, or may purchase from him such holdings at par value.

SEC. 29. Liability of members: Members shall not be jointly or severally liable for any debts of the association, nor shall a subscriber be so liable except to the extent of the unpaid amount on the shares or memership certificate subscribed by him. No subscriber shall be released from such liability by reason of any assignment of his interest in the shares or membership certificate,

but shall remain jointly and severally liable with the assignee until the shares or certificates are fully paid up.

SEC. 30. Expulsion: A member may be expelled by the vote of a majority of the members voting at a regular or special meeting. The member against whom the charges are to be preferred shall be informed thereof in writing at least 10 days in advance of the meeting, and shall have an opportunity to be heard in person or by counsel at said meeting. On decision of the association to expel a member, the board of directors shall purchase the member's holdings at par value, if and when there are sufficient reserve funds.

ARTICLE IX—APPORTIONMENT OF NET SAVINGS

SEC. 31. Allocation and distribution of net savings: At least once a year the members and/or the directors, as the articles or bylaws may provide, shall apportion the net savings of the association in the following order:

(1) Not less than 10 percent shall be placed in a reserve fund until such time as the fund shall equal at least 50 percent of the paid-up capital; and such fund may be used in the general conduct of the business. The amounts apportioned to the reserve fund shall be allocated on the books of the association on a patronage basis, or in lieu thereof, the books and records of the association shall afford a means for doing so, in order that upon dissolution or earlier, if deemed advisable, such reserves may be returned to the patrons who have contributed the same, subject to the limitations of section 36 herein;

(2) A return upon capital, within the limitations of section 22, may be paid upon share capital, or, if the bylaws so provide, upon the membership capital certificates of a nonshare association; but such return upon capital may be paid only out of the surplus of the aggregate of the assets over the aggregate of the liabilities (including in the latter the amount of the capital stock) after deducting from such aggregate of the assets the amount by which such aggregate was increased by unrealized appreciation in value or revaluation of fixed assets;

(3) A portion of the remainder, as determined by the articles or bylaws, shall be allocated to an educational fund to be used in teaching cooperation, and a portion may also be allocated to funds for the general welfare of the members of the association;

(4) The remainder shall be allocated at the same uniform rate to all patrons of the association in proportion to their individual patronage: *Provided*, That—

(a) in the case of a member patron, his proportionate amount of savings returns shall be distributed to him unless he agrees that the association should credit the amount to his account toward the purchase of an additional share or shares, or additional membership capital;

(b) in the case of a subscriber patron, his proportionate amount of savings returns may, as the articles or bylaws provide, be distributed to him, or credited to his account until the amount of capital subscribed for has been fully paid; and

(c) in the case of a nonmember patron, his proportionate amount of savings returns shall be set aside in a general fund for such patrons and shall be allocated to individual nonmember patrons only upon request and presentation of evidence of the amount of their patronage. Any savings return so allocated shall be credited to such patron toward payment of the minimum amount of share or membership capital necessary for membership. When a sum equal to this amount has accumulated at any time within a period of time specified in the bylaws, such patron shall be deemed and become a member of the association if he so agrees or requests, and complies with any provisions in the bylaws for admission to membership. The certificates of shares or membership to which he is entitled shall then be issued to him.

(d) if within any periods of time specified in the articles or bylaws, (1) any subscriber has not accumulated and paid in the amount of capital subscribed for; or (2) any nonmember patron has not accumulated in his individual account the sum necessary for membership; or (3) any nonmember patron has accumulated the sum necessary for membership but neither requests nor agrees to become a member, or fails to comply with the provisions of the bylaws, if any, for admission to membership, then the amounts so accumulated or paid in and any part of the general fund for nonmember patrons which has not been allocated to individual nonmember patrons shall go to the educational fund and thereafter no member or other patron shall have any rights in said paid-in capital or accumulated savings returns as such: *Provided further*, That nothing in this section shall prevent an association under this act which is engaged in rendering services from disposing of the net savings from the rendering of such services in such manner as to lower the fees charged for services or otherwise to further the common benefit of the members: *And provided further*, That nothing in this section shall prevent an association from adopting a system whereby the payment of savings returns which would otherwise be distributed, shall be deferred for a fixed period of months or years; nor from adopting a system, whereby the savings returns distributed shall be partly in cash, partly in shares, such shares to be retired at a fixed future date, in the order of their serial number or date of issue.

ARTICLE X—BONDING; BOOKKEEPING; REPORTS

SEC. 32. Bonding: Every individual acting as officer or employee of an association and handling funds or securities amounting to $1,000 or more, in any one year, shall be covered by an adequate bond as determined by the board of directors, and at the expense of the association; and the bylaws may also provide for the bonding of other employees or officers.

SEC. 33. Books; auditing: To record its business operation, every association shall keep a set of books, which shall be audited at the end of each fiscal year by an experienced bookkeeper or accountant, who shall not be an officer or director. Where the annual business amounts to less than $10,000, the audit may be performed by an auditing committee of three, who shall not be directors, officers, or employees. A written report of the audit, including a statement of the amount of business transacted with members, and the amount transacted with nonmembers, the balance sheet, and the income and expenses, shall be submitted to the annual meeting of the association.

SEC. 34. Annual report: Every association shall annually, within 60 days of the close of its operations for that year, make a report of its condition, sworn to by the president and secretary, which report shall be filed with the recorder of deeds. The report shall state—

(a) The name and principal address of the association.

(b) The names, addresses, occupations, and date of expiration of the terms, of the officers and directors, and their compensation, if any.

(c) The amount and nature of its authorized, subscribed, and paid-in capital, the number of its shareholders, and the number admitted and withdrawn during the year, the par value of its shares and the rate at which any return upon capital has been paid. For nonshare associations the annual report shall state the total number of members, the number admitted or withdrawn during the year, and the amount of membership fees received.

(d) The receipts, expenditures, assets, and liabilities of the association.

A copy of this report shall be kept on file at the principal office of the association.

Any person who shall subscribe or make oath to such report containing a materially false statement, known to such person to be false, shall upon conviction of such offense be punished by a fine of not less than $25 nor more than $200, or by imprisonment of not less than 30 days nor more than 1 year, or both such fine and imprisonment.

SEC. 35. Notice of delinquent reports; mandamus: If an association fails to make such report within the required period of 60 days, the recorder of deeds shall within 60 days from the expiration of said period send such association a registered letter directed to its principal office, stating the delinquency and its consequences. If the association fails to file the report within 60 days from the mailing of such notice, any member of the association or the United States attorney for the District of Columbia may by petition for mandamus against the association and its proper officers compel such filing to be made, and in such case the court shall require the association or the officers at fault to pay all the expenses of the proceeding, including counsel fees.

ARTICLE XI—DISSOLUTION

SEC. 36. Dissolution: An association may, at any regular or special meeting legally called, be directed to dissolve by a vote of two-thirds of the entire membership. By a vote of a majority of the members voting three of their number shall be designated as trustees, who shall, on behalf of the association and within a time fixed in their designation or within any extension thereof, liquidate its assets, and shall distribute them in the manner set forth in this section. A suit for involuntary dissolution of an association organized under this act may be instituted for the causes and prosecuted in the manner set forth in sections 786 through 791, both inclusive, and sections 794 through 797, both inclusive, of the act entitled "An act to establish a Code of Law for the District of Columbia," approved March 3, 1901: *Provided*, That any distribution of assets shall be in the manner set forth in this section. In case of any dissolution of an association, its assets shall be distributed in the following manner and order: (1) By paying its debts and expenses; (2) by returning to the members the par value of their shares or of their membership certificates, returning to the subscribers the amounts paid on their subscriptions, and returning to the patrons the amount of savings returns credited to their accounts toward the purchase of shares or membership certificates; and (3) by distributing any surplus in either or both of the following ways as the articles may provide—

(a) Among those patrons who have been members or subscribers at any time during the past 6 years, on the basis of their patronage during that period; and

(b) As a gift to any consumers' cooperative association or other nonprofit enterprise which may be designated in the articles.

ARTICLE XII—PENALTIES

SEC. 37. Use of name "cooperative"; penalty: Only (1) associations organized under this act, (2) groups organized on a cooperative basis under any other law of the District of Columbia, and (3) foreign corporations operating on a cooperative basis and authorized to do business in the District of Columbia under this or any other law of the District of Columbia shall be entitled to use the term "cooperative," or any abbreviation or derivation thereof, as part of their business name, or to represent themselves, in their advertising or otherwise, as conducting business on a cooperative basis.

Any person, firm, or corporation violationg the above provision shall upon conviction of such offense be punished by a fine of not less than $25 nor more than $200, with an additional fine of not more than $200 for each month during which a violation occurs after the first month, or by imprisonment for not less than 30 days nor more than 1 year, or by both such fine and imprisonment. The district attorney of the United States for the District of Columbia,

or any individual, or association, or group organized on a cooperative basis, may sue to enjoin an alleged violation of this section.

Should a court of competent jurisdiction decide that any person, firm, or corporation using the name "cooperative" prior to this act, and not organized on a cooperative basis, is entitled to continue in such use, any such business shall always place immediately after its name the words "does not comply with the cooperative association law of the District of Columbia" in the same kind of type, and in letters not less than two-thirds as large, as those used in the term "cooperative."

SEC. 38. Promotion expenses; limitations; penalty: An association shall not, directly or indirectly, use any of its funds, nor issue shares nor incur any indebtedness, for the payment of any compensation for the organization of the association except necessary legal fees; nor for the payment of any promotion expenses in excess of 5 percent of the amount paid in for the shares or membership certificates involved in the promotion transaction. Any association's officer, director, or agent who gives, or any person, firm, corporation, or association which receives, such promotion commission in violation of this section shall, upon conviction of such offense, be punished by a fine of not less than $25 nor more than $200, or by imprisonment for not less than 30 days nor more than 1 year, or by both such fine and imprisonment.

SEC. 30. Spreading false reports; penalty: Any person, firm, corporation, or association which maliciously and knowingly spreads false reports about the management or finances of any association shall, upon conviction of such offense, be punished by a fine of not less than $25 and not more than $200, or by imprisonment for not less than 30 days nor more than 1 year, or by both such fine and imprisonment.

ARTICLE XIII—RELATION TO OTHER LAWS

SEC. 40. Existing cooperative groups: Any group incorporated under another law of the District of Columbia and operating on a cooperative basis or any unincorporated group operating on such a basis in the District of Columbia may elect by a vote of two-thirds of the members voting to secure the benefits of and be bound by this act, and shall thereupon amend such of its articles and bylaws as are not in conformity with this act. A certified copy of the amended articles shall be filed and recorded with the recorder of deeds, and a fee of $5 shall be paid.

SEC. 41. Foreign corporations and associations: A foreign corporation or association operating on a cooperative basis and complying with the applicable laws of the State wherein it is organized shall be entitled to do business in the District of Columbia as a foreign cooperative corporation or association.

SEC. 42. Legality declared; not in restraint of trade: No association, or method or act thereof which complies with this act, shall be deemed a conspiracy or combination in restraint of trade or an illegal monopoly, or an attempt to lessen competition or fix prices arbitrarily.

SEC. 43. Laws not applicable: No law of the District of Columbia conflicting or inconsistent with any part of this act shall, to the extent of the conflict or inconsistency, be construed as applicable to associations formed hereunder; nor shall any law of the District of Columbia inappropriate to the purposes of such associations be so construed; nor shall any of the provisions of sections 574 through 797, both inclusive, of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, be construed as applicable to associations formed hereunder, except as expressly stated in this act.

SEC. 44. Taxation: Associations formed hereunder, and foreign corporations and associations admitted under section 41 to do business in the District of Columbia and entitled to the benefits of section 37, shall pay an annual license fee of $10.

SEC. 45. Separability; constitutionality: If any provision of this act or the application thereof to any person or circumstance shall be held unconstitutional or otherwise invalid for any reason, the validity of the remainder of this act and the application of such provision to other persons or circumstances shall not be affected thereby.

SEC. 46. The Congress reserves the right to alter, amend, or repeal this act, or any charter or certificate of incorporation made thereunder.

SEC. 47. Short title: This act may be cited as the "District of Columbia Cooperative Association Act."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 3268) to amend section 4438 of the Revised Statutes of the United States for the better protection of life and property, was announced as next in order.

Mr. McNARY. Let that bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

ADMINISTRATION OF WASHINGTON NATIONAL AIRPORT

The bill (S. 3927) to provide for the administration of the Washington National Airport, and for other purposes, was announced as next in order.

Mr. KING. Mr. President, I should like to ask the Senator from Missouri [Mr. CLARK], who reported the bill, whether it is considered necessary that the administration of this airport should be transferred to the control of the Government of the United States, or whether the District of Columbia should have any voice in it.

The PRESIDENT pro tempore. The senior Senator from North Carolina [Mr. BAILEY] introduced the bill.

Mr. BAILEY. Mr. President, this proposed legislation is designed to provide for the conduct and management of the new airport in the District of Columbia. The measure was prepared by Mr. Hester, the administrator, and by the Civil Aeronautics Authority. It appears to be a very complete administrative measure with a view to the management of the new airport.

If the Committee on the District of Columbia would care to consider the bill and pass upon it I should be glad to have it referred to that committee. However, our committee has passed upon the bill, and I think it is a good regulatory measure.

Mr. KING. I have no objection.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 3927) to provide for the administration of the Washington National Airport, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That for the purposes of this act—

(a) "Administrator" means the Administrator of the Civil Aeronautics Authority.

(b) "Airport" means the Washington National Airport, which shall consist of, and include, the tract of land, together with all structures, improvements, and other facilities located thereon, lying partly in the District of Columbia and partly in the State of Virginia, particularly described as follows:

Commencing at a point of beginning, said point being the intersection of the property line of property owned by the Richmond, Fredericksburg & Potomac Railroad Co., and dredging base line at station 0+18.99 referenced south 6,808.21, west 9,087.02, running in a southeasterly direction on a bearing of south 22°51'18" east a distance of 6,270.91 feet, more or less, to station 62+89.90 of said dredging base line. Thence 13°30' right on a bearing of south 9°21'18" east a distance of 1,332.29 feet, more or less, to station 76+22.19 of said base line. Thence 11°04'19" right on a bearing of south 1°43'01" west a distance of 1,231.20 feet, more or less, to station 88+53.39 of said base line. Thence 12°40'41" right on a bearing of south 14°23'42" west a distance of 2,409.32 feet, more or less, to station 112+62.71 on said base line. Thence 1°15'44.3" right on a bearing of south 15°39'26.3" west a distance of 4,938.38 feet, more or less, to United States Coast and Geodetic Survey Station WATER, referenced south 22,220.86, west 8,395.54. Thence 17°09'25.6" left on a bearing of south 1°29'59.3" east a distance of 85.58 feet, more or less, to a corner of the property line between the United States of America and Smoot Sand & Gravel Corporation. Thence 85°59'59.3" right on a bearing of south 84°30'00" west a distance of 1,516.41 feet, more or less, to a monument located at a corner on the property line of the Richmond, Fredericksburg & Potomac Railroad Co., said monument being referenced south 22,451.75, west 9,902.73. Thence 85°50'06.7" right on a bearing of north 8°09'54" west a distance of 442.68 feet, more or less. Thence 5°00'12" left on a bearing of north 13°10'06" west a distance of 578.64 feet, more or less. Thence 4°57'25" left on a bearing of north 18°07'31" west a distance of 462.94 feet, more or less. Thence 1°34'50" left on a bearing of north 19°42'21" west a distance of 943.56 feet, more or less, to the point of a curve having an angle of 27°52'45" right radius 1,241.15 feet, long chord 597.98 feet, on a bearing of north 5°45'58" west. Thence along the arc of said curve a distance of 603.92 feet, more or less, to the point of tangency of said curve. Thence along a tangent to said curve on a bearing of north 8°10'24" east a distance of 232.33 feet, more or less, to the point of a curve having an angle of 36°59'09" left, radius 1,046 feet, long chord 663.56 feet on a bearing of north 10°19'10.5" west. Thence along the arc of said curve a distance of 675.22 feet, more or less, to the point of tangency of said curve. Thence along a tangent to said curve on a bearing of north 28°48'45" west a distance of 256.75 feet, more or less. Thence 30°33'10" left on a bearing of north 59°21'55" west a distance of 287.84 feet, more or less. Thence 40°45'20" right on a bearing of north 18°36'35" west a distance of 1,142.08 feet, more or less. Thence 5°43'29" right on a bearing of north 12°53'06" west a distance of 118.02 feet, more or less, to the point of a curve having an angle of 26°20'50" right, radius 3,665.71 feet, long chord 1,670.85 feet on a bearing of north 0°17'19" east. Thence along the arc of said curve a distance of 1,685.66 feet, more or less, to the point of tangency of said curve. Thence along a tangent to said curve on a bearing of north 13°27'44" east a distance of

2,002.11 feet, more or less, to the point of a curve having an angle of 10°36'25" left, radius 2,864.79 feet, long chord of 529.59 feet on a bearing of north 8°09'31.5" east. Thence along the arc of said curve a distance of 530.25 feet, more or less, to the point of tangency of said curve. Thence along a tangent to said curve on a bearing of north 2°51'19" east a distance of 124.53 feet, more or less. Thence 6°57'52" left on a bearing of north 4°06'33" west a distance of 571.33 feet, more or less. Thence 7°22'39" left on a bearing of north 11°29'12" west a distance of 811.63 feet, more or less. Thence 8°16'52" right on a bearing of north 3°12'20" east a distance of 70.41 feet, more or less, to the point of a curve having an angle of 7°43'12" right, radius 5,479.58 feet, long chord 737.75 feet on a bearing of north 7°03'56" east. Thence along the arc of said curve a distance of 738.31 feet, more or less, to the point of tangency of said curve, said point being on the old property line between Mary E. Cullinane and Milton Hopfenmaier property. Thence along said property line on a bearing of north 75°11'50" east a distance of 204.72 feet, more or less, to a monument marked U. S. D. 1–N. P. S., reference south 18,419.16, west 10,829.26. Thence along the same bearing of north 75°11'50" east a distance of 215 feet, more or less. Thence 34°36'06" left on a bearing of north 40°35'44" east a distance of 1,509 feet, more or less, to the point of a curve having an angle of 5°45' left, radius 7,239.41 feet, long chord of 723.20 feet, on a bearing of north 37°53'14" east. Thence along the arc of said curve a distance of 726.51 feet, more or less, to the point of a compound curve having an angle of 6°00' left, radius 2,217.01 feet, long chord of 232.06 feet on a bearing of north 32°10'44" east. Thence along the arc of said curve a distance of 232.15 feet, more or less, to the point of a compound curve having an angle of 57°01'20" left, radius 1,303.74, long chord 1,244.62, on a bearing of north 0°40'04" east. Thence along the arc of said curve a distance of 1,297.22 feet, more or less, to the point of a compound curve having an angle of 7°59'54.3" left, radius 2,217.01 feet, long chord 309.23 feet on a bearing of north 31°49'33" west. Thence along the arc of said curve a distance of 310 feet, more or less, to the intersection of said curve with the property line of the Richmond, Fredericksburg & Potomac Railroad Co. and the United States of America. Thence in a northeasterly direction along a bearing of north 34°30'00" east a distance of 340 feet, more or less, to the point of beginning; excepting, however, such portion thereof as the President may, by Executive order or orders, prescribe, which portion shall be added to, and administered as part of, the Mount Vernon Memorial Highway, authorized by the act approved May 23, 1928 (45 Stat. 721), as amended.

SEC. 2. The Administrator shall have control over, and responsibility for, the care, operation, maintenance, and protection of the airport, together with the power to make and amend such rules and regulations as he may deem necessary to the proper exercise thereof.

SEC. 3. The Administrator is empowered to lease, upon such terms as he may deem proper, space or property within or upon the airport for purposes essential or appropriate to the operation of the airport.

EASEMENT OVER CERTAIN LAND IN WAYNE COUNTY, MICH.

The bill (H. R. 8958) to authorize the Secretary of the Interior to grant to the county of Wayne, State of Michigan, an easement over certain land of the United States in Wayne County, Mich., for a sewage-disposal line was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 3864) to apply laws covering steam vessels to certain passenger-carrying vessels was announced as next in order.

Mr. VANDENBERG. Mr. President, there is still some misunderstanding regarding the jurisdiction of this particular bill, and I ask that it go over until the next call of the calendar.

The PRESIDENT pro tempore. The bill will be passed over.

EXAMINATION OF CIVILIAN NAUTICAL SCHOOLS

The Senate proceeded to consider the bill (H. R. 9262) to provide for the examination of civilian nautical schools and for the inspection of vessels used in connection therewith, and for other purposes, which had been reported from the Committee on Commerce with an amendment, at the end of the bill, to add a new section, so as to make the bill read:

Be it enacted, etc., That as used in this act the term "civilian nautical school" means any school or branch thereof operated and conducted in the United States (except State nautical schools and schools operated by the United States or any agency thereof), which offers to persons quartered on board any vessel instruction for the primary purpose of training for service in the merchant marine.

SEC. 2. Every civilian nautical school shall be subject to examination and inspection by the United States Maritime Commission, and the Commission may, under such rules and regulations as it may prescribe, provide for the rating and certification of such schools as to the adequacy of the course of instruction, the competency of the instructors, and the suitability of equipment used by or in connection with such schools.

SEC. 3. (a) All laws covering the inspection of passenger vessels in effect on the date of enactment of this act are hereby made applicable to all vessels or other floating equipment used by or in connection with any civilian nautical school, whether such vessels or other floating equipment are being navigated or not, to such extent and upon such conditions as may be required by regulations prescribed by the Board of Supervising Inspectors, with the approval of the Secretary of Commerce.

(b) The Bureau of Marine Inspection and Navigation is authorized and directed, through such rules and regulations as the Secretary of Commerce may approve, to prescribe minimum standards for the size, ventilation, plumbing, and sanitation of quarters assigned to members of the crew, passengers, cadets, students, instructors, or any other persons at any time quartered on board any vessel used by or in connection with any civilian nautical school.

(c) No certificate of inspection shall be issued to any such vessel until and unless a board of local inspectors has found such vessel to be in compliance with all the requirements of this section and the regulations issued thereunder. Such certificates shall be subject to revocation in the manner prescribed by section 4453 of the Revised Statutes of the United States, as amended (U. S. C., 1934 ed., title 46, sec. 435).

(d) On and after 90 days from the date of enactment of this act, it shall be unlawful for any vessel to which the act applies to be used by or in connection with any civilian nautical school unless it is in possession of a valid, unexpired certificate of inspection, or a valid, unexpired temporary certificate of inspection.

(e) In case of the violation of this section or of any of the regulations issued thereunder by any vessel, or any owner or officer thereof, such vessel, owner, or officer shall be fined not more than $1,000, and such owner or officer may be imprisoned for not more than 1 year, or subjected to both fine and imprisonment. Should the owner of such vessel be a corporation, organization, or association, each officer or director participating in the violation shall be liable to the penalty hereinabove prescribed.

SEC. 4. The provisions of section 3 of this act shall not apply to vessels of the Navy or the Coast Guard used by or in connection with civilian nautical schools.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

TOWING BETWEEN AMERICAN PORTS BY FOREIGN VESSELS

The bill (H. R. 8283) to amend section 4370 of the Revised Statutes of the United States (U. S. C., 1934 ed., title 46, sec. 316), was considered, ordered to a third reading, read the third time, and passed.

STOWAWAYS ON VESSELS

The bill (H. R. 9492) making it a misdemeanor to stow away on vessels and providing punishment therefor, was considered, ordered to a third reading, read the third time, and passed.

DETERMINATION OF FOREIGN CONSTRUCTION COSTS

The joint resolution (S. J. Res. 255) to make temporary emergency provision for the determination of foreign construction costs under section 502 (b) of the Merchant Marine Act, 1936, was announced as next in order.

Mr. BAILEY. Mr. President, there should be an explanation of the joint resolution.

Mr. KING. Mr. President, I should like an explanation.

Mr. BAILEY. This is a Senate measure, and an identical House measure on the calendar, Calendar No. 1709, House Joint Resolution 537, was objected to. I think, however, an explanation would clear away the objection.

Mr. BARKLEY. I think the objection was withdrawn.

Mr. BAILEY. Very well; if there is no objection, I will ask that the Senate consider Calendar No. 1709, House Joint Resolution 537, in place of the Senate joint resolution.

Mr. KING. That is agreeable.

Mr. BAILEY. I take it that an explanation can be very simply made.

The PRESIDENT pro tempore. Is there objection to the substitution of House Joint Resolution 537, Calendar No. 1709, for Senate Joint Resolution 255, Calendar No. 1722, and the present consideration of the House joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution (H. J. Res. 537) to make temporary

emergency provision for the determination of foreign construction costs under section 502 (b) of the Merchant Marine Act, 1936, as amended.

Mr. BAILEY. Under the Merchant Marine Act of 1936 we provided for a construction differential subsidy. The basis of the differential subsidy is the difference between the foreign cost of the vessel and the domestic cost. The Maritime Commission has undertaken to follow that provision, but, in view of the disturbed conditions abroad, it cannot now ascertain the foreign cost of vessels. Not only has the cost varied from nation to nation and from time to time, but the value of money has varied. So the Maritime Commission asked me to introduce this joint resolution in order to give it some reality on which to base its costs. All the measure proposes to do is to fix the basis of the differential as of the period immediately prior to the outbreak of the war in Europe. That is the whole substance of the joint resolution.

The PRESIDING OFFICER. The question is on the third reading of the joint resolution.

The joint resolution was ordered to a third reading, read the third time, and passed.

EASEMENT FOR ROAD RIGHT-OF-WAY, FLAGLER BEACH, FLA.

The bill (S. 3958) to authorize the Secretary of the Treasury to grant to the Road Department of the State of Florida an easement for a road right-of-way over the Coast Guard Reservation at Flagler Beach, Fla., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized to grant to the Road Department of the State of Florida an easement to construct and maintain a highway across such of the lands constituting a part of the Coast Guard Reservation at Flagler Beach, Fla., as the Secretary may designate. Such easement shall be granted subject to such reasonable conditions as the Secretary may deem desirable to be included therein for the purpose of enabling the United States to use the reservation in such manner as the Government's interests may require.

EASEMENT OVER COAST GUARD RESERVATION, FORT LAUDERDALE, FLA.

The Senate proceeded to consider the bill (S. 3959) authorizing the Secretary of the Treasury to grant to the city of Fort Lauderdale, Fla., an easement or easements authorizing such city to construct and maintain a highway and utility facilities over the United States Coast Guard Reservation known as base six at Fort Lauderdale, Fla.

Mr. DANAHER. Mr. President, I offer an amendment to the bill.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 1, line 4, it is proposed to strike out the words "a permanent" and to insert in lieu thereof "an"; and on page 2, lines 6 and 7, it is proposed to strike out "to any other location or locations on said property" and to insert in lieu thereof "at the expense of the city of Fort Lauderdale", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to grant to the city of Fort Lauderdale, Fla., an easement or easements authorizing such city to construct and maintain across such of the lands constituting a part of the United States Coast Guard Reservation known as base 6 at Fort Lauderdale, Fla., as the Secretary may designate, a highway, sewer lines, water mains, electric-distribution lines, and other utility facilities.

SEC. 2. Such easement or easements shall be granted subject to the condition that the Secretary may at any time require the removal of the highway and the utility facilities, or either of them, at the expense of the city of Fort Lauderdale, and shall be subject to such other reasonable conditions as the Secretary may deem desirable to include in the grant to protect the interests of the United States and to enable the Government to use such lands in such manner as the public interests may require. In addition, the city of Fort Lauderdale shall furnish bond with good and adequate securities, or such other security in lieu of such bond, in such reasonable amount and in such form as the Secretary may require, to assure the fulfillment of any or all the conditions and stipulations of such easement or easements.

SEC. 3. In the event the United States disposes of its interests in the Coast Guard Reservation known as base 6, such easement or easements shall cease to be subject to such conditions, unless the Secretary shall find that the discontinuance of any or all of such conditions would adversely affect the sale value of such lands, in which case the conditions with respect to which the Secretary shall have made such a finding shall run with the land.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER

Mr. HILL. The next two bills on the calendar, Calendar 1726, Senate bill 4025, and Calendar 1727, Senate bill 4005, deal with the national defense. At the request of the chairman of the Senate Committee on Military Affairs, the Senator from Texas [Mr. SHEPPARD], I ask that the bills go over, because the chairman of the Committee on Military Affairs has been advised that the War Department desires certain amendments to be made to the bill.

The PRESIDENT pro tempore. Without objection, Senate bill 4025 and Senate bill 4005 will be passed over.

UNITED STATES CORONADO EXPOSITION COMMISSION

The bill (H. R. 9595) to postpone for 1 year the date of the transmission to Congress by the United States Coronado Exposition Commission of a statement of its expenditures was considered, ordered to a third reading, read the third time, and passed.

EXTENSION OF REDUCED RATES OF INTEREST ON CERTAIN LOANS

The bill (H. R. 8450) to extend for 5 additional years the reduced rates of interest on Federal land-bank and land bank commissioner loans was announced as next in order.

Mr. WHEELER. Mr. President, I have had printed an amendment to be proposed by the Senator from Wisconsin [Mr. LA FOLLETTE], the Senator from Alabama [Mr. BANKHEAD], and myself, which I ask to have stated.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. At the end of section 2 of the bill it is proposed to insert the following new section:

SEC. 3. The Secretary of Agriculture shall be authorized, on behalf of the Federal Farm Mortgage Corporation, to make loans to enable the borrower to refinance an existing mortgage or mortgages on a farm personally operated and occupied by him, and for necessary repairs and improvements thereon, in cases where the Secretary determines that such refinancing is necessary to enable the borrower successfully to operate the farm, and that the borrower cannot obtain credit for such refinancing from any other Federal agency or federally incorporated lending institution. Such loans shall be made at a rate or rates which may reasonably be expected to reimburse the Federal Farm Mortgage Corporation for not more than the cost to it of the capital required for such loans, plus an amount not to exceed 1½ percent per annum, but in no event shall such combined rate be in excess of 3½ percent per annum; and such loans, to the extent not inconsistent herewith, shall comply with, and be subject to, all of the provisions of titles I and IV of the Bankhead-Jones Farm Tenant Act, but may be made without regard to the provisions of section 4 of said act. The Secretary of Agriculture shall administer the provisions of this section, and all repayments on account of such loans shall be credited to the account of the Federal Farm Mortgage Corporation.

The PRESIDING OFFICER. There are several committee amendments which should be acted upon first. The committee amendments will be stated.

The first committee amendment was, on page 1, line 8, after the words "period of", to strike out "10" and insert "7", so as to read:

That (a) the first sentence of paragraph "Twelfth" of section 12 of the Federal Farm Loan Act, as amended (relating to the 3½-percent interest rate on Federal land-bank loans), is amended by striking out "occurring within a period of 5 years, commencing July 1, 1935" and inserting in lieu thereof "occurring within a period of 7 years commencing July 1, 1935." The provisions of such paragraph "Twelfth" of section 12 of such act shall be applicable to interest on so-called purchase money mortgages in the case of interest payable on installment dates occurring after the date of the enactment of this act.

The amendment was agreed to.

The next committee amendment was, on page 2, line 8, after "June 30", to strike out "1945" and to insert "1942", so as to read:

(b) The fourth sentence of such paragraph "Twelfth" (relating to the 1940 time limit on payments made by the United States to

land banks on account of such interest reduction) is amended to read as follows: "No payments shall be made to a bank with respect to any period after June 30, 1942."

The amendment was agreed to.

The next committee amendment was, on page 2, line 14, after the word "section", to insert "shall not exceed 4 percent per annum for all interest payable on installment dates occurring on or after July 22, 1937, and prior to July 1, 1940"; in line 19, after "July", to strike out "22, 1937" and insert "1, 1940"; and in line 20, after "July 1", to strike out "1945" and insert "1942", so as to read:

SEC. 2. The last paragraph of section 32 of the Emergency Farm Mortgage Act, as amended (relating to reduction in the interest rate on loans by the Land Bank Commissioner), is amended to read as follows:

"Notwithstanding the foregoing provisions of this section, the rate of interest on loans made under this section shall not exceed 4 percent per annum for all interest payable on installment dates occurring on or after July 22, 1937, and prior to July 1, 1940, and shall not exceed 3½ percent per annum for all interest payable on installment dates occurring on or after July 1, 1940, and prior to July 1, 1942."

The amendment was agreed to.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Montana.

Mr. GEORGE. Mr. President, I ask that the bill go over in view of the amendment presented by the Senator from Montana, because I wish to examine it and see what it provides. The matter is too important to act upon under the call of the calendar.

Mr. WHEELER. Does the Senator refer to the amendment I offered?

Mr. GEORGE. Yes.

Mr. WHEELER. I was going to say that an amendment similar to the one I have offered has on a previous occasion been agreed to by the Senate. The Senator from Vermont [Mr. AUSTIN] offered a similar amendment, which was adopted by the Senate a couple of years ago by a two-thirds vote of the Senate. The Senator from Wisconsin [Mr. LA FOLLETTE] and I offered an identical amendment previously, which was attached to the lending-spending bill, and the amendment was agreed to by an almost unanimous vote. A similar amendment also was adopted by the Senate on another occasion. When the identical amendment offered by the Senator from Vermont was agreed to it went to conference, and was taken out of the bill in conference. Likewise when an identical amendment was agreed to and placed in another bill, it was taken out in conference. All I ask is that the amendment be taken to conference again. I am not sure, but it is possible that the conferees may agree to it.

Mr. BARKLEY. Mr. President, I did not understand very clearly what the amendment proposes to do.

Mr. WHEELER. The Federal Farm Mortgage Corporation has something over $612,000,000 in unused credit at the present time. The amendment seeks to permit the Secretary of Agriculture to do for farm owners exactly what is now being done under the Jones-Bankhead Act for farm tenants. Under the Jones-Bankhead Act the Authority helped the farm tenant to become an owner. This bill simply authorizes the Department to do for the farmer who is on the farm exactly what we are seeking to do with the farm tenant under the Jones-Bankhead Act. As I said, an identical amendment has been adopted by the Senate at least twice, and I believe three times, by an overwhelming vote.

Mr. BARKLEY. Mr. President, frankly, I recall those circumstances, but in the absence of the Senator from South Carolina [Mr. BYRNES], who reported the bill, and without some information as to the reaction of the Farm Credit Administration to it, I think it would probably be unwise to act on it now.

Mr. WHEELER. I think I can say that the Farm Credit Administration is favorable to it, because it was drafted in the Department 2 years ago, when the Senator from Wisconsin [Mr. LA FOLLETTE] and I offered it to the lending-spending bill.

Mr. BARKLEY. Why is this $600,000,000 of credit not being utilized by the Farm Credit Administration?

Mr. WHEELER. They have not utilized it simply because there has not been a demand for it, as I understand, under the present set-up. There has been a good deal of criticism because of the fact that they had not done so.

Mr. GILLETTE. Mr. President, I do not know that I have objection to this particular amendment, but in view of the fact that there are a couple of bills pending—and this is a controversial matter—I do not believe it ought to be passed in this way, and I ask that the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

BILL PASSED OVER

The bill (H. R. 4088) to amend the Commodity Exchange Act, as amended to extend its provisions to fats and oils, cottonseed, cottonseed meal, and peanuts, was announced as next in order.

Mr. BILBO. Mr. President, at the request of the department, I ask that the bill go over. It is my bill.

The PRESIDENT pro tempore. The bill will be passed over.

LEAVE OF ABSENCE FOR DISTRICT OF COLUMBIA TEACHERS

The bill (H. R. 9326) to provide educational employees of the public schools of the District of Columbia with leave of absence, with part pay, for purposes of educational improvement, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

REIMBURSEMENT FOR PROPERTY LOSS IN THE HURRICANE AND FLOOD, NEW LONDON, CONN.

The bill (S. 3808) to provide for the reimbursement of certain officers and enlisted men or former officers and enlisted men of the United States Navy for personal property lost in the hurricane and flood at New London, Conn., on September 21, 1938, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed $8,364.96 as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, certain officers and enlisted men or former officers and enlisted men of the United States Navy for the value of personal property lost in the hurricane and flood at the submarine base, New London, Conn., on September 21, 1938: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

ACCEPTANCE OF YACHT "FREEDOM" FROM STERLING MORTON

The bill (H. R. 8983) authorizing the Secretary of the Navy to accept on behalf of the United States a gift of the yacht *Freedom* from Sterling Morton, was announced as next in order.

Mr. WALSH. Mr. President, this bill permits the Secretary of the Navy to accept a valuable gift to the United States Naval Academy by Sterling Morton, of the yacht named *Freedom*. I rise simply to express the Naval Committee's appreciation, and I am sure the appreciation of the Senate, for such a valuable gift, which will help the midshipmen at the Academy in training for seamanship.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

CLAIM FOR DAMAGES FROM FIRE AT MARINE BARRACKS, QUANTICO, VA.

The bill (S. 3594) to provide an additional sum for the payment of a claim under the act entitled "An act to provide for the reimbursement of certain personnel or former personnel of the United States Navy and United States Marine Corps for the value of personal effects destroyed as a result of a fire

at the Marine Barracks, Quantico, Va., on October 27, 1938," approved June 19, 1939, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum not to exceed $31, as may be required by the Secretary of the Navy to reimburse Maj. Curtis W. LeGette, United States Marine Corps, under such regulations as he may prescribe, pursuant to the provisions of Private Law No. 56, Seventy-sixth Congress, approved June 19, 1939, for the loss of reasonable and necessary personal property resulting from the fire which occurred at the Marine Barracks, Quantico, Va., on June 19, 1939: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

EXCHANGE OF LANDS BETWEEN PUERTO RICO AND UNITED STATES

The bill (S. 3608) to authorize an exchange of lands between the people of Puerto Rico and the United States was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized to transfer, under such conditions as the Secretary may approve, to the people of Puerto Rico, by appropriate deed of conveyance, a parcel of land embracing approximately 2.75 acres, situated in the ward known as Miramar, located in the south section of Santurce, P. R., bounded on the north at a point located at the intersection of the north side of the actual road that leads to the naval air station with the west side of the Fernandez Juncos Avenue; on the east with lands belonging to the people of Puerto Rico and lands of the estate known as Miramar, now property of Mr. Solé & Co.; on the south with lands of Mr. Solé & Co., and on the west with lands of the naval air station, in consideration of the transfer to the United States by appropriate deed of conveyance, free from all encumbrances, without cost to the United States, and for use as a part of the naval air station at San Juan, of all right, title, and interest of the people of Puerto Rico in and to a parcel of 5.70 acres, more or less, in the ward known as Tras-Miramar, located at the south section of Santurce, P. R., being adjacent to and on the east of lands of the United States of America used as a quarantine station on the island of Miraflores.

CONVEYANCE OF LAND TO VIRGINIA

The bill (H. R. 4229) authorizing the conveyance to the Commonwealth of Virginia a portion of the naval reservation known as Quantico in Prince William County, Va., was considered, ordered to a third reading, read the third time, and passed.

ACQUISITION OF LAND FOR NAVAL AIR STATION, LAKEHURST, N. J.

The bill (H. R. 7078) to authorize the acquisition by the United States of lands in Manchester and Jackson Townships of the county of Ocean and State of New Jersey for use in connection with the Naval Air Station, Lakehurst, N. J., was considered, ordered to a third reading, read the third time, and passed.

JERRY M'KINLEY THOMPSON

The bill (S. 3769) for the relief of Jerry McKinley Thompson was announced as next in order.

Mr. KING. Mr. President, may we have an explanation of the bill? I discover that one of the officials of the Government, the Acting Comptroller General, reports adversely upon it.

Mr. ELLENDER. Mr. President, the Post Office Department was also consulted about this bill, and has made a favorable report. The Navy Department did not object to the bill, but could find no precedents for its enactment. A number of precedents were presented to the committee. The claimant performed duty as a letter carrier during the summer months at Hampton, N. H., a summer resort located on the New Hampshire coast; and while so acting he was also employed by the Navy Department as a watchman at the Portsmouth Navy Yard. As the Senator knows, there is a prohibition against dual office holding. The claimant acted in good faith during a period of 9 years, and did the work in both capacities. He was paid during those 9 years the sum of $3,820.19. The purpose of the bill is to relieve him of the necessity of repaying the money to the Government. The claimant thought he was within his rights, since no objection was urged as to his extra work as a letter carrier. The Committee on Claims thought the bill was meritorious, and found many instances of similar legislation being enacted by the Congress in the past.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That Jerry McKinley Thompson, Portsmouth, N. H., is hereby released from any liability to the United States incurred by reason of the receipt by him, through a misunderstanding on his part, of dual compensation from the Post Office Department and the Department of the Navy during the period from June 16 to September 15, of each year from 1929 to 1937, inclusive, in contravention of section 6 of the act of May 10, 1916, as amended.

NATIONAL FOREST ADMINISTRATION

Mr. HATCH. Mr. President, yesterday the Senator from Colorado [Mr. ADAMS] objected to the consideration of Calendar No. 1381, House bill 7643. At that time I was prepared to offer an amendment, but was not present in the Chamber when the bill was called. I have submitted the proposed amendment to the Senator from Colorado. He agrees to the amendment, and on the adoption of the amendment is willing to withdraw his objection.

I therefore ask unanimous consent to return to Calendar No. 1381, House bill 7643, in order that I may offer the amendment.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from New Mexico? The Chair hears none, and it is so ordered. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 7643) to facilitate and simplify national forest administration.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. HATCH. Mr. President, I ask that the bill be amended by striking out all of lines 3, 4, 5, 6, 7, and 8, down to and including the word "Provided," in line 9.

Mr. GEORGE. Mr. President, will the Senator please explain the purport of the bill?

Mr. HATCH. The purpose of the bill is to aid in accounting. Many small claims are required to be brought to Washington. As the bill is proposed to be amended, it would permit auditing in the field claims under $300. The bill previously provided that any decision the Secretary might make on such claims should be final and conclusive. The Department agrees that that provision should be stricken out, and that is the amendment which I have offered.

Mr. SMITH. Mr. President, is this the bill which I called up yesterday?

Mr. HATCH. Yes.

Mr. SMITH. I made an explanation, which was given to me by the Department. Now that the Department has agreed to the amendment, I will accept it.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from New Mexico [Mr. HATCH].

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed, as follows:

Be it enacted, etc., That permits, contracts, agreements, or other instruments requiring payments into the Treasury of the United States on account of sale of national-forest products, use of national-forest land, or other sources of national-forest revenue, including contributions by cooperators in connection with authorized activities of the Forest Service, shall be exempt from the provisions of section 20, title 41, United States Code, when the permit or other instrument does not require payment to the Government in excess of $300 in any 1 fiscal year.

The PRESIDENT pro tempore. Without objection, Senate bill 3226 is indefinitely postponed.

MAJ. L. P. WORRALL

The Senate proceeded to consider the bill (S. 3903) for the relief of Maj. L. P. Worrall, and for other purposes, which had been reported from the Committee on Claims with an amendment to strike out all after the enacting clause and insert:

That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Maj. L. P. Worrall, Finance Department, the sum of $3,066.03, public funds for which he is accountable, which sum was paid by him to King & Booser, Anniston, Ala., pursuant to change order "B," dated August 23, 1938, modifying contract No. W–58–QM–CIV–59, dated June 29, 1939, and which sum has been disallowed by the Comptroller General of the United States: *Provided*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said King & Booser a sum equal to any amount withheld or deducted from any amounts otherwise due to the said King & Booser on account of the payment which is herein validated, upon presentation of a claim therefor to the Comptroller General of the United States, who is authorized and directed to certify same to the Secretary of the Treasury for payment: *Provided further*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. McKELLAR. Mr. President, may we have an explanation of the bill? I should like to ask a question to indicate what seems to be an objection to it in my mind. Was a bond made and paid by a bondsman, and is the purpose now to reimburse the bondsman?

Mr. ELLENDER. The record does not disclose the existence of a bond. The money was paid to the contractors, and the bill seeks to relieve the officer in charge from liability. I may——

Mr. McKELLAR. When a bondsman has made a bond for a Government officer, and the money is lost and the bondsman has to pay it, I do not think the bondsman ought to be reimbursed.

Mr. ELLENDER. I agree with the Senator; but the money was not lost in this case. The report shows that the War Department received full value for the $3,066.03 involved and approved the bill. It seems that there was a misunderstanding about an agreement which was entered into between King & Booser, who were contractors in Anniston, Ala., and the Government. The contractors agreed to build 19 units of portable and demountable buildings, and a question arose as to whether or not the contractors were to include vestibules and skirting in these buildings. The officer in charge told the contractors that they were supposed to build the vestibules and skirting, but on appeal the Quartermaster General decided that the contractors were not under obligation to do so, and so there was a controversy over the matter. In any event, the contractors acted in good faith, under instructions from the Quartermaster General, and put in the extra work, and the War Department has recommended the bill.

Mr. KING. Mr. President, will the Senator permit an inquiry?

Mr. ELLENDER. Certainly.

Mr. KING. I notice that the Acting Secretary of War suggests an amendment. Has that been adopted?

Mr. ELLENDER. Yes. The bill was amended in the House in accordance with the suggestion of the War Department.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RELIEF OF CERTAIN DISBURSING AGENTS AND OTHERS

The bill (S. 3707) for the relief of certain disbursing agents and certifying officers of the Indian Service, the United States Veterans' Administration, and the Treasury Department was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit to certifying officers of the Indian Service and in the accounts of L. E. Baumgarten (deceased), J. V. King, E. W. Jermark, and J. C. Cavill, disbursing agents of the Indian Service; Richard H. Zohm, disbursing agent for the United States Veterans' Administration; and G. F. Allen, chief disbursing officer of the Treasury Department, for certain payments disallowed in the accounts of the above-named officials which were made to and on account of P. D. Southworth, while serving as agricultural extension agent in the Indian Service during the period from March 1933 to February 1936, inclusive.

GUY F. ALLEN

The bill (S. 3748) for the relief of Guy F. Allen, chief disbursing officer, Division of Disbursement, Treasury Department, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the February 1937 account of Guy F. Allen, chief disbursing officer, Division of Disbursement, Treasury Department, without charge against the certifying officer of the Department of the Interior, for voucher 16–28071, $149.94.

A. A. RAMSAY

The Senate proceeded to consider the bill (S. 3021) for the relief of A. A. Ramsay, which had been reported from the Committee on Claims with an amendment, at the end of the bill to add a proviso, so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $50 to A. A. Ramsay, of Oracle, Ariz., in full settlement of his claim against the United States arising out of a collision with a Civilian Conservation Corps truck at Oracle, Ariz., on December 17, 1936: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PAUL SANFORD

The Senate proceeded to consider the bill (S. 3647) for the relief of Paul Sanford, a minor, which has been reported from the Committee on Claims with an amendment, on page 2, line 1, after the word "*Provided,*" to strike out: "That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000" and insert "That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, the sum of $3,500 to the legal guardian of Paul Sanford, a minor, of Goodsprings, Walker County, Ala., in full settlement of all claims against the Government of the United States for injuries received by said minor on the 17th day of October 1939 as the result of blasting operations by Work Projects Administration employees of the United States Government at or near Goodsprings, Walker County, Ala.: *Provided*, That no part of

the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of the legal guardian of Paul Sanford, a minor."

TRANSFER OF FUNDS UNDER CROP INSURANCE ACT

The bill (H. R. 9594) to amend section 12 (b) of the Soil Conservation and Domestic Allotment Act, as amended, by authorizing the transfer of funds to cover advances for crop insurance, was announced as next in order.

Mr. MILLER. Mr. President, I should like to ask the chairman of the committee [Mr. SMITH], who reported the bill, a question. I notice on the calendar the statement that the bill is the same as Calendar No. 1610. I objected to Calendar No. 1610 yesterday, on the ground that Calendar No. 1610, Senate bill 3886, carries a provision which, in my opinion, unjustly penalizes a purchaser of cotton.

Mr. SMITH. Mr. President, that provision has been deleted from the House bill.

Mr. MILLER. That is what I was about to ask. Has section 6 of the Senate bill been deleted from the House bill?

Mr. SMITH. Yes. I should like to read an explanation:

House bill 9594 is the same as Senate bill 3886, with the following exceptions:

1. The first section of the House bill authorizes the Secretary of Agriculture to transfer to the Federal Crop Insurance Corporation certain funds to cover advances for crop insurance. This amendment is heartily recommended by the Department so as to make simultaneous the transaction of collecting the premiums and purchasing wheat to cover such premiums so as to prevent a lapse of time in which the market might fluctuate. Without this amendment the capital stock of the Federal Crop Insurance Corporation might be seriously impaired.

2. Sections 6 and 7 of Senate bill 3886 dealing with collection of penalties on cotton grown in excess of marketing quota allotments have been deleted from House bill 9594, because the cotton trade and others interested expressed some objections to these sections. As the measure now stands there are no controversial provisions in it and the chairman of the House Committee on Agriculture has indicated that when the House bill is returned to the House from the Senate he will move that the House concur in the Senate amendments, thereby eliminating the necessity for a joint conference.

Mr. MILLER. Mr. President, those were the particular sections in the Senate bill to which I was objecting. I have no objection whatever to the other provisions of the House bill, so long as the penalty sections are not incorporated in it.

Mr. SMITH. They have been deleted.

Mr. GEORGE. Mr. President, is this a bill to authorize the Secretary of Agriculture to make collections from the various persons who are penalized, without covering the money into the Treasury?

Mr. SMITH. No. There is a crop-insurance fund. The Secretary now makes payments, but it is asked that the transaction of collecting the premiums be simultaneous with the purchase of wheat to cover such premiums.

Mr. GEORGE. Mr. President, I ask that the bill go over temporarily.

Mr. SMITH. The money is ultimately paid anyway. The purpose of the bill is to expedite the process and save money.

Mr. GEORGE. I know, Mr. President; but the Department of Agriculture is sometimes arbitrary in its attitude on many questions which affect the ordinary farmer. I shall inquire into all measures administered by the Department of Agriculture by which it undertakes to have money placed in its hands in any manner other than in the regular course.

Mr. SMITH. I think the committee performed their function. Of course, it is now up to the Senate to perform its function. After careful consideration, we thought that this was a process by which money could be saved, for to delay the transfer of the money sent by the Department to the insurance men might cause a drop in the market.

Mr. GEORGE. Yes; I know, Mr. President, there are all sorts of plausible reasons, but there are many arbitrary rules and regulations now in force and effect that work grave injustices to individual farmers.

Mr. SMITH. How would it affect individual farmers?

Mr. GEORGE. I do not know, but I want to see.

The PRESIDENT pro tempore. On objection, the bill will go over.

Mr. GEORGE subsequently said: Mr. President, when it was reached on the calendar I objected to House bill 9594. I have since had an opportunity to read it, and I have no objection to it.

Mr. SMITH. Mr. President, I should like to have the Senate recur to the bill referred to by the Senator from Georgia and to have the bill considered at this time.

Mr. GEORGE. I objected to it when it was reached because it is rather a lengthy bill; I do not know what ground it covered, and I was very anxious to see that it did not cover too much ground. I have had an opportunity to read the bill, and I withdraw my objection to it in order that the Senator from South Carolina may ask unanimous consent for its consideration.

Mr. McNARY. Mr. President, what is the bill?

The PRESIDING OFFICER. The bill will be stated by title.

The CHIEF CLERK. A bill (H. R. 9594) to amend section 12 (b) of the Soil Conservation and Domestic Allotment Act, as amended, by authorizing the transfer of funds to cover advances for crop insurance.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. McNARY. Mr. President, I had in mind the bills that appear on page 17 of the calendar. I have no objection to the bill the title of which has been stated.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 9594) to amend section 12 (b) of the Soil Conservation and Domestic Allotment Act, as amended, by authorizing the transfer of funds to cover advances for crop insurance, which had been reported from the Committee on Agriculture and Forestry, with amendments.

The first amendment was, on page 2, after line 5, to insert:

SEC. 2. That paragraph (5) of subsection (c) of section 8 of the Soil Conservation and Domestic Allotment Act, as amended, is amended by adding at the end thereof the following sentence: "Such normal yield per acre for any county need be redetermined only when the actual average yield for the 10 calendar years immediately preceding the calendar year in which such yield is being reconsidered differs by at least 5 percent from the actual average yield for the 10 years upon which the existing normal yield per acre for the county was based."

The amendment was agreed to.

The next amendment was, on page 2, after line 15, to insert:

SEC. 3. That section 8 of the Soil Conservation and Domestic Allotment Act, as amended, is further amended by adding at the end thereof the following new subsection:

"(h) In order to make materials and services to be used in carrying out soil-conserving practices available to producers as grants of aid under this section, the Secretary of Agriculture is authorized to utilize the services of county committees or associations of producers as agents for the purchasing of such materials or services and such purchases may be made without regard to the provisions of section 3709 of the Revised Statutes and such purchases may be made from payments made pursuant to section 388 (b) of the Agricultural Adjustment Act of 1938, as amended."

The amendment was agreed to.

The next amendment was, on page 3, after line 3, to insert:

SEC. 4. That paragraph (6) of subsection (b) of section 301 of the Agricultural Adjustment Act of 1938, as amended, is amended to read as follows:

"(6) (A) 'Market,' in the case of corn, cotton, rice, tobacco, and wheat, means to dispose of, in raw or processed form, by voluntary or involuntary sale, barter, or exchange, or by gift inter vivos, and, in the case of corn and wheat, by feeding (in any form) to poultry or livestock which, or the products of which, are sold, bartered, or exchanged, or to be so disposed of, but does not include disposing of any of such commodities as premium to the Federal Crop Insurance Corporation under title V.

"(B) 'Marketed,' 'marketing,' and 'for market' shall have corresponding meanings to the term 'market' in the connection in which they are used."

The amendment was agreed to.

The next amendment was, on page 3, after line 18, to insert:

SEC. 5. That subparagraph (A) of paragraph (13) of subsection (b) of section 301 of the Agricultural Adjustment Act of 1938, as amended, is amended to read as follows:

"(13) (A) 'Normal yield' for any county, in the case of corn or wheat, shall be the average yield per acre of corn or wheat for the county during the 10 calendar years immediately preceding the year in which such normal yield is determined, adjusted for abnormal weather conditions and trends in yields. Such normal yield per acre for any county need be redetermined only when the actual average yield for the 10 calendar years immediately preceding the calendar year in which such yield is being reconsidered differs by at least 5 percent from the actual average yield for the 10 years upon which the existing normal yield per acre for the county was based."

The amendment was agreed to.

The next amendment was, on page 4, after line 8, to insert:

SEC. 6. That subparagraph (B) of paragraph (13) of subsection (b) of section 301 of the Agricultural Adjustment Act of 1938, as amended, is amended to read as follows:

"(B) 'Normal yield' for any county, in the case of cotton, shall be the average yield per acre of cotton for the county, adjusted for abnormal weather conditions, during the 5 calendar years immediately preceding the year in which such normal yield is determined."

The amendment was agreed to.

The next amendment was, on page 4, after line 16, to insert:

SEC. 7. That subsection (c) of section 372 of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out the words "within one year" and inserting in lieu thereof the words "within two years"; by adding after the words "wrongfully collected" and before the comma the words "and the claimant bore the burden of the payment of such penalty"; and by adding after the first paragraph the following new paragraph:

"Notwithstanding any other provision of law the Secretary is authorized to prescribe by regulations for the identification of farms and it shall be sufficient to schedule receipts into special deposit accounts or to schedule such receipts for transfer therefrom, or directly, into the separate fund provided for in subsection (b) hereof by means of such identification without reference to the names of the producers on such farms."

The amendment was agreed to.

The next amendment was, on page 5, after line 7, to insert:

SEC. 8. That section 385 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end thereof the following new sentence: "In case any person who is entitled to any such payment dies, becomes incompetent, or disappears before receiving such payment, or is succeeded by another who renders or completes the required performance, the payment shall, without regard to any other provisions of law, be made as the Secretary of Agriculture may determine to be fair and reasonable in all the circumstances and provided by regulations."

The amendment was agreed to.

The next amendment was, on page 5, after line 17, to insert:

SEC. 9. That section 391 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding thereto the following new subsection:

"(c) During each fiscal year, beginning with the fiscal year ending June 30, 1941, the Commodity Credit Corporation is authorized and directed to loan to the Secretary such sums, not to exceed $50,000,000, as he estimates will be required during such fiscal year, to make crop-insurance-premium advances and to make grants-of-aid pursuant to the applicable provisions of sections 8 and 12 of the Soil Conservation and Domestic Allotment Act, as amended, in connection with programs applicable to crops harvested in the calendar year in which such fiscal year ends, and to pay the administrative expenses of county agricultural conservation associations for the calendar year in which such fiscal year ends. The sums so loaned during any fiscal year shall be transferred to the current appropriation available for carrying out sections 7 to 17 of such act and shall be repaid, with interest, at a rate to be determined by the Secretary but not less than the cost of money to the Commodity Credit Corporation for a comparable period, during the succeeding fiscal year from the appropriation available for that year or from any unobligated balance of the appropriation for any other year."

The amendment was agreed to.

The next amendment was, on page 6, after line 16, to insert:

SEC. 10. That where an agricultural adjustment or conservation payment has been made to a person, and all or a part of such payment was earned by a second person by virtue of his having, in good faith, contributed to the rendering of performance for which the payment was made, but who did not enter into or apply for an adjustment contract prior to January 6, 1936, or with respect to any agricultural conservation payment did not apply for payment under any program formulated for any year from 1936 to 1939, inclusive.

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "An act to amend the Soil Conservation and Domestic Allotment Act, as amended, the Agricultural Adjustment Act of 1938, as amended, and for other purposes."

Mr. LUCAS subsequently said: Mr. President, while I was out of the Chamber it is my understanding that unanimous-consent request was made to return to Calendar No. 1746, House bill 9594, and the bill was passed.

While I was present this morning it was my understanding that the Senator from Georgia [Mr. GEORGE] made objection to the bill and it was passed over. I now ask unanimous consent to recur to Calendar No. 1746, House bill 9594, for the purpose of making an objection to a certain amendment contained therein.

The PRESIDING OFFICER. Is there objection?

Mr. MCNARY. Mr. President, the bill was passed after objection was withdrawn. The Senator should ask unanimous consent to reconsider.

Mr. GEORGE. Mr. President, I may say to the Senator from Illinois that subsequently when I withdrew my objection the bill was passed. Did the Senator desire to offer an amendment to it?

Mr. LUCAS. I ask unanimous consent to reconsider the vote whereby the amendments to House bill 9594 were ordered to be engrossed, and the bill was ordered to a third reading, read a third time, and passed.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Is there objection to the consideration of the bill?

There being no objection, the Senate resumed the consideration of the bill (H. R. 9594) to amend section 12 (b) of the Soil Conservation and Domestic Allotment Act, as amended, by authorizing the transfer of funds to cover advances for crop insurance.

Mr. LUCAS. Mr. President, I desire to invite the attention of the Senate for a moment to section 3 of the bill. Section 3, which is an amendment to the bill as it passed the House, deals with certain authority granted to the various committees throughout the country that are now administering the Soil Conservation and Domestic Allotment Act. There has been a dispute between certain leaders of American thought in the various sections of the country as to the exact meaning of paragraph (h) under section 3. After discussing the matter this morning with the officials of the Agricultural Department, I may say that they have no objection to the elimination of section 3 in its entirety.

Mr. SMITH. Mr. President, I will say to the Senator that I received that information from the Department, and, as this bill is for the purpose of relieving the farmers of certain burdens and improving the general administrative features of the present act, I have no objection to the elimination of section 3. The Department says it does not add to nor detract from the purpose of the bill.

Mr. LUCAS. I thank the distinguished chairman of the Agricultural Committee, and I so move—that section 3 of the bill, as amended, be eliminated.

The PRESIDING OFFICER. The amendment offered by the Senator from Illinois will be stated.

The CHIEF CLERK. On page 2 it is proposed to strike out lines 16 to 25, and on page 3 it is proposed to strike out lines 1 to 3.

The amendment was agreed to.

Mr. LUCAS. I further move that the remaining sections be properly renumbered.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

BILL PASSED OVER

The bill (S. 963) providing for the refund of taxes collected under Public Law No. 169, Seventy-third Congress, known as the Bankhead Act, was announced as next in order.

Mr. KING. I ask that the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. HATCH. Mr. President, will the Senator from Utah withhold his objection? I shall ask the Senator from Alabama [Mr. BANKHEAD] to make an explanation of the bill. The amendment to the bill merely refers the matter to the Court of Claims. It provides for no refund.

Mr. KING. May I ask, Is there an obligation on the part of the Federal Government to pay $52,000,000 at this time?

Mr. HATCH. I understand that it is agreeable to the Senator from Alabama that the bill go over for the present.

Mr. BARKLEY. Mr. President, the bill goes over, I understand, at the suggestion of the Senator from Alabama?

The PRESIDENT pro tempore. The bill will be passed over.

TWO-HUNDREDTH ANNIVERSARY OF FOUNDING OF UNIVERSITY OF PENNSYLVANIA

The joint resolution (S. J. Res. 214) authorizing the recognition of the two hundredth anniversary of the founding of the University of Pennsylvania by Benjamin Franklin and the beginning of university education in the United States, and providing for the representation of the Government and people of the United States in the observance of the anniversary, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Whereas there are to be held at Philadelphia, Pa., and at other places during the year 1940 celebrations commemorating the two hundredth anniversary of the founding of the University of Pennsylvania by Benjamin Franklin, said institution being the first university to be established in what are now the United States; and

Whereas, in accordance with resolutions of the president and fellows of the University of Pennsylvania, there will take place in Philadelphia, Pa., on the 16th, 17th, 18th, 19th, 20th, and 21st of September 1940 formal ceremonies of celebration of the bicentennial, in the presence of the governing boards, faculties, students, and alumni of the university, the delegates of other institutions, distinguished guests, and a large number of friends and benefactors; and

Whereas the Commonwealth of Pennsylvania and the city of Philadelphia will be officially represented at the ceremonies; and

Whereas the University of Pennsylvania endeavors to foster and maintain the ideals of truth and freedom so dear to Americans: Therefore be it

Resolved, etc., That the Government and people of the United States unite with the University of Pennsylvania in a fitting and appropriate observance of the two hundredth anniversary of its founding, which marked the formal beginning of university education in the United States (Harvard, William and Mary, and Yale were founded before the University of Pennsylvania, but they were not universities until after the University of Pennsylvania became a university).

SEC. 2. There is hereby established a commission to be known as the United States University of Pennsylvania Bicentennial Commission (hereinafter referred to as the Commission) to be composed of 15 commissioners, as follows: The President of the United States and 4 persons to be appointed by him, the President of the Senate and 4 Members of the Senate to be appointed by said President of the Senate, and the Speaker of the House of Representatives and 4 Members of the House to be appointed by said Speaker.

SEC. 3. The Commission, on behalf of the United States, shall cooperate with the representatives of the University of Pennsylvania, the Commonwealth of Pennsylvania, and the city of Philadelphia in the appropriate observance of such anniversary, and shall extend appropriate courtesies to the delegates of foreign universities and other foreign learned bodies or individuals attending the celebration as guests of the University of Pennsylvania.

SEC. 4. The members of the Commission shall serve without compensation and shall select a chairman from among their number, but the President of the United States shall be designated as the "honorary chairman" of the Commission.

SEC. 5. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $10,000 to be expended by the Commission for expenses, including actual and necessary traveling and subsistence expenses, incurred while discharging its functions under this joint resolution. The Commission shall have power to select, hire, and fix the compensation of such officers and employees as shall be necessary for the performance of its duties without regard to the provisions of other laws applicable to employment or compensation of officers or employees of the United States.

SEC. 6. Any vacancies occurring in the membership of the Commission shall be filled by the President of the United States.

The preamble was agreed to.

REORGANIZATION OF NAVY DEPARTMENT

The bill (S. 4026) providing for the reorganization of the Navy Department, and for other purposes, was announced as next in order.

Mr. McNARY. Mr. President, I ask the very able Senator from Massachusetts to make an explanation of this bill.

Mr. WALSH. Mr. President, Calendar No. 1749, Senate bill 4026, and Calendar No. 1750, Senate bill 4027, are companion bills. Senate bill 4026 is entitled "a bill providing for the organization of the Navy Department, and for other purposes." The first section of the bill abolishes the Bureau of Construction and Repair and the Bureau of Engineering and establishes a bureau to be known as the bureau of ships. It is provided that the duties of the new bureau shall be assigned by the Secretary of the Navy and performed under his authority and the orders of the chief of the bureau of ships shall be considered as emanating from the Secretary of the Navy and shall have full force and effect as such.

The chief of the bureau of ships shall be appointed by the President and confirmed by the Senate.

The chief of the bureau must be experienced in naval engineering or in naval architecture.

The purpose of the consolidation of these bureaus—and there are seven or more bureaus in the Navy Department, including the Bureau of Navigation, the Bureau of Yards and Docks, the Bureau of Ordnance, the Bureau of Engineering, the Bureau of Construction, the Bureau of Supplies and Accounts—is to put engineering and construction under one head. It is suggested for purposes of coordination and the promotion of efficiency and to bring about more direct responsibility.

Now, in the construction of a ship the plans go to the Bureau of Engineering; they are laid on the desks there and studied and suggestions are made; then, they go to the Bureau of Construction, where other suggestions are made. They go back to the Bureau of Engineering, then back again to the Bureau of Construction, and finally reach the office of the Secretary of the Navy. The purpose is to have one head responsible for the engineering and architectural construction groups under him.

Mr. McNARY. I do not think that I have any criticism to offer of the excellent explanation given by the Senator from Massachusetts, but I am wondering if this authority is not now vested in the President under the Reorganization Act?

Mr. WALSH. I will say to the Senator that there is some doubt about it. The President has doubt about the matter, as has the Navy Department. The Navy Department has proceeded to make consolidations itself so far as it thinks it legally can, but it felt in this instance that authority should be provided by statutory enactment. It is because of a question whether the President has the authority that it is proposed to make it a matter of statute. Of course, this bill provides for the repeal of previous laws creating the two bureaus.

There is another important section of the bill to which I wish to call attention. I refer to the section which provides for an Under Secretary of the Navy, which is the third section of the bill.

In addition to the Secretary of the Navy there is now, as the Senator knows, an Assistant Secretary of the Navy, and it is proposed that there shall be an Under Secretary of the Navy, with a salary of $10,000, and that he shall be nominated by the President and confirmed by the Senate. The reason given for it is the excessive amount of work that falls on the Secretary's office, and also for the purpose of assigning to The Assistant Secretary special and particular duties relating to construction work.

Mr. McNARY. May I ask the Senator at that point what duties will the Under Secretary perform which are not now being performed by the personnel in the Department?

Mr. WALSH. If the Senator will permit me, I will quote from the report on the bill, as follows:

Section 3 of the bill provides for an Under Secretary of the Navy. At present there is only one Assistant Secretary of the Navy, and there is no Under Secretary. The Assistant Secretary of the Navy, charged with the extensive and far-reaching duties just referred to, is more than fully occupied with their execution. As the Navy has grown, and as its field establishments have increased in size and in number, these duties have multiplied. The work of the Navy Department as a whole is now so great that it overtaxes the ability of its two civilian heads, the Secretary and The Assistant Secretary. To relieve this situation an Under Secretary is considered very desirable. The bill permits the greatest of latitude in the duties which he should perform by prescribing that they shall be such as may be prescribed by the Secretary of the Navy. This freedom is similar to that allowed in the case of The Assistant Secretary of the Navy and the Assistant Secretaries of many other executive departments. It permits the Secretary to take advantage of the different training, experience, and inherent qualities of the individuals who may be appointed Under Secretary or Assistant Secretary. Generally speaking, however, it is proposed that The Assistant Secretary shall continue to perform the duties now being performed by him, namely, in charge of the preparation of the naval estimates or budget, and in charge of the general administration of all shore establishments, while the Under Secretary will act as the "alter ego" of the Secretary, and, so far as possible, relieve both the Secretary and The Assistant Secretary of many of the duties in connection with official and semiofficial functions, conferences, and the special tasks that arise so frequently which would otherwise have to be performed personally by the Secretary or The Assistant Secretary.

Those, in general, are the reasons given to the committee for this change.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. McNARY. I have not the floor.

Mr. WALSH. I yield.

Mr. CONNALLY. I may suggest to the Senator from Oregon that the reason an under secretary is desired by most of the departments is that away back 15 years ago, when I was a Member of the other House, and served on the Committee on Foreign Affairs, the State Department insisted the official who was formerly the First Assistant Secretary of State should be called Under Secretary of State because the British had an under secretary and other foreign governments have under secretaries. The under secretary is just a little above the first assistant, not under him, just a little ahead of him. So since we did that for the State Department because it wanted to pattern itself after foreign legations and foreign chancelries and ministries, every other department now has to have an under secretary. The Treasury Department got one many years ago, and now even the Department of Agriculture has an under secretary; so I think that, in all fairness, in the allocation of titles, the Navy ought to have an under secretary, because, otherwise, it might consider itself discriminated against. That is all there is to it. Of course, a man could perform the duties of Assistant Secretary of the Navy just as well as if he were called under secretary, but he would not have the title.

Mr. McNARY. I am familiar with that history, but I appreciate the information given. I knew the title was of foreign origin. I opposed the creation of an Under Secretary of Agriculture a few years ago, as I recall. I do not imagine that the title will change in any way the work performed by the official, only he will have a little different title and receive a larger salary.

My purpose in rising, Mr. President, was this: It occurred to me, in reading the synopsis of the bill on the calendar, that authority was given to the President under the Reorganization Act to effect this very change. If we have given the authority to the President, I think we should not now obtrude our congressional authority to do something that we have given away; and I am curious to know why the President does not carry out the edict of Congress rather than to have Congress come back and make one of its own edicts.

Mr. WALSH. Mr. President, the request for the creation of this office comes directly from the President.

Mr. McNARY. I am speaking now about the reorganization.

Mr. WALSH. It is the opinion of the Judge Advocate General's office that there is not legal authority for the consolidation under an Executive order by the President, although, in fact, they have been operating with certain shifts and with the abolishing of these two bureaus, but the functions are not defined by law.

Mr. McNARY. Mr. President, with due respect to the Judge Advocate General, having a little knowledge of the Executive orders heretofore made by the President and of the Reorganization Act, I cannot imagine that there is any lack of authority in the President to effect the change suggested in this bill.

Mr. WALSH. If new duties were created, the Senator will agree that by Executive order they could not be transferred from one department to another.

Mr. McNARY. I agree to that.

The PRESIDING OFFICER (Mr. GILLETTE in the chair). The time of the Senator from Massachusetts on the bill has expired.

Mr. KING. Mr. President, in my own time I inquire of the Senator from Massachusetts whether this bill does not go further than merely creating an under secretary. Does it not create more jobs and more titles and transfer officials from positions which they now occupy to other positions with increased salaries, and so forth?

Mr. WALSH. The bill abolishes the office of Assistant Secretary of the Navy for Aeronautics, which is now created by law, but to which no appointment has been made in recent years, as the duties prescribed for this office are being performed by the Bureau of Aeronautics. The only job created by the bill is this particular one of under secretary.

Mr. KING. I ask the Senator to give us a chance to look into the bill. Let it go over.

Mr. WALSH. Very well. The Senator from Utah is within his rights in asking that the bill go over.

I ask unanimous consent that following the disposition of the bill which is the unfinished business—the hospital bill of the Senator from New York [Mr. WAGNER]—the Senate proceed to take up four naval bills; namely, first, the naval vessel expansion bill; secondly, the naval airplane expansion bill; and thirdly, these two bills, which are companion measures.

The PRESIDING OFFICER. The Senator from Massachusetts asks unanimous consent that following the order previously made, the Senate take up the four naval bills which he has enumerated.

Mr. WALSH. Let me say that the leader has agreed that one of the bills shall be taken up following the disposition of the Wagner bill, and I thought all four of them should be taken up in succession and disposed of at the same time, as they are all interlocked and interrelated.

Mr. KING. Mr. President, for the present I shall object—and I do it very reluctantly—to the suggestion of my friend from Massachusetts.

We have had pending for some time a House bill, the so-called Logan-Walter bill; and it is obvious that there are some forces or agencies which are opposed to the consideration of that bill. At the appropriate time, at the conclusion of the consideration of the so-called hospital bill, I shall move that the Senate proceed to the consideration of the so-called Logan-Walter bill.

Mr. McCARRAN. Mr. President, the request of the Senator from Massachusetts requires unanimous consent. Aside from that, I must reluctantly refuse to go along, and do object, for the reason that for weeks we have been trying to get before the Senate for its consideration what is known as the Walter-Logan bill; and, until that bill is disposed of, I very much hope no other contentious bill will be presented.

The subcommittee of the Judiciary Committee of the Senate has been trying for weeks to bring before the Senate for consideration the Walter-Logan bill. It is a matter which is all-important to the welfare of the country. The committee will strive at every opportunity to have it brought before the Senate for consideration; and, so far as I am

concerned, as one member of the subcommittee, I shall object from now on to the consideration by unanimous consent of any other contentious bill.

Mr. McNARY obtained the floor.

Mr. KING. Mr. President, will the Senator from Oregon yield to me?

Mr. McNARY. I yield.

Mr. KING. I desire to make a suggestion to the Senator from Nevada. Not only has the subcommittee of the Judiciary Committee been urging the consideration of the Logan-Walter bill, but the full committee, with the exception of one member, recently met and resolved to urge the Senate to proceed to the consideration of the bill at the earliest possible moment. So the Judiciary Committee is behind the suggestion made by the able Senator from Nevada.

Mr. McCARRAN. I am very happy to have that fact stated.

Mr. WALSH. Mr. President, I already had made arrangements with the leader on this side of the Chamber to move that the Senate proceed to the consideration of the naval-expansion bill at the end of the consideration of the hospital-construction bill. I thought it would be to the advantage of the Members of the Senate—not to my own personal advantage—to have all these naval bills, interlocked as they are, considered and disposed of on the same day, after a general discussion of the whole subject. That was my reason for putting the four measures together at one time.

Let me further say that the first bill deals with the expansion of naval vessels.

The second bill deals with the expansion of naval airplanes, naval air bases, and training of naval pilots.

The third bill deals with a reorganization in the Navy Department, to make more efficient the work of the Department, and the fourth deals with the consolidation of the Construction Corps and the line of the Navy.

I therefore give notice that in due time I shall move to take up those bills.

Mr. BANKHEAD. Mr. President, there are on the calendar a number of bills in which numerous Senators are interested. I call for the regular order, so that we may proceed with them.

The PRESIDING OFFICER. The regular order has been called for.

REGISTRATION OF TRADE-MARKS

Mr. BONE. Mr. President, I ask unanimous consent to recur to Calendar No. 1617, House bill 6618, which, I believe, was passed over yesterday. I was detained from the Senate for a couple of days because of physical necessities, and was not present when the calendar was called yesterday. This is the so-called copyright bill, the report on which was prepared and submitted by the Senator from Connecticut [Mr. DANAHER], a member of the Patents Committee, and myself.

Mr. WHEELER. Mr. President, I think I objected to the consideration of the bill yesterday, and I should have to object to it again at this time until I have a chance to look into it.

The PRESIDING OFFICER. Objection is heard. The clerk will state the next bill on the calendar under the unanimous-consent agreement.

BILL PASSED OVER

The bill (S. 4027) to transfer the active list of the Construction Corps to the line of the Navy, and for other purposes, was announced as next in order.

Mr. KING. Mr. President, is that bill similar to the one which the Senator from Massachusetts has just been discussing?

Mr. WALSH. Yes; they are companion bills. It should not be enacted unless the other bill is enacted. I ask that it go over with the other bill.

The PRESIDING OFFICER. Objection is heard, and the bill will be passed over.

CONVEYANCE OF CERTAIN LANDS TO STATE OF WYOMING

The bill (H. R. 8403) to convey certain lands to the State of Wyoming was considered, ordered to a third reading, read the third time, and passed.

RENTALS IN CERTAIN OIL AND GAS LEASES

The Senate proceeded to consider the bill (S. 2915) relating to rentals in certain oil and gas leases issued under authority of the act of February 25, 1920, as amended, and for other purposes, which had been reported from the Committee on Public Lands and Surveys with an amendment, to strike out all after the enacting clause and to insert:

That the Secretary of the Interior, in the case of lands not within any known geologic structure of a productive oil or gas field, shall waive the rentals stipulated in oil and gas leases issued pursuant to section 17 of the act of February 25, 1920, as amended by the act of August 21, 1935 (49 Stat. 674), for the second and third lease years, unless a valuable deposit of oil or gas be sooner discovered.

Mr. McNARY. Mr. President, because of the past history of some oil transactions in this vicinity, I ask the able Senator from Wyoming to explain the bill.

Mr. O'MAHONEY. Mr. President, this bill has been amended to harmonize with the recommendation of the Department of the Interior. As I originally introduced the bill, it provided for the waiver of rentals under certain oil and gas leases on lands not within a known structure of a producing oil or gas field. In other words, it was dealing with what we commonly call "wildcat" land. In order to liberalize to a certain degree the provisions of the law so as to make it a little easier for those who seek to prospect upon the public domain, I sought in this bill to reduce the amount of rental required.

Under the Leasing Act as it now stands, the Secretary of the Interior may charge a rental of not less than 25 cents an acre per annum on these 5-year leases. Under the regulations which the Secretary has anonunced, the rental is 50 cents a year—twice the minimum provided in the law. Obviously, a rental of 50 cents an acre on nonproductive land operates as an obstruction to development. I sought to have this waiver made with respect to exchange leases—that is to say, the leases which are given in exchange for prospecting permits—and also with respect to leases under section 17 of the Leasing Act—that is to say, original leases made upon application. The Interior Department declined to approve the waiver of rental on exchange leases and declined to approve the waiver of the rental for the first year, but did consent to a waiver of the rental for the second and third years.

It must be borne in mind that these are 5-year leases. The purpose of the Department in asking for the rental for the first year was, as it is explained by the Department, to make certain that the leases go into the hands of bona fide operators who desire to develop. The bill was unanimously approved by the Committee on Public Lands.

Mr. McNARY. Was the bill referred to the Department of the Interior?

Mr. O'MAHONEY. Oh, yes.

Mr. McNARY. And favorable consideration was given to it?

Mr. O'MAHONEY. That is correct. The Department of the Interior suggested an amendment, which is in the nature of a substitute, as I have described.

Mr. McNARY. A portion of the money derived goes to the reclamation fund?

Mr. O'MAHONEY. Yes.

Mr. McNARY. Fifty-two and one-half percent?

Mr. O'MAHONEY. Yes; there is no change.

Mr. McNARY. Does it meet with the approval of the Commissioner of Reclamation?

Mr. O'MAHONEY. Oh, yes. There is no objection.

Let me add that for many years I have been seeking to liberalize the provisions of the Leasing Act, and I feel that much greater concessions should be made than the Interior Department is willing to approve in order to stimulate development. In all fairness, however, it should be remarked that on numerous occasions the Department has granted my requests for the extension of the terms of oil and gas

prospecting permits. The issuance of such permits was altogether suspended in 1929, and for a long period the attitude of the Interior Department was to discourage development upon the public domain. It has always been my desire to promote development, because by so doing the receipts of the reclamation fund and the receipts of the States in which the valuable deposits are found are materially increased.

Under the act of August 21, 1935, which I introduced in the Senate after prolonged negotiations with the Department of the Interior, we succeeded in obtaining a blanket extension for thousands of oil and gas permits in the public-land States. The extension of these permits brought about a substantial increase of drilling. As a matter of fact, the records of the Geological Survey now indicate that during several years past the proportion of drilling for oil on public lands in the public-land States, as compared with drilling on private lands in other States, has greatly increased. This has all been to the advantage of the public-land States and of the reclamation fund and of the schools and highway systems in such States.

It is my belief that much more substantial concessions than those contained in this bill should be granted, but the measure as reported by the Committee on Public Lands and Surveys seems to represent the most that can be obtained at this time.

The PRESIDING OFFICER. The clerk will state the amendment of the committee.

The CHIEF CLERK. It is proposed to strike out all after the enacting clause and to insert the following:

That the Secretary of the Interior, in the case of lands not within any known geologic structure of a productive oil or gas field, shall waive the rentals stipulated in oil and gas leases issued pursuant to section 17 of the act of February 25, 1920, as amended by the act of August 21, 1935 (49 Stat. 674), for the second and third lease years, unless a valuable deposit of oil or gas be sooner discovered.

The amendment was agreed to.

Mr. O'MAHONEY. Mr. President, I ask unanimous consent that the report of the committee be printed at this point in the RECORD.

The PRESIDING OFFICER. Is there objection?

There being no objection, the report was ordered to be printed in the RECORD, as follows:

[S. Rept. No. 1673, 76th Cong., 3d sess.]

The Committee on Public Lands and Surveys, having considered the bill (S. 2915) relating to rentals in certain oil and gas leases issued under the authority of the act of February 25, 1920, as amended, and for other purposes, report the same with an amendment and recommend that the bill as thus amended be passed.

Strike out all after the enacting clause and insert the following:

"That the Secretary of the Interior, in the case of lands not within any known geologic structure of a productive oil or gas field, shall waive the rentals stipulated in oil and gas leases issued pursuant to section 17 of the act of February 25, 1920, as amended by the act of August 21, 1935 (49 Stat. 674), for the second and third lease years, unless a valuable deposit of oil or gas be sooner discovered."

The above amendment is suggested by the Secretary of the Interior and although it does not accomplish all of the purposes of the original bill, it has been accepted by the committee. As introduced, the bill provided for the waiver of rentals for the second and third lease years of all oil or gas leases not within any known geologic structure of a productive oil or gas field; eliminated the present requirement of a rental bond during the first 3 years of any such lease, but retained the present requirement for a drilling bond. The waiver of rentals under the bill would have extended to leases issued under section 13 of the Leasing Act in exchange for prospecting permits, as well as to original leases under section 17 of the said act.

The Department of the Interior disapproved the inclusion of exchange leases on the ground that no rentals are required under the present law for such leases during the first 2 years. The Department also disapproved the provision eliminating the requirement of a rental bond inasmuch as after the introduction of the bill on July 28, 1939, the Department, by regulation, has provided that the filing of a $1,000 lease bond will not be required so long as the annual rental under a lease is paid 90 days in advance of its due date.

The bill, as modified by the recommendation of the Department of the Interior, waives the rental for the second and third lease years of all leases issued under section 17 of the Leasing Act on lands not within any known geologic structure of a productive oil or gas field.

The report of the Secretary follows:

DEPARTMENT OF THE INTERIOR,
Washington, April 27, 1940.

Hon. ALVA B. ADAMS,
Chairman, Committee on Public Lands and Surveys, United States Senate.

MY DEAR SENATOR ADAMS: You have submitted for a report on the bill a copy of S. 2915, entitled "A bill relating to rentals in certain oil and gas leases issued under authority of the act of February 25, 1920, as amended, and for other purposes."

The bill provides that the rental stipulated in oil and gas leases issued subsequent to the act of August 21, 1935 (49 Stat. 674), for lands not within any known geological structure of a producing field shall be waived for the second and third lease years, and that no bond shall be required for the first 3 years of such leases, except where otherwise provided by law and except that a bond shall be required before permission to drill under the lease is granted.

Certain changes should be made in the bill as hereinafter recommended, and if so amended I will interpose no objection to its enactment.

The amendatory act of August 21, 1935, provides for the payment in advance by the lessee of a rental to be fixed in the lease of not less than 25 cents per acre per annum. The regulations under this act (Circular 1386) prescribe a rental of 50 cents per acre for the first year, payable prior to the issuance of the lease, and for the succeeding lease years 25 cents per acre until oil or gas in commercial quantities is discovered. Thereafter the rental is $1 per acre, any rental paid for any 1 year to be credited against the royalties as they accrue for that year. The lessee must furnish prior to the beginning of drilling operations and thereafter maintain a $5,000 lease bond, and the regulations originally provided that until such bond was filed he must submit and maintain a bond in the sum of $1,000 conditioned upon compliance with the terms of the lease. However, under a regulation approved November 27, 1939 (Circular 1464), the lessee will not be required to furnish the $1,000 lease bond before the lease is issued, and he may defer the filing of such bond so long as the annual rental under the lease is paid 90 days in advance of its due date. Since a lessee may, by paying the rental in advance, hold the lease without bond until he desires to commence drilling, the provision of the bill to exempt the lessee from furnishing the bond for the first 3 years of the lease appears to be unnecessary.

Under the bill the lessee would pay only 50 cents per acre rental in the first 3 years of the lease, whereas under present law and regulations a total rental of $1 per acre is required for those years. However, the initial payment of 50 cents per acre would appear to be sufficient in amount to discourage generally the filing of applications for the purpose of speculating in the leases, and this reduction in the amount of rental under each lease will in all probability be more than compensated by the rentals received from the increased acreage that will be leased because of the lower rental requirement. While the amount of rental now required is of little significance when compared to the cost of drilling a well under the lease, the general view seems to be that it is higher than should be charged for the class of public lands for which such leases may under the law be obtained. Although I am not convinced that such a view is justified, inasmuch as the policies embodied in the amendatory act of August 21, 1935, and the objectives attained under that act, will remain unaffected, I will not oppose the proposed reduction of rentals.

Leases issued under section 13 of the Leasing Act as amended by the act of August 31, 1935, in exchange for prospecting permits, are free of rental for the first 2 lease years. Clearly, the proposed waiver of rentals should not apply to such leases, but the provisions of the bill should be made applicable only to those leases issued under section 17 of the Leasing Act as amended for lands not within any known geologic structure of a producing oil or gas field.

In order that its provisions may be in accord with the foregoing suggestions, I recommend that the bill be amended to read as follows:

"That the Secretary of the Interior, in the case of lands not within any known geologic structure of a productive oil or gas field, shall waive the rentals stipulated in oil and gas leases issued pursuant to section 17 of the act of February 25, 1920, as amended by the act of August 21, 1935 (49 Stat. 674), for the second and third lease years, unless a valuable deposit of oil or gas be sooner discovered."

The Director of the Bureau of the Budget has advised me that there is no objection to the presentation of this report.

Sincerely yours,

HAROLD L. ICKES,
Secretary of the Interior.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 3087) to record the lawful admission to the United States for permanent residence of Chaim Wakerman, known as Hyman Wakerman, was announced as next in order.

Mr. REYNOLDS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 2036) for the relief of Umberto Tedeschi was announced as next in order.

Mr. REYNOLDS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 5417) for the relief of Isaac Surmany was announced as next in order.

Mr. REYNOLDS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 6409) to record the lawful admission to the United States for permanent residence of Motiejus Buzas and Bernice Buzas, his wife, was announced as next in order.

Mr. REYNOLDS. Over.

The PRESIDING OFFICER. The bill will be passed over.

WILLIAM LAWRENCE TAN

The Senate proceeded to consider the bill (S. 3146) relating to the citizenship of William Lawrence Tan, which had been reported from the Committee on Immigration with an amendment, on page 1, line 9, after "1935", to strike out "shall be deemed to have begun to reside permanently in the United States on December 1, 1934; and, notwithstanding any other provision of law, the said William Lawrence Tan shall be deemed to be a citizen of the United States 5 years after such date", and to insert "notwithstanding that he is inadmissible for entry into the United States for permanent residence he shall not be deported", so as to make the bill read:

Be it enacted, etc., That, for the purposes of section 5 of the act entitled "An act in reference to the expatriation of citizens and their protection abroad," approved March 2, 1907, as amended, William Lawrence Tan, of Honolulu, T. H., the minor child of Wilma Alberta Geary, a citizen of the United States whose American citizenship was resumed on March 30, 1935, notwithstanding that he is inadmissible for entry into the United States for permanent residence he shall not be deported.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (H. R. 7515) for the relief of Joseph B. Rupinski and Maria Zofia Rupinski was announced as next in order.

Mr. REYNOLDS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 8295) for the relief of Leo Neumann and his wife, Alice Neumann, was announced as next in order.

Mr. REYNOLDS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 2684) for the relief of Emma Knutson was announced as next in order.

Mr. REYNOLDS. Over.

The PRESIDING OFFICER. The bill will be passed over.

EXCLUSION AND DEPORTATION OF ALIENS

The bill (H. R. 4860) to amend existing law so as to provide for the exclusion and deportation of aliens who advocate the making of any changes in the American form of government was announced as next in order.

Mr. DANAHER. Mr. President, does anyone wish to oppose a bill which would make it possible to deport someone who wished to change the form of the Government of the United States of America?

The PRESIDING OFFICER. If the Senator is addressing his question to the Chair, the Chair will say that he is in no position to answer.

Mr. WHEELER. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

BILLS PASSED OVER

The bill (H. R. 7179) authorizing the naturalization of Louis D. Freedman was announced as next in order.

Mr. REYNOLDS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 8292) for the relief of Erich Hecht, Grete J. L. Hecht, and Erich F. Hecht, Jr., was announced as next in order.

Mr. REYNOLDS. Over.

The PRESIDING OFFICER. The bill will be passed over.

FLORENCE SINCLAIR COOPER AND OTHERS

The Senate proceeded to consider the bill (S. 1789) to authorize the cancelation of deportation proceedings in the case of Florence Sinclair Cooper and daughter Margaret Lavallie, which had been reported from the Committee on Immigration with amendments, on page 2, line 1, after the name "Lavallie" and the comma, to insert "and Philip P. Roy"; on line 3, before the name "Florence", to strike out "neither"; on line 4, after the name "Sinclair", to strike out "Cooper nor" and insert "Cooper"; on line 5, before the word "shall", to insert "and Philip P. Roy", and after the word "shall" to insert the word "not", so as to make the bill read:

Be it enacted, etc., That the Secretary of Labor is hereby authorized and directed to cancel the deportation proceedings issued pursuant to sections 19 and 20 of the Immigration Act of February 5, 1917 (39 Stat. 889, 890; U. S. C., title 8, secs. 155 and 156), in the case of Florence Sinclair Cooper and daughter, Margaret Lavallie, and Philip P. Roy, any provision of existing law to the contrary notwithstanding. From and after the date of the approval of this act, Florence Sinclair Cooper, her daughter, Margaret Lavallie, and Philip P. Roy shall not again be subject to deportation by reason of the same facts upon which the outstanding proceedings rest.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to authorize the cancelation of deportation proceedings in the case of Florence Sinclair Cooper and daughter, Margaret Lavallie, and Philip P. Roy."

BILLS PASSED OVER

The bill (H. R. 6083) for the relief of Morris Burnstein, Jennie Burnstein, and Adolph Burnstein was announced as next in order.

Mr. REYNOLDS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 6946) for the relief of Salvatore Taras was announced as next in order.

Mr. REYNOLDS. Over.

The PRESIDING OFFICER. The bill will be passed over.

JOHN L. HARDER

Mr. REYNOLDS. Mr. President, at this time I wish to withdraw the objection I entered several days ago to the consideration of Calendar No. 1529, House bill 5827.

The PRESIDING OFFICER. Does the Senator ask that the Senate recur to that bill at this time?

Mr. REYNOLDS. Yes, Mr. President.

There being no objection, the Senate proceeded to consider the bill (H. R. 5827) to authorize the cancelation of deportation proceedings in the case of John L. Harder and children, Paul William Harder, Irvin W. Harder, Edna Justina Harder, Elsie Anna Harder, and Elizabeth Harder, which had been reported from the Committee on Immigration with an amendment, on page 2, line 2, after the word "rest", to insert "and shall be deemed to be lawful residents of the United States", so as to make the bill read:

Be it enacted, etc., That the Secretary of Labor is hereby authorized and directed to cancel the proceedings instituted against John L. Harder and children, Paul William Harder, Irvin W. Harder, Edna Justina Harder, Elsie Anna Harder, and Elizabeth Harder, any provision of existing law to the contrary notwithstanding. From and after the date of the approval of this act, John L., Paul William, Irvin W., Edna Justina, Elsie Anna, and Elizabeth Harder shall not again be subject to deportation by reason of the same facts upon which the outstanding proceedings rest, and shall be deemed to be lawful residents of the United States.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

ASSAY OFFICE AT HELENA, MONT.

The Senate proceeded to consider the bill (S. 3115) to provide for the establishment and maintenance of an assay office at Helena, Mont., which was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to establish, equip, and maintain an assay office at Helena, Mona., for the purpose of assaying ore and purchasing gold.

SEC. 2. There are hereby authorized to be appropriated such sums as may be necessary in order to establish, equip, and maintain such assay office, and to acquire such land and construct or rent such buildings as may be necessary for the proper functioning of such assay office.

Mr. DANAHER. Mr. President, will not the Senator from Montana explain the need for this assay office?

Mr. WHEELER. Mr. President, there used to be an assay office at Helena for many years, and the Government still owns the building. A few years ago it was felt there was not any need for an assay office in Helena, but since mining has been revived in the western section of the country, in Montana and other States, a great many small miners are prospecting for gold and for other minerals, and they have to ship their ore to Denver and pay for the shipping. It is a very expensive matter for them, and also extremely inconvenient. It would be very helpful, in my judgment, and in the judgment of others, in restoring employment among prospectors if the assay office were reestablished.

Mr. DANAHER. I thank the Senator. Would he agree to strike out the words "and directed" in line 3?

Mr. WHEELER. Yes.

Mr. DANAHER. I move to amend, on lines 3 and 4, by striking out the words "and directed" after the word "authorized."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ERICH HECHT, AND OTHERS

Mr. BANKHEAD. Mr. President, the junior Senator from North Carolina [Mr. REYNOLDS], who objected to the consideration of Calendar No. 1764, House bill 8292, has just authorized me to say that he withdraws his objection. I ask unanimous consent to revert to that bill and have it taken up for consideration.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H. R. 8292) for the relief of Erich Hecht, Grete J. L. Hecht, and Erich F. Hecht, Jr., which was ordered to a third reading, read the third time, and passed.

WILDLIFE-RESTORATION PROJECTS

The Senate proceeded to consider the bill (S. 3739) to amend the act providing for Federal aid to the States in the establishment of wildlife-restoration projects, for the purpose of clearly indicating that such projects are to be owned by the respective States and maintained by them in accordance with the provisions of their laws, which was read, as follows:

Be it enacted, etc., That section 8 of the act entitled "An act to provide that the United States shall aid the States in wildlife-restoration projects, and for other purposes," approved September 2, 1937, is amended to read as follows:

"SEC. 8. Title to any real or personal property acquired, constructed, or improved by any State through the use of funds paid to it under the provisions of this act shall be vested in such State; and it shall be the duty of each State to maintain, in accordance with the provisions of its laws, any wildlife-restoration project established in such State through the use of funds paid to it under the provisions of this act."

Mr. WHEELER. Mr. President, the Senator from Utah [Mr. KING] has asked me for an explanation of the bill. It is merely an amendment clarifying the present law. There has been a controversy as to what the meaning of the law is, and as a result the stockmen and the cattlemen in Montana put one construction on the law to the effect that the law means that the lands involved would be the lands of the State and that the State would take care of them. The Department of the Interior says that that is the construction they put on the law at the present time. But the cattlemen and others in Montana were afraid, to be perfectly frank about it, that the Department of the Interior and the Government would try to run the reserves, and they were opposed to that and refused to comply with the construction until this amendment, or some other provision clarifying the law, was written into the statute.

I think they are right about it; and while the Interior Department says they put the construction on it I have heretofore stated, and though I do not think it is necessary to amend the law, nevertheless, if the provision is written into the law there cannot be any question about it.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

QUOTAS FOR WHEAT

The bill (H. R. 3955) to amend section 335 (d) of the Agricultural Adjustment Act of 1938 was announced as next in order.

Mr. GEORGE. Mr. President, I should like to have an explanation of this bill.

Mr. BARKLEY. Mr. President, the Senator from South Carolina [Mr. SMITH] has been temporarily called from the Chamber. I think this is one of the bills reported a day or two ago from the Committee on Agriculture and Forestry which permits, in voting upon quotas, the farmers involved to vote for a 3-year quota instead of a 1-year quota. It is very important, I know, to the tobacco growers that such a bill be enacted, but I do not wish to attempt to explain it in the absence of the Senator from South Carolina.

Mr. McNARY. Mr. President, this bill refers to wheat. The law exempts those producing less than a hundred bushels. This would increase the exemption to 200 bushels. I think it would perhaps be well to pass the bill over, as well as the next bill, until the Senator from South Carolina can be present to explain them.

The PRESIDING OFFICER. Objection is heard, and the bill will be passed over.

BILL PASSED OVER

The bill (H. R. 9700) to amend the Agricultural Adjustment Act of 1938, as amended, and for other purposes, was announced as next in order.

Mr. KING. Over.

The PRESIDING OFFICER. The bill will be passed over.

SUPPLY OF SEED FOR HAWAII

The Senate proceeded to consider the bill (S. 2326) to provide and maintain an adequate supply of suitable seed for production of food for the population of Hawaii in times of emergency, which had been reported from the Committee on Agriculture and Forestry with amendments, on page 2, line 11, after "July 1", to strike out "1939" and to insert "1940", and on line 14, after "July 1", to strike out "1939" and to insert "1940", so as to make the bill read:

Be it enacted, etc., That in order to aid in the production of a necessary food supply for the population of Hawaii in times of emergency, the Secretary of Agriculture be, and he is hereby, authorized and directed to construct suitable seed-storage facilities on the island of Oahu, Territory of Hawaii, and to establish and maintain an adequate supply of suitable seed for production of food for the population of Hawaii in times of emergency.

SEC. 2. In carrying out the purposes of section 1, the Secretary of Agriculture is authorized to cooperate with other departments and agencies of the Federal Government, the Territory of Hawaii, and Territorial agencies, institutions, business or other organizations, corporations, and individuals upon such terms and conditions as he may prescribe.

SEC. 3. To carry out the purposes of section 1 and section 2, there is hereby authorized to be appropriated for the fiscal year beginning July 1, 1940, $232,320, and for each fiscal year thereafter the sum of $50,000: *Provided*, That of the amount authorized for the fiscal year beginning July 1, 1940, $100,000 shall be available for the construction of suitable seed-storage facilities and the purchase and installation of equipment, and $91,000 for initial supply of suitable seed. Except in time of emergency, the Secretary of Agriculture is authorized to sell or otherwise dispose of, in accordance with such regulations as he may prescribe, only seeds which need to be replaced to maintain a supply of viable seed. In times of emergency he may furnish, in accordance with such regulations as he may prescribe, such amounts of seed, by sale or otherwise, as may be necessary to provide a food supply for the population of Hawaii in accordance with the purposes of this act. The amounts obtained from the sale of seeds shall be covered into the Treasury of the United States as miscellaneous receipts. Seed procured under the authority of this act may be purchased without regard to the provisions of section 3709, Revised Statutes.

Mr. McNARY. Mr. President, I think we should have some explanation of the bill.

Mr. HATCH. Mr. President, I may say to the Senator from Oregon that the purpose of the bill is to provide a supply of seed in the islands of Hawaii at all times, seeds kept fertile, to be planted and used for food to be consumed by the inhabitants of the islands in the event of emergency of any kind arising, when their connection with the mainland might be severed. There was almost such an emergency last year. The Delegate from Hawaii appeared before the subcommittee, and officials from the Department of Agriculture, the Navy Department, and the War Department urged very strongly that this seed supply be made available for the islands.

The PRESIDING OFFICER. The question is on agreeing to the amendments.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 9850) to expedite the strengthening of the national defense was announced as next in order.

Mr. McNARY. Mr. President, in the absence of an explanation of the bill——

The PRESIDING OFFICER. Does the Senator object to the present consideration of the bill?

Mr. McNARY. I object unless the bill is amply, fully, completely, and convincingly explained.

The PRESIDING OFFICER. Is any Senator present who can explain the bill? If not, the bill will be passed over.

TRANSPORTATION OF STOLEN ANIMALS

The bill (S. 3786) to provide for the punishment of persons transporting stolen animals in interstate commerce, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That this act shall be cited as the National Animal Theft Act.

SEC. 2. When used in this act—

(a) The term "animal" shall include any cattle, hog, sheep, horse, or mule.

(b) The term "interstate or foreign commerce" shall include transportation from one State, Territory, or the District of Columbia, to another State, Territory, or the District of Columbia, or to a foreign country, or from a foreign country to any State, Territory, or the District of Columbia.

SEC. 3. Whoever shall transport or cause to be transported in interstate or foreign commerce any animal, or the carcass or hide or any part of the carcass or hide of any animal, knowing the same to have been stolen, shall be punished by a fine of not more than $5,000 or by imprisonment of not more than 5 years, or both.

SEC. 4. Whoever shall receive, conceal, store, barter, buy, sell, or dispose of any such animal, or the carcass or hide or any part of the carcass or hide thereof, moving in or constituting a part of interstate or foreign commerce, knowing the same to have been stolen, shall be punished by a fine of not more than $5,000 or by imprisonment of not more than 5 years, or both.

SEC. 5. Any person violating section 3 of this act may be prosecuted in any district, from, into, or through which such animal, or the carcass or hide or any part of the carcass or hide thereof, has been transported or removed.

SEC. 6. Nothing herein shall be construed to repeal, modify, or amend any part of the National Stolen Property Act.

DISPOSITION OF FINES FOR FAILURE TO PAY ALASKAN LICENSE TAXES

The bill (S. 3491) to provide that fines for failure to pay license taxes in Alaska shall be disposed of as provided for the disposition of such taxes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 7 of the act of June 6, 1900 (ch. 786, 31 Stat. 324, as amended; 35 Stat. 840; U. S. C., title 48, sec. 106), be, and it is hereby, amended to read as follows:

"SEC. 7. That four clerks shall be appointed for the court, one of whom shall be assigned to each division thereof, and during his term of office shall reside at such place in the division as the Attorney General may direct. Each clerk shall, in his division of the district, perform the duties required or authorized by law to be performed by clerks of United States courts in other districts, and such other duties as may be prescribed by the laws of the United States relating to the district of Alaska. He shall preserve copies of all laws applicable to the district and shall preserve all records and record all proceedings and official acts of his division of the court. He shall also collect and receive all moneys arising from the fees of his office, from licenses, fines, forfeitures, judgments, or on any other account authorized by law to be paid to or collected by him, and shall apply the same, except the money derived from licenses and fines imposed for failure to pay license taxes, to the incidental expenses of the proper division of the district court and the allowance thereof as directed in written orders, duly made and signed by the judge, and shall account for the same in detail, and for any balances on account thereof, under oath, quarterly, or more frequently if required, to the court, the Attorney General, and the Secretary of the Treasury: *Provided*, That fines imposed and collected for failure to pay license taxes shall be disposed of as provided by law for the disposition of such license taxes; and moneys accruing from violations of the customs laws, civil customs cases, or internal-revenue cases, moneys, not including costs, accruing from civil post-office suits, fines in criminal cases for violations of the postal laws, the net proceeds of sales of public property under section 3618, Revised Statutes, as amended, and any other moneys the disposition of which is otherwise specially provided for by law, shall not be available for the expenses of the court, but shall be paid over or deposited as provided by law for other districts. And after all payments ordered by the judge shall have been made, any balances remaining in the hands of the clerk shall be by him deposited to the credit of the United States at such times and under such rules and regulations as the Secretary of the Treasury may prescribe. The clerk shall be ex officio recorder of instruments as hereinafter provided and also register of wills for the division, and shall establish secure offices for the safekeeping of his official record where terms of his division of the court are held. He may appoint necessary deputies and employ other necessary clerical assistance to aid him in the expeditious discharge of the duties of his office, with the approval and at compensation to be fixed by the court or judge, subject to the approval of the Attorney General. Any person so appointed or employed shall be paid by the clerk on the order of the judge, as other court expenses are paid."

FACILITIES FOR TERM OF COURT AT BENTON, ILL.

The bill (H. R. 8373) to amend section 79 of the Judicial Code, as amended, was considered, ordered to a third reading, read the third time, and passed.

EXTENSION OF TIME FOR FILING CLAIMS UNDER AGRICULTURAL ADJUSTMENT ACT

The bill (S. 1473) to extend the time for filing claims for refunds of amounts collected under the Agricultural Adjustment Act was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 903 of the Revenue Act of 1936, as amended, is amended by striking out "July 1, 1937," and inserting in lieu thereof "January 1, 1941."

PUNISHMENT OF CRIMES ON FEDERAL RESERVATIONS

The bill (H. R. 7018) to amend section 289 of the Criminal Code was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 3765) to extend the times for commencing and completing the construction of a bridge across the Columbia River at Astoria, Clatsop County, Oreg., was announced as next in order.

Mr. McNARY. I ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

MISSOURI RIVER BRIDGE, ARROW ROCK, MO.

The bill (S. 3807) to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Arrow Rock, Mo., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Missouri River, at or near Arrow Rock, Mo., authorized to be built by the St. Louis-Kansas City & Line Railroad Co. by the act of Congress approved March 2, 1929, heretofore extended by acts of Congress approved April 15, 1932, August 30, 1935, and May 24, 1937, are hereby further extended 1 and 3 years, respectively, from the date of approval thereof.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

MISSOURI RIVER BRIDGE, NIOBRARA, NEBR.

The bill (H. R. 8491) authorizing the county of Knox, State of Nebraska, to construct, maintain, and operate a toll bridge across the Missouri River at or near Niobrara, Nebr., was considered, ordered to a third reading, read the third time, and passed.

MISSOURI RIVER BRIDGE, PETERSBURG, MO.

The bill (H. R. 8749) to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Petersburg, Mo., was considered, ordered to a third reading, read the third time, and passed.

MISSISSIPPI RIVER BRIDGE, WINONA, MINN.

The bill (H. R. 9094) to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Winona, Minn., was considered, ordered to a third reading, read the third time, and passed.

ST. LAWRENCE RIVER BRIDGE, OGDENSBURG, N. Y.

The bill (H. R. 9411) to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N. Y., and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

DONATION OF A TOTEM POLE TO CITY OF SEATTLE

The bill (S. 3677) to donate to the city of Seattle a totem pole carved by the Alaskan native Civilian Conservation Corps was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Director of the Civilian Conservation Corps, through the regional forester, United States Forest Service, Juneau, Alaska, is hereby authorized to donate to the city of Seattle, Wash., the duplicate of the pioneer place totem pole which has been carved by Alaskan native Civilian Conservation Corps enrollees.

RESOLUTION PASSED OVER

The resolution (S. Res. 273) favoring the furnishing to the Senate by the various executive agencies of information concerning the number, compensation, and duties of aliens employed therein was announced as next in order.

Mr. BARKLEY. Mr. President, inasmuch as a report was made recently on that very matter, I ask that it go over.

The PRESIDING OFFICER (Mr. CHANDLER in the chair). The resolution will be passed over.

SERVICE OF PROCESS ON THE UNITED STATES IN FORECLOSURES

The bill (H. R. 7020) to amend section 2 of the act of March 4, 1931 (46 Stat. 1528), in regard to service of process on the United States in foreclosure actions, was considered, ordered to a third reading, read the third time, and passed.

JURISDICTION OF CRIMES ON CERTAIN FEDERAL RESERVATIONS

The bill (H. R. 8119) to amend the Criminal Code so as to confer concurrent jurisdiction on courts of the United States over crimes committed on certain Federal reservations was considered, ordered to a third reading, read the third time, and passed.

POTOMAC VALLEY CONSERVANCY DISTRICT COMPACT

The Senate proceeded to consider the joint resolution (S. J. Res. 222) to provide that the compact creating a Potomac Valley Conservancy District may become effective if agreed to by a majority of the parties authorized to enter into it and by Congress, which had been reported from the Committee on Commerce with an amendment, to strike out all after the resolving clause and to insert the following:

Whereas the State of Maryland, by chapter 320 of its acts of 1939, approved May 3, 1939, and the Commonwealth of Virginia, by chapter 324 of its laws of 1940, approved March 29, 1940, and the Board of Commissioners of the District of Columbia acting pursuant to Public Resolution No. 74 of the Seventy-fifth Congress, chapter 891, of the first session, approved August 31, 1937, by resolution adopted April 16, 1940, have approved and desire to enter into a compact to create a Potomac Valley Conservancy District and to establish an Interstate Commission on the Potomac River Basin, to which compact by its terms the State of West Virginia and the Commonwealth of Pennsylvania are empowered to enter, and which compact by its terms becomes effective when ratified by a majority of the five signatory bodies thereto, and approved by the Congress of the United States, and which compact is as follows:

"COMPACT

"Whereas it is recognized that abatement of existing pollution and the control of future pollution of interstate streams can best be promoted through a joint agency representing the several States located wholly or in part within the area drained by any such interstate stream; and

"Whereas the Congress of the United States has given its consent to the States of Maryland and West Virginia, the Commonwealths of Pennsylvania and Virginia, and the District of Columbia to enter into a compact providing for the creation of a conservancy district to consist of the drainage basin of the Potomac River and the main and tributary streams therein, for 'the purpose of regulating, controlling, preventing, or otherwise rendering unobjectionable and harmless the pollution of the waters of said Potomac drainage area by sewage and industrial and other wastes';

"Now, therefore, the States of Maryland and West Virginia, the Commonwealths of Pennsylvania and Virginia, and the District of Columbia, hereinafter designated signatory bodies, do hereby create the Potomac Valley Conservancy District, hereinafter designated the conservancy district, comprising all of the area drained by the Potomac River and its tributaries; and also do hereby create the Interstate Commission on the Potomac River Basin, hereinafter designated the Commission, under the articles of organization as set forth below.

"ARTICLE I

"The Interstate Commission on the Potomac River Basin shall consist of three members from each signatory body and three members appointed by the President of the United States. Said Commissioners, other than those appointed by the President, shall be chosen in a manner and for the terms provided by law of the signatory body from which they are appointed and shall serve without compensation from the Commission but shall be paid by the Commission their actual expenses incurred and incident to the performance of their duties.

"(A) The Commission shall meet and organize within 30 days after the effective date of this compact, shall elect from its number a chairman and vice chairman, shall adopt suitable bylaws, shall make, adopt, and promulgate such rules and regulations as are necessary for its management and control, and shall adopt a seal.

"(B) The Commission shall appoint and, at its pleasure, remove or discharge such officers and legal, engineering, clerical, expert, and other assistants as may be required to carry the provisions of this compact into effect, and shall determine their qualifications and fix their duties and compensation. Such personnel as may be employed shall be employed without regard to any civil service or other similar requirements for employees of any of the signatory bodies. The Commission may maintain one or more offices for the transaction of its business and may meet at any time or place within the area of the conservancy district.

"(C) The Commission shall keep accurate accounts of all receipts and disbursements and shall make an annual report thereof and shall in such report set forth in detail the operations and transactions conducted by it pursuant to this compact. The Commission, however, shall not incur any obligations for administrative or other expenses prior to the making of appropriations adequate to meet the same nor shall it in any way pledge the credit of any of the signatory bodies. Each of the signatory bodies reserves the right to make at any time an examination and audit of the accounts of the Commission.

"(D) A quorum of the Commission shall, for the transaction of business, the exercise of any powers, or the performance of any duties, consist of at least a majority of the members of the Commission: *Provided, however,* That no action of the Commission relating to policy shall be binding on any one of the signatory bodies unless at least two of the Commissioners from such signatory body shall vote in favor thereof.

"ARTICLE II

"The Commission shall have the power and its duties shall be:

"(A) To coordinate, tabulate, and summarize technical and other data now available, or as shall become available in the future from any source, on the pollution of the streams of the conservancy district and on the character and conditions of such streams, and to prepare reports thereon annually and at such other times as may be deemed advisable by the Commission.

"(B) To supplement existing information and data, and to secure new data by such investigations, analyses, or other means as may be necessary to secure adequate information on the character and condition of the streams of the conservancy district as they now exist or may be affected by the future discharge of sewage and industrial and other wastes into the said stream.

"(C) To cooperate with the legislative and administrative agencies of the signatory bodies, or the equivalent thereof, and with other interested commissions and similar organizations for the purpose of promoting uniform laws, rules, or regulations for the abatement and control of pollution of streams in the said conservancy district.

"(D) To disseminate to the public information on the aims and purposes of the Commission and on the harmful and uneconomical results of stream pollution, through the issuance of bulletins, circulars, correspondence, literature, and reports.

"(E) To cooperate with other organizations engaged in fact-finding and research activities on the treatment of sewage and industrial wastes or other wastes, and if deemed advisable, to institute and conduct such research and fact-finding activities.

"(F) To make and, if needful from time to time, revise and to recommend to the signatory bodies, reasonable, minimum standards for the treatment of sewage and industrial or other wastes now discharged or to be discharged in the future to the streams of the conservancy district, and also, for cleanliness of the various streams in the conservancy district.

"ARTICLE III

"The moneys necessary to finance the Commission in the administration of its business in the conservancy district shall be provided through appropriations from the signatory bodies and the United States, in the manner prescribed by the laws of the several signatory bodies and of the United States, and in amounts as follows:

"The pro rata contribution shall be based on such factors as population, the amount of industrial and domestic pollution; and a flat service charge, as shall be determined from time to time by the Commission, subject, however, to the approval, ratification, and appropriation of such contribution by the several signatory bodies: *And further provided,* That the total of such sums from signatory bodies shall not exceed a total of $30,000 per annum.

"ARTICLE IV

"Pursuant to the aims and purposes of this compact, the signatory bodies mutually agree:

"1. Faithful cooperation in the abatement of existing pollution and the prevention of future pollution in the streams of the conservancy district.

"2. The enactment of adequate and, insofar as is practicable, uniform legislation for the abatement and control of such pollution.

"3. The appropriation of biennial sums on the proportionate basis as set forth in article III.

"ARTICLE V

"This compact shall become effective immediately after it shall have been ratified by the majority of the legislatures of the States of Maryland and West Virginia, the Commonwealths of Pennsylvania and Virginia, and by the Commissioners of the District of Columbia, and approved by the Congress of the United States: *Provided, however,* That this compact shall not be effective as to any signatory body until ratified thereby.

"ARTICLE VI

"Any signatory body may by legislative act, after 1 year's notice to the Commission, withdraw from this compact." Now, therefore, be it

Resolved, etc., That the consent of Congress is hereby given to the States of Maryland and West Virginia and the Commonwealths of Virginia and Pennsylvania and the District of Columbia to enter into the compact hereinbefore recited, and to each and every part and article thereof: *Provided,* That nothing contained in such compact shall be construed as impairing or in any manner affecting any right or jurisdiction of the United States in and over the region which forms the subject of this compact.

SEC. 2. The right to alter, amend, or repeal this joint resolution is hereby expressly reserved.

The amendment was agreed to.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "Joint resolution granting the consent of Congress to the States of Maryland and West Virginia and the Commonwealths of Virginia and Pennsylvania and the District of Columbia as signatory bodies, to enter into a compact for the creation of a Potomac Valley Conservancy District and the establishment of the Interstate Commission on the Potomac River Basin."

BILL PASSED OVER

The bill (H. R. 7116) to authorize defraying cost of necessary work between the Yuma project and Boulder Dam, was announced as next in order.

Mr. McNARY. Over.

The PRESIDING OFFICER. The bill will be passed over.

REIMBURSEMENT FOR TRAVEL EXPENSES OF CERTAIN EMPLOYEES OF CORPS OF ENGINEERS

The bill (H. R. 9118) to provide for the reimbursement of travel expenses to certain employees of the Corps of Engineers, United States Army, was considered, ordered to a third reading, read the third time, and passed.

INTERSTATE COMPACT RELATING TO POLLUTION CONTROL IN OHIO RIVER DRAINAGE BASIN

The bill (S. 3617) granting the consent and approval of Congress to an interstate compact relating to control and reduction of pollution in the Ohio River drainage basin, was announced as next in order.

Mr. DANAHER. Mr. President, will the Senator from Kentucky explain whether or not this particular compact is brought to us pursuant to the authority contained in the Senator's bill presented at the last session?

Mr. BARKLEY. No; the compact is brought here in pursuance to a previous act of Congress authorizing the States involved to enter into a compact. Such a compact has been entered into by most of the States, and the bill simply revises that compact and gives the approval of the Congress to the compact which was authorized by an act of 1936. It has no relationship to the bill dealing with the subject of stream pollution, which was passed by the Senate, and which is now in conference. The bill involves only the States in the Ohio River Valley, including New York, Pennsylvania, West Virginia, Indiana, Ohio, Illinois, Kentucky, and Virginia.

Mr. DANAHER. Would the Senator be willing to express an opinion as to whether or not this particular compact comes within the terms of the bill which is now in conference?

Mr. BARKLEY. It does not cover the entire territory covered in the bill now in conference, because that is a general bill with respect to stream pollution throughout the United States. This compact is one which is set out in the bill itself, which creates this drainage area, and which provides for certain cooperation among these States for the purpose of enabling them to minimize and ultimately eliminate pollution in the Ohio River and its tributaries involved in this measure. There are some provisions in the general bill which are not included in this compact.

Mr. DANAHER. Does the Senator understand that the general bill adds anything to the compact now under consideration in the pending bill?

Mr. BARKLEY. The general bill, insofar as it affects the Ohio River Valley, is not inconsistent with this compact, but of course it covers, as I said, territory throughout the Union, whereas this compact relates only to the Ohio River Valley.

Mr. DANAHER. I thank the Senator. But let me say there is only one point as to which I am in doubt. The bill now in conference, which I think is Senate bill 685, which the Senator from Kentucky introduced, contained a provision that any two or more States could enter into a compact for the purpose mentioned in the antipollution bill.

Mr. BARKLEY. That is true.

Mr. DANAHER. I therefore wish to know whether it is the Senator's judgment that the bill now in conference adds anything to the bill which is now under consideration.

Mr. BARKLEY. This compact was entered into in pursuance of a special act, which is limited to the Ohio River Valley, and the States that are named in the pending measure. This compact could not be entered into pursuant to the bill referred to by the Senator because it has not yet become law. Under the bill now in conference any two States anywhere in the United States may enter into compacts with respect to stream pollution, whereas the pending bill deals with a special situation created in the Ohio River Valley.

Mr. DANAHER. I thank the Senator from Kentucky. I have no objection to the bill or to the compact, but let me say that the whole subject of compacts will become increasingly rather than less interesting as time goes on.

Mr. BARKLEY. I agree with the Senator. And let me say that the States involved and the people of the Ohio Valley are extremely anxious that this compact be approved.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 3617) granting the consent and approval of Congress to an interstate compact relating to control and reduction of pollution in the Ohio River drainage basin, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the consent and approval of Congress is hereby given to an interstate compact relating to the control and reduction of the pollution of the streams of the Ohio River drainage basin negotiated and entered into or to be entered into under authority of Public Resolution No. 104, Seventy-fourth Congress, approved June 8, 1936, and now ratified by the States of New York, Illinois, Kentucky, and Indiana, and by the State of Ohio (whose ratification is to go into effect at the time at which the States of New York, Pennsylvania, and West Virginia enter into said compact as parties and signatory States), also by the State of West Virginia (whose ratification is to go into effect at the time at which the States of New York, Ohio, Virginia, and Pennsylvania enter into said compact as parties and signatory States), which compact reads as follows:

"SECTION 1.—

"OHIO RIVER VALLEY WATER SANITATION COMPACT

"BETWEEN THE STATES OF ILLINOIS, INDIANA, KENTUCKY, NEW YORK, OHIO, PENNSYLVANIA, TENNESSEE, AND WEST VIRGINIA

"Pursuant to authority granted by an act of the Seventy-fourth Congress of the United States, Public Resolution 104, approved June 8, 1936, conferences of delegates appointed to draft the compact were held at Cincinnati, Ohio, on November 20, 1936; January 17, 1938; May 24, 1938; June 13, 1938; October 11, 1938

"Whereas a substantial part of the territory of each of the signatory States is situated within the drainage basin of the Ohio River; and

"Whereas the rapid increase in the population of the various metropolitan areas situated within the Ohio drainage basin, and the

growth in industrial activity within that area, have resulted in recent years in an increasingly serious pollution of the waters and streams within the said drainage basin, constituting a grave menace to the health, welfare, and recreational facilities of the people living in such basin, and occasioning great economic loss; and

"Whereas the control of future pollution and the abatement of existing pollution in the waters of said basin are of prime importance to the people thereof, and can best be accomplished through the cooperation of the States situated therein, by and through a joint or common agency;

"Now, therefore, the States of Illinois, Indiana, Kentucky, New York, Ohio, Pennsylvania, Tennessee, and West Virginia do hereby covenant and agree as follows:

"ARTICLE I

"Each of the signatory States pledges to each of the other signatory States faithful cooperation in the control of future pollution in and abatement of existing pollution from the rivers, streams, and waters in the Ohio River Basin which flow through, into, or border upon any of such signatory States, and in order to effect such object, agrees to enact any necessary legislation to enable each such State to place and maintain the waters of said basin in a satisfactory sanitary condition, available for safe and satisfactory use as public and industrial water supplies after reasonable treatment, suitable for recreational usage, capable of maintaining fish and other aquatic life, free from unsightly or malodorous nuisances due to floating solids or sludge deposits, and adaptable to such other uses as may be legitimate.

"ARTICLE II

"The signatory States hereby create a district to be known as the 'Ohio River Valley Water Sanitation District,' hereinafter called the District, which shall embrace all territory within the signatory States, the water in which flows ultimately into the Ohio River, or its tributaries.

"ARTICLE III

"The signatory States hereby create the 'Ohio River Valley Water Sanitation Commission,' hereinafter called the Commission, which shall be a body corporate, with the powers and duties set forth herein, and such additional powers as may be conferred upon it by subsequent action of the respective legislatures of the signatory States or by act or acts of the Congress of the United States.

"ARTICLE IV

"The Commission shall consist of three commissioners from each State, each of whom shall be a citizen of the State from which he is appointed, and three commissioners representing the United States Government. The commissioners from each State shall be chosen in the manner and for the terms provided by the laws of the States from which they shall be appointed, and any commissioner may be removed or suspended from office as provided by the law of the State from which he shall be appointed. The commissioners representing the United States shall be appointed by the President of the United States, or in such other manner as may be provided by Congress. The commissioners shall serve without compensation, but shall be paid their actual expenses incurred in and incident to the performance of their duties; but nothing herein shall prevent the appointment of an officer or employee of any State or of the United States Government.

"ARTICLE V

"The Commission shall elect from its number a chairman and vice chairman, and shall appoint, and at its pleasure remove or discharge, such officers and legal, clerical, expert, and other assistants as may be required to carry the provisions of this compact into effect, and shall fix and determine their duties, qualifications, and compensation. It shall adopt a seal and suitable bylaws, and shall adopt and promulgate rules and regulations for its management and control. It may establish and maintain one or more offices within the District for the transaction of its business, and may meet at any time or place. One or more commissioners from a majority of the member States shall constitute a quorum for the transaction of business.

"The Commission shall submit to the Governor of each State, at such time as he may request, a budget of its estimated expenditures for such period as may be required by the laws of such State for presentation to the legislature thereof.

"The Commission shall keep accurate books of account, showing in full its receipts and disbursements, and said books of account shall be open at any reasonable time to the inspection of such representatives of the respective signatory States as may be duly constituted for that purpose.

"On or before the first day of December of each year, the Commission shall submit to the respective Governors of the signatory States a full and complete report of its activities for the preceding year.

"The Commission shall not incur any obligations of any kind prior to the making of appropriations adequate to meet the same; nor shall the Commission pledge the credit of any of the signatory States, except by and with the authority of the legislature thereof.

"ARTICLE VI

"It is recognized by the signatory States that no single standard for the treatment of sewage or industrial wastes is applicable in all parts of the District due to such variable factors as size, flow, location, character, self-purification, and usage of waters within the District. The guiding principle of this compact shall be that pollution by sewage or industrial wastes originating within a signatory State shall not injuriously affect the various uses of the interstate waters as hereinbefore defined.

"All sewage from municipalities or other political subdivisions, public or private institutions, or corporations, discharged or permitted to flow into these portions of the Ohio River and its tributary waters which form boundaries between, or are contiguous to, two or more signatory States, or which flow from one signatory State into another signatory State, shall be so treated, within a time reasonable for the construction of the necessary works, as to provide for substantially complete removal of settleable solids, and the removal of not less than 45 percent of the total suspended solids; provided that, in order to protect the public health or to preserve the waters for other legitimate purposes, including those specified in Article I, in specific instances such higher degree of treatment shall be used as may be determined to be necessary by the Commission after investigation, due notice, and hearing.

"All industrial wastes discharged or permitted to flow into the aforesaid waters shall be modified or treated, within a time reasonable for the construction of the necessary works, in order to protect the public health or to preserve the waters for other legitimate purposes, including those specified in Article I, to such degree as may be determined to be necessary by the Commission after investigation, due notice, and hearing.

"All sewage or industrial wastes discharged or permitted to flow into tributaries of the aforesaid waters situated wholly within one State shall be treated to that extent, if any, which may be necessary to maintain such waters in a sanitary and satisfactory condition at least equal to the condition of the waters of the interstate stream immediately above the confluence.

"The Commission is hereby authorized to adopt, prescribe, and promulgate rules, regulations, and standards for administering and enforcing the provisions of this article.

"ARTICLE VII

"Nothing in this compact shall be construed to limit the powers of any signatory State, or to repeal or prevent the enactment of any legislation or the enforcement of any requirement by any signatory State, imposing additional conditions and restrictions to further lessen or prevent the pollution of waters within its jurisdiction.

"ARTICLE VIII

"The Commission shall conduct a survey of the territory included within the District, shall study the pollution problems of the District, and shall make a comprehensive report for the prevention or reduction of stream pollution therein. In preparing such report, the Commission shall confer with any national or regional planning body which may be established, and any department of the Federal Government authorized to deal with matters relating to the pollution problems of the District. The Commission shall draft and recommend to the Governors of the various signatory States uniform legislation dealing with the pollution of rivers, streams, and waters and other pollution problems within the district. The Commission shall consult with and advise the various States, communities, municipalities, corporations, persons, or other entities with regard to particular problems connected with the pollution of waters, particularly with regard to the construction of plants for the disposal of sewage, industrial, and other waste. The Commission shall, more than 1 month prior to any regular meeting of the legislature of any State which is a party thereto, present to the Governor of the State its recommendations relating to enactments to be made by any legislature in furthering the intents and purposes of this compact.

"ARTICLE IX

"The Commission may from time to time, after investigation and after a hearing, issue an order or orders upon any municipality, corporation, person, or other entity discharging sewage or industrial waste into the Ohio River or any other river, stream, or water, any part of which constitutes any part of the boundary line between any two or more of the signatory States, or into any stream, any part of which flows from any portion of one signatory State through any portion of another signatory State. Any such order or orders may prescribe the date on or before which such discharge shall be wholly or partially discontinued, modified, or treated, or otherwise disposed of. The Commission shall give reasonable notice of the time and place of the hearing to the municipality, corporation, or other entity against which such order is proposed. No such order shall go into effect unless and until it receives the assent of at least a majority of the commissioners from each of not less than a majority of the signatory States; and no such order upon a municipality, corporation, person, or entity in any State shall go into effect unless and until it receives the assent of not less than a majority of the commissioners from such State.

"It shall be the duty of the municipality, corporation, person, or other entity to comply with any such order issued against it or him by the Commission, and any court of general jurisdiction or any United States district court in any of the signatory States shall have the jurisdiction, by mandamus, injunction, specific performance, or other form of remedy, to enforce any such order against any municipality, corporation, or other entity domiciled or located within such State or whose discharge of the waste takes place within or adjoining such State, or against any employee, department, or subdivision of such municipality, corporation, person, or other entity; provided, however, such court may review the order and

affirm, reverse, or modify the same upon any of the grounds customarily applicable in proceedings for court review of administrative decisions. The Commission or, at its request, the Attorney General or other law-enforcing official, shall have power to institute in such court any action for the enforcement of such order.

"ARTICLE X

"The signatory States agree to appropriate for the salaries, office and other administrative expenses, their proper proportion of the annual budget as determined by the Commission and approved by the Governors of the signatory States, one-half of such amount to be prorated among the several States in proportion to their population within the District at the last preceding Federal census, the other half to be prorated in proportion to their land area within the District.

"ARTICLE XI

"This compact shall become effective upon ratification by the legislatures of a majority of the States located within the District and upon approval by the Congress of the United States; and shall become effective as to any additional States signing thereafter at the time of such signing."

SEC. 2. Without further submission of said compact, the consent of Congress is hereby given to the State of Virginia or any other State with waters in the Ohio River drainage basin, entering into said compact as a signatory State and party in addition to the States therein named or any of them.

SEC. 3. The commissioners to represent the United States, as provided in article IV of said compact, shall be appointed by the President.

SEC. 4. The right to alter, amend, or repeal the provisions of section 1 is hereby expressly reserved.

REORGANIZATION PLAN NO. V—JOINT RESOLUTION PASSED OVER

The joint resolution (H. J. Res. 551) providing for the taking of effect of Reorganization Plan No. V was announced as next in order.

Mr. McNARY. Mr. President, this joint resolution involves the last Executive order of the President transferring the Immigration and Naturalization Service from the Department of Labor to the Department of Justice. I do not have the data before me. I am speaking from memory only. I have no objection to the transfer, but I cannot speak for other Members of the Senate. Inasmuch as there has been some controversy over the President's order, I suggest that the joint resolution remain in abeyance until the call of the calendar has been concluded, and then I should like to suggest the absence of a quorum, so that all Senators may be notified of the fact that the Executive order is under consideration.

The PRESIDING OFFICER. Without objection, the joint resolution will be temporarily passed over.

HOSPITALIZATION FOR RETIRED SERVICE PERSONNEL

Mr. JOHNSON of Colorado. Mr. President, I ask the Senate to revert to Calendar No. 1415, Senate bill 1460.

The PRESIDING OFFICER. Is there objection?

Mr. KING. What bill is that?

Mr. JOHNSON of Colorado. The bill was reached on the calendar yesterday, but I was absent from the Senate Chamber, in a conference committee, at the time and the Senator from Tennessee [Mr. MCKELLAR] called for an explanation.

The PRESIDING OFFICER. The clerk will state the title of the bill.

The CHIEF CLERK. A bill (S. 1460) to provide uniform reciprocal hospitalization in any Army or Navy hospital for retired personnel of the Army, Navy, Marine Corps, and Coast Guard.

Mr. McNARY. Mr. President, I made no objection to the bill, and do not have any now to the bill, but under the usual custom and courtesy there should at least be an explanation of the bill. I should not want to see only one intervening day cure all objection that was made on the preceding day. If the Senator who objected yesterday——

The PRESIDING OFFICER. The Senator from Tennessee [Mr. MCKELLAR], who is now present, yesterday entered an objection to the consideration of the bill.

Mr. MCKELLAR. Mr. President, I asked for an explanation, and no explanation was made.

Mr. JOHNSON of Colorado. I am here now to make one.

Mr. MCKELLAR. I have no objection to the consideration of the measure.

Mr. McNARY. The identity of the objector has been ascertained. I do not know whether or not there were other objectors.

Mr. KING. May we have an explanation of the bill?

Mr. McNARY. Will the Senator explain the bill?

Mr. JOHNSON of Colorado. Mr. President, the bill was considered in the Military Affairs Committee, and the committee asked me to present it on the floor. The purpose of the bill is to provide reciprocal hospitalization for retired personnel of the Army, Navy, Marine Corps, and Coast Guard in the respective facilities of the various organizations. At the present time, retired personnel may have the benefit of that service by Executive order, or by an application through regular channels. The purpose of the bill is to take care of emergency cases. Section 3 of the bill was objected to by the Bureau of the Budget and by the Navy Department; but, as reported from the committee, section 3 has been stricken from the bill. So far as I know, there is no serious objection by any of the departments to the bill as amended.

Mr. KING. Mr. President, I should like to inquire whether or not, if the bill should be passed, it would encourage reciprocal relations in cases in which there ought not to be reciprocal relations, and thus encourage additional expense. For example, a person situated in Baltimore might prefer to go to a hospital in Philadelphia, in some other branch of the service, and he might maneuver so as to get to Philadelphia, and thus perhaps crowd the facilities of the hospital there and increase the expense to the Government. It seems to me there should be some provision by which no transfer from one hospital to another, or from one agency to another, could be made without supervision and without the consent of some agency.

Mr. JOHNSON of Colorado. Of course, that is the situation at the present time. If a man is suffering from disease or injury, it is not desirable to wait so long. The bill is for the benefit of retired personnel. While it probably would not cost the Government anything, it would save the men a considerable amount of transportation and other expenses. A companion bill passed some time ago.

Mr. KING. Mr. President, does the Senator believe there are sufficient protective provisions in the bill so that there would be no injustice to the Government or to any hospital to which a person who was injured or sick might seek admission?

Mr. JOHNSON of Colorado. After full hearings, the committee reached the conclusion that there would be no abuse under the bill.

Mr. MCKELLAR. The bill would save the ex-service men a great amount of traveling expense in going to other cities, and there would not be any increased cost to the Government.

Mr. JOHNSON of Colorado. On the whole, there would not be any increased cost to the Government.

Mr. MCKELLAR. I have no objection.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. DANAHER. I should like to invite the attention of the Senator from Colorado to page 1, line 4, of the bill and ask him if he will tell us whether or not there is any difference between a Fleet Naval Reservist and any other kind.

Mr. JOHNSON of Colorado. I do not know.

Mr. DANAHER. What is a Fleet Naval Reservist?

Mr. WALSH. Mr. President, there is an organization known as the Fleet Naval Reserve and also an organization known as the Naval Reserve. The Fleet Naval Reserves are Reserves who are especially trained for fleet service.

Mr. DANAHER. Have they been members of the United States Navy?

Mr. WALSH. The Naval Reserves bear to the Navy the same relation the Army Reserves bear to the Army.

Mr. DANAHER. Do they include officers and personnel on vessels entitled to fly the flag of the Naval Reserve?

Mr. WALSH. I do not know what the Senator means. There are men who are active in the naval service and there are Reserves. There are Fleet Reserves and Naval Reserves.

Mr. DANAHER. Let me make my question clear to the Senator from Massachusetts. The United States shipping lines are authorized to fly the flag of the United States Naval

Reserve if the majority of their officers and personnel are Naval Reserve members. I should like to know whether or not those men also would come under the provisions of the bill.

Mr. WALSH. I am not familiar with the bill, and therefore I cannot answer the question; but I rose to answer the Senator's first question and to state that there is such an organization as the Fleet Naval Reserve.

Mr. DANAHER. I thank the Senator from Massachusetts.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 1460) to provide uniform reciprocal hospitalization in any Army or Navy hospital for retired personnel of the Army, Navy, Marine Corps, and Coast Guard, and for other purposes, which had been reported from the Committee on Military Affairs with an amendment, on page 2, after line 3, to strike out:

SEC. 3. Applicants residing within an Army or Navy hospital area, who require medical attention and who are unable, because of physical disability, to journey to such Army or Navy hospital, shall be accorded out-patient treatment on parity with active-service personnel residing within the same hospital area.

So as to make the bill read:

Be it enacted, etc., That retired personnel of the Army, Navy, Marine Corps, and Coast Guard, and Fleet Naval and Fleet Marine Corps Reservists requiring hospitalization shall be entitled to enter any Army or Navy hospital upon their own personal request, under the same conditions as are now, or which hereafter may be, fixed for the active service.

SEC. 2. Applicants requiring only temporary or dispensary treatment shall be accorded such service under the same regulations as govern dispensary treatment to active service personnel.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MAINTENANCE OF ESSENTIAL VESSELS AFFECTED BY NEUTRALITY ACT

The Senate proceeded to consider the joint resolution (S. J. Res. 260) to make emergency provision for the maintenance of essential vessels affected by the Neutrality Act of 1939, and for adjustment of obligations with respect to such vessels.

Mr. BAILEY. Mr. President, I take it that it would be proper to make a brief explanation of the joint resolution.

The joint resolution is an emergency measure suggested by the Maritime Commission, having in view the possibility and likelihood of a number of our vessels now operating in European waters—for example, in the Mediterranean—being excluded from those waters by our Neutrality Act or by the orders of the President under that act. I could mention 2 or 3 vessels now operating in the Mediterranean, and through the Mediterranean to the east; and perhaps there are 25 or 30 others.

In addition, we have just about completed a steamship known as the *America*, which, as I understood from one of of the witnesses from the Maritime Commission, cost about $18,000,000. There is no place for it to go.

These ships are indispensable to our national defense. They will deteriorate unless we take care of them. The purpose of the bill is to take care of them temporarily, in view of the fact that under the operation of our laws they have been taken out of the waters in which they might take care of themselves. I am assured by the Maritime Commission that the legislation will not cost the Government anything. While the ships are not operating, they do not receive the operating subsidy differential; and the amount which the Government will expend to keep them in working condition and to keep skeleton crews on them, so that they will be ready to go, will be less than the operating differential.

I think the proposed legislation is very timely and very necessary, and I hope there will be no objection to it.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That (a) when used in this joint resolution the term "essential vessel" means any vessel (1) which is (A) security for any mortgage indebtedness to the United States or (B) constructed under the Merchant Marine Act, 1936, or required by the terms of a contract under such act to be operated on a certain essential foreign trade route, and (2) which it is necessary in the interests of commerce and national defense to maintain in condition for prompt use.

(b) For the purposes of preserving in the national interest the full availability and usefulness of essential vessels, which, under the provisions of the Neutrality Act of 1939 (or any proclamation issued thereunder), or compatibly with the national interest, cannot be operated in the service, route, or line to which such vessels are assigned pursuant to the Merchant Marine Act, 1936, or in which they would otherwise be operated, the United States Maritime Commission is authorized to make adjustments of obligations in respect of such vessels and to make arrangements for the maintenance of such vessels, subject to the provisions of this joint resolution and to such rules and regulations as the Commission shall prescribe as necessary or appropriate for carrying out the purposes and provisions of this joint resolution. If the Commission, upon written application in respect of any essential vessel, determines after such examination, investigation, and proceedings as it deems desirable, that (1) the operation of such vessel in the service, route, or line to which such vessel is assigned pursuant to the Merchant Marine Act, 1936, or in which it would otherwise be operated, is either (A) not lawful under the Neutrality Act of 1939 (or any proclamation issued thereunder), or (B) not compatible with the maintenance of availability of such vessel for purposes of national defense and commerce, (2) it is not feasible under existing law to employ such vessel in any other service or operation in either the foreign or domestic trades (except temporary or emergency operation under subsection (c) (5) hereof), and (3) the applicant, by reason of the restrictions of the Neutrality Act of 1939, or the withdrawal of vessels for national-defense purposes under clause (1) hereof, is not earning or will not earn a fair and reasonable return on the capital necessarily employed in its business, the Commission may make adjustments and arrangements with the applicant as provided in subsection (c) hereof, which shall continue in effect only during the circumstances above described.

(c) Such adjustments and arrangements shall include suspension of the requirement to operate such vessel in foreign trade under the applicable operating-differential or construction-differential subsidy contract or mortgage or other agreement, and of the right to operating-differential subsidy in respect of such vessel, and may include any one or more of the following provisions, in whole or in part, as, and to the extent that, the Commission may deem to be necessary or appropriate to carry out the purposes of the Merchant Marine Act, 1936, or the purposes and provisions of this joint resolution:

(1) Lay-up of the vessel by the owner or, at the option of the Commission, in the custody of the Commission, with payment or reimbursement by the Commission of necessary and proper expenses thereof (including reasonable overhead and insurance), or in lieu of such payment or reimbursement, a fixed periodic allowance therefor;

(2) Postponement, for a period not in excess of the period or periods of lay-up, of the maturity date of each installment on account of the principal of obligations to the United States in respect of the vessel (whether or not such maturity date shall fall within such period or periods), or rearrangement of such maturities;

(3) Postponement or cancelation of interest accruing on such obligations during such period or periods of lay-up;

(4) Extension for a period not in excess of the period or periods of lay-up, of the 20-year life limitation in respect of the vessel, and of the period or periods of other limitations and provisions of the Merchant Marine Act, 1936, insofar as they are based upon a 20-year life;

(5) Provisions for such temporary or emergency employment of the vessel in lieu of lay-up as may be practicable, with such arrangements for management of the vessel, payment of expenses, and application of the proceeds of such employment, as the Commission may approve, the period or periods of such operation being included as part of the period or periods of lay-up; and

(6) The payment to the Commission, upon termination of the arrangements with the applicant hereunder, out of the applicant's net profits, earned while such arrangements were in effect, in excess of 10 percent per annum on the capital necessarily employed in the applicant's business, in reimbursement, to the extent that the Commission shall deem it necessary to carry out the purposes of this joint resolution, on account of obligations postponed or canceled and expenses incurred or paid by the Commission under this subsection. For the purposes of this paragraph capital of the applicant represented by vessels of the applicant laid up or operated under this joint resolution shall not be excluded from capital necessarily employed in the applicant's business. The Commission may require that the vessels so laid up or operated be security for reimbursement hereunder.

(d) The adjustments and arrangements made under subsection (c) in respect of any vessel shall be subject to such readjustment or modification from time to time as may be deemed necessary by the Commission to carry out the purposes and provisions of this joint resolution.

(e) Moneys in the construction fund of the Commission shall be available for expenses of the Commission incurred in adjustments or arrangements made under this joint resolution.

OCHOCO NATIONAL FOREST, OREG.

The bill (H. R. 5404) to extend the provisions of the Forest Exchange Act, as amended, to certain lands so that they may become part of the Ochoco National Forest, Oreg., was considered, ordered to a third reading, read the third time, and passed.

CONSTRUCTION OF NAVAL AIRCRAFT

The bill (S. 4024) to authorize the construction or acquisition of naval aircraft, the construction of certain public works, and for other purposes, was announced as next in order.

Mr. KING. Mr. President, this is a companion bill to two or three other bills having to do with the Navy; and I suggest that we take it up later when we take up the other naval bills.

Mr. WALSH. Mr. President, I think the objection is quite proper. This measure should be considered in connection with the other naval bills.

The PRESIDING OFFICER. The bill will be passed over.

CUMBERLAND GAP NATIONAL HISTORICAL PARK

The Senate proceeded to consider the bill (H. R. 9394) to provide for the establishment of the Cumberland Gap National Historical Park in Tennessee, Kentucky, and Virginia.

Mr. ADAMS. Mr. President, I think the Senator from Kentucky [Mr. BARKLEY] should explain the bill.

Mr. BARKLEY. Mr. President, the bill passed the House of Representatives without opposition. It authorizes the Secretary of the Interior to accept not to exceed 50,000 acres of land in Kentucky, Tennessee, and Virginia, in the vicinity of Cumberland Gap, which was the original trail through which pioneers went west of the Appalachian Mountains from North Carolina, Virginia, and the eastern coast. It is the trail through which Daniel Boone migrated from North Carolina into Kentucky.

No expense to the Government is involved. The bill provides for the donation of not to exceed 50,000 acres of land. The region is very historic, and the legislation is desired by the National Park Service, by the Interior Department, and by all the States involved. I think this addition to our national-park system will be welcomed by the whole country. The bill provides for the establishment of the Cumberland Gap National Historical Park.

Mr. McKELLAR. The park would consist of lands from three States.

Mr. BARKLEY. Yes. It includes some very beautiful and scenic, as well as historic, land. I think the country would be proud of the park. It is about 100 miles northwest of the Great Smoky Mountains National Park, which is already established.

The PRESIDING OFFICER (Mr. CHANDLER in the chair). The question is on the third reading and passage of the bill.

The bill was ordered to a third reading, was read the third time, and passed, as follows:

Be it enacted, etc., That when title to all the lands, structures, and other property in the Cumberland Gap-Cumberland Ford areas, being portions of the Warriors Path of the Indians and Wilderness Road of Daniel Boone, within Bell and Harlan Counties, Ky.; Lee County, Va.; and Claiborne County, Tenn.; as may be determined by the Secretary of the Interior as necessary or desirable for national historical park purposes, shall have been vested in the United States such area or areas shall be, and they are hereby, established, dedicated, and set apart as a public park for the benefit and inspiration of the people and shall be known as the Cumberland Gap National Historical Park: *Provided*, That the United States shall not purchase by appropriation of public moneys any lands within the aforesaid areas: *Provided further*, That such area or areas shall include, at least, the following features and intervening lands: Cumberland Gap, The Pinnacle, the remaining fortifications of the War between the States, Soldiers Cave, King Solomon's Cave, Devils Garden, Sand Cave, The Doublings, White Rocks, Rocky Face, Moore Knob, and that portion of the Warriors Path and Daniel Boone's Wilderness Road extending from the city of Cumberland Gap, Tenn., to Cumberland Ford, near Pineville, Ky.

SEC. 2. The total area of the Cumberland Gap National Historical Park, as determined pursuant to this act, shall not exceed 50,000 acres, and shall not include any land within the city limits of Middlesboro and Pineville, Ky.; Cumberland Gap, Tenn.; or any lands adjacent thereto which the proper officials thereof shall indicate to the Secretary of the Interior prior to the establishment of said park are required for expansion of said cities.

SEC. 3. That the Secretary of the Interior be, and he is hereby, authorized to accept donations of land, interests in land, buildings, structures, and other property within the boundaries of the said historical park as determined and fixed hereunder, and donations of funds for the purchase and maintenance thereof: *Provided*, That he may acquire on behalf of the United States out of any donated funds, by purchase at prices deemed by him reasonable, or by condemnation under the provisions of the act of August 1, 1888, such tracts of land within said historical park as may be necessary for the completion thereof. The title to any lands or interests in lands to be acquired pursuant to this act shall be satisfactory to the Secretary of the Interior.

SEC. 4. The administration, protection, and development of the aforesaid national historical park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the act of August 25, 1916 (39 Stat. 535), entitled "An act to establish a National Park Service, and for other purposes," as amended.

AMENDMENT OF FEDERAL CREDIT UNION ACT

The bill (S. 2568) to amend the Federal Credit Union Act (June 26, 1934, ch. 750, par. 1, 48 Stat. 1216, sec. 1761) was announced as next in order.

Mr. BYRD. Mr. President, in the absence of the author of the bill, I ask that it be passed over.

Mr. LA FOLLETTE. Mr. President, will the Senator from Virginia withhold his objection to the bill for a moment?

Mr. BYRD. Certainly.

Mr. LA FOLLETTE. I do not happen to be a member of the Committee on Banking and Currency, but I know that those who are interested in credit unions are very anxious to have this measure passed. After prolonged conferences between the representatives of the Farm Credit Administration and the representatives of those interested in credit unions, an amendment has been incorporated in the bill, as the Senator will note, reducing the amount of unsecured loans which the credit unions may make. The amendment represents the result of a compromise.

My understanding is that the subcommittee went into the matter, and the full committee as well, and were convinced that, in its present form, with the suggested committee amendments, the bill amply safeguards the credit unions. I hope the Senator will not feel constrained to object to its consideration.

The PRESIDING OFFICER. Is there objection?

Mr. BYRD. Mr. President, I understand the bill doubles the amount that may be loaned unsecured, does it not, from $50 to $100?

Mr. LA FOLLETTE. Yes; but the request was first made for a much larger limit for unsecured loans. The Farm Credit Administration representatives who were consulted felt that that would be unwarranted, but they feel that the sum now provided in the bill is not excessive.

The Senator from South Carolina [Mr. BYRNES] has come into the Chamber, and I should like to call his attention to the bill now under consideration, which is Calendar No. 1798, Senate bill 2568, with relation to the amount of money which credit unions may loan unsecured. I was just pointing out as the Senator came in that my understanding was that the credit unions first asked that a larger sum might be loaned unsecured, but, after conferences with representatives of the Farm Credit Administration and the representatives of the credit unions, the amount was fixed as now provided in the bill.

Mr. BYRD. No other change is made in the law?

Mr. LA FOLLETTE. The bill makes no further change in the law.

Mr. BYRD. I withdraw my objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 2568) to amend the Federal Credit Union Act (June 26, 1934, ch. 750, par. 1, 48 Stat. 1216, sec. 1761), which had been reported from the Committee on Banking and Currency with amendments, on line 3, after the word "that", to insert "section 11 (d) of"; on line 5, after the word "thereof", to strike out "$300" and insert "$100"; and in line 7, after the

words "excess of", to strike out "$300" and insert "$100", so as to make the bill read:

Be it enacted, etc., That section 11 (d) of the Federal Credit Union Act be, and the same is hereby, amended by substituting for "$50" where it appears in the fourth sentence thereof "$100," so that said fourth sentence shall read as follows: "No loan in excess of $100 shall be made without adequate security and no loan shall be made to any member in excess of $200 or 10 percent of the Federal credit union's paid-in and unimpaired capital and surplus, whichever is greater."

The amendments were agreed to.

Mr. KING. Mr. President, may I ask the Senator from Wisconsin the losses the Government has sustained, if any, by reason of this organization?

Mr. LA FOLLETTE. My understanding is that the Government has not sustained any loss. Credit unions—and the Senator no doubt is familiar with them—are organized under a general enabling act which the Senator from Texas sponsored, and when the general enabling act was first set up this limitation was placed upon the amount of unsecured loans. The credit unions have been a great success. They are organized on the principle that small groups of persons, each one knowing every individual in the group, are in a favorable position to judge as to the advisability of making credit-union loans. The fact of the matter is that the plan has been so successful that all persons who have now studied the matter think it is perfectly safe to lift the amount.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 3998) to increase the credit resources of Commodity Credit Corporation, was announced as next in order.

Mr. BYRD. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

HOSPITAL CONSTRUCTION

The PRESIDING OFFICER. That completes the calendar. The Chair lays before the Senate the unfinished business, which will be stated.

The CHIEF CLERK. A bill (S. 3230) to promote the national health and welfare through appropriations of funds for the construction of hospitals.

REORGANIZATION PLAN NO. V

Mr. BARKLEY. Mr. President, a resolution approving Reorganization Plan No. V was passed over temporarily awhile ago until the Senate concluded the consideration of the calendar, and the Senator from Oregon suggested that he would ask for a quorum call so that a greater number of Senators might be present.

Mr. McNARY. Mr. President, the Senator from Kentucky is correct. When the resolution approving Reorganization Order No. V was reached, I asked that it go over until the calendar was concluded, not evincing any objection personally to it, but in order that there might be a larger attendance of Senators present when it was considered; and I said that I would suggest the absence of a quorum.

Mr. BYRNES. Mr. President, in my absence from the Chamber I understand that the joint resolution providing approval of the Reorganization Plan No. V was passed over. The Senator from Nebraska [Mr. NORRIS] told me that he desired to be advised when that matter would be considered. I agreed with him that it would not be taken up in his absence. Under the Reorganization Act itself it is a privileged matter, and I desire now to give notice that I shall ask for its consideration tomorrow in order that it may be disposed of, as, otherwise, a very serious situation will arise because of the fact that one order takes effect on Sunday, June 2, and another order on June 11. I therefore will ask for the consideration of the joint resolution tomorrow.

VACATION AND SICK LEAVE FOR CERTAIN POSTMASTERS

Mr. MEAD. Mr. President, I understand from the RECORD that House bill 5784 was objected to by the Senator from Missouri [Mr. CLARK] who asked for an explanation on the bill. I was absent from the chamber at that time. I ask unanimous consent to return to Calendar No. 1380, House bill 5784 in order that I may make an explanation.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H. R. 5784) to provide for the conservation and transfer of accumulated sick leave and vacation time due classified civil-service employees who succeed to the position of postmaster, and for other purposes.

Mr. MEAD. Mr. President, I explained the purpose of the bill to the Senator from Missouri [Mr. CLARK]. All it proposes to do is to permit a service employee who is elevated within the service to the position of postmaster to enjoy such vacation time as he has earned up to the date of his apopintment as postmaster. The enactment of the bill would not cost the Government any money. The assistant postmaster usually takes care of the duties of the postmaster in his absence, but the bill would eliminate the possibility of a postmaster getting into trouble should he take his vacation.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

ORDER OF BUSINESS

Mr. BARKLEY. Mr. President, I had intended to ask at this time that the Senate stand in recess until 2:40 p. m., so that the Members of the Senate might assemble and proceed in a body to the rotunda of the Capitol, where the ceremonies are to be held unveiling the painting depicting the signing of the Constitution of the United States. I had assumed that no Senator would want to occupy the attention of the Senate from now until that time; but the Senator from Montana [Mr. MURRAY], who is in charge of the hospital bill, desires to proceed now, so I will not make the request.

Mr. MURRAY obtained the floor.

AMENDMENT OF AGRICULTURAL ADJUSTMENT ACT OF 1938

Mr. SMITH. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from South Carolina?

Mr. MURRAY. I yield.

Mr. SMITH. In my absence from the Chamber, Calendar No. 1770, House bill 3955, was passed over. It is a bill which I know could not have any objection from this body. It provides that wheat growers shall have 200 bushels for use in their quotas instead of 100 bushels. That is all that the bill provides.

I ask that the bill be considered at this time and passed.

The PRESIDING OFFICER. The Senator from South Carolina asks unanimous consent for the present consideration of a bill which will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 3955) to amend section 335 (d) of the Agricultural Adjustment Act of 1938.

Mr. McNARY. Mr. President, what is the bill?

Mr. SMITH. I ask to have the bill read. It will take only a few seconds.

The PRESIDING OFFICER. The bill will be read.

The Chief Clerk read the bill, as follows:

Be it enacted, etc., That section 335 (d) of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out the words "one hundred" and inserting in lieu thereof the words "two hundred."

Mr. McNARY. Mr. President, this is the wheat bill?

Mr. SMITH. Yes.

Mr. McNARY. It is the bill which was favorably reported by the committee, changing the allotment from 100 bushels to 200 bushels?

Mr. SMITH. The allotment that wheat growers may use.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

Mr. SMITH. Mr. President, if the Senator from Montana will further permit me, there is on the calendar another very important bill which I should like to have taken up and disposed of at this time.

The PRESIDING OFFICER. Does the Senator from Montana further yield to the Senator from South Carolina?

Mr. MURRAY. I yield to the Senator.

Mr. SMITH. It is the next bill on the calendar, Calendar 1771, House bill 9700, to amend the Agricultural Adjustment Act of 1938, as amended, and for other purposes.

Mr. GEORGE. Mr. President, I have given to that bill the best consideration I could give to it in a short time. There is a portion of the bill to which I not only do not object but with which I am in strict accord, and which I heartily approve. I refer to all that portion of it which provides for 3-year quotas; but there are in the bill two other provisions which will greatly increase the penalty upon farmers and warehousemen.

Mr. SMITH. Those provisions change the law pertaining to the penalty, but they do not increase it.

Mr. GEORGE. I should have to object to the consideration of the bill unless the Senator is willing to take out the penalty sections which do not relate to fixing quotas for 3 years. I approve of that part of the bill.

Mr. McNARY. Mr. President, I can settle the difficulty. A Senator who was present, but who is now absent, wanted to have the bill go over.

The PRESIDING OFFICER. Objection is heard.

CEREMONIES IN CONNECTION WITH UNVEILING OF PAINTING OF SIGNING OF THE CONSTITUTION

Mr. MURRAY. Mr. President, in view of the fact that the Senate intends to recess in a very few moments to attend the unveiling of the painting in the rotunda, I much prefer to delay presenting my statement on the hospital bill until we return.

Mr. BARKLEY. Mr. President, it was my original understanding that the Senator would prefer to wait. Therefore, I ask unanimous consent that the Senate stand in recess until 2:40 o'clock p. m., in order that it may then reassemble here and proceed in a body to the rotunda of the Capitol for the ceremonies in connection with the unveiling of the painting.

The PRESIDING OFFICER. Is there objection?

There being no objection (at 2 o'clock and 18 minutes p. m.), the Senate took a recess until 2:40 o'clock p. m., when it reassembled.

Mr. BARKLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Donahey	Lucas	Shipstead
Ashurst	Ellender	Lundeen	Slattery
Austin	George	McCarran	Smathers
Bailey	Gerry	McKellar	Smith
Bankhead	Gibson	McNary	Stewart
Barbour	Gillette	Maloney	Taft
Barkley	Guffey	Mead	Thomas, Idaho
Bilbo	Gurney	Miller	Thomas, Okla.
Bridges	Hale	Minton	Thomas, Utah
Brown	Harrison	Murray	Tobey
Bulow	Hatch	Neely	Townsend
Burke	Hayden	Norris	Truman
Byrd	Herring	Nye	Tydings
Byrnes	Hill	O'Mahoney	Vandenberg
Capper	Holman	Overton	Van Nuys
Caraway	Holt	Pepper	Wagner
Chandler	Hughes	Pittman	Walsh
Chavez	Johnson, Calif.	Radcliffe	Wheeler
Clark, Idaho	Johnson, Colo.	Reynolds	White
Clark, Mo.	King	Russell	Wiley
Connally	La Follette	Schwartz	
Danaher	Lee	Schwellenbach	
Davis	Lodge	Sheppard	

The PRESIDING OFFICER. Eighty-nine Senators having answered to their names, a quorum is present.

Mr. BARKLEY. I ask unanimous consent that the Senate stand in recess until 2:50 o'clock.

The PRESIDING OFFICER. Is there objection?

There being no objection (at 2 o'clock and 45 minutes p. m.) the Senate took a recess until 2:50 o'clock p. m., when it reassembled.

Mr. BARKLEY. Mr. President, I ask unanimous consent that the Senate stand in recess until the conclusion of the ceremonies in the rotunda, at which time it will return to its Chamber.

The PRESIDING OFFICER. Is there objection?

There being no objection (at 2 o'clock and 50 minutes p. m.) the Senate took a recess until the conclusion of the ceremonies incident to the unveiling of the painting depicting the signing of the Constitution.

The Senate returned to its Chamber at 4 o'clock and 17 minutes p. m., and Mr. CHANDLER resumed the Chair.

EXECUTIVE SESSION

Mr. BARKLEY. Mr. President, at this hour I think it is not wise to try to proceed any further with the pending legislation. I, therefore, move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. CHANDLER in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

Mr. PITTMAN, from the Committee on Foreign Relations, reported favorably the nomination of Jay Pierrepont Moffat, of New Hampshire, a Foreign Service officer of class 1, now assigned as Chief of the Division of European Affairs in the Department of State, to be Envoy Extraordinary and Minister Plenipotentiary to Canada.

He also, from the same committee, reported favorably the following nominations:

John R. Minter, of South Carolina, to be a Foreign Service officer of class 4, a consul, and a secretary in the Diplomatic Service; and

Sheldon Thomas, of New York, to be a Foreign Service officer of class 5, a consul, and a secretary in the Diplomatic Service.

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

He also, from the same committee, reported adversely the nomination of Margaret F. Rackliffe to be postmaster at Mina, Nev., in place of M. F. Rackliffe.

He also, from the Committee on Appropriations, reported favorably the nomination of Mark Muth, of Wisconsin, to be Work Projects Administrator of Wisconsin, to be effective April 16, 1940.

Mr. WALSH, from the Committee on Naval Affairs, reported favorably the nominations of several officers for promotion in the Marine Corps.

Mr. TYDINGS, from the Committee on Territories and Insular Affairs, reported favorably the nomination of Charles M. Hite, of Hawaii, to be Secretary of the Territory of Hawaii (reappointment).

Mr. HARRISON, from the Committee on Finance, reported favorably the nomination of Senior Surgeon Frank M. Faget to be medical director in the United States Public Health Service, to rank as such from March 6, 1940.

He also, from the same committee, reported favorably the nominations of sundry doctors to be assistant surgeons in the United States Public Health Service, to take effect from date of oath.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the Calendar.

SECURITIES AND EXCHANGE COMMISSION

The legislative clerk read the nomination of Sumner T. Pike to be a member of the Securities and Exchange Commission.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COAST GUARD OF THE UNITED STATES

The legislative clerk proceeded to read sundry nominations in the Coast Guard of the United States.

The PRESIDING OFFICER. Without objection, the nominations in the Coast Guard of the United States are confirmed en bloc.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

IN THE ARMY

The legislative clerk proceeded to read sundry nominations in the Army.

Mr. BARKLEY. I ask that the Army nominations be confirmed en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

That concludes the calendar.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 18 minutes p. m.) the Senate took a recess until tomorrow, Thursday, May 30, 1940, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 29 (legislative day of May 28), 1940

FARM CREDIT ADMINISTRATION

Albert G. Black, of Iowa, to be Governor of the Farm Credit Administration for a term of 6 years from June 15, 1940. (Reappointment.)

SECURITIES AND EXCHANGE COMMISSION

Edward C. Eicher, of Iowa, to be a Member of the Securities and Exchange Commission for the term expiring June 5, 1945. (Reappointment.)

REGISTER OF THE LAND OFFICE

Mrs. Carrie H. Malone, of Nevada, to be register of the Land Office at Carson City, Nev., vice Mrs. Gladys Huyck.

COAST AND GEODETIC SURVEY

To be hydrographic and geodetic engineer (with relative rank of lieutenant in the Navy) by promotion from junior hydrographic and geodetic engineer (with relative rank of lieutenant, junior grade, in the Navy)

Alvin Cecil Thorson, of North Dakota, vice Max O. Witherbee, retired.

Joe Charles Partington, of Nebraska, vice Herman Odessey, deceased.

To be junior hydrographic and geodetic engineer (with relative rank of lieutenant, junior grade, in the Navy) by promotion from aid (with relative rank of ensign in the Navy)

Herman Carl Applequist, of California, vice George M. Marchand, deceased.

William Francis Deane, of Texas, vice Alvin C. Thorson, promoted.

Edgar Flanay Hicks, Jr., of Tennessee, vice Joe C. Partington, promoted.

PROMOTIONS IN THE NAVY

Commander Robert S. Haggart to be a captain in the Navy, to rank from the 29th day of December 1939.

The following-named lieutenant commanders to be commanders in the Navy, to rank from the date stated opposite their names:

Adrian O. Rule, Jr., August 1, 1939.
John L. Reynolds, August 1, 1939.
Dorrance K. Day, August 1, 1939.
Paul L. Mather, September 1, 1939.
Clarence H. Pike, September 1, 1939.
Henry S. Nielson, September 23, 1939.
Alf O. R. Bergesen, September 23, 1939.
Lyman S. Perry, September 23, 1939.
Paul R. Heineman, September 23, 1939.
Maurice E. Curts, November 1, 1939.
Allen Hobbs, November 1, 1939.
William H. Buracker, November 1, 1939.
Harold F. Fick, December 8, 1939.
Paul W. Steinhagen, December 8, 1939.
Francis P. Old, December 8, 1939.
William H. Wallace, December 8, 1939.
Forrest M. O'Leary, December 29, 1939.
Benjamin P. Ward, December 29, 1939.
John F. Rees, December 29, 1939.
James B. Carter, January 1, 1940.
John B. Mallard, January 1, 1940.
James L. Wyatt, January 1, 1940.
Hugh W. Turney, January 1, 1940.
Russell C. Bartman, February 1, 1940.
Robert Holmes Smith, April 1, 1940.
Oscar A. Weller, May 1, 1940.

The following-named lieutenants to be lieutenant commanders in the Navy, to rank from the date stated opposite their names:

Ernest St. C. von Kleeck, Jr., August 1, 1939.
Donald C. Beard, August 1, 1939.
William G. Beecher, Jr., January 1, 1940.
Hamilton L. Stone, February 1, 1940.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, to rank from the date stated opposite their names:

George W. Kehl, December 8, 1939.
Wallace H. Weston, December 29, 1939.

Ensign Carl H. Amme, Jr., to be a lieutenant (junior grade) in the Navy, to rank from the 4th day of June 1939.

The following-named ensigns to be lieutenants (junior grade) in the Navy, to rank from the 3d day of June 1940:

Charles E. Gibson	Thomas E. Edwards, Jr.
Henry A. Rowe	Warren C. Hall, Jr.
Terrell H. W. Connor	Harold D. Shrider
Carl R. Hirschberger	Lloyd F. Jakeman
Warren W. Ford	Robert L. Savage, Jr.
Harvey P. Lanham	Frank A. Patriarca
Oliver M. Ramsey	Leonce A. Lajaunie, Jr.
Patrick H. Hart	John M. De Vane, Jr.
Joseph A. Dodson, Jr.	John C. Kelly
Morton H. Lytle	Robert M. Ware
David E. Dressendorfer	Francis W. Ingling
Vincent F. McCormack	Paul J. Riley
Raymond A. Moore	William A. H. Howland
Donald D. Patterson	Geoffrey P. Norman
Charles E. Lake	Thomas J. Nixon, 3d
Theophilus H. Moore	James N. Mayes
Robert F. Farrington	Charles R. Dodds
Stockton B. Strong	

Paymaster Louis A. Puckett to be a pay inspector in the Navy, with the rank of commander, to rank from the 1st day of July 1939.

Ensign John W. Neel to be an assistant paymaster in the Navy, with the rank of ensign, to rank from the 3d day of June 1937.

The following-named lieutenant commanders to be lieutenant commanders in the Navy from the date stated opposite their names, to correct the date of rank as previously nominated and confirmed:

Thomas G. Reamy, August 1, 1939.
Knowlton Williams, August 1, 1939.
William C. Schultz, August 1, 1939.
Charles A. Bond, August 1, 1939.

Harry F. Miller, September 1, 1939.
John O. Lambrecht, September 1, 1939.
Thomas Burrowes, September 1, 1939.
Donald C. Varian, September 1, 1939.
Harry H. Henderson, September 1, 1939.
Charles S. Weeks, September 1, 1939.
Kenneth C. Hurd, September 1, 1939.
Hunter Wood, Jr., September 23, 1939.
Joseph H. Wellings, September 23, 1939.
William R. Headden, September 23, 1939.
Barton E. Bacon, Jr., September 23, 1939.
Paul C. Crosley, September 23, 1939.
James M. Hicks, September 23, 1939.

The following-named lieutenants to be lieutenants in the Navy from the date stated opposite their names, to correct the date of rank as previously nominated and confirmed:

Joel C. Ford, Jr., August 1, 1939.
John H. Kaufman, August 1, 1939.
William R. Franklin, August 1, 1939.
William L. Richards, September 1, 1939.
Francis D. Foley, September 1, 1939.
Paul H. Harrington, September 1, 1939.
William M. Ryon, September 1, 1939.
Richard V. Gregory, September 23, 1939.
Alfred L. Cope, September 23, 1939.
Richard C. Williams, Jr., September 23, 1939.
Harold L. Sargent, September 23, 1939.

Lt. Com. Robert E. Melling to be a commander in the Navy to rank from 23d day of September 1939.

Naval Constructor Frederick G. Crisp to be a naval constructor in the Navy, with rank of captain, from the 1st day of May 1940.

The following-named ensigns to be assistant paymasters in the Navy, with the rank of ensign, from the 2d day of June 1938:

Robert W. Carter
Ira F. Haddock

CONFIRMATIONS

Executive nominations confirmed by the Senate May 29 (legislative day of May 28), 1940

SECURITIES AND EXCHANGE COMMISSION

Sumner T. Pike to be a member of the Securities and Exchange Commission.

COAST GUARD OF THE UNITED STATES

TO BE CHIEF BOATSWAINS

Lee R. Scott
George V. Stepanoff
Otto Bentz
Richard S. Tewksbury

TO BE CHIEF GUNNERS

Linford H. Hines
Dellworth Ballard
Robert E. Barber

TO BE CHIEF RADIO ELECTRICIAN

Carl E. Roberts

TO BE CHIEF CARPENTERS

Albert I. Trucker
Lloyd L. Dough

TO BE CHIEF PAY CLERKS

Joaquin Tormos
Hyman G. Gottlieb

APPOINTMENT IN THE REGULAR ARMY

Harold Myers Deane to be first lieutenant, Veterinary Corps.

APPOINTMENTS, BY TRANSFER IN THE REGULAR ARMY

TO ADJUTANT GENERAL'S DEPARTMENT

Capt. Frederick Raymond Keeler.

TO AIR CORPS

First Lt. Jean Paul Craig.
Second Lt. Milton Bernard Adams.
Second Lt. Walter James Alsop.
Second Lt. Benjamin Franklin Avery 2d.
Second Lt. Burnham Lucius Batson.
Second Lt. Donald Roy Boss.
Second Lt. Charles Henry Bowman.
Second Lt. William Stein Boyd.
Second Lt. Harry Nathan Brandon.
Second Lt. Adam Kirk Breckenridge.
Second Lt. Roy Ray Brischetto.
Second Lt. Elmore George Brown.
Second Lt. John Wilson Carpenter 3d.
Second Lt. John Alexander Chechila.
Second Lt. Thomas Jonathon Jackson Christian, Jr.
Second Lt. Roscoe Campbell Crawford, Jr.
Second Lt. Warner Winston Croxton, Jr.
Second Lt. Joseph Lawrence Dickman.
Second Lt. Elwood Paul Donohue.
Second Lt. John Carlos Edwards.
Second Lt. Melvin Verner Engstrom.
Second Lt. Albert Leslie Evans, Jr.
Second Lt. Walter Woodrow Farmer.
Second Lt. Shepler Ward FitzGerald, Jr.
Second Lt. Frederick Henry Foerster, Jr.
Second Lt. Joseph Harold Frost.
Second Lt. James David Garcia.
Second Lt. William Ames Garnett.
Second Lt. Benoid Earl Glawe.
Second Lt. Robert Evans Greer.
Second Lt. Hugh Albert Griffith, Jr.
Second Lt. Strother Banks Hardwick, Jr.
Second Lt. Laird Woodruff Hendricks.
Second Lt. Allen Forrest Herzberg.
Second Lt. Charles Henry Hillhouse.
Second Lt. Perry Milo Hoisington 2d.
Second Lt. Carl Walter Hollstein.
Second Lt. George Edmund Howard, Jr.
Second Lt. Robert David Hunter.
Second Lt. John Ernest Linwood Huse.
Second Lt. Frank Wallace Iseman, Jr.
Second Lt. Ellsworth Reily Jacoby.
Second Lt. William Charles Jones.
Second Lt. George Yount Jumper.
Second Lt. Joseph Theodore Kingsley, Jr.
Second Lt. Andrew John Kinney.
Second Lt. James Barclay Knapp.
Second Lt. Harmon Lampley, Jr.
Second Lt. Edwin John Latoszewski.
Second Lt. Robert Roy Little.
Second Lt. Charles James Long 3d.
Second Lt. Paul Joseph Long.
Second Lt. Richard Gordon Lycan.
Second Lt. Salvatore Edward Manzo.
Second Lt. William Kemp Martin.
Second Lt. James Elmer Mather.
Second Lt. Ernest Beverly Maxwell.
Second Lt. James Lloyd McBride, Jr.
Second Lt. John Louis McCoy.
Second Lt. William Lee McDowell, Jr.
Second Lt. Cecil Cerel McFarland.
Second Lt. Norman James McGowan.
Second Lt. Matthew James McKeever, Jr.
Second Lt. Elbert Owen Meals.
Second Lt. Jack Gordon Merrell.
Second Lt. Maurice Myron Miller.
Second Lt. Robert Benjamin Miller.
Second Lt. Richard Steele Morrison.
Second Lt. Richard Van Wyck Negley, Jr.
Second Lt. Paul Richard Okerbloom.
Second Lt. Leonard Neil Palmer.
Second Lt. Joseph George Perry.
Second Lt. Raymond Thompson Petersen.
Second Lt. Roger Edwards Phelan.
Second Lt. John George Pickard.
Second Lt. Robert Charlwood Richardson 3d.
Second Lt. Robert John Rogers.
Second Lt. Eugene Allen Romig.
Second Lt. John Spoor Samuel.
Second Lt. Edwin Peter Schmid.
Second Lt. Robert Carver Sears.

Second Lt. William Thomas Smith.
Second Lt. Lewis Wilson Stocking.
Second Lt. Henry Riggs Sullivan, Jr.
Second Lt. Daniel Farrington Tatum.
Second Lt. Robert Cochrane Twyman.
Second Lt. Leon Robert Vance, Jr.
Second Lt. Elliott Vandevanter, Jr.
Second Lt. Alfred Virgil Walton.
Second Lt. Charles Manly Walton, Jr.
Second Lt. Robert Clarence Whipple.
Second Lt. David Kenneth White.
Second Lt. Thomas Bernard Whitehouse.
Second Lt. Ray Joseph Will.
Second Lt. James Walter Wilson.
Second Lt. Robert Merwyn Wray.
Second Lt. Tilden Perkins Wright.
Second Lt. Prentiss Davis Wynne, Jr.
Second Lt. George Wallace Roger Zethren.

PROMOTIONS IN THE REGULAR ARMY

Carl Fish McKinney to be colonel, Infantry.

John Matthew Devine to be lieutenant colonel, Field Artillery.

Henry Charles Wolfe to be major, Corps of Engineers.

Lemuel Edwin Edwards to be major, Finance Department.

POSTMASTERS

DELAWARE

James B. Thompson, Jr., Clayton.
Clara C. McVey, Marshallton.

GEORGIA

Dean R. Adams, Boston.
Fred M. Chandler, Bowman.
Mary Lou Burch, Eastman.
John R. Jones, Dahlonega.
Victor H. Carmichael, Jackson.
Joseph R. Nease, Lumber City.
Emory Davis, Rutledge.

ILLINOIS

Benjamin F. Price, Allendale.
Alphonse J. Verdick, Annawan.
John R. Engleman, Bellwood.
A. Albert Moehle, Brighton.
Frank F. Lietz, Buckley.
William C. Herrin, Cave in Rock.
Ellen M. Sherry, Congress Park.
Paul C. Zimmerman, Earlville.
Wilbur C. Gerke, Edwardsville.
Ralph Hawthorne, Galesburg.
Henry C. Rathgeber, Girard.
Frank B. Laking, Grant Park.
John M. Vandaveer, Greenfield.
Lloyd McCoy Wakefield, Heyworth.
Albert H. Winter, Highland.
Charles J. Ator, Jacksonville.
George P. Ravens, Kankakee.
Clare A. Ruffner, Mason.
Irwin H. Mitchell, Metropolis.
Paul Therien, Momence.
Robert R. Lutz, Morton Grove.
John Joseph Fedor, Mount Olive.
William H. Cain, Patoka.
Carroll D. Young, Pawnee.
Berryman P. Hurt, Pleasant Plains.
Margaret D. Drummet, Prophetstown.
John J. McCarthy, Rock Island.
Clarence J. Hanen, St. Anne.
Daniel F. Maher, Sheffield.
Stanley L. Pool, Sumner.
Mary J. Sheridan, Thomson.
Ernest Hunter Reynolds, Tiskilwa.
Rufus B. Grissom, Toledo.
Esper Ziegler, Warsaw.
Charles W. McDonald, Wheaton.
Gertrude W. Daub, Williamsfield.
Ralph M. Short, Witt.
Homer G. Ingram, Zion.

MAINE

Arthur J. Remillard, Biddeford.
Blanche W. Brown, Dover-Foxcroft.
Marguerite A. Cahill, Easton.
Oscar A. Kelley, Jonesport.
George L. Murray, Newport.
Thomas G. Burdin, Turner.

MASSACHUSETTS

F. Thomas Ellis, Brewster.
H. Francis Kiernan, Collinsville.
Thomas F. Donahue, Groton.
Arthur F. Cahoon, Harwich.
Clarkson P. Bearse, Harwich Port.
William P. O'Grady, Holliston.
John Woods Kelley, Newburyport.
William W. Dooling, North Adams.
Timothy J. Sullivan, Palmer.
James L. Sullivan, Peabody.
Gertrude H. Laramie, Russell.
George E. Brady, Westfield.

MICHIGAN

Frank E. Browning, Battle Creek.
Livingstone Latham, Clinton.
Fred W. Zehnder, Frankenmuth.
Thomas Johnston, Marshall.
Francis J. Otterbacher, Sand Lake.

MINNESOTA

Miles L. Sweeney, Jeffers.

MISSISSIPPI

Romie Green, Amory.
Lily B. McDonald, Bay Springs.
W. Hugh Magee, Crystal Springs.
William D. Fisher, Dundee.
Edward Otis Johnson, Glen Allan.
Fannie L. Lowry, Houston.
Cecil W. Tinnin, Isola.
David C. Branham, Jr., Itta Bena.
Christine H. Douglas, Maben.
Clifford E. Ball, Tylertown.

NEW MEXICO

Ruth L. Thomas, Corona.

NEW YORK

Walter Longwell, Bath.
Dorris E. Boss, Dalton.
Jerry Burd, Greenwood.

NORTH CAROLINA

Joseph A. Leigh, Belhaven.
Trixie M. Matthews, Englehard.
Angus Raymond McRacken, Kenly.
John Harmon Linville, Kernersville.
Robert Boyd Patterson, Littleton.
Janie C. Norfleet, Roxobel.
John Locke Milholland, Statesville.
Frank L. Nixon, Sunbury.

PENNSYLVANIA

Leslie H. Lockerman, Cheswick.
Mary Dessie Blayney, Claysville.
John A. O'Donovan, Coraopolis.
John A. Barron, Cornwells Heights.
James P. Sullivan, Corry.
Francis A. Fonash, Doylestown.
Bernetta B. Deegan, Dushore.
John P. May, East Brady.
Elmer S. Harry, East Petersburg.
Florence I. Kurtz, Elverson.
James B. Eschbach, Florin.
Caroline E. W. Curry, Glen Olden.
Peter V. Abel, Graterford.
Allen R. Brumbaugh, Greencastle.

Elmer N. Zepp, Hatfield.
Katherine A. T. Shearer, Herminie.
John D. McConegly, Homestead.
John H. Boltz, Jonestown.
James Frank Groover, Lewisburg.
Eva S. Schurr, Linfield.
Alexander Rankin, McKeesport.
Ruth Elizabeth Mackley, Manheim.
J. Merrell Mattern, Mars.
Joseph Samuel Raisner, Marysville.
Hugh G. Provins, Masontown.
Katherine M. Sherlock, Merion Station.
Charles J. Bennett, Mount Joy.
Joseph W. Hoover, Mountville.
Earl H. Helms, Myerstown.
Elmer M. Newton, New Wilmington.
Lottie I. Brower, Oaks.
James W. Nash, Portage.
Edward J. Donahue, Port Carbon.
James P. Monahan, St. Clair.
Charles W. Johnston, Strasburg.
Charles Q. Flickinger, Stowe.
Charles D. Fitzpatrick, Trevorton.
Harry E. Merritt, Ulysses.
James D. Brakeman, Union City.
Roy Wilkinson, Valley Forge.
Harold G. Seyler, Weiser Park.
Daniel Leger, Wilmerding.

RHODE ISLAND

Charles E. Cornell, Shannock.
George A. Dolan, Westerly.

TEXAS

Linnaeus C. Alexander, Waco.

UTAH

Vernal Twede, Payson.
John Emmett Bird, Springville.

VIRGINIA

Claude Franklin Whitmer, Broadway.
Samuel Thomas Nottingham, Cape Charles.
Rudolph Shiffer, Claremont.
William D. Bowles, Clifton Forge.
Archa Vaughan, Floyd.
Martin Rosenbaum, Glade Spring.
Grace D. Condon, Goshen.
Bard E. Fitzgerald, Gretna.
G. Frederick Switzer, Harrisonburg.
Jesse T. Hylton, Hillsville.
Charlotte E. Hanks, Ivanhoe.
Archie R. Gardner, Ivor.
Clarence W. Bradford, Keller.
Charles F. Shumaker, Lovettsville.
Henry A. Storm, McLean.
Alexander H. Cave, Madison.
Lena C. Johnson, Madison Heights.
William Floyd Boone, St. Charles.
Gustavus A. Scruggs, Salem.

WEST VIRGINIA

Carroll Miller, Gauley Bridge.
Frederick F. Robey, Shinnston.
Delpha C. Stemple, Thomas.
Jock L. Henderson, Williamstown.

WYOMING

Orville R. Booker, Basin.
Austin R. Craven, Sunrise.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MAY 29, 1940

The House met at 12 o'clock noon.

Rev. Sheridan Watson Bell, pastor of the Shepard St. Paul Methodist Church, Columbus, Ohio, offered the following prayer:

Our Gracious Heavenly Father, whose majesty and might dost overwhelm us, yet whose love and compassion dost reveal the kindliness of a benevolent God, we do praise Thee this day. We lift our hearts to Thee in prayer. We are grateful for life. We rejoice in our birthright of freedom; in our supreme opportunity of keeping a democratic ideal in a world overwhelmed by the forces of autocracy and ruthless power. Man to Thee is sacred. Each soul, O God, has in Thy sight favor and possibilities. May this beloved country of ours maintain its Christian obligation of safeguarding the freedom of its peoples. O, may this body of servants of the people be ever mindful of their sacred covenant. Temper their decisions with wisdom and understanding. May they be tolerant and compassionate in their judgments on others. May they pierce the chaos of these terrible days with a scrutiny that discerns truth; that perceives right; that leads to wise, intelligent decisions. God give them guidance; may they abide in Thy tabernacle; may they place their trust in Thee. In Jesus' name we pray. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment bills and joint resolutions of the House of the following titles:

H. R. 169. An act to facilitate the control of soil erosion and/or flood damage originating upon lands within the exterior boundaries of the Cleveland National Forest in San Diego County, Calif.;

H. R. 952. An act for the relief of Indians who have paid taxes on allotted lands for which patents in fee were issued without application by or consent of the allottees and subsequently canceled, and for the reimbursement of public subdivisions by whom judgments for such claims have been paid;

H. R. 1312. An act granting a pension to Ernest Francis White;

H. R. 1379. An act granting a pension to Timothy A. Linehan;

H. R. 1843. An act for the relief of the estate of K. J. Foss;

H. R. 2009. An act to facilitate the control of soil erosion and/or flood damage originating upon lands within the exterior boundaries of the Angeles National Forest, Calif.;

H. R. 2143. An act granting a pension to Helen M. Crowley;

H. R. 2273. An act granting a pension to Lizzie May Wilbur Clayton;

H. R. 2285. An act granting a pension to Maud Patterson;

H. R. 3048. An act to confer jurisdiction on the State of Kansas over offenses committed by or against Indians on Indian reservations;

H. R. 3138. An act authorizing J. E. Pate, his successors and assigns, to construct, maintain, and operate a bridge or ferry across the Rio Grande at Boca Chica, Tex.;

H. R. 3233. An act to repeal certain acts of Congress (pocket vetoed);

H. R. 4282. An act to amend the act of June 30, 1936 (49 Stat. 2041), providing for the administration and maintenance of the Blue Ridge Parkway, in the States of Virginia and North Carolina, by the Secretary of the Interior, and for other purposes;

H. R. 4349. An act for the relief of the estate of Lewis Marion Garrard Hale;

H. R. 4394. An act granting a pension to James G. Bailey;

H. R. 4832. An act for the protection of the bald eagle;

H. R. 5007. An act granting a pension to John W. Swoveland;

H. R. 5089. An act conferring jurisdiction upon the Court of Claims of the United States to hear, examine, adjudicate, and render judgment on the claim of the legal representative of the estate of Rexford M. Smith;

H. R. 5459. An act for the relief of George F. Lewis, administrator of the estate of Margaret R. Lewis;

H. R. 5477. An act for the benefit of the Indians of the Crow Reservation, Mont., and for other purposes;

H. R. 5580. An act to incorporate the Navy Club of the United States of America;

H. R. 5906. An act to repeal the prohibition against the filling of a vacancy in the office of district judge for the southern district of New York;

H. R. 5918. An act amending Public Law No. 96 of the Seventy-fifth Congress, being an act entitled "An act amending section 2 of Public Law No. 716 of the Seventy-fourth Congress, being an act entitled 'An act to relieve restricted Indians whose lands have been taxed or have been lost by failure to pay taxes and for other purposes' ";

H. R. 5961. An act granting to the regents of the University of New Mexico the right to alienate certain lands conveyed to them under authority of the act of Congress, approved August 19, 1935 (49 Stat. 659), in exchange for an equivalent amount of land more expediently situated;

H. R. 6481. An act to authorize the conveyance of the United States fish hatchery property at Put in Bay, Ohio, to the State of Ohio;

H. R. 6552. An act for the relief of Mrs. Gottlieb Metzger;

H. R. 6681. An act granting a pension to Capt. Victor Gondos, Jr.;

H. R. 6751. An act to repeal certain laws with respect to manifests and vessel permits;

H. R. 6964. An act for the relief of Mr. and Mrs. Nathan Kaplan;

H. R. 7072. An act for the relief of Esther Ross;

H. R. 7084. An act to amend the act entitled "An act to regulate proceedings in adoption in the District of Columbia," approved August 25, 1937;

H. R. 7147. An act to amend the service pension acts pertaining to the War with Spain, Philippine Insurrection, and the China Relief Expedition to include certain continuous service;

H. R. 7306. An act for the relief of John R. Elliott;

H. R. 7530. An act to transfer the site and buildings of the Tomah Indian School to the State of Wisconsin;

H. R. 7733. An act to provide increased pensions for veterans of the Regular Establishment with service-connected disability incurred in or aggravated by service prior to April 21, 1898;

H. R. 7833. An act to set aside certain lands for the Minnesota Chippewa Tribe in the State of Minnesota, and for other purposes;

H. R. 7853. An act for the relief of the Gallup Mercantile Co., of Gallup, N. Mex.;

H. R. 7901. An act to transfer certain Indian lands to the Grand River Dam Authority, and for other purposes;

H. R. 8086. An act to make it a crime to wreck or attempt to wreck a train engaged in interstate commerce;

H. R. 8317. An act for the relief of the Hermosa-Redondo Hospital, C. Max Anderson, Julian O. Wilke, Curtis A. Wherry, Hollie B. Murray, Ruth M. Laird, Sigrid I. Olsen, and Stella S. Guy;

H. R. 8423. An act to amend an act entitled "An act to increase the efficiency of the Coast Guard," approved January 12, 1938;

H. R. 8452. An act to declare Frankford Creek, Pa., to be a nonnavigable stream;

H. R. 8475. An act to limit the interpretation of the term "products of American fisheries";

H. R. 8537. An act to provide for the enlargement of the Coast Guard depot at Seattle, Wash., and for the establishment of a Coast Guard servicing base at or near Chattanooga, Tenn.;

H. R. 8589. An act to authorize the county of Burt, State of Nebraska, to construct, maintain, and operate a toll bridge across the Missouri River at or near Decatur, Nebr.;

H. R. 9013. An act to transfer Hardeman County, Tex., from the Fort Worth division to the Wichita Falls division of the northern judicial district of Texas;

H. R. 9115. An act to authorize the Commissioners of the District of Columbia to provide for the parking of automobiles in the Municipal Center;

H. R. 9210. An act to amend an act entitled "An act to establish a Board of Indeterminate Sentence and Parole for the District of Columbia and to determine its functions, and for other purposes," approved July 15, 1932, and for other purposes;

H. R. 9236. An act to amend the act entitled "An act to provide books for the adult blind," approved March 3, 1931;

H. R. 9261. An act to extend the times for commencing and completing the construction of a railroad bridge across the Missouri River at or near Randolph, Mo.;

H. R. 9271. An act to extend the existence of the Alaskan International Highway Commission for an additional 4 years, and for other purposes;

H. R. 9381. An act to provide for the alteration of certain bridges over navigable waters of the United States, for the apportionment of the cost of such alterations between the United States and the owners of such bridges, and for other purposes;

H. R. 9441. An act to accept the grant to the United States of certain land by the State of South Carolina and to authorize its use by the United States Coast Guard;

H. R. 9553. An act to amend and clarify certain acts pertaining to the Coast Guard, and for other purposes;

H. J. Res. 265. Joint resolution authorizing the Bureau of Labor Statistics to make studies of productivity and labor costs in industry;

H. J. Res. 302. Joint resolution to authorize compacts or agreements between or among the States bordering on the Atlantic Ocean with respect to fishing in the territorial waters and bays and inlets of the Atlantic Ocean on which such States border, and for other purposes;

H. J. Res. 385. Joint resolution establishing a Greenville Memorial Commission to formulate plans for the construction of a memorial building to commemorate the Treaty of Greene Ville, at Greenville, Ohio;

H. J. Res. 400. Joint resolution authorizing the President of the United States of America to proclaim October 11, 1940, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski;

H. J. Res. 490. Joint resolution providing for an annual appropriation to meet the share of the United States toward the expenses of the International Technical Committee of Aerial Legal Experts, and for participation in the meetings of the International Technical Committee of Aerial Legal Experts and the commissions established by that Committee; and

H. J. Res. 496. Joint resolution providing for more uniform coverage under the Railroad Retirement Acts of 1935 and 1937, the Carriers Taxing Act of 1937, and subchapter B of chapter 9 of the Internal Revenue Code.

The message also announced that the Senate had passed bills and joint resolutions of the following titles, in which the concurrence of the House is requested:

S. 458. An act extending the benefits of the Emergency Officers' Retirement Act of May 24, 1928, to provisional, probationary, or temporary officers of the Army, Navy, Marine Corps, and Coast Guard who served during the World War;

S. 537. An act granting a pension to Alice F. Thomas;

S. 769. An act authorizing the Secretary of the Interior to furnish mats for the reproduction in magazines and newspapers of photographs of national park scenery;

S. 1009. An act granting a pension to Bert W. Helmer;

S. 1138. An act granting a pension to Mary Jane Blackman;

S. 1251. An act for the relief of certain settlers in the town site of Ketchum, Idaho;

S. 1560. An act for the relief of Amos B. Cole;

S. 1770. An act granting a pension to Mittie Gaffney;

S. 1910. An act to extend the time within which applications for benefits under the World War Adjusted Compensation Act, as amended, may be filed;

S. 2263. An act granting a pension to Timothy C. Toler;

S. 2305. An act relating to hours of work of licensed officers and seamen on tugs operating in certain inland waters of the United States;

S. 2413. An act granting a pension to Arminda Bauman;

S. 2679. An act to amend the Independent Offices Appropriation Act, 1934, as amended, with respect to the authority

of the Attorney General to compromise suits on certain contracts of insurance;

S. 2768. An act authorizing the naturalization of Thomas A. Lambie;

S. 2891. An act to amend the act of October 6, 1917, "An act to provide for the reimbursement of officers, enlisted men, and others in the naval service of the United States for property lost or destroyed in such service";

S. 2952. An act to reinstate in the Court of Claims the suits entitled "Eastern or Emigrant Cherokees Against The United States," No. 42077, and "Western or Old Settler Cherokees Against The United States," No. 42078;

S. 2983. An act to authorize the sale of lumber and other forest products obtained from the forests on Indian reservations by Indian enterprises;

S. 2984. An act authorizing the transfer of title of the Hayward Indian School to the State of Wisconsin;

S. 3101. An act for the relief of certain purchasers of, and entrymen upon, opened lands of certain Indian reservations;

S. 3107. An act for the relief of Perkins Gins, formerly Perkins Oil Co., of Memphis, Tenn.;

S. 3131. An act to extend the benefits of the United States Employees' Compensation Act to members of the Officers' Reserve Corps and of the Enlisted Reserve Corps of the Army who were physically injured in line of duty while performing active duty or engaged in authorized training between dates of February 28, 1925, and July 15, 1939, both inclusive, and for other purposes;

S. 3136. An act to authorize an appropriation for the construction of small reservoirs under the Federal reclamation laws;

S. 3218. An act for the relief of Schroeder Employees' Thrift Club;

S. 3223. An act for the relief of Arthur A. Schipke;

S. 3266. An act to provide pensions, compensation, retirement pay, and hospital benefits for certain Air Corps Reserve officers who were disabled while on active duty with the Regular Army;

S. 3307. An act to amend an act entitled "An act for the relief of Mrs. A. R. Barnard, Charles A. Stephens, Donald W. Prairie, and dependents of Vern A. Needles," approved July 15, 1939;

S. 3339. An act for the relief of John C. Crossman;

S. 3351. An act for the relief of I. M. Cook, J. J. Allen, and the Radiator Specialty Co.;

S. 3352. An act to amend the act of August 27, 1935 (49 Stat. 2194), and for other purposes;

S. 3443. An act for the relief of William A. Wheeler;

S. 3464. An act to amend the Perishable Agricultural Commodities Act, 1930, as amended;

S. 3487. An act for the relief of the heirs of Lt. William Lee Clemmer, Coast Guard;

S. 3533. An act authorizing the appointment of a commission to prepare a new Code of Laws for the District of Columbia;

S. 3578. An act for the relief of Edward Smith;

S. 3587. An act for the relief of Earl P. Collins;

S. 3597. An act for the relief of Vernon C. Brown and F. L. Copeland;

S. 3642. An act granting the consent of Congress to the Secretary of the Interior and the State of Washington to construct, maintain, and operate a highway bridge across the Spokane River, Wash.;

S. 3643. An act granting the consent of Congress to the Secretary of the Interior and Stevens County, State of Washington, to construct, maintain, and operate a highway bridge across the Kettle River, near Marcus, Wash.;

S. 3644. An act granting the consent of Congress to the Secretary of the Interior and the Great Northern Railway Co. to construct, maintain, and operate two railroad bridges across the Kettle River, near Marcus, Wash.;

S. 3649. An act for the relief of Harry D. Gann;

S. 3650. An act to require the payment of prevailing rates of wages on Federal public works in Alaska and Hawaii;

S. 3683. An act to remove the time limit for cooperation between the Bureau of Reclamation and the Farm Security Administration in the development of farm units on public lands under Federal reclamation projects;

S. 3686. An act to authorize the Legislature of the Territory of Alaska to create a public corporate authority to undertake slum clearance and projects to provide dwelling accommodations for families of low income and to issue bonds and other obligations of the authority for such purpose, and for other purposes;

S. 3693. An act to authorize the Secretary of War to grant an easement for pipe lines across public lands reserved for military purposes in the parish of Plaquemines, La.;

S. 3706. An act for the relief of Alfred G. Balls;

S. 3727. An act limiting the operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised Statutes of the United States with respect to certain counsel;

S. 3742. An act for the relief of M. E. McGivern;

S. 3749. An act to relieve certain employees of the Veterans' Administration from financial liability for certain overpayments and allow such credit therefor as is necessary in the accounts of certain disbursing officers, and for other purposes;

S. 3763. An act for the relief of Capt. David H. Passell and First Lt. Paul E. LaMaster;

S. 3780. An act authorizing Alabama Bridge Commission (an agency of the State of Alabama) to construct, maintain, and operate a toll bridge and causeway between Dauphin Island and the mainland at or near Cedar Point, within the State of Alabama;

S. 3789. An act for the relief of the Eberhart Steel Products Co., Inc.;

S. 3794. An act for the relief of certain Navajo Indians, and for other purposes;

S. 3868. An act for the relief of certain former disbursing officers for the Civil Works Administration and the Federal Emergency Relief Administration;

S. 3887. An act for the relief of Laura Trice Converse;

S. 3899. An act to defray the cost of returning to the United States the remains, families, and effects of officers and employees dying abroad, and for other purposes;

S. 3916. An act for the relief of Lawrence T. Post, G. F. Allen, and D. Buddrus;

S. 3978. An act for the relief of certain former employees of the National Reemployment Service;

S. J. Res. 157. Joint resolution authorizing the President of the United States to present to Eire on behalf of the people of the United States a statue of Commodore John Barry;

S. J. Res. 175. Joint resolution to provide for the observance and celebration of the four hundredth anniversary of the discovery of the Mississippi River by Hernando De Soto; and

S. J. Res. 256. Joint resolution designating a day to be observed as Doctor's Day.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills and a joint resolution of the House of the following titles:

H. R. 1435. An act for the relief of A. S. Tait;

H. R. 1827. An act to allow moving expenses to employees in the Railway Mail Service;

H. R. 2417. An act to facilitate the control of soil erosion and/or flood damage originating upon lands within the exterior of boundaries of the Sequoia National Forest, Calif;

H. R. 2418. An act to extend the provisions of the Forest Exchange Act, as amended, to certain lands, so that they may become parts of the Whitman, Malheur, or Umatilla National Forests;

H. R. 3161. An act for the relief of the estate and minor children of Dale W. and Gladys M. Guise, Sally C. Guise, and Martha G. and Arnold E. Orner;

H. R. 4031. An act to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claim or claims of the Recording and Computing Machines Co., of Dayton, Ohio;

H. R. 5584. An act to amend the Canal Zone Code;

H. R. 6334. An act for the relief of Pearl Waldrep Stubbs and George Waldrep;

H. R. 6446. An act amending section 4 of the act entitled "An act to authorize the city of Pierre, S. Dak., to construct,

equip, maintain, and operate on Farm Island, S. Dak., certain amusement and recreational facilities; to charge for the use thereof and for other purposes";

H. R. 6668. An act to grant the State of North Carolina a right-of-way for the Blue Ridge Parkway across the Cherokee Indian Reservation in North Carolina, to provide for the payment of just compensation for said right-of-way, and for other purposes;

H. R. 7019. An act to amend section 1 of the act providing punishment for the killing or assaulting of Federal officers;

H. R. 7074. An act to amend an act to authorize the Secretary of War and the Secretary of the Navy to make certain disposition of condemned ordnance, guns, projectiles, and other condemned material in their respective departments;

H. R. 7811. An act to establish the Hot Springs division of the Western Judicial District of Arkansas;

H. R. 8024. An act to provide for the leasing of restricted allotments of deceased Indians in certain circumstances, and for other purposes;

H. R. 8499. An act relating to adoption of minors by Indians;

H. R. 9185. An act to amend section 73 of an act entitled "An act to provide a government for the Territory of Hawaii," approved Apri 30, 1900, as amended; and

H. J. Res. 367. Joint resolution to authorize the Secretaries of War and of the Navy to assist the governments of American republics to increase their military and naval establishments, and for other purposes.

PERMISSION TO RECESS

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that it may be in order at any time today for the Speaker to declare a recess of the House.

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, I understand this is just a recess for an hour to attend the exercises in the rotunda?

Mr. RAYBURN. Yes; and also for the evening session on the Private Calendar bills.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

EXTENSION OF REMARKS

Mr. THOMASON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a statement by Harry C. Bates, chairman of the housing committee of the American Federation of Labor, with respect to the position of the executive council of the American Federation of Labor regarding housing.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. RUTHERFORD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an editorial from the Towanda Daily Review.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. TIBBOTT asked and was given permission to revise and extend his own remarks in the RECORD.

Mr. CORBETT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein excerpts from Senate Report No. 1615.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. McDOWELL. Mr. Speaker, I ask unanimous consent that on Monday next after the disposition of the legislative business and any prior special orders I may address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

EXTENSION OF REMARKS

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including therein a letter that appeared in the Washington Post this morning.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

NATIONAL DEFENSE PROGRAM

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DONDERO. Mr. Speaker, in this hour when speed is the desired object of all, it ought to be somewhat reassuring to the country to read in the morning Post a statement made by Henry Ford, of Detroit, that in 6 months' time his plant could be geared up to produce 1,000 airplanes per day. That is a very large number of airplanes. Someone has suggested that that is per week, but the morning Post says per day. He also stated that it could be done under their own supervision and without Government meddling. He said that during the World War they told him that he could not produce an Eagle boat per day, but he did it, and had it not been for Government red tape he would have been able to produce one submarine chaser per day. They also told him he could not produce 10,000 completed automobiles per day, but he did it. The Ford Motor Co. has demonstrated to the world its efficiency and ability to produce in immense quantities. If Henry Ford says he can produce 1,000 airplanes per day the country can depend on it.

Thus it will be seen that the great industries of the country are ready to respond to the Nation's call when national defense is the order of the day. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. FISH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including in the RECORD a brief statement from the Morning Post.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

COL. CHARLES A. LINDBERGH

Mr. FISH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FISH. Mr. Speaker, the action of the Lafayette Escadrille in striking Col. Charles A. Lindbergh's name from their list as an honorary member, because of his views on the administration's foreign policies, evidently does not represent the attitude of World War veterans.

We are still living in a free country, and every American has the right of freedom of speech whether we agree with him or not. Ninety-five percent of the American people want to keep out of foreign wars, according to all polls, and Colonel Lindbergh reflects consistently that point of view.

The following is an extract from a letter I have just received from Edward E. Spafford, past national commander of the American Legion:

> I think that Lindbergh did a good job.
>
> Senator BYRNES' reply was terrible. He apparently has nothing better to do than to defame the character of one of our outstanding citizens.
>
> I think it is a pretty low type of man who indicates that because a person receives a decoration from some foreign power that he has sold out his American patriotism. I happen to have a few decorations from foreign countries, but I certainly do not feel that I owe anything to the countries who decorated me.

Personally, I have a high regard for Senator BYRNES, with whom I have served in the House, but utterly disagree with him in his attempt to impugn Colonel Lindbergh's motives,

patriotism, or Americanism, or that of any other American citizen who opposes America's involvement in another foreign war or is not afraid to disagree with the foreign policies of the administration. [Applause.]

COUNCIL OF NATIONAL DEFENSE

Mr. BREWSTER. Mr. Speaker, I ask unanimous consent to incorporate in the RECORD at this point the provisions of the United States Code regarding the Council of National Defense.

The SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

The matter referred to follows:

[The Code of the Laws of the United States of America, in force January 3, 1935]

TITLE 50—WAR

CHAPTER 1. COUNCIL OF NATIONAL DEFENSE

SECTION 1. Creation, purpose, and composition of council: A Council of National Defense is hereby established, for the coordination of industries and resources for the national security and welfare, to consist of the Secretary of War, the Secretary of the Navy, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, and the Secretary of Labor. (Aug. 29, 1916, ch. 418, 2, 39 Stat. 649.)

SEC. 2. Advisory commission: The Council of National Defense shall nominate to the President, and the President shall appoint, an advisory commission, consisting of not more than seven persons, each of whom shall have special knowledge of some industry, public utility, or the development of some natural resource or be otherwise specially qualified, in the opinion of the council, for the performance of the duties hereinafter provided. The members of the advisory commission shall serve without compensation, but shall be allowed actual expenses of travel and subsistence, when attending meetings of the commission or engaged in investigations pertaining to its activities. The advisory commission shall hold such meetings as shall be called by the council or be provided by the rules and regulations adopted by the council for the conduct of its work. (Aug. 29, 1916, ch. 418, 2, 39 Stat. 649.)

SEC. 3. Duties of council: It shall be the duty of the Council of National Defense to supervise and direct investigations and make recommendations to the President and the heads of executive departments as to the location of railroads with reference to the frontier of the United States so as to render possible expeditious concentration of troops and supplies to points of defense; the coordination of military, industrial, and commercial purposes in the location of branch lines of railroad; the utilization of waterways; the mobilization of military and naval resources for defense; the increase of domestic production of articles and materials essential to the support of armies and of the people during the interruption of foreign commerce; the development of seagoing transportation; data as to amounts, location, method, and means of production, and availability of military supplies; the giving of information to producers and manufacturers as to the class of supplies needed by the military and other services of the Government, the requirements relating thereto, and the creation of relations which will render possible in time of need the immediate concentration and utilization of the resources of the Nation. (Aug. 29, 1916, ch. 418, 2, 39 Stat. 649; Nov. 9, 1921, ch. 119, 3, 42 Stat. 212.)

COUNCIL OF NATIONAL DEFENSE AND ITS ADVISORY COMMISSION

Mr. BREWSTER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. BREWSTER. Mr. Speaker, I have inserted the existing statutory provisions regarding the Council of National Defense and its Advisory Commission in order that it may be clear that the powers of this latter body are entirely of an advisory character without executive responsibility of any kind. That means we cannot rely upon this recently appointed body effectively to accomplish the task of industrial coordination that must be carried out.

Section 2 terms this subsidiary group in its title as an "Advisory Commission" and makes it entirely clear that its functions are strictly limited. One might almost say nonexistent.

In section 3 it is provided that "It shall be the duty of the Council of National Defense to supervise and direct investigations and make recommendations to the President" with reference to a great number of matters more particularly enumerated. This Council is composed of six members of the Cabinet. The President says, however, that they are to be ignored in the present program.

Let it be clear, then, that the Advisory Commission which the President has just constituted with considerable acclaim is simply a group of distinguished industrialists and experts in their various fields who are, under the law, to advise the Council of National Defense, which in turn is limited to making "investigations and recommendations" to the President.

The busy and able citizens who have undertaken this service as a patriotic duty can scarcely be flattered when they discover the scope of their authority and their functions nor can the country be reassured.

The Secretary of the Treasury still remains the industrial coordinator, with Mr. Stettinius and Mr. Knudsen as a camouflage.

EXTENSION OF REMARKS

Mr. SANDAGER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an editorial from the Providence Journal of Tuesday, May 28, entitled "Social Offensive or Defense?" which comments upon the President's fireside chat on Sunday night last.

The SPEAKER. Is there objection?

There was no objection.

PRODUCTION OF AIRPLANES

Mr. MILLER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. MILLER. Mr. Speaker, I would not presume to disagree with any statement issued by Mr. Ford, but I think at this time we can well be reminded of the experience this country had in trying to build aircraft in automobile factories during the World War. I saw the tragedy of the "blazing coffins" with the so-called Liberty engines sent to France as a result of trying to manufacture aircraft engines under the license system. There is just as much difference between manufacturing airplane engines and automobile engines as there is between a watch and an automobile engine. I hope that we will proceed slowly in making any definite changes in our aircraft industry. [Applause.]

EXTENSION OF REMARKS

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my remarks and to include an editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. ENGEL. Mr. Speaker, I ask unanimous consent to extend my remarks and to include three memoranda from the War Department.

The SPEAKER. Is there objection?

There was no objection.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my remarks and to include a short table about rural electrification in Oregon.

The SPEAKER. Is there objection?

There was no objection.

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent to extend my remarks and to include an article from the market pages of the Chicago Tribune relative to the importation of grain from Canada.

The SPEAKER. Is there objection?

There was no objection.

Mr. JENSEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a newspaper article relative to Colonel Lindbergh.

The SPEAKER. Is there objection?

There was no objection.

Mr. RICH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including a speech made on the floor of the House by the late Representative J. Will Taylor on November 3, 1939.

The SPEAKER. Is there objection?

There was no objection.

DEPORTATION OF ALIENS

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. RICH. Mr. Speaker, I call attention to the fact that in the address of the late J. Will Taylor, which I have just had inserted as a part of my remarks in the Appendix of the RECORD there appears much that it would be wise for all of the Members of the House to read. It shows that in 1939 the border patrol apprehended 13,635 law violators who came into the country illegally but that only 9,275 were deported. Why? Miss Perkins should give an accounting. I think we ought to make every effort in this country today to find those people who came to this country who are trying to overthrow our Government, and nothing should stop the Congress from either deporting them or putting them in concentration camps, and if we know that they are going to do anything that is likely to overthrow our Government, we ought to find a good brick wall, put them against it, and get the bayonets out, and if necessary use them. We want no un-American activities today of any kind.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

NATIONAL DEFENSE

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

[Mr. VAN ZANDT addressed the House. His remarks appear in the Appendix of today's RECORD.]

DEPORTATION OF HARRY BRIDGES

Mr. COLMER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. COLMER. Mr. Speaker, apropos of the statement just made by the gentleman from Pennsylvania [Mr. RICH], I take this opportunity to advise the House that the Committee on Rules has just unanimously reported a rule to deport Harry Bridges, one of the great disturbing elements in this country. [Applause.]

Mr. VAN ZANDT. Mr. Speaker, may I inquire of the gentleman just how many minutes we are allowed under the rule for discussion of this matter?

Mr. COLMER. There will be 1 hour on the rule and 1 hour on the resolution.

Mr. BLAND. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield.

Mr. BLAND. I wish to say that I introduced a resolution to be considered by the committee next week requiring that the crews on American flag vessels shall be composed 100 percent of American citizens.

EXTENSION OF REMARKS

Mr. PARSONS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the subject of agriculture and to include therein certain statistical tables.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CALL OF THE HOUSE

Mr. HARNESS. Mr. Speaker, I renew my point of order that there is not a quorum present.

The SPEAKER. Evidently there is not a quorum present.

Mr. RAYBURN. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 129]

Ball	Byrne, N. Y.	Darrow	Green
Brown, Ohio	Caldwell	Ditter	Hall, Edwin A.
Burch	Claypool	Faddis	Jarman
Burdick	Creal	Folger	Kean
Kefauver	Mansfield	Schaefer, Ill.	Thorkelson
Kerr	Merritt	Stearns, N. H.	Whelchel
Lemke	Norton	Sweet	White, Ohio
McLeod	Risk	Thomas, N. J.	

The SPEAKER. On this roll call 403 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

EXTENSION OF REMARKS

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. The Chair cannot recognize the gentleman for that purpose.

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BRADLEY of Michigan. Mr. Speaker, on last Monday the very able and distinguished gentleman from Illinois, the chairman of the Rules Committee [Mr. SABATH], addressed the House for 1 minute, and his remarks are extended on page 6914 of the RECORD. In those remarks he included a letter supposedly written by one Robert E. Renfrew, who, he says, signs himself "Just a seaman, but a damn good American," and in this letter this supposed Renfrew attempts to besmirch the Dies committee.

Mr. Speaker, I telephoned the Bureau of Marine Inspection and Navigation this morning, which under the law is charged with keeping a complete, up-to-date list of all bona fide American merchant seamen. Robert E. Renfrew, a name which bears a striking similarity to a noted radio character—Renfrew of the Mounted—is not on that list and has not been on that list at least as far back as December 1936.

Mr. Speaker, it has long been a favored trick of the Communists to circulate in our midst under assumed names.

EXTENSION OF REMARKS

Mr. THILL. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein a short newspaper article and table entitled "What the United States Army Wants."

The SPEAKER. Without objection it is so ordered.

There was no objection.

INTERIOR DEPARTMENT APPROPRIATION BILL, 1941—CONFERENCE REPORT

The SPEAKER. The unfinished business before the House is the further consideration of the conference report on the Interior Department appropriation bill.

Mr. TABER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TABER. I understand that copies of the bill, conference report on which is about to be taken up, the Interior Department appropriation bill printed with the amendments of the Senate are not available to the Members so that they can look at the conference report and tell what they are voting on. I wonder why that is?

The SPEAKER. The Chair could not answer that parliamentary inquiry.

The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 69. Page 90, line 4, add the following:

"San Luis Valley project, Colorado: For further investigations, exploratory and preparatory work, and commencement of construction in accordance with House Document No. 693, Seventy-sixth Congress, third session: *Provided*, That commencement of construction of the Closed Basin drain feature shall be contingent on (a) a conclusive finding of justification for the drain on the basis of cost and the quantity and quality of water to be secured, and (b) adequate arrangements for maintenance of the drain, $15,000."

Mr. TAYLOR. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Mr. TAYLOR moves that the House recede from its disagreement to the amendment of the Senate numbered 69 and agree to the same with an amendment as follows: At the end of the matter inserted by said amendment and before the semicolon insert

the following: "*Provided further,* That any works to be constructed by virtue of investigations or surveys resulting from this appropriation shall be so constructed and operated as not to interfere with the operation of or abrogate any of the terms of the Rio Grande interstate compact, and any contracts, permits, or licenses relating to such work entered into by the United States shall provide specifically that all rights thereunder shall be subject to and controlled by the provisions of said Rio Grande interstate compact."

Mr. TAYLOR. Mr. Speaker, this amendment pertains to an interstate compact entered into at Santa Fe, N. Mex., March 18, 1938, by and between the States of Colorado, New Mexico, and Texas in relation to the use of the waters of the Rio Grande. It is known as the San Luis Valley project.

The preliminary investigations on this stream were started in 1935 by the National Resources Committee and more than $400,000 has been expended from State and Federal funds. Twenty-five thousand dollars has been expended by Colorado, and I think the States of Texas and New Mexico have each spent some $18,000 on this investigation.

This amendment provides funds for carrying on additional investigations. The project is authorized by law. The Secretary of the Interior has officially found it feasible and desirable, from an economic and engineering standpoint, as required by section 9 of the Reclamation Projects Act of 1939. The project will not open new land for cultivation but will provide a supplemental water supply for 400,000 acres now under irrigation.

The amendment I offer to the Senate amendment provides that the project shall be constructed and operated in accordance with the terms of that Rio Grande compact. The object of the amendment is to remove any doubt or possibility of the rights of either of those States being interfered with by reason of the construction of this project.

The representatives from those three States, including the gentleman from New Mexico [Mr. DEMPSEY] and the gentleman from Texas [Mr. THOMASON], feel that the amendment will properly safeguard the rights of those States. They agree that the amendment should be adopted and I, speaking for the State of Colorado, coincide with their judgment.

For the general information of the House I may digress a moment to say that the Supreme Court of the United States has held that these interstate compacts by the arid States of the West, in the relation to the use of the waters of interstate streams, are perfectly legal and binding upon those States and upon the Federal Government. They are tremendously important in the interest of the orderly use and conservation of the waters of those streams which are so vitally necessary and enormously valuable to those States.

As everyone knows, the water arising within the arid States of the West is a birthright of those States. They could not exist without it and there has been an enormous amount of litigation in relation to those rights.

Colorado by geological survey is the highest State in the Union. The congressional district which I have the honor to represent is the highest part of that State, so I have the distinction of representing the "top of the world" in Congress.

There are 15 large rivers rising in the State of Colorado and flowing north, east, south, and west. Nearly all of them start in my congressional district. Flowing north are the North and South Platte and the Larimer Rivers. Flowing east are the Arkansas and Republican Rivers. Flowing south are the Rio Grande, San Juan, Animas, La Plata, and Mancos Rivers. Flowing west are the Dolores, Colorado, White, Yampa, and Green Rivers.

Forty years ago last winter the State of Kansas started the suit in the United States Supreme Court to restrict the State of Colorado in its use of the waters of the Arkansas River. The Colorado Legislature, then in session, promptly passed Senate Joint Resolution No. 7, Session Laws of Colorado, 1901, authorizing and directing the Governor and attorney general of Colorado to at once take whatever steps and incur whatever expense was necessary to defend Colorado's rights to the use of the waters of that stream. That was the inception of 40 years of litigation in the United States Supreme Court for the protection of Colorado's water rights as against Kansas, Wyoming, Nebraska, New Mexico, and Arizona. I was the author of that resolution.

I have endeavored diligently ever since to help bring about these interstate compacts and stabilize and conserve the use of the waters of all those streams between those States. There have been about a dozen decisions of the United States Supreme Court in relation to the use of the waters that have come from Colorado. The amendment I offer today merely clarifies the Senate amendment and is intended to, and I am confident will, protect the respective rights of those three States directly interested in it.

There is one large reservoir and two small reservoirs contemplated in this project and they are in the congressional district of Colorado represented by our late colleague, Hon. John A. Martin. I am in reality speaking in behalf of his constituents in the presentation of this amendment, and I trust the Senate amendment and my amendment thereto will be approved by the House.

The SPEAKER. The question is on the amendment offered by the gentleman from Colorado.

The amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 70: Page 91, line 4, strike out "$35,100,000" and insert "$43,350,000."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 72: Page 91, line 23, insert the following:
"It is hereby declared to be the policy of the Congress that, in the opening to entry of newly irrigated public lands, preference shall be given to families who have no other means of earning a livelihood, or who have been compelled to abandon, through no fault of their own, other farms in the United States, and with respect to whom it appears after careful study, in the case of each such family, that there is a probability that such family will be able to earn a livelihood on such irrigated lands."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Speaker, I ask the gentleman from Oklahoma if he feels it is wise to place in this bill an amendment giving preferential treatment to a certain class of people? It seems to me the law ought to be sufficiently broad to treat everybody alike but to give the Department discretion in certain cases. I doubt whether this amendment is wise.

Mr. JOHNSON of Oklahoma. Answering the distinguished gentleman from Pennsylvania I may say that the language of the amendment as it has been read is self-explanatory. It declares a policy of Congress with reference to entry on new reclamation projects but does not change existing regulations as to requirements for eligibility to enter the new areas. Now, as to the matter of policy, of course, that is another question. Unfortunately for me, I often find myself not in agreement with my genial friend from Pennsylvania with reference to our national policies.

The SPEAKER. The question is on the motion offered by the gentleman from Oklahoma [Mr. JOHNSON].

The motion was agreed to.

The Clerk read as follows:

Amendment No. 80: On page 107, after line 14, insert the following:
"Notwithstanding any other provisions of law, Royd R. Sayers, a commissioned officer on the active list, United States Public Health Service, is authorized to hold the office of Director of the Bureau of Mines in the Department of the Interior without loss of or prejudice to his status as a commissioned officer on the active list of the United States Public Health Service and if appointed to such civil office he shall receive in lieu of his pay and allowances as such commissioned officer the salary prescribed by law for such civil office."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment, and I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, this is a Senate amendment which indicates that we are so bad off in connection with the management of the Bureau of Mines in the Interior Department that we have to have a physician on the rolls of the United States Public Health Service take charge of it. That is the most ridiculous thing I ever heard of being brought in here for the House to consider. I can see no possible excuse for this operation.

If we really were trying to have good government, we would get the most competent mining engineer we could get for that job and put him in there. I do not propose to let such a thing as that go by without letting the House express itself on the subject. I hope the House will not approve of that provision because it is the most ridiculous thing I have ever heard of. I hope that we will not get down that far.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 10 minutes to the gentleman from Washington [Mr. LEAVY].

Mr. LEAVY. Mr. Speaker, it is comparatively easy to become confused and not quite understand what the issues are here. Dr. Sayers was appointed by the President to be the Chief of the Bureau of Mines following the resignation of Dr. Finch. The Senate under the law has to confirm such appointment, and day before yesterday the Senate unanimously confirmed the selection of Dr. Sayers as the Chief of the Bureau of Mines. It is not a matter for the House to say whether he should or should not be the Chief of that Bureau. He has been appointed, and he has been confirmed. However, for 27 years he has been with the United States Public Health Service, which is set up on a military basis. Dr. Sayers has gained certain rights by reason of 27 years of continuous service, and he does not want to surrender or lose those rights. He does not draw two salaries. He gives up the salary in Public Health and gets the regular salary paid in the Bureau of Mines.

If you will read the provision we have under consideration, found on page 107 of the bill, you will find it merely recites:

> Notwithstanding any other provisions of law, Royd R. Sayers, a commissioned officer on the active list, United States Public Health Service, is authorized to hold the office of Director of the Bureau of Mines in the Department of the Interior without loss of or prejudice to his status as a commissioned officer on the active list of the United States Public Health Service; and if appointed to such civil office, he shall receive in lieu of his pay and allowances as such commissioned officer the salary prescribed by law for such civil office.

Mr. JOHNSON of Oklahoma. Will the gentleman yield?

Mr. LEAVY. I yield to the chairman of my committee, the gentleman from Oklahoma.

Mr. JOHNSON of Oklahoma. Is it not true that this gentleman who has been ridiculed as incompetent to fill this position has been connected with the Bureau of Mines for the past 12 or 14 years, and is it not also true that he is especially equipped and qualified by education, training, and experience for this particular position?

Mr. LEAVY. Unusually so qualified and trained, and I want to touch upon that a little bit later. If the House refuses to agree to the Senate amendment now under consideration it might compel Dr. Sayers to decline the position for which he was unanimously confirmed 2 days ago, because he would not want to lose the status which he has in the Public Health Service, gained only by 27 years of faithful, efficient, and exceptional service.

Mr. WADSWORTH. May I ask a question?

Mr. LEAVY. I yield to the gentleman from New York.

Mr. WADSWORTH. Does the gentleman happen to know whether Dr. Sayers has taken the oath of office in his new position?

Mr. LEAVY. No; I do not know.

Mr. WADSWORTH. If he has done so, I would gather the impression that he has vacated the Public Health Service office.

Mr. LEAVY. I know this is a matter of such tremendous personal importance to him and I would rather doubt that he has taken the oath of office until he knows that he can preserve his status in the Public Health Service.

Mr. RICH. Will the gentleman yield?

Mr. LEAVY. I yield to the gentleman from Pennsylvania.

Mr. RICH. The gentleman from Washington has probably one of the best legal minds of anyone who ever sat in this branch of the Congress.

Mr. LEAVY. I thank the gentleman for the tribute, but I am sure I am not entitled to it.

Mr. RICH. The gentleman may doubt it, but we have expressed our opinion and I am not going to take it back. Does the gentleman believe that we ought to have legislation on an appropriation bill?

Mr. LEAVY. Answering the gentleman, generally we should not.

Mr. RICH. Is this legislation on an appropriation bill?

Mr. LEAVY. Undoubtedly it is, but under the rules prevailing in Congress we can do it when such legislative matter has its origin in the other body, as is the case here. We are authorized to do this and it is the only solution we have to the immediate problem, as it concerns Dr. Sayers.

Now, who is Dr. Sayers? It is well to know. In the first instance I doubt if there is a Member of this House who knows his political affiliations. I am sure I do not. So he is not a partisan in the matter of politics. Because I anticipated the action that is now being taken, I checked on my facts and secured the following information:

He was born at Crothersville, Ind., October 25, 1885. He was graduated from the University of Indiana with the degree of bachelor of arts and received the degree of master of arts from the same institution in 1907. He also holds an M. D. degree from the University of Buffalo, awarded in 1914.

In 1907 Dr. Sayers was electrochemical engineer for the United States Smelting & Refining Co., at East Chicago, Ill., following which he was chief chemist, Gould Storage Battery Co., of Buffalo, until 1911. From 1911 to 1913 he was professor of electrochemistry and physical chemistry at the University of Buffalo. In 1914 he entered the United States Public Health Service, with which he has been connected ever since. In 1917 he was detailed to the United States Bureau of Mines and was chief surgeon and chief of the Health and Safety Branch of that Bureau until 1933, when he returned to the United States Public Health Service and was placed in charge of the Office of Industrial Hygiene and Sanitation.

Dr. Sayers is the author of many publications dealing with physiological effects of environmental conditions on workers, especially in mines and metallurgical plants. He has made original research and published numerous reports on poisoning from gases such as those found in mines; use of synthetic atmosphere for prevention of caisson diseases; silicosis and other diseases occurring among miners; lead poisoning; the physiological effects of abnormal temperatures and humidities; and other matters relating to public and industrial health.

He is an associate member of the American Institute of Mining and Metallurgical Engineers; American Society of Heating and Ventilating Engineers; American Gas Association; American Association for the Advancement of Science; American Medical Association; Association of Industrial Physicians and Surgeons (president, 1938); American Public Health Association; and the Association of Military Surgeons. He has served as a member of the Advisory Committee on Industrial Hygiene, International Labor Office, Geneva, Switzerland, since 1922, and in 1938 was chairman of the American Committee of the International Congress on Industrial Accidents and Occupational Diseases, Frankfort-on-Main.

There is a record of professional qualification and fitness rarely found. I happen to know this gentleman personally and well. During the last 3 years I have had frequent contacts with him in connection with his work in the Public Health Service and a special assignment that took him into

my State. He is an individual of rare personality and of exceptional executive ability, and would be an ornament to that great Bureau that has now become so prominent in our national-defense program, the Bureau of Mines. For this House to deny the Government the possibility of having the service of a man so well qualified and so badly needed would be highly inconsistent and inexcusable and to me would be proceeding on a most narrow basis.

Mr. GRANT of Indiana. Mr. Speaker, will the gentleman yield?

Mr. LEAVY. I yield to the gentleman from Indiana.

Mr. GRANT of Indiana. May I say that I appreciate the observations the gentleman has made about our illustrious Hoosier. I believe I can speak for a lot of folks from Indiana when I say that we share the gentleman's high esteem for the abilities and the qualifications of Dr. Sayers. [Applause.]

Mr. MILLER. Mr. Speaker, will the gentleman yield?

Mr. LEAVY. I yield to the gentleman from Connecticut.

Mr. MILLER. Will the gentleman inform the House as to the procedure followed in the case of an Army officer who accepts another position? Is he protected in his retirement? Say, for example, Colonel Harrington.

Mr. LEAVY. No; I am not in a position to do that.

Mr. MURDOCK of Arizona. The gentleman is correct in his estimate of Dr. Sayer's ability and worth to the Bureau of Mines.

Mr. LEAVY. I trust that the House will agree to the motion to recede and concur in the Senate amendment. [Applause.]

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 3 minutes to the gentleman from Nevada [Mr. SCRUGHAM].

Mr. SCRUGHAM. Mr. Speaker, I only want to add a few words in behalf of Dr. Sayers. I have had contact with mining matters for nearly 40 years, and I consider Dr. Sayers to be entirely competent to fill the position of Director of the Bureau.

He was virtually an employee of the Bureau of Mines for 14 years, during which he was detailed to the Bureau from the Public Health Service. He became chief of the Safety and Health Branch of the Bureau of Mines and was identified with its outstanding success that has received generous national recognition from miners throughout all parts of the United States.

In this service Dr. Sayers directed one of the largest groups of Bureau of Mines employees, including those engaged in health research, mine safety, mine rescue and first-aid training. With Bureau engineers he personally went underground in a large number and variety of mines, collecting data and conducting studies upon the deleterious effects of rock dust, humidity, high temperature, mine gases, and gases produced from explosives. His research concerned with the health and safety of miners led to his establishment of clinics in mining camps for the detection, study, and prevention of tuberculosis and silicosis. Some of these clinics are now permanently maintained by State or local authorities, assisted by mining companies. In these activities Dr. Sayers gained knowledge of many mining operations and made many friends among miners and operators.

Dr. Sayers had been a physical chemist before he became a doctor. This proved of value in much of the work described and also in experiments for the use of helium in compressed atmospheres to be breathed by men, such as tunnelling, caisson work, deep-sea diving, and escape from sunken submarines.

The qualifications of Dr. Sayers are nonpolitical. He has played an important part in mining. He knows the field, the background, and the personnel of the Bureau of Mines. He is experienced as a Government administrator.

I trust that the House will concur in the Senate amendment. [Applause.]

The SPEAKER pro tempore (Mr. WARREN). The question is on the motion of the gentleman from Oklahoma that the House recede and concur in the Senate amendment.

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 77, noes 37.

Mr. TABER. Mr. Speaker, I object to the vote on the ground that a quorum is not present.

The SPEAKER pro tempore. The Chair will count. [After counting.] One hundred and seventy-two Members are present, not a quorum.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 258, nays 123, not voting 49, as follows:

[Roll No. 130]

YEAS—258

Allen, La.	Drewry	Kelly	Polk
Allen, Pa.	Duncan	Kennedy, Martin	Rabaut
Andersen, H. Carl	Dunn	Kennedy, Md.	Ramspeck
Anderson, Mo	Durham	Kennedy, Michael	Randolph
Arnold	Eberharter	Keogh	Rankin
Barden, N. C.	Edelstein	Kerr	Rayburn
Barnes	Edmiston	Kilday	Richards
Barry	Elliott	Kitchens	Robertson
Bates, Ky.	Evans	Kleberg	Robinson, Utah
Beam	Fay	Kocialkowski	Robsion, Ky.
Beckworth	Fenton	Kramer	Rogers, Okla.
Bell	Ferguson	Kunkel	Romjue
Bland	Fernandez	Landis	Ryan
Bloom	Fitzpatrick	Lanham	Sabath
Boland	Flaherty	Larrabee	Sacks
Boren	Flannagan	Leavy	Sasscer
Boykin	Flannery	Lesinski	Satterfield
Bradley, Pa.	Folger	Lewis, Colo.	Schafer, Wis.
Brooks	Ford, Miss.	Ludlow	Schiffler
Brown, Ga.	Ford, Thomas F.	Lynch	Schuetz
Bryson	Fries	McAndrews	Schulte
Buck	Fulmer	McArdle	Schwert
Buckler, Minn.	Garrett	McCormack	Scrugham
Bulwinkle	Gathings	McGehee	Shanley
Burch	Gavagan	McKeough	Shannon
Burgin	Gehrmann	McLaughlin	Sheppard
Byrns, Tenn.	Gerlach	McMillan, Clara	Sheridan
Camp	Geyer, Calif.	McMillan, John L.	Smith, Conn.
Cannon, Fla.	Gibbs	Maciejewski	Smith, Ill.
Cannon, Mo.	Gillie	Magnuson	Smith, Va.
Cartwright	Gore	Mahon	Smith, Wash.
Casey, Mass.	Gossett	Maloney	Smith, W. Va.
Celler	Grant, Ala.	Marshall	Snyder
Chapman	Grant, Ind.	Martin, Ill.	Somers, N. Y.
Clark	Gregory	Massingale	South
Cochran	Griffith	Mills, Ark.	Sparkman
Coffee, Nebr.	Hare	Mills, La.	Starnes, Ala.
Coffee, Wash.	Harrington	Mitchell	Stefan
Cole, Md.	Hart	Monroney	Sullivan
Collins	Harter, N. Y.	Moser	Sutphin
Colmer	Harter, Ohio	Mouton	Sweeney
Connery	Havenner	Mundt	Tarver
Cooley	Healey	Murdock, Ariz.	Taylor
Cooper	Hendricks	Murdock, Utah	Tenerowicz
Corbett	Hennings	Myers	Terry
Costello	Hill	Nelson	Thomas, Tex.
Courtney	Hobbs	Nichols	Thomason
Cox	Holmes	Norton	Tolan
Cravens	Hook	O'Connor	Van Zandt
Creal	Horton	O'Day	Vincent, Ky.
Crosser	Houston	O'Leary	Vinson, Ga.
Crowe	Hull	O'Neal	Voorhis, Calif.
Cullen	Hunter	O'Toole	Wallgren
Cummings	Izac	Pace	Ward
Curtis	Jacobsen	Parsons	Warren
D'Alesandro	Johnson, Ind.	Patman	Weaver
Darden, Va.	Johnson, Luther A.	Patrick	West
Davis	Johnson, Lyndon	Patton	White, Idaho
Delaney	Johnson, Okla.	Pearson	Whittington
Dempsey	Johnson, W. Va.	Peterson, Fla.	Williams, Mo.
Dickstein	Jones, Tex.	Peterson, Ga.	Wood
Dies	Kee	Pfeifer	Woodrum, Va.
Dingell	Keefe	Pierce	Zimmerman
Doughton	Kefauver	Pittenger	
Doxey	Keller	Poage	

NAYS—123

Allen, Ill.	Crowther	Hancock	McDowell
Anderson, Calif.	Culkin	Harness	McGregor
Andresen, A. H.	Dirksen	Hawks	McLean
Andrews	Ditter	Hess	McLeod
Angell	Dondero	Hinshaw	Martin, Iowa
Arends	Douglas	Hoffman	Martin, Mass.
Austin	Dworshak	Hope	Mason
Barton, N. Y.	Eaton	Jarrett	Michener
Bates, Mass.	Elston	Jeffries	Miller
Bender	Engel	Jenkins, Ohio	Monkiewicz
Blackney	Englebright	Jenks, N. H.	Mott
Bolles	Ford, Leland M.	Jennings	Murray
Bolton	Gamble	Jensen	O'Brien
Bradley, Mich.	Gartner	Johns	Oliver
Brewster	Gearhart	Johnson, Ill.	Osmers
Carlson	Gilchrist	Jones, Ohio	Plumley
Chiperfield	Goodwin	Jonkman	Powers
Church	Graham	Kilburn	Reece, Tenn.
Clason	Gross	Kinzer	Reed, Ill.
Clevenger	Guyer, Kans.	Knutson	Reed, N. Y.
Cluett	Gwynne	Lambertson	Rees, Kans.
Cole, N. Y.	Hall, Leonard W.	Lewis, Ohio	Rich
Crawford	Halleck	Luce	Rockefeller

Rodgers, Pa.	Simpson	Tibbott	Williams, Del.
Rogers, Mass.	Smith, Ohio	Tinkham	Winter
Routzohn	Springer	Treadway	Wolcott
Rutherford	Stearns, N. H.	Vorys, Ohio	Wolfenden, Pa.
Sandager	Sumner, Ill.	Vreeland	Wolverton, N. J.
Seccombe	Taber	Welch	Woodruff, Mich.
Seger	Talle	Wheat	Youngdahl
Short	Thill	Wigglesworth	

NOT VOTING—49

Alexander	DeRouen	LeCompte	Spence
Ball	Disney	Lemke	Steagall
Boehne	Ellis	McGranery	Sumners, Tex.
Brown, Ohio	Faddis	Maas	Sweet
Buckley, N. Y.	Fish	Mansfield	Thomas, N. J.
Burdick	Gifford	Marcantonio	Thorkelson
Byrne, N. Y.	Green	May	Wadsworth
Byron	Hall, Edwin A.	Merritt	Walter
Caldwell	Hartley	Norrell	Whelchel
Carter	Jarman	Risk	White, Ohio
Case, S. Dak.	Kean	Schaefer, Ill.	
Claypool	Kirwan	Secrest	
Darrow	Lea	Shafer, Mich.	

So the motion was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Claypool (for) with Mr. Brown of Ohio (against).
Mr. Merritt (for) with Mr. Darrow (against).
Mr. McGranery (for) with Mr. Edwin A. Hall (against).
Mr. Byrne of New York (for) with Mr. Kean (against).

Until further notice:

Mr. Mansfield with Mr. Gifford.
Mr. Buckley of New York with Mr. Hartley.
Mr. May with Mr. Ball.
Mr. Boehne with Mr. Carter.
Mr. Norrell with Mr. Wadsworth.
Mr. Jarman with Mr. Risk.
Mr. Spence with Mr. Fish.
Mr. DeRouen with Mr. Case of South Dakota.
Mr. Schaefer of Illinois with Mr. Alexander.
Mr. Disney with Mr. Thomas of New Jersey.
Mr. Faddis with Mr. LeCompte.
Mr. Secrest with Mr. Shafer of Michigan.
Mr. Steagall with Mr. Burdick.
Mr. Green with Mr. Thorkelson.
Mr. Kirwan with Mr. Lemke.
Mr. Whelchel with Mr. White of Ohio.
Mr. Lea with Mr. Marcantonio.
Mr. Walter with Mr. Sweet.

The result of the vote was announced, as above recorded.

The SPEAKER pro tempore (Mr. WARREN). The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

On page 118, line 2, strike out "$227,825" and insert "$251,325."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 85: On page 118, in line 2, after the amount insert: "*Provided*, That the total sum expended in any fiscal year for maintenance of the Vanderbilt Historical Monument in Dutchess County, N. Y., shall not exceed the total sum of the admission fees collected at such monument during the previous fiscal year."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the amendment with an amendment.

The Clerk read as follows:

Mr. JOHNSON of Oklahoma moves that the House recede from its disagreement to the amendment of the Senate No. 85, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following: "*Provided*, That the total sum expended in any fiscal year after the fiscal year 1941 for maintenance of the Vanderbilt Historical Monument in Dutchess County, N. Y., shall not exceed the total sum of the admission fees collected at such monument during the previous fiscal year."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Speaker, we are asked here this afternoon to take over the Vanderbilt estate in New York, which is in very close proximity to Hyde Park, and make a national monument out of it. I cannot understand why the membership of the House of Representatives should be desirous of taking over any private lands or any public lands that might be given to the Government regardless of how valuable it might be, and then making it into a national shrine unless it has historic value. They say this property is valued at $2,000,000 and they say they are going to give it to the Federal Government, and they want the Federal Government to look after it.

This statement was made by Senator GREEN when Mr. Demaray, who has charge of the parks, was before the committee:

I may say that I know the place. I have been there and it is a magnificent gentleman's estate, but it has no historical significance.

That is the question I am interested in, and I wonder whether the Congress of the United States is going to take over all property that might be offered to the Government and set the Government up in business again. You may say that this is a fine estate, but what does it represent? It represents a fine, large mansion, representing the Vanderbilt estate, representing someone who has had a great amount of money to spend on a home, a large area, and a beautiful place. What part does it have in American historic life? We talk about the economic royalists and this administration has condemned the economic royalists, and yet you want to perpetuate what the administration calls an economic royalist. This administration is full of them.

I admire the heirs of the Vanderbilt estate for offering this property to the Federal Government, but what do you want with it? What are you going to do with it? You are going to charge an admission fee of 50 cents to go in there and see the fine estate. This fee is supposed to take care of the expense, and that is a fine thing and I congratulate the Interior Department on doing that particular thing, but why should we take over any wealthy man's estate just because he wants to give it to the Federal Government. That is the question I want answered, and the thing that worries me is how you are going to maintain all the parks, how you are going to maintain all the monuments that we have now set up. You are requested to set up additional parks and the maintenance cost eventually is going to be staggering unless the Interior Department makes the request with regard to every monument and every park, that the ones who visit them shall pay an admission fee in order that we may be able to bear the expense to the Government. I think it is about time that we try to take care of the people of this country in a way more befitting the needs and the pocketbooks and more befitting the administration that is trying to administer our affairs.

While this particular amendment may be a good one, there is going to be another one offered in a few minutes and I make these remarks as a preface so we will be able to take care of the next one, because I do not think we ought to add any more parks or appropriate any more money for our National Park System at this time, especially when we have to purchase and maintain them. Where are you going to get the money?

The SPEAKER. The question is on the motion of the gentleman from Oklahoma to recede and concur.

Mr. JOHNSON of Oklahoma. Mr. Speaker, answering the gentleman from Pennsylvania, let me say that he always makes an illuminating and an interesting address. However, it would be more interesting and much more informative and convincing if he had made it to the pending amendment instead of the one that has been adopted. The amendment to which he refers has heretofore been adopted by the House and so far as the administration accepting the estate is concerned, that, of course, is water that is already over the dam. The only thing before the committee at this time is whether or not we will have this safeguard to provide that they cannot spend any more money in connection with the estate than is actually taken in by fees collected from the public.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Oklahoma to recede and concur.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as folows:

Senate amendment No. 87: Page 118, after line 14, insert: "Andrew Johnson National Monument: For acquisition of the Andrew Johnson homestead and site located in Greenville, Tenn., including certain furniture, furnishings, and equipment located therein, and expenses incidental to such acquisition, in accordance with the provisions of the act of August 29, 1935 (49 Stat. 958), $44,500."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move to recede and concur.

Mr. RICH. Mr. Speaker, will the gentleman yield me a few minutes on this?

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania.

Mr. RICH. Mr. Speaker, here is where we are going to set up a new Andrew Johnson national monument. This monument is now owned and operated by the State of Tennessee. If it is a good thing, why does not the State of Tennessee want to retain it? Why would it not want to continue to operate it? But no, they come here and offer it to the Government of the United States and they want the Government to buy it and to furnish the money in order that it might be increased in size, and in order that it might be beautified—establishing another drain upon the Treasury of the United States. I do not think this amendment ought to be adopted. I think we ought to permit the State of Tennessee to own it. It is of national importance to that State, and that State ought to retain it, and I do not think the State ought to come and ask the taxpayers of the Federal Government to assume a burden which the State itself admits it cannot stand and does not want to assume, but wants the Federal Government to assume. Are we going to be foolish enough to take over this property at this time? What will your constituents say about that?

Mr. REECE of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. RICH. Yes. I yield to the distinguished gentleman from Tennessee.

Mr. REECE of Tennessee. The gentleman is in error with reference to the ownership of the property that is to be embraced in the proposed Andrew Johnson national monument. The State owns one piece of the property. The Federal Government, however, owns and operates the Andrew Johnson National Cemetery, and then there is an additional piece of property still in the hands of the Andrew Johnson heirs yet to be acquired. So it is not a question of the State transferring all of this to the Federal Government for its development and administration.

Mr. RICH. The gentleman admits he wants the Federal Government to make the purchases of all the land that is not now acquired, and that it should be taken over by the Federal Government in conjunction with the cemetery, which is supposed to be a national monument. Is it not going to cost the Federal Government money to make the purchase?

Mr. REECE of Tennessee. It will cost the Federal Government a comparatively small amount to acquire the additional property, and since the Federal Government has the administration expense of maintaining and administering the national cemetery, the additional cost of administering the whole project will be very small.

Mr. RICH. What does the gentleman mean by "small"?

Mr. REECE of Tennessee. Not more than $6,000.

Mr. RICH. Six thousand a year for maintenance.

Mr. REECE of Tennessee. Yes.

Mr. RICH. And how much is it going to cost to acquire that land?

Mr. REECE of Tennessee. An estimate has been made that it will cost $4,500.

Mr. RICH. Has the gentleman seen the Treasury statement of May 24, which shows that we have gone into the red $3,389,000,000 this year, and that next year we will be worse off?

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has expired.

Mr. RICH. Mr. Speaker, I ask the gentleman from Oklahoma to yield me 2 minutes more.

Mr. JOHNSON of Oklahoma. I yield 2 minutes more to the gentleman from Pennsylvania.

Mr. RICH. Mr. Speaker, we are talking now about national defense. We are going to be called upon to undertake a tax bill, and it is to be passed in the name of national defense. A tax bill is to be put out to the people in order to keep us from going over the forty-five billion debt limit. That will not stop this spendthrift Congress. We will be asked to increase that debt limit and we will be asked to increase the taxes back home in order to pay for some of the things we have been spending and for which we have nothing to show. Is it not time that we realize that some of these expenses should be deferred at least for some years to come, and that we should not put so much burden on the Federal Government at a time like this? I think that is something that ought to be done, and I leave the question up to the Members of the House, whether they want to go on and make this purchase at this time. We must record the Members on some of this spending.

The SPEAKER pro tempore. The question is on the motion to recede and concur.

The question was taken; and on a division (demanded by Mr. RICH) there were—ayes 79, noes 27.

Mr. RICH. Mr. Speaker, I object to the vote on the ground there is not a quorum present.

The SPEAKER pro tempore. The Chair will count.

Mr. RICH. Mr. Speaker, on request I withdraw my objection.

So the motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 89: Page 122, line 21, after "1941", insert: "*Provided further*, That in addition to the amount herein appropriated the Secretary of the Interior may also approve projects, incur obligations, and enter into contracts for additional work not exceeding a total of $3,000,000 and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof and appropriations hereafter made for the construction, reconstruction, and improvement of roads and trails shall be considered available for the purpose of discharging the obligation so created: *Provided further*."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, the President sent a Budget estimate to Congress for roads and trails in national parks, $2,000,000. This amount was allowed by the Committee on Appropriations. It is still in the bill, but in addition there is authorization for contract obligations of an additional $3,000,000. This is simply an attempt to go beyond the Budget by that amount.

Mr. Speaker, I am not going to discuss the question of the merits of roads and trails in national parks but, rather, I shall discuss the financial condition of the Government. We are right at the point where the President yesterday announced a program of additional taxation and the necessity to increase the national debt limit by $3,000,000,000. We know that we shall be asked to spend in the next fiscal year at least $2,000,000,000 more than we figured on, for national-defense items—and we are going to be in a situation where we shall need to spend that money. America is soft. She has had the idea for 20 years that she was invulnerable and would not be involved in trouble. At the present time, as a result of the spending program, we are in trouble; and we are in trouble, also, because of world affairs. We have got to conserve our energies and our finances. Let us stop adding fat under our belts, and begin to fry it out and tighten up our belts. Let us stop asking for special projects in our own States or districts, or additional projects and see if we cannot begin to save some money and help the Treasury out a little bit. Unless the House takes cognizance of its responsibility we are not going

to get anywhere in that direction. This is one of the things that is absolutely indefensible at this time, and I hope the House will refuse to recede and concur in this amendment.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Speaker, according to the statement read by the Clerk with respect to this amendment, the Senate has reduced the direct appropriations for this item to $2,000,000, within the Budget, but has inserted a contract authorization for $3,000,000, the total of $5,000,000 representing the amount authorized for appropriation during the fiscal year 1941.

We are increasing the contract obligations. Whenever one Congress permits a department to obligate itself under contracts, the succeeding Congress must appropriate the money to meet the obligations. By adopting this amendment you are going to compel the next session of Congress—unless you get a deficiency item to cover it before the session closes—to appropriate the $3,000,000 to take care of these contract obligations. Do not deceive yourselves, that is what you are doing. You are responsible. You are creating the obligation of an additional $3,000,000 if you adopt this amendment. You ought to go slow before you obligate yourselves to this additional great expenditure. Why do the Members of the Congress not try in a sensible way to make appropriations? Why not have the income and the outgo balance? Let us not be squanderers.

The SPEAKER pro tempore. The question is on the motion to recede and concur.

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 61, noes 39.

Mr. RICH. Mr. Speaker, I object to the vote on the ground there is not a quorum present.

The SPEAKER pro tempore. The Chair will count. [After counting.] One hundred and thirty-seven Members are present, not a quorum.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 196, nays 168, answered "present" 1, not voting 65, as follows:

[Roll No. 131]

YEAS—196

Allen, La.	Doughton	Jones, Tex.	O'Connor
Anderson, Mo.	Doxey	Kee	O'Day
Angell	Drewry	Kefauver	O'Leary
Barden, N. C.	Duncan	Keller	O'Toole
Barnes	Dunn	Kelly	Parsons
Bates, Ky.	Durham	Kennedy, Martin	Patman
Beckworth	Eberharter	Kennedy, Md.	Patrick
Bell	Edelstein	Kennedy, Michael	Patton
Bland	Ellis	Keogh	Pearson
Bloom	Englebright	Kilday	Peterson, Fla.
Boland	Fay	Kirwan	Peterson, Ga.
Boykin	Fernandez	Kitchens	Pierce
Bradley, Pa.	Fitzpatrick	Kleberg	Pittenger
Brooks	Flaherty	Kocialkowski	Rabaut
Brown, Ga.	Flannagan	Kramer	Ramspeck
Buckler, Minn.	Flannery	Lanham	Rankin
Burgin	Folger	Larrabee	Rayburn
Byrns, Tenn.	Ford, Miss.	Leavy	Reece, Tenn.
Camp	Ford, Thomas F.	Lesinski	Richards
Cannon, Fla.	Fries	Lewis, Colo.	Robinson, Utah
Cannon, Mo.	Gathings	Lynch	Rogers, Okla.
Cartwright	Gavagan	McAndrews	Romjue
Case, S. Dak.	Geyer, Calif.	McArdle	Ryan
Chapman	Gibbs	McCormack	Sabath
Cochran	Gore	McGehee	Sasscer
Cole, Md.	Gossett	McGranery	Schuetz
Collins	Grant, Ala.	McKeough	Schulte
Colmer	Gregory	McLaughlin	Schwert
Cooley	Griffith	McMillan, Clara	Scrugham
Cooper	Harrington	Maciejewski	Shanley
Courtney	Harter, Ohio	Magnuson	Sheppard
Cox	Havenner	Mahon	Sheridan
Cravens	Healey	Maloney	Smith, Ill.
Creal	Hendricks	Marcantonio	Snyder
Crosser	Hennings	Martin, Ill.	Somers, N. Y.
Crowe	Hill	Massingale	South
Cullen	Hobbs	Mills, Ark.	Sparkman
Cummings	Houston	Mills, La.	Spence
D'Alesandro	Hunter	Mitchell	Starnes, Ala.
Delaney	Izac	Mott	Steagall
Dempsey	Jacobsen	Murdock, Ariz.	Sullivan
DeRouen	Jennings	Myers	Sutphin
Dickstein	Johnson, Lyndon	Nelson	Tarver
Dies	Johnson, Okla.	Norrell	Taylor
Dingell	Johnson, W. Va.	Norton	Terry
Thomas, Tex.	Voorhis, Calif.	Weaver	Whittington
Thomason	Wallgren	Welch	Williams, Mo.
Tolan	Ward	West	Woodrum, Va.
Vinson, Ga.	Warren	White, Idaho	Zimmerman

NAYS—168

Allen, Ill.	Elliott	Johnson, Ind.	Reed, N. Y.
Allen, Pa.	Elston	Johnson, Luther A.	Rees, Kans.
Andersen, H. Carl	Engel	Jones, Ohio	Rich
Anderson, Calif.	Evans	Jonkman	Robertson
Andresen, A. H.	Fenton	Keefe	Robsion, Ky.
Andrews	Ferguson	Kilburn	Rodgers, Pa.
Arends	Ford, Leland M.	Kinzer	Rogers, Mass.
Austin	Fulmer	Knutson	Routzohn
Barry	Gamble	Kunkel	Rutherford
Barton, N. Y.	Garrett	Lambertson	Sandager
Bates, Mass.	Gartner	Landis	Satterfield
Beam	Gehrmann	LeCompte	Seccombe
Bender	Gerlach	Lewis, Ohio	Seger
Blackney	Gifford	Luce	Shannon
Bolles	Gilchrist	Ludlow	Short
Bolton	Gillie	McDowell	Smith, Conn.
Boren	Goodwin	McGregor	Smith, Ohio
Bradley, Mich.	Graham	McLeod	Smith, Va.
Brewster	Grant, Ind.	McMillan, John L.	Smith, W. Va.
Bryson	Gross	Maas	Springer
Carlson	Gwynne	Marshall	Stefan
Chiperfield	Halleck	Martin, Iowa	Sumner, Ill.
Church	Hancock	Martin, Mass.	Sumners, Tex.
Clason	Hare	Mason	Taber
Clevenger	Harness	May	Talle
Cluett	Hart	Michener	Thill
Coffee, Nebr.	Harter, N. Y.	Miller	Tibbott
Cole, N. Y.	Hawks	Monkiewicz	Tinkham
Corbett	Hess	Monroney	Treadway
Costello	Hinshaw	Moser	Van Zandt
Crawford	Hoffman	Mundt	Vincent, Ky.
Crowther	Holmes	Murray	Vorys, Ohio
Curtis	Hope	Nichols	Vreeland
Darden, Va.	Horton	O'Brien	Wadsworth
Dirksen	Hull	Oliver	Wheat
Disney	Jarrett	O'Neal	White, Ohio
Ditter	Jeffries	Osmers	Wigglesworth
Dondero	Jenkins, Ohio	Plumley	Williams, Del.
Douglas	Jenks, N. H.	Poage	Wolcott
Dworshak	Jensen	Polk	Wolfenden, Pa.
Eaton	Johns	Powers	Wolverton, N. J.
Edmiston	Johnson, Ill.	Reed, Ill.	Youngdahl

ANSWERED "PRESENT"—1

Arnold

NOT VOTING—65

Alexander	Coffee, Wash.	Lea	Shafer, Mich.
Ball	Connery	Lemke	Simpson
Boehne	Culkin	McLean	Smith, Wash.
Brown, Ohio	Darrow	Mansfield	Stearns, N. H.
Buck	Davis	Merritt	Sweeney
Buckley, N. Y.	Faddis	Mouton	Sweet
Bulwinkle	Fish	Murdock, Utah	Tenerowicz
Burch	Gearhart	Pace	Thomas, N. J.
Burdick	Green	Pfeifer	Thorkelson
Byrne, N. Y.	Guyer, Kans.	Randolph	Walter
Byron	Hall, Edwin A.	Risk	Whelchel
Caldwell	Hall, Leonard W.	Rockefeller	Winter
Carter	Hartley	Sacks	Wood
Casey, Mass.	Hook	Schaefer, Ill.	Woodruff, Mich.
Celler	Jarman	Schafer, Wis.	
Clark	Kean	Schiffler	
Claypool	Kerr	Secrest	

So the motion was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Claypool (for) with Brown of Ohio (against).
Mr. Merritt (for) with Mr. Darrow (against).
Mr. Byrne of New York (for) with Mr. Kean (against).
Mr. Coffee of Washington (for) with Mr. Edwin A. Hall (against).
Mr. Buck (for) with Mr. Simpson (against).

General pairs:

Mr. Buckley of New York with Mr. Hartley.
Mr. Pace with Mr. Ball.
Mr. Boehne with Mr. Carter.
Mr. Jarman with Mr. Risk.
Mr. Mouton with Mr. Fish.
Mr. Schaefer of Illinois with Mr. Alexander.
Mr. Mansfield with Mr. Thomas of New Jersey.
Mr. Secrest with Mr. Shafer of Michigan.
Mr. Smith of Washington with Mr. Burdick.
Mr. Green with Mr. Thorkelson.
Mr. Wood with Mr. Lemke.
Mr. Walter with Mr. Sweet.
Mr. Bulwinkle with Mr. Woodruff of Michigan.
Mr. Clark with Mr. McLean.
Mr. Burch with Mr. Culkin.
Mr. Pfeifer with Mr. Gearhart.
Mr. Murdock of Utah with Mr. Leonard W. Hall.
Mr. Casey of Massachusetts with Mr. Schiffler.
Mr. Kerr with Mr. Winter.
Mr. Sweeney with Mr. Stearns of New Hampshire.
Mr. Faddis with Mr. Guyer of Kansas.

Mr. Randolph with Mr. Schafer of Wisconsin.
Mr. Tenerowicz with Mr. Wheichel.
Mr. Hook with Mr. Caldwell.

Mr. CANNON of Florida changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

AMENDMENT TO RULE XXXV OF THE RULES OF THE HOUSE OF REPRESENTATIVES

Mr. DEMPSEY, from the Committee on Rules, submitted the following privileged resolution (Rept. No. 2334), which was referred to the House Calendar and ordered to be printed:

House Resolution 502

Resolved, That rule XXXV of the Rules of the House of Representatives is amended as follows: At the end of paragraph 3 strike the period and add a semicolon and the following: "and the Speaker may admit to the floor, under such regulations as he may prescribe, one representative of the National Broadcasting Co., one of the Columbia Broadcasting System, one of the Mutual Broadcasting System, and one of the Transradio Press Service."

EXTENSION OF REMARKS

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address made by the Honorable Louis Johnson, Assistant Secretary of War.

The SPEAKER pro tempore (Mr. WARREN). Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN]?

There was no objection.

CONFERENCE REPORT ON DEPARTMENT OF INTERIOR APPROPRIATION BILL, 1941

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 90: On page 123, line 6, after the word "appropriation", insert "or contract authorization."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next Senate amendment in disagreement.

The Clerk read as follows:

Amendment No. 91: Page 123, line 25, after the word "purpose", insert a colon and the following: "*Provided further*, That the Secretary of the Interior shall make a detailed statement of expenditures from this appropriation to the Senate and House Committees on Appropriations at the beginning of the next regular session of Congress: *Provided further*, That in addition to the amount herein appropriated the Secretary of the Interior may also approve projects, incur obligations, and enter into contracts for additional work not exceeding a total of $6,000,000, of which $2,100,000 shall be for the Natchez Trace Parkway and shall be allotted and expended ratably between the States of Mississippi, Alabama, and Tennessee according to mileage of said parkway in each respective State, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and appropriations hereafter made for the construction and maintenance of the Blue Ridge and Natchez Trace Parkways shall be considered available for the purpose of discharging the obligation so created."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment, and I yield 5 minutes to the gentleman from Kansas [Mr. LAMBERTSON].

Mr. LAMBERTSON. Mr. Speaker, this is not the first time I have spoken against appropriations for the Natchez Trace or the Sky Line Drive, and as long as I stay here and these appropriations continue I expect to have something to say each year. My first objection to these appropriations is to the fact they are together. Now, these roads do not connect. They are not part of any one system, yet they have been grouped together because a few years back they entered into a common pork-barrel agreement and they have been kept together in the same paragraph since. Both were started without authorization. The first money was taken from relief appropriations by the President. The Congress of the United States had nothing to do with starting either of these propositions. That should be grounds for a continuing objection at any time. Another objection I have, particularly to the Sky Line Drive, is an additional provision in here that they can build any number of approach roads of any length that they desire. There is no limitation to the number of, or the length of, the approach roads that the Federal Government may build to the Sky Line Drive. I do not think that is sensible in any case.

Mr. Speaker, I am a great believer in the Federal-aid system in conjunction with the States, but this is the first violation of the 50–50 provision so far as road construction is concerned. This is where the Federal Government builds all of the road, the State barely giving the land.

The newest and biggest objection I have is to appropriating $2,000,000 for this purpose and then authorizing $6,000,000 for contracts. How can any sensible people agree to this? The Congress is supposed to appropriate only for one term. We meet every year. We appropriate $2,000,000 for this purpose—then authorize three times as much for contracts to bind future Congresses. It is just a perfectly typical New Deal business proposition, and I think the House should vote against this thing in order to emphasize the objections which I am now making.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Speaker, notwithstanding the fact these roads were started without any authorization by the Congress, it is expected that the Natchez Trace Parkway will cost $23,500,000 for 455 miles of roads, and that the Blue Ridge Parkway will cost $34,300,000 for 484 miles of road, from $40,000 to $60,000 a mile. We have appropriated in this bill $2,000,000 for the projects and last year we appropriated a great sum of money as well. Now it is sought to give permission to make contractual obligations involving $6,000,000, three times the amount of this appropriation, which means that before the Congress adjourns we may be requested in a deficiency bill to authorize the expenditure of this money.

The President recently came to the Congress and stated he wanted money to build up our national defense. Every Member of Congress, with the exception of one, has voted to do that very thing. How strong will our national defense be if we have no money in the Treasury to back it up to furnish the cash to carry on the national defense? If we have a bankrupt Treasury and a great Army and Navy, what good will they be? We are spending money for things that are not essential and necessary at the present time and I therefore ask the Members of the House to go easy on your ruthless spending.

Let me show you how much we have appropriated for the Blue Ridge Parkway up until November 3, 1939. Up to that time we have appropriated $13,005,900 and up until November 3 they had an unexpended balance of $6,881,422.02. They had for the Blue Ridge Parkway on November 30, $6,880,000, money unexpended, and we give them in this bill an additional $2,000,000. Now they want to contract for $6,000,000 more. Where in the name of common sense are you going to get the money to pay for these projects and if you authorize them what kind of money are you going to use to pay the bills with?

Mr. Speaker, this is a serious situation. In times of national stress and in times of great demands upon the Treasury of the United States for national-defense purposes I think we ought to call a halt to these contract authorizations. We should make our national defense permanent and stop squandering for unnecessary things.

Mr. LAMBERTSON. Will the gentleman yield?

Mr. RICH. I yield to the gentleman from Kansas.

Mr. LAMBERTSON. And especially the Sky Line Drive, since it will in no sense be used as a military road for defense purposes.

Mr. RICH. Absolutely. As a military-defense measure it is worthless.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. RICH. I yield to the gentleman from Mississippi.

Mr. RANKIN. The gentleman from Kansas cannot say that about Natchez Trace, over which Andrew Jackson went to win the only battle of New Orleans in 1815.

Mr. RICH. I may say to the gentleman that we do not want any war in this country and we do not want to get implicated in war abroad, but if you want to keep from getting into war you have to protect the National Treasury. It is time to stop this reckless expenditure of funds. [Applause.]

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Speaker, it is probably just as well that in the rather hectic and troublous period in which we live some folks do not lose their sense of humor. I noticed in the Congressional Digest this morning that a bill was introduced in the Senate of the United States about a week ago directing the Postmaster General to issue a 3-cent postage stamp to commemorate the 9 years of continuous defaulting on the part of certain European governments in making payments on their indebtedness to the United States. Some day we may issue a postage stamp to commemorate some of our own defaulting if we are not careful.

Within the next few days the Committee on Ways and Means of this body will tackle the rather herculean task of raising the debt limit and providing $600,000,000 to $700,000,000 in taxes. This in itself should be ample to serve notice on the Congress and the country that the time has come to walk rather slowly and sedately as we continue to spend money for every conceivable thing under the sun. I have no doubt that the Blue Ridge Parkway, which is 485 miles long, extending from the Shenandoah to the Great Smokies Park, is a very desirable thing, and that perhaps over a period of years the estimated cost of $34,000,000 will be justified; but it is not an absolutely indispensable thing at this time. I wonder whether the Congress can sit in the shadow of an endeavor to raise the debt limit and to produce new taxes and at the same time expend money for things that are not absolutely necessary.

The same thing is true of the Natchez Trace. For all I know, this old trail over which Andrew Jackson took his troops more than 128 years ago, extending from Nashville to Jackson, Miss., might make a good military road. I am concerned, however, about the fact that it is going to cost us $23,000,000, that we have already appropriated $8,000,000, and that we have $15,500,000 to go before it is completed. We are a long way from the completion of these projects, and there will be recurrent assaults upon the Federal Treasury at a time when we are going to jack the debt limit from $45,000,000,000 to $48,000,000,000, and then impose an onerous burden of taxation aggregating something in the nature of $600,000,000 or $700,000,000 more than is already derived from the taxpayers of the country.

I say nothing about the desirability of these projects, about the prospect of children and adults, rich and poor, getting out in God's sunlight. Yes; one could make a splendid argument on that side, but we cannot be wholly unmindful of our fiscal responsibility. If the contract authorization as carried in this bill is approved by this House, it means that you stamp the seal of approval upon another $6,000,000 worth of authority that can be obligated now, after this bill is passed, and then a year hence they will be back saying, "We have made these obligations, now we will need the appropriations to cover." The time has come to be just a little cautious about it and determine as between the necessary things and the desirable things.

Mr. REED of New York. Mr. Speaker, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from New York.

Mr. REED of New York. I just wanted to state what I suppose everybody in the House knows, that $45,000,000,000 represents the value of everything—mines, railroads, and farms—everything of value west of the Mississippi River.

Mr. DIRKSEN. If the action now proposed by the chairman of the conference committee, the gentleman from Oklahoma [Mr. JOHNSON], prevails, it just means you are placing the seal of solemn approval upon another $6,000,000 of contract authorizations which can be obligated for the purpose of these two interpark highways. [Applause.]

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 5 minutes to the gentleman from Montana [Mr. O'CONNOR].

Mr. O'CONNOR. Mr. Speaker, since about the first day of the session I have listened to our distinguished friend, the gentleman from Illinois [Mr. DIRKSEN], talk against appropriations. He made the biggest admission on this amendment that he has made during this debate, that this project is a very desirable one. We wish to thank the gentleman for that admission.

Mr. Speaker, I live at the front door of perhaps the greatest park in the world, namely, the Yellowstone National Park. People come from all over the world to enjoy its grandeur and view its world-famous geysers. The great works of Nature one sees in Yellowstone are awe-inspiring. In addition, we have a road from that park over to Glacier National Park, which is another magnificent park; almost matchless in its beauty. Your mountain peaks in the parks down here in this country do not compare at all with the peaks in the Yellowstone National Park, or in the Glacier Park. Our peaks rise up into the heavens; as a matter of fact, they pierce the clouds, and it has been said of them, they tickle the feet of the angels. I fully realize that in the construction of this road we may lose some business from the Yellowstone National Park and Glacier Park, but, notwithstanding that fact, I am for it because I live in that great open-space country out there where we have a lot of room, where we have scenery that is unmatched any place in the world. I have flown over the country through which this road will pass, and after flying over it and looking at what your millions of people have down here in the eastern part of the United States, I feel sorry for you. Whenever I can vote to give you any improvement which will add to your happiness I will vote for it, because I want to see you have the best that the country here can afford, by way of employment of what scenery you have. That road will afford the poor as well as the rich a chance to enjoy Nature.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR. Yes; I yield.

Mr. RICH. The gentleman said that they had some mountains out there that pierced the clouds.

Mr. O'CONNOR. Yes; they tickle the feet of the angels.

Mr. RICH. How about the present debt limit? That tickles the new dealers. After the gentleman made his speech on the floor here the other day that he was for economy and that he was for anything that would save the National Treasury and that he would do anything that was going to protect America now in the time of need, does the gentleman think we ought to do things that are unnecessary, and how is the gentleman going to explain that to his constituents?

Mr. O'CONNOR. Let me say to the gentleman there is something besides money. We must not place money above humanity. Dollars never gave you happiness. We have the greatest country in the world if we only let ourselves enjoy it. Why inhibit ourselves if it does cost a few dollars? I know the gentleman would spend it himself. I am for the improvement of our country so that we may get the most use and enjoyment out of it.

Mr. RICH. Mr. Speaker, will the gentleman yield for just one question?

Mr. O'CONNOR. I yield.

Mr. RICH. If the gentleman is for economy, then why does he not consider dollars? Dollars make some people happy. The gentleman said the other day that he was for economy. Is that dollars or just words?

Mr. O'CONNOR. I am for economy, but I am not for economy at the expense of the hungry or jobless or at the expense of the advancement and improvement of this country and the enjoyment of our natural resources. [Applause.] I am in favor of such a policy, and that is why I am going to vote for this amendment. I never expect to see this highway.

However, I have flown over the territory it is going to go through, and I will say it traverses a territory that is a close second to my own State; but regardless of that fact and regardless of the fact that it may take a few tourists away from my own country, I am going to support the expenditure, because, as I said before, I think the eastern people ought to be able to enjoy what little scenic beauty they have.

I may say also that this road passes through a section of the United States of great historical significance. If I had the time and the opportunity from the standpoint of making a closer study of the historical points of interest in the eastern section of the United States, I certainly would traverse this route on the first occasion. [Applause.]

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi [Mr. RANKIN].

THE NATCHEZ TRACE

Mr. RANKIN. Mr. Speaker, the gentleman from Kansas [Mr. LAMBERTSON] commented on the fact that the money spent on these projects would have no effect on national defense. I call attention to the fact that this very highway, the Natchez Trace, was the road over which Andrew Jackson marched to New Orleans when he won the greatest victory of the War of 1812.

It is dedicated to those Chickasaw and Choctaw Indians who joined him in that march and in that battle at a time when help was badly needed, when certain elements in New England were crippling the national administration by threatening to withdraw from the American Union.

I call attention also to the fact that today the countries at war are using highways such as this Natchez Trace to transport their troops as well as their motorized and their mechanized equipments. This will furnish a direct route from Nashville to Natchez, near the Gulf, which will not have a single obstruction on it. Every crossing will either be an overhead or an underpass, so that artillery, tanks, motors, and machinery can go directly any time that is necessary, and at as high rate of speed as possible. As General Forrest once said: It would enable us to get there first with the most men.

Besides that, they say that this is providing for contracts in the future. That is merely to keep from stopping the work while we wait for additional authority to make these contracts.

Everyone knows this highway is going to be finished. Everyone knows these appropriations will be made when the time comes, but this provides that the Park Service or the Department of the Interior may go ahead and make these contracts now and not stop this work and move the machinery away and then spend thousands or hundreds of thousands of dollars to begin the next project. It is economy, it is common sense, it is common justice to adopt this amendment. I trust that it will be approved by an overwhelming majority. [Applause.]

Mr. WHITTINGTON. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield to my colleague the gentleman from Mississippi.

Mr. WHITTINGTON. In other words, the provision under consideration is simply authority to make contracts with respect to national parks mentioned in the amendment heretofore adopted by the House.

Mr. RANKIN. Of course; it enables them to make similar contracts in connection with construction on the Natchez Trace and the Blue Ridge Parkway.

Mr. WHITE of Idaho. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman.

Mr. WHITE of Idaho. Is it not a fact that the system of great highways in Germany has contributed largely to her success over there?

Mr. RANKIN. The highways in Europe and the inland waterways have had more effect on this war than almost any other two elements you can mention.

They talk about spending money on this project at a time of national stress. I call attention to the fact that this highway had its birth in national stress more than 100 years ago, when this country needed a passage to the sea, and when Andrew Jackson and his men were worn out almost trying to get over this very trail in order to reach New Orleans in time to meet the British in their last assault.

Mr. RICH. If the gentleman's argument is good for the amount mentioned in the bill, why does he not ask for the total sum needed for the Natchez Trace?

Mr. RANKIN. Because the contracts have not been made.

Mr. RICH. Why does not the gentleman ask for contracts for the $6,000,000?

Mr. RANKIN. Because the right-of-way has not been obtained yet.

I now yield to the gentleman from Minnesota.

Mr. KNUTSON. It has been suggested that in view of the raids that have been made by cotton and other interests that the North lost the war after Appomattox.

Mr. RANKIN. The gentleman from Minnesota is about as nearly accurate on that as he usually is. That is the greatest argument a Republican has put up against this measure yet. I hope when you Republicans come to vote you rise to that degree of statesmanship just indicated by my distinguished friend from Minnesota [Mr. KNUTSON].

Mr. MURDOCK of Arizona. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Arizona.

Mr. MURDOCK of Arizona. We are planning on thoroughly motorizing our armed forces for our national defense. Can the gentleman think of any means of defense—other than modern equipment and trained men—better than highways?

Mr. RANKIN. Certainly not. Speed in transportation is one of the most essential elements in modern warfare.

Mr. MURDOCK of Arizona. They are not even second to airways. I know of nothing so combining cultural and material values as such highways.

Mr. RANKIN. We are bound to have them. We have got to motorize our artillery if we are ever to get anywhere in time to be effective in another war; and we are going to need many highways, such as the Natchez Trace, if we should get into another war.

Mr. WHITTINGTON. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. Yes; I yield.

Mr. WHITTINGTON. Is it not true that already more than the amount carried in this bill has been authorized and that we are appropriating within the amount authorized?

Mr. RANKIN. Certainly; and this money will all be appropriated when the time comes, but it is economy instead of extravagance to pass this amendment now. [Applause.]

[Here the gavel fell.]

The SPEAKER pro tempore. The time of the gentleman from Mississippi has expired.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 5 minutes to the gentleman from Washington [Mr. LEAVY].

Mr. LEAVY. Mr. Speaker, I realize when I take the floor to champion such a cause as this that some of my good Republican friends on the left will say that I am always for spending public money, because we have gotten a great deal of it out in my section of the country. Perhaps I have voted for appropriations more frequently than I have voted against them.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. LEAVY. Yes. I gladly yield to my friend from Mississippi, who has times without number demonstrated his championship of the common people of America.

Mr. RANKIN. I call the gentleman's attention to the fact that in respect to spending money, when we were buying the Cape Cod Canal the enthusiasm for expenditures was just as great on the part of some of the gentlemen on the other side, who are now opposing the expenditure of this money, as it was with the gentleman from Washington [Mr. LEAVY] when he was voting for money for the Columbia River project.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. LEAVY. Yes.

Mr. RICH. If there is any thought of trying to play favorites here, I suggest that that is not so, because if the

gentleman can show where we have showed one bit of favoritism for one section of the country over another section of the country, I would like to know where it is.

Mr. LEAVY. I cannot be distracted from the consideration of the matter at issue, even though the question is interesting, so to get back to the thought I had in mind when I just yielded, I have never voted for an appropriation unless I could justify it upon its merits in my own mind. I voted against this park-to-park highway 4 years ago when it first came before us, because I did not believe it was a sound or proper policy. After voting against it, I took the time to go out over so much of the highway as was then finished. I had the route of it pointed out to me. I saw what it meant to the 50,000,000 people that live within 1 day's drive of it, and I changed my mind and have voted consistently for it since. I think purely on the basis of service to the people in the crowded East, you ought to be willing to give them, rich and poor alike, an opportunity to travel these 900 miles through the most scenic and historic regions in this whole section of the country.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. LEAVY. I have not the time.

The road goes along at an elevation of 2,500 feet on an average for the whole 900 miles. We have been appropriating all the way from four to seven million dollars a year for it. Note what happened this year. This year the estimate came in for $2,000,000.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. LEAVY. I just cannot at this point. If I get time when I finish I shall be glad to yield.

What does this amendment do? It merely provides that Congress is giving to the Park Service the right to contract into the next fiscal year for $4,000,000 additional, making it $6,000,000 in all—less than we appropriated in 1938 and 1939. It does not affect the financial Budget in any degree whatever, but assures the Government a better return for money spent, as the Park Service can make a longer range plan. But what does it do in the matter of useful service? This road, of necessity, had to be built in sections, because the States have to acquire title to a strip of land 800 feet wide, containing 100 acres to the mile, and have to present it in fee to Uncle Sam. Each of the five States is doing that, and they have now practically completed it. The road was built where title had been acquired or other legal or physical handicaps removed. There are many incomplete blocks, and taking into consideration the erratic temperament of Congress from year to year with reference to appropriations since last year we gave them $6,000,000 and the year before $7,000,000, while this year we gave them only $2,000,000, it will readily be seen it is necessary, for anything like a systematic or intelligent program, that we authorize this additional sum as a contract obligation. What we are doing here does not add to the deficit one dollar. We provide that they can enter into contracts, and we will, of course, be obligated next year to appropriate the money, but the Park Service can carry out a unified, orderly program.

The SPEAKER. The time of the gentleman from Washington has expired.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield the gentleman 2 minutes more.

Mr. LEAVY. Mr. Speaker, 390,000 people last year traveled over the sections of the road where completed and it is estimated this year there will be over 500,000. It is the plan and policy of the Park Service to charge a small fee, just as they do for the national parks as a whole, and in the hearings you will find the testimony of Mr. Demaray, Assistant Superintendent in the Park Service, stating this money will all be returned ultimately to the Government of the United States.

Mr. RICH. Does the gentleman mean to say that anyone on this side of the House has said that it would not make a beautiful highway? We all admit that it will make a beautiful highway, but does the gentleman not think in time of national defense and stress, such as we are going through now, that we should not put the Government to this expense? Why did we in the committee cut it down to $1,000,000? Why did the gentleman vote that way? Why is he now giving way before pressure?

The SPEAKER. The time of the gentleman from Washington has expired.

Mr. JOHNSON of Oklahoma. I yield the gentleman 1 minute more.

Mr. LEAVY. I am not yielding to pressure, because in committee, as the hearing discloses, I stated it was a mistake to so drastically cut this item. The greatest mistake this Congress can make in our national defense program would be to cripple or destroy essential public activities that make for happy useful citizens, and think we can secure ourselves by the acquisition of instrumentalities of death and destruction. We need defense weapons, but more important is the right type of citizens. [Applause.]

RECESS

The SPEAKER. Pursuant to Senate Concurrent Resolution 45, the Commission authorized to employ an artist to paint the scene of the signing of the Constitution was authorized to provide for the holding of ceremonies in the rotunda of the Capitol at its unveiling. The Commission, pursuant to that authority, has provided for the holding of ceremonies today at 3 o'clock. The Members of the House of Representatives and the Senate are invited to attend. Upon the declaration of a recess by the Chair the Members of the House who desire to attend the ceremonies will form in line following the Speaker and proceed to the rotunda of the Capitol. The Chair now declares the House to be in recess subject to the call of the Chair.

Thereupon at 2:50 o'clock p. m. the House stood in recess subject to the call of the Chair.

The proceedings at the unveiling of the painting depicting the signing of the Constitution of the United States in the rotunda of the Capitol will appear hereafter in the Appendix.

AFTER THE RECESS

The recess having expired, the House was called to order by the Speaker at 4:16 o'clock p. m.

The SPEAKER. The Chair takes the liberty of asking unanimous consent that the proceedings just held in the rotunda of the Capitol together with the addresses may be published in the CONGRESSIONAL RECORD. Is there objection?

There was no objection.

INTERIOR DEPARTMENT APPROPRIATION BILL, 1941—CONFERENCE REPORT

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 3 minutes to the gentleman from Mississippi [Mr. McGEHEE].

Mr. McGEHEE. Mr. Speaker, permit me to call the attention of the membership to an argument in favor of the adoption of the pending amendment, to recede and concur. The Congress some 5 or 6 years ago by and through its authorization started the Natchez Trace Parkway and the Blue Ridge Parkway. Several millions of dollars have been appropriated by the Congress. A great part of these parkways has been constructed, and contracts are being performed today.

The Senate amendment merely authorizes the Department of the Interior to continue this work and to obligate itself on contracts for the year 1941. The States through which this parkway passes, Mississippi, Alabama, and Tennessee, have contributed large sums of money. I do not know how much the other States have appropriated, but the State of Mississippi, has already appropriated over $1,000,000, some $350,000 at the past session of the State legislature for the purchase of the right-of-way.

The Congress, I am sure, is not going to break faith with these States which have expended these large sums of money in the purchase of the right-of-way for the construction of these highways.

I express the hope that the House will support the motion of the gentleman from Oklahoma. [Applause.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from New York [Mr. REED.

Mr. REED of New York. Mr. Speaker, I am not going to use the entire 5 minutes, but I have been watching the proceedings here under this bill appropriating more money with a great deal of interest. I do not suppose there is any person in the House who believes more firmly in team work than I do. I deplore the fact that there has been so much criticism of the New Deal. I am one of those who believe that credit should be given for things accomplished, and the reason I have taken the floor is to show my sense of fairness in giving full credit to the new dealers for the things they have accomplished. I have made a few notes here, and I think they should be made a matter of record in fairness to the committee that is now appropriating these funds.

We on our side of the House must admit that the New Deal has created the most costly Federal bureaucracy in history. It has created the greatest peacetime Budget in history. It has created the largest debt in history. It has created the greatest depression in history. It has created the most burdensome tax structure in history. It has created the greatest unemployment in history; and we cannot deny that it has created the greatest expenditure of public money on record in history.

These are things to brag about, especially now that you are endeavoring to improve that record by the various items you are introducing into this bill at the very time when the Treasury is scraping the bottom of the barrel and asking for an extension of the debt limit and for higher taxes to carry on this orgy of spending. [Applause.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina [Mr. DOUGHTON].

Mr. DOUGHTON. Mr. Speaker, I hope my good friend, the distinguished gentleman from New York, feels somewhat relieved as a result of his wonderful delivery with respect to the misdeeds and shortcomings of the New Deal. He has given us some information about what the New Deal has created, one of the things he said was that the New Deal has created the most unemployment of any administration in the history of the entire country.

I have neither the time nor the disposition to make comparisons, but I am wondering who created the economic conditions and the enormous burden of unemployment and ills of one kind and another that we inherited—not created but that we inherited—from the previous administration? When the gentleman has time I hope he will enlighten the House as to the enormous burden of ills that we inherited from the previous administration.

I rise, of course, in support of the motion to recede and concur in the Senate amendment.

I am very much pleased that those who have opposed this amendment finally admit it is a worth-while project or program. Earlier in the history of this Blue Ridge-Natchez Trace project those who opposed this proposition were just as vehement and critical as they are now of the pending motion. They called it a fantastic project. There has been some improvement in those who have opposed it in the past, but I am certain if those of the opposition would inform themselves fully as to the merits of the proposition they would not only not oppose it but would actively support it.

Mr. RICH. Will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from Pennsylvania.

Mr. RICH. There is no man in the House for whom we have greater respect than the chairman of the Ways and Means Committee.

Mr. DOUGHTON. I thank the gentleman.

Mr. RICH. We are very glad whenever we can do anything for him and his State. But the thought I have in mind is whether or not the gentleman is going to bring in a tax bill for the purpose of preparedness only or will it also cover a lot of these nonessentials for which we are appropriating at this time?

Mr. DOUGHTON. We will cross that bridge when we get to it and we will discuss the problem when it is brought before the House for consideration. I have not the time to explain it now.

Mr. RICH. Will it take care of all these expenses so we will not have to pass them on to our children? I know the gentleman will try to do the right thing.

Mr. DOUGHTON. Mr. Speaker, I am in accord with the gentleman so far as it is reasonably possible. The gentleman referred to the fact he was willing and anxious to do something for my State, and, of course, we appreciate that. We always appreciate the gentleman's generosity and fairmindedness. I think if the gentleman will reflect with his intelligent, comprehensive mind he will realize that this is not altogether for the benefit of the State I represent nor for the section through which it passes. It is true the money will be expended along the line of this great parkway from the Smoky Mountain National Park to the Shenandoah National Park. It will be practically all one park. But much money is needed to complete this beautiful parkway. The money that is spent will not only benefit our people but will benefit the people of Pennsylvania because there will be purchased road machinery, dynamite, tools, trucks, and other things.

Many of those things are made in the gentleman's State. It will help relieve the unemployment situation in Pennsylvania, Ohio, Michigan, and those other States. How much will the gentleman's State be benefited and how much will the unemployment situation be relieved in your section of the country by the expenditure of this money? It will, of course, be of some benefit to the section of the country in which I live. The section through which this parkway passes is the most beautiful section of the eastern part of the United States. If my friend will go down there some week end and take a ride over that beautiful parkway, when we get a few of the links completed that this authorization will permit, so that the parkway may be fully utilized, he will come back with his mind brighter, his nerves quieted, and will favor the program.

[Here the gavel fell.]

The SPEAKER. The question is on the motion offered by the gentleman from Oklahoma [Mr. JOHNSON].

The question was taken; and on a division (demanded by Mr. RICH) there were—ayes 86, noes 56.

Mr. RICH. Mr. Speaker, I object to the vote on the ground there is not a quorum present.

The SPEAKER. The Chair has just counted. Apparently there is not a quorum present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify the absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 197, nays 155, not voting 78, as follows:

[Roll No. 132]

YEAS—197

Allen, La.	Cullen	Gibbs	Lesinski
Arnold	Cummings	Gore	Lewis, Colo.
Barden, N. C.	D'Alesandro	Gossett	McAndrews
Bates, Ky.	Darden, Va.	Grant, Ala.	McArdle
Beam	Davis	Gregory	McCormack
Beckworth	Delaney	Griffith	McDowell
Bland	Dempsey	Hare	McGehee
Boland	DeRouen	Harrington	McGranery
Boykin	Dickstein	Hart	McKeough
Brooks	Dies	Harter, Ohio	McMillan, Clara G.
Brown, Ga.	Dingell	Havenner	McMillan, John L.
Bryson	Disney	Healey	Maciejewski
Buck	Doughton	Hendricks	Mahon
Buckler, Minn.	Doxey	Hill	Maloney
Bulwinkle	Drewry	Hobbs	Marcantonio
Burch	Duncan	Hunter	Martin, Ill.
Burgin	Dunn	Izac	Massingale
Byrns, Tenn.	Durham	Jacobsen	May
Camp	Eberharter	Johnson, Luther A.	Mills, Ark.
Cannon, Fla.	Edelstein	Johnson, Lyndon	Mills, La.
Cannon, Mo.	Edmiston	Johnson, Okla.	Monroney
Cartwright	Elliott	Johnson, W. Va.	Murdock, Ariz.
Casey, Mass.	Ellis	Jones, Tex.	Murdock, Utah
Chapman	Ferguson	Kefauver	Myers
Clark	Fernandez	Keller	Nelson
Cochran	Fitzpatrick	Kelly	Norrell
Cole, Md.	Flaherty	Kennedy, Md.	O'Connor
Collins	Flannagan	Kennedy, Michael	O'Day
Colmer	Flannery	Keogh	O'Toole
Cooley	Ford, Miss.	Kilday	Pace
Cooper	Ford, Thomas F.	Kirwan	Patman
Courtney	Fries	Kitchens	Patrick
Cox	Fulmer	Kleberg	Patton
Cravens	Garrett	Kocialkowski	Pearson
Creal	Gathings	Larrabee	Peterson, Ga.
Crosser	Gavagan	Lea	Pierce
Crowe	Geyer, Calif.	Leavy	Rabaut

Ramspeck	Schwert	Starnes, Ala.	Wallgren
Rankin	Scrugham	Steagall	Ward
Rayburn	Shanley	Sullivan	Warren
Richards	Shannon	Sweeney	Weaver
Robertson	Sheppard	Tarver	West
Robinson, Utah	Sheridan	Taylor	White, Idaho
Rogers, Okla.	Smith, Ill.	Tenerowicz	Whittington
Romjue	Smith, W. Va.	Terry	Williams, Mo.
Sabath	Snyder	Thomas, Tex.	Woodrum, Va.
Sacks	Somers, N. Y.	Thomason	Zimmerman
Sasscer	South	Tolan	
Satterfield	Sparkman	Vincent, Ky.	
Schulte	Spence	Voorhis, Calif.	

NAYS—155

Allen, Ill.	Eaton	Jones, Ohio	Rich
Allen, Pa.	Elston	Jonkman	Robsion, Ky.
Andersen, H. Carl	Engel	Keefe	Rodgers, Pa.
Anderson, Calif.	Evans	Kinzer	Rogers, Mass.
Anderson, Mo.	Fenton	Knutson	Routzohn
Andresen, A. H.	Ford, Leland M.	Kunkel	Rutherford
Andrews	Gamble	Lambertson	Ryan.
Angell	Gearhart	Landis	Sandager
Arends	Gehrmann	Lanham	Schafer, Wis.
Austin	Gerlach	LeCompte	Schiffler
Barnes	Gifford	Lewis, Ohio	Seccombe
Barton, N. Y.	Gilchrist	Luce	Seger
Bates, Mass.	Gillie	Ludlow	Short
Bender	Goodwin	McGregor	Smith, Conn.
Blackney	Graham	McLaughlin	Smith, Ohio
Bolles	Grant, Ind.	McLean	Springer
Bolton	Gross	McLeod	Stefan
Boren	Guyer, Kans.	Maas	Sumner, Ill.
Bradley, Mich.	Gwynne	Marshall	Sutphin
Brewster	Hall, Leonard W.	Martin, Iowa	Taber
Carlson	Halleck	Martin, Mass.	Talle
Case, S. Dak.	Hancock	Mason	Thill
Chiperfield	Harness	Michener	Thomas, N. J.
Church	Harter, N. Y.	Miller	Tibbott
Clason	Hawks	Monkiewicz	Tinkham
Clevenger	Hess	Moser	Treadway
Cluett	Hinshaw	Mott	Van Zandt
Coffee, Nebr.	Hoffman	Mundt	Vorys, Ohio
Cole, N. Y.	Holmes	Murray	Vreeland
Corbett	Hope	O'Brien	Wheat
Costello	Houston	Oliver	White, Ohio
Crawford	Hull	O'Neal	Wigglesworth
Crowther	Jarrett	Pittenger	Williams, Del.
Culkin	Jeffries	Plumley	Wolcott
Curtis	Jenkins, Ohio	Poage	Wolfenden, Pa.
Dirksen	Jenks, N. H.	Polk	Wolverton, N. J.
Dondero	Jensen	Powers	Woodruff, Mich.
Douglas	Johnson, Ill.	Reed, N. Y.	Youngdahl
Dworshak	Johnson, Ind.	Rees, Kans.	

NOT VOTING—78

Alexander	Englebright	Kramer	Schaefer, Ill.
Ball	Faddis	Lemke	Schuetz
Barry	Fay	Lynch	Secrest
Bell	Fish	Magnuson	Shafer, Mich.
Bloom	Folger	Mansfield	Simpson
Boehne	Gartner	Merritt	Smith, Va.
Bradley, Pa.	Green	Mitchell	Smith, Wash.
Brown, Ohio	Hall, Edwin A.	Mouton	Stearns, N. H.
Buckley, N. Y.	Hartley	Nichols	Sumners, Tex.
Burdick	Hennings	Norton	Sweet
Byrne, N. Y.	Hook	O'Leary	Thorkelson
Byron	Horton	Osmers	Vinson, Ga.
Caldwell	Jarman	Parsons	Wadsworth
Carter	Jennings	Peterson, Fla.	Walter
Celler	Johns	Pfeifer	Welch
Claypool	Kean	Randolph	Whelchel
Coffee, Wash.	Kee	Reece, Tenn.	Winter
Connery	Kennedy, Martin	Reed, Ill.	Wood
Darrow	Kerr	Risk	
Ditter	Kilburn	Rockefeller	

So the motion was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Vinson of Georgia (for) with Mr. Ditter (against).
Mr. Claypool (for) with Mr. Brown of Ohio (against).
Mr. Smith of Virginia (for) with Mr. Ball (against).
Mr. Bloom (for) with Mr. Gartner (against).
Mr. Coffee of Washington (for) with Mr. Edwin A. Hall (against).
Mr. Lynch (for) with Mr. Rockefeller (against).
Mr. Nichols (for) with Mr. Hartley (against).
Mr. Byrne of New York (for) with Mr. Kean (against).
Mr. Parsons (for) with Mr. Risk (against).
Mr. Fay (for) with Mr. Simpson (against).
Mr. Schuetz (for) with Mr. Johns (against).
Mr. O'Leary (for) with Mr. Reed of Illinois (against).
Mr. Pfeifer (for) with Mr. Kilburn (against).
Mr. Martin J. Kennedy (for) with Mr. Osmers (against).
Mr. Merritt (for) with Mr. Darrow (against).

General pairs:

Mr. Boehne with Mr. Carter.
Mr. Mouton with Mr. Fish.
Mr. Schaefer of Illinois with Mr. Alexander.
Mr. Secrest with Mr. Shafer of Michigan.
Mr. Smith of Washington with Mr. Burdick.
Mr. Green with Mr. Thorkelson.
Mr. Wood with Mr. Lemke.
Mr. Walter with Mr. Sweet.
Mr. Kerr with Mr. Winter.
Mr. Randolph with Mr. Englebright.
Mr. Barry with Mr. Horton.
Mr. Mansfield with Mr. Reece of Tennessee.
Mr. Sumners of Texas with Mr. Wadsworth.
Mr. Hennings with Mr. Jennings.
Mr. Jarman with Mr. Stearns of New Hampshire.
Mr. Folger with Mr. Welch.
Mr. Bell with Mr. Magnuson.
Mrs. Norton with Mr. Celler.
Mr. Bradley of Pennsylvania with Mr. Hook.
Mr. Kee with Mr. Faddis.
Mr. Kramer with Mr. Whelchel.
Mr. Buckley of New York with Mr. Caldwell.

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 95: On page 127, after line 5, insert the following:

"Navy and Marine Memorial: For labor and materials including the preparation of revised plans and specifications as may be necessary, not to exceed $5,000 for architectural fees and full satisfaction of all obligations in connection with the original contract between the Navy and Marine Memorial Association and the architect, and not to exceed $44,384 for the design, professional services, disbursements, materials, and in full satisfaction of all obligations in connection with the original contract between the Navy and Marine Memorial Association and the sculptor, and the remainder, or so much thereof as may be necessary, to be expended during the fiscal year 1941, for the completion of the Navy and Marine Memorial, authorized by act approved April 26, 1939, $100,000."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. JOHNSON of Oklahoma moves that the House recede from its disagreement to the amendment of the Senate No. 95, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following:

"Navy and Marine Memorial: For completion of the Navy and Marine Memorial in accordance with plans approved by the Fine Arts Commission, $51,000, or so much thereof as may be necessary: *Provided*, That no part of this sum shall be used for the payment of any obligations referred to in the act of April 29, 1939 (Public, No. 53, 76th Cong.)."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 3 minutes to the gentleman from New Hampshire [Mr. JENKS].

Mr. JENKS of New Hampshire. Mr. Speaker, on Columbia Island in the Potomac on the Memorial Highway and very nearly opposite the new Jefferson Memorial stands unfinished today, abandoned, a memorial unveiled 10 years ago to the men of our Navy and Marine Corps—men who have given their lives in the service of their country. For 10 years this memorial has stood there incomplete.

We have neglected for 150 years or more to erect any memorial in this country to the men of our Navy and Marine Corps, to my knowledge, and I believe I can say that without contradiction. This memorial was erected through the contributions of more than 2,000,000 school children and people of this country, but they failed to quite reach the goal and have asked this Congress to complete this memorial.

That bill was passed by the House, I think almost unanimously if not unanimously, and was passed by the Senate and signed by the President, who is heartily in favor of completing the memorial. How could there be a more appropriate time to do so than now, when we are navy-minded, national-defense-minded, when we are going to ask more men in our Navy to serve their country? Do we want them to feel that this Congress will not appropriate $100,000 to complete their memorial?

Mr. HOUSTON. Mr. Speaker, will the gentleman yield?

Mr. JENKS of New Hampshire. I yield to the gentleman from Kansas.

Mr. HOUSTON. How much is involved in this proposition? Is it not $50,000 instead of $100,000?

Mr. JENKS of New Hampshire. It is $100,000.

Mr. HOUSTON. I understand the amendment now pending will reduce the amount to $50,000.

Mr. JENKS of New Hampshire. Which I shall oppose.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, this operation is one of the most notorious swindles in our generation. A certain outfit got together and collected $339,737 from school children to put up a memorial somewhere in Washington.

Mr. Demaray, Associate Director of the National Parks Service, testifying on July 11, 1939, was asked—

> Do you know what they did with this money?
> Mr. DEMARAY. Well, as far as I can answer that, there is about $110,000 or $120,000 showing for work that has been done on the memorial. The balance of it must have been for promotion expenses.

Just think of it. They collected $339,000 from school children, and they can account for only $110,000 or $120,000 of it. Of that amount, $101,000 went to architects and sculptors.

The proposal in this Senate amendment is to give them $44,000 more for sculptors and $5,000 for an architect, and $50,000 for something else.

They came in here about 10 years ago with a bill to erect this memorial. The gentleman from New York [Mr. BLOOM] was in charge of the bill, and he agreed on the floor right out and out—it is right in the record—that if they were given about $20,000 out of the Treasury to pay for building this memorial and bringing it down here and erecting it that would be the end of the story. Now they are back here asking for $100,000 more. Of the money that can be accounted for, practically all of it has gone for promotion expenses and architects' fees. Now they want half of $100,000 more for achitects' fees and promotion expenses. They have not kept faith with the Congress. They have gone back on what they agreed to do.

On top of that, anybody who has seen this memorial knows that it is the worst travesty on art in the National Capital. It is the most disgusting and disgraceful looking thing you ever saw.

Mr. COLE of New York. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from New York.

Mr. COLE of New York. Who is the "they" to whom the gentleman refers?

Mr. TABER. The whole outfit that has been promoting it.

Mr. COLE of New York. Who is it?

Mr. TABER. William Church Osborne was one of the promoters of this thing and had a good deal to do with raising the money. I do not know who had charge of accounting for it, but I do know that they cannot tell anything about where the money went, and they cannot find out.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. TABER. Yes.

Mr. RICH. There has been no authority granted by the Congress to make this appropriation, has there?

Mr. TABER. Well, there was a bill put through some time ago, but it has expired.

Now, I hope that this Congress is not going to go on record in favor of perpetuating this operation. It is time we stopped this and not go into it any deeper. I hope this motion to recede and concur with an amendment will be rejected.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Wisconsin.

Mr. SCHAFER of Wisconsin. Does not the gentleman believe, in view of the fact we have to conserve funds for national defense, that this House should unanimously reject this indefensible racket-raid on our almost bankrupt Federal Treasury?

Mr. TABER. It is time we began to show some sense of responsibility.

Mr. SCHAFER of Wisconsin. We can buy a bomber plane or a couple of antiaircraft guns to defend the Nation's Capital with this amount of money.

Mr. TABER. And we need them a great deal worse.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Speaker, we are now asked to appropriate $100,000 for the completion of a monument, the erection of which was first undertaken, according to the statements made here today, by individuals. No one has challenged the purpose behind the project, though the methods of some of its promoters have been questioned. We may assume that those whose memories we seek by the completion of this monument to honor are worthy of that tribute. That assumption does not justify us in making the appropriation at this time.

Shortly we will have before us a tax bill which, if adequate for the purpose, will levy grievous burdens upon our people. That tax bill will bring home to the folks who elected us as no other act on our part can do, the fact that we have been spending billions of dollars on projects that were unnecessary; wasting much of the money, without providing for repayment of the obligations which we incurred when we made those appropriations.

Soon will come before us a bill to increase the limit of the national debt, which again will remind the home folks that we have been extravagant with the money which we have borrowed; that we have been a party to creating a situation where now, when we believe ourselves to be faced with a great national emergency, our national-debt limit is far greater, in fact, more than double any previous peacetime national debt. These two things, the levying of new taxes, the increasing of the limit of our national debt, so that we may borrow more money, should remind us that first things should come first, that for only those things which are necessities should we continue to make appropriations.

True, this request is for only $100,000, considered against the background of other appropriations, it is just "chicken feed." Yes; I notice the gentleman from California [Mr. GEYER] smiles and nods. I have often marveled at the cheerfulness, the wholehearted, the generous spirit exhibited by the gentleman as he voted for appropriations, spending other people's money. Perhaps that is one of the things which we do most easily here. It is one of the things at which Congress is an expert but if we continue to waste the taxpayers money on this, that, and the other; if we continue to vote sums which we do not have, but must borrow, for purposes, which, while desirable, are not necessary, soon we will be called to account for our actions. It may be that that day of reckoning will come next November and that those of us who desire to return to Congress should have in mind our settlement day with the electors.

Mr. SHEPPARD. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. SHEPPARD. May I ask the gentleman, when he refers to the delegation from California, would he kindly indicate——

Mr. HOFFMAN. Oh, no; I did not say "the delegation." I said the gentleman who was smilling at me, giving his encouragement.

Mr. SHEPPARD. Will not the gentleman give the name of the man?

Mr. HOFFMAN. The gentleman to whom I had reference was the gentleman from California [Mr. GEYER].

During the last few days we have appropriated billions of dollars for national defense. Those appropriations will add to our national debt and will force the levying of new taxes.

The President frightened and threw into a panic about two-thirds of our population by his speech here in the House a week ago last Thursday. Then last Sunday he came back in one of his fireside chats and quite complacently announced that "all is well." He frightened the people and the Congress, and he induced the Congress to once more vote him almost unlimited power and more money than he can legitimately spend during the remainder of his term. Having created that fear, obtained that power, and the authority to spend billions of dollars, apparently he looked into the mirror and was well satisfied with what he saw. In substance, he told us, "Do not be afraid, my children, I am here and the bogey-man will not get you." No doubt to justify his confidence in himself he forgot all about his complete failure as a solver of our domestic problems and saw him-

self seated in the White House for a third term, saw himself in his accustomed role of "The magic man."

This administration and its rubber-stamp Congress has been a success as the creator of a staggering national debt. No other administration has been able to waste in so many ways so much money, has been able to get so little for what it spent.

If things turn out as the President prophesied, we will need every dollar that we can raise, beg, or borrow for national defense. Especially is this true if the percentage of waste established by this present administration continues. Instead of erecting monuments for the edification of Hitler, if he comes, and certainly monuments cannot in any way contribute to our national defense, why not, for once, use a little common sense and vote down this proposition?

When this session started we gave the country to understand that we intended to economize. Well do I remember those economy speeches made by the gentleman from Missouri [Mr. COCHRAN] and the gentleman from Virginia [Mr. WOODRUM]. They were wonderful economy speeches, packed with good sense, sound logic, and outlined a policy which would, had it been followed, have done much to take us out of the depression. Then came the victories of Hitler and, taking advantage of the situation, the President, as he has done so often before, using some real or fancied emergency, some real condition or some creature of his imagination, asked for and obtained appropriations amounting to billions of dollars. We dare not refuse to appropriate for national defense because we do not actually know how great is our need, nor do we know what amount is necessary for our protection, but one thing we do know, and that is that we do not at this time need monuments.

Assuming that the Nation's security is now in danger, let us once, at least, during the discussion of this bill, vote for economy and turn down this appropriation. [Applause.]

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield to the author of the bill, the distinguished gentleman from California [Mr. IZAC] 5 minutes.

Mr. IZAC. Mr. Speaker, a civilian committee raised $339,000 for a Navy and Marine memorial which is partly completed and erected on Columbia Island not far across the Potomac. That monument is not completed. The funds have been exhausted. They have turned to the Federal Congress and asked that we do something about completing it. The veterans' and other patriotic organizations felt that it was a disgrace to those who served in the Navy and to those who go down to the sea in ships that they should not have the one memorial erected in the 150 years of the life of this country completed after 10 years of effort, and they asked me to sponsor a bill this past year to bring it to a completion. We put the bill through. I do not believe there was any objection, and while it is true that the date has long since passed at which time we would have expected to spend the money, nevertheless the Appropriations Committee never before saw fit to give us the $50,000 that was needed for the actual completion of the monument. But now they have come in here and offer to give us that amount on a motion to disagree with the Senate amendment of $100,000 and provide just what is needed for the completion of the monument, leaving the architects' fees and the sculptors' fees to wait for a future day.

I am interested not so much in the architect or in the designer, who is dead now, although I hope that we will do justice to both of those people, but I am interested in seeing that this memorial is completed. It will take about $50,000, and all of the veterans' organizations and other patriotic citizens have been besieging me to do my duty and present the matter to you and show you that it is something the American people want completed, and that it should be done as a national effort. I appeal to you not to strike this out, but to go along with the committee which has investigated this thoroughly. Since only $50,000 is needed, I ask you to agree to the motion made.

Mr. VAN ZANDT. Mr. Speaker, will the gentleman yield?

Mr. IZAC. Yes.

Mr. VAN ZANDT. I trust the gentleman will explain to the Members of the House that the veterans' organizations were invited to assist in the solicitation of the funds but that they had nothing to do with the accounting or the expenditure of the money.

Mr. IZAC. Yes; originally they were, and the school children and the patriotic citizens all over the United States were asked to and they did contribute, I think, $339,000. Of course, it was a civilian committee, and there was no accounting to the Congress; and, in fact, they did not come to the Congress and ask for aid until after their funds had been exhausted. The Appropriations Committee had nothing to do with the expenditure of the money in the past, and all they ask is that we vote this appropriation and finish the memorial now rather than leave it as a black spot on the other bank of the Potomac River.

The SPEAKER. The time of the gentleman from California has expired.

APPOINTMENT OF SPEAKER PRO TEMPORE

The SPEAKER. The Chair appoints the gentleman from Virginia [Mr. BLAND] to preside as Speaker pro tempore for the remainder of the day.

INTERIOR DEPARTMENT APPROPRIATION BILL, 1941—CONFERENCE REPORT

The SPEAKER. The question is on the motion offered by the gentleman from Virginia to recede and concur.

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 97, noes 81.

Mr. TABER. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 157, nays 173, not voting 100, as follows:

[Roll No. 133]

YEAS—157

Allen, La.	Drewry	Lea	Routzohn
Anderson, Mo.	Duncan	Leavy	Sacks
Arnold	Dunn	Lesinski	Sasscer
Barden, N. C.	Durham	McAndrews	Satterfield
Barnes	Edelstein	McCormack	Schulte
Bates, Ky.	Elliott	McGehee	Schwert
Beckworth	Ellis	McGranery	Scrugham
Bland	Ferguson	McKeough	Shanley
Boland	Fernandez	McMillan, Clara	Shannon
Boykin	Flaherty	Maciejewski	Sheppard
Brooks	Flannagan	Magnuson	Sheridan
Brown, Ga.	Flannery	Maloney	Smith, Conn.
Buck	Ford, Miss.	Marcantonio	Snyder
Buckler, Minn.	Fries	Martin, Ill.	Somers, N. Y.
Burch	Gathings	Massingale	Sparkman
Burgin	Gavagan	Miller	Spence
Camp	Geyer, Calif.	Mills, La.	Starnes, Ala.
Cannon, Fla.	Gibbs	Murdock, Ariz.	Steagall
Cartwright	Grant, Ala.	Murdock, Utah	Stearns, N. H.
Casey, Mass.	Griffith	Myers	Sullivan
Clark	Harrington	Nelson	Sutphin
Cochran	Havenner	Norton	Sweeney
Cole, Md.	Healey	O'Connor	Tenerowicz
Collins	Hill	O'Day	Thomas, Tex.
Cooley	Houston	O'Toole	Tolan
Cooper	Izac	Patman	Van Zandt
Costello	Jacobsen	Patrick	Voorhis, Calif.
Courtney	Jenks, N. H.	Patton	Wallgren
Cravens	Johnson, Luther A.	Peterson, Fla.	Ward
Crosser	Johnson, Okla.	Peterson, Ga.	Weaver
Crowe	Kefauver	Pierce	Welch
Cullen	Keller	Rabaut	White, Idaho
D'Alesandro	Kennedy, Martin	Ramspeck	Whittington
Darden, Va.	Kennedy, Md.	Rankin	Williams, Mo.
Dempsey	Kennedy, Michael	Rayburn	Wolverton, N. J.
DeRouen	Keogh	Richards	Wood
Dies	Kleberg	Robertson	Zimmerman
Dingell	Kocialkowski	Robinson, Utah	
Doughton	Kunkel	Rogers, Okla.	
Doxey	Lanham	Romjue	

NAYS—173

Allen, Pa.	Cannon, Mo.	Culkin	Gamble
Andersen, H. Carl	Carlson	Curtis	Garrett
Anderson, Calif.	Case, S. Dak.	Dirksen	Gearhart
Andresen, A. H.	Chapman	Disney	Gehrmann
Angell	Chiperfield	Dondero	Gerlach
Arends	Church	Douglas	Gifford
Austin	Clason	Dworshak	Gilchrist
Bates, Mass.	Clevenger	Eaton	Gillie
Bender	Cluett	Eberharter	Goodwin
Blackney	Coffee, Nebr.	Edmiston	Gore
Bolton	Cole, N. Y.	Elston	Gossett
Boren	Colmer	Engel	Graham
Bradley, Mich.	Corbett	Evans	Grant, Ind.
Bryson	Crawford	Fenton	Gregory
Byrns, Tenn.	Crowther	Fulmer	Guyer, Kans.

Gwynne	Kelly	Moser	Smith, W. Va.
Hall, Leonard W.	Kilday	Mott	South
Halleck	Kinzer	Mundt	Springer
Hancock	Kirwan	Murray	Stefan
Hare	Kitchens	Norrell	Sumner, Ill.
Harness	Knutson	O'Brien	Sumners, Tex.
Hart	Landis	Oliver	Taber
Harter, N. Y.	Larrabee	O'Neal	Talle
Harter, Ohio	LeCompte	Pace	Tarver
Hawks	Lewis, Colo.	Pearson	Terry
Hess	Lewis, Ohio	Pittenger	Thill
Hobbs	Luce	Plumley	Thomason
Hoffman	Ludlow	Poage	Tibbott
Holmes	McDowell	Polk	Tinkham
Hope	McGregor	Powers	Treadway
Horton	McLaughlin	Reed, N. Y.	Vincent, Ky.
Hull	McLean	Rees, Kans.	Vorys, Ohio
Hunter	McLeod	Rich	Vreeland
Jarrett	McMillan, John L.	Robsion, Ky.	Warren
Jeffries	Mahon	Rogers, Mass.	Wheat
Jenkins, Ohio	Marshall	Rutherford	White, Ohio
Jennings	Martin, Iowa	Ryan	Williams, Del.
Jensen	Martin, Mass.	Sandager	Wolcott
Johnson, Ill.	Mason	Schafer, Wis.	Wolfenden, Pa.
Johnson, Ind.	May	Schiffler	Woodruff, Mich.
Johnson, Lyndon	Michener	Seccombe	Youngdahl
Johnson, W. Va.	Mills, Ark.	Seger	
Jonkman	Monkiewicz	Short	
Keefe	Monroney	Smith, Ohio	

NOT VOTING—100

Alexander	Cox	Jarman	Reed, Ill.
Allen, Ill.	Creal	Johns	Risk
Andrews	Cummings	Jones, Ohio	Rockefeller
Ball	Darrow	Jones, Tex.	Rodgers, Pa.
Barry	Davis	Kean	Sabath
Barton, N. Y.	Delaney	Kee	Schaefer, Ill.
Beam	Dickstein	Kerr	Schuetz
Bell	Ditter	Kilburn	Secrest
Bloom	Englebright	Kramer	Shafer, Mich.
Boehne	Faddis	Lambertson	Simpson
Bolles	Fay	Lemke	Smith, Ill.
Bradley, Pa.	Fish	Lynch	Smith, Va.
Brewster	Fitzpatrick	McArdle	Smith, Wash.
Brown, Ohio	Folger	Maas	Sweet
Buckley, N. Y.	Ford, Leland M.	Mansfield	Taylor
Bulwinkle	Ford, Thomas F.	Merritt	Thomas, N. J.
Burdick	Gartner	Mitchell	Thorkelson
Byrne, N. Y.	Green	Mouton	Vinson, Ga.
Byron	Gross	Nichols	Wadsworth
Caldwell	Hall, Edwin A.	O'Leary	Walter
Carter	Hartley	Osmers	West
Celler	Hendricks	Parsons	Whelchel
Claypool	Hennings	Pfeifer	Wigglesworth
Coffee, Wash.	Hinshaw	Randolph	Winter
Connery	Hook	Reece, Tenn.	Woodrum, Va.

So the motion was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. West (for) with Mr. Wigglesworth (against).
Mr. Celler (for) with Mr. Andrews (against).
Mr. Vinson of Georgia (for) with Mr. Ditter (against).
Mr. Claypool (for) with Mr. Brown of Ohio (against).
Mr. Smith of Virginia (for) with Mr. Ball (against).
Mr. Bloom (for) with Mr. Gartner (against).
Mr. Coffee of Washington (for) with Mr. Edwin A. Hall (against).
Mr. Byrne of New York (for) with Mr. Kean (against).
Mr. Fay (for) with Mr. Simpson (against).
Mr. Hennings (for) with Mr. Kilburn (against).
Mr. Buckley of New York (for) with Mr. Osmers (against).
Mr. Pfeifer (for) with Mr. Jones of Ohio (against).
Mr. Parsons (for) with Mr. Reece of Tennessee (against).
Mr. O'Leary (for) with Mr. Bolles (against).
Mr. Schuetz (for) with Mr. Johns (against).

General pairs:

Mr. Boehne with Mr. Carter.
Mr. Mouton with Mr. Fish.
Mr. Schaefer of Illinois with Mr. Alexander.
Mr. Secrest with Mr. Shafer of Michigan.
Mr. Smith of Washington with Mr. Burdick.
Mr. Green with Mr. Thorkelson.
Mr. Cox with Mr. Lemke.
Mr. Walter with Mr. Sweet.
Mr. Kerr with Mr. Winter.
Mr. Randolph with Mr. Englebright.
Mr. Woodrum of Virginia with Mr. Wadsworth.
Mr. Jarman with Mr. Hinshaw.
Mr. Fitzpatrick with Mr. Allen of Illinois.
Mr. Creal with Mr. Thomas of New Jersey.
Mr. Mansfield with Mr. Barton of New York.
Mr. Beam with Mr. Risk.
Mr. Kee with Mr. Brewster.
Mr. Whelchel with Mr. Rockefeller.
Mr. Taylor with Mr. Maas.
Mr. Nichols with Mr. Rodgers of Pennsylvania.
Mr. McArdle with Mr. Lambertson.
Mr. Faddis with Mr. Leland M. Ford.
Mr. Folger with Mr. Reed of Illinois.
Mr. Hendricks with Mr. Gross.
Mr. Kramer with Mr. Hartley.
Mr. Merritt with Mr. Darrow.
Mr. Sabath with Mr. Lynch.
Mr. Bradley of Pennsylvania with Mr. Hook.
Mr. Barry with Mr. Caldwell.

Mr. BECKWORTH and Mr. BROWN of Georgia changed their vote from "nay" to "yea."

Mr. FULMER changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House further insist on its disagreement to the amendment of the Senate numbered 95.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 99: Page 132, line 9, insert: "Restoration of Lower Klamath Migratory Waterfowl Refuge: For the restoration and development of Klamath Lake Reservation (commonly known as the Lower Klamath Migratory Waterfowl Refuge) as a feeding, nesting, and breeding ground for migratory birds, including the construction of water-control works thereon and for necessary expenses incident thereto, $70,000."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 100: Page 132, line 16, strike out "$2,381,093" and insert in lieu thereof "$2,791,093."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur with an amendment.

The Clerk read as follows:

Mr. JOHNSON of Oklahoma moves that the House recede from its disagreement to the amendment of the Senate, No. 100, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,641,093."

The amendment was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 101: Page 132, line 21, strike out "$4,881,093" and insert in lieu thereof "$5,291,093."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur with an amendment.

The Clerk read as follows:

Mr. JOHNSON of Oklahoma moves that the House recede from its disagreement to the amendment of the Senate, No. 101, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$5,141,093."

The amendment was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 110: Page 149, after line 4, insert the following: "Division of Territories and Island Possessions: For expenses of the Division of Territories and Island Possessions in the investigation and survey of natural resources of the land and sea areas of the Antarctic regions, including personal services in the District of Columbia and elsewhere without regard to the civil-service laws or the Classification Act of 1923, as amended, or by contract, if deemed necessary, without regard to the provisions of section 3709 of the Revised Statutes, rent, traveling expenses, purchase of necessary books, documents, newspapers and periodicals, stationery, hire of automobiles, purchase of equipment, supplies and provisions, and all other necessary expenses, $250,000: *Provided*, That fuel, repairs, and emergency supplies to be paid for out of this appropriation may be contracted for in foreign ports."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House insist on its disagreement to the amendment of the Senate, No. 110.

The motion was agreed to.

Mr. JOHNSON of Oklahoma. Mr. Speaker, in connection with the action just taken by the House, it occurs to me that I should make a brief statement.

Some Members have asked the question if there is any money in the pending bill for the purpose of continuing the so-called Byrd Antarctic Expedition. I will say in that connection that there was no such provision in the bill as it

passed the House. The Senate, as you know, included $250,000 for that purpose. At the time the House and Senate conferees met, Admiral Byrd was on his way to Washington, being called home by the President of the United States. I think it is only fair to say that both the House and Senate conferees desired additional information about the matter. Certainly it is fair to say that it was the unanimous sentiment of all Members of the House conference that it would be much more preferable to defer the entire matter at this time and let it be considered in connection with the deficiency bill, which has heretofore carried all appropriations for this activity.

Let me say here for the benefit of the Members that I have discussed this matter in some detail with the President of the United States. I also have received a letter from him which I have shown members of the committee. I also have a letter from the State Department, and I know that the President is tremendously interested in the entire matter; but, on the other hand, the President was kind enough to make it plain to me that he was not particular about what bill carried the appropriation, whether it was in the Interior or the deficiency bill. But after conferring with the chairman of the Appropriations Committee, and other members of the committee, it was thought best, for reasons I have stated, to permit the deficiency committee to continue its jurisdiction over appropriations for the Antarctic Expedition.

I want to add here, Mr. Speaker, that after Admiral Byrd returned from the Antarctic recently he called at my office and I had the pleasure of an interesting and pleasing visit with him. I found him to be fair and reasonable in every respect. I found that he is now, and has been, on active duty and under the orders of the President of the United States. I am glad also to say that I found the distinguished admiral to be a sincere and honorable gentleman from every possible standpoint. You will recall that when the House bill was under consideration that I referred to Admiral Byrd as a great explorer. I might also have added that he is a great scientist and a great patriotic American. I have nothing but the highest feeling for him personally, but I told the admiral, as well as the President and the Senate conferees and others with whom I have discussed the matter, that I felt it was best that the deficiency committee, which undoubtedly is more familiar with the subject than the Interior subcommittee, should continue its jurisdiction over this activity.

Mr. ROBERTSON. Mr. Speaker, will the gentleman yield me 5 minutes?

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia [Mr. ROBERTSON].

Mr. ROBERTSON. Mr. Speaker, I am very happy to hear my distinguished friend from Oklahoma speak so highly of my friend, Admiral Byrd, who was born and reared at Winchester, Va., and for some years has been an adopted son of our sister Commonwealth of Massachusetts. Frequently during debate in recent days on national defense we have heard it said that there are two vital elements of defense that money cannot buy. One of those is courage, the other is patriotism. No man I have ever known possesses those two cardinal virtues to a higher degree than Admiral Richard E. Byrd.

Mr. Speaker, I wish to read to the House a letter that I received today from the Secretary of State:

DEPARTMENT OF STATE,
Washington, May 29, 1940.

MY DEAR MR. ROBERTSON: It has been brought to my attention that during the consideration of the appropriation for the continuance of the United States Antarctic Service, in which the Department of State is interested, certain statements were made regarding Rear Admiral Richard E. Byrd, United States Navy, retired, which I feel sure were based entirely on a misapprehension as to the facts.

Until Admiral Byrd was consulted by the Department of State in January 1939 he had no prior knowledge of the proposed Government expedition to the Antarctic. When his services were requested by the Government he immediately responded generously and has given more than a year of his time to the Antarctic Service during which he has not only received no compensation from the Government, or any other source, beyond his pay as a retired naval officer, but has given and loaned to the Government many thousands of dollars of his equipment.

In my opinion, considerations of continental defense make it vitally important to keep for the 21 American Republics a clearer title to that part of the Antarctic continent south of America than is claimed by any non-American country. The continuance of the work of the Antarctic Service is essential in this connection. During the brief period of its existence, due to the administrative ability and qualities of leadership possessed by Admiral Byrd, a great deal has been accomplished toward this end: two well-equipped bases have been established 1,200 miles apart; 800 miles of the 1,200 miles of the hitherto inaccessible coast line south of the Pacific Ocean have been reached; 150,000 square miles of unknown area have been investigated; and 14 new islands and 6 new mountain ranges have been discovered. In addition to these geographical discoveries important research is also being pursued in many other branches of science.

Mr. Speaker, I wish to invite the attention of the House especially to the concluding paragraph in the letter written to me by the Secretary of State:

In my opinion, Admiral Byrd, whose integrity and honor is beyond question, deserves the thanks of his Government for performing an important and patriotic service at great personal sacrifice.

Sincerely yours,

CORDELL HULL.

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. ROBERTSON. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. May I say to the gentleman from Virginia that Massachusetts is extremely proud and extremely honored to have Admiral Byrd as an adopted son.

Mr. ROBERTSON. I thank the gentlewoman so much.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 111: Page 150, line 17, strike out "$1,240,285" and insert "$1,275,285."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. JOHNSON of Oklahoma moves that the House recede from its disagreement to the amendment of the Senate No. 111 and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "and not to exceed $35,000 for the purchase of uniforms for employees, $1,275,285."

Mr. RICH. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Pennsylvania.

Mr. RICH. I may say to the gentleman that that will not purchase uniforms for the attendants at St. Elizabeths Hospital.

Mr. JOHNSON of Oklahoma. Does the gentleman want to raise it?

Mr. RICH. It will furnish the dresses, but it will not furnish the stockings. So they will be back here next year for the stockings. I may say to the chairman of the committee that we are glad this bill is completed. Although we put up a fight to try to reduce various amounts, we did not meet with much success.

Mr. JOHNSON of Oklahoma. I may say to the gentleman in reply that I was almost overcome by his convincing argument. I thought he was going to ask the House to raise this last amount and I was going to ask the distinguished gentleman, "Where are you going to get the money?"

Mr. RICH. You will never fool me by trying to get me to squander the taxpayers' money, because I believe we ought to be conservative at a time like this when we want national defense, when we want to protect America from everybody on the outside, from those who would destroy America. That is what we want to do, so let us get together.

Mr. JOHNSON of Oklahoma. In explanation of the amendment I wish to state that it provides $35,000 for the purchase of uniforms for certain employees at St. Elizabeths Hospital. Approximately 1,000 employees are concerned, including male attendants, fire and police employees, nurses, and so forth. Many of these employees receive salaries of approximately $1,260, and it is not believed fair

that they should be forced to spend a portion of this sum for uniforms. It is my understanding that in every department of the Government in the District of Columbia requiring guards or other employees to wear uniforms, these uniforms are paid for by the Government except in St. Elizabeths Hospital.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oklahoma [Mr. JOHNSON].

The motion was agreed to.

A motion to reconsider the vote by which the several motions were agreed to was laid on the table.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. FLAHERTY (at the request of Mr. MCCORMACK), for 3 days, on account of important business.

To Mr. VINSON of Georgia, for 6 days, on account of important business.

EXTENSION OF REMARKS

Mr. HOUSTON asked and was given permission to extend his own remarks in the RECORD.

Mr. LEONARD W. HALL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. LEONARD W. HALL]?

There was no objection.

Mr. TINKHAM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by putting in a letter written by Commissioner Pinchot to President Roosevelt.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts [Mr. TINKHAM]?

There was no objection.

Mr. LANDIS asked and was given permission to extend his own remarks in the RECORD.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a newspaper article.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. EDELSTEIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein newspaper clippings showing the necessity for technical employment.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

LEAVE OF ABSENCE

Mr. CAMP. Mr. Speaker, I ask unanimous consent that I be granted leave of absence for 5 days on account of important business.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

EXTENSION OF REMARKS

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered by David C. Mearns, of the Library of Congress.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. REED of Illinois asked and was given permission to extend his own remarks in the RECORD.

Mr. HARRINGTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein certain tables furnished me by the F. S. C. C. and the Department of State.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. JOHNSON of Illinois. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Moline Dispatch.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. GRANT of Indiana. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a short editorial.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to the order heretofore agreed to, the Chair declares the House in recess until 8 o'clock tonight.

Accordingly (at 6 o'clock p. m.) the House stood in recess until 8 o'clock p. m.

AFTER THE RECESS

The recess having expired, the House was called to order by the Speaker pro tempore [Mr. BLAND], at 8 o'clock p. m.

THE PRIVATE CALENDAR

The SPEAKER pro tempore. Pursuant to the order of the House previously entered, the Clerk will call the private bills reported by the Committee on Claims.

ESTATE OF JOSEPH MIHELICH

The Clerk called the first bill on the private calendar (S. 920) conferring jurisdiction upon the United States District Court for the District of Montana to hear, determine, and render judgment upon the claim of the estate of Joseph Mihelich.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the United States District Court for the District of Montana to hear, determine, and render judgment, as if the United States were suable in tort, upon the claim of the estate of Joseph Mihelich, for damages sustained as a result of the death of Joseph Mihelich, who was killed at Butte, Mont., on July 2, 1938, by the caving in of a sewer ditch which had been dug by employees of the Works Progress Administration: *Provided*, That the judgment, if any, shall not exceed $5,000.

SEC. 2. Suit upon such claim may be instituted at any time within 1 year after the enactment of this act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claims, appeals therefrom, and payment of any judgment thereon shall be in the same manner as in the cases over which such court has jurisdiction under the provisions of paragraph 20 of section 24 of the Judicial Code, as amended.

With the following committee amendment:

Page 1, line 8, after the figures, insert "the death of the said Joseph Mihelich being allegedly caused."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CITY OF LEAVENWORTH, KANS.

The Clerk called the next bill, S. 1289, for the relief of the city of Leavenworth, Kans.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the city of Leavenworth, Kans., the sum of $14,000, in full settlement of all claims against the United States growing out of the construction during 1938 of a new intake from the Missouri River and of certain sewer extension work made necessary by such new intake. Such new intake was made

necessary by the diversion of the water of the river from the old intake in the carrying out of a Federal project to make the river a navigable stream: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PARKER M'KEE, SR., AND LOUISE M'KEE

The Clerk called the next bill, S. 2083, conferring jurisdiction upon the United States District Court for the District of New Jersey to hear, determine, and render judgment upon the claims of Parker McKee, Sr., and Louise McKee.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the United States District Court for the District of New Jersey to hear, determine, and render judgment upon the claims of Parker McKee, Sr., and Louise McKee, of Woodbury, N. J., against the United States for damages for the death of their son, Parker McKee, Jr., as the result of a landslide which occurred at official project No. 165–22–3018 of the Works Progress Administration, in Woodbury, N. J., on April 7, 1937.

SEC. 2. In the determination of such claims the United States shall be held liable for the acts of its officers and employees to the same extent as if it were a private person; except that any judgment rendered on such claims shall not be for any amount in excess of $5,000.

SEC. 3. Suit upon such claims may be instituted at any time within 1 year after the date of enactment of this act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claims, and appeals from, and payment of, any judgment thereon shall be in the same manner as in the case of claims over which such court has jurisdiction under the provisions of paragraph "Twentieth" of section 24 of the Judicial Code, as amended.

With the following committee amendment:

Page 1, line 8, after the word "Jr.", insert the word "allegedly."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KATHERINE SCOTT, MRS. J. H. SCOTT, JETTIE STEWART, AND RUTH MINCEMEYER

The Clerk called the next bill, S. 2132, for the relief of Katherine Scott, Mrs. J. H. Scott, Jettie Stewart, and Ruth Mincemeyer.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Katherine Scott, Ellington, Mo., the sum of $2,000; to Mrs. J. H. Scott, Ellington, Mo., $1,300; to Jettie Stewart, Ellington, Mo., $100; and to Ruth Mincemeyer, Clayton, Mo., $100; in all, $3,500, in full settlement of their respective claims against the United States for personal injuries sustained when the vehicle in which they were riding was struck by a truck of United States Civilian Conservation Corps Camp S–70, Forest Service, Department of Agriculture, on Missouri State Highway No. 106, at the point where it intersects with the park road leading to camp S–70, June 12, 1936: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out the sign and figures "$2,000" and insert in lieu thereof "$2,500."

Page 1, line 7, strike out the sign and figures "$1,300" and insert in lieu thereof "$500."

Page 1, line 8, strike out the sign and figures "$100" and insert in lieu thereof "$50."

Page 1, line 9, strike out the sign and figures "$100" and insert in lieu thereof "$50."

Page 1, line 9, strike out the sign and figures "$3,500" and insert in lieu thereof "$3,100."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ISADORE J. FRIEDMAN

The Clerk called the next bill, S. 2199, for the relief of Isadore J. Friedman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay to Isadore J. Friedman, of Belmar, N. J., out of any money in the Treasury not otherwise appropriated, the sum of $1,693.86, in full settlement of all claims against the United States for property damage and personal injuries suffered by him when a truck owned by the United States Naval Air Station, Lakehurst, N. J., collided with his vehicle on February 5, 1938, on Main Street, Lakehurst, N. J.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WALTER J. HOGAN AND W. R. LARKIN, FORT HALL INDIAN IRRIGATION PROJECT, IDAHO

The Clerk called the next bill, S. 2419, for the relief of Walter J. Hogan and W. R. Larkin, in connection with the construction, operation, and maintenance of the Fort Hall Indian irrigation project, Idaho.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act of June 20, 1938 (52 Stat. 1363), entitled "An act for the relief of certain individuals in connection with the construction, operation, and maintenance of the Fort Hall Indian irrigation project, Idaho," is hereby amended by substituting the amounts of $400 and $2,000, respectively, in lieu of the amounts of $100 and $1,300 appearing in the act immediately following the names of Walter J. Hogan and W. R. Larkin.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANNA M. SHEA

The Clerk called the next bill, S. 2572, for the relief of Anna M. Shea.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Anna M. Shea, of Portland, Oreg., the sum of $161.50, in full satisfaction of her claim against the United States for compensation and reimbursement for medical and hospital expenses incurred on account of personal injuries sustained by her as the result of being struck by an automobile operated by a Works Progress Administration employee on June 12, 1936, in Portland, Oreg.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MR. AND MRS. JOHN W. FINLEY

The Clerk called the next bill, S. 2667, for the relief of Mr. and Mrs. John W. Finley.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. and Mrs. John W. Finley, of Roswell, N. Mex., the sum of $2,500. The payment of such sum shall be in full settlement of all claims against the United States for the death of a minor son, Calvin Finley, who was killed in an accident involving a Civilian Conservation Corps truck on April 24, 1934, east of Roswell, N. Mex.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the

contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHARLES H. PARR

The Clerk called the bill (S. 2798) for the relief of Charles H. Parr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions and limitations of sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, the United States Employees' Compensation Commission is hereby authorized and directed to receive and consider, when filed, the claim of Charles H. Parr for disability alleged to have been incurred by him on or about September 14, 1933, when engaged in authorized activities while an enrollee of the Civilian Conservation Corps at North Vernon, Ind., and to determine said claim upon its merits under the provisions of said act: *Provided*, That said claim shall be filed with the United States Employees' Compensation Commission not later than 60 days after the approval of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BLACK HILLS METHODIST HOSPITAL

The Clerk called the bill (H. R. 1167) for the relief of the Black Hills Methodist Hospital of Rapid City, S. Dak.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Black Hills Methodist Hospital of Rapid City, S. Dak., the sum of $288.65 in full settlement of its claims against the United States for services rendered beneficiaries of the Veterans' Administration by the hospital prior to 1933 on the authority of the designated examiner and covered in a revised voucher received in the central office of the Veterans' Administration on June 9, 1933, after passage of the Economy Act of March 20, 1933, which discontinued the authority of payment for such services.

With the following committee amendment:

At the end of the bill, page 2, insert a colon and the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LESTER R. TAYLOR

The Clerk called the bill (H. R. 1178) for the relief of Lester R. Taylor.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lester R. Taylor the sum of $1,307.50 in full settlement of all claims for injuries, hospital care, and other expenses suffered and incurred by his son, Jerry Taylor, a minor, when struck by a Government truck, operated in connection with the Civilian Conservation Corps, at Sturgis, S. Dak., on June 14, 1937.

With the following committee amendments:

Line 5, after name "Taylor", insert "of Sturgis, S. Dak."

Line 6, strike out the sign and figures "$1,307.50" and insert in lieu thereof "$792.68."

Line 6, after the word "claims", insert "against the United States."

Line 8, strike out the word "by" and insert in lieu thereof "when."

Line 8, strike out the word "when" and insert in lieu thereof "was."

At the end of the bill add: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MALACHY RYAN

The Clerk called the bill (H. R. 1846) for the relief of Malachy Ryan.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the account of Malachy Ryan, former acting postmaster at Caledonia, Minn., with the sum of $109, lost by reason of burglary occurring in his office May 8, 1933.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLAIM OF D. X. SANDERS

The Clerk called the bill (H. R. 2078) conferring jurisdiction upon the United States District Court for the Eastern District of Oklahoma to hear, determine, and render judgment upon the claim of D. X. Sanders.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the United States District Court for the Eastern District of Oklahoma to hear, determine, and render judgment, without intervention of a jury, upon the claim of D. X. Sanders, of Sallisaw, Okla., for damages allegedly sustained by him in July or August 1919 as a result of the injury and death of approximately 150 head of cattle, by reason of the alleged neglect of an inspector of the Bureau of Animal Industry, Department of Agriculture, in the dipping of said cattle for the elimination of infested ticks, preparatory to interstate shipment.

SEC. 2. Suit upon such claim may be instituted at any time within 1 year after the enactment of this act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claim, appeals therefrom, and payment of any judgment thereon shall be in the same manner as in the cases over which such court has jurisdiction under the provisions of paragraph 20 of section 24 of the Judicial Code, as amended.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DAN YANCEY

The Clerk called the bill (H. R. 2083) for the relief of Dan Yancey.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to Dan Yancey, the sum of $2,000. The payment of such sum shall be in full satisfaction of all claims against the United States arising in connection with the forfeiture of a lease to certain Federal lands east of Mammoth Springs in Yellowstone National Park (formerly known as Yancey's) and the refusal of the Department of the Interior to renew or grant any further lease of such lands to the said Dan Yancey, and also the destruction of certain buildings on said lands owned by the said Dan Yancey.

With the following committee amendments:

Line 6, page 1, after "Yancey", insert "of Livingston, Mont." and strike out "$2,000" and insert "$1,000."

Page 2, line 5, strike out the period, insert a colon, and the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

C. B. REAGH

The Clerk called the bill (H. R. 2513) for the relief of C. B. Reagh.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to C. B. Reagh, Belden, Miss., the sum of $500. The payment of such sum shall be in full settlement of all claims against the United States for losses sustained by the said C. B. Reagh on account of personal injuries received by Robert Reagh, his minor son, when he was struck on May 6, 1937, near Acton, Tenn., by a motor vehicle in the service of the Civilian Conservation Corps.

With the following committee amendment:

Page 2, line 1, after the word "Corps", strike out the period, add a colon and the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to, and the bill as amended was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

CLAIM OF GERALDINE ASH

The Clerk called the bill (H. R. 2901) conferring jurisdiction upon the United States District Court for the Middle District of Georgia, to hear, determine, and render judgment upon the claim of Geraldine Ash.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the United States District Court for the Middle District of Georgia to hear, determine, and render judgment, as if the United States were suable in tort, and notwithstanding the lapse of time or any provision of law to the contrary, upon the claim of Geraldine Ash for damages on account of personal injuries sustained by the said Geraldine Ash in a collision involving the automobile in which she was riding and a truck operated by the Soil Conservation Service of the Department of Agriculture on January 18, 1938, in the city of Athens, Ga.: *Provided*, That the measure of damages to govern in said suit shall be the same as is or may be provided and authorized by the laws of the State of Georgia: *Provided further*, That the judgment, if any, shall not exceed $5,000. Such suit shall be brought within 1 year from the date of enactment of this act and shall not abate by the death of the claimant but may be continued in the event of her death by her personal representative, as provided by the laws of Georgia.

SEC. 2. The United States district attorney for the middle district of Georgia is hereby charged with the duty of defending the United States in any suit instituted under the authority of section 1 of this act.

SEC. 3. There is authorized to be appropriated such sum as may be necessary to pay the amount of any judgment rendered pursuant to this act. The amount of such judgment, when appropriated, shall be paid by the Secretary of the Treasury upon presentation of a duly authenticated copy of the judgment of the United States District Court for the Middle District of Georgia.

With the following committee amendments:

Page 1, line 8, after the word "for", insert the word "alleged", and on page ——, line 3, strike out the figures "18" and insert "10."

The committee amendments were agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LELAND G. MYERS

The Clerk called the next bill, H. R. 3142, for the relief of Leland G. Myers.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Leland G. Myers, New Kensington, Pa., the sum of $250. The payment of such sum shall be in full settlement of all claims against the United States for losses sustained by the said Leland G. Myers on account of personal injuries received as the result of an accident on October 23, 1937, on Pennsylvania Route No. 66, involving an automobile owned and operated by the said Leland G. Myers and a Government-owned truck in the service of the Corps of Engineers, United States Army.

With the following committee amendments:

Line 3, strike out the word "is" and insert in lieu thereof "be, and he is hereby."

At the end of the bill add: ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROSE BILAITIS

The Clerk called the next bill, H. R. 3163, for the relief of Rose Bilaitis.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement of all claims against the Government of the United States, to Rose Bilaitis, the sum of $1,000, covering bond guaranteeing the departure from the United States of Petras Gavenas, alien, who disappeared, causing forfeiture of the bond, and who was later apprehended and deported: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collest, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 7, after the name "Bilaitis", insert a comma and the words "of Detroit, Mich."

Beginning with the syllable "*Pro-*" at the end of line 10, page 1, strike out the remaining language of the bill and insert in lieu thereof: ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection wtih this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLIFF KNOWLEN

The Clerk called the next bill, H. R. 3976, for the relief of Cliff Knowlen.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Cliff Knowlen, Brainerd, Minn., the sum of $5,000. The payment of such sum shall be in full settlement of all claims against the United States for losses sustained by the said Cliff Knowlen on account of personal injuries received by Violet Knowlen, his minor daughter, when the said Violet Knowlen was struck on September 30, 1938, 1 mile north of Garrison, Crow Wing County, Minn., in front of the Borden Lake Schoolhouse, on highway No. 18, by a Civilian Conservation Corps truck operating under the jurisdiction of the National Park Service, Department of the Interior.

With the following committee amendments:

Line 3, strike out the word "is" and insert in lieu thereof "be, and he is hereby."

Line 5, strike out the name "Cliff Knowlen" and insert in lieu thereof "the legal guardian of Violet Knowlen, a minor, of."

Line 6, strike out the sign and figures "$5,000" and insert in lieu thereof "$2,500."

Lines 7 and 8, strike out the language "for losses sustained by the said Cliff Knowlen."

Line 9, after the word "by", insert "the said", and strike out the words "his minor daughter."

At the end of the bill, add ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding.

Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title of the bill was amended to read: "A bill for the relief of Violet Knowlen, a minor."

MAUDE SULLIVAN

The Clerk called the next bill, H. R. 4113, for the relief of Maude Sullivan.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Maude Sullivan, widow of the late Lt. Col. William B. Sullivan, United States Marine Corps, the sum of $1,157, in full satisfaction of all his claims against the United States for the loss of certain of the personal property of the late Lieutenant Colonel Sullivan on September 1, 1923, in the earthquake at Kamakura.

With the following committee amendments:

Line 8, strike out the word "his".

At the end of the bill add: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARY REID HUDSON

The Clerk called the next bill, H. R. 4142, for the relief of Mary Reid Hudson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mary Reid Hudson, Henryetta, Okla., the sum of $6,160. The payment of such sum shall be in full settlement of all claims against the United States for damages sustained by the said Mary Reid Hudson on account of personal injuries received on March 27, 1937, in Schulter, Okla., when the automobile which she was driving was struck by a trailer which became detached from a truck in the service of the Works Progress Administration at the instant such truck was in the act of passing such automobile.

With the following committee amendments:

Line 6, strike out the sign and figures "$6,160" and insert in lieu thereof "$3,000."

At the end of the bill add: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PRINCIPIO AMEN

The Clerk called the next bill, H. R. 4801, for the relief of Principio Amen.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Principio Amen the sum of $7,500 in full settlement of claim against the United States Government on account of permanent injuries received by his infant daughter, Mary Camastro, by a United States Army truck on April 4, 1936, about 1 o'clock p. m., at northwest corner of Northern Boulevard and One Hundred and Third Street, Corona, Queens County, N. Y.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, strike out the name "Principio Amen" and insert in lieu thereof "the legal guardian of Mary Camastro, a minor, of Corona, N. Y."

Page 1, line 6, strike out the sign and figures "$7,500" and insert in lieu thereof "$5,000."

Page 1, line 7, between the words "of" and "claim", insert "all."

Page 1, line 8, add an "s" to the word "claim."

Page 1, line 9, strike out the words "his infant daughter" and insert in lieu thereof "the said."

Page 2, line 2, after the word "*Provided*," strike out remainder of bill, and insert in lieu thereof "That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Mary Camastro, a minor."

ANNIE BROWN

The Clerk called the next bill, H. R. 4971, for the relief of Annie Brown.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Annie Brown, of Rockport, Maine, the sum of $1,300. The payment of such sum shall be in full settlement of all claims against the United States for losses sustained by the said Annie Brown on account of personal injuries received on July 7, 1937, in Lincolnville, Maine, when she fell into an unlighted and unprotected ditch made in connection with a National Park Service project.

With the following committee amendments:

Line 6, strike out the sign and figures "$1,300" and insert in lieu thereof "$1,000."

At the end of the bill add: ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN T. MURPHY

The Clerk called the next bill, H. R. 5365, for the relief of John T. Murphy.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John T. Murphy, of Indianapolis, Ind., the sum of $500 for personal loss suffered as the result of a loss of a like sum of money, the funds of the Post Office Department, taken in a robbery, and which Mr. Murphy's superiors ordered and advised him to repay from his personal funds, and which sum he did then and there deduct from his personal funds and apply to the funds of the Post Office Department, all in violation of Postal Laws and Regulations, and for which he should not have been held to have been responsible as postal authorities have exonerated said John T. Murphy, following official investigation, of having been a party to, or responsible for, said robbery.

With the following committee amendments:

Page 1, line 5, strike out the "T" in the name of "John T. Murphy" and insert in lieu thereof "J."

Page 1, line 6, after the sign and figures "$500", insert the language "in full settlement of all claims against the United States."

Page 1, line 9, after the word "Department", strike out the language "taken in a robbery."

Page 2, line 5, strike out the "T" in the name of "John T. Murphy" and insert in lieu thereof "J."

At the end of the bill add: *"Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of John J. Murphy."

VERNON ATKISON

The Clerk called the next bill, H. R. 5592, for the relief of Vernon Atkison.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Vernon Atkison, of Greenville, S. C., the sum of $5,092.50, in full settlement of all claims against the United States for personal injuries received by him and property damage to his bicycle when such bicycle was struck on Paris Mountain Road near Greenville, S. C., on the morning of December 30, 1937, by a truck in the service of the Civilian Conservation Corps: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Line 3, strike out the word "is" and insert in lieu thereof "be, and he is hereby."

Line 5, after the word "to", insert "the legal guardian of."

Line 6, after the name "Atkison", insert "a minor."

Line 7, strike out the sign and figures "$5,092.50" and insert in lieu thereof "$2,000."

Line 9, strike out the word "him" and insert in lieu thereof "the said Vernon Atkison."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MORRISSEY CONSTRUCTION CO.

The Clerk called the next bill, H. R. 5823, for the relief of Morrissey Construction Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Morrissey Construction Co., of Vicksburg, Miss., the sum of $1,316.52 for work performed for Works Progress Administration by tractors of said Morrissey Construction Co. in airport at Iuka, Miss., for which payment has not been made: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 7, strike out "$1,316.52" and insert "$1,097.06, in full settlement of all claims against the United States."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RAYMOND C. KNIGHT

The Clerk called the next bill, H. R. 5930, for the relief of Raymond C. Knight.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated the sum of $3,400 to Raymond C. Knight, of Lyle, Wash., in full settlement of all claims against the United States on account of personal injuries and expenses incident thereto, as the result of being struck by a truck belonging to the Civilian Conservation Corps on May 7, 1938, on United States Highway No. 410, about 7 miles north of Dayton, Wash.

With the following committee amendments:

Page 1, line 5, strike out "$3,400" and insert "$2,500."

Page 2, line 1, after the word "Washington", insert the following: *"Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

Mr. COSTELLO. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. COSTELLO to the committee amendment: Strike out "$2,500" and insert "$1,500."

The amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN E. AVERY

The Clerk called the next bill, H. R. 6215, for the relief of John E. Avery.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $1,000 to John E. Avery, Rural Free Delivery No. 2, Honey Grove, Tex., in full settlement of all claims against the United States for personal injuries and damages sustained by the said John E. Avery on April 26, 1938, as the result of a collision involving a Works Progress Administration truck, assignment No. 24941, said truck being employed at that time in connection with project No. 6634, Honey Grove, Tex., street improvement and construction: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of any services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, strike out "$1,000" and insert "$500."

Page 1, line 8, strike out "and damages" and insert "and expenses incident thereto."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PENNSYLVANIA STATE COLLEGE

The Clerk called the next bill, H. R. 6553, for the relief of the Pennsylvania State College.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Pennsylvania State College the sum of $5,000, in full satisfaction of its claim against the United States Government arising out of loss and damages to property held under a 10-year lease by the Pennsylvania State College, which property was occupied by the Civilian Conservation Corps without permission of the Pennsylvania State College: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by an agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$5,000" and insert "$625.93."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHARLES H. UPTON

The Clerk called the next bill, H. R. 6598, for the relief of Charles H. Upton.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles H. Upton, of San Francisco, Calif., the sum of $223.83. The payment of such sum shall be in full settlement of the claim of the said Charles H. Upton against the United States for mileage allowance while performing the duties of acting chief probation and parole officer for the northern district of California, for travel authorized by means of his privately owned automobile during the period from May 1936 to February 1937, both inclusive. Such claim for mileage was disallowed by the General Accounting Office because travel was performed in an automobile registered in the name of the wife of the said Charles H. Upton.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That the Comptroller General of the United States is authorized and directed to allow credit in the accounts of George Vice, United States marshal, northern district of California, for payments totaling the amount of $223.83 made to Charles H. Upton, of San Francisco, Calif., which payments were for mileage allowance while the said Charles H. Upton was performing the duties of acting chief probation and parole officer for the northern district of California, for travel authorized by means of a privately owned automobile during the period from May 1936 to February 1937, both inclusive, such claim for mileage having been disallowed by the General Accounting Office because travel was performed in an automobile registered in the name of the wife of the said Charles H. Upton, whereas the act of February 14, 1931, provides for the payment of mileage to an officer or employee of the United States only for travel performed in the traveler's own automobile."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOUIS A. CHARLAND

The Clerk called the next bill, H. R. 6605, for the relief of Louis A. Charland.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions and limitations of sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, the United States Employees' Compensation Commission is hereby authorized and directed to receive and consider, when filed, the claim of Louis A. Charland for disability alleged to have been incurred by him on or about November 11, 1935, when engaged in authorized activities while an employee of the Veterans' facility at Sunmount, N. Y., and to determine said claim upon its merits and under the provisions of said act.

With the following committee amendment:

Page 2, line 3, after the word "Act" insert a colon and the following: "*Provided*, That such claim be filed within 6 months after the passage of this act: *And provided further*, That no benefits shall accrue prior to the approval of this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

T. JACK NEAL

The Clerk called the next bill, H. R. 6686, for the relief of T. Jack Neal.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to T. Jack Neal the sum of $2,500, as a reward and in full settlement of all claims against the United States for personal injuries to him and medical and hospital expenses incident thereto, incident to the capture by him of Max and Nathan Zarrani, counterfeit note passers, said capture occurring in the Farragut Hotel at Knoxville, Tenn., on April 21, 1939.

With the following committee amendments:

Page 1, line 5, after the word "Neal", insert "of Knoxille, Tenn."

Page 1, line 6, strike out "$2,500" and insert "$1,500."

Page 2, line 2, after "1939", insert a colon and the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELIZA WARREN

The Clerk called the next bill, H. R. 6822, for the relief of Eliza Warren.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Eliza Warren, of Brookhaven, Miss., out of any money in the Treasury not otherwise appropriated, the sum of $1,000 in full satisfaction of her claim against the United States for personal injuries received, and the sum of $450 for damage to her car, on the 7th day of April 1938, when struck by a car driven by Bertha Rich, an employee of the Works Progress Administration, and attached to its office at Brookhaven, Miss., while in the official performance of her duties for said Works Progress Administration: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 4, after the word "pay", insert "in full settlement of all claims against the United States."

Page 1, line 7, strike out "$1,000 in full satisfaction of her claim against the United States", and insert "$150."

Page 1, line 9, strike out "the sum of $450 for damage to her" and insert "to George T. Warren the sum of $143.05 for damage to his."

Page 1, line 11, after the word "when", insert "automobile was."

Mr. COSTELLO. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. COSTELLO to the committee amendment: On page 1, line 8, strike out "$150" and insert "$500."

The amendment to the committee amendment was agreed to.

The committee amendment, as amended, was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Eliza Warren and George T. Warren."

MYRTLE C. RADABAUGH

The Clerk called the next bill, H. R. 6864, for the relief of Myrtle C. Radabaugh.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HANCOCK and Mr. HALLECK objected, and, under the rule, the bill was recommitted to the Committee on Claims.

WALTER CHWALEK

The Clerk called the next bill, H. R. 7173, for the relief of Walter Chwalek.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Walter Chwalek, the sum of $2,938.50, in full settlement of his claim against the Government as the result of his receiving personal and property damages when his automobile was struck by a truck in the service of the United States Army: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connec-

tion with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 3, strike out "is" and insert "be, and he is hereby."
Line 5, after "Chwalek", insert "of Oswego, N. Y."
Line 7, strike out "his claim against the Government" and insert "all claims against the United States."
Line 10, after "Army", insert "on August 24, 1937."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLIFFORD J. WILLIAMS

The Clerk called the next bill, H. R. 7843, for the relief of Clifford J. Williams.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Postmaster General is authorized and directed to credit the account of Clifford J. Williams, postmaster, at Bainbridge, Ga., in the sum of $10,068.28. Such sum represents a balance due on a shortage in the accounts of John A. Harrison, former assistant postmaster, which accrued prior to August 15, 1926, the date of the appointment of the said Clifford J. Williams as postmaster aforesaid.

SEC. 2. The surety on the bond of the said Clifford J. Williams, as postmaster at Bainbridge, Ga., is hereby relieved of any liability on account of such shortage.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CERTAIN DISBURSING OFFICERS OF THE ARMY

The Clerk called the next bill, H. R. 8096, for the relief of certain disbursing officers of the Army of the United States and for the settlement of individual claims approved by the War Department.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of the following disbursing officers of the Army of the United States the amounts set opposite their names: Maj. Lester L. Boggs, Finance Department, $148.38; Maj. George W. Brent, Coast Artillery Corps, $78.50; Lt. Col. Edward T. Comegys, Finance Department, $6.08; Maj. Ray B. Conner, Finance Department, $162.10; Maj. George W. Cooke, Finance Department, $29.90; Lt. Col. Horatio G. Coykendall, Finance Department, $5.50; Maj. Frederick E. Coyne, Jr., Finance Department, $59; Lt. Col. Walter D. Dabney, Finance Department, $17.86; Maj. Oliver W. DeGruchy, Finance Department, $18.57; Capt. James H. Dickie, Finance Department, $53.74; Capt. Lemuel E. Edwards, Finance Department, $50; Lt. Col. Horace G. Foster, Finance Department, $358.75; Lt. Col. Frank M. Holmes, Finance Department, $230.75; Capt. John S. Knudsen, Finance Department, $29.39; Capt. Ray H. Larkins, Finance Department, $6; Maj. Charles Lewis, Finance Department, $79.27; Lt. Col. James MacKay, Finance Department, $203.32; Capt. Charles K. McAlister, Finance Department, $30; Maj. Edmund W. McLarren, Finance Department, $104.27; Lt. Col. Dana W. Morey, Finance Department, $208.34; Capt. David H. Passell, Finance Reserve, $19.96; Maj. Arthur O. Walsh, Finance Department, $158.32; Maj. Hugh Whitt, Finance Department, $6; said amounts being public funds for which they are accountable and which comprise minor errors in computations of pay and allowances due former members of the Civilian Conservation Corps, enlisted men of the Regular Army, members of the Officers' Reserve Corps, members of the citizens' military training camps, civilian employees, and commercial firms or individuals from whom collection of the overpayments cannot be effected, and which amounts have been disallowed by the Comptroller General of the United States: *Provided*, That no part of these amounts shall be charged against any person or commercial firm other than the payees.

SEC. 2. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Lt. Col. Horatio G. Coykendall, Finance Department, the sum of $17.98, public funds for which he is accountable and which were paid to the Christ Overgaard Sawmill for lumber and disallowed by the Comptroller General of the United States.

SEC. 3. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Maj. Henry M. Denning, Finance Department, the sum of $56.68, public funds for which he is accountable, and which were stolen from the office safe of his agent officer at One Hundred and Forty-fifth Company, Civilian Conservation Corps, Plymouth, Vt., during the night of November 30–December 1, 1937.

SEC. 4. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Capt. Seward W. Hulse, Quartermaster Corps, the amount of $55.44 in full satisfaction of his claim against the United States for a like amount which was paid by him for advertising for and in the interests of the United States without the prior approval of the Secretary of War as required by Revised Statutes 3828 (44 U. S. C. 324).

SEC. 5. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Capt. John S. Knudsen, Finance Department, the amount of $321.50, public funds for which he is accountable, which were paid to the Hillcrest Water Co. for drinking water and disallowed by the Comptroller General of the United States.

SEC. 6. That the Secretary of the Treasury be, and be is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Capt. Frederick W. Long, Jr., Infantry Reserve, the sum of $119, in full satisfaction of his claim against the United States for a like amount which was paid by him to Capt. C. R. Mize, Finance Department, finance officer, district C, Fort Oglethorpe, Ga., as reimbursement for public funds lost when the company safe was stolen from Civilian Conservation Corps Company 4495, Tenn. TVA P–15, Harrison, Tenn., on the night of October 31–November 1, 1938.

SEC. 7. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Maj. Arthur O. Walsh, Finance Department, the amount of $67.48, public funds for which he is accountable, which amount has been disallowed by the Comptroller General of the United States on account of failure to obtain a cash receipt for a payment made to an enlisted man now deceased.

SEC. 8. That payments heretofore made for salaries and travel expenses incident to the attendance of educational advisers, Civilian Conservation Corps, at aquatic schools for the purpose of receiving instruction in lifesaving, are hereby ratified and validated, and the Comptroller General of the United States is hereby authorized and directed to allow credit in the accounts of disbursing officers of the Army for and on account of all such payments.

SEC. 9. That payments heretofore made for travel allowances to personnel in and under the jurisdiction of the War Department incident to the Ohio-Mississippi flood in 1937 are hereby ratified and validated, and the Comptroller General of the United States is hereby authorized and directed to allow credit in the accounts of disbursing officers of the Army for and on account of all such payments: *Provided*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to any person a sum equal to the amount collected from such person on account of payments which are herein validated, upon presentation of a claim therefor to the Comptroller General of the United States, who is authorized and directed to certify same to the Secretary of the Treasury for payment.

SEC. 10. That payments heretofore made to Cornelius M. Daly (now lieutenant colonel, Cavalry) for longevity pay increases incident to his service as a cadet, United States Revenue Cutter Service, are hereby ratified and validated, and the Comptroller General of the United States is hereby authorized and directed to allow credit in the accounts of disbursing officers of the Army for and on account of all such payments.

SEC. 11. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the administrator of the estate of Capt. Bigelow B. Barbee, Finance Department, the amount of $191.73, which amount represents overpayments due to minor errors of computation of pay and allowances due former enrollees of the Civilian Conservation Corps, and was deducted by the Comptroller General of the United States from the amount authorized to be paid to the estate of Capt. Barbee by the act of June 22, 1938 (52 Stat. 1373): *Provided*, That no part of this amount shall be charged against any person other than the person erroneously paid.

SEC. 12. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Lt. Col. Walter D. Dabney, Finance Department, the amount of $30.25, public funds for which he is accountable, which were paid to a former enrollee for final pay, and to a civilian employee for travel allowances, and disallowed by the Comptroller General of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ED SYMES AND ELIZABETH SYMES

The Clerk called the next bill, H. R. 8227, for the relief of Ed Symes and his wife, Elizabeth Symes, and certain other citizens of the State of Texas.

Mr. HALLECK and Mr. COSTELLO objected, and, under the rule, the bill was recommitted to the Committee on Claims.

MRS. E. J. M'CARDLE

The Clerk called the next bill, H. R. 5424, for the relief of Mrs. E. J. McCardle.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. E. J. McCardle, of Macon, Ga., the sum of $5,000, as compensation for the death of her son, James Courson, resulting from a collision on September 5, 1929, between a motorcycle on which he was riding and an automobile operated by a Federal prohibition agent.

With the following committee amendment:

Line 10, after "agent", insert a colon and the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. R. W. NOBLE

The Clerk called the next bill, H. R. 6705, for the relief of Mrs. R. W. Noble.

Mr. HANCOCK and Mr. COSTELLO objected, and, under the rule, the bill was recommitted to the Committee on Claims.

BOLINROSS CHEMICAL CO., INC.

The Clerk called the next bill, H. R. 8868, conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Bolinross Chemical Co., Inc.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the Court of Claims of the United States to hear, determine, and render judgment upon the claim of the Bolinross Chemical Co., Inc., of Newark, N. J., for damages or losses resulting from the alleged unlawful raid on its chemical plant at 12–22 Orange Street, Newark, N. J., including the alleged destruction of its machinery, equipment, raw materials, and finished products, and the loss of its business, by prohibition agents of the United States, on February 20, 1929.

SEC. 2. Suit upon such claim may be instituted at any time within 1 year after the enactment of this act, notwithstanding the lapse of time or any statute of limitations, and proceedings for the determination of such claim, appeals therefrom, and payment of any judgment thereon shall be in the same manner as in the cases over which such court has jurisdiction under section 145 of the Judicial Code, as amended.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL WAR LABOR BOARD AWARD

The Clerk called the next bill, H. R. 7967, to provide for the carrying out of the award of the National War Labor Board of April 11, 1919, and the decision of the Secretary of War of date November 30, 1920, in favor of certain employees of the Minneapolis Steel & Machinery Co., Minneapolis, Minn.; of the St. Paul Foundry Co., St. Paul, Minn.; of the American Hoist & Derrick Co., St. Paul, Minn.; and of the Twin City Forge & Foundry Co., Stillwater, Minn.

Mr. COSTELLO, Mr. HANCOCK, and Mr. BARDEN of North Carolina objected, and, under the rule, the bill was recommitted to the Committee on Claims.

J. FRANK KUNER

The Clerk called the next bill, S. 3304, for the relief of J. Frank Kuner, private, uniformed force, United States Secret Service.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That no suspension, charge, or disallowance shall be raised against any disbursing or certifying officer for any payments of salary made to J. Frank Kuner for services rendered as private, uniformed force, United States Secret Service, during the period July 1, 1938, to November 25, 1938, both dates inclusive, and such payments are hereby ratified and validated.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WALTER R. MAGUIRE

The Clerk called the next bill, S. 2234, for the relief of Walter R. Maguire.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions and limitations of sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering from injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, the United States Employees' Compensation Commission be, and the same is hereby, authorized and directed to receive and consider, if filed within 6 months after the enactment of this act, the claim of Walter R. Maguire, of Dorchester, Mass., for disability alleged to have been caused by injuries sustained by him on August 3, 1936, while in the performance of his duties in the employment of the Navy Department at the Boston Navy Yard: *Provided*, That no benefits shall accrue prior to the approval of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

M. GRACE MURPHY

The Clerk called the next bill, H. R. 2214, to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claim of M. Grace Murphy, administratrix of the estate of John H. Murphy, deceased, against the United States.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred on the Court of Claims to hear, determine, and render judgment upon, notwithstanding lapse of time or bar of any statute of limitations or any other provision of law to the contrary, the claim of M. Grace Murphy, administratrix of the estate of John H. Murphy, deceased, for services said John H. Murphy, deceased, rendered or may have rendered the United States of America in connection with the sale to the Government of Poland of certain surplus war supplies, viz: Seven thousand five hundred and fifty-four railway cars. Either party shall have the same right of appeal as in other cases.

SEC. 2. There is authorized to be appropriated such sum as may be necessary to pay the amount of any judgment rendered pursuant to this act. Such action shall be brought within 1 year from the date of the passage of this act.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to M. Grace Murphy, Boston, Mass., administratrix of the estate of John H. Murphy, deceased, out of any money in the Treasury not otherwise appropriated, the sum of $125,000 in full settlement of all claims against the United States for compensation for the services performed and expenses incurred by the said John H. Murphy, deceased, in connection with sale to the Government of Poland of certain surplus war materials: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of M. Grace Murphy, administratrix of the estate of John H. Murphy, deceased."

HAZEL THOMAS

The Clerk called the next bill, H. R. 6061, for the relief of Hazel Thomas.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Forest Service, Department of Agriculture, to Hazel Thomas, of Yorba Linda, Calif., the sum of $5,000. The payment of such sum shall be in full settlement of all claims against the United

States for personal injuries and property damage received when the vehicle in which she was riding was struck on the Angelus Crest Highway, approximately 4 miles south of Charleton Flats, Los Angeles County, Calif., about 6 p. m. on June 24, 1938, by a Forest Service truck No. 2116: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 5, after the word "Treasury", strike out the remainder of the line and all of line 6 and insert "not otherwise appropriated."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NANNIE MAY BLYTHE

The Clerk called the next bill, H. R. 6212, for the relief of Nannie May Blythe.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Nannie May Blythe, of Natchez, Miss., the sum of $5,000, in full satisfaction of all claims against the United States on account of the death of her 17-year-old brother, Earl Alexander Blythe, who was killed on October 23, 1913, while on duty as a special-delivery messenger for the post office in Natchez, Miss.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, after the name "Blythe", insert "and Claudia Blythe, jointly, both";
Page 1, line 8, strike out the word "her" and insert "their."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Nannie May Blythe and Claudia Blythe."

ANTHONY BORSELLINO

The Clerk called the next bill, H. R. 6845, for the relief of Anthony Borsellino.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 to Anthony Borsellino, of Washington, D. C., in full settlement of all claims against the United States, for the death of his minor son, Joseph Borsellino, as a result of injuries received through the negligent operation of a truck belonging to the District of Columbia National Guard, on June 23, 1933, at Third Street and Maine Avenue, Washington, D. C.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, strike out the sign and figures "$5,000" and insert in lieu thereof "$3,500."

Page 2, line 1, after the word "provided", strike out the remaining language of the bill and insert in lieu thereof the following: "That no person or persons acting on behalf of the claimant on account of services rendered in connection with this claim shall be paid or shall receive an amount in excess of 10 percent of the amount herein appropriated, any contract or contracts to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HANNAH S. BRAY, JANE BICKERS, AND FRANCES BICKERS

The Clerk called the next bill, H. R. 7861, conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of Hannah S. Bray, Jane Bickers, and Frances Bickers.

There being no objection the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the Court of Claims to hear, determine, and render judgment upon any claims against the United States of Hannah S. Bray, Jane Bickers, and Frances Bickers for damages sustained by them as a result of the collision between the automobile in which they were riding and a Civilian Conservation Corps truck at the intersection of United States Route No. 29 and Barracks Road, in Charlottesville, Va., on July 22, 1939.

SEC. 2. In the determination of such claims, the United States shall be held liable for such damages, and for any acts committed by any of its officers and employees (including enrollees in the Civilian Conservation Corps), to the same extent as if the United States were a private person.

SEC. 3. Suit upon such claims may be instituted at any time within 1 year after the date of enactment of this act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claims, and appeals from, and payment of, any judgments thereon shall be in the same manner as in the case of claims over which such court has jurisdiction under section 145 of the Judicial Code, as amended.

With the following committee amendment:

Strike out all after the enacting clause and insert "That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Hannah S. Bray, Jane Bickers, and Frances Bickers, of Stanardsville, Va., and Winchester, Va., respectively, out of any money in the Treasury not otherwise appropriated, the following sums:

"To Hannah S. Bray, the sum of $5,000 for personal injuries, pain, and suffering and the sum of $2,695.65 for hospital and physician bills and the sum of $750 for property damages, or a total of $8,445.65.

"To Jane Bickers, the sum of $10,000 for personal injuries, pain, and suffering.

"To Frances Bickers, the sum of $5,000 for personal injuries, pain, and suffering.

"To Jane and Frances Bickers, the sum of $4,900.13 for physician and hospital bills.

"Said sums being in full settlement of all claims that the above parties have against the United States by reason of injuries and property damages sustained on account of being struck by a Civilian Conservation Corps truck at the intersection of United States Route No. 29 and Barracks Road in Charlottesville, Va., on June 22, 1939.

"SEC. 2. That there shall be a guardian appointed for Frances Bickers, a minor, for the payment of the sum of $5,000 for her use and benefit.

"SEC. 3. *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MAJ. L. P. WORRALL

The Clerk called the next bill, H. R. 8429, for the relief of Maj. L. P. Worrall, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General be, and he is hereby, authorized and directed to credit the account of Maj. L. P. Worrall, former finance officer, United States Army, Fort Sam Houston, Tex., in the sum of $3,066.03. Payment of such sum was made on September 8, 1938, to King & Boozer, Anniston, Ala., pursuant to change order "B" issued under date of August 23, 1938, modifying contract No. W-58-QM-CIV-59, dated June 29, 1938. Maj. W. L. Bartley, of the Quartermaster Corps, United States Army, Fort Sam Houston, Tex., was the duly designated purchasing and contracting officer. In such capacity he held that the true intent and meaning of the plans and specifications are that the vestibules and skirting are included in the contract. The contractors, King & Boozer, addressed to the contracting officer a letter protesting this decision and requesting that the matter be referred to the Quartermaster General. This request was granted and the Office of the Quartermaster General held that the vestibules and skirtings were not included in the contract, and instructed the contracting officer that if the vestibules are required a change order should be

placed on the contract covering such vestibules as are required. In accordance with this instruction, Major Bartley issued change order "B," providing for the furnishing of vestibules and skirtings at an increase of $3,097 in the contract price, in accordance with unit prices in the contractor's bid. In a letter dated July 5, 1939, written by the Secretary of War to the Comptroller General, it is stated: "Summarizing the foregoing, it is the opinion of the War Department that the quartermaster general properly found that the contract did not contemplate that skirtings and vestibules were to be included as an integral part of the buildings and that the contractor was not required to furnish such skirtings and vestibules without additional compensation. Such a finding having properly been made, it is also the opinion of the Department that the contracting officer was required to follow the instructions of the Quartermaster General concerning the interpretation of the contract and the issuing of change order 'B.' In view of the above, it is requested that credit be allowed for payments made under the change order."

The Comptroller General disallowed credit for the payment made under change order "B" on the ground that the decision of the contracting officer was irrevisable and not subject to review by his superior officer, the Quartermaster General.

SEC. 2. That the said King & Boozer are hereby released from any liability to refund such sum of $3,066.03 to the United States, and in case there has been heretofore withheld or deducted from any amounts otherwise payable out of Government funds to the said King & Boozer any amount on account of such sum the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said King & Boozer a sum equal to the amount so withheld or deducted.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Maj. L. P. Worrall, Finance Department, the sum of $3,066.03, public funds for which he is accountable, which sum was paid by him to King & Booser, Anniston, Ala., pursuant to change order B, dated August 23, 1938, modifying contract No. W-58-QM-CIV-59, dated June 29, 1939, and which sum has been disallowed by the Comptroller General of the United States: *Provided*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said King & Booser a sum equal to any amount withheld or deducted from any amounts otherwise due to the said King & Booser on account of the payment which is herein validated, upon presentation of a claim therefor to the Comptroller General of the United States, who is authorized and directed to certify same to the Secretary of the Treasury for payment: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BARNET WARREN

The Clerk called the next bill, S. 3091, for the relief of Barnet Warren.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay, out of any money in the Treasury not otherwise appropriated, to Barnet Warren the sum of $2,756.14, and the additional sum of $100 a month, up to and not exceeding $5,000, in full settlement of all his claims against the United States growing out of any damages or personal injuries suffered by him when a Civilian Conservation Corps truck, operated at the time by the National Park Service, collided with the said Barnet Warren, who was riding a bicycle north on United States Highway No. 1, near Ojus, Fla., on March 17, 1939: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EBERHART STEEL PRODUCTS CO., INC.

The Clerk called the bill (H. R. 9418) for the relief of the Eberhart Steel Products Co., Inc.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. HANCOCK. Mr. Speaker, this bill was passed yesterday by the Senate, and I ask unanimous consent to substitute the Senate bill, S. 3789.

The SPEAKER pro tempore. Without objection, the Clerk will report the Senate bill.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the United States Court of Claims, notwithstanding the lapse of time or any statute of limitations, with instructions to hear and determine and render judgment upon the claims of the Eberhart Steel Products Co., Inc., of Buffalo, N. Y., against the United States growing out of 43 certain contracts dated on and between January 28, 1920, and September 24, 1920, for the manufacture and delivery by said company to the War Department of certain material and parts for class B military trucks, notwithstanding any failure or error of any Government official to give proper written orders for changes made in any of said contracts, or fix the value thereof, or any previous decisions or decrees rendered with reference thereto, and without regard to any alleged settlement or adjustment heretofore made, or termination agreement, except only for proper credits to be given for any and all payments heretofore made: *Provided*, That no judgment rendered on this claim for an amount due such company shall exceed the amount heretofore found by the Court of Claims as the fair cost of manufacture of supplies left on claimant's hands, manufactured in accordance with the terms of the foregoing original contracts and changes thereunder.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

A House bill (H. R. 9418) was laid on the table.

PRISCILLA M. NOLAND

The Clerk called the bill (S. 1239) for the relief of Priscilla M. Noland.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Priscilla M. Noland, of Seattle, Wash., the sum of $765, in full satisfaction of her claim against the United States for damages resulting from an accident involving a Government truck operated in connection with the Civilian Conservation Corps, while en route from Seattle, Wash., to Snoqualmie Falls, Wash., on June 25, 1938: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

BRUNO ARENA

The Clerk called the bill (S. 1445) for the relief of Bruno Arena.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Bruno Arena, of Providence, R. I., the sum of $2,112.40, in full satisfaction of all claims against the United States for damages for personal injuries and medical expenses sustained by him when he was struck by a United States mail truck in the service of the United States Post Office Department, operated by William Conlon, an employee of the United States Post Office Department, on Promenade Street, Providence, R. I., on February 20, 1933: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

THOMAS G. ABBITT

The Clerk called the bill (S. 1474) for the relief of Thomas G. Abbitt.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the limitations of time in sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, are hereby waived in favor of Thomas G. Abbitt, of Catawba Sanatorium, Va., and the United States Employees' Compensation Commission is authorized, under the remaining provisions of said act, to receive and consider his claim for disability from tuberculosis alleged to have been contracted as a result of his employment by the Corps of Engineers, War Department, in conducting a survey of the Roanoke River during the months of November and December 1930 and January to June, inclusive, 1931: *Provided,* That claim hereunder shall be filed within 6 months from the date of the approval of this act: *Provided further,* That no benefits shall accrue prior to the approval of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

ALAN C. WINTER, JR., AND ELIZABETH WINTER

The Clerk called the bill (S. 1649) for the relief of Alan C. Winter, Jr., and Elizabeth Winter.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alan C. Winter, Jr., and Elizabeth Winter, his wife, the sum of $633.17, in full satisfaction of all their joint and several claims against the United States for damages resulting from personal injuries received by them, and incidental damages, on February 4, 1937, in the city of Jacksonville, Fla., on account of collision of automobile in which they were riding with a truck operated by a member of the Civilian Conservation Corps: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Line 6, after the word "wife", insert "both of Jacksonville, Fla."

The committee amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LE ROY BREITHAUPT

The Clerk called the bill (S. 1839) for the relief of Le Roy Breithaupt.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General is authorized and directed to cancel the charges against Le Roy Breithaupt, of Corvallis, Oreg., in the sum of $1,302.78, representing the unpaid balance of the claim of the United States against said Le Roy Breithaupt (United States claim No. COL-0665045) for refund of sums received by him from the United States as compensation for services as an agent in the Oregon Cooperative Extension Service during the period he was employed upon a per diem basis by the Farm Credit Administration.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROXIE RICHARDSON

The Clerk called the bill (S. 2268) for the relief of Roxie Richardson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Roxie Richardson, of Hartford, Vt., the sum of $1,250, in full settlement of her claims against the United States for personal injuries, medical and hospital expenses, and damages sustained by her when the automobile in which she was a passenger was struck by a car owned by the United States and used in connection with the Civilian Conservation camp at Bellows Falls, Vt., said accident having occurred March 31, 1938, at East Bethel, Windsor County, Vt.: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LUTHER DEVOE

The Clerk called the bill (S. 3071) for the relief of Luther Devoe.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Luther Devoe, of Houlton, Maine, the sum of $1,000, in full satisfaction of his claim against the United States for compensation for personal injuries sustained by him when he was struck by an automobile operated by Charles T. Warner, an employee of the Immigration and Naturalization Service, Department of Labor, while engaged in the performance of his duties as such employee, on October 27, 1937, near Houlton, Maine: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

SEC. 2. Payment shall not be made under this act until the said Luther Devoe has released, in a manner satisfactory to the Secretary of the Treasury, any judgment or other claim arising out of such accident, which he may have against the said Charles T. Warner.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VERLE S. WARD

The Clerk called the bill (S. 3073) for the relief of Verle S. Ward.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions and limitations of sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, the United States Employees' Compensation Commission be, and the same is hereby, authorized and directed to receive and consider, if filed within 6 months after the enactment of this act, the claim of Verle S. Ward, of Hyattsville, Md., for disability alleged to have been caused by using bromine liquid gas while in the performance of his duties in the employment of the Treasury Department in the Supervising Architect's Office of the Public Buildings Branch of the Procurement Division.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MAJ. JOHN R. HOLT

The Clerk called the bill (S. 3092) for the relief of Maj. John R. Holt.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Maj. John R. Holt, of Fort Snelling, Minn., the sum of $96 in full satisfaction of his claim against the United States for a refund of the sum which he paid from his personal funds for two tarpaulins for use on Army trucks, such tarpaulins having been purchased by him as quartermaster officer at Fort Snelling, Minn., and payment therefor having been disallowed by the General Accounting Office: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

C. T. JENSEN

The Clerk called the next bill, S. 3233, for the relief of C. T. Jensen.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to C. T. Jensen, of

Minot, N. Dak., a native-born citizen of the United States, the sum of $20.50, in full satisfaction of his claim against the United States for reimbursement of necessary expenses incurred by him by reason of the refusal of the Commissioner of Immigration and Naturalization to recognize the said C. T. Jensen as a native-born citizen of the United States: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DOROTHY CROSSING

The Clerk called the next bill, S. 3328, for the relief of Dorothy Crossing.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Dorothy Crossing, of Bogota, N. J., the sum of $223.20 in full satisfaction of her claim against the United States for compensation for services performed by her for the Wage and Hour Division of the United States Department of Labor during the year 1939: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

W. M. HURLEY

The Clerk called the next bill, H. R. 775, for the relief of W. M. Hurley.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to W. M. Hurley the sum of $500 in full satisfaction of his claim for damages to his property situated in the city of North Little Rock, Ark., allegedly as the result of the failure of the United States Government to keep in repair its dike constructed on the Arkansas River near by the said property, which failure is alleged to have caused the current to destroy the said property.

With the following committee amendment:

Strike out all the language in the bill following the enacting clause and insert in lieu thereof the following language:

"That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to W. M. Hurley, of North Little Rock, Ark., the sum of $500; and to Joe Whitson, of North Little Rock, Ark., the sum of $1,500. The said sums shall be accepted in full settlement of all claims against the United States for damages to the property of the said W. M. Hurley and Joe Whitson situated in the city of North Little Rock, Ark., as a result of the failure of the United States Government to keep in repair its dike constructed on the Arkansas River nearby the said property: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of W. M. Hurley and Joe Whitson."

AUGUSTA BRASSIL

The Clerk called the next bill, H. R. 1528, for the relief of Augusta Brassil.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HANCOCK and Mr. COSTELLO objected; and under the rule the bill was recommitted to the Committee on Claims.

CHARLES FLACK

The Clerk called the next bill, H. R. 2106, for the relief of Charles Flack.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Charles Flack, Morristown, Tenn., the sum of $6,000, in full settlement of all claims against the United States and in settlement of the judgments obtained against Michael Felotoirch in the United States District Court for the Eastern District of Tennessee, as a result of personal injuries sustained by Charles Flack when he was struck by Civilian Conservation Corps truck driven by said Michael Felotoirch, a member of the Civilian Conservation Corps, at Arthur, Tenn., on April 27, 1935.

With the following committee amendments:

Lines 5 and 6, strike out the words "allocated by the President for the maintenance and operation of the Civilian Conservation Corps", and insert in lieu thereof, "not otherwise appropriated."

Line 7, strike out the amount "$6,000" and insert in lieu thereof, "$3,500."

At the end of the bill, add the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAMES P. BRUCE, JR.

The Clerk called the next bill, H. R. 2151, for the relief of James P. Bruce, Jr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That sections 17 and 20 of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., 1934 ed., title 5, secs. 767 and 770), are hereby waived in favor of James P. Bruce, Jr., who sustained an injury on or about July 31, 1936, while employed by the Tennessee Valley Authority, and his case is authorized to be considered and acted upon under the remaining provisions of such act, as amended, if he files a claim for compensation with the United States Employees' Compensation Commission not later than 60 days after the date of enactment of this act.

With the following committee amendments.

Line 8, after the word "Junior", add "of Florence, Ala."

Line 9, after the word "who", insert "is alleged to have."

At the end of the bill add: "*Provided*, That no benefits shall accrue prior to the approval of this act."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WASYL KULMATYCKI

The Clerk called the next bill, H. R. 2286, for the relief of Wasyl Kulmatycki.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Wasyl Kulmatycki, a resident of Canada, or his duly authorized representative, the sum of $500, in full settlement of all claims against the United States for the amount of a bond issued under Form 554 of the United States Department of Labor, Immigration and Naturalization Service, deposited by him with the immigration authorities of San Antonio, Tex., conditioned upon his departure from the United States on or before April 21, 1924, such bond being subsequently forfeited, although such Wasyl Kulmatycki departed from the United States within the period fixed in such bond: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said

claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 8, after the word "the", insert "refund of the." Strike out the language of the bill following the word "bond" in line 3, page 2, and insert in lieu thereof the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

S. T. ENLOE

The Clerk called the next bill, H. R. 2354, for the relief of S. T. Enloe.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Tresaury not otherwise appropriated, to S. T. Enloe, of Clover, S. C., the sum of $5,000. The payment of such sum shall be in full satisfaction of all claims against the United States for personal injuries sustained by the said S. T. Enloe when the automobile which he was driving was struck by a Government truck, operated in connection with the Civilian Conservation Corps, on January 9, 1937, near York, S. C.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Line 6, strike out the sign and figures "$5,000" and insert in lieu thereof "$2,673."

Line 8, after the word "injuries", insert "and property damage."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BARBARA KOSICK

The Clerk called the next bill, H. R. 2580, for the relief of Barbara Kosick.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that an identical Senate bill, S. 1942, be substituted for the House bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal representative of Anna Barbara Kosick, deceased, of Los Angeles, Calif., the sum of $5,000. Such sum shall be in full settlement of all claims against the United States for damages sustained by the said legal representative of Anna Barbara Kosick, deceased, on account of the death of her daughter, Anna Barbara Kosick, on or about the 10th day of September 1937 as the result of injuries sustained in a collision involving the car in which the said Anna Barbara Kosick was riding and a Government vehicle in the service of the Civilian Conservation Corps at the intersection of Huntington Drive and Baldwin Avenue, in the city of Arcadia, county of Los Angeles, State of California: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

By unanimous consent a similar House bill (H. R. 2580) was laid on the table.

JOHN ENGBLOM

The Clerk called the next bill, H. R. 2628, for the relief of John Engblom.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the provisions and limitations of sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, are hereby waived in favor of John Engblom, of Hawthorne, Nev., a former foreman with the United States Forest Service at Hawthorne, Nev.; and the United States Employees' Compensation Commission is authorized to receive and consider his claim, under the remaining provisions of said act, for injury and disability alleged to have been sustained in October 1936 as a result of his employment in such capacity: *Provided*, That claim hereunder shall be filed within 90 days from the approval of this act: *Provided further*, That no benefits shall accrue prior to the approval of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NAOMA KINDER, A MINOR

The Clerk called the next bill, H. R. 2946, for the relief of Naoma Kinder, a minor.

There being no objection, the Clerk read the bill, as follows:

Be it enacted etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Naoma Kinder, a minor, the sum of $5,000, in full satisfaction of all claims against the United States for injuries sustained by her on August 23, 1938, when the material hoist operated by employees of the Geological Survey during the construction of a concrete water-stage recorder well just downstream from the left pier of the steel bridge at Ashford, W. Va., broke, allowing the boom to slide along the concrete handrail of said bridge, striking Naoma Kinder and causing her to be permanently disfigured: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 5, after the word "to", insert "the leading guardian of."

Page 1, line 6, strike out "$5,000" and insert "$750."

Page 1, line 8, strike out "her" and insert "the said Naomi Kinder."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

H. S. WAYMAN

The Clerk called the next bill, H. R. 3964, for the relief of H. S. Wayman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to H. S. Wayman, Oak Grove, Mo., the sum of $348.05. Such sum represents the actual amount of expenses incurred by the said H. S. Wayman in connection with the hospitalization of his son, Donald S. Wayman, at the Research Hospital, Kansas City, Mo., from July 21, 1937, to July 28, 1937, both dates inclusive. The said Donald S. Wayman, aviation machinist's mate, third-class, United States Navy, was taken ill while on leave of absence, but was not granted admission to the United States Army hospital at Fort Leavenworth, Kans., until July 29, 1937.

With the following committee amendments:

Page 1, line 3, after the word "Treasury", strike out "is" and insert "be, and he is hereby."

Page 1, line 6, strike out "$348.05" and insert "$347.75."

Page 2, line 4, after "1937", insert a colon and the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received

by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRED T. GORDON AND BERT N. RICHARDSON

The Clerk called the next bill, H. R. 4202, for the relief of Fred T. Gordon and Bert N. Richardson.

Mr. HALLECK and Mr. HANCOCK objected, and, under the rule, the bill was recommitted to the Committee on Claims.

STANLEY V. SMITH

The Clerk called the next bill, H. R. 5297, for the relief of Stanley V. Smith.

There being no objection the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Stanley V. Smith, Atlantic City, N. J., the sum of $76.39, in full settlement of his claim against the United States for loss of tools which were destroyed by fire while stored in a Works Progress Administration warehouse at Atlantic City, N. J., on May 8, 1936: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$76.39" and insert "$76.10."

The committee amendment was agreed to.

The motion was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SOLOMON BROWN

The Clerk called the next bill, H. R. 5303, for the relief of Solomon Brown.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Solomon Brown, Walterboro, S. C., the sum of $1,000. Such sum shall be in full settlement of all claims against the United States arising out of the permanent disability sustained by the said Solomon Brown due to the amputation of his right hand, necessitated by severe injuries to such hand received on October 22, 1932, while the said Solomon Brown was at work in the laundry of the United States Penitentiary at Atlanta, Ga.

With the following committee amendments:

Page 2, line 2, after the word "Georgia", insert a colon and the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DON E. HICKS

The Clerk called the next bill, H. R. 5464, for the relief of Don E. Hicks.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Don E. Hicks, of Heiberger, Ala., the sum of $15,000, in full settlement of all claims against the United States for serious injuries sustained by him on July 24, 1936, when a truck in which he was riding collided with a truck of the Civilian Conservation Corps on Highway No. 80, about 7 miles west of Forest, Miss.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out "$15,000" and insert "$3,500."

Page 1, line 11, after the word "*Provided*", strike out the balance of the bill and insert: "That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MINNIE LOWERY AND WINELL LOWERY

The Clerk called the next bill, H. R. 5571, for the relief of Minnie Lowery and Winell Lowery

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Minnie Lowery and her daughter, Winell Lowery, of Dallas, Tex., the sum of $15,000 in full satisfaction of their claim against the United States for the death of Oscar L. Lowery, the husband of Minnie Lowery and father of Winell Lowery, who was shot without cause by a Federal prohibition agent at their farm near Tecumseh, Okla., July 4, 1929.

With the following committee amendments:

Page 1, line 6, strike out "$15,000" and insert "$4,000."

Page 1, line 9, strike out "without cause by a Federal prohibition agent at their farm near Tecumseh, Okla., July 4, 1929" and insert "and killed during an investigation of a Federal prohibition agent and assistants near Tecumseh, Okla., on July 4, 1929: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

Mr. SUMNERS of Texas. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. SUMNERS of Texas to the committee amendment: Page 1, line 6, strike out "$4,000" and insert "$5,000."

The amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOUIS ST. JACQUES

The Clerk called the bill (H. R. 5771) for the relief of Louis St. Jacques.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Louis St. Jacques, Burbank, Calif., the sum of $525. The payment of such sum shall be in full settlement of all claims against the United States on account of personal injuries received by the said Louis St. Jacques on September 21, 1938, in Burbank, Calif., when a United States Army airplane struck the house in which he resided.

With the following committee amendments:

Page 1, line 6, strike out "$525" and insert "$375."

Page 1, line 11, after "resided", insert a colon and the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account

of services rendered in conection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALBERT DE PONTI

The Clerk called the bill (H. R. 5776) for the relief of Albert DePonti.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Albert DePonti, of St. Paul, Minn., the sum of $10,000 in full satisfaction of his claim against the United States for personal injuries sustained from a bullet which was fired by a soldier of the United States Army from a rifle employed in target practice on the United States rifle range at Fort Snelling, Minn., May 22, 1937.

With the following committee amendments:

Page 1, line 3, strike out "is hereby" and insert "be, and he is hereby."

Page 1, line 6, strike out "$10,000" and insert "$5,000."

Page 1, line 7, strike out "satisfaction of his claim" and insert "settlement of all claims."

Page 2, line 1, after "1937", insert a colon and the following:

"*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILBUR P. RIDDLESBARGER AND JOSEPHINE RIDDLESBARGER

The Clerk called the next bill, H. R. 6095, for the relief of Wilbur P. Riddlesbarger and Josephine Riddlesbarger.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Wilbur F. Riddlesbarger and Josephine Riddlesbarger, of Eugene, Oreg., the sum of $5,000, in full satisfaction of their claim against the United States on account of the death of their minor son, Wilbur Paul Riddlesbarger, Jr., who died on May 15, 1938, as the result of injuries received when he fell into a ditch left open and unguarded by Works Progress Administration employees: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 7, strike out "$5,000" and insert "$2,500" and strike out "their claim" and insert "all claims."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ISOBELL SHANKS

The Clerk called the next bill, H. R. 6548, for the relief of Isobell Shanks.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Isobell Shanks, of Waveland, Ind., the sum of $10,000. The payment of such sum shall be in full settlement of all claims against the United States on account of the personal injuries sustained by the said Isobell Shanks when the automobile in which she was a passenger was struck on June 24, 1938, near Waveland, Ind., by a truck owned by the Civilian Conservation Corps, and operated by an employee of the corps.

With the following committee amendments:

Page 1, line 5, at the end of the line, insert "Frank E. Shanks, as legal guardian of."

Line 7, strike out "$10,000" and insert "$3,500."

Line 9, after "by", strike out "the said" and insert "his minor daughter."

Page 2, after line 2, insert:

"*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FIDELITY TRUST CO. OF BALTIMORE, MD.

The Clerk called the next bill, H. R. 6819, for the payment of claims of the Fidelity Trust Co. of Baltimore, Md., and others.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SCHAFER of Wisconsin. Mr. Speaker, a similar bill has been vetoed by the President; therefore I object.

Mr. THILL. I object, Mr. Speaker.

Under the rule, the bill was recommitted to the Committee on Claims.

WILLIAM M. IRVINE

The Clerk called the next bill, H. R. 6891, for the relief of William M. Irvine.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Postmaster General be, and he is hereby, authorized and directed to pay to William M. Irvine, of Alhambra, Calif., out of the appropriation for "Clerks, first- and second-class post office, 1939," the sum of $304.05, in full and final settlement of any and all claims against the Government on account of the work performed by him as clerk in the Los Angeles Post Office between July 1 and August 25, 1938.

With the following committee amendment:

Page 1, beginning in line 3, strike out all after the enacting clause and insert the following:

"That in the audit of the accounts of the postmaster at Los Angeles, Calif., the Comptroller General of the United States is hereby authorized and directed to waive the citizenship requirements of section 5 of the act of March 28, 1938, 52 Stat. 148, as to compensation earned by William M. Irvine during the period July 1 to August 25, 1938, inclusive, as a postal clerk at Los Angeles, Calif.

"SEC. 2. The postmaster at Los Angeles, Calif., is hereby authorized and directed to pay William M. Irvine, under the applicable appropriation of the Postal Service, such part of $304.05 as has not been paid him, or, having heretofore been paid to him, has been refunded by the payee, such sum representing the net amount of compensation earned by him during the period July 1 to August 25, 1938, inclusive, as a postal clerk at Los Angeles, Calif.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THOMAS BOYD

The Clerk called the next bill, H. R. 6967, for the relief of Thomas Boyd.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions and limitations of sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and

for other purposes," approved September 7, 1916, as amended, the United States Employees' Compensation Commission is hereby authorized and directed to receive and consider, when filed, the claim of Thomas Boyd for disability alleged to have been incurred by him during January of 1934, when engaged in authorized activities while an employee of the Norfolk Navy Yard at Norfolk, Va., and to determine said claim upon its merits under the provisions of said act: *Provided,* That said claim shall be filed with the United States Employees' Compensation Commission not later than 60 days after the approval of this act: *And provided further,* That no benefits shall accrue prior to the approval of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANK HALL

The Clerk called the next bill, H. R. 7283, for the relief of Frank Hall.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frank Hall, of New Paris, Ohio, the sum of $7,073.85. Such sum represents and shall be in full settlement of all claims against the United States for loss incurred in the destruction by fire of real and chattel property on or about February 18, 1939, said fire resulting from actions of an agent or agents of the Soil Conservation Service, United States Department of Agriculture: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, after "of", strike out "$7,073.85" and insert "$5,844.29."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

J. MONTROSE EDREHI

The Clerk called the next bill, H. R. 7608, for the relief of J. Montrose Edrehi.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller of the United States be, and he is hereby, authorized and directed to settle and allow the claim of J. Montrose Edrehi for compensation for services rendered as United States commissioner in the northern district of Florida from April 1, 1936, to June 30, 1938, inclusive, notwithstanding the fact that accounts therefor were not submitted by the commissioner within 1 year after the rendition of such services in accordance with the provisions of the act of March 1, 1933 (47 Stat. 1383).

With the following committee amendment:

Page 1, after line 2, strike out all after the enacting clause and insert the following:

"That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. Montrose Edrehi the sum of $517.30, in full settlement of all claims against the United States for services rendered by the said J. Montrose Edrehi as United States commissioner for the northern district of Florida for the period beginning May 1, 1936, and ending April 30, 1938: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANNA T. SIFFERMAN VARGA

The Clerk called the next bill, H. R. 7821, for the relief of Anna T. Sifferman Varga.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Anna T. Sifferman Varga, formerly a clerk in the American Consulate General at Munich, Germany, the sum of $240, in full settlement of all claims against the Government of the United States for expenses incurred in shipping her personal effects to the United States in May 1939: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

R. F. BRAZELTON

The Clerk called the next bill, H. R. 7826, for the relief of R. F. Brazelton.

There being no objection, the Clerk read the bill, as follows:

Whereas in October 1933 the Government announced it would make loans on the basis of 10 cents per pound to producers on cotton stored in warehouses approved by the Reconstruction Finance Corporation and the Commodity Credit Corporation; and

Whereas in pursuance of this policy and authority, the Commodity Credit Corporation contracted for a certain brick warehouse from J. E. McCoy & Son, located at Kingsland, Cleveland, County, Ark., which warehouse was approved by the said Commodity Credit Corporation and the Reconstruction Finance Corporation, and notice of its approval as a Government warehouse for the storage of cotton for loans by producers in that section was duly given and farmers desiring loans were advised to store their cotton in said warehouse; and

Whereas on the 2d day of November 1933, being the first day said warehouse was open to receive cotton for storage, seven bales were stored therein by R. F. Brazelton seeking a loan from said Commodity Credit Corporation, which bales were weighed and receipted for; and

Whereas in the early morning of November 3, 1933, said warehouse and its contents, including the seven bales of cotton belonging to the said R. F. Brazelton stored therein and receipted for, were burned and totally destroyed; and

Whereas it has been determined that the said R. F. Brazelton should be compensated by the Government of the United States on the basis of 10 cents per pound: Therefore

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, $360 for the loss of 3,600 pounds of cotton (seven bales).

SEC. 2. That such payment shall be received in full settlement by the said R. F. Brazelton for the loss sustained by him by reason of the cotton having been destroyed by fire while stored in said warehouse, and the sum of $360 is hereby appropriated for the purpose of carrying out the provisions of this act.

With the following committee amendment:

Beginning on page 1, strike out the preamble and all after the enacting clause and insert the following:

"That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $360 to R. F. Brazleton of New Edinburg, Ark., in full settlement of all claims against the United States for the loss of 3,600 pounds of cotton (7 bales), said cotton having been destroyed by fire while stored in a warehouse approved by the Reconstruction Finance Corporation and the Commodity Credit Corporation: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARY D. BRIGGS AND SIMEON G. RIGOR

The Clerk called the next bill, H. R. 7858, for the relief of Mary D. Briggs and Simeon G. Rigor.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States is hereby authorized and directed to credit the account of Mary D. Briggs, postmaster at Los Angeles, Calif., in the amount of $114.91, representing compensation in part paid, and in part to be paid, to Simeon G. Rigor and earned by the latter while employed as a temporary substitute clerk in the post office at Los Angeles, Calif., disallowance of the amount having been based upon a legal prohibition resulting from lack of proof of citizenship.

SEC. 2. The postmaster at Los Angeles, Calif., is authorized and directed to pay to Simeon G. Rigor the balance due him of $53.88 for services rendered, such amount being incorporated in the amount stated in section 1 of this act.

With the following committee amendment:

Page 2, line 5, after the word "Act", insert the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SIMON A. BRIEGER

The Clerk called the next bill, H. R. 7914, for the relief of Simon A. Brieger, as legal representative of the estate of Thomas Gerald Brieger, a deceased minor.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Simon A. Brieger, of Mississippi, as legal representative of the estate of Thomas Gerald Brieger, a deceased minor, the sum of $2,500. The payment of such sum shall be in full settlement of all claims against the United States on account of the death of the said Thomas Gerald Brieger, who was fatally injured on March 14, 1939, in Lauderdale County, Miss., by a truck operated by the Work Projects Administration: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provision of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. A. R. BARNARD AND OTHERS

The Clerk called the next bill, H. R. 8097, to amend an act entitled "An act for the relief of Mrs. A. R. Barnard, Charles A. Stephens, Donald W. Prairie, and dependents of Vern A. Needles," approved July 15, 1939.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. Without objection, a similar Senate bill (S. 3307) will be considered in lieu of the House bill.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the act of July 15, 1939 (Private, No. 95, 76th Cong., 1st sess.), is amended by striking out all of that portion thereof reading "and the sum of $5,000 to Mrs. Vern A. Needles, Newport, Oreg., widow of Vern A. Needles, who, as a member of the crew of the motorboat *M. E. Sloan*, was drowned when such motorboat was capsized and destroyed as aforesaid: *Provided*," and substituting in lieu thereof "and the sum of $2,500 to Mrs. Vern A. Needles, Newport, Oreg., widow, and the sum of $2,500 to Charles V. Needles, minor son, of Vern A. Needles, who, as a member of the crew of the motorboat *M. E. Sloan*, was drowned when such motorboat was capsized and destroyed as aforesaid: *Provided*, That payment of the last-named amount shall be made to the legal guardian of Charles V. Needles, for his use and benefit: *Provided further*."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A House bill (H. R. 8097) was laid on the table.

JAMES L. KINNEY

The Clerk called the next bill, H. R. 8099, for the relief of James L. Kinney.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions and limitations of sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, the United States Employees' Compensation Commission be, and the same is hereby, authorized and directed to receive and consider, when filed, the claim of James L. Kinney for disability alleged to have been incurred by him while in the employ of the Department of Commerce, Bureau of Air Commerce, and to determine said claim upon its merits under provisions of said act: *Provided*, That claim hereunder shall be filed within 6 months after the approval of this act: *Provided further*, That no benefits shall accrue prior to the enactment of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HEIRS OF LT. WILLIAM LEE CLEMMER, COAST GUARD

The Clerk called the next bill, H. R. 8722, for the relief of the heirs of Lt. William Lee Clemmer, Coast Guard.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. Without objection, a similar Senate bill (S. 3487) will be considered in lieu of the House bill.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to transfer to H. Adria Clemmer, widow, and to the legal guardian of Constance N. Clemmer and William L. Clemmer, minor children of Lt. William Lee Clemmer (deceased), United States Coast Guard, by means of an appropriate legal instrument, the right, title, and interest of the United States over and above the license rights to be reserved under the appended proviso, in and to a certain invention made by the said Lt. William Lee Clemmer and consisting of new and useful improvements in method and means for determining vertical angles of energy waves, for which application has been made to the Commissioner of Patents for the grant of letters patent of the United States under the act of March 3, 1883 (22 Stat. 625), as amended by the act of April 30, 1928 (45 Stat. 467; U. S. C., title 35, sec. 45), such application having been executed April 30, 1937, and filed May 26, 1937, being designated as Serial No. 144,871: *Provided, however*, That such legal instrument shall reserve to the Government of the United States, in all departments, independent establishments, and corporate and other agencies thereof, a nonexclusive, irrevocable, and nontransferable royalty-free license to make, to have made for it, to use, to practice, to maintain in repair, and to sell as surplus and condemned material, or otherwise as provided by law, any and all devices, methods, and inventions disclosed or claimed in the said application, or in any divisions or continuations thereof or substitutes therefor, under and for the full term or terms of any United States letters patent which may be granted on said application or on any divisions, extensions, continuations, or reissues thereof or substitutes therefor; and shall reserve to the Government of the United States as represented by the Secretary of the Treasury the irrevocable and exclusive right to prosecute any above referred to application, together with the full power of substitution and revocation of powers of attorney therein, including the right to make alterations and amendments to any said application, to transact all business in the Patent Office connected therewith, and to prosecute, conduct, and make adjustments and settlements of any interferences or other actions or proceedings that any such application may encounter or in which any such application may become involved.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A House bill (H. R. 8722) was laid on the table.

LAMBORN & CO.

The Clerk called the next bill, H. R. 5937, to confer jurisdiction on the Court of Claims to hear and determine the claim of Lamborn & Co.

Mr. SCHAFER of Wisconsin and Mr. THILL objected, and, under the rule, the bill was recommitted to the Committee on Claims.

Mr. COSTELLO. Mr. Speaker, I move to dispense with further proceedings under the call of the Private Calendar.

The motion was agreed to.

BILLS PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 7543. An act to authorize the Secretary of the Navy to accept real estate granted to the United States by the city of Miami, Fla., and for other purposes;

H. R. 7737. An act to amend the Judicial Code by adding a new section thereto, designated as section 266a, to provide for intervention by States in certain cases involving the validity of the exercise of any power by the United States, or any agency thereof, or any officer or employee thereof, and for other purposes; and

H. R. 9140. An act to authorize the Secretary of the Navy to acquire land at Key West, Fla.

ADJOURNMENT

Mr. COSTELLO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 50 minutes p. m.) the House adjourned until tomorrow, Thursday, May 30, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce on Thursday, May 30, 1940, at 10 a. m.

Business to be considered: To continue hearings on S. 280 and H. R. 145, motion pictures. The opposition will continue.

COMMITTEE ON MINES AND MINING

The Subcommittee on Mines and Mining that was appointed to consider S. 2420 will continue hearings on Friday, May 31, 1940, at 10 a. m., in the committee rooms in the New House Office Building.

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds Thursday, May 30, 1940, at 10:30 a. m., for the consideration of House Joint Resolution 472.

COMMITTEE ON THE JUDICIARY

On Monday, June 3, 1940, the Special Subcommittee on Bankruptcy and Reorganization of the Committee on the Judiciary will hold a hearing on the bill, H. R. 9864, amending the Bankruptcy Act with respect to the basis of property and excluding certain corporations from the provisions of chapter XI. The hearing will be held in the Judiciary Committee room, 346 House Office Building, and will begin at 10 a. m.

COMMITTEE ON INVALID PENSIONS

There will be a meeting of the Committee on Invalid Pensions on Monday, June 3, 1940, at 10:30 a. m., in room 247, House Office Building, for the purpose of considering H. R. 7899, entitled "A bill extending the provisions of pension laws relating to Indian War veterans to members of Companies E and F, Frontier Battalion, Texas Rangers, and for other purposes," and H. R. 8030, entitled "A bill granting pensions to certain former members of the organizations known as the Spring Creek Company of South Dakota Volunteers."

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1685. A letter from the Archivist of the United States, transmitting a list of papers recommended for disposition by the clerk, United States District Court of South Dakota; to the Committee on the Disposition of Executive Papers.

1686. A letter from the Archivist of the United States, transmitting a list of still photographic film recommended for disposition; to the Committee on the Disposition of Executive Papers.

1687. A letter from the Archivist of the United States, transmitting a list of papers recommended for disposition by the Civil Aeronautics Authority; to the Committee on the Disposition of Executive Papers.

1688. A letter from the Archivist of the United States, transmitting a list of papers recommended for disposition by the Panama Canal; to the Committee on the Disposition of Executive Papers.

1689. A letter from the Archivist of the United States, transmitting a list of papers recommended for disposition by the Interstate Commerce Commission; to the Committee on the Disposition of Executive Papers.

1690. A letter from the Archivist of the United States, transmitting a list of papers recommended for disposition by the General Accounting Office; to the Committee on the Disposition of Executive Papers.

1691. A letter from the Archivist of the United States, transmitting a list of papers recommended for disposition by the Department of Commerce; to the Committee on the Disposition of Executive Papers.

1692. A letter from the Archivist of the United States, transmitting lists of papers recommended for disposition by the Department of Agriculture; to the Committee on the Disposition of Executive Papers.

1693. A letter from the Archivist of the United States, transmitting a list of papers recommended for disposition by the Department of the Interior; to the Committee on the Disposition of Executive Papers.

1694. A letter from the Archivist of the United States, transmitting a list of papers recommended for disposition by the Department of the Navy; to the Committee on the Disposition of Executive Papers.

1695. A letter from the Archivist of the United States, transmitting a list of papers recommended for disposition by the United States attorney for the northern district of Illinois, with the approval of the Department of Justice; to the Committee on the Disposition of Executive Papers.

1696. A letter from the Secretary of War, transmitting a draft of a proposed bill to authorize the transfer of the Arlington Farm, Va., from the jurisdiction of the Department of Agriculture to the Department of the Interior and the War Department, and for other purposes; to the Committee on Agriculture.

1697. A letter from the Attorney General, transmitting a draft of a proposed bill to require registration of all firearms in the United States and a record of their transfers, accompanied by the imposition of a nominal tax on each transfer; to the Committee on Ways and Means.

1698. A letter from the Attorney General, transmitting a draft of a proposed bill for the relief of Ray C. McMillen with accompanying papers; to the Committee on Claims.

1699. A communication from the President of the United States, transmitting deficiency estimates of appropriations for the District of Columbia for the fiscal year 1939 and prior fiscal years in the amount of $74,990.16, and supplemental estimates of appropriations for the fiscal years 1940 and 1941 in the amount of $400,740.47; in all, $475,730.63 (H. Doc. No. 791); to the Committee on Appropriations and ordered to be printed.

1700. A communication from the President of the United States, transmitting an estimate of appropriation, submitted by the Commissioners of the District of Columbia, to settle claims and suits against the District of Columbia amounting to $400 (H. Doc. No. 792); to the Committee on Appropriations and ordered to be printed.

1701. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year ending June 30, 1940, to remain available until expended, for the War Department, for acquisition of land, amounting to $76,750 (H. Doc. No. 793); to the Committee on Appropriations and ordered to be printed.

1702. A communication from the President of the United States, transmitting a draft of a proposed provision pertaining to the existing appropriations of the War Department for construction of buildings, utilities, and appurtenances at

military posts (H. Doc. No. 794); to the Committee on Appropriations and ordered to be printed.

1703. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the National Advisory Committee for Aeronautics for the fiscal year 1941, amounting to $1,200,000, to be available immediately (H. Doc. No. 795); to the Committee on Appropriations and ordered to be printed.

1704. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Council of National Defense in the amount of $1,000,000 to be immediately available and to remain available until expended in accordance with the provisions of section 2 of the act of August 29, 1916 (H. Doc. No. 790); to the Committee on Appropriations and ordered to be printed.

1705. A letter from the Chairman, Reconstruction Finance Corporation, transmitting a report on the activities and expenditures of the Reconstruction Finance Corporation for the month of April 1940 (H. Doc. No. 796); to the Committee on Banking and Currency and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. DEMPSEY: Committee on Rules. House Resolution 502. Resolution to amend rule XXXV of the Rules of the House of Representatives; without amendment (Rept. No. 2334). Referred to the House Calendar.

Mr. WEAVER: Committee on the Judiciary. S. 2262. An act to provide for a change in the time for holding court at Rock Hill and Spartanburg, S. C.; without amendment (Rept. No. 2335). Referred to the Committee of the Whole House on the state of the Union.

Mr. LANHAM: Committee on Public Buildings and Grounds. H. R. 9063. A bill authorizing the Secretary of the Treasury to transfer certain property in San Francisco, Calif., to the city and county of San Francisco for street purposes; with amendment (Rept. No. 2337). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. H. R. 9896. A bill to authorize appropriations for construction at military posts, and for other purposes; without amendment (Rept. No. 2338). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. H. R. 9897. A bill to authorize the acquisition of additional land for military purposes; without amendment (Rept. No. 2339). Referred to the Committee of the Whole House on the state of the Union.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 9149. A bill to amend the act of March 3 1927, entitled "An act granting pensions to certain soldiers who served in the Indian wars from 1817 to 1898, and for other purposes"; without amendment (Rept. No. 2340). Referred to the Committee of the Whole House on the state of the Union.

Mr. STEAGALL: Committee on Banking and Currency. S. 1964. An act to amend section 5136 of the Revised Statutes, as amended, to authorize charitable contributions by national banking associations; without amendment (Rept. No. 2341). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. MASON: Committee on Immigration and Naturalization. H. R. 4357. A bill for the relief of Felix Frank, his wife, Sarah, and children, Jacob and Pauline; with amendment (Rept. No. 2331). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 5218. A bill for the relief of Giacoma Cicila; without amendment (Rept. No. 2332). Referred to the Committee of the Whole House.

Mr. MASON: Committee on Immigration and Naturalization. H. R. 6333. A bill for the relief of Mary Alexina McKinnon; without amendment (Rept. No. 2333). Referred to the Committee of the Whole House.

Mr. TALLE: Committee on Immigration and Naturalization. H. R. 8304. A bill for the relief of Mrs. O. A. Danneberger; without amendment (Rept. No. 2336). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of Missouri:

H. R. 9944. A bill to establish a national home defense force, and for other purposes; to the Committee on Military Affairs.

By Mr. BLOOM:

H. R. 9945. A bill to amend section 2 of the act of April 13, 1938, entitled "An act to provide for a flowage easement on certain ceded Chippewa Indian lands bordering Lake of the Woods, Warroad River, and Rainy River, Minn., and for other purposes"; to the Committee on Foreign Affairs.

By Mr. CREAL:

H. R. 9946. A bill to permit the reappointment of postmasters on military reservations; to the Committee on the Post Office and Post Roads.

By Mr. KEOGH:

H. R. 9947. A bill to repeal obsolete statutes and to improve the United States Code; to the Committee on Revision of the Laws.

By Mrs. CLARA G. McMILLAN:

H. R. 9948. A bill to provide for the designation of an individual domicile and residence when making income-tax returns; to the Committee on Ways and Means.

By Mr. SMITH of Washington:

H. R. 9949. A bill authorizing an appropriation for the establishment and development of a naval air and seaplane base at Grays Harbor, Wash.; to the Committee on Naval Affairs.

H. R. 9950. A bill authorizing an appropriation for the establishment and development of a naval air and seaplane base at Willapa Harbor, Wash.; to the Committee on Naval Affairs.

By Mr. EDELSTEIN:

H. R. 9951. A bill to provide workmen's compensation for employees of carriers engaged in interstate transportation by motor vehicles, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BOEHNE:

H. R. 9952. A bill authorizing the Indiana State Toll Bridge Commission to construct, maintain, and operate a toll bridge across the Wabash River at or near Mount Vernon, Posey County, Ind.; to the Committee on Interstate and Foreign Commerce.

By Mr. CELLER:

H. R. 9953. A bill to establish certain rights for combat veterans of wars of the United States; to the Committee on World War Veterans' Legislation.

H. R. 9954. A bill to amend section 7 of the act of May 14, 1930 (46 Stat. 326; U. S. C., title 18, sec. 753f);, relating to places of confinement and transfers of persons convicted of an offense against the United States; to the Committee on the Judiciary.

By Mr. LEA:

H. R. 9955. A bill to provide for the more uniform coverage of certain persons employed in coal-mining operations with respect to insurance benefits provided for by certain Federal acts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROGERS of Oklahoma:

H. R. 9956. A bill to provide an old-age pension for the citizens of the United States; to the Committee on Ways and Means.

By Mr. COOLEY:

H. R. 9957. A bill relating to the reconcentration of cotton by the Commodity Credit Corporation; to the Committee on Agriculture.

By Mr. STEAGALL:

H. R. 9958. A bill to authorize the purchase by the Reconstruction Finance Corporation of stock of Federal home-loan banks; to amend the Reconstruction Finance Corporation Act, as amended; and for other purposes; to the Committee on Banking and Currency.

By Mr. VINCENT of Kentucky:

H. R. 9959. A bill to provide for the completion of the Mammoth Cave National Park in the State of Kentucky, and for other purposes; to the Committee on the Public Lands.

By Mr. DINGELL:

H. J. Res. 554. Joint resolution making appropriations for improvement of airports; to the Committee on Appropriations.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of New Jersey, memorializing the President and the Congress of the United States to consider their Assembly Concurrent Resolution No. 19, with reference to national-defense program; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. EBERHARTER:

H. R. 9960. A bill to record the lawful admission to the United States for permanent residence of Anton Seles; to the Committee on Immigration and Naturalization.

By Mr. LARRABEE:

H. R. 9961. A bill granting a pension to Martha E. Wilburn; to the Committee on Invalid Pensions.

By Mr. POWERS:

H. R. 9962. A bill for the relief of Rudolph Oliver Eppler; to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8493. By Mr. BREWSTER: Petition of members of Penobscot Tribe of Indians of Indian Island, signed by 375 urging construction of a bridge between Indian Island and Old Town; to the Committee on Military Affairs.

8494. By Mr. LUTHER A. JOHNSON: Petition of Tom J. Anderson, post commander; J. M. Flanagan, adjutant; Llewellyn Notley, service officer of the W. A. Harrison Post, No. 238, American Legion, Teague, Tex., favoring the administration's defense program, also repeal of legislation preventing shipment of material to the Allies, etc.; to the Committee on Military Affairs.

8495. By Mr. MARTIN J. KENNEDY: Petition of the Metropolitan League of Savings and Loan Associations, New York City, urging support of House bill 6971, concerning the thrift and home-financing needs of the citizens of this country; to the Committee on Banking and Currency.

8496. Also, petition of Robert Gair Co., Inc., New York City, expressing opposition to Senate bill 1970 which, in their opinion, is in direct opposition to the President's "anti-fifth column" program; to the Committee on Labor.

8497. By Mr. PFEIFER: Petition of the International Association of Machinists, National Lodge No. 556, Government employees, Brooklyn, N. Y., opposing any change in the Walsh-Healey Act; to the Committee on Labor.

8498. By Mr. SCHWERT: Resolution of the executive committee of Association of State Civil Service Employees, pertaining to national defense and other matters relating to the war abroad; to the Committee on Foreign Affairs.

8499. By Mr. TOLAN: Joint resolution of the Senate and the Assembly of the State of California, protesting the proposed attack upon the title of the State of California to its tide, submerged, and overflowed lands; to the Committee on the Judiciary.

8500. By Mr. VREELAND: Petition of the State of New Jersey; to the Committee on Military Affairs.

8501. By the SPEAKER: Petition of the Club Femina, San Mateo, Calif., petitioning consideration of their resolution with reference to aid to Europe; to the Committee on Foreign Affairs.

8502. Also, petition of the International Workers Order, San Diego, Calif., petitioning consideration of their resolution with reference to the Dies committee; to the Committee on Rules.

8503. Also, petition of the Warehouse Union, District 1, Local 6, International Longshoremen and Warehousemen's Union, San Francisco, Calif., petitioning consideration of their resolution with reference to a bill to deport Harry Bridges; to the Committee on Immigration and Naturalization.

8504. Also, petition of the United Construction Workers, Local 66, Sacramento, Calif., petitioning consideration of their resolution with reference to a bill to deport Harry Bridges; to the Committee on Immigration and Naturalization.

8505. Also, petition of the International Union, United Automobile Workers of America, Saginaw, Mich., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8506. Also, petition of the Washington Industrial Union Council, Congress of Industrial Organizations, Washington, D. C., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8507. Also, petition of the Women's Auxiliary, No. 11, United Automobile Workers of America, Congress of Industrial Organizations, Local 157, West Side Tool and Die, petitioning consideration of their resolution with reference to antialien bills; to the Committee on Immigration and Naturalization.

8508. Also, petition of the United Rubber Workers of America, Local 100, Los Angeles, Calif., petitioning consideration of their resolution with reference to a bill to deport Harry Bridges; to the Committee on Immigration and Naturalization.

8509. Also, petition of the National Aviation Day Association, Inc., Washington, D. C., petitioning consideration of their resolution with reference to aircraft and national defense; to the Committee on Military Affairs.

8510. Also, petition of the City Council of Baltimore, Baltimore, Md., petitioning consideration of their resolution with reference to the national-defense program; to the Committee on Military Affairs.

SENATE

THURSDAY, MAY 30, 1940

(Legislative day of Tuesday, May 28, 1940)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Thou God of all the ages, who art the God not of the dead but of the living, we thank Thee for all those who, having finished their course in faith, do now rest from their labors, especially those by whose spirits we are challenged to rededicate ourselves to the service, honor, and welfare of our country. May we never forget that, though the wildest strains of martial music are carried away on the wings of the wind, the wordless courage of the fallen hero will mark the spot, so long as time shall last, where pilgrims of every race and

creed will come to linger, if but for a moment, in the spirit of reverent devotion. Reveal to us on this day of days, when quickened memory evokes our tribute of respect, that, while vanity and pretense may flourish for a day, the greatness of our Nation depends not upon wealth or birth but upon those citizens whose industry and character are their only titles, and that there can be no lasting triumph save that which is founded upon truth—truth between man and man, truth between nation and nation, truth between men and nations and their God.

In the spirit of humility we pray that we may be worthy of our heritage. Through Jesus Christ, our Lord. Amen.

THE JOURNAL

On request of Mr. GEORGE, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Wednesday, May 29, 1940, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 1239. An act for the relief of Priscilla M. Noland;

S. 1289. An act for the relief of the city of Leavenworth, Kans.;

S. 1445. An act for the relief of Bruno Arena;

S. 1474. An act for the relief of Thomas G. Abbitt;

S. 1839. An act for the relief of Le Roy Breithaupt;

S. 1942. An act for the relief of the legal representatives of Anna Barbara Kosick, deceased;

S. 2199. An act for the relief of Isadore J. Friedman;

S. 2234. An act for the relief of Walter R. Maguire;

S. 2268. An act for the relief of Roxie Richardson;

S. 2419. An act for the relief of Walter J. Hogan and W. R. Larkin, in connection with the construction, operation, and maintenance of the Fort Hall Indian irrigation project, Idaho;

S. 2572. An act for the relief of Anna M. Shea;

S. 2667. An act for the relief of Mr. and Mrs. John W. Finley;

S. 2798. An act for the relief of Charles H. Parr;

S. 3071. An act for the relief of Luther Devoe;

S. 3073. An act for the relief of Verle S. Ward;

S. 3091. An act for the relief of Barnet Warren;

S. 3092. An act for the relief of Maj. John R. Holt;

S. 3233. An act for the relief of C. T. Jensen;

S. 3304. An act for the relief of J. Frank Kuner, private, uniformed force, United States Secret Service;

S. 3307. An act to amend an act entitled "An act for the relief of Mrs. A. R. Barnard, Charles A. Stephens, Donald W. Prairie, and dependents of Vern A. Needles," approved July 15, 1939;

S. 3328. An act for the relief of Dorothy Crossing;

S. 3487. An act for the relief of the heirs of Lt. William Lee Clemmer, Coast Guard; and

S. 3789. An act for the relief of the Eberhart Steel Products Co., Inc.

The message also announced that the House had passed the following bills of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 920. An act conferring jurisdiction upon the United States District Court for the District of Montana to hear, determine, and render judgment upon the claim of the estate of Joseph Mihelich;

S. 1649. An act for the relief of Alan C. Winter, Jr., and Elizabeth Winter; and

S. 2083. An act conferring jurisdiction upon the United States District Court for the District of New Jersey to hear, determine, and render judgment upon the claims of Parker McKee, Sr., and Louise McKee.

The message further announced that the House had passed the bill (S. 2132) for the relief of Katherine Scott, Mrs. J. H. Scott, Jettie Stewart, and Ruth Mincemeyer, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8745) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1941, and for other purposes; that the House had receded from its disagreement to the amendments of the Senate numbered 6, 9, 11, 12, 33, 35, 37, 47, 51, 59, 60, 70, 72, 80, 84, 87, 89, 90, 91, and 99 to the bill, and concurred therein; that the House had receded from its disagreement to the amendments of the Senate numbered 18, 34, 50, 63, 64, 69, 85, 100, 101, and 111 to the bill, and concurred therein severally with an amendment, in which it requested the concurrence of the Senate, and that the House insisted upon its disagreement to the amendments of the Senate numbered 95 and 110 to the bill.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 775. An act for the relief of W. M. Hurley and Joe Whitson;

H. R. 1167. An act for the relief of the Black Hills Methodist Hospital of Rapid City, S. Dak.;

H. R. 1178. An act for the relief of Lester R. Taylor;

H. R. 1846. An act for the relief of Malachy Ryan;

H. R. 2078. An act conferring jurisdiction upon the United States District Court for the Eastern District of Oklahoma to hear, determine, and render judgment upon the claim of D. X. Sanders;

H. R. 2083. An act for the relief of Dan Yancey;

H. R. 2106. An act for the relief of Charles Flack;

H. R. 2151. An act for the relief of James P. Bruce, Jr.;

H. R. 2214. An act for the relief of M. Grace Murphy, administratrix of the estate of John H. Murphy, deceased;

H. R. 2286. An act for the relief of Wasyl Kulmatycki;

H. R. 2354. An act for the relief of S. T. Enloe;

H. R. 2513. An act for the relief of C. B. Reagh;

H. R. 2628. An act for the relief of John Engblom;

H. R. 2901. An act conferring jurisdiction upon the United States District Court for the Middle District of Georgia to hear, determine, and render judgment upon the claim of Geraldine Ash;

H. R. 2946. An act for the relief of Naoma Kinder, a minor;

H. R. 3142. An act for the relief of Leland G. Myers;

H. R. 3163. An act for the relief of Rose Bilaitis;

H. R. 3964. An act for the relief of H. S. Wayman;

H. R. 3976. An act for the relief of Violet Knowlen, a minor;

H. R. 4113. An act for the relief of Maude Sullivan;

H. R. 4142. An act for the relief of Mary Reid Hudson;

H. R. 4801. An act for the relief of Mary Camastro, a minor;

H. R. 4971. An act for the relief of Annie Brown;

H. R. 5297. An act for the relief of Stanley V. Smith;

H. R. 5303. An act for the relief of Solomon Brown;

H. R. 5365. An act for the relief of John J. Murphy;

H. R. 5424. An act for the relief of Mrs. E. J. McCardle;

H. R. 5464. An act for the relief of Don E. Hicks;

H. R. 5571. An act for the relief of Minnie Lowery and Winell Lowery;

H. R. 5592. An act for the relief of Vernon Atkison;

H. R. 5771. An act for the relief of Louis St. Jacques;

H. R. 5776. An act for the relief of Albert DePonti;

H. R. 5823. An act for the relief of Morrissey Construction Co.;

H. R. 5930. An act for the relief of Raymond C. Knight;

H. R. 6061. An act for the relief of Hazel Thomas;

H. R. 6095. An act for the relief of Wilbur P. Riddlesbarger and Josephine Riddlesbarger;

H. R. 6212. An act for the relief of Nannie May Blythe and Claudia Blythe;

H. R. 6215. An act for the relief of John E. Avery;

H. R. 6548. An act for the relief of Isobell Shanks;

H. R. 6553. An act for the relief of the Pennsylvania State College;

H. R. 6598. An act for the relief of Charles H. Upton;

H. R. 6605. An act for the relief of Louis A. Charland;

H. R. 6686. An act for the relief of T. Jack Neal;

H. R. 6822. An act for the relief of Eliza Warren and George T. Warren;

H. R. 6845. An act for the relief of Anthony Borsellino;

H. R. 6891. An act for the relief of William M. Irvine;

H. R. 6967. An act for the relief of Thomas Boyd;

H. R. 7173. An act for the relief of Walter Chwalek;

H. R. 7283. An act for the relief of Frank Hall;

H. R. 7608. An act for the relief of J. Montrose Edrehi;

H. R. 7821. An act for the relief of Anna T. Sifferman Varga;

H. R. 7826. An act for the relief of R. F. Brazelton;

H. R. 7843. An act for the relief of Clifford J. Williams;

H. R. 7858. An act for the relief of Mary D. Briggs and Simeon G. Rigor;

H. R. 7861. An act conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of Hannah S. Bray, Jane Bickers, and Frances Bickers;

H. R. 7914. An act for the relief of Simon A. Brieger, as legal representative of the estate of Thomas Gerald Brieger, a deceased minor;

H. R. 8096. An act for the relief of certain disbursing officers of the Army of the United States and for the settlement of the individual claims approved by the War Department;

H. R. 8099. An act for the relief of James L. Kinney;

H. R. 8429. An act for the relief of Maj. L. P. Worrall, and for other purposes; and

H. R. 8868. An act conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Bolinross Chemical Co., Inc.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Davis	Lodge	Sheppard
Ashurst	Donahey	Lucas	Shipstead
Austin	Ellender	Lundeen	Slattery
Bailey	George	McCarran	Smathers
Bankhead	Gerry	McKellar	Smith
Barbour	Gibson	McNary	Stewart
Barkley	Gillette	Maloney	Taft
Bilbo	Guffey	Mead	Thomas, Idaho
Bone	Gurney	Miller	Thomas, Okla.
Bridges	Hale	Minton	Thomas, Utah
Brown	Harrison	Murray	Townsend
Bulow	Hatch	Neely	Truman
Burke	Hayden	Norris	Tydings
Byrd	Herring	Nye	Vandenberg
Byrnes	Hill	O'Mahoney	Van Nuys
Capper	Holman	Overton	Wagner
Caraway	Holt	Pepper	Walsh
Chandler	Hughes	Pittman	Wheeler
Chavez	Johnson, Calif.	Radcliffe	White
Clark, Idaho	Johnson, Colo.	Reynolds	Wiley
Clark, Mo.	King	Russell	
Connally	La Follette	Schwartz	
Danaher	Lee	Schwellenbach	

Mr. MINTON. I announce that the Senator from Rhode Island [Mr. GREEN] is unavoidably detained from the Senate.

The Senator from California [Mr. DOWNEY] is absent on official business for the Committee on Banking and Currency.

The Senator from Florida [Mr. ANDREWS], the Senator from Virginia [Mr. GLASS], and the Senator from Kentucky [Mr. BARKLEY] are necessarily detained.

Mr. AUSTIN. I announce that the Senator from Kansas [Mr. REED] is absent on official business for the Committee Investigating Campaign Expenditures.

The Senator from North Dakota [Mr. FRAZIER] is necessarily absent.

The VICE PRESIDENT. Eighty-nine Senators have answered to their names. A quorum is present.

APRIL REPORT OF RECONSTRUCTION FINANCE CORPORATION

The VICE PRESIDENT laid before the Senate a report from the Chairman of the Reconstruction Finance Corporation for the month of April 1940, submitted pursuant to law, relative to the activities and expenditures of the Corporation, including a statement of loan and other authorizations made during the month, etc., which, with the accompanying papers, was referred to the Committee on Banking and Currency.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a resolution of Wilbur Wright Federal Hangar No. 1, National Aviation Day Association, Washington, D. C., commending Members of Congress for their realization of the importance and necessity for the development of aircraft in the scheme of national defense, and pledging assistance in every way to protect the Nation and make it safe against all enemies, external and internal, which was referred to the Committee on Military Affairs.

Mr. WALSH presented a petition of sundry citizens of the State of Massachusetts, praying for the enactment of the bill (S. 3910) to authorize the Administrator of Veterans' Affairs to furnish domiciliary and hospital care and medical treatment to World War veterans of the United States merchant marine, and for other purposes, which was referred to the Committee on Finance.

Mr. CAPPER presented a resolution of the executive committee of the Kansas Independent Oil & Gas Association, Wichita, Kans., protesting against the enactment of the bill (S. 3753) to amend the Interstate Commerce Act, as amended, relative to pipe-line companies, which was referred to the Committee on Interstate Commerce.

AIRPORT AT NEWARK, N. J.—RESOLUTION OF THE NEW JERSEY LEGISLATURE

Mr. BARBOUR. Mr. President, I send to the desk and ask to have printed in the CONGRESSIONAL RECORD a concurrent resolution of the New Jersey Legislature asking that the United States investigate and consider the feasibility of acquiring control of the Newark Airport in connection with the development of the national-defense program. I also ask unanimous consent that the resolution be referred to the Committee on Commerce; and I trust that when the Secretary of War receives the certified copy of this resolution, which, as will be noted, is being transmitted to him by the secretary of state of New Jersey, he will give it his most careful and favorable attention and consideration.

The VICE PRESIDENT. Without objection, the resolution will be received and referred as requested.

The concurrent resolution of the New Jersey Legislature was referred to the Committee on Commerce, as follows:

An assembly concurrent resolution memorializing Congress of the United States and the War Department of the United States to investigate the conditions at Newark Airport, Newark, N. J., and the feasibility of this airport being placed under Government control as an integral part of the United States national-defense program

Whereas the President of the United States has requested that Congress make available a large emergency appropriation for the purpose of expanding the national defenses of the United States; and

Whereas Newark Airport, Newark, N. J., a municipally owned airfield, is one of the largest airfields in the country and is in the center of the metropolitan district of the East; and

Whereas the Newark, N. J., municipal authorities have announced the proposed closing of the control tower at Newark Airport due to failure of commercial air lines to adequately compensate the city of Newark; and

Whereas the closing of this control tower means practically the cessation of commercial aviation at this large airfield and the eventual decay of the field; and

Whereas it is the belief of the citizens of New Jersey that this airfield should be an integral part of the air-defense program for the New York and New Jersey metropolitan area: Now, therefore, be it

Resolved by the House of Assembly of the State of New Jersey (the senate concurring)—

1. That the Congress of the United States and the War Department of the United States be urged to investigate immediately the conditions at Newark Airport and the feasibility of this airport being placed under Government control as an integral part of the expansion program of national defense now under consideration, and that the city of Newark be adequately compensated for the transfer of the airfield and its facilities to the United States Government; and

2. That certified copies of this resolution be forwarded to the President of the Senate of the United States, to the Speaker of the House of Representatives, to each Member therein representing the State of New Jersey, and to the Secretary of War.

REPORTS OF COMMITTEES

Mr. ELLENDER, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 3879) to amend section 15 (g) of the Agricultural Marketing Act, as amended, relating to the definition of agricultural commodity, reported it without amendment and submitted a report (No. 1723) thereon.

Mr. SHEPPARD, from the Committee on Military Affairs, to which was referred the bill (S. 3982) to authorize appropriations for construction at military posts, and for other purposes, reported it with amendments and submitted a report (No. 1724) thereon.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LEE:

S. 4071. A bill for preventing the illegal entry of aliens; to the Committee on Immigration.

By Mr. BYRD:

S. 4072. A bill for the relief of Maxie Smallwood Chapman; to the Committee on Claims.

By Mr. MINTON:

S. 4073. A bill for the relief of Fred McGarrahan; to the Committee on Military Affairs.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred to the Committee on Claims:

H. R. 775. An act for the relief of W. M. Hurley and Joe Whitson;

H. R. 1167. An act for the relief of the Black Hills Methodist Hospital, of Rapid City, S. Dak.;

H. R. 1178. An act for the relief of Lester R. Taylor;

H. R. 1846. An act for the relief of Malachy Ryan;

H. R. 2078. An act conferring jurisdiction upon the United States District Court for the Eastern District of Oklahoma to hear, determine, and render judgment upon the claim of D. X. Sanders;

H. R. 2083. An act for the relief of Dan Yancey;

H. R. 2106. An act for the relief of Charles Flack;

H. R. 2151. An act for the relief of James P. Bruce, Jr.;

H. R. 2214. An act for the relief of M. Grace Murphy, administratrix of the estate of John H. Murphy, deceased;

H. R. 2286. An act for the relief of Wasyl Kulmatycki;

H. R. 2354. An act for the relief of S. T. Enloe;

H. R. 2513. An act for the relief of C. B. Reagh;

H. R. 2628. An act for the relief of John Engblom;

H. R. 2901. An act conferring jurisdiction upon the United States District Court for the Middle District of Georgia to hear, determine, and render judgment upon the claim of Geraldine Ash;

H. R. 2946. An act for the relief of Naoma Kinder, a minor;

H. R. 3142. An act for the relief of Leland G. Myers;

H. R. 3163. An act for the relief of Rose Bilaitis;

H. R. 3964. An act for the relief of H. S. Wayman;

H. R. 3976. An act for the relief of Violet Knowlen, a minor;

H. R. 4113. An act for the relief of Maude Sullivan;

H. R. 4142. An act for the relief of Mary Reid Hudson;

H. R. 4801. An act for the relief of Mary Camastro, a minor;

H. R. 4971. An act for the relief of Annie Brown;

H. R. 5297. An act for the relief of Stanley V. Smith;

H. R. 5303. An act for the relief of Solomon Brown;

H. R. 5365. An act for the relief of John J. Murphy;

H. R. 5424. An act for the relief of Mrs. E. J. McCardle;

H. R. 5464. An act for the relief of Don E. Hicks;

H. R. 5571. An act for the relief of Minnie Lowery and Winell Lowery;

H. R. 5592. An act for the relief of Vernon Atkison;

H. R. 5771. An act for the relief of Louis St. Jacques;

H. R. 5776. An act for the relief of Albert DePonti;

H. R. 5823. An act for the relief of Morrissey Construction Co.;

H. R. 5930. An act for the relief of Raymond C. Knight;

H. R. 6061. An act for the relief of Hazel Thomas;

H. R. 6095. An act for the relief of Wilbur P. Riddlesbarger and Josephine Riddlesbarger;

H. R. 6212. An act for the relief of Nannie May Blythe and Claudia Blythe;

H. R. 6215. An act for the relief of John E. Avery;

H. R. 6548. An act for the relief of Isobell Shanks;

H. R. 6553. An act for the relief of the Pennsylvania State College;

H. R. 6598. An act for the relief of Charles H. Upton;

H. R. 6605. An act for the relief of Louis A. Charland;

H. R. 6686. An act for the relief of T. Jack Neal;

H. R. 6822. An act for the relief of Eliza Warren and George T. Warren;

H. R. 6845. An act for the relief of Anthony Borsellino;

H. R. 6891. An act for the relief of William M. Irvine;

H. R. 6967. An act for the relief of Thomas Boyd;

H. R. 7283. An act for the relief of Frank Hall;

H. R. 7608. An act for the relief of J. Montrose Edrehi;

H. R. 7821. An act for the relief of Anna T. Sifferman Varga;

H. R. 7826. An act for the relief of R. F. Brazelton;

H. R. 7843. An act for the relief of Clifford J. Williams;

H. R. 7858. An act for the relief of Mary D. Briggs and Simeon G. Rigor;

H. R. 7861. An act conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of Hannah S. Bray, Jane Bickers, and Frances Bickers;

H. R. 7914. An act for the relief of Simon A. Brieger, as legal representative of the estate of Thomas Gerald Brieger, a deceased minor;

H. R. 8099. An act for the relief of James L. Kinney; and

H. R. 8868. An act conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Bolinross Chemical Co., Inc.

SETTLEMENT OF DISPUTES WITH THE UNITED STATES—AMENDMENT

Mr. BROWN submitted an amendment intended to be proposed by him to the bill (H. R. 6324) to provide for the more expeditious settlement of disputes with the United States, and for other purposes, which was ordered to lie on the table and to be printed.

APPROPRIATIONS FOR WORK RELIEF AND RELIEF—AMENDMENTS

Mr. BARBOUR submitted an amendment intended to be proposed by him to the joint resolution (H. J. Res. 544) making appropriations for work relief and relief for the fiscal year ending June 30, 1941, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 19, lines 7 and 8, to strike out "unmarried widows of such veterans and wives of such veterans who are unemployable" and insert in lieu thereof "unremarried widows of veterans, wives of veterans, and physically handicapped persons."

Mr. BYRNES submitted an amendment proposing that, notwithstanding the provisions of any other law, the President be authorized, in his discretion and under such regulations as he may prescribe, to provide within the Civilian Conservation Corps such training of enrollees in noncombatant subjects essential to the operations of the Military and Naval Establishments as he considers may contribute materially to the interests of the national defense, etc., intended to be proposed by him to House Joint Resolution 544, making appropriations for work relief and relief, etc., which was referred to the Committee on Appropriations and ordered to be printed.

ESTATE OF JOSEPH MIHELICH, DECEASED

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 920) conferring jurisdiction upon the United States District Court for the District of Montana to hear, determine, and render judgment upon the claim of the estate of Joseph Mihelich, which was, on page 1, line 8, after the numerals "1938," to insert "the death of the said Joseph Mihelich being allegedly caused."

Mr. MURRAY. I move that the Senate concur in the House amendment.

The motion was agreed to.

PARKER M'KEE, SR., AND LOUISE M'KEE

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 2083) conferring jurisdiction upon the United States District Court for the District of New Jersey to hear, determine, and render judgment upon the claims of Parker McKee, Sr., and Louise McKee, which was, on page 1, line 8, after "Junior," to insert "allegedly."

Mr. BARBOUR. I move that the Senate concur in the House amendment.

The motion was agreed to.

MEMORIAL DAY ADDRESS BY SENATOR ADAMS

[Mr. HATCH asked and obtained leave to have printed in the RECORD an address by Senator ADAMS on the subject Memorial Day: The Obligations of the Living, which appears in the Appendix.]

NATIONAL PREPAREDNESS—ADDRESS BY SENATOR TAFT

[Mr. AUSTIN asked and obtained leave to have printed in the RECORD a radio address delivered by Senator TAFT on May 29, 1940, on the subject of national preparedness, which appears in the Appendix.]

ARTICLE BY SENATOR VANDENBERG ON RELATIONS WITH RUSSIA

[Mr. VANDENBERG asked and obtained leave to have printed in the RECORD an article written by him, published in Liberty magazine of June 8, 1940, entitled "Shall We Break With Russia?" which appears in the Appendix.]

1919 MEMORIAL DAY ADDRESS BY SENATOR LUNDEEN

[Mr. LUNDEEN asked and obtained leave to have printed in the RECORD a speech delivered by him on May 30, 1919, during the Memorial Day services at the Arlington National Cemetery, Virginia, which appears in the Appendix.]

ADDRESS BY MAJ. AL WILLIAMS ON REAL AIR POWER FOR THE DEFENSE OF THE UNITED STATES

[Mr. LUNDEEN asked and obtained leave to have printed in the RECORD a radio address by Maj. Al Williams delivered at Washington, D. C., May 29, 1940, on the subject of real air power for the defense of the United States, which appears in the Appendix.]

AIR POWER THE KEY TO NATIONAL DEFENSE

[Mr. LUNDEEN asked and obtained leave to have printed in the RECORD a statement by Admiral William S. Sims and Senator THOMAS of Oklahoma concerning air power as the key to national defense, which appears in the Appendix.]

PROCEEDINGS ON THE OCCASION OF CONFERRING DEGREE ON HON. JAMES A. FARLEY BY OGLETHORPE UNIVERSITY

[Mr. GEORGE asked and obtained leave to have printed in the RECORD the remarks of Dr. William S. Jacobs, of Houston, Tex., the citation read by President Thornwell Jacobs, of Oglethorpe University, and an address delivered by Hon. James A. Farley, Postmaster General, on the occasion of the conferring on him of the honorary degree of doctor of laws in connection with the baccalaureate exercises of Oglethorpe University at Atlanta, Ga., on May 26, 1940, which appear in the Appendix.]

TRAVELING EXPENSES OF FEDERAL OFFICIALS

[Mr. HOLT asked and obtained leave to have printed in the RECORD a letter written by him regarding traveling expenses of Federal officials, which appears in the Appendix.]

ARTICLE BY WALTER LIPPMANN ON NATIONAL DEFENSE

[Mr. AUSTIN asked and obtained leave to have printed in the RECORD an article by Walter Lippmann, published in the Washington Post of today, entitled "For the Immediate Defense of American Interests," which appears in the Appendix.]

EDITORIAL FROM CHICAGO DAILY TIMES ON PREPAREDNESS AND PARTISANSHIP

[Mr. MINTON asked and obtained leave to have printed in the RECORD an editorial from the Chicago Daily Times of May 28, 1940, entitled "Preparedness and Partisanship," which appears in the Appendix.]

EDITORIAL FROM FAIRMONT DAILY SENTINEL ON THE NATIONAL CAPITAL

[Mr. SHIPSTEAD asked and obtained leave to have printed in the RECORD an editorial from the Fairmont Daily Sentinel, Fairmont, Minn., on the National Capital, which appears in the Appendix.]

EDITORIAL FROM CHICAGO HERALD-AMERICAN ON DANGER TO THE AMERICAN SYSTEM

[Mr. SLATTERY asked and obtained leave to have printed in the RECORD an editorial from the Chicago Herald-American of May 24, 1940, entitled "American System May Be Crumbling; Happy, Carefree Days Near End," which appears in the Appendix.]

HOSPITAL CONSTRUCTION

The Senate resumed the consideration of the bill (S. 3230) to promote the national health and welfare through appropriation of funds for the construction of hospitals, which had been reported from the Committee on Education and Labor with an amendment to strike out all after the enacting clause and insert:

That this act may be cited as the "Hospital Construction Act of 1940."

SEC. 2. For the purpose of assisting States, counties, health or hospital districts, and other political subdivisions of the States in providing better health and medical services through the construction, improvement, and enlargement of needed hospitals, especially in rural communities and economically depressed areas, through grants for such purposes and to assist in the maintenance of such hospitals, and through training of personnel, there is hereby authorized to be appropriated to the Public Health Service (1) for the fiscal year ending June 30, 1941, and for each of the 5 succeeding fiscal years, the sum of $10,000,000, and (2) for each of the 5 fiscal years beginning with the fiscal year ending June 30, 1947, such sums as may be necessary for hospital-maintenance grants under this act. The amounts appropriated pursuant to the authorization contained in this section for the fiscal year ending June 30, 1942, and for succeeding fiscal years shall be used only in States which have submitted to the Surgeon General of the Public Health Service (hereinafter referred to as the "Surgeon General") State plans for constructing, improving, or enlarging needed hospitals. All amounts appropriated pursuant to the authorization contained in this section shall be available until expended.

SEC. 3. There is hereby authorized to be appropriated to the Public Health Service for the fiscal year ending June 30, 1941, and for each of the 5 succeeding fiscal years, the sum of $500,000, and thereafter such sums as may be required, for all necessary expenses of the Public Health Service in administering the provisions of this act, including the printing of forms and reports, the making of studies with respect to expanding and improving the quality of hospital facilities, and otherwise promoting the efficient administration of this act, and for the pay, allowances, and travel expenses of commissioned officers (Regular and Reserve) and other personnel of the Public Health Service assigned to duty in carrying out the purposes of this act in the District of Columbia and elsewhere.

SEC. 4. A State plan for constructing, improving, or enlarging needed hospitals shall specify—

(a) The location, character, adequacy, and methods of operation of the existing public and private hospitals in the State;

(b) The type, size, and location of any additional hospitals that may be needed to assure reasonably adequate facilities to all persons in the State; and

(c) Such other information with respect to such existing hospitals and additional needed facilities as the Surgeon General may require.

SEC. 5. There is hereby established a National Advisory Hospital Council (hereinafter referred to as the "Council") to consist of the Surgeon General as chairman, and eight members to be appointed by the Surgeon General with the approval of the Federal Security Administrator. The eight appointed members shall be selected from leading medical or scientific authorities who are outstanding in matters pertaining to hospitals and other public services. Each appointed member shall hold office for a term of 4 years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and the terms of office of the members first taking office shall expire, as designated by the Surgeon General at the time of appointment, two at the end of the first year, two at the end of the second year, two at the end of the third year, and two at the end of the fourth year after the date of the first meeting of the Council. An appointed member shall not be eligible to serve continuously for more than 4 years but shall be eligible for reappointment if he has not served as a member of the Council at any time within 12 months immediately preceding his reappointment. Each appointed member shall receive compensation at the rate of $25 per day during the time spent in attending meetings of the Council and for the time devoted to official business of the Council under this act, inclusive of travel time; and actual and necessary traveling expenses and per diem in lieu of subsistence, allowable in accordance with the Standardized Government Travel Regulations, while away from his place of residence upon official business under this act.

SEC. 6. (a) The Council is authorized to advise the Surgeon General with reference to carrying out the provisions of this act, including (1) standards which are necessary to insure the construction of proper buildings and the securing of proper equipment; (2) the method by which hospital personnel may be best trained; (3) standards and principles to be considered in connection with any State plan; (4) standards which are necessary to insure proper administration of the hospitals constructed under this act, and proper care of persons served by such hospitals; (5) standards to be considered in determining the need for hospital projects with respect to which applications are submitted in accordance with section 7, and in determining whether such projects will be adequately maintained and will otherwise fulfill the requirements of this act; (6) procedures for securing reports and for making inspections with reference to professional service in and standards of maintenance of hospitals constructed under this act; and (7) standards for making determinations under sections 10, 11, 12, and 13 of this act.

(b) The Council is authorized and directed to review and to make recommendations with respect to all applications for hospital projects on which the Surgean General may act pursuant to section 10 of this act.

SEC. 7. Any State, county, health or hospital district, or other political subdivision of a State, alone or in combination, which desires to participate in the benefits provided by this act shall make application therefor, transmitted through the State health authority, to the Surgeon General. Each such application shall contain information necessary to establish the need (in addition to existing public and private hospitals) for the hospital project to which such application relates, and shall give assurance acceptable to the Surgeon General that such hospital (a) will be made available, under appropriate conditions and to the extent of the hospital facilities, to every person residing in the territorial area of the applicant for such hospital; (b) will be maintained in good repair; and (c) will be utilized in furnishing service of satisfactory quality, in accordance with standards from time to time prescribed by the State and approved by the Surgeon General, or prior to the effective date of such standards, in accordance with standards prescribed by the Surgeon General.

SEC. 8. In carrying out the purposes of this act, the Surgeon General shall consult with other Federal health and welfare agencies and shall cooperate with them to the fullest practicable extent, and the Surgeon General is authorized, after consultation with the Council as to general policies—

(a) To conduct, assist, and foster studies and surveys with respect to needs for hospitalization and problems of hospital operation;

(b) To pass on the applications made pursuant to section 7, and in connection therewith (1) to determine the location, type, size, and equipment of hospital projects to be undertaken with funds appropriated pursuant to this act for the fiscal year ending June 30, 1941, but no hospital project shall be undertaken with such funds unless the application therefor has been reviewed and approved by the Council; (2) to determine and make recommendation for construction and equipment grants under section 11 of this act from funds appropriated pursuant to this act for fiscal years after the fiscal year ending June 30, 1941; and (3) to determine and make recommendation for hospital maintenance grants under section 12 of this act;

(c) To prescribe standards of training for personnel who will be required in connection with any such hospital project, and to assist financially such personnel in securing such required training; but the total of such assistance shall not exceed 2 percent of the amounts appropriated pursuant to the authorization contained in section 2 of this act;

(d) To cooperate with State and local health and welfare authorities and with professional agencies;

(e) To make inspections with respect to professional service in and maintenance of the hospitals constructed under this act, except that inspections of buildings may be made through the Federal Works Agency;

(f) To procure insurance on any hospital or equipment constructed or provided under section 10 of this act. Such insurance shall be in such amounts, against such risks, and with such insurers as the Surgeon General may deem expedient. He may pay the cost of such insurance out of any funds available for maintenance under this act and he may require in the lease of any hospital that the lessee shall pay such costs;

(g) To make, from time to time, such rules and regulations as may be necessary to carry out the purposes of this act, including rules and regulations (1) prescribing standards of personnel, maintenance, and operation of hospitals constructed under this act, and requiring reports to the Surgeon General, with respect to such hospitals; and (2) prescribing forms and procedures in connection with applications for hospitals, maintenance, and leasing of hospitals; and

(h) To lease, from time to time, to any public agency enumerated under section 7, any hospital constructed from funds appropriated pursuant to this act for the fiscal year ending June 30, 1941. Any such lease may be terminated only (1) upon mutual consent, or (2) upon conveyance of the hospital to the lessee pursuant to section 9, or (3) 60 days after the mailing of written notice to such lessee by the Surgeon General, if, after giving reasonable notice and opportunity for hearing to such lessee, the Surgeon General determines that there has been at any time during the lease a substantial failure of such lessee to comply with any applicable rule or regulation of the Surgeon General or with any provision in such lease. Each such lease shall contain a provision requiring the lessee to yield up the premises and equipment at the termination of the lease in the same condition as such premises and equipment were received, reasonable wear and tear excepted; but any such lease may contain a provision excepting any losses sustained with respect to such premises or equipment to the extent that such losses are covered by insurance. Each such lease shall also contain such other provisions not inconsistent with the provisions of this act as may be prescribed by the Surgeon General, including requirements with respect to additions to the premises and equipment leased.

SEC. 9. Upon recommendation of the Surgeon General, based upon satisfactory operation of a hospital constructed under section 10 of this act, the Federal Security Administrator may convey such hospital to the lessee thereof, and he shall make such a conveyance in any case in which the Surgeon General finds that any such lessee has operated any such hospital for 60 consecutive months in accordance with the terms of its lease and the rules and regulations promulgated under this act.

SEC. 10. Upon determination by the Surgeon General that a hospital project should be undertaken with funds appropriated pursuant to this act for the fiscal year ending June 30, 1941, he shall, after agreement with the Federal Works Administrator as to costs, recommend to the Federal Security Administrator that there be transferred to the Federal Works Agency an amount equal to the amount required for planning such hospital project and for its construction. The Federal Security Administrator may thereupon certify to the Federal Works Agency the description of such hospital project and transfer to such Agency the amount required for such planning, and, upon the approval of such plans by such Administrator, he shall transfer to such Agency the amounts required for such construction. The Federal Works Agency is authorized to expend the amounts so transferred to it for the planning and construction of the project and pertinent facilities, including administrative expenses, site acquisition, the preparation of working drawings and specifications, award of all necessary contracts, and supervision of construction. The Surgeon General is authorized to acquire and install all equipment (other than that included within the working drawings and specifications) which he finds necessary to the operation of such hospital project. Title to the hospital facilities so constructed, to the equipment installed therein by the United States, and to the land upon which such facilities are located, shall be in the United States, to be divested only by conveyance as authorized by this act, or otherwise authorized by law.

SEC. 11. (a) Each application for assistance in connection with a hospital project out of funds appropriated for any fiscal year subsequent to the fiscal year ending June 30, 1941, shall contain, in addition to the requirements of section 7—

(1) a description of the site for such project;

(2) preliminary plans and specifications therefor; and

(3) assurances satisfactory to the Surgeon General that title to such site is, or will be, vested solely in the applicant.

(b) On the basis of such application and such other information as the Surgeon General may require, and after affording the applicant an opporunity to be heard as to the need of a hospital project, its size, and the amount of Federal assistance required, and, if the applicant is a State, after taking into consideration its financial resources as measured by the per capita income accruing to the inhabitants thereof, and if the applicant is other than a State, after taking into consideration such financial resources of the State in which the applicant is located and the financial condition and ability of the applicant, the Surgeon General shall determine whether to grant assistance to the applicant, and if so, the amount of such assistance, which shall not be less than 25 percent, nor more than 90 percent, of the cost of such hospital project and equipment therefor, exclusive of the cost of the site.

(c) After approving, with the advice and assistance of the Federal Works Administrator, working plans and specifications for such hospital project, and after receiving proof satisfactory to him that the applicant will have available sufficient funds to pay when due its share of the cost of such project and equipment therefor, the Surgeon General shall recommend to the Federal Security Administrator the amount of the grant to be made pursuant to such application. The Federal Security Administrator shall notify the Federal Works Administrator and the applicant of his approval or disapproval of such recommendation.

(d) If he approves such recommendation, the Federal Security Administrator shall from time to time certify to the Secretary of the Treasury for payment to the applicant such installments of the grant as are recommended by the Federal Works Administrator. The Federal Works Administrator shall make such inspections of the hospital during its construction as he shall deem necessary, and shall determine whether such construction is in accordance with the plans and specifications. The Federal Security Administrator shall transfer to the Federal Works Agency, out of the funds appropriated for construction purposes pursuant to the authorization contained in section 2, such amounts as may be necessary to reimburse the Federal Works Administrator for necessary expenditures made by him under this section.

SEC. 12. (a) In any case in which a hospital project has been constructed under this act, if the Surgeon General finds, after taking into consideration the factors enumerated in section 11 (b), that a grant for maintenance should be made with respect to such hospital project, the Federal Security Administrator may from time to time certify to the Secretary of the Treasury the name of the owner or lessee of such hospital project and the proper amounts to be paid for such maintenance to such owner or lessee.

(b) Any such grants shall be made only for the first 5 years of operation of such hospital project, and shall be at not more than the following rates per bed in such hospital project:

(1) If a mental hospital, for the first year of its operation, $150; for the second year of its operation, $120; for the third year of its operation, $90; for the fourth year of its operation, $60; and for the fifth year of its operation, $30; and

(2) If other than a mental hospital, for the first and second years of its operation, $300; for the third year of its operation, $240; for the fourth year of its operation, $180; and for the fifth year of its operation, $120.

(c) In any case in which, after giving reasonable notice and opportunity for hearing, the Surgeon General finds and reports to the Federal Security Administrator that any such hospital project has not been operated in substantial accordance with rules and regulations promulgated under this act, or, in the case of a leased hospital, has not been operated in substantial accordance with the terms of such lease, the Federal Security Administrator may refuse to make, or may reduce, any further certification under this act for maintenance of such hospital project or leased hospital, as the case may be.

SEC. 13. In any case in which the Surgeon General finds that it would be in accordance with the purposes of this act to provide assistance to an individual for obtaining necessary training in the performance of his duties in a hospital project constructed under this act, upon the recommendation of the Surgeon General as to proper amount to be paid as such assistance, the Federal Security Administrator may certify to the Secretary of the Treasury the name of such individual and the proper amount to be paid to him.

SEC. 14. Upon receiving any certification under section 11, section 12, or section 13 of this act the Secretary of the Treasury shall, through the Division of Disbursement of the Treasury Department and prior to audit or settlement by the General Accounting Office, pay to the payee named in such certification the amount so certified.

SEC. 15. The Federal Security Administrator is authorized to accept on behalf of the United States unconditional gifts of money, equipment, and land to be utilized in carrying out the purposes of this act, and conditional gifts may be accepted by such Administrator if recommended by the Surgeon General. Any such gifts of money, and any recoveries from insurers or lessees, shall be held in trust and shall be invested by the Secretary of the Treasury in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States, and the principal and income thereof are hereby appropriated for expenditure by the Surgeon General in carrying out the purposes of this act, subject in the case of any conditional gifts to the terms thereof, and in all cases subject to the same examination and audit as provided for appropriations made to the Public Health Service by the Congress.

SEC. 16. (a) There are hereby authorized to be appointed in the Public Health Service, in accordance with applicable law, such additional commissioned officers and other personnel as may be necessary in carrying out the provisions of this act.

(b) Upon the recommendation of the Surgeon General, the Federal Security Administrator shall submit to the Bureau of the Budget each year cost estimates of hospital construction under this act for the ensuing fiscal year, together with such other data as may be necessary for the preparation of the Budget estimates.

(c) The Surgeon General shall include in his annual report for transmission to Congress a full report of the administration of this act, including a detailed statement of receipts and disbursements.

(d) Nothing in this act shall be construed as superseding or limiting (1) any functions of the Public Health Service, or of any other agency of the United States, relating to the prevention, diagnosis, and treatment of disease, or (2) the expenditure of money therefor.

(e) All the functions of the Surgeon General under this act shall be administered under the direction and supervision of the Federal Security Administrator.

SEC. 17. Any contract for any hospital project to be undertaken with funds appropriated pursuant to this act shall provide that the wages paid or to be paid to laborers and mechanics employed in connection with such hospital project shall not be less than the wages prevailing in the locality for work of a similar nature, as determined or adopted (subsequent to a determination under applicable State or local law) by the Secretary of Labor.

SEC. 18. When used in this act—

(a) The term "State" includes the Territories and insular possessions of the United States and the District of Columbia;

(b) The term "hospital" includes health, diagnostic, and treatment centers, the equipment thereof, and facilities relating thereto; and

(c) The term "hospital project" includes the construction, improvement, or enlargement of a hospital.

The VICE PRESIDENT. When the Senate took a recess yesterday and the pending bill of the Senator from New York [Mr. WAGNER] was before the Senate, the Senator from Montana [Mr. MURRAY] had the floor. He expressed a desire to proceed with his remarks today. The Chair recognizes the Senator from Montana.

MAJ. L. P. WORRALL

Mr. BANKHEAD. Mr. President, will the Senator from Montana yield to me?

Mr. MURRAY. I yield to the Senator from Alabama.

Mr. BANKHEAD. On yesterday the Senate passed Senate bill 3903, for the relief of Maj. L. P. Worrall, and for other purposes. About the same time the House passed an identical bill, House bill 8429, which has just come to the Senate. I desire to have the House bill passed at this time, and I ask unanimous consent for its present consideration.

The VICE PRESIDENT. The clerk will state the title of the bill.

The CHIEF CLERK. A bill (H. R. 8429) for the relief of Maj. L. P. Worrall, and for other purposes.

The VICE PRESIDENT. Is there objection to the request of the Senator from Alabama?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

The VICE PRESIDENT. Without objection, the vote by which Senate bill 3903 was passed will be reconsidered, and the bill will be indefinitely postponed.

HOSPITAL CONSTRUCTION

The Senate resumed the consideration of the bill (S. 3230) to promote the national health and welfare through appropriation of funds for the construction of hospitals.

Mr. MURRAY. Mr. President, this bill, Senate Bill 3230, is the first tangible result of studies and discussions extending over a period of years relating to a national health program. It was introduced jointly by the senior Senator from New York [Mr. WAGNER] and the senior Senator from Georgia [Mr. GEORGE], and is known as the Hospital Construction Act of 1940. It undertakes to deal with a subject which for some years has stirred Nationwide interest because of the widespread lack of medical services and hospital facilities found to exist in many sections of our country, as well as a shocking lack of means on the part of large groups of our citizens to procure proper medical care and hospital facilities.

In 1939, following the President's message to the Congress calling attention to the need in this country for national health legislation, the senior Senator from New York introduced in this body a bill known as the Wagner National Health Bill, Senate Bill 1620. Extended hearings were had on that measure for the purpose of learning the conditions in the country with regard to the necessity for such legislation. That bill was designed to develop a broad scheme for meeting the glaring inadequacies found to exist in the field of national health. A mass of testimony and exhibits was produced at the hearings, disclosing many difficult problems and conflicting viewpoints.

Following the extensive hearings on that bill, your committee submitted a preliminary report in which it pointed out the difficulties which the subject of national health legislation presented, and the necessity for more comprehensive study of the entire problem in order to formulate a satisfactory program properly designed to meet the conditions and overcome the difficulties encountered. It was pointed out in that report that need for a national health program had been recognized in 1935; at the time of the enactment of the Social Security Act. That Act, however, when passed, went no further in this field than to augment certain public health and vocational activities and make certain provisions for the care of mothers and children. Legislation dealing with the general subject of medical care, construction of hospitals, and other related matters, was at that time left for further study.

The present bill, Senate Bill 3230, which the Senate is asked to consider, is, of course, not an effort to deal with the total problem of national health. The bill is, in effect, an experiment on a limited scale to meet in a limited way a recognized widespread need for hospitalization facilities in the country, and is designed to assist States and counties by a system of grants-in-aid in securing such facilities where the need is most acute. The amount sought

to be applied to the program is small in comparison to the recognized need. The measure, if passed, will simply try out a carefully devised and limited program, and, at the same time, give immediate relief in certain sections of the Nation where it is most urgently needed.

Mr. President, the broad purpose of the bill, as I have indicated, is to assist States and communities where the need for hospitals is clearly apparent. The measure provides for a 6-year program limited to $10,000,000 per year, administered by the Surgeon General of the United States with the advice of a national advisory hospital council composed of outstanding medical and scientific authorities. This entire program of hospital construction, covering a period of 6 years and authorizing a total expenditure of $60,000,000, together with the funds which the States and localities may reasonably be expected to raise, could hardly provide more than from 25,000 to 30,000 beds. This is a very small start, indeed, in comparison to the total need of the country. In this connection it must be remembered that a portion of the $60,000,000 provided by the bill will be used for temporary assistance in maintenance of hospitals which would be constructed, and a very small portion, not exceeding 2 percent, will be used for assisting the necessary hospital personnel in securing specialized training.

It is, of course, in the rural low-income areas of the country that these hospitals are mostly needed. In a preliminary report which the committee filed last year in connection with the study of the national health bill, Senate bill 1620, this fact was very effectively pointed out. I quote briefly from that report:

Year after year—

The report says—

hospitals play an increasingly important part in providing the physician with facilities for the diagnosis and treatment of disease. No plan for promoting the Nation's health can be considered complete or effective that does not give due consideration to the adequacy of hospital facilities.

There is wide variation among the States in the availability of hospital facilities. As regards general hospitals, the number of available beds varies among the States (not counting the District of Columbia) from a maximum of 5.2 to a minimum of 1.3 per 1,000 population, with an average for the country as a whole of 3.1 beds per 1,000 persons. The amount of general hospital care actually received ranges from a maximum of 1.4 days of care per person per year in one State to a low of 0.20 day in another State. This, of course, is far below adequate standards for general hospitalization. We are told by the professional experts that adequate standards call for an average of 4.5 beds in general hospitals for every 1,000 persons in the population. Only 3 States and the District of Columbia at present exceed this standard. To bring all the States up to this widely accepted standard of adequacy would require approximately 180,000 additional general-hospital beds.

Mr. President, it was shown by testimony at the hearings that in addition to the foregoing the construction of 130,000 mental-hospital beds would be required to bring the general standard of the country up to the standard of the 12 States which contain one-fourth of the population. Some 50,000 beds would also be required to bring the tuberculosis-hospital facilities up to the recognized standard of 2 beds per annual death. Therefore by merely using the yardstick of existing facilities in some of the more populous and higher-income areas of the Nation we see that for the country as a whole over a third of a million additional beds would be needed to supply reasonably adequate hospital facilities.

Accordingly, this bill cannot by any means be expected to solve the problem of adequate hospital facilities. It will, nevertheless, accomplish several highly important things. First, it will very considerably relieve the situation prevailing in the areas where there is the very greatest inadequacy of hospital facilities. Second, experience in the operation of the hospitals so constructed should test the feasibility and desirability of carrying on a further construction program. Third, these hospitals so constructed will also provide data of great value to the communities, outside the scope of the legislation, which may desire to erect and operate similar hospitals.

There is another very important result which will follow the location of hospitals in rural areas—a bettering of the medical service available in such areas. Modern medical service cannot, under modern conditions, be adequately rendered in the absence of reasonable hospital facilities. I should like in this connection to read briefly from the report of the committee.

The hospital is the doctor's workshop and contains the tools of his trade—expensive diagnostic and therapeutic equipment—without which he cannot practice modern scientific medicine. In rural areas the doctor's efficency is increased tremendously by a general hospital. It becomes the center of the health activities of the community, not only for the cure of illness, but for its prevention as well. The hospital as a public diagnostic center enables the doctor to provide better service in the home and for the ambulatory sick treated in his private office. Through its laboratory the hospital offers the means for services essential to the saving of lives, such as the immediate typing of sputum in pneumonia, the rapid determination as to whether cancer exists in excised tissues, the pathological nature of the body fluids and excretions, and other determinations which make diagnoses scientifically accurate.

In addition to bed accommodations and added facilities for preventive and curative medicine, a hospital provides nursing care, health instruction, pharmacy, and dentistry in communities where such services are practically unknown.

With a hospital as a collecting point and with facilities for making such special tests as he may require, a specialist can, on a single visit to a community, give advice and assistance to numerous patients brought to his attention by the local physicians. The small rural hospital makes it possible for a community to pool its resources and centralize its medical skills.

Stress was laid upon these results in the President's message of January 30 to the Congress, urging the enactment of a hospital-construction program. In that message the President said:

The provision of hospitals in the areas to which I refer will greatly improve existing health services, attract competent doctors, and raise the standards of medical care in these communities. The new hospitals should serve the additional purpose of providing laboratory, and other diagnostic facilities, for the use of local physicians, as well as accommodations for local health departments.

Of course, Mr. President, there cannot be any reasonable doubt as to the worthy objectives and purposes of the proposed legislation. I think it is needless to prolong discussion on this point. The bill has the endorsement in general of the medical profession and the hospital associations of the country. If enacted, it will remove a serious stain on the reputation of this great Nation, which for a long time has permitted these tragic conditions to exist, whereby millions of our fellow citizens are annually deprived of the opportunity of receiving adequate medical care and hospitalization.

I should now like to point out the method prescribed in the bill for determining where these hospitals will be located. States and communities desiring a hospital are required to file application with the Surgeon General. These applications must establish to the satisfaction of the Surgeon General that the particular hospital project is needed because of the lack or inadequacy of public and private hospitals in the area which would be served by the proposed project. For the first fiscal year, ending June 30, 1941, the hospitals to be constructed will be wholly Federally financed, and built only in communities to be determined and approved by the National Advisory Council which is to be set up under the act. After the first year, the hospitals are to be constructed under a system of variable grants-in-aid to States or communities upon applications having approval of the council. These grants-in-assistance are to be not less than 25 percent nor more than 90 percent, depending on the financial resources of the States and financial ability of the applicants (sec. 11 (b), p. 18).

In connection with the application for hospitals, in the first instance, there must be assurances acceptable to the Surgeon General that a project will be in accordance with the purposes of the act, both as to availability to everyone in the community and as to continued maintenance and quality of service that would be furnished by it. I think the matter of availability of facilities to everyone in the community, whether he be rich or poor, and regardless of his race, color, or religion, is a very important requirement in the bill. As stated in the President's message:

In many areas of the South, the present acute needs for the care of Negro patients should also be met.

In drafting the requirement for availability, the committee held not only the special need of that group in mind, but, further, that anyone living in the community where such a hospital is constructed, whether rich or poor, should be entitled to use the hospital, either free, or under appropriate charges, and other conditions, to the extent of the hospital facilities. Accordingly, the provision for availability is drawn in the broadest possible terms. It provides that the—

hospital will be made available under appropriate conditions and to the extent of the hospital facilities to every person residing in the territorial area of the applicant for such hospital.

Mr. VANDENBERG. Mr. President——

The PRESIDING OFFICER (Mr. CHANDLER in the chair). Does the Senator from Montana yield to the Senator from Michigan?

Mr. MURRAY. I yield.

Mr. VANDENBERG. I do not wish to anticipate the Senator's further discussion, but the question I am about to ask relates to the point to which he is now addressing himself. Is there any provision for assistance from the Federal Treasury in respect to the subsequent maintenance of these hospitals?

Mr. MURRAY. Yes; and I will take that up in a moment. The measure provides for a system of grants for the maintenance of the hospitals during the 5 years called the transitional period, while the local communities are undertaking to readjust their financial conditions so as to be able to take care of the hospitals in the future.

Mr. VANDENBERG. What happens at the end of the 5 years?

Mr. MURRAY. At the end of 5 years the federally owned hospitals will be conveyed to the local communities, provided they establish the ability to maintain the hospitals in accordance with the standards set up under the act. The other hospitals are owned by the communities from the beginning. The maintenance grant is to assist in maintenance during the transitional period while the community is assuming the new financial burden.

Mr. VANDENBERG. The problem which disturbs me is this, if the Senator will permit me to submit it to him: It is now proposed that we build hospitals in communities which have not the resources with which to build the hospitals themselves. It is my observation that the communities which have the resources with which to build hospitals ultimately seem to fail to operate them at a profit, and can maintain them only by annual drives for supporting funds. I should think that was a pretty general rule in the case of hospitals. Would not that be true?

Mr. MURRAY. I do not understand that it is a general rule as to all hospitals. There may be some situations of the kind to which the Senator refers. I think the Senator refers to privately owned charitable institutions, not publicly owned hospitals.

Mr. VANDENBERG. In other words, I doubt whether very many hospitals operate at a profit, and do not have to be supported by some sort of subsidy, whether public or private.

Mr. MURRAY. There are many private hospitals being operated successfully and, of course, there are a great many other hospitals which do get some assistance—for instance, hospitals owned and operated by religious organizations. They, of course, have some assistance through the supporting religious bodies.

Mr. VANDENBERG. I do not care to interrupt the Senator further at the moment, but the point that was bothering me was that if hospitals which are constructed in communities which can afford to provide the funds for their construction ultimately require annual public assistance in order to function—and I think most of them do—I do not understand how the hospitals which are to be constructed in poorer communities stand any show whatever of surviving after the 5-year period of partial administrative assistance has expired.

Mr. MURRAY. It has come to be realized I think only in recent years how important hospitals are in the practice of medicine. Under existing conditions, in many parts of the country where there are not hospitals, it is absolutely impossible to give proper, modern medical service. So that, regardless of whether or not there may be some merit in the Senator's question, it seems to me that some program of hospital construction will have to be inaugurated anyway. I believe, however, that the country is coming to be educated as to the importance and necessity of adequate hospital facilities in the country, and is coming to realize the duty and obligation of the States and communities to support hospitals. I think that we will gradually come to that viewpoint all over the Nation.

Mr. VANDENBERG. May I ask the Senator one more question?

Mr. MURRAY. I yield.

Mr. VANDENBERG. Is there any tentative schedule which has been prepared, and which would show where the first $10,000,000 for the first year would be allocated?

Mr. MURRAY. No, not yet; but the Senator will understand that the bill provides for a national advisory council, made up of men skilled in science and in medicine, and it is expected that they will set up standards for the establishment of the hospitals, so that they will not be constructed in places where they are not needed, or in places where influence and pressure may be brought to bear to have them located. It will be entirely under the control of the national advisory council as to whether a hospital should be established.

Mr. VANDENBERG. I understand that. I thought perhaps there might have been a typical allocation on the basis of the need, as it has been disclosed.

Mr. MURRAY. A standard of need will be established by the advisory council, of course. They will establish standards.

Mr. WAGNER. Mr. President, will the Senator from Montana yield?

Mr. MURRAY. I yield.

Mr. WAGNER. If it will interrupt the Senator, I will wait——

Mr. MURRAY. Not at all; I am glad to have the Senator propound his question.

Mr. WAGNER. I should like to read some testimony which was given before the subcommittee of which the Senator is chairman as to the needs, for instance, in rural areas. Throughout the land more than 17,000,000 people reside in 1,300 counties where there are no registered general hospitals. This is the testimony of Mrs. H. W. Ahart, president of the Associated Women of the American Farm Bureau Federation. The Senator will remember that she testified as follows:

Throughout the land many a rural community has poorer medical facilities at its disposal today than it had a generation ago. Even at the peak of agricultural and national prosperity, four-fifths of the rural areas of the United States lacked any organized health service. As to hospitals, nearly 1,300—42 percent—of the counties in the United States have no registered general hospitals. A total of 31,000,000 people now live in areas with less than 2 general hospital beds per 1,000 persons.

Studies which have been made show that the greatest deficiencies in health facilities, hospital facilities, and medical care exist generally in the rural areas. Furthermore, these areas generally have the smallest financial resources with which to provide and maintain health facilities. Farm families and rural areas ofttimes are making the greatest sacrifices in order to provide these services, even though the facilities are less adequate than those available in urban areas.

I do not want to interrupt the Senator any longer. The Senator remembers, however, the testimony given before the committee, which was shocking, with respect to the lack of hospital facilities and medical care in many of the areas of the United States, and what a great saving of life and preservation of health would result if some sort of contribution were made by the Federal Government toward securing the facilities in question.

Mr. MURRAY. Mr. President, I thank the Senator for referring to that testimony given before the committee. I recall that testimony very vividly. In addition to that, the medical profession and the hospital associations throughout the country recognize the absolute need for this hospital program, though they also realize that it will not by any

means meet the requirements of the Nation. It will, however, serve as an experiment and will tend to educate the various communities where these hospitals are to be built to the necessity of their local governments making every effort possible to maintain the hospitals after they are constructed. I have no doubt in my mind, after listening to the very extensive testimony that was taken when the bill was under consideration, as well as other bills that preceded it, that we are going to witness in this country a very decided change in the attitude of the people toward hospitals.

Hospitals have now come to be recognized, as I said, as most essential. In fact, it is impossible to administer modern medical service without the aid of hospitals. Therefore the lack of these hospitals in the poorer sections of the country deprives the people living there of modern medical services, and those people are permitted to suffer and die without the modern scientific aid they could receive if the Government will take this very laudable step.

Mr. WAGNER. Mr. President, I think the Senator recalls the testimony presented to the committee to show that in 1 year many more American lives are lost by reason of diseases that are preventable under proper medical care than were lost on the battlefields of Europe during our participation in the World War.

Mr. MURRAY. That is absolutely true. The financial loss to the Nation also as the result of this failure to supply adequate medical service and hospital service is tremendous. This program will tend to save millions of dollars in every section of the United States through prevention of sickness and through scientific services in the treatment of disease.

Mr. WAGNER. Of course, we all prefer to look upon this purely as a humanitarian proposition; but, from the standpoint of economics, it was testified that we lost about $10,000,000,000 a year that ought to a considerable extent be saved—a loss which could be greatly reduced by proper medical facilities which are unprovided for now.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. ELLENDER. Mr. President, I desire at this point to make a brief reference to the public hospital program which was inaugurated in Louisiana some years ago, and which has brought remarkable and lasting benefits to the poorer classes of citizens within my State. What we accomplished in Louisiana in this direction is a splendid illustration, to my way of thinking, of what can be achieved in the future throughout the United States by enactment of the pending bill.

It has been stated during this discussion that the present bill embodies a hospital program which is a start—albeit a small one—toward a much broader and more humanitarian Federal program to alleviate suffering and distress among our poorer classes of citizens, and to make our men and women and children healthier and happier, and, correspondingly, our country a better place in which to live. Mr. President, the State of Louisiana started just such a program as this many years ago, through the construction of two State hospitals—one at Shreveport, in the northern part of the State, and the other at New Orleans, in the southern part. These two hospitals were constructed with State funds, and maintained and operated likewise with funds from the State treasury. Their facilities were made available to the poor and indigent throughout the State, regardless of creed, color, or sex. All that a patient needed to be admitted and obtain free medical treatment, surgical services, hospitalization, and so forth, was certification that he was of poor circumstances and unable to pay for treatment. Thousands and thousands of poverty-stricken people were treated at these two hospitals, but the facilities were necessarily limited, and thousands were unable to obtain entrance. The thinking citizens of Louisiana soon realized that public hospitals operated at State expense were a necessity and not a luxury, and that great benefits accrued to their communities as a result. Under the social-reform program inaugurated by the late Governor and Senator Huey P. Long, the two existing State hospitals in Louisiana were enlarged, and the Charity Hospital at New Orleans is probably the largest and best-equipped State-owned hospital in the United States.

Likewise, the need for constructing smaller hospitals at State expense throughout the State where their facilities would be more readily accessible to the rural population was recognized, and I am proud and happy to state that we now have in full operation in Louisiana five other hospitals whose expenses are borne entirely out of the State treasury, and whose services are available to the poor at any hour of the day or night, at no cost whatsoever to them. In other words, Mr. President, the State of Louisiana now maintains and operates seven public hospitals, located at strategic points throughout the State. Thousands of indigent sick are treated there daily; convalescent wards are provided for the tubercular and other invalids; the best of medical and surgical facilities that money can buy are at the disposal of these poor people; ambulance service is provided them free of charge; and, in fact, the poorest man in Louisiana today has at his command medical and hospital facilities of the finest quality and nature.

Now, Mr. President, as I stated a few moments ago, this fine hospital program which we now have in Louisiana was started in a very modest way. Two small hospitals formed the nucleus of the program, and as the people saw the accomplishments and felt the benefits that resulted, they realized the need for extending those benefits to all the poor and indigent within the State. Thus the program was expanded to its present scope, and I hope will continue to expand until we have done away entirely with needless sickness and suffering among our poorer classes in Louisiana. The same results can be accomplished by the enactment of the pending bill, but on a much larger scale. I predict that when these hospitals that are provided in the pending legislation are built by the Federal Government, in communities that have no such facilities at present, and the benefits from their operations are felt by the residents of those and adjoining communities, there will be no difficulty whatsoever in finding local funds to finance their operation and maintenance. Just let those communities and States have a taste, as it were, of a public hospital program, as was given the people of the State of Louisiana, and I am confident that no power on earth will ever be able to take those benefits away from them.

I urge the Senate to adopt the pending bill, and when it has become law, let us not stop there but, instead, continue to seek other and greater ways of alleviating sickness and misery among the masses of our population.

Mr. MURRAY. I thank the Senator from Louisiana. I recall that during the hearings the Senator from Louisiana took a very active interest in this matter and brought out some of the points he has discussed just now.

As I have heretofore mentioned, the application must give assurances as to the proper maintenance of the hospital. Your committee recognized in this connection that in many instances financial adjustment must be made in the community so as to take care of the added cost to the community undertaking to support the hospital. Because of this it was felt highly desirable—in fact, necessary—that in the transitional period immediately following construction of the hospital there should usually be some provision for Federal assistance toward its maintenance. While annual maintenance costs per bed differ somewhat in various communities, it is considered that it would be reasonable to authorize maximum maintenance assistance during the first 2 years of operation to the extent of $300 per year per general hospital bed. Thus, the maximum assistance which would be given would ordinarily amount to somewhere between one-fourth and one-fifth of the operating cost per bed. The maximum grant for the third year, under the bill, is $240, for the fourth year $180, for the fifth year $120, gradually tapering down so that by the end of the fifth year the local communities would be expected to have so adjusted their finances as to be able to continue the operation of hospitals from then on.

In the case of mental hospital beds the maximum annual grant is $150 for the first year, $120 for the second year, $90 for the third year, $60 for the fourth year, and $30 for the fifth year. Experience indicates that these maximums would likewise be between one-fourth and one-fifth of the operating cost per bed.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. CONNALLY. Does the bill require that assurances of local maintenance shall be given by some political subdivisions?

Mr. MURRAY. Yes; and the bill provides for a national advisory council, made up of men learned in the sciences and in medicine, and so forth, and that council, numbering eight, with the Surgeon General as chairman, selects the applications pursuant to which these hospitals are to be constructed, based upon the question of need and the question of the ability of the communities applying to maintain the hospitals.

Mr. CONNALLY. I understand that part of the bill. I refer, however, to the clause which provides that the local communities shall give assurance of their ability to maintain the hospitals. How shall the assurance be given? Does the bill require that a community, such as a municipality or taxing district, shall give the assurance?

Mr. MURRAY. Yes; and after the first year each State will set up a hospital program, and it is expected that the States will take an interest in the legislation and undertake to aid the various sections of the States in the establishment of these hospitals.

Mr. CONNALLY. In order to make it possible to get the benefits of this program and secure proper cooperation and coordination under this bill, will it be necessary for the States, as a rule, to enact legislation of their own, or is it self-enacting?

Mr. MURRAY. I think the bill would not require any special legislation in some instances. Every State in the Union, I assume, will implement its own laws to the extent found desirable for complete cooperation.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. VANDENBERG. One further question, and then I shall not interrupt the Senator further. The bill, as I understand, is limited to $10,000,000 a year for 5 years. Is that correct?

Mr. MURRAY. Yes. It really is for 6 years. The first year the hospitals are to be wholly Federally financed, but after the first year they are to be constructed under variable grants to the States, according to the financial ability of the various States or communities to construct hospitals.

Mr. VANDENBERG. The testimony which was read by the able Senator from New York emphasized the great national extent of this need. Is there any estimate as to how many million dollars would be required to serve equally with such facilities all the many communities?

Mr. MURRAY. The estimate I referred to in the early part of my address was that to bring the hospital situation of the country up to standard would require really 180,000 beds, whereas this program, which is merely experimental, will only provide between 25,000 and 30,000 beds, but it will have these hospitals established in the most needy communities, and it will serve the Nation as a sort of laboratory or experimental station whereby the other communities may later take advantage of the examples which have been created by the construction of these hospitals.

Mr. VANDENBERG. I am not quarrelling with the completely humane objectives which the Senator describes. I am simply trying to determine, if I can, as a matter of dollars and cents, what the ultimate program would be, assuming that the undertaking is completely successful. What is the ultimate commitment which we confront, assuming that the program works the way the Senator says it will?

Mr. MURRAY. I do not know that there will be any great obligation so far as the Federal Government is concerned. I think that the program will enable us to determine whether or not it would be advisable for the Government to continue the program of hospital construction. It seems to me that as a result of the proposed experiment we shall be able to determine whether or not it is advisable to go any further, and whether or not it is possible for the States, after they have had this experience to take hold from that point on and construct hospitals without further Federal aid. We are now thinking only of the serious conditions in certain sections of the country which are totally without proper hospital facilities, with the result that people are dying for the lack of assistance which modern science could easily afford.

Mr. VANDENBERG. Are those sections located in any particular part of the country, or are they distributed generally?

Mr. MURRAY. They are distributed generally. Of course, there are certain prosperous States. I think eleven or twelve States are pretty well up to standard. The need is mostly in the less industrialized States. I think Senators in the course of the debate will probably refer to the particular conditions existing in their own localities. As I remember, there is a very glaring deficiency of hospitals in the State of Mississippi, as well as in Georgia.

Mr. THOMAS of Utah. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. THOMAS of Utah. I will add, if the Senator from Montana does not object, that the testimony shows that there is need for the program in every State in the Union. Even in the richest States there are localities where the need is exceedingly great.

Mr. MURRAY. I thank the Senator for his contribution. While annual maintenance costs per bed differ somewhat in various communities, as I said, it is thought that a contribution of $300 annually per bed for the maintenance of the hospital for the first 2 years of operation would be adequate. The amount then tapers down, as I have already described, until the fifth year, when it comes down as low as $30 in connection with the mental hospital beds.

In a few moments I shall explain how the amount of the maintenance grants is to be determined. Of course, the maintenance support would be terminated, after notice and hearing, for violation of rules or for failure to comply with the terms and conditions of the lease.

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. ADAMS. Following the inquiry of the Senator from Michigan [Mr. VANDENBERG], I wonder if I have obtained the correct figures from the report. The report says:

> Most authorities agree that four and a half beds per thousand population are required to assure the amount of hospitalization necessary for adequate care.

In the United States there are 410,000 beds in registered general hospitals. What would be the shortage of beds in the country upon the basis of that computation?

Mr. MURRAY. I have not figured it out; but some of the experts who appeared before the committee estimated that to bring the country up to that kind of a standard would require more than a third of a million beds, but that 180,000 beds would bring it up to the standards already existing in 12 of the more prosperous States.

The bill provides that the amount of grants-in-aid which may be given a State or community shall be not less than 25 percent of the cost of the hospital project, exclusive of site, and not more than 90 percent. The amount of the grant is to be determined under standards set up by the Surgeon General with the advice of the national advisory hospital council.

The bill further provides that the extent of the grants-in-aid shall be determined, when the State itself is the applicant, after taking into consideration its financial resources as measured by the per capita income of its inhabitants.

If the applicant is a county, or counties, the Surgeon General is directed to consider the financial resources, measured as indicated, of the State in which the county or

counties are located, and also to consider the financial condition and financial ability of the county or counties making such application. The amount of maintenance grants which I have previously mentioned is also determined on this same general principle.

There is another very important matter which I should like to mention, and that is the provision for the establishment of the National Advisory Hospital Council, to which I have referred several times during the course of the discussion. The bill provides that the Surgeon General shall be chairman of the council, and that eight members shall be appointed with the approval of the Federal Security Administrator. The bill provides for staggered terms of office, and, in general the council is to operate like the National Advisory Cancer Council. The bill requires appointment of members of the council to be made from outstanding experts in science and medicine. The council is to advise the Surgeon General with reference to carrying out the provisions of the bill; and seven very important matters are enumerated, which are within the scope of its authorization. These matters include the formulation of standards for construction, operation, and personnel of hospitals, and for standards which are to be considered in determining the need for hospital projects and in determining whether or not such projects are adequately maintained and otherwise fulfill the requirements of the act.

It was felt desirable to give the council the special function of reviewing the applications for construction projects which might be favorably considered by the Surgeon General under section 10. Under the provisions of the bill the Surgeon General is authorized to approve for construction under section 10 only such applications as have been favorably considered by the advisory council. It will be observed, therefore, that there is no possibility of hospitals being constructed in places where they are not needed, or that pressure or influence will have any operation whatever in determining the location of the hospitals. The approval of the application for a project is entirely under the control of the advisory council, made up of men who are learned in the profession and who understand the condition of the country with reference to the establishment of hospitals.

Mr. GILLETTE. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. GILLETTE. I was absent from the Chamber when the distinguished Senator discussed section 3. I wonder if he would mind an inquiry at this time with reference to section 3.

Mr. MURRAY. I shall be glad to have it.

Mr. GILLETTE. I am interested in the proposal in section 3, which authorizes an appropriation of $500,000 a year for 6 years, to aid in administering the act, and for the pay, allowances, and travel of representatives of the Public Health Service, with the provision that thereafter there is to be no limit on the amount authorized to be appropriated. Is it the thought that thereafter the amount is to be reduced or increased?

Mr. MURRAY. I assume it will be reduced to a very considerable degree unless, after the expiration of the period, the Congress should decide to continue further with a program of this character. However, during the period the hospitals will be under construction, of course, the Public Health Service would be under some expense in preparing the necessary forms and carrying out the work incident to the establishment of the hospitals.

Mr. GILLETTE. Does the Senator think it is wise to provide for unlimited authorization after the 6-year period?

Mr. MURRAY. We could not fix the amount; but it seems to me that after a period of 5 years the Public Health Service would still be under compunction to supervise the hospitals until they were all taken over by the communities. Of course, if they were all taken over by the communities, the Public Health Service would still have the duty of determining whether or not maintenance grants for the first 5 years of operation would be made to continue the hospital in an adequate manner. Of course, the communities must furnish proof of their ability to maintain the hospitals before the Government will make a grant-in-aid for a hospital or convey a leased hospital to the community in the first place.

Mr. GILLETTE. I thank the Senator.

Mr. HUGHES. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. HUGHES. As I understand, under the terms of the bill the title to the hospitals is to be in the Federal Government?

Mr. MURRAY. Yes; for those constructed from the first year's appropriation.

Mr. HUGHES. When the Federal Government builds a hospital, what assurance does it have that the local community will take it over?

Mr. MURRAY. After the hospitals are constructed the title will be in the Federal Government. The Federal Government will enter into a lease arrangement with the local applicant, and it will require standards for the operation of the hospital by the local community. After the local community operates the hospital over a period of 5 years and establishes its ability to maintain the hospital in accordance with the prescribed standards, the Government will then convey the hospital to the community, and the title will then rest in the local community. No hospital will be constructed except where the community presents assurances it will be maintained.

Mr. HUGHES. Assume that the local hospital has been constructed and is in operation, and that the community does not take it over and does not provide for it. Would not the Federal Government continue to run the hospital for that community? Would not that expense be a burden on the Federal Government?

Mr. MURRAY. If the community or the State in which the hospital is located were so poverty-stricken as to be unable to finance the hospital, I suppose the Federal Government may be asked to continue the hospital, because it would not be reasonable to expect the Government to allow the people of that particular community to suffer as a result of the impoverished condition of the local community or of the State. However, that is a matter which would have to be taken care of by subsequent legislation. Under the bill there is no authority for Federal operation.

Mr. HUGHES. Mr. President, if the Senator will yield further, is there any provision in the bill for aiding hospitals which have already been constructed in a community?

Mr. MURRAY. Yes; the bill authorizes local hospitals already established which need to expand their facilities, to make application and have their hospitals extended so as to come up to the requirements of the community.

Mr. HUGHES. And they would, as I understand, receive Government aid for that purpose?

Mr. MURRAY. Yes; according to need.

I wish to say in this connection that the bill has been very carefully studied by the National Hospital Association. Their representatives were here and appeared before the committee which was studying the bill; they testified before it, and I intend to send to the desk, at the close of my remarks, a telegram from the American Hospital Association expressing their approval of the entire program.

Mr. ADAMS. Mr. President, will the Senator yield for an inquiry?

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Colorado?

Mr. MURRAY. I yield.

Mr. ADAMS. What is the estimated cost for the construction of hospitals per bed?

Mr. MURRAY. That item is in the hearings at some place but I cannot give it to the Senator offhand.

Mr. TAFT. Mr. President——

Mr. MURRAY. Perhaps the Senator from Ohio may be able to furnish the information.

Mr. TAFT. According to the testimony, I should say that the cost would be about $250,000 for a hundred-bed hospital, including the equipment. That is approximately the cost, but there is some variation between $250,000 as a low estimate and as high as $350,000 for a hundred-bed hospital. That is approximately what the testimony showed to be the

cost, and that would include all of the equipment and all the cost of the finished hospital with the equipment.

Mr. MURRAY. It is the equipment that adds to the high cost.

Mr. ADAMS. Mr. President, the small community hospitals such as we have in mind, would be anywhere from 20- to 50-bed hospitals.

Mr. MURRAY. Yes; I think it has been decided that a 50-bed hospital would be the most efficient unit upon which to undertake to build.

Mr. ADAMS. That would result in what cost if it were necessary to build it and provide the operating rooms and the equipment?

Mr. MURRAY. I think it would run approximately $2,500 a bed.

Mr. ADAMS. So that the cost would exceed a hundred thousand dollars for a 50-bed hospital?

Mr. MURRAY. Yes; it would.

Mr. ADAMS. I was naturally thinking of my own State, and I suppose Colorado, representing 1 percent of the population of the country, would get 1 percent of the funds proposed to be provided, which would be sufficient for one hospital a year.

Mr. MURRAY. Of course, one great item of expense in connection with a hospital is the operating rooms and the various equipment which is included.

Mr. ADAMS. I was thinking the program is so modest that it will not reach very far.

Mr. MURRAY. It will not reach very far; it will cover only about twenty-five or thirty thousand beds; but it will be a very valuable experiment, which will have a tremendous effect in determining whether or not the Government should go any further and also have a great influence, I think, in aiding the various States of the Union in developing their own programs.

Mr. THOMAS of Utah. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Utah?

Mr. MURRAY. I yield.

Mr. THOMAS of Utah. The Senator from Colorado said the program is "modest," but it is experimental, too; and, in addition to that, the sponsors of the bill also hope that its influence and the example it will set will cause a larger expansion.

Mr. MURRAY. I thank the Senator.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Colorado?

Mr. MURRAY. I yield.

Mr. JOHNSON of Colorado. Is there any plan in the bill for determining where this experimentation is to take place? Is it to be spread out over all the States?

Mr. MURRAY. It will be spread out over the States; but, as I have stated several times, there is set up a National Advisory Council, consisting of experts in the field of science and medicine, and that impartial body, with the knowledge and experience necessary for handling the problem, will, upon application from the various sections of the country, advise the Surgeon General, who will determine where the need is greatest; and there is where the hospitals will be constructed the first year of the program; but after the first year of the program, of course, the measure contemplates the local communities making some contribution to the program, and they will be assisted by a system of grants-in-aid.

Mr. JOHNSON of Colorado. The appropriation of $10,000,000 would not provide each State with a hospital; that is, it would not be sufficient to give each State one hospital.

Mr. MURRAY. It may be that some of the more wealthy States would not need a hospital. I do not know; that is a matter to be determined. It is an experiment, as I say. There are 12 States in the Union now which have established very high standards of hospitalization, but there are other States which are in a pitiable condition, a condition that is a real disgrace to the Nation.

Therefore this bill contemplates considering those conditions. We are not thinking of this as a "pork barrel" bill, under which every State will jump in and, through pressure and influence, get its share. That is not the purpose of the bill at all. The purpose of the bill is to try to get rid of the shameful conditions which exist in many sections of our country. I think the Congress can very well rely upon the National Advisory Council, which the bill sets up, to do a fair and honest job.

Mr. President, it will be noted that the bill as reported makes no provision for the construction of these hospitals by the Work Projects Administration. The construction program under this bill is left in the hands of the Federal Works Agency. Whether or not the W. P. A. is to participate in the construction of these hospitals is a matter to be determined by the Congress in working out a work-relief program for the ensuing fiscal year. If the work relief appropriation bill makes provision for W. P. A. participation in this hospital program, the manner of such participation will be provided in that bill. If no such participation is provided for, then the construction work under this bill for the first year will be under the direction of the Federal Works Agency and will be carried out under the contract system.

The bill also provides for the payment of the prevailing wage scales of the various communities where the hospitals are to be constructed.

Following the first year of the program, all subsequent construction during the ensuing 5 years will be by and under the control of States or communities that desire and may show need for these hospitals.

Mr. President, in conclusion I should like again to say that this proposed hospital-construction program should be recognized simply as a very important step toward the solution of the national-health problems which have received the committee's attention for many months. It will provide increased hospital facilities only in localities where the need is most desperate. The proposed legislation has been so designed that it can fit into a more comprehensive program which in the future may be considered desirable.

I should not close this general survey of the measure without pointing to the fact that each member of the Education and Labor Committee participating in the hearings, and in the study of this bill and in the amendments and changes which have been made during its study, has a right to feel justly proud of the contribution he has made. The work of the committee in reporting this measure represents a very earnest effort on the part of every member to meet a really alarming national situation affecting the health and happiness of our fellow citizens.

I think this bill presents a minimum start in a health program essential to meet the acknowledged needs of our country. It should be considered a vital part of our program of national defense, for no national-defense program can be regarded as adequate that fails to take into account the health conditions of the Nation.

The report of the committee on this bill was unanimous, and I know that the entire committee is proud of the fine nonpartisan spirit which prevailed in all our deliberations, and proud of the unanimous vote by which this very important measure is presented for the consideration of the Senate.

I earnestly recommend the passage of this bill because of the pressing necessity it is designed to meet. It has the approval of the several national farm organizations of the country and the approval of all national labor groups, as well as many other organizations interested in national welfare. It also, as I have before stated, has the approval of the medical profession and representatives of the hospital associations of the country. I have here telegrams from Dr. Bert W. Caldwell, executive secretary of the American Hospital Association, and from Dr. Morris Fishbein, of the American Medical Association, endorsing the bill. which I will not take the time to read, but I ask that they may be printed in the RECORD as a part of my remarks.

The PRESIDING OFFICER. Without objection, the telegrams will be printed in the RECORD.

The telegrams referred to are as follows:

WASHINGTON, D. C., *May 14, 1940.*

Senator JAMES E. MURRAY,
Senate Office Building:

Executive committee board of trustees, American Medical Association and officials state approval of redraft of Wagner-George hospital bill. Believe, however, authority of National Hospital Advisory Council should not be limited to first year only. Believe also wards primarily for the care of the sick should be added to definition of hospital as meeting current needs. Otherwise such projects may become primarily expansions of Public Health agencies. This new measure seems to be a serious attempt toward a solution of current health needs observing as well the principles set forth by the physicians of the country as fundamental to maintenance of that system of medical care which is best suited to the American people.

MORRIS FISHBEIN, M. D.

CHICAGO, ILL., *May 4, 1940.*

Senator JAMES MURRAY,
Senate Office Building:

The people owe you and your committee a debt of gratitude for the work done in reporting the amended hospital bill. It will meet with the support of every thinking hospital and medical man. Particularly important is the provision for support which your committee has made for these hospitals after their construction, and just as important is the provisions for the State participation in their cost, and the giving of the hospitals to the communities after 60 months of satisfactory operation. Personally and on behalf of the American Hospital Association I want to thank you and your committee for the best hospital bill that you could enact and for the many courtesies which you and your committee have extended our representatives.

BERT W. CALDWELL, M. D.,
Executive Secretary, American Hospital Association.

Mr. MURRAY. Mr. President, in closing let me say that the enactment of this measure at this time will not only relieve an appalling situation but will hearten millions of our citizens who are in need of medical care. It will be an important step in the direction of strengthening our real defenses and will repay the investment we are making a thousandfold.

Mr. BARBOUR obtained the floor.

The PRESIDING OFFICER. With the permission of the Senator from New Jersey, the Chair will state the parliamentary situation.

The pending question is on agreeing to the committee amendment to the bill reported by the Senator from Montana [Mr. MURRAY] from the Committee on Education and Labor. The Chair is of the opinion that amendments to that proposal should be offered and considered before the committee amendment is adopted. The Chair understands that the Senator from New Jersey desires to offer an amendment to the committee amendment.

Mr. BARBOUR. Mr. President, I send to the desk an amendment which has been printed, and ask that it be stated.

The PRESIDING OFFICER. The amendment offered by the Senator from New Jersey to the amendment reported by the committee will be stated.

The LEGISLATIVE CLERK. On page 12, lines 22 to 25, inclusive, it is proposed to strike out all of the present language of subparagraph (a), and to substitute therefor the following:

(a) will be made available to the extent of the hospital facilities, without discrimination on account of sex, race, color, or religion, to every person residing in the territorial area of the applicant for such hospital: *Provided*, That wherever separate health facilities are required by law for separate population groups, equitable provision upon the basis of need shall be made for facilities and services of like quality for each such group.

Mr. MURRAY. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Montana?

Mr. BARBOUR. I am very glad to yield.

Mr. MURRAY. At the time the bill was acted upon in the committee it was believed that the ideas incorporated in the amendment of the Senator from New Jersey were covered by the bill. The Senator from New York [Mr. WAGNER] and the Senator from Georgia [Mr. GEORGE], who are sponsors of the bill, have also filed an amendment covering that feature, and I have agreed with those Senators to accept their amendment. If the Senator from New Jersey desires to associate himself with that amendment, I shall be very glad to accept it.

Mr. BARBOUR. Mr. President, may I first make a very brief statement in explanation of my amendment to the pending bill? My amendment provides that any State, county, health, or hospital district, or other political subdivision of a State desiring to participate in the benefits provided by this act shall give assurance acceptable to the Surgeon General that such institution shall not discriminate on account of sex, race, color, or religion. It further provides that wherever separate health facilities are required by law for separate population groups, equitable provision upon the basis of need shall be made for facilities and services of like quality for each such group.

I am familiar with the amendment proposed by the distinguished Senator from New York [Mr. WAGNER]; but I want to point out that it was proposed on May 21, and my amendment was proposed on May 16. Moreover, the amendment of the Senator from New York is verbatim the same, as far as it goes, as my amendment, word for word. It does not go as far as my amendment, but with the exception of the first part of my amendment it follows my amendment exactly. In other words, the amendment of the Senator from New York begins on page 12, line 25, while mine begins on page 12, line 22; and it was introduced 5 days after my amendment was introduced.

It seems to me that a very pertinent part of the amendment is the language it substitutes for the matter from line 22 to line 25. I am sure I am not violating any confidence when I say that I talked this matter all over with the distinguished Senator from New York yesterday; and while obviously he may now have in mind other considerations to which he may want to refer, he told me at that time that he feared my amendment might interfere with hospitals charging certain persons for treatment who were in a position very properly to pay for their hospital care and accommodations. Now, if we will examine my amendment carefully it will be found that that, of course, is not the case. The only matters or stipulations with respect to which discrimination is forbidden are those recited in my amendment—sex, race, color, or religion. My amendment has nothing to do with the ability of the person to pay, or any such consideration on behalf of the hospital, which the Senator wants to safeguard.

On the other hand, I have no pride of authorship. I am not trying to emphasize the fact that I was the first one who made the move that has been made in respect to preventing discrimination against race, creed, or color in this legislation, because that fact is well known; and I have received communications by the score from countless different organizations commending me when I first introduced my amendment on May 16. It does not make any difference to me who gets credit for the amendment. I want the principles involved incorporated in this legislation. That is the main thing, though it does seem to me my original language is fuller. The only thing it interferes with is, on line 23, the qualification "under appropriate conditions." Just exactly what "under appropriate conditions" means is a question, of course; but the phrase "without discrimination," it seems to me, takes care of anything that could be covered by "under appropriate conditions"; especially with the definite recital in my amendment of the various categories specifically designated that shall not be discriminated against.

Mr. WAGNER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from New York?

Mr. BARBOUR. I am very glad to yield.

Mr. WAGNER. Is not the Senator willing to have his amendment incorporated in the bill, but to permit to remain in the bill the words from line 22 to line 25 which he strikes out, which I think are very important provisions of the bill;

namely, that the facilities shall be made available under appropriate conditions? The hospital ought to be able and have the authority to make conditions. As I said to the Senator, suppose a patient is well able to pay?

Mr. BARBOUR. I am quite sure there is no one in the Senate who has a higher regard for the aims of this bill than I have, and the great group in this country that I have in mind, and I know that this is so also in the case of the Senator from New York. Under the circumstances I am willing, therefore, if I must, to accept his assurance that the inclusion of the wording which he insists upon be included in the bill together with my amendment, with the understanding that this will not in any way whatever act in any way so as to cause any discrimination against the colored race and other races and groups of our citizens.

Mr. WAGNER. Of course, I do not have to give my assurance to the Senator that I want to protect all races and all creeds. I want no discrimination against any of them. That has been my own record.

Mr. BARBOUR. I know that.

Mr. WAGNER. I do think these words are important; and the Senator from Georgia [Mr. GEORGE], who joined with me in proposing this amendment, and who is the coauthor of the bill, agrees with me.

Mr. BARBOUR. I am perfectly willing, as I have said, to cooperate, and, if need be, to accede to the request of the Senator from New York and the Senator from Georgia that my amendment be accepted on that basis.

Mr. WAGNER. In other words, will the Senator substitute the amendment proposed by the Senator from Georgia and myself for his amendment, or as an amendment to his amendment, and let it be incorporated in the bill? I am quite willing to let the Senator have his name on the amendment; but, so far as the substance of the amendment is concerned, I hope the Senator may accept the proposed amendment as it has been offered by the Senator from Georgia and myself. Is that satisfactory?

Mr. BARBOUR. Yes; that is satisfactory; but in reality it is my amendment, as modified, that is becoming part of this important legislation. But, as I said before, I have no pride of authorship. The main thing is to see to it that discrimination of the sort I wish to guard against is safeguarded in this bill.

Mr. GEORGE. Mr. President, I desire to say to the Senator from New Jersey that the language which he omitted from his amendment does not in any sense apply to any discrimination on account of race, sex, color, or religion, the thing that he seeks to safeguard, and that fact, of course, is appreciated; but the language omitted from his amendment has to do with the other and general conditions under which the hospital may operate; and those conditions, of course, might include payment in case a patient was able to make payment, or might include a scale of payment, and might include other things. Otherwise, the amendments would be the same in any event. The language to which the Senator from New York has referred, which it is desired that the Senator from New Jersey accept, either by putting it in his amendment or by accepting the amendment which already has been submitted, does not in any way or at all affect the purpose which the Senator from New Jersey is undertaking to secure.

Mr. BARBOUR. That purpose, of course, is my only aim.

The PRESIDING OFFICER. Will the Senator from New Jersey modify his amendment to the extent suggested by the Senator from New York?

Mr. BARBOUR. Yes.

The PRESIDING OFFICER. Then the question is on agreeing to the amendment offered by the Senator from New Jersey, as modified, to the amendment reported by the committee.

Mr. BARBOUR's amendment, as modified, is as follows:

On page 12, line 25, after the word "hospital", insert a comma and the following: "without discrimination on account of race, creed, or color: *Provided*, That wherever separate health facilities are required by law for separate population groups, equitable provisions upon the basis of need will be made for facilities and services of like quality for each such group."

The PRESIDING OFFICER. The question is upon agreeing to the amendment offered by the Senator from New Jersey, as modified, to the amendment reported by the committee.

The modified amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question now is upon agreeing to the committee amendment, as amended.

The amendment, as amended, was agreed to.

Mr. MURRAY. Mr. President, I send to the desk an amendment which I ask to have stated.

The PRESIDING OFFICER. The Senator will have to ask for the reconsideration of the committee amendment, as amended, because the Chair announced that amendments to the committee amendment must be offered before it was agreed to.

Mr. MURRAY. I make that request.

The PRESIDING OFFICER. Without objection, the vote whereby the committee amendment, as amended, was agreed to, is reconsidered. The amendment offered by the Senator from Montana to the committee amendment will be stated.

The LEGISLATIVE CLERK. On page 10, line 14, after the word "medical," it is proposed to insert a comma and the word "osteopathic."

The amendment to the amendment was agreed to.

Mr. TAFT. Mr. President, I desire to say a few words in favor of this bill. I do not want my support of this bill to be taken as indicative that I approve national health bill which has been under consideration for several years. It seems to me, however, that this bill presents a substantial advance, or change, or additional policy in Federal Government assistance to State activities. There are a number of things which are clearly within the primary province of the States. Certainly the care of the poor and assistance to the poor is one of the matters, which under our Constitution, are left to the States; but in recent years we have adopted the principle that the Federal Government must aid the States and localities in taking care of the poor.

I think that principle is justified, but solely for financial reasons, because the taxing powers of the States and localities are so limited that they are not able to take on a great many of the additional activities which we think today the Government should take on. So we have recognized the obligation of the Federal Government to assist, particularly in aiding those who have substandard income. We have the examples of direct assistance to the States and localities for relief, and even in that case we have Federal administration, which I think is a mistake. We have assistance in the case of old-age pensions; we have assistance in the case of unemployment insurance; we have assistance for housing; for the substandard-income groups.

The fifth field of Federal assistance which I think is justified and in line with what we have already done is assistance in the matter of health. I do not feel that we should go on to other questions—of education and other matters which do not have to do directly with assisting people of substandard incomes.

In the case of relief, the Federal Government has had to contribute most of the money, because here was a tremendous additional cost which most of the States were wholly unable to meet, because State tax limitations are such that they cannot raise large sums of money. If they tax the wealthy, they drive the wealthy out of the State. If they tax industry, they are likely to discourage industry in the particular State. Consequently their tax powers are limited. Those tax powers have been set up to meet certain activities of government. They have been set up particularly to meet activities in connection with education and the other usual activities of cities, counties, and States, and those activities absorb practically all of the money the States can raise.

So when there was added a great new expense like relief the Federal Government had to help out, and the same is true of old-age pensions and unemployment insurance. It is true as to housing. I think it is less true as to health because the States and localities have long spent money on the care of health. We have a great medical system; we have a great

hospital system, partly public-owned and partly owned by private corporations—usually not for profit. We have health services in nearly every State, yet State funds for that purpose have not been very liberally provided. It is very doubtful whether they can go on and expand with their own funds that service, particularly in aid to the poor, which we think should be given.

The Wagner health bill proposes a tremendous program, building up to something like $800,000,000 a year—away beyond what I think should be undertaken, or is necessary to undertake. I think the Federal money in aid to the poor for medical care is purely a supplemental matter, and should be held to certain fields where the need is very clear and where the character of service is something new. So I think that particularly in the field of hospitals, and also in the field of direct medical aid to the needy, there is something for us to do. I think we will have to go on later from hospitals to the general field of medical aid to the needy. I do not think we need all the six categories of the national health bill, but I think the pending bill is in line with what the Federal Government can do.

When originally introduced this was a bill providing for the construction of Federal hospitals—for a Federal chain of hospitals—to be built by W. P. A. labor. I offered a substitute and the committee very kindly gave every consideration to it, and finally decided that it should not be a Federal chain of hospitals, although those built during the first year may be federally owned, but it should be a supplement to the State system—that every State should be made to set up a plan of its own for hospital service, and then the Federal Government will come and aid them in places where aid is absolutely essential.

We have eliminated the provision for construction by W. P. A. labor, because in the long run it will be more expensive, and the W. P. A. labor cannot build a concrete, fireproof hospital such as is contemplated under the bill.

These hospitals, I think, will be mostly 100-bed hospitals, because hospitals of less than 100 beds are not economic units, and we cannot get a doctor into a hospital with much less than 100 beds and give him enough experience so that he will be of any use as a doctor. It is not possible to have a hospital in every county; we can have a hospital in a group of counties, and there is no difficulty in transporting people from one county seat to the next county seat. But the units must be a reasonable size, so that we can get men, and after we get them be sure they will have enough experience that they will be of some good as doctors, and develop to be better doctors, rather than gradually deteriorate.

We provide in the bill some funds for the training of the doctors. We have also provided for assistance in the maintenance of these new beds in gradually decreasing amounts. As the bill was originally presented the Federal Government was to pay the complete cost of a hospital, say, $250,000, and then lease it to the State or to the locality on condition that it maintain it. It costs almost $100,000 a year to maintain a $2,500,000 hospital, and it seemed almost certain that the leases would be canceled, and we would have the whole thing back on the Federal Government. We have provided here for maintenance at the rate of $300 a bed, and then in gradually decreasing amounts, until the States and localities can adjust their tax systems and their provisions for the maintenance of the hospital.

I believe every State should have the responsibility of seeing that the hospitals in the State are maintained. After the first year the States will have to put up some part of the cost, and no matter how poor a particular district, it seems clear to me that the State government should participate to some extent in the permanent program.

Mr. KING. Mr. President, I should like to ask the Senator from Ohio a question. Perhaps in his very lucid statement he included the matter about which I am about to inquire.

Am I to understand that after the hospitals have been constructed, and provisions have been made to care for them for a number of years, ultimately the title to the hospitals will pass to the States?

Mr. TAFT. There is a distinction between the first year and the time after that. In the case of hospitals built the first year, the title will be in the Federal Government; but the bill provides that when a State plan has been approved, the hospital shall be transferred, after 5 years, I think, to the State. After the first year the hospitals are not to be federally owned at all. They are to be built by the States. The only purpose of the Federal ownership the first year was in order to speed up the program, and enable it to get started, without setting up the balanced and rather elaborate preparation of State plans, which would take probably a year.

Mr. KING. It is not anticipated, then, that the greater number of hospitals which will be constructed under the bill will be put into operation or be constructed during the first year?

Mr. TAFT. I think not. The appropriation is to be $10,000,000 a year for 5 years, and for $10,000,000 we may be able to build 40 hospitals. But I would think, as a matter of fact, that construction would begin rather slowly, because it is experimental. I would not think there would be many hospitals built under the first year's appropriation. If we get 10 of them as samples, we will probably be fortunate. After that, they will be built by the States, through Federal aid to the States.

Mr. KING. But the bill contemplates that ultimately the States are to own and operate the hospitals, and they are not to be a perpetual charge upon the Federal Government?

Mr. TAFT. That is correct.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment as amended.

The amendment as amended was agreed to.

The PRESIDING OFFICER. The question now is upon the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The question now is, Shall the bill pass?

Mr. PEPPER. Mr. President, I desire to make a very brief comment in favor of the proposed legislation, not that it is necessary, but I am anxious to express one or two pertinent sentiments in connection with the bill.

In 1935 this Government inaugurated one of the most significant programs it has ever launched, when it began to attack the problem of public health in a serious way by making provision, under the social-security law, for research and for certain control measures in the field of public health.

The amount which has been available under that law has been relatively small but great good has already been done, and the beginnings of a great program have been made.

At about the same time a very able Senator and a very humanitarian spirit, the senior Senator from Washington [Mr. BONE], impressed upon this body a bill which he tendered providing for research and investigations into cancer and its cure. The bill he presented was signed by every Senator on this floor as a joint introducer. As a result, there came about a cancer research and control program which made available about $700,000 a year. The Institute of Public Health of the National Government has incorporated that program as an integral part of its own excellent extended research and control work.

We have also adopted in the recent past a venereal-disease control program, first $3,000,000 annually and now $5,000,000 annually, lately being made available by the Federal Government in aid of a Federal-State endeavor of that character. That, too, now has promise of very great achievement, Dr. Parran recently making the statement that although everything they had hoped for, of course, cannot be realized at one time, they are far ahead of schedule in the progress which has been made.

Recently I introduced a bill which contemplates the establishment of a pneumonia-control program having to do with research and the cure and control of pneumonia, influenza, and the common cold, which as everyone knows is one of the chief causes of death in this country. That is a very important program which I am confident will be realized in the

near future as a further extension of the Federal Government's interest of the public health. It is particularly appropriate at the present time that the subject of the public health should have the consideration of the Congress, because the public health is of course vitally essential to the national defense.

The doctors, in testifying about the pneumonia-control program to which I have adverted, stated that all the conditions are now favorable for a return of an influenza epidemic comparable to that of the World War days, which took such a terrific toll of lives in this country alone. The accumulation of great bodies of men together, the breaking down of ordinary safeguards, have made conditions conducive to the return of this influenza epidemic. I hope, indeed, that we shall be wise enough to take preventive measures as an essential basis of our national-defense program against such an unhappy recurrence.

So I wanted to say that I look with great joy upon the work that has been done by the United States Government in the improvement of the public health. I look with particular happiness upon this bill. It certainly is a conspicuous step in the right direction.

The only comment I care to add is that I have never been able to see why we have not gone ahead at a greater rate than we have. I am disappointed that there is not a larger appropriation made available under this measure than is made, because there are some 1,300 counties in the United States which have not had any kind of hospital facilities available to the people. We all know that there are tens of thousands of people dying every year in this country from preventable diseases. So instead of Dr. Parran coming over to the Congress and getting a cordial reception, and having the Congress say to him, "How much money will it take to put on an efficient and effective public-health program in the United States?", we have too often regarded him like a thief in the night coming to take away our zealously guarded treasure.

I know that the millions of people in this country who have heretofore been denied access to hospitals, the loved ones of the many who have lost their lives because those medicinal opportunities have not been available, are looking upon the passage of this bill, disappointed that it is not larger, but hopeful that it will constitute at least a step in the direction of a gradual and unfolding program of the Government which will respect human life and give proper consideration to the national defense by the protection and the safeguarding of the public health.

The PRESIDING OFFICER. The question is, Shall the bill pass?

The bill (S. 3230) was passed.

ORDER OF BUSINESS—NAVAL EXPANSION—ADMINISTRATIVE PROCEDURE

Mr. BYRNES obtained the floor.

Mr. WALSH. Mr. President, will the Senator yield?

Mr. BYRNES. I yield.

Mr. WALSH. I move that the Senate proceed to the consideration of House bill 8026, being Calendar No. 1677.

Mr. HATCH. Mr. President, that is a debatable question, is it not?

Mr. BYRNES. Mr. President, I do not yield for that purpose. I move that the Senate proceed to the consideration of House Joint Resolution 551, Calendar No. 1793.

Mr. HATCH. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HATCH. The Senator from South Carolina received recognition from the Chair. He yielded to the Senator from Massachusetts for the purpose of making a motion. The Senator from Massachusetts made the motion. The Senator from New Mexico addressed the Chair and asked if that motion was debatable. I do not know the status of it at this time. Has the motion been adopted? The Senator from South Carolina [Mr. BYRNES] now has moved to take up something else, and there is another motion now pending before the Senate. My inquiry, Mr. President, is: What is before the Senate at this time?

The PRESIDING OFFICER. The motion which the Senator from South Carolina seeks to make is a highly privileged motion with respect to a measure reported from the Select Committee on Government Organization. It is not subject to debate.

Mr. McCARRAN. Mr. President——

The PRESIDING OFFICER. The Senator from South Carolina has the floor.

Mr. ASHURST. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ASHURST. What is the question?

Mr. HATCH. Mr. President, I made inquiry of the Chair——

Mr. McCARRAN. Mr. President, the pending question is on the motion of the Senator from Massachusetts. It is a debatable question.

The PRESIDING OFFICER. The Senator from South Carolina yielded to the Senator from Massachusetts. If other Senators will please be seated, the Chair will state the parliamentary situation.

Mr. ASHURST. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ASHURST. What is the pending question?

The PRESIDING OFFICER. The Senator from South Carolina yielded to the Senator from Massachusetts. He has indicated he did not yield for the purpose of permitting the Senator from Massachusetts to make a motion. The Senator from South Carolina has the floor to make a motion. The Chair recognizes the Senator from South Carolina.

Mr. BYRNES. I move that the Senate proceed to the consideration of House Joint Resolution 551, being Calendar No. 1793.

Mr. WALSH. Mr. President, will the Senator yield?

Mr. BYRNES. I yield.

Mr. WALSH. I did not understand that the Senator from South Carolina did not yield for the purpose of permitting me to make a motion.

Mr. BYRNES. Mr. President, when I yielded to the Senator from Massachusetts, in response to his request, I could not then tell whether he was going to make a motion or not, but I am entirely willing for him to make the motion, because I know the Senator wants to take up his bill if it is possible. I would be entirely willing to yield to him for that purpose.

Mr. WALSH. The Senator from South Carolina knew from private conversation I had with him that it was my intention and purpose to make the motion I have made.

Mr. BYRNES. I knew that the Senator wanted to have his bill taken up. I wanted to have the joint resolution taken up, but if my resolution will not be delayed, I am willing to yield the floor and let the Senator make his motion.

Mr. WALSH. Mr. President, I move that the Senate proceed to the consideration of House bill 8026, to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes.

Mr. McCARRAN. A point of order.

The PRESIDING OFFICER. The Senator from Massachusetts was recognized by the Chair and has the floor.

Mr. McCARRAN. A point of order.

The PRESIDING OFFICER. The Senator from Nevada will state his point of order.

Mr. McCARRAN. Is not that motion a debatable one?

The PRESIDING OFFICER. It is under the rule.

Mr. McCARRAN. Very well. I wish to be heard.

The PRESIDING OFFICER. The question is on the motion of the Senator from Massachusetts.

Mr. ASHURST. Mr. President, on that I wish to be heard.

The PRESIDING OFFICER. The Chair will give the Senator from Arizona an opportunity to be heard. Does the Senator from Massachusetts desire to speak to his motion? The Senator from Massachusetts.

Mr. WALSH. Mr. President, I hope the Senate will vote to take up this bill and two other bills relating to our naval needs. It has been pending now since May 15, having previously passed the House. It relates to the expansion of our Navy by authorizing the building of a large number of naval

vessels to supplement our present Navy. There is still pending in the House the naval appropriation bill, and it cannot be acted upon until the bill I have moved the Senate take up is enacted into law, because the bill furnishes the authorization for items which must go into the bill now pending in the House. Therefore, it is very essential and very important that we should enact this legislation if we are going to appropriate any money under the naval appropriation bill for the Navy during the present session.

The naval appropriation bill for the next fiscal year has not as yet been passed. The appropriation bill has passed the Senate, but it is still in the House, and it cannot be passed with respect to certain items, because there is no authorization existing for certain items, the authorization for which is contained in this bill. Therefore, it is very important to take the bill up for consideration now.

I know there are some Senators on the floor who are anxious to have another bill taken up. I am sympathetic with their desires, but I do not propose to let another minute go by, or to let anything prevent taking action on these naval-defense bills. The country wants action on them. I want action on them. The committee wants action on them, most of the Members of the Senate want action on them, and I propose that the Senate take up these naval bills and dispose of them now. In my opinion, it will not take more than 2 hours to dispose of the bills, because there is very little controversy about them in the Senate.

The PRESIDING OFFICER. The question is on the motion of the Senator from Massachusetts.

Mr. ASHURST. Mr. President, in my opinion, the able Senator from Massachusetts [Mr. WALSH] has performed a valuable service. The bill to which he refers should be passed as soon as may be reasonably possible, after due consideration of the subject. But, Mr. President, there is about the Senate some talk of adjournment. Those who wish to serve their country in an hour of crisis and of peril will not talk adjournment. Those who wish to make a contribution to the strength and the perpetuity of American institutions will play down talk of adjournment. That is the language of defeat, of run away, of abandonment of duty. I am a candidate for reelection to the Senate. To me it would be a major calamity to be defeated for reelection [laughter], but I am prepared to remain here all summer, and I shall not vote to adjourn. What a miserable figure I would cut before the country, trying to be reelected and running away from the very duties to which I have asked to be returned. This is no time to run away, to talk of adjournment, to talk of going home, pleasant as home-going would be.

The Senate has before it a large calendar of important bills. I am for the bill of the Senator from Massachusetts. I am for the reorganization measure sponsored by the Senator from South Carolina.

Mr. President, it is a great honor to be a Member of the United States Senate. We should not be afraid of any contingency; and I do not believe the Senate is afraid of any contingency. The Walter-Logan bill has been before the Senate for many months. It has been approved by 16 of the 18 members of the Senate Committee on the Judiciary. I have no ear to listen to suggestions that the consideration of that bill is one duty we might well avoid. This is not the time to avoid duties, but the time to meet duties; and I shall never vote to adjourn until a vote shall have been had on the question of taking up the so-called Walter-Logan bill. If Senators do not wish to vote for it, that is their privilege. A Senator who votes against that bill is secure from my prejudice and the prejudice of his country; a Senator who votes for it is secure from my prejudice and the prejudice of his country; but a Senator who dodges a vote, and refuses to be recorded as to whether or not he would have the Senate consider a bill of such importance, will find that he is not secure from the prejudice of his country.

I am not disposed to lecture my fellow Senators. However, a motion to adjourn is not debatable; and when the motion comes we shall not be allowed to express ourselves. This may be my only opportunity of giving notice that, so far as I am concerned, there will be no adjournment until we shall have faithfully faced and performed our duties. I repeat, I would cut a miserable figure as a candidate for reelection if I should run away from, avoid, and dodge the very duties I am sworn and paid to perform.

Mr. President, I have discharged what I think is my duty to myself. I wish my constituents to know that I want an opportunity to vote to consider the Walter-Logan bill, not an opportunity to dodge that responsibility. I want my constituents to know that I am in favor of the joint resolution of the Senator from South Carolina. I think one of the wisest things the President has done in his efforts to bring about reorganization is to take certain duties away from the Secretary of Labor and transfer them to the Department of Justice. Even if the Secretary of Labor were of a mind to perform the duties incumbent upon the Department of Labor, in the very nature of things that Department is not equipped to perform the functions and duties now proposed to be transferred to the Department of Justice.

I thank the Senate for the attention it has given me.

Mr. McNARY. Mr. President, I think there is no question that we all understand the parliamentary situation. Of course, if the pending motion should be agreed to and the naval expansion bill should be made the unfinished business, the Senator from South Carolina would not be prevented from proceeding with his highly privileged motion without displacing the bill of the Senator from Massachusetts.

It seems to me that at this time we should make the naval expansion bill the unfinished business. We also should dispose—probably today, or immediately—of the order of the President, a motion with respect to which is about to be made by the Senator from South Carolina.

Mr. President, I am for all three of these measures. I shall assist the able Senator from Nevada [Mr. McCARRAN], the Senator from New Mexico [Mr. HATCH], the Senator from Arizona [Mr. ASHURST], and the Senator from Utah [Mr. KING], in bringing before the Senate for consideration and full debate the so-called Walter-Logan bill. However, it occurs to me that we should now go along with the naval expansion bill and allied bills, to be followed by the Walter-Logan bill. In the meantime, I think no one would object to the consideration of the order recently issued by the President.

I offer these suggestions in the interest of working out the program toward the end of the session.

Mr. HATCH. Mr. President, speaking only for myself as one member of the subcommittee which has been considering the Walter-Logan bill, I can say that there is no desire whatever to interfere with the consideration of the bill which is being sponsored by the Senator from Massachusetts. Probably all of us occupy the exact position which the Senator from Oregon [Mr. McNARY] has just stated. We shall be found supporting that bill. Likewise, we shall be found supporting the motion which the Senator from South Carolina [Mr. BYRNES] will make. There is absolutely no intention or desire to interfere with the orderly procedure in connection with those matters.

However, Mr. President, some of us have been quite interested in the so-called Walter-Logan bill. For a long period of time we have tried to obtain some consideration for that bill, and have sought recognition to make a motion to take up the bill. It has been impossible for us to obtain any understanding or agreement, or even to obtain recognition at the proper time to make a motion to take up the bill. I think I can say that if we could have a little cooperation we should be perfectly willing and glad to cooperate in taking up these other measures.

So far as I am concerned, I shall have nothing more to say today if the Senate takes up the bill of the Senator from Massachusetts. I hope it may be quickly passed. I also hope the joint resolution sponsored by the Senator from South Carolina may be passed.

When those matters shall have been disposed of, I think in fairness to the Judiciary Committee, in fairness to the House of Representatives, and in fairness to many people of the

country who are interested in the Walter-Logan bill, we ought to be recognized by the Chair and permitted to make a motion to take up that bill, consider it, and dispose of it one way or the other.

Mr. McCARRAN. Mr. President, three important matters are pending before the Senate—the matter referred to by the Senator from South Carolina, the matter referred to by the Senator from Massachusetts [Mr. WALSH], and the Walter-Logan bill, reported to the Senate by an almost unanimous vote of the Committee on the Judiciary.

The Walter-Logan bill has been pending in the Senate for a great length of time. It has passed the House of Representatives by a very substantial vote. It has been discussed by bar associations, by groups of citizens, and by the people generally throughout the length and breadth of the United States. In my judgment, the bill affects the life of every American citizen and of every American institution, if our constitutional provisions are to continue in full force and effect, as we hope they will.

So far as the measure sponsored by the Senator from South Carolina is concerned, let me say that no one was more vehement than the junior Senator from Nevada in opposition to Executive Orders Nos. III and IV. I submitted my cause and the reasons therefor to the Senate of the United States, and the Senate did not agree with my views.

The matter which is to be presented by the junior Senator from South Carolina is a matter of detail, whereby the will of the Senate and of the Executive is to be carried into effect. The Senate ordained by its vote that that should be the program. I certainly shall not now oppose a matter of detail. I shall not go into small things, but choose rather to deal with principle all the way through. So, when the Senator from South Carolina presents his matter, so far as I am individually concerned, I shall certainly support it.

As to the other matter which is proposed by the Senator from South Carolina, which I understand is to make effective more promptly Executive Order No. V, which deals with the question of transferring the Bureau of Immigration and Naturalization to the Department of Justice, in my individual judgment, no more important and worth-while Executive order has been sent to Congress under the Reorganization Act. I shall support Executive Order No. V to the best of my ability. So, as to those measures, there is no contention so far as I am concerned.

Again we come to the bills referred to by the able Senator from Massachusetts [Mr. WALSH]. So far as I know, a study has been made by the able Senator and by his committee, and those bills are approved by the recognized authority, and are therefore deserving of my support. But, Mr. President, apparently that is not the question before the Senate. I expect to support the bills sponsored by the Senator from Massachusetts. I shall support the two matters which are to be presented by the junior Senator from South Carolina, one a matter of detail with reference to Executive Order No. IV and the other the matter of approving at an early date Executive Order No. V. I shall support both those measures.

But the question is not those matters, but, rather, as I view it—I hope I am mistaken—an effort to keep the Senate of the United States from passing upon—voting either up or down—a measure which the Judiciary Committee has presented to the Senate after long consideration. I regret to say that it is apparent that there is a desire to prevent the Senate from ever voting upon the Walter-Logan bill. Whether the bill be right or wrong, surely the Senate of the United States should have an opportunity to express itself on it.

If the Senators are to vote the Walter-Logan bill down, well and good. Those of us who have given study to the subject, and who think we are right, will abide the will of the Senate, and go along as we will go along in the case of other measures. But, Mr. President, any effort by a continual program to prevent the Senate from considering a matter vital to the welfare of the people of this country—a matter that reaches, indeed, and calls into force and effect the provisions of the Constitution of the United States whereby this Government was declared to be a tripartite form of government—any effort to prevent the Senate from allowing the courts of the land to pass upon measures which are vital to the welfare of the citizenry of the country, is an effort which, to my mind, cannot meet with the approbation of the people, the sovereigns. Certainly it was never the intent of those who formed this Government that any group could so arrange matters as to prevent the legislative body from ever considering a vital question. That, however, seems to be the program now; and that is why after repeatedly asking that the Walter-Logan bill be considered, we have now come to a point where we must halt, even though in halting we should keep the Senate from considering that which all of us apparently would support.

Mr. President, it seems to me that the time has arrived when bills of the importance of the Walter-Logan bill should not be blocked by this system. It seems to me that the time has arrived to be candid with the people. It seems to me that the time has arrived when the Senate should say, "We will make a special order of the Walter-Logan bill, or we will take the Walter-Logan bill up at a given time." Then, none of us will be found blocking the way for other proposed legislation; but, so long as there seems to be an effort to block the consideration of a measure which has been before the Senate for a long time by the action of its duly constituted and standing Committee on the Judiciary, it seems to me it is high time for some of us to halt and see where we are proceeding in the matter of legislation.

Mr. President, reverting now to the matter to which the Senator from South Carolina [Mr. BYRNES], as I understood him, was to address himself when he obtained the floor and yielded to the Senator from Massachusetts, I may say that, in my judgment, Executive Order No. V, which the Senator from South Carolina proposes to bring before the Senate, under the rule, should have the unanimous support of the Senate of the United States, because it will place in the Department of Justice a matter most vital to the welfare of the defense of the country at an hour when we are speaking in terms of billions of dollars for defense. Executive Order No. V will take out of the Labor Department all matters pertaining to immigration, and certainly, from all we have read in the press in the past few years, indeed, in the past few weeks, the question of immigration to this country is vital, since the expression, the "fifth column," has grown into a common phrase of the hour. Certainly that committee of the House that has had to do with investigation of un-American activities has found a "fifth column"—plenty of them, if you please—in America. It is time for some department of the Government, having teeth in it and sufficient equipment and personnel to enforce its orders, to take hold of the question of immigration and see whether those coming to this country are worthy of being members of our body politic.

The Department of Justice, of all departments of the United States, it seems to me is the one department, together with that splendid agency known as the F. B. I. that has accomplished so much for the preservation of American institutions, so much in doing away with crime, which should take over that which is vital to American life, namely, those coming here as aliens, who shall have the privilege of intermingling with our citizenship and the privilege of protection from our Government.

Mr. President, I ask unanimous consent that, upon the conclusion of the bills referred to by the Senator from Massachusetts, and the conclusion of the matter referred to by the Senator from South Carolina, the Senate proceed to the consideration of the Walter-Logan bill.

The PRESIDING OFFICER. Is there objection?

Mr. BARKLEY. Mr. President, reserving the right to object, which I will exercise later, I wish to make a statement with respect to the program in the Senate as it relates to the Walter-Logan bill and all other bills.

It is not an easy matter to arrange the program of the Senate in accordance with what seems to be the relative im-

portance of measures. Conditions have arisen within the last week or two which nobody could foresee; and I think, regardless of the opinion some persons hold with respect to the importance of the Walter-Logan bill, the country at large regards other measures infinitely more important at this particular juncture than the Walter-Logan bill or other bills which have been reported by the Judiciary Committee, and which, I presume, have equal standing on the calendar with this particular measure.

In the first place, Mr. President, I have not at any time been unfrank with the advocates of the Walter-Logan bill. I am opposed to the measure; I intend to do all I can to prevent its passage when it is taken up, which I have the right to do and which any other Senator has the right to do, just as those who favor it have a right to advocate its passage.

Last year—and I call attention to it now because I went before the Judiciary Committee recently with respect to this measure—the President of the United States asked the Attorney General to appoint a committee to make a thorough investigation of the question of administrative law and to submit recommendations with respect to legislation that should be enacted regulating the administration of our departments and bureaus insofar as the courts were concerned. I am not going into the merits of the Walter-Logan bill. I will do so to the extent of my ability when it is under consideration. The Attorney General, in response to the request of the President, appointed a commission, or a committee, of which Mr. Dean Acheson, a very eminent lawyer, is the chairman.

Recently the Senator from Indiana [Mr. MINTON] put into the CONGRESSIONAL RECORD a letter from Mr. Acheson to the Attorney General stating that the committee were engaged in the performance of their duty in investigating one by one the departments and the bureaus with respect to their administration, and any remedies that ought to be applied by an act of Congress to the administration of the departments, and that they would have their investigation completed by the end of May, which is now at hand. I happen to know that they have been going through some of the departments and bureaus "with a fine-tooth comb" to ascertain their administrative practices, to obtain full information with respect thereto, in order that they might make their report to the Attorney General and have it submitted to the Congress. In his letter Mr. Acheson advised the Attorney General that they would be ready to make their report by late summer of this year. Based upon that situation, I went before the Judiciary Committee some 2 or 3 weeks ago and urged that they withdraw the Walter-Logan bill and not to urge its consideration now, so that the Attorney General's committee might make its report, and, based upon that report, that we might enact legislation that could become law.

The Judiciary Committee did not heed my request, and immediately appointed a subcommittee to go over the Walter-Logan bill again and consider amendments to it; and as a result of that consideration they brought in some 40 amendments to the bill. Some of them are technical. In my judgment, none of them cures the defects of the Walter-Logan bill; but I shall not discuss that matter at this time.

I then felt, and I now feel, that in view of the President's request of the Attorney General to appoint a commission of eminent and able lawyers—and nobody can deny the eminence or the ability of the lawyers who were appointed on this commission—in view of the imminence of the completion of their work, and the making of an intelligent report to Congress by the commission, it was the part of wisdom to postpone the consideration of this proposed legislation until we could get the benefit of their work; for nobody who has sponsored this legislation, including the Special Committee on Administrative Law of the American Bar Association, has made the investigation in the departments that the commission appointed by the Attorney General is now making and has well-nigh completed, in order that Congress may have the full benefit of all the facts with regard to this legislation.

The subcommittee amended the bill in some respects; and it is now before the Senate, insofar as these amendments apply, as a new bill, although, as I said a moment ago, it does not fundamentally change the concept of the bill as originally outlined so far as this particular measure is concerned.

It is an important piece of legislation, and it is a controversial piece of legislation. The Walter-Logan bill cannot be considered and disposed of in 1 day. It will take several days to dispose of it. I have had the feeling, and I now have the feeling, that the United States of America is not so much concerned about the passage of a law that will give the courts the right to administer our departments, or determine how they shall be administered, to the extent that they cannot even make a regulation for their own conduct without the approval of a court—certainly the American people are not so much concerned with that legalistic, technical situation in the departments of our Government as they are now with our domestic and international situation growing out of the World War.

I grant that the special committee of the American Bar Association may consider the Walter-Logan bill more important than our national defense. I cannot believe that that is the fact; but if we were to judge by the importunities of those who wrote this bill in the beginning, we might very well conclude that the bill is of more importance than anything else now before Congress.

I have made no effort to block the consideration of the bill except as I went before the Judiciary Committee and asked them to postpone its consideration until we could get the benefit of the investigation which is now in progress and almost concluded by the able committee appointed by the Attorney General.

Senators on the floor have asked that I fix a date some time in the future when we can consider this bill. Senators know the impossibility of doing that, especially under present conditions. The Senator from Massachusetts [Mr. WALSH] has brought in here a bill which is a part of our national-defense program. He has one or two other bills which are a part of our national-defense program. The Senator from Texas [Mr. SHEPPARD], the chairman of the Committee on Military Affairs, has brought in a bill the consideration of which he has been urging since its report, because it is a part of our national-defense program. Tomorrow the President will send to Congress another estimate of nearly a billion dollars in the way of appropriations in order that we may still further provide for our national defense. The House of Representatives has passed a relief measure providing nearly a billion dollars for the relief of unemployment, in order that we may take care to that extent of the unemployment situation which confronts the country. I am advised that the Appropriations Committee will complete its work on that measure within the next day or two, and probably will report it to the Senate Monday or Tuesday for consideration.

In view of that situation, in view of the necessity and the urgency and the demand on the part of the American people that we carry out our defense program from the military and naval standpoint, it seems to me it is certainly inappropriate at this time to insinuate that somebody here on the floor of the Senate, through caprice or whim or through a desire to block a vote upon this measure, is arranging a program deliberately designed to prevent the consideration of the Walter-Logan bill. If any Senator desires that we lay aside the consideration of defense measures in order to take up the Walter-Logan bill, which is controversial, or any other controversial measure, he has a right to think so; but, Mr. President, I believe that in the condition in which we now find ourselves we ought to dispose of all these national-defense measures before we enter upon the consideration of any other controversial measure which will take some time, in order that we may arrive at a conclusion with respect to the measure.

What the sentiment of the Senate is regarding the Walter-Logan bill, I do not know; I would not undertake to predict;

but the Walter-Logan bill is not the only measure about which I am being bombarded, because of the position I hold here, to fix a day for its consideration. For weeks I have been the object of abusive and critical letters because I have not fixed a day upon which other important legislation may be considered in the future. I may be all wrong about my conception of the relative importance of legislation. It may be that the Senate does not approve or agree with my position on these measures at this time. If it does not, it has the power to act in a contrary way.

Mr. ASHURST. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield to the Senator from Arizona.

Mr. ASHURST. During my long years of service in the Senate, no Senator ever served who was more splendidly equipped for leadership than is the able Senator from Kentucky. I hope he will remain leader as long as he is here, which I hope will be indefinitely. It is a pleasure to serve under his leadership. I have been the constant recipient of his favors and his courtesies. So far as I know, no one has insinuated that the able Senator from Kentucky has by any means tried to prevent a vote on the question of taking up the Walter-Logan bill.

I have not insinuated that there was an attempt to prevent a vote. I have charged that there is an attempt to prevent a vote. I make no insinuations; but in that charge I do not include the Senator from Kentucky, because he was frank with his own former colleague who has now gone to where, beyond these raucous voices, there is peace.

The Senator from Kentucky manfully told his own colleague that he did not like the bill and that he was against it.

The Senator from Kentucky has many virtues. Among them is his ingenuousness and frankness. I have not asked, I would not ask, that the Walter-Logan bill displace the Navy bill proposed by my friend, the able Senator from Massachusetts [Mr. WALSH], or the joint resolution proposed by the Senator from South Carolina [Mr. BYRNES], or other measures. All I ask—and it is a modest request—is that before final adjournment the Senate shall have an opportunity to vote on the question whether or not it wishes to consider the Walter-Logan bill.

That is not an immodest or unusual request; and, Mr. President, if the Senator will pardon me, I do not make that request out of any pride simply because the bill came from the Senate Committee on the Judiciary. It would be childish, to say that, forsooth, because the bill happens to come from that committee, it should be considered ahead of some other measure.

The able Senator says we are going to prepare for national defense. I am with him in that position; we should prepare to take care of the liberty of the American people; but forsooth, of what purpose is it, on the one hand, to expend billions of dollars in taking care of the liberty of the American people, and then, by silent attrition, by secrecy, by processes of which the citizen has no knowledge, take away the very liberty we are undertaking to save?

Mr. President, the right to be heard when one's liberty or one's property is about to be swept away is an American right. All the Walter-Logan bill does is to provide that the person whose property or whose liberty is about to be taken away shall have a right to be heard and to be confronted with the witnesses. That is all there is to the Walter-Logan bill.

Mr. BARKLEY. I do not care to discuss the merits of the Walter-Logan bill at this time. I will say to my friend, however, that I could not agree that that is all it does.

Mr. ASHURST. I know the Senator will not agree to that statement; and he is intellectually honest.

Mr. BARKLEY. I thank the Senator from Arizona for his very generous reference to me. I had no allusion to what he referred to, however, in the remark I made a while ago.

Mr. ASHURST. But, Mr. President, I not only insinuate, I go further and charge that the officers or employees of departments and bureaus who have been issuing their ukases and ipsi dixits in secrecy, without giving anyone a hearing, are the ones who are attempting to prevent a vote on the Walter-Logan bill.

Mr. BARKLEY. Mr. President, I have no knowledge of anyone in any department who has done that. Certainly they have not done it, insofar as I am concerned, and I think I am as much against the bill as is any other Member of the Senate, and it would be likely, I suppose, that some of the persons in the departments to whom the Senator refers might come to me about it. So far as I know, the only effort in the Senate from any responsible source to postpone the consideration of the bill was when I went before the Committee on the Judiciary, of which the Senator from Arizona is the able chairman, and gave reasons why I thought it should be postponed, which apparently did not appeal to the committee and which it had the right, of course, to reject.

Though I have never talked to the Attorney General about this matter, either the present Attorney General, or his immediate predecessor or his predecessor, and have never even talked to Mr. Acheson, the chairman of the committee which has been investigating this problem, it may be that someone in the Department of Justice—and it would not be unreasonable—feels that Congress should not be in such a hurry to pass a measure of this kind.

Mr. ASHURST. When we find an official of a department or an official of a bureau who is willing that any of his power shall be taken away, we will find white blackbirds. [Laughter.]

Mr. BARKLEY. Artemus Ward, the famous American humorist, once remarked that one man has as much human nature in him as another—if not more. [Laughter.]

Mr. ASHURST. Very good.

Mr. BARKLEY. I think that applies to the United States Senate no less than to the departments.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. MINTON. I should like to ask the Senator from Arizona a question regarding an assertion made by him, that the purpose of the Walter-Logan bill was merely to enable an American citizen whose liberties or property were in jeopardy to have a fair hearing. Is not the Senator ready and willing to admit that the law now requires that right to be accorded, and that American citizens do now have what the Supreme Court says they are entitled to have, not only the right to a hearing, but a hearing according to due process, and then the courts have a right to review the decision upon the record that is made?

Mr. ASHURST. Mr. President, I should not trespass upon the time of the able Senator from Kentucky——

Mr. BARKLEY. I yield.

Mr. ASHURST. But let me answer the able Senator from Indiana. Personally I have regretted that he is not a member of the Committee on the Judiciary. I regret that he does not live in the West. There he would soon be brought into communication, annihilating communication, with Executive orders—orders of bureaus, mark you—issued without the knowledge of the persons involved, without any opportunity to cross-examine the witnesses; orders under which property rights and personal rights of citizens are swept away, their means of earning their livelihood destroyed. They may not appeal. They do not even know what testimony was heard. There is no process by which they can get into court. If America means anything, it means the right of a citizen to earn his living.

Mr. President, men are improved by ideals. Men live by economics, they live by having food, shelter, and utilities. When, by the ipsi dixit of a bureau there is taken away from a man the right to earn a living, he is deprived of everything but a mere animal existence.

Because of necessity the English Government has recently established a dictatorship; but it will be a long time before the English Government or any other government sets up dictatorships such as may be found in some of the bureaus of the Government. Imagine the Secretary of the Interior by his mere ipsi dixit, and contrary to law, issuing an order that in order to take moving pictures one must pay $500 a month! Where does he derive such authority? He has no such authority. I shall not do so, but I could stand here and by the hour refer to orders which have been issued

affecting the rights and privileges of citizens, of free men, from which there is no appeal. A citizen does not know who testified against him.

I am not unduly alarmed or excited about the Walter-Logan bill, because if Congress does not change the present practice and deprive governmental bureaus of the power to issue ukases and their ipse dixits there will be changes in Congress, and all too soon to suit some.

Mr. President, all the Walter-Logan bill does is to give a citizen under certain circumstances, when his rights have been invaded, not even in all circumstances, the right to be heard and the right to appeal; that it all.

Mr. MINTON. Mr. President——

Mr. BARKLEY. I will yield in a moment. I wish to refer to what the Senator from Arizona has said about the Secretary of the Interior. I know nothing about the practice of charging a fee for going on public lands or in national parks and taking photographs. But Congress can prevent that. Congress can pass a law saying he shall not do that. No one has introduced a bill, so far as I know, unless it is the Senator from Arizona, which would take away from the Secretary of the Interior the right to charge $5 or $50 for taking a picture on public land. Yet we are asked to say that Congress will not regulate bureaus which we have set up, we are not going to take away any of their authority, we are not going to dehorn them, but we are going to say to a circuit court of appeals that they shall do it. If the Congress does not want the Secretary of the Interior to charge $5 or $50 for taking a picture, Congress should say so; it should pass a law depriving him of that privilege and not leave it to some court to tell him he cannot do it.

I now yield to the Senator from Indiana.

Mr. MINTON. I wish to take the floor in my own time.

Mr. BARKLEY. I have taken more time than I had intended. I merely wanted to explain to the Senate what I have tried to do in regard to the measure which we are discussing. I wanted to try to explain to the Senate my views as to the relative importance of proposed legislation now before the Senate, and to come before it in the next few days, and the Walter-Logan bill.

For the reasons I have stated, I shall object to the request submitted by the Senator from Nevada.

Mr. MINTON. Mr. President, I do not intend to discuss the merits or demerits of the Walter-Logan bill at this time. So far as I am concerned, I am merely one of 96 Senators; I have no objection to the Walter-Logan bill coming up at the proper time; but I shall do all I can to defeat it when it does come before the Senate. I have made no pretenses about that; I am utterly and unalterably opposed to it and I shall do all I can to defeat it. But I do not know of any Member of the Senate who is trying to keep it from coming up. I do not know why the Senator from Arizona should become wrought up to such heights as I have never seen him reach before, and charge that someone is trying to keep that bill from coming up, when I do not know of any Senator who is trying to do so.

Mr. ASHURST. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. ASHURST. I am sure the Senator was not listening when I said "I do not charge that any Senator, I do not charge that any Representative, is trying to shirk his duty or is afraid to face a vote on considering the bill." I have not made such a charge. I distinctly said that I charged that bureaus, so long drunk with arbitrary power, refused to have the cup of arbitrary power now dashed from their lips without some protest. That is all.

Mr. BARKLEY. Mr. President, will the Senator from Indiana yield to me?

Mr. MINTON. I yield.

Mr. BARKLEY. I wish to state that when I appeared before the Senator's eminent committee—and I accord it all the eminence to which it is entitled—I suggested that there be hearings on the bill, in order that the departmental officials, the bureaucrats, who are here denounced, might be given an opportunity to come before the committee and express their views to the committee. That privilege was denied them, but even in spite of that, so far as I know, no bureau head or departmental employee has been here lobbying one way or the other concerning this proposed legislation.

Mr. ASHURST. Mr. President, will the Senator from Indiana yield?

Mr. BARKLEY. But I think it would have been wise and fair to have called before the Committee on the Judiciary some of those who are operating the departments and bureaus, in order that they might have told the committee what the bill would do to their departments and their bureaus and their agencies; and I still think that would have been the fair thing to do.

Mr. ASHURST. Mr. President, will the Senator from Indiana yield?

Mr. MINTON. I yield.

Mr. ASHURST. These bureaus do not operate in the fashion in which the able Senator from Kentucky imagines they operate. Secretly, silently, working underneath, they operate. They do not come out in the open and say, "We do not want our power taken away. We can administer this function more efficiently than can the Congress or the courts." They resort to the practice of sending letters or telegrams to constituents of Senators saying, "Put the heat on him. Send him about 200 telegrams for this or that." It would require the services of a true Hawkshaw, it would require the services of the best F. B. I. man, to locate and to delineate the unobtrusive, the quiet, but very effective way in which bureaus work for more power.

Mr. President, let us not be deceived. Can there be a man such a wayfarer as to fail to see that the liberty of the citizen and the functions and the authority of the Congress and of the courts have been taken away—secretly, silently, a step here and an advance there—by governmental bureaus, until at last—at least in the West; I do not know about conditions in the South or the East—the citizens of the western section of the United States really have not much more liberty in some respects than have citizens of countries or subjects of countries I shall not name.

Mr. President, I am in favor of preparedness—preparedness so that we may preserve the liberty of the citizen. But I do not want to be put in the ironical position of one day appropriating millions of dollars to defend the citizen's liberty and the next day granting power over the citizen's liberty and property to a man who never has been elected by the people, who could not receive 50 votes if he ran for election, who is not subject to the people's recall or rebuke, but nevertheless governs them. That is the condition against which I inveigh.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. MINTON. Yes; I yield.

Mr. BARKLEY. I do not want to take any more of the Senator's time; but since the Senator from Arizona has mentioned letters which have been written by "these sneaking little employees" of United States Government bureaus——

Mr. ASHURST. Mr. President, I did not say that.

Mr. MINTON. "The ones working underneath," as the Senator from Arizona indicated.

Mr. ASHURST. Under cover.

Mr. BARKLEY. Well, it is sneakish to work under cover. The Senator spoke of bureau employees and Government employees who in secret, under cover, are slipping around to influence the Senate on matters of this sort, and writing letters. I have not received any letter from any Government employee, and I dare say no other Senator has.

Mr. MINTON. I have not.

Mr. BARKLEY. But I have received letters from my State and from other States in support of the Walter-Logan bill, and some of them have been a little more frank perhaps than they intended to be. I have received letters from my State and other States in which it was stated frankly that Congress had been unwilling to amend the Fair Labor Standards Act; that it had been unwilling to amend the Wage and Hour Act; that it had been unwilling to amend the Wagner Act, giving laboring workingmen the right of selective bargaining; and that it had been unwilling to change the laws with respect to the Securities and Exchange Commission.

I do not impute any such motive as that to the Senator from Arizona [Mr. ASHURST], or to the Senator from Nevada [Mr. MCCARRAN], or to the Senator from New Mexico [Mr. HATCH], but some of those who have been writing me from my State and other States are not Government employees and are not sneaking around under cover, but are out in the open completely, trying to get us to pass the bill in order that we may hamstring particular agencies of the United States Government.

My position is that if we want to hamstring them, if we want to curb them, if we want to take away any of their authority, we should have the courage and manhood to do it by an act of Congress, and not "pass the buck" to some court to do what we have neither the intelligence nor the courage to do ourselves. If these laws need changing, let Congress change them. We ought not avoid the issue by giving the courts authority to run the Government departments.

Mr. MINTON. Mr. President, as I said a while ago—of course, the Senator from Arizona confirms me in it—there is no one on the floor of the Senate who is trying to block this great Walter-Logan bill. Then, of course, the Senator says that it is the bureaucrats who are trying to block this bill——

Mr. HATCH. Mr. President, will the Senator yield?

Mr. MINTON. I will yield in a moment. The Senator from Arizona says that it is the bureaucrats who are trying to block the bill, but the Senator from Kentucky very pointedly called to his attention the fact that the very bureaucrats against whom he inveighs so vehemently were not allowed to appear before the Senator's committee which considered the bill. They had no hearing.

I was challenged once and told that I was mistaken when I said on the floor of the Senate that the Committee on the Judiciary did not have hearings on this bill. I assert again that the committee did not have hearings on this bill.

On an entirely different bill they had some general hearings on the subject, but when it came to this bill, they had no hearings; and so the bureaucrats about whom the Senator from Arizona talks never had a hearing; they never had a chance to appear before the Senator's committee.

So far as my mail is concerned, it has contained no letters from the bureaucrats, but it has contained a great many letters inspired by a lobbyist who is probably sitting in the gallery now listening, the paid lobbyist of the National Association of Manufacturers. He is probably sitting in the gallery now. He has inspired a great many letters to me and to other Senators.

Mr. BARKLEY. He was until very recently himself a bureaucrat in the General Accounting Office.

Mr. MINTON. Yes. [Laughter.] And so we have had letters, not from the bureaucrats, not from someone who is trying to stop this bill, but we have had our mail cluttered up with letters inspired by this paid lobbyist of the National Association of Manufacturers, who is trying to do a job, not of constructive work with reference to administrative law and procedure, but a job of sabotage, as the distinguished Representative from Georgia [Mr. Cox] said when the bill was before the House and debated on the floor of the House. He said that what they were after was the Wage and Hour Act and the National Labor Relations Act, and not an administrative matter at all.

The distinguished Senator from Nevada [Mr. MCCARRAN] says that we want to restore the constitutional form of government, that our Constitution sets up a tripartite system of government, and we want to maintain that system of government, when this very bill itself destroys the fundamental system of a tripartite government by transferring the power from the legislative and administrative branches of the Government to the judiciary of the country. The Senator from Arizona [Mr. ASHURST] said:

> Ah, these bureaucrats, these bureaucrats! The people do not vote for them. They are removed far away and they cannot be reached. So we have to have this kind of law enacted because the people do not vote for these bureaucrats and we cannot otherwise reach them.

Well, neither do the people vote for the judges to whom the Senator wants to transfer this power, and they are farther away from removal than are the bureaucrats, because Federal judges are in office for life, and they cannot be removed unless we impeach them, and as the Senator knows, that is a very difficult process.

Mr. ASHURST. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. ASHURST. The judges at least allow the witnesses to be heard and to be cross-examined. They at least allow opportunity for argument and at least allow an appeal. The bureaucrats do not.

Mr. MINTON. Mr. President, in that the Senator is entirely mistaken. I am surprised to hear the chairman of the Judiciary Committee make such an assertion. There is not a bureau and there is not a bureaucrat in the United States today that can make a decision affecting the life, liberty, or property of any American citizen until the citizen has been granted a fair hearing, until, according to due process of law as defined by the Supreme Court of the United States, he has been tried; and after the record is made up, he is entitled to appeal to the courts on the record. Then if there is not substantial evidence to sustain the findings of the bureaucrat, the court will set them aside.

So it is all wrong for the Senator from Arizona to say that American citizens do not have their rights protected when appearing before the so-called bureaucrats. The Senator must know that the Supreme Court has said that their procedure must conform to due process, and due process, as the Supreme Court has defined it, means notice and hearing and opportunity to examine the witnesses and findings, and an opportunity to appeal from the findings.

No later than in the Morgan cases decided by the Supreme Court did the Court say that those appearing before bureaus were entitled even to be heard upon findings, and an opportunity to file briefs and argue the findings before the so-called bureaucrats.

So the Senator is entirely mistaken when he rises on the floor of the Senate and asserts that the Walter-Logan bill would preserve these fundamental rights of American citizens, for they already have them.

Mr. ASHURST. Mr. President, the able Senator asserts that the citizen has certain rights. Very true; he may have them; but to grant a man an abstract right without granting him the avenue, the mechanics of implementing that right is of no value. It is of no use to the citizen to say that he has a right to earn a living, and then to deprive him of the opportunity of earning a living.

Mr. President, I take back nothing I have said about bureaucrats. Let the Senator from Indiana come to the West and attempt to live in a State nearly 60 percent of which is withdrawn from taxation and governed by the Federal administration; let him imagine 60 percent of his State withdrawn from occupation by the people, and governed and dominated by persons who never received a vote and who are subject to no recall and no review; he might then experience some change of mind with respect to the attitude of the so-called bureaucrats.

I have made a charge that the bureaucrats are drunk with power. They are, Mr. President—though not all of them. Power and alcohol operate alike on all human beings. Power and alcohol enlarge the ego in the human race. Whether it be a man in Germany or here in the United States, whether he be of high position or low, opulent or poor, power and alcohol enlarge his ego. A man who has much power can never be convinced that any of his power should be taken from him. An instance is not known in human history of great power doing other than making a man drunk. It is as impossible physically for a man to have great power and not abuse it, as it is for a man to take great quantities of alcohol and not respond in a peculiar way. [Laughter.]

So, Mr. President, all the Walter-Logan bill seeks to do is to diminish somewhat the power of these megalomaniacs—such a good locution, is it not! [Laughter.] These megalomaniacs believe that their ipsi dixit should settle all questions.

Mr. President, with the Senator's indulgence, let us reverse the picture, and say that all Members of Congress are now in bureaus, and all the bureaucrats are Members of Congress.

The same situation would obtain. We are no better men than they are. They are decent, respectable citizens. If Members of Congress were bureaucrats, and bureaucrats were Members of Congress, the same outcry would be raised. It is not against men that I declaim. It is the system against which I inveigh.

Mr. HATCH. Mr. President——

The PRESIDING OFFICER (Mr. LUCAS in the chair). Does the Senator from Indiana yield to the Senator from New Mexico?

Mr. HATCH. Mr. President, I am waiting until the Senator has concluded.

Mr. MINTON. Mr. President, the Senator from New Mexico reminds me that I should sit down in order that he may have the floor. I shall be glad to yield to him in a few moments; I shall take only a minute or two longer.

The great philosopher from the painted desert, where the desert produces all too many mirages [laughter], has said that if I were privileged to live in the beautiful western country whence he comes I should know something about bureaucrats and that therefore I should have something to say, perhaps, in behalf of the Walter-Logan bill.

I happen to come from Indiana, where the courts handed down the famous McArdle decision, which blew a lot of wind into the Indianapolis Water Co. and laid down a rule of law which permitted wind to be blown into the rest of the utilities of the country; so I know something about courts. If the Senator from Arizona lived in Indiana and were thoroughly familiar with the McArdle case, he would be a little chary about turning over to the courts the last word—not only the last word, but the first and last words—in all matters pertaining to the regulation of the rights of American citizens.

Mr. President, important as this piece of legislation is, it has had a strange history in the Senate.

The bill was not written by a Senator. No Senator will say that it was. Of course, if it had been written by a bureaucrat downtown, there would be all kinds of yelling and screaming. Of course, if it had emanated from any of the administrative departments, it would have been condemned out of hand. The bill was not written by a Senator. It was written by some representatives of the American Bar Association, through their paid lobbyist and the lobbyist of the National Manufacturers' Association, to do a job on certain bureaus in Washington.

The bill was placed in the hopper of the Judiciary Committee of the Senate. Important as it is, no one downtown who is affected by it was summoned to appear before the Judiciary Committee to be heard. The very persons who are to be affected, the persons who know how the bill would affect the machinery of government, were not permitted to come to the Senate and tell the Senate committee how the bill would work.

The bill was on the calendar in the Senate and, I repeat, the report of the Senate committee contained a glaring error. The report said that the Supreme Court would have the right to write the rules for administrative practice, as it wrote the rules for practice before the district courts. There is not a line in the bill to that effect, which shows that the members of the Senate Judiciary Committee did not know what was in their own bill.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. BARKLEY. That circumstance may grow out of the fact that those who wrote the bill also wrote another, somewhat different. Both bills were introduced on the same day by my late lamented colleague, Senator Logan. One was numbered 915, and the other 916. The committee took 915 instead of 916; but it may be that in making the report it confused the terms of 915 with those of 916, bringing about the confusion to which the Senator refers.

On the same day a bill was introduced setting up a special court to deal with the departments. I think that bill was numbered 916. No. 915 is the bill now under discussion.

Mr. MINTON. No; No. 6324.

Mr. BARKLEY. That is a House bill; but, as I recall, the Senate bill was numbered 915.

Mr. MINTON. Nine hundred and fifteen on the calendar? I looked for it the other day and could not find it.

Mr. BARKLEY. The Senate bill is No. 915.

Mr. MINTON. It is not on the calendar.

Mr. BARKLEY. I think it is on the calendar.

Mr. MILLER. It is No. 475.

Mr. BARKLEY. It does not make any difference. It is the same bill. The House passed it, and I think the committee substituted the House bill. However, the point is that the two bills, dealing differently with the same subject, were introduced on the same day; and it may be that in writing the report on the bill which the committee reported there was some confusion with the terms of the other bill, which it did not report, but which dealt with the same subject.

Mr. MINTON. Mr. President, I was pointing out the strange history of the bill, and the consideration it has received in the Senate. That brings me to the present situation. The Senate bill is on the calendar. When the House bill came over from the House, so anxious were the proponents of the bill to get the Walter-Logan bill before the Senate that they would not let it pursue the ordinary course and go to the committee, but they immediately moved to put it on the calendar, which was done. Then they proceeded to hold hearings among themselves on the committee. They have drafted some amendments, and they have a secret committee print about which the rest of the Senate knows nothing. I did not know there was such a print until a little while ago, when the Senator from New Mexico [Mr. HATCH] produced it. There is a committee print of the bill which I did not know existed.

Mr. ASHURST. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. ASHURST. I am sure the Senator does not wish to go on record as saying that we have a secret committee print, available to no one else? There is a committee print showing the proposed amendments. It is not secret. Many hundreds of copies were printed, and they are available to any Senator. There is no secret about it.

I respect the intellectual integrity of the Senator. He has been opposed to the bill. It is only fair that I should say that he has struck probably the hardest blows that have been struck against the bill. He is an able lawyer, intellectually honest, and I regret that we are not to have the benefit of his support in considering the bill. I believe the Senator wishes to be fair——

Mr. HATCH. Mr. President——

Mr. ASHURST. Let me finish the sentence.

The Senator from Indiana was inveighing against the processes of the Judiciary Committee. Will not the Senator say that the Walter-Logan bill passed the Senate unanimously? The able Senator from Kentucky was called to the telephone, and during the time he was absent from the Chamber the bill was taken up in its regular order.

If the Walter-Logan bill, No. 915, had been such a horrible thing, such a monstrous affair, it never would have passed the Senate unanimously. Horrible monstrosities do not pass the Senate unanimously. Moreover, Mr. President, although the proponents of the Walter-Logan bill outnumbered its opponents five to one, just so soon as the able Senator from Kentucky returned to the chamber and learned that the bill had passed, and suggested that it be returned to the Calendar, the firmest advocates of the bill said, "Certainly; we wish nothing done speedily or in a corner. Let the bill go back to the Calendar." It was returned to the Calendar, and there it has remained to this day.

That is an inset which ought to go into the speech of the able Senator from Indiana, because it is history. The Senate committee did have hearings. Witnesses were heard. Their testimony was reduced to writing and was printed. The Senate passed the Walter-Logan bill unanimously, and its proponents were magnanimous enough, generous enough, and fair enough to say, "Let it go back to the Calendar. Let it remain there for months, so that inquiring eyes may see it and ascertain whether or not it is a monstrosity."

No, Mr. President, nothing has been done in a corner. Everything has been done openly, frankly, and aboveboard. We have waited for months for a vote.

The Senator has said that I am quite "steamed up" over the Walter-Logan bill. Not at all. I insist only that the Senate have an opportunity to vote on whether or not it shall consider the bill. I do not want to be flippant, but I shall be almost indifferent to what the Senate does. However, I am not indifferent to a situation in which the Senate is accused of being afraid of a contingency, afraid to take up a bill. We are not afraid to take it up.

Mr. MINTON. Mr. President, I have never heard anybody say that the Senate is afraid to take it up.

Mr. ASHURST. The Senator has an acute intellect, but his audition is not quite so acute as is his intellect.

Mr. MINTON. Did I misunderstand the Senator?

Mr. ASHURST. No. I say the Senator has an acute intellect; but if he has failed to hear suggestions throughout the country that the Walter-Logan bill should not be taken up, I say his audition is not so acute as is his intellect.

Mr. MINTON. I did not need to hear it, because a reading of the bill convinced me that it should not be passed. I may be mistaken in that conclusion, but that is my own humble opinion.

The Senator from Arizona has referred to the unanimous consent by which the bill once passed. He has talked about the great importance of the bill and how it affects the very constitutional rights and liberties of the American people. The Senator knows that a bill so important as that ought not to slip by on the calendar.

Mr. ASHURST. Mr. President——

Mr. MINTON. Mr. President, the fact remains that while those of us who have had a little time to look into the bill and obtain some idea of what it is all about happened to be off the floor of the Senate, the Walter-Logan bill did slip by.

Mr. ASHURST. Mr. President, if the Senator will yield, let me say that I hardly think that he, able and fair as he is, should say the bill "slipped by." The bill was read; its title was read; every Senator knew what it was; no Senator objected; and the bill passed. It did not "slip by." But so soon as it was manifest that one Senator objected, although the proponents of the measure had the power to refuse to allow it to be brought back, they magnanimously, and, I think, wisely, said, "Bring it back."

No, Mr. President; the bill did not "slip by"; the bill was reached in its regular order. The bill was proposed by Senator Logan, of Kentucky, who is no longer with us. Those of us who worked with him know that he was a man of cool, calm temperament; a man of good judgment, a sound lawyer, devoted to the principles of free government, and a student of the Constitution, and, although he is now indifferent to praise or blame in that vast realm of peace and of joy where he abides, it ought to be said, in the interest of propriety and of justice, that Senator Logan would be the last Member of the Senate who would allow anything to "slip through" or anything to be done "in a corner." I thank the Senator, and I will not interrupt him further.

Mr. MINTON. Mr. President, if the Senator from Arizona objects to the word "slipped," I will say that the bill went by unnoticed (laughter), because that is what happened. Here is the title that was read from the desk, and if anybody within the hearing of my voice would object to this bill if its title indicated what it would really accomplish, then I am mistaken. The title is:

A bill to provide—

And this is all the Senate heard when the bill went through unanimously—the clerk at the desk, in stentorian tones, said "Calendar No. 475, S. 915, a bill to provide for the more expeditious settlement of disputes with the United States, and for other purposes."

Who could object to that? [Laughter.]

Mr. ASHURST. Mr. President, I thought that the proponents of the bill would receive expressions of gratitude for their magnanimity in allowing the action to be taken on the bill which was taken. If Senators were either absent or asleep—and they must have been absent or asleep—when the calendar was called, they ought not to inveigh against us now that we have been so magnanimous as to permit the bill to be restored to the calendar and let it remain there. Why will not the Senator be a little more chivalrous and have more gratitude?

Mr. MINTON. Let us see how magnanimous the Senator was. The bill went by unnoticed on the calendar, and the next day I did what I had a perfect right to do; I entered a motion to reconsider. Was that magnanimously accepted, as is usually done on the floor of the Senate?

Mr. ASHURST. It was by me.

Mr. MINTON. The Senator never had a chance, but I made the motion, and it was not magnanimously accepted. It was vigorously opposed.

Mr. ASHURST. Not by me.

Mr. MINTON. Not by the Senator, but by the late Senator Logan. It was opposed, although we all know that that courtesy is usually extended to Senators to permit them, if on the same day, to revert back to a bill in order to enter an objection to it, or, if on the next day, to enter a motion to reconsider and have the bill go back to the calendar. But there was no magnanimity about the attitude of the Senators, the proponents of this bill, that I could discover; so we entered a motion to reconsider, and they finally came around and, after several days, agreed to the motion to reconsider.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. AUSTIN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Indiana yield, and, if so, to whom?

Mr. MINTON. I yield first to the Senator from Montana.

Mr. WHEELER. Mr. President, I wish to say to the Senator that when this bill first came out of the Judiciary Committee some provisions of it were called to my attention by members of the Interstate Commerce Commission and also by the Federal Trade Commission. I immediately took it up with Senator Logan and said to him that I had not had a chance to go into the bill; that, as it was drafted, in my judgment, it would be a very bad bill and would seriously hamper the functioning of the Interstate Commerce Commission and the Federal Trade Commission. After that, amendments were adopted and agreed to by Senator Logan with reference to those two commissions; but I felt then, as I feel now, that this is not the character of legislation which is going to be beneficial to anybody in this country. I think the proponents of the bill—and the American Bar Association, which has proposed it—will find out that if it shall become law it will not be helpful to their clients or to anyone else.

Mr. AUSTIN. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. CONNALLY in the Chair). Does the Senator from Indiana yield to the Senator from Vermont?

Mr. MINTON. I yield.

Mr. AUSTIN. I understand that the vote by which the Walter-Logan bill was passed was reconsidered upon an agreement, as stated by the Senator from Indiana, but I also understood at the time, and always have remembered, that that agreement was upon a consideration; there was the condition attached to the agreement, and, since Senator Logan is no longer with us, I think the Senate should give some consideration to the agreement into which he entered and the condition attached to that agreement. If that is of any value at all, it ought to be taken into account.

Now, I will read that portion of the statement by the distinguished leader of the majority on this point. I read from page 10621 of the RECORD of August 1, 1939.

This is the concluding sentence by the Senator from Kentucky [Mr. BARKLEY]:

It is entirely satisfactory to my colleague that the vote by which that bill passed should be reconsidered, and the bill be restored to the calendar, with the understanding that the measure be taken up at some date early in the next session.

The PRESIDING OFFICER. The question is on the motion of the Senator from Massachusetts [Mr. WALSH].

Mr. HATCH. Mr. President——

Mr. MINTON. Mr. President, I still have the floor.

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from New Mexico?

Mr. HATCH. The Senator from New Mexico is seeking the floor in his own right. He thought the Senator from Indiana yielded the floor.

Mr. MINTON. I yielded for a question.

The PRESIDING OFFICER. The Senator from Indiana will proceed in order.

Mr. MINTON. Mr. President, am I not in order?

The PRESIDING OFFICER. The Chair is assuming the Senator will be in order.

Mr. MINTON. I was merely asking for the Chair's ruling. I did not want to be out of order, and the Chair said I could "proceed in order."

Mr. President, I was discussing the amendments which are now proposed by the committee to the bill. They are in, shall I say a confidential committee print, or what is it? At any rate, it is a committee print that has not been given out to the others of us and the others of us have not seen the amendments. This afternoon a copy was exhibited to me and to the junior Senator from Louisiana by the Senator from New Mexico.

Mr. HATCH. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from New Mexico?

Mr. MINTON. I yield.

Mr. HATCH. I merely wish to say that the Senator asked me if there was any print of the amendments the committee had adopted. I will say to him that the copy which I showed to him at that time was obtained by me in exactly the same manner which is open and available to the Senator from Indiana and every other Member of this body. On yesterday I asked the clerk of the committee, who is sitting nearby, to bring me from the committee room a copy of this bill. That is where it came from. The clerk of the committee is now present, and if the Senator from Indiana wants a copy of the amendments, or any other Senators want a copy, copies are available, just as I obtained the copy which I handed to the Senator from Indiana.

Mr. MINTON. Of course, I am not a mind reader, and did not know that the Senate Judiciary Committee had a committee print; I did not know that until I asked the Senator from New Mexico not if he had any printed amendments, but asked him if there were going to be amendments offered by the committee, and he opened his desk and handed me the committee print. That was the first information I had that the committee had a print.

So I say it is sought to have the bill come before the Senate when the committee has taken action with reference to the bill, which the rest of the Senate knows nothing about. We have this ancient report, the report which contains the glaring error and which was written and adopted by the committee a long time ago. Many things have happened since then. The committee has taken action since then. The committee has a print showing the action taken, but the Senate does not have it, and Senators were inveighing at the top of their voices a while ago against the opposition to taking up this bill when their fellow Senators did not know and had not the information before them as to what action the committee had taken with reference to this measure.

Mr. President, such has been the unusual course which this unhappy bill has taken through the Senate. I am sure we all are agreed that it is a piece of legislation which is controversial and should receive the earnest consideration of the Senate. There should be debate upon this bill without any limitation, and we should discuss it in all its angles.

Mr. ASHURST. Mr. President, will the Senator yield to me? He has been so generous that I feel ashamed to ask him to yield again.

Mr. MINTON. I yield to the Senator from Arizona.

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Arizona?

Mr. MINTON. I yield to the Senator from Arizona.

Mr. ASHURST. Mr. President, I am anxious to have the good opinion of the Senator from Indiana; I am not ashamed to say that I am glad to have his good opinion; it is worth something. I do not want the Senator from Indiana to think I am "steamed up" about the Walter-Logan bill. I am, however, quite concerned, I repeat, about final adjournment before we shall have done our duty.

One of the healthiest things that has been done lately was the courageous resolution to levy a tax. Mr. President, Dr. Townsend was very much ridiculed because of the bill which he sponsored; but his new bill contains a germ of real statesmanship—"pay as you go." I want to congratulate the Executive and the leaders in Congress who concluded to stay here and write a tax bill, the most unpopular thing that can be done in the face of an election. I congratulate the Senate and the House and the Executive upon their determination not to run away, but to stay here and write a tax bill.

Mr. President, the country received that notice like a breath of fresh air on a flaming desert. Nothing has been received by the country more gratefully than the suggestion that we are not going to run away; we are going to stay here and perform our duties.

Let me say to the Senator that we are all politicians, or we would not be here. It is the best kind of politics to stay here and do our duty. Those of us who seek reelection will find that we will get further in the estimation and the esteem of the people by staying here and doing our duty than we will by being at home panhandling voters. [Laughter.]

Mr. BARKLEY. Mr. President, will the Senator yield at that point? I omitted, during my brief remarks, to refer to the Senator's fear about adjournment.

Of course, when we meet in January, people begin to talk about when we are going to adjourn. Everybody thought we might get out by the latter part of May.

Mr. ASHURST. I had hoped so.

Mr. BARKLEY. Then we said we would get out by the 8th of June. Then we said we probably might adjourn by the 15th of June. We shall do well if we get out by the 1st of July; so there is no imminent danger of an immediate adjournment of the Congress of the United States.

It was announced here the other day by the Senator from Mississippi [Mr. HARRISON], chairman of the Committee on Finance—with which announcement I agree—that it had been the desire of Members of Congress not to have to pass a tax bill at this time, because early next year, I think, we shall be compelled to revamp the entire tax system of the United States. We have put patchwork taxes on our tax system for a long time, taxing this and that and something else, in order to raise a definite amount of money; and our tax system has been, and now is, a patchwork system.

Mr. ASHURST. True.

Mr. BARKLEY. Next year, I think, we shall be compelled, in the discharge of our duty to the American people and to ourselves, to revamp the entire tax system, to reconstruct it. We cannot do that in the middle of this session or at the end of it. It cannot be done hastily, and it ought not to be done hastily. But in view of the emergency which has been suddenly thrust upon us, not by anything we have done, I think we are required to consider not only defense legislation, not only tax legislation, but any other legislation which is necessary to preserve the interests of the United States in the present situation. So there is no danger that we are going to adjourn within the next week or two.

Mr. MINTON. Mr. President, let me say to the distinguished Senator from Arizona that if I have his esteem I am very happy; and nothing would make me unhappier than for him to feel that I did not hold him in the highest esteem, and, indeed, have for him a genuine affection, as every other Member of this body has.

Mr. ASHURST. Mr. President, so far as the able Senator from Indiana is concerned, that sentiment is heartily reciprocated by myself.

Mr. MINTON. I thank the Senator.

Mr. BARKLEY. Mr. President, if I understand the Senator, then, instead of the Senator from Arizona being "steamed up," he is "esteemed up." [Laughter.]

Mr. MINTON. And so, so far as the Walter-Logan bill is concerned, the situation, as I understand, between me and the Senator from Arizona is simply this:

Lay on, Macduff,
And damn'd be him that first cries, "Hold, enough!"

Mr. HATCH. Mr. President, I desire to take the floor for just a moment. One or two things, I think, should be said.

I know the majority floor leader did not intend to have the country believe, from his remarks, that those of us who were sponsoring this bill were seeking to hold up or hold back any program of national defense. I say, I am sure he did not mean that; yet, in effect and substance, those were the words and the implications which could easily arise from what the Senator from Kentucky did say here this afternoon.

Mr. BARKLEY. Will the Senator yield?

The PRESIDING OFFICER. Senators will address the Chair when desiring to interrupt a Senator.

Mr. BARKLEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Kentucky?

Mr. HATCH. I yield.

Mr. BARKLEY. I thought I had exonerated the Senator from New Mexico [Mr. HATCH], the Senator from Nevada [Mr. MCCARRAN], and the Senator from Arizona [Mr. ASHURST] by name in my remarks.

Mr. HATCH. I am quite sure the Senator did. He mentioned the three of us; but there are many others who are interested in this bill.

Mr. BARKLEY. I was discussing the request of the Senator from Nevada to take up this bill at a certain time, following a certain piece of legislation. While I would not, of course, impute to the Senator from New Mexico or any other Senator a desire to hold up defense legislation, the effect of that agreement would have been to do it, because I do not believe the necessary defense legislation can be enacted by the time contemplated in the Senator's request.

Mr. HATCH. Mr. President, that is exactly the point I wanted to make clear, and one reason why I have been sitting here trying to get the floor for some little time. The request of the Senator from Nevada evidently was not understood by the Senator from Kentucky; for, if I understood the request of the Senator from Nevada, it was that after the bills sponsored by the Senator from Massachusetts shall have been disposed of, and after the disposition of the joint resolution of the Senator from South Carolina [Mr. BYRNES], we shall then take up and dispose of the Walter-Logan bill.

Mr. BARKLEY. The Senator will recall that the Senator from Massachusetts [Mr. WALSH] has three bills. The Senator from Texas [Mr. SHEPPARD] has a bill from the Military Affairs Committee. Nobody can tell how long it will take to dispose of those measures, or what other measures may be brought in before they are disposed of; and I mentioned the fact that on tomorrow very likely the President will send to the Congress another message or another estimate with respect to a very large appropriation for defense purposes.

What I meant to say was that I do not believe that we ought to bind ourselves now in regard to the Walter-Logan bill or any other bill that is controversial—that statement is all-inclusive—by undertaking to say that at a certain date, or following a certain bill, it shall be taken up, because nobody can tell what the situation will be when any one of these bills has been disposed of. That is the reason why I objected to the request of the Senator from Nevada.

Mr. HATCH. Mr. President, the point the Senator from New Mexico was endeavoring to make was that those of us who have favored this bill have cooperated with the program throughout this entire session, and have not sought to impede the orderly procedure in the Senate to any degree whatever. We have been criticized for not being more vigorous in our endeavors to bring up this particular bill for consideration. I know the Senator from Utah [Mr. KING] has held back more than once when he thought he really should go ahead with this bill, simply in order that he might cooperate with the leadership in this body; but we realize that there are the bills to which the Senator from Connecticut has referred. There is the relief measure, and there are other bills, all of which will be considered as emergency matters, and must be immediately taken care of; and regardless of the eloquence of the Senator from Arizona about adjournment, and regardless of the statement the majority floor leader has just made, we are quite sure that we are going to come to the adjourning period more or less soon. It may be the first of July or the middle of July; but sooner or later we are going to come to that time, and all the period between now and then will be taken up with these emergency matters, and the session will end, and no Senator will have an opportunity to vote on this bill.

I have never said that this is the most important bill to come before the Congress. I think it is important, and I think it is one which ought to be settled and disposed of at this session. I have been somewhat amazed this afternoon to learn that no one has been blocking this measure. If no one has been blocking the measure I cannot understand why it was not acted on long, long ago. I am not charging the majority floor leader with anything, although I have talked with him several times about the bill, and he frankly stated to me, just as he stated on the floor today, that he was opposed to the bill. I have not expected him to consent to its consideration. I did expect and I do think we ought to have the right to make a motion for the consideration of the bill, and let the Senate say whether they deem it of sufficient importance to be taken up and considered, or whether they will vote down the motion to take up the bill.

With that thought in mind, Mr. President, and no other thought than that, I will now propose a unanimous-consent agreement differing only slightly from that proposed by the Senator from Nevada. I am perfectly willing that the naval bills sponsored by the Senator from Massachusetts [Mr. WALSH] and the joint resolution of the Senator from South Carolina [Mr. BYRNES] shall all be disposed of; but at the conclusion of those measures I request unanimous consent that the Senator from Utah [Mr. KING] shall be recognized in order that he may make a motion for the consideration of the Walter-Logan bill. I propose that as a unanimous-consent agreement.

Mr. BARKLEY. Mr. President, in my judgment, no one can wisely now foretell when the consideration of the necessary urgent emergency defense legislation will be concluded. I have stated that I do not believe that the Walter-Logan bill should be taken up in advance of that time, and I do not think we know now what is included in the defense legislation. I do not think the bill should be taken up ahead of the relief bill, which the Committee on Appropriations, I am informed, will report the first of the week—Monday or Tuesday.

Mr. HATCH. Mr. President, before the Senator objects, I should like to add the relief bill to the request. Then I wish to make this observation: That I believe the Senator from Kentucky knows that the Senator from Utah [Mr. KING], who is in charge of the Walter-Logan bill, the Senator from Nevada [Mr. MCCARRAN], the Senator from Vermont [Mr. AUSTIN], the Senator from Nebraska [Mr. BURKE], and I, myself, who are the members of the subcommittee in charge of the bill, would, if an emergency should arise involving the defense or welfare of this country, gladly agree to set aside any unanimous-consent agreement to give precedence to a more important matter.

Mr. BARKLEY. I appreciate that and I concur entirely in the suggestion of the Senator from New Mexico with respect to that. But it is unusual to ask unanimous consent to take up a bill which is controversial, or even one which is not controversial, following the consideration of possibly four or five other measures, which are on the calendar, and which are ready for consideration. If we should enter into an agreement of that sort with respect to the Walter-Logan bill,

the Senator understands that there are other bills which are controversial, in connection with which there is pressure being brought for their consideration, and it would be difficult to agree now to take up this bill, in advance, perhaps 4 or 5 days, following the consideration of these other measures, the length of time for the consideration of which we cannot now anticipate. For that reason, I do believe it would not be good legislative practice to agree now as to what we would do at an indefinite time in the future, following the consideration of an indefinite number of bills, because, as I have said, we will have before us tomorrow a bill practically as important as the two we passed last week.

I will say to the Senator from New Mexico that, as I intimated a while ago, we will probably be in session until July 1 or later. No one can anticipate what sort of a hiatus there will be after the bills referred to are disposed of before we get the tax bill which we are to consider; and in view of the fact that we are not laboring under any prospect of imminent adjournment, and there may be more appropriate opportunity later on, without having to resort to a unanimous-consent agreement to take up a bill at an indefinite time in the future, I should be compelled to object to the request.

Mr. HATCH. Mr. President, the Senator understands I am not asking that the Senate take up the bill, but only that the Senator from Utah be recognized.

Mr. BARKLEY. The Senator is asking that the Senator from Utah be given unanimous consent to be recognized at an indefinite time in the future.

Mr. HATCH. At the conclusion of the consideration of the bills referred to; that is all.

Mr. BARKLEY. Any Senator on the floor is entitled to recognition if the Chair recognizes him, although that is subject, of course, to some sort of cooperation between the Chair and those who are attempting to map legislation on the floor.

Mr. HATCH. And most effective cooperation.

Mr. BARKLEY. And it should be.

Mr. HATCH. It should be. I have cooperated with the Senator.

Mr. BARKLEY. The Senator has, and I desire to give him, if he needs it, though he does not need it, a clean bill of health insofar as his cooperation with respect to the emergent measures is concerned, and I have not the slightest doubt he will continue to give that cooperation. I have in the past given him such cooperation as I could in connection with legislation in which he was interested.

Mr. HATCH. Very ably.

Mr. BARKLEY. And I hope we will continue to cooperate. But in this situation I do not believe it is wise, long in advance, to say that any Senator shall have unanimous consent to be recognized at a definite time or at an indefinite time. In the meantime other proposed legislation, being what I regard as more important, and certainly more urgent, would come before us, and I think it would be unwise to give unanimous consent for a Senator to be recognized to take up any billion on the calendar. For that reason I am compelled to object.

The PRESIDING OFFICER. The Senator from New Mexico asks unanimous consent that after the disposition of the three naval bills presented by the Senator from Massachusetts, and the joint resolution in charge of the Senator from South Carolina relating to reorganization, and the relief bill, the Senator from Utah [Mr. KING] shall be recognized for the purpose of making a motion to take up the so-called Walter-Logan bill. Is there objection?

Mr. GUFFEY. I object.

The PRESIDING OFFICER. The Senator from Pennsylvania objects. The question is on the motion of the Senator from Massachusetts [Mr. WALSH] that the Senate proceed to the consideration of House bill 8026.

Mr. HATCH. Mr. President, I regret that the leadership has not seen fit to grant the very modest and simple request which was made. I do not suppose a more modest unanimous-consent request has ever been made in this body than that.

I know full well that every Senator has a right to be recognized provided he can secure recognition from the Chair. I know how difficult it is to secure recognition from the Chair under conditions which prevail surrounding this particular bill. I am not being critical. What is done is in accordance with the custom of the Senate and is probably necessary to the orderly transaction of business in the Senate of the United States. But I think that the Senate could well have given consent that one Member of this body, after the disposal of practically all of the emergency bills mentioned on the floor, should be recognized for the purpose of making a motion.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. HATCH. I yield.

Mr. BARKLEY. While the Senator has denominated his request as "modest," I am sure the Senator will agree that, in view of the present situation, it is unusual. I do not recall that during my service in the Senate the Senate has given unanimous consent to any Senator to be recognized to move to take up any particular bill at an indefinite time in the future, following the consideration of an indefinite number of bills. While that may be modest, it is certainly unusual, it strikes me.

Mr. HATCH. I quite agree with the Senator from Kentucky; I think it is quite unusual, and I think the circumstances are unusual, and in this instance the refusal of the request is also unusual.

Mr. President, it is not our intention to attempt to interfere in the slightest with any proposal or any legislation relating to national defense. I think most of us, all of us, have supported the national-defense program. I think we should do so. I think the times in which we live require that we take every necessary and proper step for the armed defense of this country. But the fact that we do the thing we should do in that regard should not prevent us from doing some other things which we also should do.

I am quite sure, speaking for the committee as a whole, that, we will say, as a matter of necessity, in obedience to the instructions from our committee, at every available opportunity we will be compelled again to bring up this question of attempting to get the Walter-Logan bill up for consideration.

Mr. President, I regret that we will have to be forced to do that, and to constantly argue over and over again the same question. I have not today gone into the merits of the bill. I have not attempted to answer the arguments of the Senator from Kentucky or of the Senator from Indiana concerning the merits or demerits of the bill, although I must say that both those Senators, to my mind, show a vast misunderstanding of the purpose and effect of the measure.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Massachusetts [Mr. WALSH].

Mr. HATCH. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Davis	Lodge	Sheppard
Ashurst	Donahey	Lucas	Shipstead
Austin	Ellender	Lundeen	Slattery
Bailey	George	McCarran	Smathers
Bankhead	Gerry	McKellar	Smith
Barbour	Gibson	McNary	Stewart
Barkley	Gillette	Maloney	Taft
Bilbo	Guffey	Mead	Thomas, Idaho
Bone	Gurney	Miller	Thomas, Okla.
Bridges	Hale	Minton	Thomas, Utah
Brown	Harrison	Murray	Townsend
Bulow	Hatch	Neely	Truman
Burke	Hayden	Norris	Tydings
Byrd	Herring	Nye	Vandenberg
Byrnes	Hill	O'Mahoney	Van Nuys
Capper	Holman	Overton	Wagner
Caraway	Holt	Pepper	Walsh
Chandler	Hughes	Pittman	Wheeler
Chavez	Johnson, Calif.	Radcliffe	White
Clark, Idaho	Johnson, Colo.	Reynolds	Wiley
Clark, Mo.	King	Russell	
Connally	La Follette	Schwartz	
Danaher	Lee	Schwellenbach	

The PRESIDING OFFICER. Eighty-nine Senators having answered to their names, a quorum is present.

The question is on the motion of the Senator from Massachusetts [Mr. WALSH].

The Chair recognizes the Senator from Utah [Mr. KING].

Mr. KING. Mr. President, it is not my purpose, upon this occasion, to discuss the provisions of the bill which is so violently opposed by a number of Senators, but which, may I say, has, in my opinion, the support of the great majority of the American people. There is no justification for the persistent opposition to this bill or to efforts to delay, if not prevent, its consideration and passage. If the Logan-Walter bill shall be taken up for consideration today or tomorrow or later I shall avail myself of the opportunity of discussing its provisions and of pointing out not only the wisdom but the necessity of its passage.

The Senator from Arizona [Mr. ASHURST] has very properly, in my opinion, characterized the arbitrary activities of some bureaus and Federal agencies. Unfortunately, too many persons who are installed in bureaus and executive agencies and departments forget the obligations resting upon them—forget that they are mere servants of the people, and that it is their duty to execute the law fairly and impartially, and not to adopt capricious and arbitrary practices, calculated to deny to American citizens the rights and privileges to which they are entitled. Bureaucracy in every land has been an evil, and democratic and republican governments have not been free from bureaucratic tendencies and the tyranny of officials who were indifferent to the rights of citizens, officials whose duty it was to serve them and to serve their country.

As stated, I shall not at this time take up the various provisions of the bill and demonstrate the evils which they seek to prevent and the rights which they seek to protect. Before this session of Congress adjourns, I cannot help but believe that full opportunity will be given for a discussion of the bill and an examination of its provisions; and I feel confident that, with such discussion and examination, the bill will receive the approval of the great majority of the Senators.

The observations made by the Senator from Arizona [Mr. ASHURST], the Senator from Nevada [Mr. MCCARRAN], and the Senator from New Mexico [Mr. HATCH] concerning the measure and the obstacles which it has encountered, and the importance of its consideration, meet hearty approval. I regret that the distinguished Senator from Kentucky [Mr. BARKLEY] has exhibited such heat in his opposition to the bill. I regret the characterizations which have come from him with respect to the provisions and purposes of the bill. I do not agree with the position which he has taken, that the Senate should decline to consider the bill until certain studies have been made by a number of Federal employees, selected not by the legislative branches of the Government, but by persons selected by the executive branch of the Government. I regret the criticisms, implied or otherwise, leveled against one of the most distinguished Senators who has occupied a seat in this chamber. I refer to Senator Logan, whose untimely death we all deplore. He was a great Senator, a great judge, a lawyer of distinction and ability, and a statesman who sought only the welfare of his country and the preservation of constitutional government. In my opinion, none of the Senators who are so violently opposed to the bill are superior to him in legal attainments or in knowledge of our form of government, and in the obligations which rest upon the various departments and agencies of the Government. And the opposition which has been registered against this bill today, it seems to me, was an implied, if not a direct, criticism of Senator Logan.

The genesis of the measure under consideration was the bill offered by Senator Logan several years ago. It is properly known as the Logan bill. A companion bill, as Senators know, was introduced in the House by a distinguished lawyer, Mr. WALTER; and the two names therefore are inseparably connected, and the bill before us is known as the Logan-Walter bill. Senator Logan spent nearly 3 years in earnest and conscientious study in the formulation of a measure which would deal with an important matter, afford protection to American citizens, and impose legitimate and proper restrictions upon the arbitrary and illegal conduct of executive and administrative agencies of the Government. With his comprehensive knowledge of our form of government, of the tripartite division of powers, of the high and exalted place which the judiciary occupies in this Republic, he attempted to secure the enactment of a measure that would afford ample protection to American citizens, that would provide judicial review of the conduct of executive and administrative agencies, and curb illegal and unconstitutional practices and proceedings.

It is an unfair and unjustifiable attack upon Senator Logan to even infer that he would support a measure that would be a denial of the rights of citizens or that would interfere with the legitimate exercise of the authority conferred upon any executive or administrative agency.

Mr. President, Senator Logan conducted hearings, covering many days, during which representatives of various agencies of the Government, as well as lawyers of distinction, were heard. He discussed with them, and with members of the Judiciary Committee, the questions which were presented and the provisions of the bill which was before him and the Judiciary Committee for consideration.

Senator Logan was what might be properly denominated a "liberal," and he was animated by a desire to secure such legislation as would be promotive of the best interests and welfare of the American people. He supported the administration, and, by his advice and counsel, made important contributions to the enactment of measures desired by the administration.

As was stated, I think, by the Senator from Kentucky [Mr. BARKLEY], a bill was considered by Senator Logan and his associates upon the Judiciary Committee which provided for the creation of a court of appeals for administration. The Senator from Nebraska [Mr. NORRIS] a number of years ago anticipated that measure, and he offered a bill which would have provided for judicial review of the rulings, decisions, and conduct of administrative agencies. There has been a general feeling throughout the country that many Federal bureaus and agencies merited the criticism leveled by the Senator from Arizona [Mr. ASHURST] against bureaucracy and administrative absolutism. It was felt by many American citizens that their rights were being ignored and policies pursued which were undemocratic, un-American, and hostile to the best interests of the American people.

It is known, by an examination of the records which have been made, that persons have had their rights infringed without due process—without reasonable opportunity to learn of the charges against them, or opportunities to defend themselves against arbitrary and illegal proceedings by administrative agencies. There was a demand that legislation be enacted that would curb the illegal and oppressive and arbitrary acts of some bureaus, and that provision should be made for judicial review of their conduct.

There are some lawyers and some so-called students of continental law, and of the jurisprudence of Europe, who desire to engraft upon our judicial system the administrative absolutism that exists in other lands. Senator Logan and members of the Judiciary Committee, and I am sure, Members of the Senate, desire to preserve our tripartite form of government, and they desire that provision shall be made for a review of the proceedings, decisions, and conduct of administrative agencies. However, when the movement to secure proper legislation for the protection of American citizens took concrete form, opposition came from various Federal agencies and from a number of lawyers. It is believed that efforts have been made to prevent the passage of the Logan bill, to prevent proper and legitimate review of administrative agencies.

Notwithstanding the efforts which Senator Logan made, and which have been made by members of the Senate Judiciary Committee since his untimely death, to secure consideration of the bill which is before us, opposition has been

encountered; and today we are again reminded that there will be continued opposition to the consideration of the Logan-Walter bill. I indicated that Senator Logan, after years of investigation and study, introduced the bill which bears his name. He had before him on various occasions lawyers of ability, among them Dean Pound; and my recollection is that Mr. Justice Frankfurter, before being appointed to the Supreme Bench, was consulted either by Senator Logan or by others who were interested in preparing the measure which is now before us. The bill which Senator Logan introduced was considered by the Judiciary Committee of the Senate, and my recollection is that it was approved by every member of the committee. It was reported by Senator Logan to the Senate, placed upon the calendar, and reached in due course, and was passed. Subsequently, as has been indicated, it was returned to the calendar, and I understood from Senator Logan and others that opportunity would be afforded at a not distant date for the consideration of the bill by the Senate.

Mr. President, a bill textually the same as the Logan bill was introduced in the House of Representatives by the distinguished lawyer, Mr. WALTER, to whom I have referred. The House Judiciary Committee examined the bill with great care. That committee held hearings on H. R. 6324 during March and April of last year, and my recollection is that the hearings cover more than 190 printed pages. Reference to these hearings will refute the claim that the Government agencies and departments did not have opportunity to study the bill. Briefs and statements were submitted to the House committee by the Federal Trade Commission, the Department of the Interior, the Department of Agriculture, the Department of Justice, the War Department, the Treasury Department, the Federal Communications Commission, the Federal Power Commission, and the Veterans' Administration.

Oral testimony with respect to the bill was presented in person by Mr. Lane, General Counsel of the Securities and Exchange Commission, the Solicitor for the Department of Commerce, the head attorney of the Department of Agriculture, the assistant legal adviser of the Department of State, the Assistant General Counsel of the Treasury Department, the counsel for the General Accounting Office, the secretary of the National Lawyers' Guild, and a representative of the National Organization of Business Mail Users.

In addition, an analysis of H. R. 6324 was included in the record, prepared by a member of the Brookings Institution. Briefs were filed by the following bar associations: The National Association of Women Lawyers, the Bar Association of Dallas, Tex., the Ohio State Bar Association, the National Lawyers' Guild, the Bar Associations of the City of New York, Texas, Pennsylvania, Missouri, Virginia, Vermont, and Kansas. Also included in the record was the report of the special committee on administrative law of the American Bar Association of 1938.

Seven of the ten executive departments presented evidence with respect to the bill, as well as six of the major regulatory commissions and boards.

I should add that a draft of the Logan bill, known as S. 915, was introduced into the record, together with supporting data. The hearings are in five parts, comprising 210 pages, and were held on a number of days from April to June 1938. The careful consideration given to the question of administrative reform is reflected in the list of witnesses who testified. There was a representative of the Board of Tax Appeals; a member of the Brookings Institution; Prof. Harold J. Laske, of London University, who presented the English experience with reference to the administrative-law problem; the professor of administrative law of Georgetown University; practicing attorneys from Portland, Oreg., New York City, and from Minnesota; a trial examiner of the Securities and Exchange Commission; and Mr. Gregory Hankin. In addition, the committee heard Dean Roscoe Pound, who, as I have indicated, presented valuable testimony with reference to the bill which is now S. 915.

I should like to quote from Dean Pound's statement, but shall not do so at the present time.

Mr. President, it would seem that a recital of the above facts, with a list of the departments and agencies that were heard, and the full consideration given to this measure by both Committees on the Judiciary would answer the contention that the bill has not been adequately considered by the committees.

I might add that the bill has been studied and approved by the National Grange, the American Federation of Labor, the National Publishers Association, the National Retail Druggists Association, the National Association of Manufacturers, and other organizations. The subject of the bill has been studied intensively by the American Bar Association since 1933. After 3 years of study, and commencing in 1936, successive drafts based on intensive studies from 1933 to 1936 were prepared and sent to every teacher of administrative law in the approved law schools and to every lawyer throughout the United States who was believed to be informed and interested in the subject. I should add that criticisms of the bill were requested. Appeals for studies, criticisms, and suggestions of the bar generally were published in the Journal of the American Bar Association, the Journal of the American Judicature Society, and the Journal of the Federal Bar Association. Specific requests were addressed to all the judges of the United States Circuit Courts of Appeals. The responses were carefully studied, and such of the suggestions as were believed to have merit were worked into the final draft.

The special committee on administrative law of the American Bar Association had the services at one time during its life or another of such legal students as Dean Roscoe Pound; Professor—now Justice—Felix Frankfurter; Mr. John Dickinson, then Assistant Secretary of Commerce and later Assistant Attorney General of the United States; and Walter F. Dodd, formerly professor of law at Yale and a recognized authority in this field.

It has been advanced by some opponents of the bill that the judicial review provided in the act is so broad as to obstruct the operation of the administrative agencies. Such is not the fact. The scope of review is the same as is now exercised over some commission's orders, and the purpose of the bill is to extend that jurisdiction to cases where it does not apply at the present time, and to unify the provisions with respect to judicial review. The bill does not, as is frequently maintained, provide for a substitution of the discretion of the court for that of the administrative agencies. All that the bill provides is that these powers shall be exercised in a fair, impartial, and just manner.

Mr. President, I am repeating when I say that statements which have been made to the effect that the bill was not properly considered are not warranted. It is certain that few measures which have been presented to the Congress have received the consideration that has been given to the Logan-Walter bill. It has been before the public for many months—indeed, for several years. It has been the subject of discussion by lawyers, laymen, businessmen, industrialists, educationalists, and the people in many walks of life.

Reference has been made to the fact that a number of amendments have been offered to the bill which came from the House and which is now before the Senate. Soon after the Logan-Walter bill now before us passed the House, the Judiciary Committee of the Senate examined it, and a number of clarifying amendments dealing almost exclusively with phraseology, were recommended. It was understood that when the bill was taken up for consideration in the Senate, such amendments would be offered by the Judiciary Committee of the Senate, I repeat, the amendments were, in my opinion, not important and did not change any important provisions of the bill.

Mr. President, as I have indicated it is not my purpose to engage in a detailed discussion of the bill at this time. I have been hoping for several weeks that the Senate would take the bill up for consideration. I had hoped today that unanimous consent would be given for the consideration of the bill today or in the immediate future. I had hoped that the opposition to the consideration of the bill would vanish or at any rate that obstacles to its consideration would be removed in order that the Senate might have a full and fair opportunity to consider this very important

measure, but I perceive that our distinguished leader is opposed to a discussion of the bill at the present time. He is opposed to our taking it up for consideration. I repeat when I say that in view of the fact that it has been before the Judiciary Committee of the Senate and the Senate for approximately 2 years, and the fact that it has been unanimously reported once by the Judiciary Committee of the Senate, and reported in its present form by the vote of all the members of the Committee except one, who was not present when the vote was taken, and in view of the overwhelming support given the bill by the Judiciary Committee of the House, it seems to me that no obstacle should be interposed to prevent consideration of the bill. The Judiciary Committee is one of the important committees of the Senate. It deals with legal questions, and with matters affecting the rights of American citizens under the Constitution. It deals with some of the most vital questions affecting our form of Government.

As I have stated, the Judiciary Committee of the House is composed of lawyers of ability. The members of that committee, after full consideration, reported the bill with but one dissenting vote. The Senator from Kentucky has indicated that he appeared before the Judiciary Committee of the Senate. I listened to his very stirring appeal that no action be taken upon the bill, but every member of the committee present, and all were present except one, voted that the bill should be taken up for consideration at as early a date as possible. Certainly the action of the House is entitled to consideration. The vote for the bill in the House, as I recall, was nearly three to one in its favor, and the action of the Judiciary Committee of the Senate supported the action of the House.

Mr. HATCH. Will the Senator yield?

Mr. KING. I yield.

Mr. HATCH. It occurs to me that the Senator from Utah is about to conclude. Before he does, in order that Senators may know what is in the committee print, does the Senator from Utah think it would be a good idea to send to each Senator a copy of the committee print to which the Senator from Indiana referred and who recommended each Senator to study it very carefully?

Mr. KING. I assume most Senators are familiar with the Logan bill which passed the Senate and was restored to the Calendar, and also that this bill is substantially the same; however, I shall be glad to have the clerk of the committee furnish each Member of the Senate a copy of the committee print. But as I have indicated, the committee print of the Logan-Walter bill makes no changes of any significance or importance in the bill reported by the Senate Judiciary Committee or the bill which passed the House.

Mr. HATCH. Mr. President, will the Senator yield further?

Mr. KING. I yield.

Mr. HATCH. The only reason I made the request was on account of the suggestion of the Senator from Indiana that there was something secret about it, and I wanted the Senator to have a copy.

Mr. KING. I do not think the Senate was very much concerned with the statement made by the Senator from Indiana in that connection.

Mr. McCARRAN and Mr. MINTON addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Utah yield, and if so, to whom?

Mr. KING. I yield first to the Senator from Nevada.

Mr. McCARRAN. Mr. President, in keeping with the suggestion of the Senator from New Mexico I respectfully suggest that there be placed in the hands or on the desk of every Senator the hearings which were held on the bill by both the Judiciary Committee of the Senate and the Judiciary Committee of the House. The hearings are printed and available. They are not secret in any respect. I think they should be placed in the hands of Senators, and especially in the hands of the able Senator from Indiana [Mr. MINTON].

Mr. MINTON. Mr. President——

Mr. KING. I yield.

Mr. MINTON. Mr. President, perhaps no one paid any attention to what I had to say about the committee print. I merely stated the fact that I did not know that there was such a print until I inquired of the Senator from New Mexico [Mr. HATCH], who pulled it out of his desk and handed it to me. I do not know whether or not there is any secrecy about it. I do not know whether or not the Senator from Utah [Mr. KING] intended to send us a copy of the print, but I think that he will admit that we are entitled to it, and that we ought to have it in order that we may know what the committee has done about the bill. However, we did not receive it, and did not know about it, and it came out in the course of remarks on the floor of the Senate this afternoon that the committee did have a print which at some time or other it intended to submit to the Senate. I submit that all I did was to call the attention of the Senate to the fact that there was a print which none of us had ever seen or heard about.

Mr. KING. Mr. President, I repeat what I said a moment ago. The print contains only a few unimportant amendments dealing largely with what might be said to be grammatical construction. In my opinion there is no change of substance in the provisions of the bill. I shall be glad to see that the able Senator from Indiana receives as many copies of the bill as he desires, and all other Senators will have copies of the bill.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. KING. I yield.

Mr. MINTON. My friend from New Mexico advised me of a very important amendment, which the committee has in the print. As I understand, it takes care of one of the most serious objections to the bill—if it is in the print. I hope it is. The Senator from New Mexico told me it was. Up to this time I have not had an opportunity to examine the print, but I hope that the important amendment which the Senator from New Mexico says is in it is there. If it is, it is not a pro forma amendment.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. KING. I yield.

Mr. HATCH. I will say to the Senator from Indiana that the amendment to which he refers is in the print, and it will be offered on the floor of the Senate.

Mr. MINTON. Mr. President, will the Senator furtner yield?

Mr. KING. I yield.

Mr. MINTON. Does the Senator from New Mexico consider that amendment to be a pro forma amendment?

Mr. HATCH. Mr. President, will the Senator from Utah yield to me?

Mr. KING. I yield.

Mr. HATCH. From my standpoint it is not a pro forma amendment, but I happen to know the construction placed upon the language by the Senator from Utah. He considers that the first clause, providing for review of decisions which are clearly erroneous, is a mere restatement of the second clause, which provides for review in cases in which there is a failure to have substantial evidence. From the viewpoint of the Senator from Utah—with which I happen not to agree—the statement of the Senator from Utah is exactly correct; and from the standpoint of his interpretation, it is merely a pro forma amendment. I do not consider it as such.

Mr. KING. The Senator from New Mexico having been a judge, I pay considerable attention to his interpretation of the law. I myself have had some little judicial experience, and my interpretation of the provision in question is not in harmony with that of the able Senator.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. KING. I yield.

Mr. HATCH. I am sure the Senator from Utah is delighted to hear the Senator from Indiana [Mr. MINTON] say that the amendment removes one very grave objection which he had to the bill. No doubt the Senator from Utah hopes, as I do, that when the Senator from Indiana reads the bill as it has been amended, he will support it on the floor of the Senate.

Mr. KING. As stated by the Senator from New Mexico, in my opinion the amendment is not substantial. It is merely a clarification, and the bill itself carries out the spirit of the proposed amendment, and in my view also the letter of the proposed amendment.

I repeat what I said a moment ago, that the amendments are largely of a clarifying nature; and the bill which Senator Logan gave to the country is substantially the measure which is before us. In my opinion, those who respect his judgment, his knowledge of the law, and his interpretation of the Constitution and the constitutional rights of the American people will be glad to see the Walter-Logan bill enacted into law.

Mr. President, I ought to say that, contrary to the indications of the Senator from Kentucky [Mr. BARKLEY]—because he did not know the facts—in the House there were extensive hearings, and representatives of more than seven of the executive departments appeared and gave their views in regard to the bill. So it received full consideration not only at the hands of the Judiciary Committee and the Members of the House, but at the hands of many agencies of the Government.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. KING. I yield.

Mr. BARKLEY. I wish merely to say that the representations of the heads of departments were received largely in the form of letters which were printed as a part of the hearings, but the letters were received by the Committee after the hearings were closed.

Mr. KING. I do not think that the Senator has accurate information in regard to this matter. The hearings before the House committee, and I have referred to them, disclose that a number of witnesses testified, and that representatives of various agencies appeared before the committee. I have referred to that matter earlier in these brief remarks. I repeat that full opportunity was given to representatives of the Government to present their views with respect to the bill. The House Judiciary Committee was desirous of obtaining full information concerning the measure and to ascertain the views of officials in the administrative agencies of the Government; and I know that Senator Logan was desirous of obtaining full information concerning the measure which he introduced, and sought the views of various officials in the Government.

The Senator from Kentucky [Mr. BARKLEY] assigned as a reason for delaying consideration of the bill that Mr. Acheson, at the request of the Department of Justice, was making a study of Federal agencies and their procedure. A number of monographs have been submitted by the young men who have been appointed to make this study; and, without desiring to be critical, I respectfully submit that they afford but little information, and certainly could not be employed as the basis for legislation aimed at the protection of American citizens against arbitrary and illegal action by administrative agencies.

Mr. Caldwell, in his recent study of the survey and report made by these young men of one of the Federal agencies, states, in effect, that their studies of the procedure and conduct of that agency rather indicated a purpose to justify the procedure of the agency than to furnish a fair and impartial analysis. Certainly the legislative branch of the Government is not to be denied the right to legislate concerning administrative agencies, their conduct, their rulings, and their procedure simply because one of the executive departments has set up a committee to make a study of the administrative conduct of Federal agencies. The duty rests upon the Congress to examine the agencies which it creates, and to ascertain whether their procedure is fair and impartial. In other words, it is the duty of Congress to see that this shall be a government of law and not of men, and that regulations and rules promulgated by administrative agencies do not infringe the rights of individuals and may not be employed for the purpose of denying individuals not only due process but all rights to which under our form of government they are entitled.

Mr. President, I shall not further take the time of the Senate; but tomorrow, and upon every appropriate occasion, we shall bring to the attention of the Senate the pending Logan-Walter bill and seek to have it considered.

Mr. RUSSELL obtained the floor.

Mr. BARKLEY. Mr. President, will the Senator from Georgia yield to me for a moment?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Kentucky?

Mr. RUSSELL. I yield.

Mr. BARKLEY. In view of the fact that Mr. Louis Caldwell's name has been mentioned in connection with this matter, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a memorandum which Mr. Louis Caldwell, former chairman of the special committee on administrative law of the American Bar Association, has written commenting upon the Walter-Logan bill as amended by the subcommittee.

While I am on my feet I wish to call attention to the fact that, while the Senator from Utah has suggested that practically all the bar associations of the country have endorsed the bill——

Mr. KING. Not all, but many of them.

Mr. BARKLEY. There has been placed in the CONGRESSIONAL RECORD a very able article written by a committee of the Lawyers' Guild of the United States, and also one by the Bar Association of the city of New York, which contains some of the most able and eminent lawyers of the country, and also there has been placed in the RECORD an article from the Harvard Law Review, written by Dean James M. Landis.

Mr. KING. That has been put in the RECORD, I believe.

Mr. BARKLEY. It is in the RECORD; but I am merely calling attention to that, and suggesting that Senators who are interested in the discussion of both sides of the matter as contained in the committee's report and in these other articles, I think, would be well advised to study the articles which have been previously printed in the RECORD as well as the memorandum I am now asking to have printed in the RECORD.

Mr. HATCH. Mr. President, reserving the right to object——

The PRESIDING OFFICER. The Senator from Georgia has the floor.

Mr. HATCH. I thought a unanimous-consent request had been propounded.

Mr. RUSSELL. I have the floor, and desire, when the discussion is ended on the Walter-Logan bill, to submit a conference report on the agricultural appropriation bill.

The PRESIDING OFFICER. Unanimous consent has been requested by the Senator from Kentucky, but the request has not been submitted by the Chair. Pending that, the Senator from Georgia continues to hold the floor, and may use it himself or yield to any Senator he desires.

Mr. BARKLEY. I asked the Senator to yield in order that I might make the request, and I should like to have it passed on.

Mr. HATCH. Mr. President, reserving the right to object, in view of what has been said about the bill and the amendments, will not the Senator ask to have included in his request the printing in the RECORD of a copy of the proposed committee print, including all committee amendments?

Mr. BARKLEY. Yes; I include that.

The PRESIDING OFFICER. The Senator from Kentucky asks that certain matter be printed in the RECORD, together with a copy of the committee print of the bill. Is there objection? The Chair hears none, and it is so ordered.

Mr. RUSSELL. Mr. President——

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Utah?

Mr. RUSSELL. I yield.

Mr. KING. I ask unanimous consent to have printed in the RECORD, following the article by Mr. Caldwell which was offered for the RECORD by the Senator from Kentucky, a portion of Mr. Caldwell's report, critical of the monograph submitted by the so-called Attorney General's committee dealing with one of the Federal agencies. Mr. Caldwell's analysis of the report is, in my opinion, sufficient to justify

what I said a moment ago, that these monographs or reports will be of but little value to Congress in enacting legislation dealing with fundamental rights and with the conduct and procedure of administrative agencies.

The PRESIDING OFFICER. The Senator from Utah makes a request to have printed in the RECORD the matter referred to by him. Is there objection? The Chair hears none, and it is so ordered.

The article inserted by Mr. BARKLEY is as follows:

REVISED MEMORANDUM ON LOGAN-WALTER BILL, H. R. 6324

In a memorandum inserted in the Appendix of the RECORD, page 2122, I undertook an analysis of the Logan-Walter bill substantially in the form in which it passed the House on that day. Since then the Senate Judiciary Committee has proposed a number of amendments. The amendments do not, in my opinion, affect the conclusions expressed or remedy the defects pointed out in my memorandum. Nevertheless, to meet possible claims to the contrary. I have prepared this reanalysis of the bill on the basis of the most recent revision as set forth in Committee Print No. 2 of H. R. 6324, dated May 9, 1940. It necessarily involves a considerable amount of repetition, but I have rearranged the material and have elaborated on some points. Furthermore, since a number of inaccurate statements have been circulated both in Congress and in the press regarding the historical background of the bill in the American Bar Association, I have deemed it appropriate to advert to certain aspects of the bill's early history.

The fact that at this late date the Senate Judiciary Committee has uncovered a need for some 40 amendments should be sufficient answer to assertions that the bill has never been subjected to the prerequisite study, care in drafting, and hearings called for by the importance and complexity of the subject matter. Notwithstanding these amendments, however, the bill is still replete with flaws, ambiguities, and even incongruities, not merely in minor respects but in matters of major importance. The defects are just as conspicuous from the viewpoint of those who hope the bill will curb so-called administrative absolutism as from the viewpoint of those who fear it will impair governmental efficiency.

Adequately to appreciate the significance and effect of the bill's provisions, it must be realized that it is really a combination of two bills dealing with fundamentally different governmental functions;

(1) to regulate Federal administrative agencies in the making of rules and regulations, in other words, their quasi-legislative functions, and

(2) to regulate Federal administrative agencies in the determination of particular controversies, in other words, their quasi-judicial functions.

The bill also contains a section devoted to definitions and a section devoted to exceptions and reservations, both of which are, in general, applicable to the two portions of the bill.

Section 1 of the bill, devoted to definitions, itself justifies separate and extended consideration, particularly with respect to the definitions of "agency," "independent agency," "decision," and "controversy." They provide the framework of the bill and determine its dimensions, e. g., the kind and character of agencies subjected to its requirements, the kinds of functions and activities of these agencies which must conform to the new procedures specified, and the scope of judicial review of their decisions. In a bill attempting in a few sections to embrace so wide a territory, clarity, and certainty of definition are peculiarly necessary. Unfortunately, both in themselves and when read with later sections in the bill, these definitions almost defy analysis, exhibit an extreme carelessness in drafting, lead to bizarre and contradictory results, reveal a marked disregard of the facts and the existing law relating to the administrative process, and at best will require a long process of judicial interpretation before they can be said to make sense. To a large extent they even nullify the accomplishment of the principal purposes ascribed to the bill by its proponents. Space will not permit a detailed dissection of those definitions but the more important will be examined under the appropriate headings below.

I. AGENCIES COVERED BY THE BILL

To determine what Federal administrative agencies are within the scope of the bill we must consult the definitions in section 1 and the exceptions contained in section 7 (b). Let us consider the exceptions first.

Exceptions: A large number of agencies and independent agencies are exempted from the bill by section 7 (b), which, for convenience, is reprinted in a footnote.[1] Justification can be readily found for a few of the exemptions, such as the Military and Naval Establishments and the conduct of foreign relations by the Department of State. Otherwise the exemptions are not supported by any logic whatsoever. The exclusion of such agencies as the Federal Trade Commission and the Interstate Commerce Commission cannot be reconciled with the inclusion of the Federal Communications Commission, the Securities and Exchange Commission, the Commodity Exchange Commission, the administration of the Packers and Stockyards Act, the United States Maritime Commission, the National Labor Relations Board, the Veterans' Administration, and many others.[2]

In origin, the exemptions are readily explainable. The original list of exemptions in the bill as presented to the American Bar Association by its special committee on administrative law at the Kansas City meeting in September 1937, was, in the main and with certain exceptions, composed of those agencies which had been sufficiently vigilant—through their repreesntatives and their respective bars—to watch the committee's progress, had protested loudly enough, and had threatened to oppose approval of the bill by the association. The list gradually grew in size as other agencies became informed and registered their opposition at that and later meetings of the association. For the most part, therefore, the exemptions were accorded simply by a logrolling process within the American Bar Association, to secure its approval by disarming those persons who, by reason of their expert knowledge and experience, were best qualified to acquaint the membership with the bill's deficiencies. The Federal Trade Commission secured its exemption after the bill had been introduced in Congress and the Civil Service Commission has been added by an amendment proposed by the Senate Judiciary Committee.

The phraseology of some of the exemptions will not bear close scrutiny but, in order not unduly to extend this memorandum, I shall pass over such matters of detail.[3]

This is difficult to reconcile with section 4 (e) which imposes a 1-year statute of limitations and which is discussed later in the memorandum.

The agencies covered: Having noted the exceptions, we must turn to the definitions in section 1 to determine what Federal administrative agencies are affirmatively covered. The important definitions are found in clauses (2), (3), and (4), which, for convenience, are reprinted in a footnote.[4]

Passing over for the moment the subdivision of agencies into two classes, we first note from the definition of "administrative officers" that apparently the drafters of the bill intended to exempt the President of the United States. This definition, however, is the only place in which the term "administrative officers" appears in the entire bill. If the bill be read literally, the definition is interesting as an expression of its authors' views, but that is all. The definitions of "agency" and "independent agency" contain no corresponding exception, and section 7 (b), containing the list of exemptions, does not mention the President.

Congress has, from time to time, reposed a larger number of administrative functions, both quasi legislative and quasi judicial, in the President, usually accompanied with authority to subdelegate the functions to single officials or boards either already existing or to be newly established by him. Even if the bill be construed to exempt the President, it is impossible to gage the status of agencies to which he has partly or wholly delegated his functions, sometimes with power to make final decisions, sometimes subject to review by the President, and sometimes equipped with intermediate machinery for administrative review. This is only one of many instances of almost incredible carelessness in drafting, and of disregard for the problems raised by the actual facts.

We next note that apparently the drafters are under the impression that the independent establishments, including the General Accounting Office and such commissions as the Federal

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[1] "Nothing contained in this act shall apply to or affect any matter concerning or relating to the Military or Naval Establishments; the Federal Reserve Board, the Office of the Comptroller of the Currency; the Federal Deposit Insurance Corporation, Railroad Retirement Board, National Mediation Board, National Railroad Adjustment Board, the Interstate Commerce Commission, the Civil Service Commission, all Federal lending agencies, the Federal Trade Commission; the Department of State; the Department of Justice; or any matter concerning or relating to the internal-revenue, customs, patent, trade-mark, copyright, personnel, or longshoremen and harbor workers' laws; or the Agricultural Marketing Agreements Act of 1937 and any act supplemental thereto or amendatory thereof; or any case where the aggrieved party may be dissatisfied with a grading service in connection with the purchase or sale of agricultural products. Secs. 2 and 3 of this act shall not apply to the General Accounting Office. No right of review hereunder shall be exercised during the construction of any public building or public-works project as to any decision, ruling, or order made with reference to the prosecution of the work."

[2] One agency, the General Accounting Office, is exempted from secs. 2 and 3 of the bill (having to do with the rule-making function). It is the only agency thus treated.

[3] As an example, the last sentence in section 7 (b) provides:

"* * * No right of review hereunder shall be exercised during the construction of any public-building or public-works project as to any decision, ruling, or order made with reference to the prosecution of the work."

[4] "(2) 'Administrative officers' means officers and employees in the executive branch, except the President of the United States.

"(3) 'Agency' means any department, independent establishment, administration, corporation, or other subdivision of the executive branch of the United States Government with one chief officer as the immediate head thereof.

"(4) 'Independent agency' means any board, commission, authority, corporation, or other subdivision of the executive branch of the United States Government with two or more officers at the head thereof as board, commission, or other members."

Communications Commission, the Securities and Exchange Commission, the Civil Aeronautics Authority, and the National Labor Relations Board, are subdivisions "of the executive branch of the United States Government."[6] This will be news to the agencies, to Congress, and to the Supreme Court of the United States. The latter has held in unequivocal language that the independent commissions are not part of the executive branch, saying, with reference to the Federal Trade Commission:

"Such a body cannot in any proper sense be characterized as an arm or an eye of the executive. Its duties are performed without executive leave, and, in the contemplation of the statute, must be free from executive control. * * * To the extent that it exercises any executive function—as distinguished from executive power in the constitutional sense—it does so in the discharge and effectuation of its quasi-legislative or quasi-judicial powers, or as an agency of the legislative or judicial departments of the Government."[6]

Whether the bill, if passed in its present form, would ultimately be construed as required by the literal wording of the definitions, or in the light of the drafters' intention, is anyone's guess. It is distinctly open to a construction confining its requirements to agencies which are in the executive branch of the Government and not extending to any independent establishment. This is another instance of almost incredible carelessness in drafting, coupled with disregard for well-settled law.

The subdivision of agencies into two classes: The bill proceeds on the naive assumption that all Federal administrative agencies may be simply and categorically subdivided into two classes:

(a) "Agencies," that is, establishments having one chief officer as the immediate head, and

(b) "independent agencies," that is, establishments "with two or more officers at the head thereof."

Both classes are made subject to that portion of the bill (secs. 2 and 3) regulating the quasi-legislative functions and, to that extent, the distinction is unimportant. The distinction becomes vitally important in the other portion of the bill (secs. 4, 5, and 6) regulating the quasi-judicial functions, since, as later pointed out, very different procedures are provided for the two classes.

The attempted distinction raises baffling questions. There are important instances in the administrative process where, pursuant to express statutory provision or under regulations directly authorized by Congress, decisions are first made by one "agency" and then are subject to review by an "independent agency," or vice versa, before there is any right of judicial review. For example, decisions of the Secretary of Agriculture (through the bureau known as the Commodity Exchange Administration) refusing to designate a board of trade as a contract market, may be appealed to the Commodity Exchange Commission, under specific provision in section 6 (a) of the Commodity Exchange Act. What does the distinction mean as applied to the many instances in which agencies, both single-headed and multi-headed, have been established within the departments, subject to degrees of control or review by the head of the department, varying from complete supervision down to supervision limited to budgetary matters, with many shades of variation between the two extremes? Are the Civil Aeronautics Administrator and the Civil Aeronautics Authority to be governed respectively by the two entirely different procedures specified in section 4 of the bill? Riddles of this sort can be multiplied but the foregoing will suffice to show that the attempted subdivision is not the simple operation envisaged by the drafters of the bill.

II. THE RULE-MAKING FUNCTION

Sections 2 and 3 of the bill have to do with the quasi-legislative or rule-making functions of Federal administrative agencies, both of the single-headed and the multi-headed types. The definition of what constitutes the rule-making function covered by these sections is not free of difficulties in interpretations,[7] but for present purposes the apparent intention of the drafters to include all regulations of general application will be accepted.

"(1) 'Administrative rules' includes rules, regulations, orders, and amendments thereto of general application issued by officers in the executive branch of the United States Government interpreting the terms of statutes they are respectively charged with administering."

There are many kinds of rules and regulations promulgated by Federal administrative agencies, procedural and substantive. It has ordinarily been considered by textbook writers that regulations "interpretating the terms of statutes"—i. e., interpretive regulations such as those issued by the Bureau of Internal Revenue—constitute only one of a number of classes, and if this prove to be the correct interpretation of the bill, many important kinds of regulations having the force and effect of law are not covered by the definition. Notice that this definition, like the others already discussed, betrays the illusion of the drafters that all independent establishments, such as the independent commissions, are "in the executive branch of the United States Government." Notice, also, that the definition uses the term "officers in the executive branch" to describe the rule-making agency.

Section 2, however, refers to "agency" and "independent agency" as the authorities who issue "administrative rules," and qualifies or changes the definition by the description "rules implementing or filling in the details of any statute affecting the rights of persons or property."

The importance of the rule-making function in the operation of the Federal Government is shown by the fact that there are approximately 1,300 separate instances in the Federal statutes in which power to issue regulations having the force and effect of law is delegated to administrative agencies.[8] These instances cover a wide variety of subjects, are kaleidoscopic in character, and range in importance from trivial matters to matters involving heavy criminal penalties and damages and punishments consisting of revocation or suspension of licenses. Some idea of the bulk of regulations issued pursuant to statutory authority and in effect today may be gathered from the series of volumes now in course of publication by the Division of the Federal Register in The National Archives. Seven large printed books averaging over 1,000 pages each have already appeared, covering 20 out of a projected total of 50 titles, with many of the more voluminous titles (e. g., the Postal Service) still to be covered. When completed, it has been estimated, the project will total some 20 or 25 large books. The extent to which, almost daily, extensive additions are made to the bulk may be appreciated by reference to the Federal Register, which has averaged about 3,000 large three-column pages in small type each year (including, however, much material not consisting of regulations).

In most instances Congress has not subjected the exercise of these rule-making powers to any procedural requirements or to any direct judicial review (although, of course, the validity of a regulation may be questioned in any proceeding in which the regulation is sought to be applied). In a very few instances, involving special considerations, notice and hearing have been prescribed by statute.

Section 2 (a) of the bill proposes to make publication of notice and a public hearing, to be held not less than 10 days thereafter, prerequisite to the issuance of any "administrative rule," any amendment or modification thereof, or any supplement thereto. It requires publication of the rules or amendments in the Federal Register within 10 days after approval by the agency, and specifies that they "shall not become effective until such publication, except when the President declares that a public emergency exists." In other words, publication of notice and public hearing, with a minimum delay of more than 10 days,[9] are required in all cases before any regulation or amendment can become effective. Publication thereafter is also required in all cases except where the President declares the existence of an emergency.

In addition, under sec. 2 (c) all existing "administrative rules" which, on the date of the approval of the bill, have been in force for a period of less than 3 years, must for a period of 1 year, on the petition and request of "any person[10] substantially interested in the effects" thereof, be subjected to public notice and public hearing, to determine whether they should be "continued in force, modified, or rescinded."[11]

Does this mean that where, as a result of a petition under sec. 2 (c) to reconsider an existing rule and after public hearing thereon, the agency decides to amend the rule, the agency must begin all over again under sec. 2 (a) with publication of notice and public hearing?

Section 3 of the bill confers upon "any person substantially interested in the effects of any administrative rule" the right to appeal to the United States Court of Appeals for the District of Columbia "within 30 days from the date any approved administrative rule is published in the Federal Register, to hear and determine whether any such rule issued or continued in force in accordance with section 2 of this act is in conflict with the Constitution of the United States or the statute under which issued. No rule shall be held invalid except for violation of the Constitution or for conflict with a statute or for lack of authority conferred upon the agency issuing it by the statute or statutes pursuant to which it was issued or for failure to comply with section 2 of this act."[12]

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[6] See the definitions of "agency" and "independent agency," quoted in the preceding footnote.

[6] *Rathburn* v. *United States*, 295 U. S. 602, at p. 628.

[7] One trouble is that the term is defined twice, once in sec. 1, clause 1, and again in sec. 2, and the two definitions are not the same. Clause 1 of sec. 1 contains the following definition:

[8] 61 A. B. A. Rep. (1936) 769. This count, which was made directly from the statutes as of January 1, 1935, by my associate, Mr. Donald C. Beelar, of the District of Columbia bar, is believed to be correct as of that date, although there are inevitable differences of opinion as to what constitute separate instances of such delegation. Another count made by him, based on regulations issued March 11, 1936, by the Division of the Federal Register, indicated that there were, as of that date, 115 Federal agencies having such authority, contained in 964 separate statutory provisions and 71 Executive orders and proclamations (ibid., p. 783). Whatever be the correct total, it is enormous.

[9] Sec. 1, clause 6, defines "days" to mean "calendar days exclusive of Sundays and national holidays."

[10] In sec. 1, the word "person" is defined as including "individuals, corporations, partnerships, or other organizations." What is meant by "other organizations"?

[11] Sec. 2 (c) further provides "all amendments of such rules shall be in accordance with the procedure provided in subsection (a) of this section."

[12] Note the inconsistencies in grounds for review in the two consecutive sentences in the above.

Presumably, actions of the agency under both section 2 (a) and section 2 (c) are subject to this right of appeal.

The court may order "the taking of such evidence as shall be material and relevant thereto." Its power is limited to the rendering of a declaratory judgment holding the rule valid or invalid. If the rule is held invalid, it shall not "thereafter have any force or effect."[13] The section then proceeds to stipulate that nothing therein contained "shall prevent the determination of the validity or invalidity of any rule which may be involved in any suit or review of an administrative decision or order in any court of the United States as now or hereafter authorized by law."

Section 2 (b) is of such anomalous and novel character that it is quoted in full:

"(b) Administrative rules under all statutes hereafter enacted shall be issued as herein provided within 1 year after the date of the enactment of the statute, subject to the adoption thereafter of further rules from time to time as provided in this act."

It is this subsection which presumably is the basis for the claim widely made by proponents of the bill that it provides a method by which businessmen and labor organizations can find out in advance what a particular statute affecting them actually means or what the administrative officers think it means.

In my opinion, sections 2 and 3 of the bill, in addition to their deficiencies in phraseology, are unwise and unsound, and should not be enacted into law, for the following reasons:

1. The sections impose drastic procedural restrictions with respect to functions as to which there is no substantial or prevalent evil or complaint. On the whole, the procedure of Federal administrative agencies in adopting regulations has given general satisfaction. This includes agencies such as the Federal Communications Commission which otherwise have been subjected to widespread criticism. True, regulations are occasionally adopted which are unwise or too harsh, but this is not the fault of the procedure but of the wisdom or philosophy of the agency. Those regulations which have evoked the greatest criticism have usually been attended by elaborate public hearings. Witness the so-called censorship regulation (since suspended) of the Federal Communications Commission in its rules governing international broadcasting, its regulation forbidding clear-channel broadcast stations to use power greater than 50 kilowatts, and its regulation having to do with commercialization of television.

2. The overwhelming bulk of regulations do not require such formal procedure. Many, perhaps most, do not involve serious controversies and simply arise from the necessity of having some rule, such as in the case of right-hand or left-hand driving. Others are better handled by informal conferences between the interested parties and the agency's experts, or by the traditional investigatory methods, including research, investigation in the field, questionaires, and correspondence. Usually highly controversial matters are set for public hearing; the agencies have long since learned that this operates for their protection and education as well as for justice to the opposing groups. There probably are particular kinds of regulations which always should have formal hearing but such instances should be provided for specifically by Congress (and usually are). The drafters of the bill have given no thought to its effect on procedures already prescribed by statute, including provisions for administrative review of regulations within the agency.

3. Administrative agencies should be encouraged to express their principles and policies in formal regulations, and not discouraged by burdensome procedural obstacles. A regulation, even if imperfect, is much better than a haphazard principle recognized in today's decision and ignored in tomorrow's. It leads to uniform and undiscriminating enforcement and, if too harsh, is quickly modified or repealed. It makes the agency's principles easily accessible to the lawyer or individual wishing to inform himself. The imposition of a burdensome procedure will, in my estimation, tend to discourage the adoption of regulations.

4. The provision in section 2 (b) requiring the issuance of regulations within 1 year after the enactment of future statutes, subject to the adoption of further rules thereafter, means precisely nothing. Any agency can give a colorful performance of this obligation without actually accomplishing anything. No agency in a rapidly developing field such as radio or aviation can possibly foresee what regulations will be necessary next year or even next month.

5. The bill would subject certain rule-making powers to an intolerable and frequently fatal delay where quick or emergency action is required. Many instances of this can be cited, particularly in statutes administered by the Department of Agriculture.

6. It is difficult to foresee what will be before the reviewing court on an appeal. The review will not be worth much since a regulation may be invalidated, not because it is unwise or too harsh, but only for conflict with the Constitution or a statute, or for failure to follow the prescribed procedure. The determination will have to be more or less in vacuo. The tendency will be toward requiring that the full justification for the regulation be in the record in the form of evidence, confirmed by the provision authorizing the reviewing court to order "the taking of such evidence as shall be material and relevant thereto." This would be unfortunate since, in exercising a legislative function, an agency should be permitted to consult all legitimate sources of information. In making regulations its function is very similar to that of Congress in enacting statutes. Congress may, and usually does, have hearings before its committees but does not, as a rule, have formal procedure in such hearings, may dispense with hearings whenever advisable, and is entitled to rely on information obtained from other sources.

7. The reviewing court's determination that a regulation is invalid is necessarily final and the agency has no further recourse. The reviewing court would be sitting as a superior administrative agency and its determination would not be appealable to the United States Supreme Court. If the reviewing court holds the regulation valid, then its holding has accomplished nothing since it is still just as much open to attack as before, by the usual methods.

In a word, sections 2 and 3 of the bill subject the rule-making process to a very heavy procedural burden and the agencies to an unjustified impairment of efficient performance of their functions. I know of no evil calling for so drastic a measure. Contrary to claims made by some of the bill's proponents, there is no corresponding statute in force in England.

These sections represent a complete reversal of position on the part of the Special Committee on Administrative Law of the American Bar Association, and, to a considerable extent, on the part of the association itself. The committee, which was established in May 1933,[14] stated in its first report, submitted to the association in August 1933:

"This differentiation between quasi-legislative and quasi-judicial functions of administrative tribunals leads to interesting and important implications. In exercising the quasi-legislative function—i. e., in promulgating regulations governing a certain subject matter—the administrative official may be expected naturally to conform to the sort of procedure which has been found best adapted to the making of legislation. Preliminary hearings may be held in cases where this is practicable (they may even be required by statute) but they will resemble the sort of hearing held before a Senate or House committee rather than judicial proceedings, with respect to both procedure and legal effect. When a regulation is adopted, it is not to be expected that its wisdom or expediency will be subject to direct challenge in the courts (although it may be reviewed by a superior administrative tribunal), but its validity both under the Constitution and under the enabling statute may be tested when it is applied to an individual in a later quasi-judicial proceeding."[15]

In its next report, submitted to the association in the summer of 1934, the committee stated:

"While opinions differ as to how far Congress may or should go in delegating legislative power to the Executive, nearly everyone concedes that the necessities of modern government business require a certain amount of such delegation, particularly in the making of detailed regulations pursuant to a legislative standard. Even should Congress go too far in surrendering its prerogatives, it can always repossess them and thus reestablish an essential line temporarily obscured. Unless the process goes further than it has gone to date, while the tendency may be a source of apprehension, Congress remains the supreme tribunal in the legislative field and can at any time review and set aside legislation that has been promulgated pursuant to delegated authority. The real danger seems rather that an effective exercise of the power of Congress to review and to veto will be made practically impossible by the multitude of uncorrelated agencies, the Gargantuan volume of their legislative output, the lack of authenticating formalities and of any trustworthy source of information and the sometimes discriminatory and uneven enforcement of regulations."[16]

Among its tentative conclusions presented in that report was the following:

"(a) Rules, regulations, and other exercises of legislative power by executive or administrative officials should be made easily and readily available at some central office, and with appropriate provision for emergency cases, should be subjected to certain requirements by way of registration and publication as prerequisite to their going into force and effect."[17]

This conclusion, together with others, was approved by the association by an overwhelming majority of the members present. It was given effect the following year by Congress in the Federal Register Act. In its report submitted to the association at its Boston meeting in August 1936, the committee stated, with refer-

[13] Except to confer immunity as provided in section 2 (d) for a period of 30 days after the publication in the Federal Register of the "final judicial determination of the invalidity of such rule." The bill nowhere requires either the court or the agency to make such publication. Section 2 (d) gives a similar 30-day immunity after an action by the agency rescinding a regulation.

[14] The charge sometimes made that the establishment of the committee was inspired by opposition to New Deal legislation is not, so far as I know, based on fact. It resulted from suggestions made by myself, and probably others, to the president of the association in 1932 that the growing importance of the field of administrative law called for such action and that some such committee should be created to serve as a clearing house or centralizing body for the field as a whole whereas, up to that time, a number of specialized branches of the field had been entrusted to separate committees, including the standing committee on communications, of which I had been chairman for several years.

[15] 58 A. B. A. Rept. 410.

[16] 59 A. B. A. Rept. 563.

[17] 59 A. B. A. Rept. p. 540.

ence to the quasi-legislative functions of Federal administrative agencies:

"Since its principal recommendation has been carried out by Congress, the committee submits no request for action by the association this year in this field of administrative law." [18]

Since then, Congress has taken further steps to carry out the committee's original recommendation by amendments to the Federal Register Act, resulting, among other things, in the Code of Federal Regulations now in course of publication.

It was not until the late fall of 1936 that the Special Committee on Administrative Law ever considered what is now known as the Logan-Walter bill, or any of its precursors, or anything like them. At no stage of its existence was the bill based on, nor did it result from, the research or studies carried on by the committee during the period 1933–36, but, instead, its provisions were and are directly contrary to the committee's conclusions based on that research and presented to the association during that period. Whatever may be the verdict on the correctness of the committee's original viewpoint, it must be granted that it consistently refrained from expressing any conclusions or making any recommendations likely to interfere with the efficient and thorough performance of the rule-making functions of Federal administrative agencies.

III. THE QUASI-JUDICIAL FUNCTIONS

This subject, covered in sections 4 to 6 of the bill, leads us into one of the most tangled wildwoods I have ever examined in proposed Federal legislation. It is a labyrinth of blind alleys.

I shall attempt to deal with it under five subheadings: (1) The scope of quasi-judicial determinations covered by the bill, (2) the procedure prescribed for single-headed agencies, (3) the procedure contingently provided for multiheaded agencies, (4) judicial review of the determinations of both classes of agency, and (5) miscellaneous matters.

A. The scope of quasi-judicial determinations covered by the bill

In part I of this memorandum I have discussed the difficulties of interpretation raised by the question as to what agencies are and what agencies are not covered by the bill. These difficulties are, however, child's play compared to the difficulties of interpretation raised by the question as to what acts or failures to act by the agencies are subjected to the bill's procedural requirements. For this purpose we must first turn to the definitions in clauses (8) and (9) of section 1, as follows:

"(8) 'Decision' means any affirmative or negative decision, order, or act in specific controversies which determines the issue therein involved.

"(9) 'Controversy' means any dispute or disagreement concerning any claim, right, or obligation for or against the United States and any refusal to grant any license, permit, or other privilege."

Apparently, therefore, a decision is an action which decides a controversy, and it is to the latter term that we must first turn to ascertain the bill's scope. We immediately encounter wide and irreconcilable differences of opinion as to what the language means. These differences in themselves should give us pause. It is my own opinion that, in addition to shortcomings in other respects, the language fails to cover most of the matters which apparently the bill's proponents think it covers.

1. Licenses: So far as it has to do with licenses, a controversy is defined to mean "any refusal to grant any license, permit, or other privilege." It does not, therefore, include any action granting, modifying, revoking, or suspending any license, permit, or other privilege. The importance of this omission, and the weird results to which it leads, cannot be overstated. The license system is one of the principal methods of Federal administrative regulation, and is constantly being extended to new fields. As pointed out by the Special Committee on Administrative Law in its 1936 report, there are at least 150 instances of the system already on the Federal statute books [19] including the licensing of radio stations by the Federal Communications Commission, the licensing of the liquor industry by the Federal Alcohol Administration, the issuance of certificates of convenience and necessity by a number of agencies, the registration of national securities exchanges by the Securities and Exchange Commission, the designation of contract markets by the Secretary of Agriculture, and many others. An action of the Federal Communications Commission granting a license to A will frequently injure B, the licensee of an existing station or an applicant for the same competing privileges, either because of interference or economically. Analogous situations arise in the granting of certificates of convenience or necessity. If the procedural reform proposed in the bill is to be adopted, it should be extended to all important decisions by licensing authorities.

2. Disputes between individuals: Many disputes are heard and decided by Federal administrative agencies which do not come within the description "for or against the United States." They are between private persons or corporations such as reparations cases before agencies such as the Interstate Commerce Commission, the Federal Communications Commission, the United States Maritime Commission, and the Secretary of Agriculture under the Packers and Stockyards Act and the Perishable Agricultural Commodities Act, and analogous proceedings before the Federal Power Commission and the United States Employees' Compensation Commission. Two of the foregoing are exempted from the bill, but the principle is the same under all.

3. Cease-and-desist orders: Does the phrase "claim, right, or obligation for or against the United States" (which at best is dubious English) include proceedings before Federal administrative agencies leading to cease-and-desist orders against various kinds of unfair practices, unjust and unreasonable rates or regulations, unjust or unreasonable discriminations, and similar matters? The agencies that conduct such proceedings are legion. The language in the definition, however, is susceptible of interpretation as applying only to such matters as claims for taxes and penalties by the United States, or money claims or claims for damages against the United States, such as arise out of breach of contract by a Government department or out of personal injury resulting from being run over by a Government truck. Indeed, the bill indicates that its drafters think of administrative adjudication largely in terms of claims analogous to those passed on by the General Accounting Office and the Court of Claims and, except for the wholly inadequate reference to licenses, have overlooked the procedural needs and problems of the multitude of regulatory agencies.

Our difficulties have only begun. They multiply when, after noting the defects and uncertainties inherent in the definition of "controversy," we attempt to interpret the definition of "decision," particularly in the light of the other provisions of the bill. This attempt takes us somewhat ahead of our story but, since it must be made at one juncture or the other, it may as well be made at this point.

Under section 4 (b) of the bill, a person who "is aggrieved by a decision [20] of any officer or employee of any agency"—i. e., an agency with one chief officer at its head—may invoke the procedure leading to a hearing before a three-man intra-agency board appointed by the head of the agency. The use of the word "decision" indicates that a "controversy" has already been determined by the officer or employee; this interpretation is fortified by the fact that the term "administrative appeal" is used repeatedly in section 4 to refer to the proceeding before the three-man board. Section 4 (b), however, proceeds to provide that the aggrieved person may invoke the procedure by written notice requesting that the "controversy" be referred to a board for hearing and determination, and that "such notice shall be given not more than 20 days after the date of receipt of a registered letter notifying him of the decision, act, or failure to act." [21]

This wording leads to ludicrous results. Neither the agency nor any officer or employee thereof is required by the bill to send a registered letter to anyone and yet, until the registered letter is sent, the 20-day period does not begin to run. On the other hand, section 4 (e) provides—

"No hearing shall be permitted before any agency or independent agency seeking affirmative relief against the United States concerning any controversy which arose more than 1 year prior to the date on which there was filed with such agency or independent agency a written request for such hearing as provided in this section." [22]

What is meant by the word "controversy" in this connection? Is it the "controversy" which was determined by the "decision" of the officer or employee which gave rise to the "administrative appeal," or another kind of "controversy" following and resulting from the "decision"?

What, furthermore, is a "failure to act"? Does it include neglect or failure by an officer or employee of an agency to take any action in a matter, e. g., a neglect or failure to act on an application for a radio license? If it does, is it expected that such officer or employee will send anyone a registered letter confessing his neglect? If he does not, when does the "controversy" take place and what is the date of the "decision" from which the "administrative appeal" is taken?

Consider the many situations in which, either by statutory requirement or pursuant to regulations authorized by statute, the agencies now have firmly established procedures, consisting of notice to interested parties, hearing before an examiner, or other presiding officer, the right to intervene, exceptions, oral argument, and written decision consisting of findings of fact and conclusions of law, all prerequisite to the original determination of the controversy? Is the decision thus reached the "decision" which is to be subject to the "administrative appeal"? It must be, because ordinarily such a decision is the first action of the agency "which determines the issue" involved in the specific "controversy." Must the proceeding, then, begin all over again at the instance of a dissatisfied party before a three-man board, only to come back to the

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[18] 61 A. B. A. Rept., p. 767. The committee also discussed at length the decisions of the Supreme Court in *Panama Refining Co.* v. *Ryan* (293 U. S. 388), and *Schechter* v. *United States* (295 U. S. 495), and criticized the majority for going too far in requiring administrative agencies to make findings as a prerequisite to rule making. Ibid., pp. 773, 777–778.

[19] 61 A. B. A. Rept. 749.

[20] Does the word "decision" in sec. 4 (b) have the same meaning as the term "final decision" in sec. 5 (a)? If not, the implications are serious, since sec. 4 (b) may be construed to extend to interlocutory matters.

[21] Bear in mind that "decision" is defined as "any affirmative or negative decision, order, or act."

[22] The bill contains no indication as to what is meant by "affirmative relief against the United States." For additional complications, see the closing sentence of sec. 7 (b).

head of the agency again? In the overwhelming majority of quasi-judicial matters heard and determined by Federal administrative agencies, the first decision determining the issues involved must be preceded by notice and hearing. The fallacious theory on which the bill is premised is, so far as single-headed agencies are concerned, that the decision should be followed by notice and hearing.

In a large proportion of quasi judicial-cases entrusted to Federal administrative agencies, their original decisions, being preceded by notice and hearing, are directly subject to judicial review by express statutory provision. Under section 7 (a) of the bill all existing rights to judicial review are preserved. Suppose that, in a controversy before an agency, there are two parties, one of whom chooses to appeal directly to the reviewing court and the other chooses to invoke the procedure provided by the bill for an "administrative appeal" before a three-man board. Who wins?

So far we have considered single-headed agencies. In the case of independent (multi-headed) agencies, the words "controversy" and "decision" apparently take on a different color, although the functions performed by "agencies" (e. g., various bureaus within the Departments) and "independent agencies" (e. g., the independent commissions) are largely identical. In both classes many instances will be found of determination of money claims, administration of license systems, the entry of cease-and-desist orders, and other familiar administrative proceedings. Yet, under section 4 (d) the procedure which is permitted by the bill begins with a "controversy arising out of the activities of any independent agency," to be followed by a hearing before an examiner (or the independent agency), and ending in a "decision" by the independent agency. With this difference between agencies and independent agencies in mind, I invite the reader to return to section 4 (e), which attempts to impose a 1-year statute of limitations and see if he can give it any intelligible meaning as applied to both kinds of agencies.

B. *The procedure provided for single-headed agencies*

In part I of this memorandum I have discussed the difficulties presented by the bill's subdivision of agencies into two classes. In the preceding subheading I have pointed out the difficulties presented by any attempt to fit the definitions of "controversy" and "decision" into sections 4 to 6. Both sets of difficulties must be kept in mind in discussing the procedure provided in section 4.

Section 4 (a) to (c) prescribes the procedure for determining "administrative appeals" before single-headed agencies. Presumably these provisions apply principally (but not exclusively) to the 10 executive departments of the Government.

The bill directs that every head of an agency shall, from time to time, designate such three-man, intra-agency boards as may be necessary or desirable. These boards are to be designated from among the employees of his agency, one of them to be a lawyer.[23] When not engaged in the hearing and determination of "administrative appeals," these employees are to be assigned to other duties in the service of the agency. Employees who have participated in a particular case or in the preparation, draft, of approval of any rule involved, may not sit "in appeal of the case or application of the rule." Each such employee must take an oath or affirmation "that he will act impartially" and "that he will decide such matters upon their merits in accordance with law and the evidence presented." The bill contains no definition of "administrative appeals" but it must be assumed that its meaning is intended to be coextensive with the definitions of "decision" and "controversy," already discussed.

Procedure may be invoked by any person "aggrieved by a decision of any officer or employee of any agency" by notice in writing of objections to the head of the agency, specifically requesting that the "controversy" be referred to a board. The objections are thereupon to be promptly referred to such a board, which is to afford the aggrieved person "a full and fair hearing." Any person "having a substantial interest in the controversy" is given the right to intervene. Within 30 days thereafter the board is to "make written findings of fact and separate decision thereon which shall be subject to the written approval, disapproval, or modification of the head of the agency concerned or of such person as he shall designate in writing to act for him. A copy of the findings of fact and decision, showing the action, if any, of the head of the agency concerned or his representative, shall be filed in the agency as a part of the written record in the case, and a copy shall be mailed to the aggrieved person and to the intervenors, if any. The United States shall take such action as may now or hereafter be provided by law to enforce the decision of the agency unless there be pending judicial review thereof as hereinafter provided."

There are further procedural provisions. A provision in the bill as it passed the House, covering cases of emergency where "administrative action or inaction" may take place before hearing subject to an award of damages to the aggrieved person, has been stricken in the amendments proposed by the Senate Judiciary Committee. These provisions, however, raise questions of detail which may be passed over in this memorandum.

In my opinion the procedure thus provided by the bill is highly objectionable for a number of reasons (in addition to the uncertain scope of matters covered):

1. The bill sets up, and tends to perpetuate, an unsound model for the adjudication of administrative controversies, vastly inferior to what has already been provided either by statute or regulation in a number of agencies. It may be conceded that a doctrinaire separation of the functions of prosecutor and judge is not practicable or feasible at present (although on the whole highly desirable in controversies that correspond in gravity to those usually heard by courts). On the other hand, there is no reason why Congress should now go on record that in all administrative controversies the desired separation of the two functions should be completely abandoned, including a number of instances where fairly satisfactory procedures have been worked out by agencies after years of experience. In this connection the following features of the bill should be noted:

(a) The head of the agency, who is in reality the party defendant, appoints the board from among his own employees. Under such circumstances it is idle for Congress to provide for oaths of impartiality.

(b) While the board is to make "written findings of facts and separate decision," they are to be secretly submitted to the head of the agency (or his delegate), who is to have unlimited power to approve, disapprove, or modify the findings and decision before the parties are advised of them, and no party is to have opportunity to be heard by the head of the agency (or his delegate) before he approves, disapproves, or modifies. So far as appears from the bill (although this is ambiguous), the findings of fact served upon the parties will not distinguish between the findings of the board and the revised findings of the head of the agency. In any event, under the doctrine of the Morgan cases, a serious and perhaps unconstitutional defect in procedure is present.

(c) It must be kept in mind that the findings of fact thus reached are binding on the reviewing court unless "not supported by substantial evidence" (sec. 5). The bill provides, therefore, for no independent adjudication of the facts, but simply for an adjudication by one of the parties most interested, namely, the head of the agency.

2. Subject to the foregoing, the procedure may serve sufficiently to cover sporadic or occasional disputes between individuals and the Government arising out of such matters as breach of contract, torts, and the like where there is no regulatory feature and no particular need of a regularized procedure and a building up of rules and principles. Just as certainly, however, the proposed procedure will tend toward confusion and an absence of jurisprudence in the many quasi-judicial functions of agencies of a regulatory character, corresponding to those exercised by the independent commissions. The boards will be chosen in haphazard fashion, will not sit consistently in any particular class of cases, will not have any continuity of personnel, and are provided with no machinery for preserving, recording, and publishing their determinations. This represents a step backward and not a step forward from the point of view of bringing order out of chaos in administrative law.

3. Many of the agencies already have a far superior machinery for hearing controversies and making decisions. They have regular staffs of examiners or members of their law departments performing equivalent duties, with provision for examiners' reports, oral argument before a superior officer, and the like. Examples will be found in the Post Office Department in connection with fraud orders, in the Department of Agriculture, in several of its bureaus, and in several of the other departments. Such existing machinery would, at least to a large extent, apparently be done away with by the bill, which provides that "where there are intra-agency boards existing on the date of approval of this act they shall be reestablished and function in accordance with this act." The drafters of the bill have shown a reckless unconcern for the effect of its provisions on existing machinery. A trained examiner under such a system is much more desirable than a transient three-man board, only one of whose members need be a lawyer. Here, again, the bill represents a step backward and not forward in the matter of introducing a measure of due process of law into administrative controversies.

C. *The procedure contingently provided for multiheaded agencies*

Section 4 (d) of the bill provides a procedure for multiheaded agencies. In my original memorandum I pointed out that, as it passed the House, the bill did not prescribe any procedure for such agencies and that it was simply permissive or contingent.

Since then the Senate Judiciary Committee has proposed various amendments to this subsection. In my opinion, however, the defect (if it be a defect) has been left unremedied.

Because of the importance of the question, section 4 (d) is quoted in full:

"In any controversy arising out of the activities[24] of any independent agency, it may be provided by rule that such controversy may be heard in the first instance by one of its trial examiners. Whether heard by such examiner or the independent agency itself, a full and correct written record and written findings of fact, and the proposed decision, shall be filed in the office of the independent agency after reasonable public notice and a full and fair hearing as hereinbefore in this section provided. A copy or copies thereof shall be sent by registered mail to the aggrieved party.[25] The independent agency shall enter at the expiration of

[23] As passed by the House the bill provided that the lawyer was to be chairman. This requirement has been eliminated by the Senate Judiciary Committee.

[24] The term "activities" is nowhere defined and is not used elsewhere in the bill.

[25] The subsection contains no provision for intervention corresponding to that provided in sec. 4 (b) for single-headed agencies.

30 days such appropriate decision as may be proper unless within said 30 days the aggrieved party shall signify his written consent to the entry of the decision [26] or shall file by registered mail with the independent agency his written objections to the findings of fact and decision, in which event the independent agency shall not enter its decision without first according a public hearing upon reasonable notice to such party.[27] Such hearing shall be before the members of the independent agency, if it has not less than three members, or before any three of such members. If the independent agency has less than three members, an intra-agency board shall be constituted in the manner provided in subsection (a) of this section, upon which the member or members of such agency may serve at his or their election."

Notice that the foregoing nowhere requires in so many words that, whenever a controversy arises out of the activities of an independent agency, the agency must give notice and afford a hearing to the interested parties before deciding the controversy. If this was the intention of the drafters, it could have been accomplished very simply and easily. Actually, the subsection simply provides that an independent agency may provide by rule that a controversy be heard by a trial examiner. If it is heard by a trial examiner, or if it is heard by the independent agency, then certain requirements follow. The independent agency does not have to afford a hearing of a controversy either before an examiner or before itself.

The cross-reference in the subsection to "a full and fair hearing as hereinbefore in this section provided" is otherwise almost unintelligible when it is remembered that the hearing provided in section 4 (b) is an administrative appeal accorded to a person aggrieved by a decision already made by an officer or employee of an agency. How does it become known whether a controversy arises in an independent agency? According to the cross-reference to the procedure prescribed for single-headed agencies, it is when a decision of the controversy is made, and, with the making of that decision and notification thereof, the train of procedural events is set in motion, including detailed requirements as to the time within which hearing must be requested. Since no such method of setting the train of procedural events in motion is prescribed for multiheaded agencies, section 4 (d), to my notion, does not require a hearing in any case where it is not now already required and is simply permissive and contingent.

The subsection is objectionable for the following reasons:

1. Even if it be conceded that the procedure is meritorious, for reasons above pointed out no independent agency is required to follow it and any such agency may evade it by simply not providing by rule that matters may be heard by trial examiners. In fact, most of the statutes governing the important commissions specifically prescribe or authorize the delegation of the power to hear and decide controversies in the first instance to individual members or divisions thereof, employees, examiners, etc., and it seems probable that the specific provisions of such statutes will not be considered to be repealed by the general and ambiguous language of the bill.

2. The machinery now available at most of the important commissions is at least equal to, and in a number of instances is better than, the procedure specified in the bill.

3. The bill attempts (on a contingent basis) to prescribe rigid details of practice, such as the requirement of service by registered mail, the specification of a 30-day period and, so far as the independent agency is concerned, that the hearing may be before any three of its members (although this does not constitute a quorum in the case of many such agencies); such matters should not be enacted into law without study of their actual effect upon existing procedures. It is my impression that in some instances the 30-day period is probably too long and in others too short. The Federal Communications Commission, for example, allows a longer period under certain circumstances for parties from the Pacific coast, Hawaii, and Alaska than it does for parties farther east. Corresponding differences will be found in the procedure of other commissions, usually built on years of experience.

4. So far as is apparent from the face of the bill, no existing evil charged against any of the independent agencies will be cured by its provisions.

D. *Judicial review*

Section 5 provides for judicial review by "any party to a proceeding before any agency or independent agency as provided in section 4 of this act who may be aggrieved by the final decision or order [28] of any agency or independent agency, as the case may be."

The appeal may be taken to either the United States Court of Appeals for the District of Columbia or to one of the several circuit courts of appeals. As passed by the House the bill specified seven grounds on which the agency's decision might be set aside.[29] The Senate Judiciary Committee proposes amendments which would eliminate, as grounds for reversal, (a) that the findings of fact are clearly erroneous, and (b) that the decision is otherwise contrary to law.

Proponents of the bill have made much of the right of review claimed to be conferred by section 5, some declaring expressly, and others tacitly allowing the public to understand, that it somehow extended the right of review usually exercised by courts over the decisions of administrative agencies to include partial or complete review on the facts as well as the law. In my opinion, even in the form in which it passed the House, the entire seven grounds added together amounted to nothing more than the traditional basis on which constitutional courts review the decisions of Federal administrative agencies, namely, on questions of law, with the agencies' findings of fact binding on the courts unless "not supported by substantial evidence." Others, whose opinion is entitled to more weight than mine,[30] interpreted the ground "that the findings of fact are clearly erroneous" to confer a much broader scope of review. Whatever doubt may have existed on this score has been removed by the amendment eliminating this ground, as proposed by the Senate Judiciary Committee. The fact now is that, with reference to those agencies where a statutory appeal is already provided, the bill adds precisely nothing to the scope of review, although in some instances it would work a radical change in the courts to which the appeal is taken. For example, most decisions of the Federal Communications Commission having to do with radio licenses are now appealable solely to the District Court of Appeals; other decisions having to do with radio licenses and its decisions on common carrier matters are appealable to three-judge Federal courts in the same fashion as are corresponding decisions of the Interstate Commerce Commission. Under the bill the appeals in both classes of cases may be also taken to all the 10 circuit courts of appeal if the Commission chooses to adopt the procedure specified in section 4 (e). In view of the reservation in section 7 (a), which specifically saves all existing rights of review, considerable confusion is certain to be created.

With respect to agencies from whose decision no appeal is now provided by statute, the bill will, of course, definitely provide judicial review (although, so far as independent agencies are concerned, this review will be available only if the agency chooses to adopt the procedure of sec. 4 (e) At present in such cases, in the absence of a statutory appeal, judicial review is sought by mandamus or injunction proceedings, usually in the United States district courts and particularly in the District of Columbia. An example is furnished by fraud orders issued by the Post Office Department. To the extent that such decisions would be subjected to statutory appeal, the bill may represent an improvement, although it is questionable whether all such decisions should be subjected to appeal and whether the appeals should be to courts all over the country and directly to the circuit courts of appeals (which are obviously going to be overloaded) as against the Federal district courts. It is so impossible to foresee the scope and character of matters made appealable by the bill (because of the definitions of "decision" and "controversy" in sec. 1) that the problems created by the appeal section are unpredictable. It is claimed by some opponents of the bill that section 5 attempts to provide judicial review on matters which, under the Constitution, may not be reviewed by constitutional courts. Personally, I doubt that it would be so construed.

In any event, the claims made by proponents of the bill as to the virtues and advantages of the proposed judicial review are highly extravagant. If, furthermore, the definitions of "agency," "independent agency," "decision," and "controversy" are literally construed (as there is good reason to believe they will be in view of tendencies recently manifested in decisions of the Supreme Court), the judicial review provided by the bill will extend neither to the agencies nor to the kinds of quasi-judicial decisions against which, according to some of its proponents, the bill is chiefly directed.

E. *Miscellaneous*

With reference to the portion of the bill under discussion, one member of the Special Committee on Administrative Law, as constituted in 1937 when the bill was first recommended to the American Bar Association for approval, presented a vigorous minority report in which he stated:

"An approval of the proposed bill throws into the waste-paper basket all the conclusions reached and repeatedly reaffirmed by the committee on administrative law in all its prior reports." [31]

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[26] I confess to an inability to understand the scope or purpose of this clause.

[27] Does this mean a hearing de novo on the facts? If so, it places an intolerable burden on the independent commissions.

[28] This is the first time the word "final" appears in the bill in connection with "decision." It introduces a new variable which incites conjecture. So perhaps also does the word "order" which, according to clause 8 of sec. 1, is already embraced in the definition of "decision."

[29] "(1) That the findings of fact are clearly erroneous; or (2) that the findings of fact are not supported by substantial evidence; or (3) that the decision is not supported by the findings of fact; or (4) that the decision was issued without due notice and a reasonable opportunity having been afforded the aggrieved party for a full and fair hearing; or (5) that the decision is beyond the jurisdiction of the agency or independent agency, as the case may be; or (6) that the decision infringes the Constitution or statutes of the United States; or (7) that the decision is otherwise contrary to law."

[30] Including Dean Landis, of the Harvard Law School; see his article Crucial Issues in Administrative Law—the Walter-Logan bill—in the May 1940 issue of the Harvard Law Review, at p. 1077, reprinted in the Appendix of the CONGRESSIONAL RECORD, page 2571.

[31] Minority report submitted by Monte Appel, Esq., former Assistant Attorney General, at the Kansas City meeting of the American Bar Association in September 1937.

Space will not permit a detailed exposition of the committee's conclusions, presented to the association during the period 1933–36, with reference to the quasi-judicial determinations of Federal administrative agencies. They may be summarized in the following excerpt from the committee's 1934 report:

"Segregation of judicial functions: In principle and with certain exceptions, the judicial functions of Federal administrative tribunals should be divorced from their legislative and executive functions, and should be placed—

"(a) Preferably in a Federal administrative court with appropriate branches and divisions including an appellate division or, failing that,

"(b) In an appropriate number of independent tribunals (or a combination of such tribunals and an administrative court) analogous to the Court of Claims, the Court of Customs and Patent Appeals, and the Board of Tax Appeals." (59 A. B. A. Rept. 539.)

The foregoing, together with other conclusions, was approved by an all-but-unanimous vote at the association's Milwaukee meeting in August 1934. The second alternative specified by the committee will be recognized as substantially the same proposal as that made early in January 1937 by the President's Committee on Administrative Management.

In its report submitted to the association at its meeting at Boston in August 1936, the committee developed its preference for a Federal administrative court and, in a lengthy report, summarized its research bearing on the subject, stated the reasons, and presented for approval an outline of a bill as a basis for its further activities.[32] Because of opposition expressed by the representatives and the bars of some of the important agencies, details of the outline were not approved. Instead, by an all-but-unanimous vote, the association adopted a resolution in which—

1. It approved in principle the establishment of a Federal administrative court, and

2. Rereferred the subject of the composition, scope, and jurisdiction of such a court to the committee for further study and consideration, to report to the next annual convention.[33]

The first bill of this sort was introduced in 1928 by Senator Norris, of Nebraska, and later the proposal was taken up by Senator Logan, who introduced a similar but somewhat more elaborate bill in 1933. The Special Committee on Administrative Law took up the matter at this point and, early in 1935, prepared a considerably more elaborate bill incorporating some of the features of the earlier bills and adding new ones. This bill was, in turn, introduced by Senator Logan on January 22, 1936 (S. 3787, 74th Cong., 2d sess.). The bill was designed simply as a basis for discussion and the 1936 report of the Special Committee on Administrative Law was careful to state that the bill did not have the approval even of members of the committee and that it would be premature to ask the association to approve its particular provisions. The bill was again introduced by Senator Logan on January 3, 1939 (H. R. 234, 76th Cong., 1st sess.).

The bill drafted by the committee is not to be confused with the very different administrative court proposal found in S. 916, Seventy-sixth Congress, first session, which is the work of certain Government officials. This latter bill was a revision of a similar bill introduced by Senator Logan at the preceding Congress (S. 3676, 75th Cong., 3d sess.). It was on this bill that, in April 1938, hearings were held before a subcommittee of the Senate Judiciary Committee. In the course of these hearings there was a very limited amount of testimony relating to an early draft of the Logan-Walter bill, which had not yet been approved by the association, was later changed in a number of respects, and was not introduced in Congress until January 1939. The reference consisted principally (but not entirely) of an insertion in the record of an annotated copy of the early draft and a copy of the committee's 1937 report to the American Bar Association.

Without further ado the committee proceeded to draft the original of what is now the Logan-Walter bill and to recommend its approval to the association at its 1937 meeting. The association's approval, which was finally secured in January 1939, was not given without considerable opposition within the organization. At the 1937 meeting a motion to recommit the portion having to do with quasi-judicial determinations was lost by a vote of only 55 to 51 in the house of delegates. After extended debate this portion was, with a large dissenting vote, approved solely as a declaration of principle, the contents of any bill on the subject to be thereafter subject to approval of the board of governors.[34] At the association's 1938 meeting in Cleveland there was again discussion of the bill, during which strong opposition was manifested. The house of delegates adopted a resolution recommitting the bill to the committee for further study, consideration, and report and subjected it to the requirement that any bill it might propose should "be approved both as to form and substance by the board of governors and the house of delegates before being introduced in Congress."[35] The bill was finally approved by both bodies in January 1939. Again, however, there was vigorous opposition in the house of delegates, and approval was given only after a division had been called for and a rising vote held.[36]

It is my firm belief that many of the delegates voted for approval of the bill under misapprehension, in the belief that in substance it was based on the research and gave effect to the committee's conclusions submitted in the reports from 1933 to 1936, whereas, as has above been pointed out, the bill represents an almost complete reversal of position. Instead of working toward a segregation of quasi-judicial functions, the bill sanctifies a model of administrative machinery which, so far as this feature is concerned, should delight the hearts of all those who favor arbitrary discretion in administrative agencies.

CONCLUSION

As I stated in my first memorandum, my comments on the Logan-Walter bill are not to be construed as an endorsement of the existing procedural situation in Federal administrative agencies, particularly with respect to the exercise of their quasi-legislative functions. I believe I have been as vocal as anyone in my criticisms, and as anxious to see a remedy found. I fear that, if enacted into law, the bill will have the effect of hindering and preventing consideration of the sort of reform which is actually needed. This would be partly because some of those who sincerely believe that some reform is necessary will, for the most part, have the impression that the needed remedies have been provided by the Logan-Walter Bill, and partly because the drastic effect of the bill's provisions (if construed as they are construed by its sponsors) on the agencies is certain to result in a reaction which may postpone any real improvement for years.

The problem, or rather the group of problems, falls fully as much in the province of political science as it does to the law. Whatever may be our differences of opinion as to whether the Federal Government should or should not enter upon a given field of regulation, we should be able to agree that the administrative machinery established for the purpose should be efficient. At the same time, insofar as the field of regulation gives rise to controversies between the individual and the Government, in other words, disputes of a quasi-judicial character, we should be able to agree that basic requirements of due process of law should be met. In my judgment the Logan-Walter Bill fails to meet either test. It will cripple the efficiency of agencies brought within its terms, and it not only fails to afford a type of machinery suitable for the fair determination of quasi-judicial controversies, but effectively destroys or seriously impairs a great deal of existing machinery which, whatever may be its defects, is better than that provided by the bill.

Notwithstanding these fundamental defects, its proponents are making the most extravagant claims in the bill's behalf. Among those I have heard or read (in addition to generalities such as that the bill will do away with administrative absolutism and will "regulate the regulators") are such claims as that it will eliminate the prosecutor-judge combination, that it will require the agencies to hold hearings (apparently on the assumption that they do not now hold hearings), that abuses such as have been uncovered against the National Labor Relations Board will be prohibited, that both the procedure before the agencies and the method of judicial review will be made uniform, that the agencies' decisions will be subjected to judicial review, and that the judicial review will be of a broader scope than is provided by existing statutes, particularly with reference to the agencies' findings of fact. So far as the quasi-judicial functions of agencies are concerned, the above analysis will show how little foundation there is for these assertions. Yet bar associations and business groups throughout the country have endorsed the bill on the basis of the claims rather than the bill's actual contents.

A great deal of research has already been done and is available for those who are prepared to undertake the difficult and complicated task of working out suitable legislation meeting the demands both of governmental efficiency and due process of law

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[32] It is only fair to say at this point that, while I was thoroughly in favor of the proposal at the time and wrote the committee's reports from 1933 to 1936, inclusive, I now recognize that the proposal of a Federal administrative court was impracticable and visionary, although I still believe that in some form or other it is a thoroughly logical and an eventually necessary step. My present view is that the second alternative presented by the committee in its 1934 report—namely, the use of the Board of Tax Appeals as a model—is both preferable and practical if the idea is put into effect with care and with due consideration of the problems presented by each agency.

[33] 61 A. B. A. Rep. 233. It is appropriate at this point to say a word about the idea of a Federal administrative court. In essence, it is not a new proposal. We already have several tribunals which actually are administrative courts, including the Court of Claims, the Customs Court, the Court of Customs and Patent Appeals, and the Board of Tax Appeals. The proposal also was not a new one in Congress, although the form in which it was made varied from time to time.

[34] 62 A. B. A. Rept. 288, 290.

[35] A. B. A. Jour., September 1938, pp. 754–758; 63 A. B. A. Rept. 156, 331. In those debates from 1936 to 1938 will be found clues to many of the exemptions of agencies listed in section 7 (b) of the bill.

[36] A. B. A. Jour., February 1939, pp. 93–102. An amendment was added on the motion of Arthur T. Vanderbilt, Esq., the president of the association, during the preceding year which would have authorized and requested the Supreme Court of the United States to prescribe uniform rules of practice and procedure for the hearing of administrative controversies. This amendment has since been omitted from the Logan-Walter bill.

to the individual. In addition to many studies of particular agencies, there are the reports of the President's Committee on Administrative Management and the published material of the Brookings Institution. There are now becoming available the monographs prepared by the staff of the Attorney General's committee although, as pointed out in my first memorandum, at least some of these may be used only with caution. It would be a pity if, instead of waiting to build a sound remedy to meet existing facts and problems, Congress should pass so ill-considered a measure as the Logan-Walter bill.

LOUIS G. CALDWELL.

[Omit the part in brackets and insert the part printed in italic]

An act to provide for the more expeditious settlement of disputes with the United States, and for other purposes

Be it enacted, etc.,

DEFINITIONS

SECTION 1. As used in this act, unless the context otherwise requires—

(1) "Administrative rules" include rules, regulations, orders, and amendments thereto of general application issued by officers in the executive branch of the United States Government interpreting the terms of statutes they are respectively charged with administering.

(2) "Administrative officers" mean officers and employees in the executive branch, except the President of the United States.

(3) "Agency" means any department, independent establishment, administration, corporation, or other subdivision of the executive branch of the United States Government with one chief officer as the immediate head thereof.

(4) "Independent agency" means any board, commission, authority, corporation, or other subdivision of the executive branch of the United States Government with two or more officers at the head thereof as board, commission, or other members.

(5) "Circuit court of appeals" means the United States Circuit Court of Appeals and the United States Court of Appeals for the District of Columbia.

(6) "Days" means calendar days exclusive of Sundays and national holidays.

(7) "Person" includes individuals, corporations, partnerships, or other organizations.

(8) "Decision" means any affirmative or negative decision, order, or act in specific controversies which determines the issue therein involved.

(9) "Controversy" means any dispute or disagreement concerning any claim, right, or obligation for or against the United States and any refusal to grant any license, permit, or other privilege.

IMPLEMENTING ADMINISTRATIVE RULES

SEC. 2. (a) Hereafter administrative rules and all amendments or modifications or supplements of existing rules implementing or filling in the details of any statute affecting the rights of persons or property shall be issued by the head of the agency and by each independent agency respectively charged with the administration of any statute only after publication of notice and public hearings. *Such notice shall be published in the Federal Register, shall state the date of the public hearing, which shall be not less than 10 days after the date of the notice, and shall set forth the language of the rules proposed to be adopted. After the public hearing, such rules or amended rules dealing with the same subject may be approved.* All such rules shall be published in the Federal Register within 10 days after the date of their approval by the head of the agency or the independent agency concerned, and shall not become effective until such publication, except when the President declares that a public emergency exists.

(b) Administrative rules under all statutes hereafter enacted shall be issued as herein provided within 1 year after the date of the enactment of the statute subject to the adoption thereafter of further rules from time to time as provided in this act.

(c) [Any] *Within 1 year after the date of the approval of this act any* person substantially interested in the effects of an administrative rule [in force on the date of the approval of this act and] which has [not] been in force *on such date* for a period of *less than* 3 years [or more] may petition the head of the agency or the independent agency which administers any statute under which the rule was issued for a reconsideration of any such rule; and the head of such agency or the independent agency shall, after publication of notice and [public hearing, if requested within ten days thereafter,] *a public hearing if the same be requested within 20 days after the publication of such notice,* determine whether such rule shall be continued in force, modified, or rescinded. All amendments of such rules shall be in accordance with the procedure provided in subsection (a) of this section and all action of the head of such agency or the independent agency on such petitions and all new or amended rules shall be published in the Federal Register as prescribed in said subsection (a) for the publication of rules.

(d) No person shall be penalized or subjected to any forfeiture or prosecuted for any act done or omitted to be done in good faith in conformity with a rule which has been rescinded or declared invalid by any final judgment entered as hereinafter provided, unless the act was done or omitted to be done more than 30 days after the publication in the Federal Register of the rescission or final judicial determination of the invalidity of such rule.

JUDICIAL REVIEW OF RULES

SEC. 3. [In addition to the jurisdiction heretofore conferred upon the] *The* United States Court of Appeals for the District of Columbia, [that court] shall have jurisdiction, upon petition filed *by any person substantially interested in the effects of any administrative rule* within 30 days from the date of any *approved* administrative rule is published in the Federal Register, to hear and determine whether any such rule issued or continued in force in accordance with section 2 of this act is in conflict with the Constitution of the United States or the statute under which issued. No rule shall be held invalid except for violation of the Constitution or for conflict with a statute or for lack of authority conferred upon the agency issuing it by the statute or statutes pursuant to which it was issued or for failure to comply with section 2 of this act. A copy of the petition, and copies of all subsequent pleadings shall be served upon the Attorney General of the United States, who shall direct the defense of the rule. The court may refer such petition and any reply thereto for the taking of such evidence as shall be material and relevant thereto. The court shall give preference to such petitions and shall have no power in the proceedings except to render a declaratory judgment holding such rule legal and valid or holding it contrary to law and invalid. If the rule is held contrary to law and invalid, the rule thereafter shall not have any force or effect except to confer immunity as provided in section 2 of this act. Nothing contained in this section shall prevent the determination of the validity or invalidity of any rule which may be involved in any suit or review of an administrative decision or order in any court of the United States as now or hereafter authorized by law.

STATUTORY APPROVAL AND AUTHORITY FOR ADMINISTRATIVE BOARDS AND PRESCRIBING THEIR PROCEDURE

SEC. 4. (a) Every head of an agency shall from time to time designate three employees of his agency for such intra-agency boards (including the field service of such agency) as may be necessary and desirable. Where there are intra-agency boards existing on the date of approval of this act, they shall be reestablished and function in accordance with this act. Wherever practicable, such boards shall be designated in various sections of the United States to hear any controversy which may have there arisen. At least one employee designated for each such board shall be a lawyer [who shall act as chairman of the board]. When the members of any board are not engaged in [the hearing of] hearing and determining administrative appeals as hereinafter provided, such employees shall be assigned to other duties in the service of the agency concerned. No member of a board who has participated in a particular case or in the preparation draft, or approval of any rule which may be involved, shall sit in appeal of the case or application of the rule. *Each employee so designated as a member of an intra-agency board shall, before he enters upon his duties as such member, take an oath or affirmation that he will act impartially with respect to all matters pending before such board without regard to the position of the Government as a party in interest, and that he will decide such matters upon their merits in accordance with law and the evidence presented.*

(b) When any person is aggrieved by a decision of any officer or employee of any agency, such person may notify the head of the agency in writing of objections thereto, specifically requesting that the controversy be referred to a board, constituted as hereinbefore provided, for hearing and determination. Such notice shall be given not more than 20 days after the date of receipt of a registered letter notifying him of the decision, act, or failure to act. Such written objections shall be referred promptly to an intra-agency board for the agency concerned. At a time and place to be designated and communicated to the aggrieved person, he shall have an opportunity at an early day for a full and fair hearing before said board, at which time there shall be introduced into the record of testimony and any documents or objects relating to the appeal before said board. Any person having a substantial interest in the controversy shall have the right to intervene therein. A stenographer shall be assigned to the hearings before the board to take and transcribe the testimony. All testimony, other evidence, and all proceedings before the board, shall be reduced to a written record and filed in the agency concerned and a copy thereof shall be furnished to the aggrieved person upon his written request therefor at a charge not exceeding the actual cost thereof. Within 30 days after the day the evidence and arguments are closed, the board shall make written findings of facts and separate decision thereon, which shall be subject to the written approval, disapproval, or modification of the head of the agency concerned or of such person as he shall designate in writing to act for him. A copy of the findings of fact and decision, showing the action if any, of the head of the agency concerned or his representative, shall be filed in the agency as a part of the written record in the case and a copy shall be mailed to the aggrieved person and to the intervenors, if any. The United States shall take such action as may now or hereafter be provided by law to enforce the decision of the agency unless there be pending judicial review thereof as hereinafter provided.

(c) The chairman of any board, upon request of any party to the proceedings, shall require by subpena the attendance and testimony of witnesses and the production of documents and all other objects before said board without other showing than required by the rules in United States district courts for the issuance of subpenas by such courts. Any witness subpenaed or whose deposition is taken shall receive the same fees and mileage

as witnesses in courts of the United States, to be paid by the party at whose instance the witness appears or deposition is taken. In the event of disobedience of a subpena issued as herein provided, the chairman, or any party to the proceedings, may apply to any district court of the United States of the jurisdiction in which the witness may be found for an order requiring his attendance and testimony and the production of all documents and objects described in the subpena. The chairman of the board shall be authorized to administer oaths to witnesses and there shall be a right of examination and cross-examination of witnesses.

[(d) When the matter in controversy is such that the delay incident to the hearing and decision of the case would create an emergency contrary to the public interest and there is administrative action or inaction, prior to or without such hearing and determination, resulting in the destruction of the property or damage to the aggrieved person involved in such controversy, the findings of fact and decision when made by the board shall state the amount of pecuniary damage suffered by the aggrieved person and upon approval thereof by the head of the agency concerned, the amount of damages so approved, if acceptable to the aggrieved person, shall be certified to the Congress for an appropriation with which to pay the same.]

[(e) Where any matter arises] *(d) In any controversy arising* out of the activities of any independent agency, it may be provided by rule that such [matter] *controversy* may be heard in the first instance by one of its trial [examiners, who shall file with the independent agency the written record and his written findings of fact and separate decision, which shall be made in all instances, whether by the examiner or the independent agency,] *examiners. Whether heard by such examiner or by the independent agency itself, a full and correct written record and written findings of fact, and the proposed decision, shall be filed in the office of the independent agency* after reasonable public notice and a full and fair hearing as hereinbefore in this section provided. A copy or copies thereof shall be sent by registered mail to the aggrieved party. The independent agency shall enter at the expiration of 30 days such appropriate decision as may be proper unless within said 30 days the aggrieved party shall signify his written consent to the entry of the decision or shall file by registered mail with the independent agency his written objections to the findings of fact and decision [of the examiner,] in which event the independent agency shall not enter its decision without first according a public hearing upon reasonable notice to such party. Such hearing shall be before the members of the independent agency, if it has not less than three members, or before any three of such members. If the independent agency has less than three members, an intra-agency board shall be constituted in the manner provided in subsection (a) of this section, upon which the member or members of such agency may serve at his or their election.

[(f)] *(e)* No hearing shall be permitted before any agency or independent agency seeking affirmative relief against the United States concerning any controversy which arose more than 1 year prior to the date on which there was filed with such agency or independent agency a written request for such hearing as provided in this section.

JUDICIAL REVIEW OF DECISIONS OR ORDERS OF ADMINISTRATIVE AGENCIES

SEC. 5. (a) Any party to a proceeding before any agency or independent agency as provided in section 4 of this act who may be aggrieved by the final decision or order of any agency, or independent agency, as the case may be, within 30 days after the date of receipt of a copy thereof, may at his election file a written petition (1) with the clerk of the United States Court of Appeals for the District of Columbia; or (2) with the clerk of the circuit court of appeals within whose jurisdiction such aggrieved party resides or maintains his principal place of business or in which the controversy arose, for review of the decision. Before filing a petition such party may within 10 days *after the date of receipt of the copy of the final decision or order* make a motion to the agency or independent agency concerned for a rehearing, tendering a statement of any further showing to be made thereon which shall constitute a part of the record, and the time for appeal shall run from the *date of the* order on such motion if denied or the order made on such rehearing if a rehearing shall be had. The petition shall state the alleged errors in the decision of the agency or independent agency concerned. The Attorney General of the United States and the agency or independent agency shall each be served *by the petitioner* with a copy of the petition and it shall be the duty of the Attorney General of the United States to cause appearance to be entered on behalf of the United States within 30 days after the date of receipt by him of a copy of the petition and it shall be the duty of the agency or independent agency, as the case may be, within 30 days or such longer time as the court may by order direct, after receipt of a copy of the petition to cause to be prepared and filed with the clerk of such court the original or a full and accurate transcript of entire record in such proceeding before such agency or independent agency. *Upon the filing of any such petition for review, the court to which the same is directed shall have jurisdiction of the proceeding and of the questions determined therein and shall have power to grant such temporary relief by restraining order, mandamus, or otherwise as it may deem just and proper.* The court may affirm or set aside the decision or may direct the agency or independent agency concerned to modify its decision. Any case may be remanded for such further evidence as in the discretion of the court may be required but no objection not urged before the agency or independent agency, as the case may be, shall be considered by the court unless the failure or neglect to urge such objection shall be excused by the court for good cause shown. To facilitate the hearing of such appeals and avoid delay in the hearing of other matters before the court, such court may constitute special sessions thereof to consist of any three judges competent in law to sit as judges of a circuit court of appeals, which special sessions may be held concurrently with the regular sessions of said court. Any decision of any agency or independent agency shall be set aside if it is made to appear to the satisfaction of the court [(1) that the findings of fact are clearly erroneous; or (2)] *(1)* that the findings of fact are not supported by substantial evidence; or [(3)] *(2)* that the decision is not supported by the findings of fact; or [(4)] *(3)* that the decision was issued without due notice and a reasonable opportunity having been afforded the aggrieved party for a full and fair hearing; or [(5)] *(4)* that the decision is beyond the jurisdiction of the agency or independent agency, as the case may be; or [(6)] *(5)* that the decision infringes the Constitution or statutes of the United States [; or (7) that the decision is otherwise contrary to law].

(b) The judgments of the circuit courts of appeals *under this section and section 3 of this act* shall be final, except that they shall be subject to review by the Supreme Court of the United States upon writ of certiorari or certification as provided in sections 239 and 240 of the Judicial Code, as amended (U. S. C., title 28, secs. 346 and 347).

(c) Where the cause of action is otherwise within the jurisdiction of the United States Court of Claims as provided in section 136 to 187, inclusive, of the Judicial Code, as amended (U. S. C., title 28, secs. 241 to 293, inclusive), the petition provided in this section may be to the said Court of Claims at the election of the aggrieved party.

(d) Where a circuit court of appeals or the Court of Claims finds itself in disagreement *on any question of law* with a previously rendered decision of another court having jurisdiction under this section, it shall certify to the Supreme Court of the United States a distinct and definite statement of the question or proposition of law upon which such disagreement rests, with a statement of the nature of the cause and of the facts on which such question or proposition of law arises, together with a statement of the reasons in support of such disagreement. [Such further] *Further* proceedings shall be as provided in section 239 of the Judicial Code, as amended (U. S. C., title 28, sec. 346).

JURISDICTION OF COURTS TO IMPOSE DAMAGES WHERE APPEAL WAS FOR DELAY AND FOR COSTS

SEC. 6. The courts shall have jurisdiction and power to impose [damages] *a reasonable penalty as part of the costs* in any case where the decision of the agency or independent agency is affirmed and the court finds that there was no substantial basis for the petition for review. In all cases the costs on review shall be allowed the prevailing party after final judgment, to be collected according to law.

EXCEPTIONS AND RESERVATIONS

SEC. 7. (a) Nothing contained in this act shall operate to modify or repeal any rights or procedure as now provided by law for any person to have his controversy with the United States heard and determined in any district court or circuit court of appeals of the United States.

(b) Nothing contained in this act shall apply to or affect any matter concerning or relating to [the conduct of] the Military or Naval Establishments; the [conduct of the] Federal Reserve Board, the Office of the Comptroller of the Currency, the Federal Deposit Insurance Corporation, Railroad Retirement Board, National Mediation Board, National Railroad Adjustment Board, the Interstate Commerce Commission, *the Civil Service Commission,* all Federal lending agencies, the Federal Trade Commission; [the conduct of the] Department of State; the [conduct of the] Department of Justice [and the offices of the United States attorneys, except as otherwise herein specifically provided]; or any matter concerning or relating to the internal revenue, customs, patent, trade-mark, copyright, *personnel,* or longshoremen and harbor workers' laws; *or the Agricultural Marketing Agreements Act of 1937 and any Act supplemental thereto or amendatory thereof;* or any case where the aggrieved party may be dissatisfied with a grading service in connection with the purchase or sale of agricultural products[, or has failed to receive appointment or employment by any agency or independent agency]. Sections 2 and 3 of this act shall not apply to the General Accounting Office. No right of review hereunder shall be exercised during the construction of any public building or public-works project as to any decision, ruling, or order made with reference to the prosecution of the work.

(c) Members in good standing of the bar of the United States Supreme Court, any circuit court of appeals, or any district court of the United States shall, [without further requirement] *unless otherwise prohibited by law,* be eligible to represent clients and practice before any agency or independent agency as defined in this act.

AGRICULTURAL DEPARTMENT APPROPRIATIONS—CONFERENCE REPORT

Mr. WILEY. Mr. President——

Mr. RUSSELL. Does the Senator from Wisconsin desire the floor?

Mr. WILEY. For a moment.

Mr. RUSSELL. The matter I have in hand will only take a few moments, and if the Senator from Wisconsin desires to discuss the matters which have been before the Senate, I will ask him to defer his remarks until after the Senate shall have passed upon the conference report I am about to present.

From the committee of conference on the agricultural appropriation bill, I submit a report and ask for its immediate consideration.

The PRESIDING OFFICER. The report will be read.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8202) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1941, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 34, 46, 48, 49, 51, 54, 63, 64, 69, 71, 82, 93, and 106.

That the House recede from its disagreement to the amendments of the Senate numbered 22, 23, 24, 25, 26, 31, 36, 52, 62, 70, 74, 75, 86, 88, 89, 91, 97, 98, 109, 112, and 113; and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$1,637,435"; and the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$1,987,435"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$67,500"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$6,862,500"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$7,107,235"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$90,000"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$240,000"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$790,000"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$667,756"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$6,173,870"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$6,318,870"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$732,342"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$325,000"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$245,000"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$1,300,000"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$133,500"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$224,533"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$5,171,455"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$1,655,147"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$11,500,000"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$632,500"; and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment, insert "$22,550"; and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$304,469"; and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$905,325"; and the Senate agree to the same.

Amendment numbered 55: That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$424,600"; and the Senate agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$167,960"; and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$212,500"; and the Senate agree to the same.

Amendment numbered 58: That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$379,500"; and the Senate agree to the same.

Amendment numbered 59: That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$162,500"; and the Senate agree to the same.

Amendment numbered 67: That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$775,000"; and the Senate agree to the same.

Amendment numbered 68: That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$863,900"; and the Senate agree to the same.

Amendment numbered 72: That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$433,000"; and the Senate agree to the same.

Amendment numbered 73: That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$1,125,000"; and the Senate agree to the same.

Amendment numbered 76: That the House recede from its disagreement to the amendment of the Senate numbered 76, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment, insert "$10,000"; and the Senate agree to the same.

Amendment numbered 77: That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$6,057,126"; and the Senate agree to the same.

Amendment numbered 78: That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$1,531,578"; and the Senate agree to the same.

Amendment numbered 79: That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$575,000"; and the Senate agree to the same.

Amendment numbered 80: That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$207,840"; and the Senate agree to the same.

Amendment numbered 81: That the House recede from its disagreement to the amendment of the Senate numbered 81, and

agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$2,328,080"; and the Senate agree to the same.

Amendment numbered 83: That the House recede from its disagreement to the amendment of the Senate numbered 83, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$2,750,744"; and the Senate agree to the same.

Amendment numbered 84: That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$18,965,750"; and the Senate agree to the same.

Amendment numbered 87: That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$21,090,750"; and the Senate agree to the same.

Amendment numbered 92: That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following: ", or any soil terracing services,"; and the Senate agree to the same.

Amendment numbered 94: That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following: ", or any soil terracing services,"; and the Senate agree to the same.

Amendment numbered 108: That the House recede from its disagreement to the amendment of the Senate numbered 108, and agree to the same with an amendment, as follows: In lieu of the matter stricken out by said amendment insert the following: "That no part of this appropriation shall be used to pay the salary of any person who received as many as three steps of administrative within-grade promotion, or the equivalent thereof, in all positions occupied by such person during the fiscal year 1939, at a rate of pay in excess of the salary resulting from the first two steps of such promotion or its equivalent; but this proviso shall not preclude the payment of the minimum salary of the grade to any person transferred, under standard regulations, to such grade: *Provided further,*"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 6, 8, 12, 13, 17, 19, 20, 21, 37, 39, 40, 41, 42, 43, 44, 45, 60, 61, 65, 66, 85, 90, 95, 96, 99, 100, 101, 102, 103, 104, 105, 107, 110, and 111.

RICHARD B. RUSSELL,
CARL HAYDEN,
M. E. TYDINGS,
J. H. BANKHEAD,
E. D. SMITH,
GERALD P. NYE,
CHAS. L. MCNARY,
Managers on the part of the Senate.

CLARENCE CANNON,
M. C. TARVER,
W. P. LAMBERTSON,
Managers on the part of the House.

The PRESIDING OFFICER. The Senator from Georgia asks unanimous consent for the consideration of the report. Is there objection? The Chair hears none. The question is on agreeing to the report.

The report was agreed to.

Mr. RUSSELL. I now ask that the Chair lay before the Senate the amendments which are still in disagreement.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 8202, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES,
May 15, 1940.

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 6, 19, 40, 85, 90, 96, 100, 101, 102, 104, 107, and 111 to the bill (H. R. 8202) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1941, and for other purposes, and concur therein.

That the House recede from its disagreement to the amendment of the Senate numbered 8 to said bill and concur therein with an amendment as follows: In lieu of the sum inserted by said amendment insert "$13,796,918."

That the House recede from its disagreement to the amendment of the Senate numbered 12 to said bill and concur therein with an amendment as follows: In lieu of the sum inserted by said amendment insert "$14,586,918."

That the House recede from its disagreement to the amendment of the Senate numbered 13 to said bill and concur therein with an amendment as follows: In lieu of the sum inserted by said amendment insert "$26,519,386."

That the House recede from its disagreement to the amendment of the Senate numbered 44 to said bill and concur therein with an amendment as follows: In lieu of the sum inserted by said amendment insert "$9,000,000."

That the House recede from its disagreement to the amendment of the Senate numbered 45 to said bill and concur therein with an amendment as follows: In lieu of the sum inserted by said amendment insert "$2,000,000."

That the House recede from its disagreement to the amendment of the Senate numbered 95 to said bill and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment insert "except that within the total of limitations imposed by section 392 (b) of said act for administrative expenses in the District of Columbia, regional offices, and in the several States, such limitations may, in connection with the activities of the Marketing and Marketing Agreements Division of the Agricultural Adjustment Administration and the Federal Surplus Commodities Corporation, be interchanged, in whole or in part, during the current fiscal year, between the District of Columbia, regional offices, and the several States."

That the House recede from its disagreement to the amendment of the Senate No. 99 to said bill and concur therein with an amendment as follows:

In lieu of the matter inserted by said amendment insert:

"PARITY PAYMENTS

"To enable the Secretary of Agriculture to make parity payments to producers of wheat, cotton, corn (in the commercial corn-producing area), rice, and tobacco pursuant to the provisions of section 303 of the Agricultural Adjustment Act of 1938, $212,000,000: *Provided,* That such payments with respect to any such commodity shall be made with respect to a farm only in the event that the acreage planted to the commodity for harvest on the farm in 1941 is not in excess of the farm acreage allotment established for the commodity under the agricultural conservation program."

That the House recede from its disagreement to the amendment of the Senate No. 103 to said bill and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment insert: "Loans: For loans in accordance with title I of the Bankhead-Jones Farm Tenant Act, approved July 22, 1937 (7 U. S. C. 1000–1006), $50,000,000, which sum shall be borrowed from the Reconstruction Finance Corporation at an interest rate of 3 percent per annum and which sum shall not be used for making loans under the terms of said act for the purchase of farms of greater value than the average farm unit in the county, parish, or locality in which such purchase may be made; and the Reconstruction Finance Corporation is hereby authorized and directed to lend such sum to the Secretary of Agriculture upon the security of any obligations of borrowers from the Secretary under the provisions of title I of the Bankhead-Jones Farm Tenant Act approved July 22, 1937 (7 U. S. C. 1000–1006): *Provided,* That the amount loaned by the Reconstruction Finance Corporation shall not exceed 85 percent of the principal amount outstanding of the obligations constituting the security therefor: *Provided further,* That the Secretary may utilize proceeds from payments of principal and interest on any loans made under such title I to repay the Reconstruction Finance Corporation the amount borrowed therefrom under the authority of this paragraph: *Provided further,* That the amount of notes, bonds, debentures, and other such obligations which the Reconstruction Finance Corporation is authorized and empowered to issue and to have outstanding at any one time under existing law is hereby increased by an amount sufficient to carry out the provisions hereof."

That the House recede from its disagreement to the amendment of the Senate numbered 110 to said bill and concur therein with an amendment as follows: In lieu of the sum inserted by said amendment insert: "$100,000,000"; and

That the House insist upon its disagreement to the amendments of the Senate Nos. 17, 20, 21, 37, 39, 41, 42, 43, 60, 61, 65, 66, and 105 to said bill.

Mr. RUSSELL. I move that the Senate concur in the amendments of the House to the amendments of the Senate numbered 8, 12, and 13.

Mr. McCARRAN. Mr. President, may we have a brief explanation?

Mr. RUSSELL. The three amendments of the House to amendments of the Senate, which I have asked the Senate to agree to, merely involve totals which were arrived at by agreement of the House and Senate on a large number of amendments. They do not affect any major amendments which are in disagreement; they merely relate to totals.

The PRESIDING OFFICER. The question is on the motion of the Senator from Georgia to concur in the amendments of the House to Senate amendments numbered 8, 12, and 13.

The motion was agreed to.

Mr. RUSSELL. I move that the Senate concur in the amendment of the House to the amendment of the Senate numbered 110 with the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment to the House amendment will be stated.

The LEGISLATIVE CLERK. At the end of the matter inserted by said Senate amendment and before the period insert the following:

Provided, That there is hereby appropriated out of any money in the Treasury not otherwise appropriated for an additional amount for salaries and expenses of the Rural Electrification Administration, to be immediately available, including the objects specified in the foregoing paragraph and subject to the limitations therein, $600,000, of which amount not to exceed $23,000 may be transferred to the appropriation "Printing and binding, Department of Agriculture, 1941."

Mr. RUSSELL. Mr. President, the bill as it passed the Senate provided $40,000,000 of loans through the Reconstruction Finance Corporation to be available to the Rural Electrification Administration for loans under the Rural Electrification Act. When the bill reached the House a supplemental Budget estimate was sent to the House from the Bureau of the Budget and the executive department, increasing the amount available for such loans through the Reconstruction Finance Corporation by the sum of $60,000,000. The House agreed to that amendment. A supplemental estimate for administrative expenses to be available for the purpose of making such loans accompanied the estimate, but the amendment providing for it was stricken out on the floor of the House on a point of order. The amendment which I have sent to the desk merely restores that portion of the supplemental Budget estimate which failed in the House because of a point of order.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia to the amendment of the House to the amendment of the Senate No. 110.

The amendment to the amendment of the House to the amendment of the Senate No. 10 was agreed to.

Mr. RUSSELL. Now, Mr. President, I move that the Senate disagree to the amendments of the House to the amendments of the Senate Nos. 44, 45, 95, 99, 103, and further insist on its amendments.

The motion was agreed to.

Mr. RUSSELL. I now move that the Senate further insist on its amendments Nos. 17, 20, 21, 37, 39, 41, 42, 43, 60, 61, 65, 66, and 105.

The motion was agreed to.

Mr. RUSSELL. I move that the Senate ask for a further conference with the House on the amendments still in disagreement and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. RUSSELL, Mr. HAYDEN, Mr. TYDINGS, Mr. BANKHEAD, Mr. SMITH, Mr. NYE, and Mr. MCNARY conferees on the part of the Senate at the further conference.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Calloway, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 8438) making appropriations for the Navy Department and the Naval Service for the fiscal year ending June 30, 1941, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. SCRUGHAM, Mr. FERNANDEZ, Mr. CALDWELL, Mr. CASEY of Massachusetts, Mr. DITTER, Mr. PLUMLEY, and Mr. MCLEOD were appointed managers on the part of the House at the conference.

NAVAL EXPANSION PROGRAM

Mr. BYRNES. Mr. President, I desire to ask whether or not the motion of the Senator from Massachusetts [Mr. WALSH] has been agreed to?

The PRESIDING OFFICER. The motion of the Senator from Massachusetts has not been agreed to. The question is on the motion of the Senator from Massachusetts.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 8026) to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes, which had been reported from the Committee on Naval Affairs with amendments.

Mr. WALSH. Mr. President——

The PRESIDING OFFICER. The first committee amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 8, after the word "by", it is proposed to strike out "sixteen thousand seven hundred" and insert "thirty-three thousand four hundred."

Mr. WALSH. Mr. President, I believe the Senator from South Carolina desires to have the Senate take up a privileged matter. If so, I will ask unanimous consent that the bill which the Senate has just taken up for consideration be laid aside temporarily. Let me add that I was beginning to think that it would take about as long to get up the naval bill as it takes to build a battleship. I am thankful it has not taken so long as that.

Mr. BARKLEY. Mr. President, in view of the fact that the motion to be made by the Senator from South Carolina is a privileged motion, is it necessary to have unanimous consent to lay aside temporarily the pending business?

The PRESIDING OFFICER. It is not, but the Senator from Massachusetts asked that that be done.

Mr. BYRNES. Mr. President, I knew it was not necessary, and at the conclusion of the consideration of the joint resolution with regard to Reorganization Order No. V the Senate will return to the consideration of the bill of the Senator from Massachusetts.

Mr. WALSH. I am very willing to yield to have the measure in charge of the Senator from South Carolina considered.

The PRESIDING OFFICER. The Chair will hold that the bill of the Senator from Massachusetts will automatically come up after the consideration of the resolution of the Senator from South Carolina.

REORGANIZATION PLAN NO. V

Mr. BYRNES. I renew my motion that the Senate proceed to the consideration of House Joint Resolution 551.

Mr. President, under the rule it is in order to make a motion to limit debate, and I should like to have an agreement to limit debate on the resolution. I have no desire to consume more than 5 minutes in explanation of the joint resolution.

Mr. MCCARRAN. Mr. President, will the Senator yield?

Mr. BYRNES. I yield.

Mr. MCCARRAN. I understand under the Reorganization Act the debate is limited to 10 hours. Is that correct?

Mr. BYRNES. My recollection may be at fault, and I would rather have the Senator address his inquiry to the Chair.

Mr. MCCARRAN. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. MCCARRAN. Does the rule provided in the Reorganization Act limit the debate on this matter to 10 hours?

The PRESIDING OFFICER. The Chair will be glad to read the law to the Senator from Nevada.

Mr. BYRNES. Does the same provision apply that applies to resolutions of disapproval?

Mr. MCCARRAN. We might limit debate to 10 minutes.

Mr. BRYNES. I would be very glad to do that.

The PRESIDING OFFICER. As the Chair understands from a hasty examination of the act, the 10-hour limitation applies to a joint resolution disapproving the action.

Mr. BYRNES. That was the reason why I did not answer the Senator from Nevada, because in the reorganization law, when a resolution of disapproval is before the Senate, the time of 10 hours is fixed. We now have a different situation, in that this is a House joint resolution, and I did not know that the law would similarly apply.

Mr. MCCARRAN. Mr. President, if I may interrupt the Senator from South Carolina, with the permission of the Chair, I desire to say that, so far as I am concerned, I had hoped the discussion might be limited to a very few minutes.

The PRESIDING OFFICER. The Chair will rule that the special provision, being in derogation of the Senate rules, will have to be strictly construed.

Mr. SCHWELLENBACH. Mr. President, a parliamentary inquiry. Does the joint resolution relate to Reorganization Order No. V?

Mr. BYRNES. The joint resolution relates to order No. V; and also has a provision as to orders IV and III, which I desire to explain.

As I have advised the Senator from Washington, this joint resolution has reference to Reorganization Plan No. V, and provides that it shall take effect at this time. Under the reorganization law it would not become effective until 60 days from the date on which it was sent to the Congress. The effect of the House joint resolution is to make it effective on the tenth day after the enactment of the joint resolution.

The only other provision in the House joint resolution is the provision that nothing in the joint resolution or in the reorganization plan shall be construed as continuing any emergency agency or function beyond the time when it would have terminated without regard to the reorganization order.

The Senate committee has added section 4, providing that Reorganization Plan No. IV and Reorganization Plan No. III, submitted to the Congress on April 2 and April 11, shall take effect on June 30, 1940, instead of 60 days after April 1 and April 11, respectively. I will explain the purpose of that. Plan No. III had reference to intradepartmental matters. Plan No. IV had reference to interdepartmental matters. They were sent on different dates. As a result, on Sunday, June 2, plan No. III would become effective. Certain functions within the jurisdiction of what is called the 5-man board would on that day be transferred to the Administrator of the Civil Aeronautics Authority.

Plan No. IV would not become effective until June 11. That would cause some confusion in the organization, and would give considerable trouble to the Treasury in transferring the funds from one agency to another in the middle of the month. For the purpose of avoiding these difficulties it is provided that the two plans, instead of becoming effective on June 2 and June 11, shall become effective on June 30.

That is the only purpose of the amendment.

Mr. SCHWELLENBACH. Mr. President, I desire very briefly to discuss the provisions of order No. V, which provides for the transfer of the Immigration and Naturalization Service from the Department of Labor to the Department of Justice.

I have no objection to the transfer. I can see that there is a possibility that the Department of Justice can more effectively handle problems involving aliens than can the Department of Labor. I do not think it is of utmost importance, but I do think it is of importance at this particular time that there be some recognition of the danger of this country simply going wild upon the question of aliens.

We have seen the results in other countries of what is popularly called the "fifth column"; and I know that as a result of those accomplishments in other countries there are many persons who might be inclined to think that we must do everything possible to protect against a "fifth column" in this country. I agree with that conclusion. Certainly every effort must be made to see that we do not suffer as various European nations suffered as a result of those who were in the country for the purpose of aiding a foreign enemy. At the same time, we must recognize the fact that the reason why we want to protect America against a totalitarian form of government is in order to preserve democracy in America; and by becoming frantic, by passing pieces of legislation which in themselves destroy the very spirit of democracy, we are defeating the very purpose which we have in attempting to defend America against attacks from some aggressor who may have a totalitarian form of government.

We have had a number of bills before the Congress—they have been reported and are on the calendar—to the consideration of which I have objected on numerous occasions. I have sometimes wondered what people think of me when I repeatedly object to the passage of a bill which is entitled "A bill to protect American labor and stimulate the employment of American citizens on American jobs."

People may wonder how anybody in the United States Senate could object to a bill which has a title of that sort. That is not the object of the bill, however. There are two things against which we must protect at the same time that we recognize the necessity of protecting against what we now popularly call "fifth column" activities. The first is that we do not create class prejudice in this country; that we do not pick out a particular group and try to inflame the people of the country against them, because that is the device by which dictators have succeeded in attaining their positions as dictators. The second is that in protecting against individuals who may be enemies of the country we do not destroy the very instrumentality of democracy itself.

There was reported just a few days ago a bill which, looking at it upon its face, appears to be a very desirable measure. It is a bill to deport aliens who may, either openly or secretly, favor a change in our form of government. It is pretty difficult to oppose a bill of that sort on the basis of the present frantic attitude of the American people; and yet we should appreciate the fact that when we stop a man from discussing a question we stop ourselves from discussing it, and we do not have any democracy left. After all, the ultimate purpose of any action we take at the present time is the protection and preservation of democracy.

I think that in the consideration of Order No. V, when we are transferring from the Department of Labor to the Department of Justice control of the Immigration and Naturalization Service, we ought to do it with full realization that this is not a time to become panicky. This is a time to deal realistically with these problems. We remember what happened back during the years 1917, 1918, and 1919. I see in the Chamber the senior Senator from Montana [Mr. WHEELER]. I know the criticism to which he was subjected because, as United States district attorney in his State, he refused to permit himself to be panicked, and refused to permit his office to be used to destroy the constitutional rights of certain persons within the district in which he served as United States district attorney. We are all familiar with what went on at that time. Now that we are confronted with another problem of a similar sort, this body and the people of the country ought to realize that it will not do any good to defend the United States against a "fifth column" if by so doing we destroy the very institution of democracy itself in the United States.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from South Carolina [Mr. BYRNES] that the Senate proceed to the consideration of House Joint Resolution 551.

The motion was agreed to; and the Senate proceeded to consider the joint resolution (H. J. Res. 551) providing for the taking effect of Reorganization Plan No. V, which had been reported from the Select Committee on Government Organization, with an amendment.

The PRESIDING OFFICER. The clerk will state the amendment reported by the committee.

The amendment was, on page 2, after line 17, to insert an additional section, as follows:

SEC. 4. The provisions of Reorganization Plan No. III, submitted to the Congress on April 2, 1940, and the provisions of Reorganization Plan No. IV, submitted to the Congress on April 11, 1940, shall take effect on June 30, 1940, notwithstanding the provisions of the Reorganization Act of 1939.

So as to make the joint resolution read:

Resolved, etc., That the provisions of Reorganization Plan No. V, submitted to the Congress on May 22, 1940, shall take effect on the tenth day after the date of enactment of this joint resolution, notwithstanding the provisions of the Reorganization Act of 1939.

SEC. 2. Nothing in such plan or this joint resolution shall be construed as having the effect of continuing any agency or function beyond the time when it would have terminated without regard to such plan or this joint resolution or of continuing any function

beyond the time when the agency in which it was vested would have terminated without regard to such plan or this joint resolution.

SEC. 3. Any appropriation for the fiscal year ending June 30, 1941, made after the taking effect of such reorganization plan, for the use of the Immigration and Naturalization Service or the Department of Labor in the exercise of functions transferred by such plan, shall, for the purposes of section 3 of such plan, be considered as having been made prior to the taking effect of such plan. Any provision, in any act of Congress enacted at the third session of the Seventy-sixth Congress, after the taking effect of such plan, which confers upon the Secretary of Labor any function with respect to the Immigration and Naturalization Service or with respect to the immigration and naturalization laws, shall be construed as having conferred such function upon the Attorney General and not upon the Secretary of Labor.

SEC. 4. The provisions of Reorganization Plan No. III, submitted to the Congress on April 2, 1940, and the provisions of Reorganization Plan No. IV, submitted to the Congress on April 11, 1940, shall take effect on June 30, 1940, notwithstanding the provisions of the Reorganization Act of 1939.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the joint resolution.

Mr. NORRIS. Mr. President, I am opposed to this reorganization plan of the President making the proposed transfer. To my mind it is a very serious mistake. Yet I realize that the Senate is anxious to approve the plan, and will do so, probably, by a practically unanimous vote. I realize, too, that what I shall say will probably not have any effect upon the result. It will probably not change a single vote in this body. The question arises in my own mind whether it is worth while for me to raise my voice in protest against what I believe to be a measure which will result in depriving many American citizens of their constitutional rights, as well as preventing compliance with the orderly method provided by our laws and our Constitution for the trial of offenses alleged to have been committed by aliens who are in our midst.

The basis of every democracy, it seems to me, the one thing without which no democracy can exist, is the preservation of the civil liberties of the people comprising the democracy. I at once concede to all those who favor the joint resolution that they are conscientious, and that they have a right to favor it. I do not call in question their patriotism because they do not agree with me.

Mr. President, 23 years ago I raised my weak voice in this Chamber against the declaration of war against Germany, and all I said then fell upon deaf ears, and what I shall now say I presume will fall upon unsympathetic ears of those who are likewise Members with me in this body.

Sometime ago I called the attention of the Senate to some correspondence I had with the Attorney General of the United States, and to the action of the Attorney General's office in the arrest of several persons in Detroit, arrests made by operatives of the Federal Bureau of Investigation, which is headed by Mr. Hoover. I was very much surprised and very much disappointed at the attitude taken by the Attorney General. He approved practically everything which had been done in the Detroit cases, and gave a clear and clean bill of health to Mr. Hoover and his organization. I thought, and still think, that the civil liberties of those defendants, all native-born American citizens except one, had been grossly violated and trampled under foot, and I was dumbfounded that our Attorney General should take the attitude he assumed.

He appointed an able attorney, Mr. Schweinhaut, to make an investigation, after my second letter had been received by him, and Mr. Schweinhaut made the investigation, and the announced conclusions were totally unwarranted by the facts, it seemed to me. There was no material dispute as to what the facts were.

I am informed—in fact, it was admitted in a letter to me from Mr. Schweinhaut, which I now have—that before the report was given to the public it was given to Mr. Hoover, and he examined it. In some respects it was not satisfactory to Mr. Hoover, apparently, and he suggested changes, all of which were made before the report was finally given out.

I had the report printed in the RECORD, together with the correspondence and some of the evidence that was adduced before Mr. Schweinhaut when he made the investigation, and I thought the report conclusively showed that the methods pursued by Mr. Hoover and his organization completely violated the civil liberties of every one of the defendants arrested in the raid.

After Mr. Schweinhaut had been appointed to make the investigation, and before he made the investigation, in a conference at my office I submitted to him a letter from C. J. Carlson, of Fremont, Nebr., which had been received by me not more than 15 minutes before Mr. Schweinhaut came into my office. I asked him to read it, and I stated that I should be glad to have him take a copy of it. I asked him to show it to the Attorney General, and see whether the Attorney General would not authorize him, as he was about to go to Detroit, to proceed on to Fremont, Nebr., and investigate the Carlson case. I had Mr. Carlson's letter printed in the RECORD at the same time I had printed the correspondence with the Attorney General. It was another illustration of the practice and habit of the F. B. I. in making arrests.

Those of my colleagues who heard the letter read will recall that Mr. Carlson, living where he had resided for several years, in Fremont, Nebr., was visited by the sheriff of the county and two F. B. I. agents. He was, they all admit, entirely innocent of any crime. He was called from his house onto the front porch, and there he was asked whether he was C. J. Carlson, and he admitted he was. Immediately the F. B. I. agents seized him physically, searched him thoroughly, took everything off of his person, and took him into the room where his family was. They were just eating supper. His family consisted of his wife and his wife's mother, and his three boys, their ages ranging, as I recall, from 16 down to 8 years.

After he had been searched, so the agent knew he had no weapon with which to make an assault, or with which to defend himself, he was handcuffed, in the presence of his family, in the presence of his boys. In that condition he was taken from the bosom of his family by the F. B. I. agent and the sheriff and locked in jail. He was denied the privilege of consulting counsel. As was the case with all the defendants in the Detroit matter, he was denied the right to consult with friends, the right to seek the advice of an attorney. But at about 10:30 o'clock that night the F. B. I. agents—although this does not appear in the evidence—evidently called at Omaha on the long-distance telephone the district attorney, with whom I am well acquainted, and they turned Mr. Carlson loose, but told him he was to regard himself as still being in custody.

About that time he learned the nature of the charge. The charge was that he had assumed to be an officer of the Federal Government at Sioux City, Iowa, and as such officer had presented a check for the payment of his board, and that the check was of no account, and he was arrested for that reason.

At his own expense he went to Omaha, and saw the district attorney the next day, and although the district attorney knew nothing about the case, the matter having occurred in a different jurisdiction, at Sioux City, Mr. Carlson was advised to go to Sioux City and present himself to the authorities there, and let him be confronted by the woman who had made the accusation. He did that at his own expense, and immediately when the woman who had made the charge saw him she said, "He is not the man." The difference between the description given by this woman and the appearance of Mr. Carlson was so great that no ordinary person would have made the mistake of making the arrest.

Mr. President, this man had been a soldier. I read today in a newspaper of a British soldier who had just gone through hell in the northern part of France, and that he became gray-haired overnight. Here we have the case of an American soldier who became gray-haired as he lay in a hole made by a shell on the battlefields of France, fighting with the American Army. This man is now poor. I have never seen him.

I never heard of him before I received his letter. But a very highly respected citizen of Fremont, a banker who is well known not only in Fremont but throughout the State of Nebraska, came into my office on other business, and I asked him if he knew Carlson. He said he had known him for years. He said he was a good man morally. He said he had a fine family, but that he was poor, and that for 2 or 3 years he had a struggle to keep off the list of the unemployed and those who were seeking aid from the public.

Mr. WHEELER. Mr. President——

The PRESIDING OFFICER (Mr. PEPPER in the chair). Does the Senator from Nebraska yield to the Senator from Montana?

Mr. NORRIS. I yield.

Mr. WHEELER. I appreciate, as does the Senator from Nebraska, that it would not do any good to oppose the measure, but I feel it would be a very great mistake to turn the Immigration and Naturalization Service over to the detective bureau in the Department of Justice. Perhaps I am somewhat prejudiced against that particular bureau because of some things I know about it, and things which have happened in connection with it, things I know not from hearsay, but from my own personal knowledge.

As the Senator knows, when I first came to Washington and began the investigation of the Department of Justice, Mr. Hoover was present at the investigation and hearings, and sat through them during the time the charges against Mr. Daugherty were being heard. Agents of the Department raided my offices; they broke into my offices, and the sworn testimony shows, without contradiction, that they stationed men at my house, surrounded my house, watched persons who went in and came out, constantly shadowed me, shadowed my house, and shadowed my wife. As I stated, I have nothing personally against Mr. Hoover. During all that time there were in the Department of Justice Gaston Means and Burns and Mr. Hoover.

As a prosecuting attorney, I came in contact with the Department of Justice men during the war, and most of the men with whom I came in contact were high-class men, but nevertheless they had the detective mind. It would be very unfortunate, it seems to me, to turn over the Immigration and Naturalization Service to a detective bureau. I do not care how good a man is, how able he is, he cannot be placed in a detective service without being affected mentally, and becoming of the snooping detective type.

Mr. President, I submit to anyone who has ever had to do with prosecuting-attorney's work, or ever came in contact with it, whether detectives do not invariably become suspicious of everybody and everything, and resort to tactics which the ordinary man and the ordinary woman in this country detest.

At this particular time, and under the particular exigencies which exist, when hysteria is sweeping the country as it is today, when people are seeing "fifth columnists" under every sagebrush, and seeing Hitler agents around every corner, it would be unfortunate to turn the Immigration and Naturalization Service over to the Department of Justice. If it had been proposed to turn the Service over to any other department of the Government, I would say, "Yes; I am delighted to see it turned over to almost any department from the Department of Labor," but I am opposed to turning it over to the Bureau of Investigation in the Department of Justice in these days and under present circumstances.

Mr. BYRNES. Mr. President, will the Senator from Nebraska yield to me?

Mr. NORRIS. I want to thank the Senator from Montana sincerely for his contribution. He has stated what he knows. I dislike to refer to the awful years he mentioned. God knows I do not want to think of them. And because I detest and hate them, because, as I believe, steps similar to those which are now urged to be taken, gradually brought my country into war, I do not want to take any step now, however small, which, as I see it, may lead us again across the seas to wage a war which I myself am watching almost with a broken heart, a disappointed heart, but yet I have not reached the time when I feel that our country is justified in sending American men to fight on the battlefields of Europe.

I know that the Attorney General has already said, in a statement which I have, that he does not intend to turn this activity over to the F. B. I. If he does not, he will have to establish another F. B. I., and the result will be, I think, just what the Senator from Montana has pointed out. We shall find our homes surrounded by snoopers. We shall find detectives behind every tree, in every home, and in every closet. I think naturalization and deportation are now much better administered than they could be administered if they were turned over to the Department of Justice.

I think I can show to the satisfaction of every fair-minded man that the F. B. I. had charge—illegally, I think, without any doubt—of the famous Palmer raid, which was a disgrace and a blot on the pages of American history. The result will be that the same men, with the same plan which is now in force, will operate upon thousands and thousands of poor, ignorant, helpless people, with the result that they will be treated as Mr. Carlson was treated and as those in Detroit and New York were treated. They will be captured, chained, and handcuffed, in violation of ordinary morals and in plain violation of the Constitution of the United States.

Mr. BYRNES. Mr. President, will the Senator yield?

Mr. NORRIS. I yield to the Senator from South Carolina.

Mr. BYRNES. The Senator from Nebraska has referred to what I intended to say with reference to the remarks of the Senator from Montana [Mr. WHEELER]. I wish to advise the Senator that since the order was sent to the Congress I have communicated with the Attorney General to ask whether or not there was any justification for the statement which had been currently reported, that the administration of the Bureau of Administration would be entrusted to the Administrator of the F. B. I. The Attorney General advised me that when the same inquiry was made of him he had given a written statement to the press to the effect that that would not be done; that he could not conceive of any justification for its being done; that there would be a separate Bureau in the Department of Justice, just as the Bureau of Immigration is now a separate Bureau, and that it would be assigned to the Assistant Attorney General. His tentative plan was to place it under the direction of his Solicitor General, Mr. Biddle.

Mr. NORRIS. Mr. President, I think I have stated practically the same thing which has been stated by the Senator from South Carolina. The Attorney General has made such a statement, and it has been widely published over the country.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. WHEELER. The statement made by the Senator from South Carolina does not seem to me to answer the charge. In the Bureau of Immigration there are a large number of agents who investigate cases. Are those agents to be turned over to the Department of Justice, to work under the Solicitor General? Is that what is proposed?

Mr. BYRNES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from South Carolina?

Mr. NORRIS. I yield.

Mr. BYRNES. The whole bureau is to be transferred to the Department of Justice.

Mr. WHEELER. If the proposal is to put the Bureau of Immigration under the Solicitor General——

Mr. NORRIS. That makes it worse.

Mr. WHEELER. That is what I was about to say. The idea of putting the Bureau of Immigration under the Solicitor General of the United States. On the face of the matter it is ridiculous. As I say, I have no objection to the Bureau of Immigration being transferred from where it is, goodness knows; but it ought to be under some executive department which has a bureau which does that job, and that job alone. The reason why it is being said that the bureau is to be placed under Mr. Biddle, the Solicitor General, is because people

have confidence in the Solicitor General. But is the F. B. I. to do the investigating, or are the employees now in the Bureau of Immigration to do it? That is one of the big questions. Are we to turn this activity over to those who have been seeing things around the corner all these years, who have attacked every liberal Senator and gone through his office? They raided the office of the senior Senator La Follette when Mr. Burns was in the Department. They have raided my office time and time again. They had a file on me in the Department of Justice, which I found when I went down there. They have had files upon this Senator and that Senator.

Who builds up the files? A lot of cheap, two-by-four detectives. I can tell a story about one of them. When I first came to the Senate, he went to the editor of one of the local newspapers and said to him, "If you knew what we know about Senator WHEELER, you would not write such editorials." I sent for him and had him brought up to my office. I locked the door and asked him, "What do you know about me?" He said, "I do not know anything about you." I said, "Why are you going around telling people you know something about me? Did you ever see me before, or hear of me?" He said, "No." He then said, "I never made any statement." I said, "Did you not tell the editor of the News about me?" He said, "Well, he had no right to tell you."

It was "flatfoots" of that kind who were in that Department during the Daugherty administration, and some of them are still there. Mr. Hoover was there. As I say, they sent detectives out to Montana for what purpose? For the purpose of "getting something" on my colleague, the late Senator Walsh, trying to besmirch his character and mine. They tried to besmirch the character of everybody who in the slightest degree disagreed with them.

If I were the Attorney General of the United States you could not turn over the Bureau of Immigration to me. It ought not to be in the Department of Justice. The Attorney General should not want it in the Department of Justice, and the Solicitor General should not have it. The Solicitor General of the United States is the last man who ought to be the head of a bureau of that kind, because his work is of an entirely different character.

Mr. NORRIS. Mr. President, for fear some unwarranted implications might be drawn from what I have said—and perhaps from what I shall say before I conclude—with regard to Mr. Biddle, the Solicitor General, I will say that I have a very high regard for him. I think he is an exceptionally fine man, a very good lawyer; and I would trust him with my last penny. If he individually were to perform this work, I should say, "Amen." But somebody else will do it. If it is not the F. B. I., I am afraid it will be another organization just like the F. B. I. There would not be any use in having two such organizations.

I regret to say that I reached that conclusion from the approval which the present Attorney General has given to the actions of the F. B. I. in the various investigations to which I have referred. He did not investigate the case in Nebraska, except to receive the report of Mr. Hoover himself on that particular case, and he did not claim to have any personal knowledge about it.

Mr. President, I think it is a fair conclusion from the correspondence with the Attorney General that he agrees with Mr. Hoover, and that he approves of Mr. Hoover and what Mr. Hoover's organization has done in these particular cases. From what I have been able to find out, the situation in all the cases is the same.

We had the same situation 20 years ago in connection with the famous raid of January 2, 1920, as I recall the date, in which thousands and thousands of poor, ignorant persons, most of them aliens, many of them as honest and as true as we are, many of them American citizens, were taken from their homes, their clubs, or their halls, just as men were taken from their homes in Detroit. They knew nothing about what was coming until they were arrested; and many of them were held incommunicado for many days. Those raids, made at that time under Attorney General Palmer, were very much like the raids which are now being made under Mr. Hoover. I shall show, I think, that Mr. Hoover had charge of the Palmer raids, and that all of the agents engaged in making these arrests and these raids were officially directed to report to Mr. Hoover at Washington.

I have nothing against Mr. Hoover. I do not remember ever meeting him. He has not done anything against me of a personal nature or of any other kind, so far as I know. He probably has a card-index about me, but I do not care for that. He has that about a great many good men, much better than I even claim to be; but I believe the method that he pursues and that he instructs his officers to follow is wrong, and it will break down our Government at a fundamental point. If carried on to its logical conclusion, it will mean the destruction of civil liberties.

Our Constitution ought to be worth something. When our forefathers adopted the Constitution and put it forth before the public they were confronted with the fact that the civil liberties of the people were not properly cared for; and it is a matter of history that there was a great campaign throughout the Thirteen Colonies as to whether or not the Constitution should be adopted. It was agreed, even by those who advocated the adoption of the Constitution, that if the people would adopt it, the first Congress organized under it would submit what is known today, and has been known all these years, as our Bill of Rights; and that was done. The First Congress submitted the first 10 amendments, and we now boast of them as our Bill of Rights. They provide, among other things, for free speech, a free press, the right to express our opinions, the right to the preservation of our lives and our property, and that our homes shall be our castles. I think those things are going to be destroyed if our civil liberties are gone.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Tennessee?

Mr. NORRIS. I yield to the Senator.

Mr. McKELLAR. What interests me is the enforcement of the law concerning aliens. I have not served on the committee having jurisdiction of that subject, and I have never made a special study of the question of immigration or the alien question or the question of deportation; but from the newspapers I have gathered the general idea that for quite a number of years, through all the time we have had a deportation law, there has been virtually no deportation of aliens; certainly not for a number of years. Can the Senator give me any information concerning the number of deportation cases in the past few years?

My own judgment is that when aliens violate our laws—and we have laws concerning this matter—they ought to be deported; and I have the general idea, largely derived from the newspapers, that there have not been any deportations. I should like to turn this subject over to a department that would enforce the law.

Mr. WHEELER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Montana?

Mr. NORRIS. I do.

Mr. WHEELER. Like the Senator from Tennessee, I do not know what has been done in recent years; but I know that from 1913 to 1918, when I was connected with the Department of Justice, whenever an alien who had violated the law got out of jail we deported him. That was done in every instance. He was subject to deportation, and he was deported.

I have heard the same reports that the Senator from Tennessee has heard; but I am unable to answer his question further than to state that I think probably there has been a good deal of justification for the criticism which has been made in the newspapers and elsewhere. Regardless of that, however—and I am not trying to uphold that in the slightest degree—I think it is a very serious mistake to turn over this subject to the Department of Justice, and particularly to have

the F. B. I. have charge of it. If it were desired to turn it over to the Department of Commerce, I should say "Fine!" Turn it over to the Department of Commerce; turn it over to any other department; but do not turn it over to the Department of Justice, because, in my judgment, it does not belong there.

Mr. McKELLAR. Mr. President, if the Senator from Nebraska will permit me, the only thing that seems to me important in this connection is that, as at present administered, the law is not being enforced, and I should like to see it enforced. I think it is a law that ought to be enforced. I think we ought to enforce all our laws, but especially this one.

Mr. NORRIS. I agree with the Senator that we ought to enforce all our laws, and I think this law is being enforced probably as well as any other law. So far as I know, it is. If aliens violate any law, they ought to be punished. Of course, they ought to be punished. I am not trying to relieve the alien or the citizen of any punishment that is due him under the law of the land.

Mr. McKELLAR. I am quite sure anyone who knows the distinguished Senator from Nebraska knows that the statement he has just made is absolutely true, beyond any question; but I am just wondering if the Senator knows what deportations have recently been made?

Mr. NORRIS. I do not know what has happened recently. I have forgotten. From time to time there have been quite a good many deportations. In the case of the raid known as the Palmer raid, which Hoover managed, a good many persons were deported. Some of them probably ought to have been deported. I am not complaining about that; but those conducting the raid arrested men indiscriminately. They went into lodges and arrested everybody there. The evidence shows, as I shall read it to the Senate further on in my address, that as the so-called criminals were being marched along the street a bystander got mixed up with the procession, and he was taken to jail. He was denied the right, as the others were, of having a lawyer, or of communicating with his wife or family. He was held incommunicado.

He did not come home, and his people wondered what had become of him. They notified the police, and they made a search for him, and they did not find him for 28 days. For 28 days he was locked up, a prisoner, under conditions which were most disgraceful and most inhuman. Only by accident was he finally released when the raiders found that they had not his name on their list, and that they did not have any warrant for his arrest, although that was not always necessary. He was just a fellow who had straggled in and got in the clutches of these detectives and agents who were arresting men by the dozens and by the hundreds.

Mr. President, I shall show how, after they had been arrested, many of these persons, hundreds of them, were kept incommunicado, all over the country, without the right to communicate with their families. Many of them were taken at lodges, many of them went downtown in the evening and were picked up, and did not have an opportunity to go back and see their families. Hundreds of them were locked in small rooms, without any place to sleep, with very little food, without any toilet facilities, and it was one of the most disgraceful episodes in the history of our country, in my opinion.

Mr. STEWART. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. STEWART. I have been very much impressed with the statements the Senator has made on the floor of the Senate and, of course, on the whole, with almost everyone else in this Chamber, I am certainly in sympathy with the thought and idea that aliens, as well as citizens and everyone else, should be treated humanely.

I have been impressed, in the brief experience I have had in connection with the studies pertaining to aliens, with the apparently meager amount of information the Government has with respect to the number of foreigners, or aliens, in the country.

As a member of the Committee on Immigration it has come more directly to my attention than it might otherwise, that a great many private bills are introduced for the relief of this, that, or the other alien, seeking permission to become naturalized in this country, and oftentimes it has happened that the alien came into this country illegally. I was shocked to find that to be the case on a number of occasions. Some of them had been here so many years that they had become well established in business, oftentimes, and had acquired considerable property, and, of course, in most cases, families, as well. They had been here all this time, and their whereabouts apparently were not known to the Department of Labor or to the Commissioner of Immigration, and it impressed me that they were here unlawfully, and that was not even known to the Immigration Commissioner.

In the hearings we held last year on a group of bills which had for their purposes the restriction of naturalization, deportation, and so forth, it was shown in evidence of some character before the committee—I do not recall just now whether it was by actual word of mouth from witnesses, or whether it was furnished to us in some other form—that it was known that there were some 3,800,000 aliens in this country at that time. The whereabouts of many of them are not carefully checked and were not known as well as they should have been, I thought. Out of that 3,800,000, 800,000 were in process of naturalization; that is, had taken out their first papers. The other 3,000,000 were just here—that is all.

Speaking of deportation, it would seem that perhaps we might have some difficulty in deporting many of those aliens now because many of them are in this country from Czechoslovakia, from Poland, and from many of the other countries which are not now on the map.

I merely wanted to call that to the attention of the Senator and to make a further observation. These times are, of course, somewhat unusual, and I think call for the attention of an agency able to make such investigations as will shed sufficient light on this question as to give the American people intelligent information as to the actual number of aliens in this country—information concerning their activities—because it was shown at the hearings that across the borders and from ships which came here from foreign countries, information was constantly being furnished of aliens slipping through and losing themselves among the 130,000,000 people there are in the United States. Of course, the immigration department had no information concerning the whereabouts of any of those men at all.

I desire to make an additional observation, if the Senator will permit, and with all due deference to his statement, with which I have tremendous sympathy. I feel that since the times are somewhat unusual, and since things have happened which have perhaps opened our eyes, or had a tendency to make us think a little more seriously than we hitherto have been thinking, it is important that there should be some agency able to ascertain all this information and give it to the American people, and I do not know of any agency more capable of doing it than the F. B. I.

I do not want to see a round-up of aliens; I do not want abusive treatment to be administered to any persons in this country; I do not want to see anything of that sort at all. It might be that after a time the agency could be moved to some other department, but it seems to me that at present it would be well to have some information ascertained by this group of trained men, who are able to handle that matter.

Mr. NORRIS. All the Senator from Tennessee says is worthy of consideration; it is important, and we ought to know more about what he has spoken of; I agree entirely. I am not opposing any agency assembling that information. However, we have before us an order which we must vote up or down, and it has not anything more to do with the particular subject the Senator has brought to our attention than the flowers that bloom in the springtime. I agree that what he says is important. I agree with him that we do not know what we should know about these aliens. I agree with the idea that we should probably put some limitation which we do not now have upon the immigrants and the aliens who come to our shores.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. NORRIS. I will yield in a moment. I am in full sympathy with the Senator. But that must not mislead us; that must not get us away from the idea that whatever we do we should preserve the vital liberties which are our birthright, those things that were given to us in the Bill of Rights, at the beginning, after the first session of the First Congress, with the idea of carrying out a promise our forefathers made to the people, an agreement they made with the people, that if they would adopt the Constitution the Bill of Rights would be submitted as amendments immediately.

Mr. President, if it had not been for that promise, our present Constitution would have been rejected, without the shadow of a doubt. It now seems to me it becomes important that we should guard with jealous care those liberties which came to the humble, in the humblest of homes, and that cases like the one I have narrated, of the illegal arrest of the man in Fremont, Nebr., could just as well be avoided as not, if ordinary sense controlled the agents.

We should regard these liberties as sacred, as more sacred, I think, than any other one thing that is given us by the Constitution of the United States.

Mr. President, I shall not be able to conclude tonight, I will say to the Senator from Kentucky, unless we remain in session until very late.

Mr. BARKLEY. In view of that statement, I think we cannot hope to dispose of the pending motion today. I understand that when we shall resume tomorrow the motion will still be before the Senate as a privileged matter, and that it will not lose its place as a privileged matter by the Senate taking a recess.

The PRESIDING OFFICER. The motion under consideration is a privileged matter and will be the pending business when the Senate meets tomorrow.

Mr. NORRIS. Mr. President, I yield to the Senator from Kentucky for the purpose of making a motion to recess or adjourn, as he sees fit.

Mr. BARKLEY. No, Mr. President; there are one or two other little matters to be taken care of first. The Senator from Washington [Mr. BONE] wishes unanimous consent to consider a matter which will not interfere in any way with the matter now under consideration.

REGISTRATION OF TRADE-MARKS

Mr. BONE. Mr. President, I shall occupy but a moment of the Senate's time. Yesterday when the calendar was called, one of the bills on the calendar was House bill 6618, Calendar No. 1617, which deals exclusively with the registration of trade-marks. At the request of the Senator from Montana [Mr. WHEELER] the bill went over. The Senator from Montana was laboring under a misapprehension, as he thought the bill dealt with copyrights, whereas it deals exclusively with trade-marks.

Mr. President, let me say that the bill was before the House committee, which held hearings for 3 years on it, and when it was reported in July last year, I understand it was reported without dissent from the Committee on Patents. The Committee on Patents of the Senate reported the bill after accepting two small amendments which were considered important. I now know of no objection to the bill. It codifies some 17 separate statutes dealing with trade-marks.

Mr. President, I ask unanimous consent that the pending business be temporarily laid aside and that the bill in question be considered.

Mr. TAFT. Mr. President, what bill is this?

Mr. BONE. It is a bill dealing exclusively with the registration of trade-marks. It was considered by the House committee for 3 years. It was reported unanimously, I understand, by the Committee on Patents of the House, and when it passed the House last year there was no dissenting vote. When it came over to the Senate we had before the committee a number of men who were interested in both aspects of the bill, that is, pro and con, and ironed out the only two real questions which interested them. One dealt with assignments of trade-marks, and the other with the mechanics of cancelation after a certain number of years, the chief point of difference being whether it should be 10 years or 15 years or 5 years. We rather compromised on that by agreeing on 10 years. So far as assignments are concerned, it was agreed that that might rest in the contract between the parties.

So I think we have done the best job we were able to do, because a large number of lawyers were interested in the matter.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Washington?

Mr. TAFT. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. BONE. May I ask the Senator from Ohio upon what ground he objects?

Mr. TAFT. I object on the ground that the bill is 45 pages in length, and I have not had an opportunity to read it. My recollection is that last year I heard from various people who had a very violent difference of opinion as to the matter. However, after I shall have examined it, I may find that I am entirely mistaken.

Mr. BONE. I may say to the Senator from Ohio that I am rather of the opinion that he has in mind some other bill, and not this one.

The PRESIDING OFFICER. Objection is heard.

ALAN C. WINTER, JR., AND ELIZABETH WINTER

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1649) for the relief of Alan C. Winter, Jr., and Elizabeth Winter, which was, on page 1, line 6, after the word "wife", to insert "both of Jacksonville, Florida."

Mr. MINTON. For the Senator from Florida [Mr. PEPPER] I move that the Senate concur in the amendment of the House.

The motion was agreed to.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

Mr. WAGNER, from the Committee on Banking and Currency, reported favorably the nomination of Albert G. Black, of Iowa, to be Governor of the Farm Credit Administration for a term of 6 years from June 15, 1940 (reappointment).

The PRESIDING OFFICER (Mr. PEPPER in the chair). If there be no further reports of committees, the clerk will state the nominations on the calendar.

DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk read the nomination of Jay Pierrepont Moffat, of New Hampshire, to be Envoy Extraordinary and Minister Plenipotentiary to Canada.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of John R. Minter to be Foreign Service officer of class 4, a consul, and a secretary in the Diplomatic Service.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Sheldon Thomas to be Foreign Service officer of class 5, a consul, and a secretary in the Diplomatic Service.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

WORK PROJECTS ADMINISTRATION

The legislative clerk read the nomination of Mark Muth to be Work Projects Administrator of Wisconsin, effective April 16, 1940.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

SECRETARY OF HAWAII

The legislative clerk read the nomination of Charles M. Hite to be secretary of the Territory of Hawaii.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

UNITED STATES PUBLIC HEALTH SERVICE

The legislative clerk proceeded to read sundry nominations in the United States Public Health Service.

The PRESIDING OFFICER. Without objection, the nominations in the United States Public Health Service are confirmed en bloc.

POSTMASTERS—NOMINATION REPORTED ADVERSELY

The legislative clerk read the nomination of Margaret F. Rackliffe to be postmaster at Mina, Nev., which had been reported adversely.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to this nomination?

The nomination was rejected.

POSTMASTERS—NOMINATIONS REPORTED FAVORABLY

The legislative clerk proceeded to read sundry nominations of postmasters which had been favorably reported.

Mr. McKELLAR. I ask that the nominations of postmasters which have been reported favorably be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

IN THE MARINE CORPS

The legislative clerk proceeded to read sundry nominations in the Marine Corps.

Mr. BARKLEY. I ask that the nominations in the Marine Corps be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc. That concludes the calendar.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 26 minutes p. m.) the Senate took a recess until tomorrow, Friday, May 31, 1940, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 30 (legislative day of May 28), 1940

DIPLOMATIC AND FOREIGN SERVICE

Jay Pierrepont Moffat to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Canada.

John R. Minter to be Foreign Service officer of class 4, a consul, and a secretary in the Diplomatic Service.

Sheldon Thomas to be Foreign Service officer of class 5, a consul, and a secretary in the Diplomatic Service.

WORK PROJECTS ADMINISTRATION

Mark Muth to be Work Projects administrator of Wisconsin.

SECRETARY OF THE TERRITORY OF HAWAII

Charles M. Hite to be Secretary of the Territory of Hawaii.

UNITED STATES PUBLIC HEALTH SERVICE

TO BE MEDICAL DIRECTOR

Frank M. Faget.

TO BE ASSISTANT SURGEONS

Clarence L. Hebert
James W. Hawkins
Warren F. Draper, Jr.
Leslie W. Knott
Joseph D. Lea
Robert J. Anderson
William H. Stimson
William S. Baum
Rudolph F. Sievers
Verne C. Waite
Albert N. Sarwold
William G. Budington
Kenneth M. Endicott
Milton W. Gwinner
Wayne P. Beardsley

PROMOTIONS IN THE NAVY

MARINE CORPS

St. Julien R. Marshall to be major.
William M. Hudson to be captain.
Elmore W. Seeds to be captain.
George C. Ruffin, Jr., to be captain.

POSTMASTERS

KANSAS

Clarence H. White, Burlington.
John A. Rogers, Cherryvale.
Emil R. Schwemmer, Durham.
John F. Holshouser, Dwight.
Edward Grauerholz, Esbon.
Jessie M. Grimes, Eudora.
George F. Colwell, Glasco.
Ferdinand Scharping, Hillsboro.
Susanna J. Jones, Maplehill.
Selma E. Hatfield, Moundridge.
Chester M. Cook, Ness City.
Mason V. Dunlap, Osawatomie.
Fred Swisher, Pratt.
Helen L. Green, Silver Lake.
Harry E. Blevins, Stafford.
Irene M. Warrell, Zenda.

LOUISIANA

Sidney L. Voorhies, Lafayette.

MARYLAND

John Mercer Terrell, Elkton.
Grace V. Thompson, Hurlock.
James F. Quinn, Lonaconing.
John T. Barrow, Perryville.

MINNESOTA

Obert M. Wammer, Badger.
Evelyn I. Reintjes, Big Lake.
Joe M. Licari, Biwabik.
George D. Carroll, Blooming Prairie.
Henry H. Lukken, Boyd.
Owen J. Regan, Butterfield.
Olger B. Weibye, Eagle Bend.
Alvin A. Mock, Echo.
Herman Ten Cate, Edgerton.
J. Harold Johnson, Elmore.
Thomas W. Comnick, Gaylord.
Sam Bogen, Hendricks.
Herluf E. Jensen, Hutchinson.
Burt W. Cole, Lake Crystal.
Theodore Zimmerman, Le Center.
Gordon J. Dewar, Lewisville.
Jacob Egerman, Melrose.
Dolphin W. Forsmark, Palisade.
George J. Andrews, Paynesville.
Mae A. Lovestrom, Stephen.
Norman T. True, Truman.
Minor Buckingham, West Concord.
Alfons P. Fasching, Winsted.
Emma C. Nuernberg, Young America.

NEBRASKA

Frank A. Badura, Ashton.
Joe R. Brown, Ceresco.
Wayne E. Parker, Farnam.
Frank Johnson, North Loup.
George P. Miller, Papillion.
Alfred A. Ristow, Scribner.
Floyd A. Garrett, Whitman.

NEVADA

Judson V. Hooper, Eureka.
Arthur L. Gottschalk, Lovelock.

NEW HAMPSHIRE

Stuart W. Heard, Center Sandwich.
Barnard F. Nixon, East Rochester.

NEW YORK

Oliver L. Sause, Mineola.
William A. Flanagan, Seneca Falls.

NORTH DAKOTA

Ole Ingmar Oleson, Ambrose.
Mary M. Held, Beulah.
Inez E. Schultz, Bowbells.
Mayme E. Fleming, Bowman.
Stephen J. Dunn, Center.
Eureka H. McDougall, Cleveland.
Ella J. Fay, Columbus.
Mabel E. Goetz, Dodge.
Susie Drummond, Esmond.
Orna F. Leedy, Goodrich.
Lloyd Lapic, Lankin.
John W. Virden, Larimore.
Frank C. Schroeder, Leonard.
Lawrence L. Walker, Maddock.
Peter J. Bott, Marmarth.
Carl Jahnke, New Salem.
Howard B. Pruitt, Pettibone.
Mary Olivia Hutchison, Rhame.
David L. Botton, Rolette.
Albert J. Bateson, Rolla.
Chester A. Johnson, Scranton.
William E. Hinkel, Tuttle.
Kermit A. Peterson, West Fargo.

OHIO

Rollo C. Witwer, Akron.
Ray A. Whipple, Ashley.
James M. McClure, Ashtabula.
Earl C. Hillyer, Atwater,
Albert P. Hahn, Baltic.
Orville R. Bently, Bay Village.
Anna L. Adams, Beaver.
William P. Ziegler, Belle Center.
Weston Thomas Dressel, Belpre.
James A. Hart, Beverly.
Ferdinand J. Lenhart, Botkins.
Samuel R. McGuire, Bowerston.
Jeanette Long, Brunswick.
Ervin J. Ostermyer, Chatfield.
John M. Paull, Conneaut.
Francis P. Hayes, Crestline.
William F. Hookway, Creston.
Roy T. Smith, Degraff.
Paul C. Patterson, East Sparta.
Charles J. Sartor, Elyria.
Cleo B. Brockman, Fort Jennings.
William H. McConaha, Fort Recovery.
Lorenz B. Anderson, Fostoria.
Walter Miller, Germantown.
Charles W. Zeller, Gibsonburg.
Thomas H. Mulvey, Girard.
Hattie E. Lewis, Greenwich.
John Hayden Kohn, Grover Hill.
Valentine J. Meade, Harrison.
Earle V. Miller, Hillsboro.
John J. Boyle, Hubbard.
Viola L. Wisnieski, Independence.
William N. Long, Kingsville.
Riley W. Hoagland, La Rue.
Frieda M. Lappen, Laurelville.
Irene A. Francescon, Leavittsburg.
Frank A. Griebling, Lexington.
Ann W. Knotts, Magnolia.
Harry H. Hart, Malvern.
Orville C. Frantz, Martins Ferry.
Robert W. Gutermuth, Mason.
William D. Goodwin, Masury.
Maynard C. Casey, Mayfield Heights.
James E. Warren, McArthur.
Dwight M. Miller, Mendon.
Gladys E. Sperry, Middlefield.
Fred J. Lawler, Mount Vernon.
Myron G. Swaller, Navarre.
Leroy B. Griffith, Newton Falls.
Aaron G. Shealy, New Washington.
Nellie Y. Roberts, North Baltimore.
Jessie W. Graham, North Fairfield.
Chester L. Jones, Otway.
Robert W. Schocke, Oxford.
Elwood E. Hardesty, Paulding.
Cary B. Holycross, Plain City.
Claude E. Sourwine, Plymouth.
George L. Gableman, Portsmouth.
Estella Holter, Racine.
Loretta H. Duswald, Scio.
Clara L. Hewit, Seville.
Leo A. McGaw, Shelby.
Homer W. Rider, Spencerville.
Julius L. Snyder, Tiro.
Howard E. Smith, Vandalia.
Hartley D. Devore, Vinton.
August J. Brown, Wapakoneta.
Charles Norman Wenzlau, Tipp City.
James Spencer Hockenbery, West Jefferson.
Thornton A. Hassler, West Liberty.
Henry Provo, Wickliffe.
Michael A. Delsantro, Willoughby.
Mahara D. Barns, Wilmington.
Howard B. Lindimore, Worthington.

SOUTH CAROLINA

Henry N. Folk, Bamberg.
Pearl Youmans, Brunson.
Inez S. Littlejohn, Jonesville.
William E. Law, Moncks Corner.
Bertha D. Boatwright, Ridge Spring.

VERMONT

Irene M. Vaughn, Arlington.
Charles F. Mann, Brattleboro.
Martin R. McDonald, Danville.
Alfred P. Lonergan, Essex Junction.
George N. Clark, Groton.
Louis F. Martin, Manchester Center.
Donald L. Mattison, Manchester Depot.
Roy P. Skinner, Newport.
James McGovern, North Bennington.
Owen W. McShane, Poultney.
John B. Flanagan, Proctor.
Daniel B. Hufnail, Reading.
Hayden E. Whiting, Sheldon Springs.

WYOMING

Arthur W. Crawford, Guernsey.
George W. Nance, Midwest.
Cleo H. Massey, Parco.
Daniel C. Carson, Pinedale.
Daniel D. Spani, Rock Springs.

REJECTION

Executive nomination rejected by the Senate May 30 (legislative day of May 28), 1940

POSTMASTER

NEVADA

Margaret F. Rackliffe to be postmaster at Mina, in the State of Nevada.

HOUSE OF REPRESENTATIVES

THURSDAY, MAY 30, 1940

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, our Heavenly Father, from whom nothing is hid, with bowed heads we uncover our hearts as we wait in Thy presence. As Thou alone beholdest the secret of

life, we can but trust that good will come and every winter change to spring. Thou who crowdest a world into a moment's time, we pray that all our powers may be taken in sacrifice as the incense of our prayer is swung to Thee. Let us be still and listen as we wait at the altar of a free and united people. As the doors of this Memorial Day are thrown open, may we know that Thou art the God of our fathers. O make us susceptible to their influence that right may prevail in those forces which control the destiny of our country. Heavenly Father, how we rejoice in these hours that the hearts of the South and the hearts of the North are dissolved as the tears of the Blue and the tears of the Gray are mingled above the hallowed sod of their heroes. While countless years roll on may we behold one flag, one Nation established in unity and with honor for all. Our hearts sing: "God cares." When the lights die down from our path, when love and music leave us in silence, when the shadows hang over us in long hours, when strength is feeble and friends forsake, when the spirit feels the shame of wrong, our hearts cry out: "God cares, God cares." In our Redeemer's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. FRAZIER, its legislative clerk, announced that the Senate had passed without amendment bills and a joint resolution of the House of the following titles:

H. R. 3955. An act to amend section 335 (d) of the Agricultural Adjustment Act of 1938;

H. R. 4229. An act authorizing the conveyance to the Commonwealth of Virginia a portion of the naval reservation known as Quantico in Prince William County, Va.;

H. R. 5404. An act to extend the provisions of the Forest Exchange Act, as amended, to certain lands so that they may become part of the Ochoco National Forest, Oreg.;

H. R. 5784. An act to provide for the conservation and transfer of accumulated sick leave and vacation time due classified civil-service employees who succeed to the position of postmaster, and for other purposes;

H. R. 7018. An act to amend section 289 of the Criminal Code;

H. R. 7020. An act to amend section 2 of the act of March 4, 1931 (46 Stat. 1528), in regard to service of process on the United States in foreclosure actions;

H. R. 7078. An act to authorize the acquisition by the United States of lands in Manchester and Jackson Townships of the county of Ocean and State of New Jersey for use in connection with the Naval Air Station, Lakehurst, N. J.;

H. R. 8119. An act to amend the Criminal Code so as to confer concurrent jurisdiction on courts of the United States over crimes committed on certain Federal reservations;

H. R. 8283. An act to amend section 4370 of the Revised Statutes of the United States (U. S. C., 1934 edition, title 46, sec. 316);

H. R. 8292. An act for the relief of Erich Hecht, Grete J. L. Hecht, and Erich F. Hecht, Jr.;

H. R. 8373. An act to amend section 79 of the Judicial Code, as amended;

H. R. 8403. An act to convey certain lands to the State of Wyoming;

H. R. 8491. An act authorizing the county of Knox, State of Nebraska, to construct, maintain, and operate a toll bridge across the Missouri River at or near Niobrara, Nebr.;

H. R. 8749. An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Petersburg, Mo.;

H. R. 8958. An act to authorize the Secretary of the Interior to grant to the county of Wayne, State of Michigan, an easement over certain land of the United States in Wayne County, Mich., for a sewage-disposal line;

H. R. 8983. An act authorizing the Secretary of the Navy to accept on behalf of the United States a gift of the yacht *Freedom* from Sterling Morton;

H. R. 9094. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Winona, Minn.;

H. R. 9118. An act to provide for the reimbursement of travel expenses to certain employees of the Corps of Engineers, United States Army;

H. R. 9326. An act to provide educational employees of the public schools of the District of Columbia with leave of absence, with part pay, for purposes of educational improvement, and for other purposes;

H. R. 9394. An act to provide for the establishment of the Cumberland Gap National Historical Park in Tennessee, Kentucky, and Virginia;

H. R. 9411. An act to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N. Y., and for other purposes;

H. R. 9492. An act making it a misdemeanor to stow away on vessels, and providing punishment therefor;

H. R. 9595. An act to postpone for 1 year the date of the transmission to Congress by the United States Coronado Exposition Commission of a statement of its expenditures; and

H. J. Res. 537. Joint resolution to make temporary emergency provision for the determination of foreign construction costs under section 502 (b) of the Merchant Marine Act, 1936, as amended.

The message also announced that the Senate had passed bills and joint resolutions of the following titles, in which the concurrence of the House is requested:

S. 217. An act for the relief of Charles B. Payne;

S. 1460. An act to provide uniform reciprocal hospitalization in any Army or Navy hospital for retired personnel of the Army, Navy, Marine Corps, and Coast Guard, and for other purposes;

S. 1473. An act to extend the time for filing claims for refunds of amounts collected under the Agricultural Adjustment Act;

S. 1789. An act to authorize the cancelation of deportation proceedings in the case of Florence Sinclair Cooper and daughter, Margaret Lavallie, and Philip P. Roy;

S. 2013. An act to amend the Code of the District of Columbia to provide for the organization and regulation of cooperative associations, and for other purposes;

S. 2326. An act to provide and maintain an adequate supply of suitable seed for production of food for the population of Hawaii in times of emergency;

S. 2568. An act to amend the Federal Credit Union Act (June 26, 1934, ch. 750, par. 1, 48 Stat. 1216, sec. 1761);

S. 2915. An act relating to rentals in certain oil and gas leases issued under authority of the act of February 25, 1920, as amended, and for other purposes;

S. 3021. An act for the relief of A. A. Ramsay;

S. 3146. An act relating to the citizenship of William Lawrence Tan;

S. 3491. An act to provide that fines for failure to pay license taxes in Alaska shall be disposed of as provided for the disposition of such taxes;

S. 3594. An act to provide an additional sum for the payment of a claim under the act entitled "An act to provide for the reimbursement of certain personnel or former personnel of the United States Navy and United States Marine Corps for the value or personal effects destroyed as a result of a fire at the marine barracks, Quantico, Va., on October 27, 1938," approved June 19, 1939;

S. 3608. An act to authorize an exchange of lands between the people of Puerto Rico and the United States;

S. 3617. An act granting the consent and approval of Congress to an interstate compact relating to control and reduction of pollution in the Ohio River drainage basin;

S. 3647. An act for the relief of the legal guardian of Paul Sanford, a minor;

S. 3677. An act to donate to the city of Seattle a totem pole carved by the Alaskan native Civilian Conservation Corps;

S. 3707. An act for the relief of certain disbursing agents and certifying officers of the Indian Service, the United States Veterans' Administration, and the Treasury Department;

S. 3739. An act to amend the act providing for Federal aid to the States in the establishment of wildlife-restoration projects, for the purpose of clearly indicating that such projects are to be owned by the respective States and maintained by them in accordance with the provisions of their laws;

S. 3748. An act for the relief of Guy F. Allen, chief disbursing officer, Division of Disbursement, Treasury Department;

S. 3769. An act for the relief of Jerry McKinley Thompson;

S. 3786. An act to provide for the punishment of persons transporting stolen animals in interstate commerce, and for other purposes;

S. 3807. An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Arrow Rock, Mo.;

S. 3808. An act to provide for the reimbursement of certain officers and enlisted men or former officers and enlisted men of the United States Navy for personal property lost in the hurricane and flood at New London, Conn., on September 21, 1938;

S. 3927. An act to provide for the administration of the Washington National Airport, and for other purposes;

S. 3958. An act to authorize the Secretary of the Treasury to grant to the Road Department of the State of Florida an easement for a road right-of-way over the Coast Guard Reservation at Flagler Beach, Fla.;

S. J. Res. 214. Joint resolution authorizing the recognition of the two hundredth anniversary of the founding of the University of Pennsylvania by Benjamin Franklin and the beginning of university education in the United States, and providing for the representation of the Government and people of the United States in the observance of the anniversary;

S. J. Res. 222. Joint resolution granting the consent of Congress to the States of Maryland and West Virginia and the Commonwealths of Virginia and Pennsylvania and the District of Columbia as signatory bodies, to enter into a compact for the creation of a Potomac Valley Conservancy District and the establishment of the interstate commission on the Potomac River Basin; and

S. J. Res. 260. Joint resolution to make emergency provision for the maintenance of essential vessels affected by the Neutrality Act of 1939, and for adjustment of obligations with respect to such vessels.

The message also announced that the Senate had passed with amendments, in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 5827. An act to authorize the cancelation of deportation proceedings in the case of John L. Harder and children, Paul William Harder, Irvin W. Harder, Edna Justina Harder, Elsie Anna Harder, and Elizabeth Harder;

H. R. 7643. An act to facilitate and simplify national-forest administration;

H. R. 9262. An act to provide for the examination of civilian nautical schools and for the inspection of vessels used in connection therewith, and for other purposes;

H. R. 9576. An act relating to the admission to St. Elizabeths Hospital of persons resident or domiciled in the Virgin Islands of the United States; and

H. R. 9594. An act to amend section 12 (b) of the Soil Conservation and Domestic Allotment Act, as amended, by authorizing the transfer of funds to cover advances for crop insurance.

NAVAL APPROPRIATION BILL

Mr. SCRUGHAM. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 8438, the naval appropriation bill, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection?

Mr. SCRUGHAM. Pending that request, Mr. Speaker, if I may have recognition, I should like to make a brief statement as to the changes that have been made in this bill since it was first passed by the Senate. These changes are all the outgrowth of the President's recent message, which he followed up with Budget estimates, contained in House Document 753.

There are available today copies of hearings just concluded by the Naval Subcommittee of the House Committee on Appropriations on the amendments placed on the bill by the Senate, pursuant to the supplemental submissions in House Document 753. These hearings, in conjunction with those held by the Senate Committee on Appropriations, contain substantially all of the information that should be made public on the items in question and on related subjects.

The supplemental estimate for the Navy is $250,000,000 and was presented in a lump sum. Also included under the Navy head is a share of the President's emergency fund of $100,000,000 in cash and a like sum in contractual authority. Of that total amount—that is, $200,000,000—the President asks for $68,000,000 under the Navy head, one-half to be contractual authority.

The Senate did not give the Navy a lump sum. While the Senate approved the entire estimate of $250,000,000, that amount has been distributed among the usual naval appropriations affected. In addition to the $250,000,000, however, the Senate added to the bill an additional $54,467,560 for which there is no Budget support.

The Senate also approved the estimate for an emergency fund under the Navy head for the President, such fund being in lump-sum form and in the amount of the estimate—namely, $34,000,000 by way of an immediate appropriation—and $34,000,000 in contractual authority.

I shall state as briefly as I can, consistent with clarity, what is embraced by the bill in the way of modifications made by the Senate subsequent to the presentation of House Document 753.

First, as to the $250,000,000:

(a) For expediting the construction of ships—that is, the 68 now being built, the 24 to be commenced in 1941—provided for in title I of the bill, which the House already has approved, and the vessels embraced by the 11-percent expansion provided for in House bill 8026, now pending, $100,000,000.

(b) For emergency pilot training, including the provision of 808 airplanes for such purpose, $50,625,000; the provision of additional training facilities at existing and new stations—namely, Pensacola, Miami, Jacksonville, and Corpus Christi—$45,000,000; and $4,375,000, the remainder of the $100,000,000 allocation to aviation, for aviation ordnance and ammunition and miscellaneous items.

(c) The remaining $50,000,000—I have accounted for $200,000,000—is for various urgent national-defense purposes, as follows, and I use round figures:

Landing equipment, Fleet Marine Force	$1,350,000
Antiaircraft gun projects	11,500,000
Harbor defense project	10,000,000
Altering and recommissioning vessels	10,100,000
Vessel protection projects	5,900,000
Storage and other shore improvements	7,900,000
Miscellaneous items	3,125,000

As previously stated, the Senate added to the bill $54,467,560 without Budget support. This was done at the urgent insistence of the Navy Department, most of it being on account of increased personnel.

For the Navy provision is made by this increase for 20,000 enlisted men and Naval Reservists and 500 Naval Reserve officers and 500 retired officers on active duty. This will bring the naval enlisted strength up to around 170,000 men. Such added expense is approximately $26,000,000.

For the Marine Corps provision is made for 9,000 additional enlisted men and 150 additional retired officers on active duty. The pay and outfitting and equipping and housing of this extra force calls for a total of $22,238,000. The enlisted strength of the Marine Corps under this increase would be 34,000. The balance of the $54,000,000 increase without Budget support, namely, $6,000,000, has been earmarked for

major alterations to the battleships *New York*, *Texas*, and *Arkansas*.

With respect to the President's fund—$34,000,000 in cash, and $34,000,000 in contractual authority—while it is stated in lump sum, if he uses that fund as the Navy will recommend to him, he will not have a single penny for uses he may have in mind, because the Navy has projects, some of them provided for in part by the $250,000,000, which run well beyond the $68,000,000.

Now, as I said at the outset, the hearings we have conducted are now available in printed form. Between now and the time we present the conference report they will be available for your perusal.

That is all I care to say for the present, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Nevada?

Mr. MARTIN of Massachusetts. Mr. Speaker, I reserve the right to object. I understand there has been an agreement whereby there will be 3 hours of debate instead of 1 hour when the bill comes back.

Mr. SCRUGHAM. That is correct.

Mr. MARTIN of Massachusetts. Mr. Speaker, I would like to have that included in the request.

Mr. SCRUGHAM. Mr. Speaker, I make that a part of the request that I have already made.

The SPEAKER. Is there objection to the request as modified?

There was no objection.

The Chair appoints the following conferees: Mr. SCRUGHAM, Mr. FERNANDEZ, Mr. CALDWELL, Mr. CASEY of Massachusetts, Mr. DITTER, Mr. PLUMLEY, and Mr. MCLEOD.

INVESTIGATION OF ALASKAN AND DOMESTIC FISHERIES

Mr. BLAND. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the desk.

The Clerk read as follows:

House Resolution 504

Resolved, That House Resolution 163, passed by the House of Representatives August 1, 1939, be amended to read as follows:

"*Resolved*, That the expenses of conducting the study and investigation authorized by House Resolution 162, incurred by the Committee on Merchant Marine and Fisheries to make an investigation of the fisheries of Alaska, and the other investigations or inquiries authorized by said House Resolution 162, acting as a whole or by subcommittee, not to exceed $15,000, including expenditures for the employment of experts and clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman thereof and approved by the Committee on Accounts; and the head of each executive department is hereby requested to detail to said committee such number of legal and expert assistants and investigators as said committee may from time to time deem necessary.

"SEC. 2. That the official committee reporters shall be used at all hearings held in the District of Columbia."

Mr. BLAND. Mr. Speaker, in explanation of the resolution, I wish to say that when House Resolution 163 was passed, making an appropriation of $15,000 for the use of the Merchant Marine and Fisheries Committee, it was intended to cover an investigation of various subjects, but as the resolution came from the Committee on Accounts it specified only fisheries in Alaska. House Resolution 163 was to carry out House Resolution 162, which was reported by the Committee on Rules and authorized not only an investigation and inquiry into the fisheries in Alaska, but also into merchant-marine matters and domestic fisheries in the United States. All that this proposed amendment does is to add to the House Resolution 163, as it was originally passed, sufficient words to cover authorizations which appear in the House Resolution 162 as it came from the Committee on Rules. The new words added are—

And the other investigations or inquiries authorized by said House Resolution 162.

The amended resolution does not ask for any more money. There is a balance now after making a study in Alaska. That study has not been completed, but it is not contemplated to return there. There is a balance of a little over $9,000. The committee feels it must not only carry on the study of Alaskan fisheries, which is already authorized, but that in connection therewith it should study certain merchant-marine matters, such as workmen's compensation, unemployment compensation, the problem relating to the report of the Maritime Labor Board, and also the subject of our domestic American fisheries. This amended resolution asks no money and does not go beyond the resolution from the Committee on Rules. It simply broadens the scope of the resolution as it came from the Committee on Accounts.

I am offering this at the suggestion of the chairman of the Committee on Accounts, who has no objection.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. BLAND. I yield.

Mr. RICH. Was it intended in the first place that the investigation should be confined to the fisheries in Alaskan waters?

Mr. BLAND. It was not our intent, and I do not believe it was the intent of the Committee on Accounts, so to restrict it. It did not go as far as the resolution from the Committee on Rules.

Mr. RICH. I was just wondering whether, having completed the investigation and finding itself with $9,000 balance, somebody wanted to use it up.

Mr. BLAND. No. We are still making inquiries there, and we want to use the money also for other purposes.

Mr. RICH. Will those purposes be well worth while to the fishing industry of the country?

Mr. BLAND. Absolutely; not only to the fishing industry but to maritime interests as well.

The SPEAKER. Without objection, the resolution will be agreed to.

There was no objection.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. MAY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a statement by the Secretary of War and a table showing the amount of appropriations for various items and expenditures in the War Department over a period of 16 years.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AMENDMENT OF RULE XXXV

Mr. DEMPSEY. Mr. Speaker, by direction of the Committee on Rules, I ask unanimous consent for the immediate consideration of House Resolution 502.

The Clerk read as follows:

House Resolution 502

Resolved, That rule XXXV of the rules of the House of Representatives is amended as follows: At the end of paragraph 3 strike the period and add a semicolon and the following: "and the Speaker may admit to the floor, under such regulations as he may prescribe, one representative of the National Broadcasting Co., one of the Columbia Broadcasting System, one of the Mutual Broadcasting System, and one of the Transradio Press Service."

Mr. MICHENER. Mr. Speaker, reserving the right to object, this resolution changes rule XXXV of the House rules. It was before the Rules Committee on yesterday and was reported favorably and unanimously.

Mr. DEMPSEY. The gentleman is correct.

The SPEAKER. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

The resolution was agreed to, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a telegram I received.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Elkins Inter-Mountain, a newspaper in

my own city, with regard to military training for C. C. C. enrollees.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to print therein a short article from the Christian Science Monitor.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. KEFAUVER asked and was given permission to revise and extend his own remarks.

THE SECURITIES AND EXCHANGE COMMISSION

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. PIERCE. Mr. Speaker, I have been receiving scores of propaganda letters, asking that the activities of the Securities and Exchange Commission be subjected to a congressional review and investigation. I judge from the uniform phraseology of these letters that they emanate from the same source. I have seen notices in the press of a fight being waged by the Investment Bankers Association of America to obtain, through amendment, simplification of certain regulations which, they claim, will expedite the free flow of new capital into industry. I assume that this propaganda is Nation-wide. The letters usually state that the writer and his firm are in sympathy with the apparent merits of the act, but that the administration is failing to function in the interests of those directly involved—the investing public and the dealers in securities.

As the letters began to pour in upon me, I addressed an inquiry to the Securities and Exchange Commission, asking whether they probably applied to some specific bill before the Congress or to some particular action of the Securities and Exchange Commission which the bankers think unfair or detrimental to their business. I desire to place in the RECORD, for the benefit of other Members, the reply to that letter as it is decidedly informative. I have secured permission of Chairman Frank to print the letter. Before doing so I quote a typical propaganda letter, so that the importance of the reply may be more clearly understood:

> The act was most certainly a constructive piece of legislation, and we in the securities business wholeheartedly support the basic principles of the act. However, the present personnel of the Securities and Exchange Commission has set up certain rules and regulations which have tended to throttle the flow of capital funds through investment channels by making it too burdensome and costly for small businesses to qualify their issues with the Commission. Investment funds are piling up in banks and savings institutions throughout the country by the billions of dollars. Why? Not because people are content to take 1 percent to 1½ percent on savings, nor for the reason that industry can't use additional capital profitably, but rather for the reason that small businesses cannot afford to pay the costs necessary to qualify capital issues required for expansion and improvements. Conditions such as these have tended to penalize investors, industries, and persons in our profession and to retard general business recovery. The charge is made that Wall Street is responsible for this condition through refusing to properly cooperate. If something could be done to bring about a more reasonable attitude on the part of the Securities and Exchange Commission with reference to the issuance and sale of securities, I feel it would be a big step toward general recovery for us all.

The following letter does, I believe, answer this statement in a very satisfactory manner, and I commend it to the attention of my colleagues.

SECURITIES AND EXCHANGE COMMISSION,
Washington, May 21, 1940.

The Honorable WALTER M. PIERCE,
House of Representatives, Washington, D. C.

DEAR CONGRESSMAN PIERCE: Thank you very much for your letter of May 13. From what I have heard, your experience is not unusual. Many Members of Congress seem to be receiving many letters from investment dealers along the lines you indicate.

The S. E. C., of course, has no possible criticism of those who seek to bring their views to the attention of their Representatives in Congress, for we firmly believe that the opportunity to "write to your Congressman" and receive a reply from him is an increasingly precious American heritage.

As to your question as to whether in this instance the sending of such letters is part of a national propaganda campaign, you may be interested in the following quotation from the magazine, Investment Banking, volume 10, No. 4, May 1940, published by the Investment Bankers Association of America. The first paragraph of the leading article by Emmett F. Connely, president of that association, reads as follows:

"One of the first things we set about doing after the Del Monte convention was to find out how many Senators and Congressmen our members know on a personal basis. The response to this inquiry was most surprising and gratifying. We received nearly 600 replies, through which we learned that we have members who know personally 87 of the 96 Senators and 295 of the 435 Congressmen."

Most of the letters to Members of Congress about which I have heard try to make the point that although the idea of the S. E. C. is a splendid one, the S. E. C., in its operations under the Securities Act of 1933, interferes with the flow of the savings of individuals into productive investment. If I felt this were true, I would be the first to urge a change in, if not the complete repeal of, that law, for no one is more interested than I in the flow of capital into new industrial activity.

I agree that the flow of capital into new business is not what it should be. But, unfortunately, the remedy is not so simple as, and could not be achieved by, the repeal of the Securities Act. Numerous other factors account for this condition.

First, let us see what the S. E. C. is. It is nothing more or less than a machine through which Congress has said securities must pass before entering the public market. It is a machine that works very well. For example, since the Securities Act was passed in 1933, over $15,000,000,000 of securities have been registered, and in 2 years alone, 1936 and 1937, almost $9,000,000,000 were registered. The only changes which have been made in the machine since those years were a speeding up the relaxation of requirements for small issuers.

Your correspondents would probably reply, "Oh, yes, that is true, but those were all refunding issues. They were not issues for new plant expansion and new equipment." They are right in that respect. The bulk of the issues have been refunding. But the implication of their comments is entirely wrong. They imply that somehow the S. E. C. machinery works differently for refunding issues than for new money issues and retards the latter. That is not correct. There is not the slightest difference. It makes no difference whether the money being raised is for refunding or new equipment, or whether bonds or stocks are being registered. The requirements are exactly the same; and, what is more, the S. E. C. has nothing whatever to say about the type of security sold under the Securities Act or the purposes for which a security is sold. Those are matters which rest entirely with the issuer and the investment banker.

Perhaps your letters say that S. E. C. costs are high. For your information I am sending you a copy of a cost analysis which we have just put out. From these figures you will see that, while the costs do look high, only a very small part of those costs result from the Securities Act and S. E. C. requirements, and that most of the large costs existed before there ever was an S. E. C. and would exist if there were no S. E. C. That is, even if there were no S. E. C., those costs would include the charges of underwriters and dealers and most of the charges of lawyers, accountants, engineers, and expenses for printing, taxes, and the like. The requirements of the S. E. C. under the Securities Act do add something to some of those items, but in no instance do those added costs exceed 1 percent—$1 on a $100 stock or bond. On the other hand, you will see that, on all issues, the investment banker's charge for underwriting—which would be made even if the Securities Act were repealed—is the big item.

For small common-stock and preferred-stock issues it runs as high as $18 per $100. So that if there were no Securities Act and no S. E. C., the reduction in cost would still leave the expense of issuing such securities at a burdensome figure. I am not at all criticizing the investment bankers when I make that statement, for I know there is a large risk and large overhead in underwriting the securities of a small or medium-sized and little-known corporation. But, I think you will agree that when money costs that much, you have a real cause for the inadequate flow of savings into industry—a cause wholly apart from the S. E. C.

The figures show that small- and medium-sized businesses in local communities cannot obtain money for new plants and new machinery except at almost prohibitive costs not in any way ascribable to the S. E. C. I think there is a solution to that problem—a solution which would make funds available without any direct or indirect Government control of private business. If the solution involves such Government control, I am emphatically against it. I outlined my suggestions last year before congressional committees and this year in the enclosed speech which I made in Cleveland on April 25, 1940. You may be interested in the enclosed editorial comment on that speech which appeared in the New York Herald Tribune for April 27, 1940.

I could go, in detail, into many other factors which I believe contribute to the inadequate flow of individuals' savings into capital expansion; such as the fact that life-insurance companies have more money collected from their policy holders than they can, at present, invest except at very low rates of return, and yet must, by law, invest principally in high-grade, low-interest-bearing bonds of well-established businesses or in Government bonds; such as the fact that large fortunes seek refuge in tax-exempt Government bonds; such as the fact that some of our

largest corporations have not felt the need to go to the capital markets for funds, derived from individuals' savings, for plant expansion, because of the abundance of their own corporate reserves. But, that would make this letter much too long. Suffice it to say that I believe that almost any impartial observer would agree that these are the factors which cause the dealers' headaches and, more important, the shrinkage in the flow of individuals' savings to expansion of industrial plants.

Let us assume the Securities Act were to be repealed tomorrow. I admit that the immediate effect might be a flurry of new issues. But these would be, for the most part, securities of companies which are at present unable or unwilling to meet the standards of truth-telling required by the act or the standards of issuers and underwriters who are unwilling to assume the fair responsibilities for truth which the law wisely imposes. I think you will agree with me that investors are much better off when securities of that type are not offered to them under such conditions. And, over the long run, I feel that material changes in the Securities Act would by no means produce a substantial increase of what you would consider desirable new issues.

Sincerely yours,

JEROME N. FRANK, *Chairman.*

[Here the gavel fell.]

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therein a typical letter with the reply of Jerome N. Frank, Chairman of the Securities and Exchange Commission.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. GEARHART. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in reference to four articles I desire to print in the Appendix. One is to include an address of the Honorable John C. Page, Commissioner of Reclamation, and the other three relate to three short editorials in reference to the Kings Canyon National Park.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

JURISDICTION TO CERTAIN CALIFORNIA LANDS

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and also to extend my remarks and to include therein a certified copy of Joint Resolution 23 of the California Legislature.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I wish to direct attention to House Resolution No. 494, introduced by my colleague the gentleman from California [Mr. SHEPPARD], dealing with the conservation of natural resources and a controversy existing between the Federal Government and the State of California. This is backed up by Resolution No. 23 of the Legislature of the State of California, which protests the proposed attack upon the title of the State of California to its tide, submerged, and overflowed lands. It sets forth that it owns the lands, has jurisdiction over them, has spent its money on their improvement by building structures thereon and dredging and improving its ports and harbors, and in building bulkheads and breakwaters. It sets forth that the title to the land has been sustained by the Supreme Court of California and the Supreme Court of the United States. It sets forth that as a free State it is going to fight for that title and is putting the Congress on notice thereof. [Applause.]

The resolution referred to follows:

Assembly joint resolution protesting the proposed attack upon the title of the State of California to its tide, submerged, and overflowed lands

Whereas more than 90 years ago the State of California, as one of the United States, by virtue of its sovereignty and the act of its admission to the Union, became the owner in perpetual trust for its people of all lands within its boundaries submerged by the waters along its shore, of all lands covered by the ebb and flow of its tides, and of all the lands beneath its navigable streams and lakes; and

Whereas for over 90 years the sovereign State of California has maintained uninterrupted jurisdiction over said lands; and during said years has expended vast sums of moneys of its citizens in building structures thereon, and in dredging and improving its ports and harbors and in building bulkheads and breakwaters therein and thereon, and in doing all and every of the things that a free people find essential to be done to make its sovereign lands available for the beneficial uses of its citizens in commerce, education, and recreation; and in aid of the United States in the exercise of its functions in fishing and navigation, as specified in the Constitution; and

Whereas minerals have been found beneath certain of said lands, and the State of California, in the interest of conservation thereof and for the benefit of its people, has caused said minerals to be produced, thereby obtaining for the State and its people an income exceeding $900,000 per annum, thus lightening the enormous tax burden now resting upon the citizens of California; and

Whereas the title of the sovereign State of California to these lands and privileges over which it has for so long maintained unquestioned jurisdiction and expended so much of the treasure of its citizens, has been sustained by numerous decisions of the Supreme Court of the State of California and by the Supreme Court of the United States in cases in which the principles involved were clearly at issue; and

Whereas certain officials of the Government of the United States have for 2 years or more endeavored and are now endeavoring to obtain the sanction of the President of the United States and of the Congress of the United States for the filing of court proceedings on behalf of the United States against the State of California and those holdings under and subservient to the State of California, with the object of wresting from the State of California, and those holdings under said State, said sovereign rights so long maintained and exercised: Now, therefore, be it

Resolved jointly by the Assembly and the Senate of the State of California, That the Legislature of the State of California protests the said proposal to attack the title of the sovereign State of California in and to said lands, and asserts as a free State within the Union, subject to and under the protection of the Constitution, that it condemns said attempt, and will oppose the same by all lawful means; be it further

Resolved, That the Secretary of State of the State of California shall certify to the passage of this joint resolution and shall forward a certified copy thereof to the President of the United States, to the Vice President of the United States, to the President of the Senate and Speaker of the House of Representatives, to the Secretary of State, to the Secretary of the Navy, and to each of the Members of the United States Senate and House of Representatives representing the State of California or any district thereof in the said Congress.

EXTENSION OF REMARKS

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. VAN ZANDT]?

There was no objection.

Mr. THILL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short editorial and newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. THILL]?

There was no objection.

THE PUBLIC DEBT

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. RICH]?

There was no objection.

Mr. RICH. Mr. Speaker, I understand that the Ways and Means Committee is going to submit a tax bill for $600,000,000 additional for 1940. I would like to know why it is going to submit a tax bill for only $600,000,000 when it will require at lease five and one-half billion dollars to take care of the deficit that will appear next year if we consider the amount of appropriations that the House has already made and the amount the Government will receive from taxation according to the report of receipts to be received as rendered by the Chief Executive. There is going to be a deficit of five and one-half billion dollars. Where are you going to get the money?

The people of this country ought to know that they are going to have to pay the bill for this New Deal spending. Pay the bill for the New Deal squandering of the past 7 long, long, long years. There is no use passing on to the manufacturers a 10-percent increase in taxes. They will pass on to the public the tax. This is not going to fool the people of the country. You have fooled them long enough. What we ought to do is let the people know that they have to pay for the New Deal spending. They will have to dig down in their pockets and pay to Uncle Samuel for the waste, the extravagance, the inefficiency of the past 7 years. Our people will gladly pay for national defense. The people dislike to pay for waste and extravagance.

A manufacturer's tax only fools the people; it is a camouflage of the issue. Let the Ways and Means Committee come here with a real tax bill, one that treats all our people alike and on the ability of our citizens to pay. American people—the cat is out of the bag—from now on you will have to pay for waste and folly. Prepare for taxes, look for taxes, arrange for taxes. Taxes and more taxes are coming. If they do not pay more taxes, we are wrecked. I say, Mr. Speaker, first cut down on this waste and extravagance of the New Deal. If you do, you can save on taxes. Up goes the national debt limit. Watch it proposed by the New Deal.

[Here the gavel fell.]

THE NEW TAX BILL

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. DIRKSEN]?

There was no objection.

Mr. DIRKSEN. Mr. Speaker, the press of May 29 reports the Chairman of the House Committee on Ways and Means as saying that with respect to the proposed tax bill to raise an additional $656,000,000 in revenue that "a great many members of the committee felt that hearings would not be necessary at all because the people will be so patriotic and that the bill itself is simple and that people can easily understand it." Evidently we are in for a slap-dash, make-shift, shotgun tax bill whereas the situation demands a revision of the present tax structure with long-range objectives.

The events in Europe patently indicate that the task before us is to train, prepare, and coordinate a nation for any emergency. It is not a temporary task. The President's request on Congress for funds and the prospect of other requests for large outlays indicates so patently that we must undertake a long-range program. Our thinking must therefore be long range and objective. Shall we then launch this effort with a make-shift tax program which must be revised from time to time and therefore adds doubt and uncertainty to our efforts.

One does not need to be an expert to know that the essentials of a defense program consist of the training of men, the production of materials, munitions, and matériel, and the raising of money. A sound tax structure is an indispensable element to national health even in normal times but even more so as an element in our defense structure.

The suggested program to raise the debt limit and provide a short-range schedule of taxes out of which to amortize defense expenditures not only completely ignores our present enormous deficit but fails to take account of future defense outlays which are certain to come. It ignores every consideration of sound fiscal preparation.

Now is the time for sound tax revision and the establishment of a broad tax basis which will be equal to future demands.

Mr. WHITTINGTON. Mr. Speaker, I make the point of order there is not a quorum present.

The SPEAKER. Will the gentleman withhold that for a moment?

Mr. WHITTINGTON. Yes.

EXTENSION OF REMARKS

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a brief editorial.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. SPRINGER]?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to extend my own remarks by including a statement made by Governor Leahy, of Puerto Rico, on the work of the Puerto Rican Reconstruction Administration and to include excerpts taken from the Baltimore Sun on the trial of a former administrator of the P. R. R. A. and the decision of the jury.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. CRAWFORD]?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a newspaper article in which Matthew Woll tells us something about the hook-up between the C. I. O. and the Communists.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

Mr. HAWKS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a brief editorial by Mark Sullivan on free speech.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. HAWKS]?

There was no objection.

CALL OF THE HOUSE

The SPEAKER. The gentleman from Mississippi [Mr. WHITTINGTON] makes the point of order there is not a quorum present. Evidently there is not a quorum present.

Mr. BOLAND. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll Call No. 134]

Alexander	Englebright	Kilburn	Shafer, Mich.
Allen, La.	Faddis	Kirwan	Sheridan
Ball	Fenton	Kleberg	Short
Bolles	Fish	Lemke	Simpson
Bradley, Pa.	Flaherty	Mansfield	Smith, Ill.
Brewster	Folger	Merritt	Sparkman
Brown, Ohio	Grant, Ala.	Miller	Stearns, N. H.
Buckley, N. Y.	Gross	Myers	Sullivan
Byrne, N. Y.	Hall, Edwin A.	O'Brien	Sweeney
Byron	Harter, Ohio	Osmers	Thomas, N. J.
Camp	Hartley	Pace	Thorkelson
Claypool	Hendricks	Patrick	Tibbott
Coffee, Wash.	Izac	Reece, Tenn.	Vinson, Ga.
Cole, Md.	Jarman	Reed, Ill.	Ward
Corbett	Jeffries	Risk	Whelchel
Culkin	Jenks, N. H.	Rockefeller	White, Idaho
Darrow	Jennings	Rodgers, Pa.	White, Ohio
Disney	Johns	Schaefer, Ill.	Winter
Ditter	Jones, Ohio	Schuetz	Wood
Douglas	Kee	Schwert	

The SPEAKER. Three hundred and fifty-six Members have answered to their names, a quorum.

Further proceedings under the call were dispensed with.

EXTENSION OF REMARKS

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article written by the gentleman from Michigan [Mr. SHAFER] entitled "Local Politics Menace to National Defense." This article appeared in the current issue of the American Mercury Magazine.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CANNON of Florida. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a short newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. D'ALESANDRO. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address by Dr. J. Ben Robinson, of the University of Maryland.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. KRAMER asked and was given permission to extend his own remarks in the RECORD.

Mr. CASEY of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered by the Honorable James A. Farley, Postmaster General.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from a paper published in Sioux Falls, S. Dak.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

WAR DEPARTMENT CIVIL FUNCTIONS APPROPRIATION BILL, 1941

Mr. SNYDER. Mr. Speaker, I call up the conference report on the bill (H. R. 8668) making appropriations for the fiscal year ending June 30, 1941, for civil functions administered by the War Department, and for other purposes, and ask unanimous consent that the statement be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. RANKIN. Reserving the right to object, Mr. Speaker, may I ask the gentleman from Pennsylvania how much time will be allowed for debate?

Mr. SNYDER. I may say to the gentleman from Mississippi that we cannot tell that because there are several amendments in disagreement. I am sure I shall give each and every Member interested sufficient time to speak on any project in which he is interested.

Mr. RANKIN. So the time cannot be fixed.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8668) making appropriations for the fiscal year ending June 30, 1941, for civil functions administered by the War Department, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 1.

That the House recede from its disagreement to the amendments of the Senate numbered 9 and 10; and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$67,365,310"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 3, 4, 5, 6, 7, 8, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, and 22.

J. BUELL SNYDER,
EDWARD T. TAYLOR,
DAVID D. TERRY,
ROSS A. COLLINS,
JOHN H. KERR,
D. LANE POWERS,
ALBERT J. ENGEL,
FRANCIS CASE,
Managers on the part of the House.

ELMER THOMAS,
CARL HAYDEN,
JOHN H. OVERTON,
RICHARD B. RUSSELL,
MORRIS SHEPPARD,
STYLES BRIDGES,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8668) making appropriations for the fiscal year ending June 30, 1941, for civil functions administered by the War Department, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

On amendment No. 1: Strikes out the appropriation of $25,000, proposed by the Senate, for the erection of a public historical museum in Custer Battlefield National Cemetery, Mont.

On amendment No. 2: Appropriates $67,365,310 for rivers and harbors, instead of $66,721,510, as proposed by the House, and $68,009,110, as proposed by the Senate.

On amendments Nos. 9 and 10: Relating to the power plant at Bonneville Dam, Columbia River, Oreg., appropriates $3,400,000, as proposed by the Senate, instead of $800,000, as proposed by the House, and strikes out, as proposed by the Senate, the limitation providing against the use of any of the appropriation on account of electrical power units in excess of six.

Amendments in disagreement

The committee of conference report in disagreement the following amendments of the Senate:

Amendments Nos. 3, 4, 5, 6, 7, 8, and 11, relating to a number of flood-control projects.

Amendment No. 12, relating to mapping in strategic areas.

Amendments Nos. 13, 14, 15, 16, 17, 18, 19, and 20, relating to the construction of an additional set of locks in the Panama Canal Zone.

Amendments Nos. 21 and 22, relating to the employment of aliens in the Panama Canal Zone.

J. BUELL SNYDER,
EDWARD T. TAYLOR,
DAVID D. TERRY,
ROSS A. COLLINS,
JOHN H. KERR,
D. LANE POWERS,
ALBERT J. ENGEL,
FRANCIS CASE,
Managers on the part of the House.

Mr. SNYDER. Mr. Speaker, I move the previous question on the conference report.

Mr. NICHOLS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. NICHOLS. Does the chairman of the committee moving the previous question at this time close all debate on the conference report?

The SPEAKER. On the conference report, but not on the amendments in disagreement.

Mr. NICHOLS. In other words, the amendments will be considered by the House?

The SPEAKER. The amendments in disagreement will be open for consideration.

The question is on ordering the previous question.

The previous question was ordered.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Amendment No. 3: Page 9, line 12, after "Engineers" insert the following: "*Provided further*, That the additional sum of $28,000,000 is hereby authorized to be appropriated for continuing construction of the comprehensive plan for flood control and other purposes in the Arkansas River Basin as authorized in the Flood Control Act approved June 28, 1938: *Provided further*, That the additional sum of $13,000,000 is hereby authorized to be appropriated for continuing construction of the comprehensive plan for flood control and other purposes in the White River Basin as authorized in the Flood Control Act approved June 28, 1938."

Mr. SNYDER. Mr. Speaker, I move that the House insist upon its disagreement to the amendment of the Senate numbered 3.

Mr. NICHOLS. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

Mr. NICHOLS moves that the House recede and concur in Senate amendment No. 3.

Mr. SNYDER. Mr. Speaker, I think all the Members will want to listen to the statement I am about to make, because it applies to a number of these amendments that were added by the Senate, and it will give you the reason why the conferees on the part of the House brought back the amendments in disagreement.

Mr. Speaker, the Flood Control Act of June 28, 1938, authorized an appropriation of $21,000,000 for the Arkansas River Basin project. This amendment proposes to increase that amount by $28,000,000. Likewise, the act I have cited authorized an appropriation of $25,000,000 for the White River Basin flood-control project, and this amendment seeks to increase that amount by $13,000,000.

In other words, this is a legislative proposition designed to amend a prior legislative act. It singles out two projects and places them in a preferred status over a very great many others authorized in the 1938 Flood Control Act, some of which have not been started and many of which also need to have their cost limits raised.

There are a number of amendments following this one, all of a legislative character and all singling out certain projects for preferential treatment. They all may be meritorious, and your committee is not expressing itself upon that; but I submit that they are matters under the cognizance of the Flood Control Committee and have no place in this bill. There is not a bit of fairness to those of you who have equally meritorious projects to short cut in this manner a handful of other projects to a preferred status.

That expresses the reaction of the House conferees to the amendment under consideration and to the others to follow in the same category. We are in agreement, therefore, to treat them all alike and to ask the House to insist upon its disagreement.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. SNYDER. Mr. Speaker, I move the previous question.

Mr. NICHOLS. Oh, Mr. Speaker——

Mr. SNYDER. I withdraw that, Mr. Speaker, and yield to the gentleman from Michigan.

Mr. MICHENER. What I was going to ask was that in view of the President's attitude in connection with the rivers and harbors bill, where he suggested we should have only the necessary things now, does the gentleman feel if these additional amounts were authorized or appropriated there would be any hope of the President signing the bill, if he is consistent?

Mr. SNYDER. I would say to the gentleman that I could not answer that. I know that one or two of these projects which we have reported in disagreement were at one time in the bill that the President refused to sign some days ago.

Mr. JENKINS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. SNYDER. I yield.

Mr. JENKINS of Ohio. I would like to ask the gentleman a question, and I do not believe the gentleman ought to leave this very important amendment in such a hurry, because it involves, as I read it, $28,000,000 and $13,000,000.

Mr. SNYDER. That is right.

Mr. JENKINS of Ohio. Am I right in concluding that this amendment increases the appropriation by $28,000,000 plus $13,000,000?

Mr. SNYDER. No——

Mr. NICHOLS. It does not increase the appropriation at all.

Mr. SNYDER. It involves an additional $41,000,000.

Mr. NICHOLS. Not the appropriation.

Mr. SNYDER. The authorization; it increases prior authorization by $41,000,000.

Mr. JENKINS of Ohio. Here is what I want to bring out: The gentleman stated that by this amendment we are asked to prefer some certain communities. How is that preference shown? Does the gentleman mean that these items are not included in the regular flood-control authorization act, or are they included in that act and they are asking this in order to gain time in getting an appropriation to meet the authorization?

Mr. SNYDER. No; I did not say they were not included.

Mr. JENKINS of Ohio. I wish the gentleman would explain that, because I want to understand it.

Mr. SNYDER. If you will let me talk, I will explain that. The Senate put this in. The Army engineers have what they call their preferential or first priority list. The Senate picked out, not first, second, and third, but they just went somewhere and picked out these two projects. They may have been fifth or fifty-fifth, I do not know, and they put them in here.

Mr. JENKINS of Ohio. Do they give any special reason why they should be included over the others?

Mr. SNYDER. The Senate?

Mr. JENKINS of Ohio. Yes.

Mr. SNYDER. I assume those responsible for the amendment felt the projects merited special consideration.

Mr. JENKINS of Ohio. Did they give any reasons why these projects should be put in this authorization and not wait for the regular authorization?

Mr. SNYDER. The Senate, I assume, thought they were the most important, or they would not have put them in.

Mr. JENKINS of Ohio. Is that their only reason?

Mr. SNYDER. That is the only reason I know of.

Mr. FERGUSON. Mr. Speaker, will the gentleman yield?

Mr. SNYDER. I yield.

Mr. FERGUSON. This increased appropriation simply raises the ceiling on the amount allowed to be appropriated to build authorized projects, projects that are now authorized in the Flood Control Act of 1938; is that correct?

Mr. SNYDER. It would let them spend $41,000,000 more than they are now authorized to spend.

Mr. FERGUSON. But on the projects now authorized by law under the Flood Control Act of 1938?

Mr. SNYDER. Yes; on two projects.

Mr. FERGUSON. Oh, if the gentleman will yield, this is for the whole Arkansas and White River Basins, and there are 10 projects in the Arkansas Basin. There are 10 projects in the Arkansas and White River Basins; not a single project in each basin.

Mr. SNYDER. I speak of them as one project.

Mr. FERGUSON. Absolutely not.

Mr. KELLER. Mr. Speaker, will the gentleman yield?

Mr. SNYDER. I yield to the gentleman from Illinois.

Mr. KELLER. I just want to ask if we vote for this Senate amendment, then we take out actually for this year any possible appropriation recommended by the Flood Control Committee, as I understand it?

Mr. SNYDER. I do not know.

Mr. KELLER. That is what it means exactly, and we ought to understand that perfectly well. If we vote for this, we tie the hands of the Flood Control Committee on all the other projects in the United States, and that is not fair.

Mr. NICHOLS. And it is not fair for the gentleman to say that.

Mr. VOORHIS of California. Mr. Speaker, will the gentleman yield?

Mr. SNYDER. Yes.

Mr. VOORHIS of California. I am deeply interested in these projects, but I ask the gentleman what logical reason there is for including an authorization for these projects in an appropriation bill, if we do not include an authorization for all of the flood-control projects.

Mr. SNYDER. Mr. Speaker, the answer to that is this: That is the reason your committee has brought this back in disagreement. There is no logical reason at all for this amendment, none whatsoever, as we conceive.

Mr. FITZPATRICK. Mr. Speaker, will the gentleman yield?

Mr. SNYDER. Yes.

Mr. FITZPATRICK. Assuming that we agree to the Senate amendment, it does not increase the appropriation whatever, but it will be necessary if we agree to it for the Committee on Appropriations afterward to appropriate the money to carry out the project. Is not that true?

Mr. SNYDER. Let me make this statement.

Mr. FITZPATRICK. Is not that correct?

Mr. SNYDER. There are 370 authorized projects.

Mr. FITZPATRICK. Will the gentleman kindly answer my question?

Mr. SNYDER. I intend to. There are three-hundred-and-seventy-odd authorized projects. There may be 350 of them which will need to have their authorizations increased before they are completed. This singles out just 2 of the whole number for preferential treatment.

Mr. FITZPATRICK. But it will be necessary for the Committee on Appropriations to appropriate the money before they can go ahead with the projects.

Mr. SNYDER. That is true, of course.

Mr. FITZPATRICK. This is only an authorization.

Mr. SNYDER. Yes; this $41,000,000 extra is an authorization.

Mr. Speaker, I yield 5 minutes to the gentleman from Oklahoma [Mr. NICHOLS].

Mr. NICHOLS. Mr. Speaker, I think we should get ourselves straightened out on this thing. I know that the chairman of this subcommittee and the chairman of these conferees wants to be fair, but he does not understand this thing exactly. In his closing statement just now he said that the Clerk had just handed him a list of 370 projects, and he then said that this proposition under consideration is only one of the 370 projects. That just is not even a close approach to being right. There are 10 projects in the Arkansas Basin, and they are a part of the 370. There are 6 on the White River, which is included here, so that this embraces 16 of the 370 projects.

Mr. SNYDER. Then that would put 10 of these projects on the preferential list, and then next year the appropriations would be made for this preferential list, and these other boys would still be at the foot of the ladder.

Mr. NICHOLS. Oh, no. The gentleman is wrong again. I do not know what he means by preferential. Here exactly is the situation: The Flood Control Authorization Act of 1938, House Document No. 1 of the Seventy-fifth Congress, second session, was passed by this body and approved by another body. Included in House Document No. 1 were all of the 16 projects on the Arkansas and the White Rivers. To construct those projects would have cost considerably over $100,000,000.

Understand they were authorized, and they are now authorized, but to construct them it would have taken an expenditure of considerably over $100,000,000. In the Flood Control Act of 1938 there was a ceiling placed over the Arkansas River Basin projects, which provided that $21,000,000 only could be expended in the construction of those projects, so that with $100,000,000 and over of authorization, they could expend only $21,000,000, and that is true in practically every river basin in the United States. What this does, and all it does, is to raise that $21,000,000 ceiling, which is over the Arkansas Basin, by $28,000,000. That does not mean the expenditure of any more money. The projects are already authorized. It simply fixes it so that if within the judgment of the Corps of Army Engineers further work should be done in this basin, they can do the work, and I disagree with the gentleman from Pennsylvania [Mr. SNYDER] again when he says that this gives these projects a preferred status. Nothing of the kind.

The Congress has no power, or at least it never has exercised the power of telling the Corps of Army Engineers where and when they shall expend money on particular projects.

Mr. KELLER. Mr. Speaker, will the gentleman yield?

Mr. NICHOLS. In just a moment. The Chairman stated it very well in reply to one of my colleagues from the left side of the aisle, when he asked why did the Senate put the amendment in on these projects that are in this bill.

The chairman very properly said, "Why? Because the Senate thought they were the most important." That is a good answer, and is it not sound? What is the matter with it? Certainly that is the answer—Army engineers' preference. Certainly the Army engineers are the only ones who can do anything with this. But if they determined that 1 of these 16 projects, either on the White or the Arkansas Rivers, was the most important project in the United States to flood control tomorrow, they could not spend a nickel on it because of this $21,000,000 limitation over the Arkansas Basin.

[Here the gavel fell.]

Mr. SNYDER. Mr. Speaker, I yield 2 additional minutes to the gentleman from Oklahoma.

Mr. KELLER. Mr. Speaker, will the gentleman yield?

Mr. NICHOLS. I yield.

Mr. KELLER. Will the gentleman agree that all these other projects shall be added to the 16 he is talking about? Will he agree to such an amendment?

Mr. NICHOLS. The gentleman does not understand. Let me say to my friend from Illinois that there are seven or eight amendments to this bill. This is not the only one. These amendments are being considered separately. They apply I think to seven or eight different States where similar situations exist.

Mr. KELLER. Why not include all of the recommendations of the Flood Control Committee instead of 16?

Mr. NICHOLS. It is perfectly agreeable to me, and it is a perfectly safe procedure, because the money cannot be spent until the Army engineers say it shall be spent, and it is within their control to spend it.

Mr. FERGUSON. Mr. Speaker, will the gentleman yield?

Mr. NICHOLS. I yield.

Mr. FERGUSON. I would like to read to the gentleman from the act of 1938. The authorization is for a general comprehensive plan for flood control as set out in the document referred to. The Senate amendment merely raises the limitation of $21,000,000 to allow them to proceed with authorized projects set out in the document.

Mr. NICHOLS. That is right.

Mr. FERGUSON. And I call the gentleman's attention to the fact that the language of the Senate bill raising the authorization is almost exactly similar to that in the flood-control bill reported by the Flood Control Committee.

Mr. NICHOLS. The gentleman is correct, and I thank him for his contribution.

[Here the gavel fell.]

Mr. SNYDER. Mr. Speaker, the gentleman from Oklahoma would leave the impression that this particular flood-control item was the only one that had a ceiling. Every one of them has a ceiling, and I want to leave with the Members of the House the thought that your committee is just trying to defend each and every Member of the House who is interested in flood control in order that no one item put in by the Senate will discriminate against any individual here in the House. We have not any personal feeling about a lot of these items, but we are just trying to defend the individual Members of the House.

Mr. Speaker, I yield 5 minutes to the gentleman from Arkansas [Mr. TERRY], a member of the committee.

Mr. TERRY. Mr. Speaker, in 1938 Congress passed a general, comprehensive flood-control bill which gave authorization to construct a large number of projects that had been examined by the Army engineers and which were located in various parts of the country—projects the engineers considered would best give flood-control protection to the entire country. In Report No. 308 the Army engineers included, among others, projects which affected the Arkansas Valley, extending from Colorado east to the Mississippi River.

After considerable study, General Markham made a report to the chairman of the Flood Control Committee in May 1935, wherein, in speaking about reservoirs that would best protect the area and control floods on the Mississippi, he listed 151 reservoirs, and said:

> The most effective reservoirs of the system so far as the control of floods on the Mississippi is concerned is the group of 13 on the Arkansas River and 13 on the White River.

The estimated cost of these 26 projects is $126,719,000. Based on that authorization, Congress appropriated for the Arkansas Valley control program $21,000,000. This concerns the entire Arkansas River Valley, but not one of the reservoirs affected by the authorization in the present bill is in my district or even in my State. The only way my State or district will benefit by this authorization will be through the control of floods in Oklahoma and to the west of Arkansas. But I am vitally interested in seeing that the 5-year flood-control plan that was authorized by the Congress in 1938 is carried out from year to year as we go ahead with the 5-year flood-control program. The $21,000,000 referred to was for the whole Arkansas Valley—not 1 project, but 13 or 15 projects on the Arkansas River. The Arkansas River rises in Colorado and pursues a course of 1,500 miles before it empties into the Mississippi River in the State of Arkansas.

I feel about this flood-control program that we should carry out the 5-year plan that Congress in its wisdom adopted. We have been doing that. The Congress has authorized and we have appropriated money for reservoirs in various parts of

the country. I feel that we should not curtail altogether the flood-control program of this country. [Applause.]

[Here the gavel fell.]

Mr. SNYDER. Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi [Mr. COLLINS].

Mr. COLLINS. Mr. Speaker, this is a very simple proposition. The Flood Control Act of June 28, 1938, authorized approximately 370 projects and set a limit of expenditure on each and every one of them.

The amendment added to this bill by the Senate undertakes to change the authorization limit as to the Arkansas River from $21,000,000 to $49,000,000. In other words, it undertakes to increase the authorization by $28,000,000.

As to the White River, the authorization in the Flood Control Act was $25,000,000. The Senate proposes to increase that by $13,000,000. This means that when the Engineering Corps of the Army begins to spend money on these projects it is authorized to spend that much more money, or a total of $41,000,000 more than they are now authorized to spend. Each and every one of you who have flood-control projects in your congressional districts, States, or sections will have part of the funds that would otherwise be expended on these projects taken away from them and diverted to these two rivers.

Mr. H. CARL ANDERSEN. Will the gentleman yield?

Mr. COLLINS. I yield to the gentleman from Minnesota.

Mr. H. CARL ANDERSEN. Can the gentleman tell me just why there should be a Flood Control Committee of the House if such amendments as this are to be adopted?

Mr. COLLINS. I agree with the gentleman that the Appropriations Committee should not make appropriations for these objects unless authorized by proper committees. We find ourselves today as members of the Appropriations Committee trying to protect the legislative committees of this House, and I appeal to each and every one of you to stand by us in that endeavor.

Mr. GEYER of California. Will the gentleman yield?

Mr. COLLINS. I yield to the gentleman from California.

Mr. GEYER of California. I have been trying very hard to get something done for the Compton Creek project in my district. The Army engineers have now O. K.'d it. Can the gentleman tell me what this thing will do for my project? I do not want to be a dog in the manger, but I would like to know.

Mr. COLLINS. This is bound to take away some of the funds you would otherwise get.

Mr. WHITTINGTON. Will the gentleman yield?

Mr. COLLINS. I yield to the gentleman from Mississippi.

Mr. WHITTINGTON. In response to the suggestion that this is nothing more than an authorization, is it not true that all flood-control and all rivers-and-harbors legislation is nothing more than an authorization but it is a prerequisite that has to be followed by appropriations?

Mr. COLLINS. Absolutely.

Mr. SANDAGER. Will the gentleman yield?

Mr. COLLINS. I yield to the gentleman from Rhode Island.

Mr. SANDAGER. The gentleman says that these two projects will be increased to the extent of $41,000,000 at the expense of other flood-control projects. The gentleman does not expect that men who have projects in their districts are going to take this idly? Will this not mean in the long run the increase will be $41,000,000?

Mr. COLLINS. The increase in authorizations for these two flood-control projects will be $41,000,000.

[Here the gavel fell.]

Mr. SNYDER. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. ENGEL].

Mr. ENGEL. Mr. Speaker, this amendment would increase the authorizations for flood control by $41,000,000. I have always taken the position—and I have tried to be consistent—that the Appropriations Committee should not authorize projects. This is a beautiful illustration of how not to legislate.

If you will examine the hearings before the Senate committee which placed these projects into the bill, you will find 16 lines of testimony on page 85, including the questions of the Senators, devoted to this project; on page 257, 1 line; and on page 258, 23 lines; in other words, 41 lines of testimony appears in the Senate hearings to justify an authorization of $41,000,000—one line of testimony for every million dollars of authorization.

Mr. Speaker, these projects should go to the Flood Control Committee headed by its able chairman the gentleman from Mississippi [Mr. WHITTINGTON], where proper hearings can be held.

The President, in vetoing the rivers and harbors bill, gave two reasons. First, that an additional authorization would create a backlog. He stated that after this year's appropriations for rivers and harbors, there was still authorized $132,000,000 not appropriated for. According to the testimony by General Schley before the House committee, page 134 of the hearings held before the subcommittee of the Appropriations Committee, there are 377 projects now authorized, aggregating $692,291,000. If the rivers and harbors authorization bill would have created a backlog with authorizations of $132,000,000, what about the Senate flood-control projects, in the face of the $692,000,000 flood-control projects already authorized and not appropriated for?

I placed into the RECORD a statement a few weeks ago showing that in 1939 the amount of money turned back to the States in direct and in indirect aid, plus the interest on the national debt that year, exceeded the net revenues of the Nation by $200,000,000. In view of the present emergency, in view of the national-defense program, and another billion dollars' Budget item coming to the Congress, I call your attention to the President's final statement in vetoing the Rivers and Harbors bill when he said:

> Regardless of every other consideration, it seems to me that the nonmilitary activities of the War Department should give way at this time to the need for military preparedness.

Mr. Speaker, that statement in itself ought to be an adequate reason for not increasing the authorizations in this bill one dollar. [Applause.]

[Here the gavel fell.]

Mr. SNYDER. Mr. Speaker, I yield 5 minutes to the gentleman from Arkansas [Mr. ELLIS].

Mr. ELLIS. Mr. Speaker, let us be fair about this thing. I know that the gentleman from Mississippi [Mr. COLLINS], whom I admire very much, did not mean to misstate the facts. In answer to a question here whether any project authorized in this bill would take away from other projects, he said it would, which might be true with regard to one project in this bill, but it most certainly is not true with regard to amendment No. 3, because, as the gentleman from Mississippi [Mr. WHITTINGTON] will tell you, and as the gentleman from Pennsylvania [Mr. SNYDER] will tell you, this is merely an authorization for future appropriations, and that is all. Not one penny of the money appropriated in this bill can be used on this particular item.

As to the statement that over in the Senate they put in an authorization of $1,000,000 per line of hearing, may I say that this item is exactly the same as approved by the Flood Control Committee. That is where the Senate got it. They took it out of the hearings and out of the decision and out of the bill of the Flood Control Committee. The $13,000,000 item here, with regard to the White River in Arkansas, is identical with the bill.

Let me call your attention to the situation that exists in my State of Arkansas. We have been voting funds to help your projects in other parts of this Nation, but never yet has there been a foot of dirt turned on the White River in Arkansas, in spite of the fact that in that record flood of 1927, as is true in all the floods, that river contributed one-fifth; 1 cubic foot of water with every 4 of the Mississippi. In that major flood, 440,000 cubic feet of water per second was going out of the White River at its confluence with the Mississippi, but never yet has anything been done about flood

control on the White River except that in 1938 you authorized six projects and left us in this situation. You put a ceiling of $25,000,000 on those six projects. The Army engineers have already made plans to start one project at Clearwater, in the district of the gentleman from Missouri [Mr. ZIMMERMAN], on the Black Fork of the White River in Missouri. This will cost $9,000,000. They are ready now to begin the construction of the North Fork Dam in my district that will cost $16,000,000 for flood control only. But the engineers have said in their revised plan that the dam should be constructed as a dual-purpose project.

They are ready to start. The designs are drawn. If they start to build the project now, they will, of course, build it for power also as far as they go, but the ceiling is too low to complete it to full height. It would be far better if they were given this increase now in order that they can know definitely what to expect of us. They do not want to do that. It will not cost a penny more to put it in now.

As far as we are concerned, that is the issue. That is why we are vitally interested now, and that is why we should know this month, because we people in the Ozark Mountain country, where we have not a ton of coal, where we have not a barrel of oil and not a foot of gas—no power at all—although we have vast untapped deposits of lead, zinc, and manganese, which are so vital to national defense, need this power, and the development of these resources is all dependent upon cheap power.

Mr. TERRY. Mr. Speaker, will the gentleman yield?

Mr. ELLIS. I yield to my colleague from Arkansas.

Mr. TERRY. I was going to call the attention of the gentleman to the national-defense feature of this project. I am glad the gentleman is going into it.

Mr. ELLIS. That is right. Senator MILLER and I went to the President on this North Fork project, and he agreed with us that especially in view of the fact that it is located right in the center of this lead, zinc, and manganese region, extending through the south part of the Ozark range, it should be developed and developed quickly, particularly because of the power feature of the item. I hope you retain this amendment in the bill.

Mr. LEWIS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. ELLIS. I yield to the gentleman from Ohio.

Mr. LEWIS of Ohio. What the gentleman is concerned about, then, and the purpose of Senate amendment No. 3, is to allow you to develop power down in the Ozark Mountains, and this is not a flood-control proposition at all. Is not that true?

Mr. ELLIS. No; that is not true. The gentleman was on the committee.

Mr. LEWIS of Ohio. That is right.

Mr. ELLIS. The gentleman heard the hearings and the gentleman heard the testimony that we suffer an annual direct flood-control loss of $2,500,000 on the White River alone in Arkansas.

[Here the gavel fell.]

Mr. SNYDER. Mr. Speaker, I yield 2 minutes to the gentleman from South Dakota [Mr. CASE], a member of the committee.

Mr. CASE of South Dakota. Mr. Speaker, the arguments that were advanced by the last speaker might all be arguments for the passage of a flood-control authorization bill, but the very thing that he stated when he said that the Senate had reached into the flood-control bill and picked this item out proves the contention that it is an attempt to give preferential status to a particular set of projects; and that is a thing which must be refused by the House at this session if you are going to protect the integrity of flood-control legislation and the integrity of the flood-control program.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. CASE of South Dakota. I yield to the gentleman from Kentucky.

Mr. MAY. I believe that, as a matter of fact, since under the Flood Control Act we give the Secretary of War power to determine the question of priorities because he is more capable of doing it with his engineers than anybody else, this is simply an earmarking for this particular community.

Mr. JENKINS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. CASE of South Dakota. I yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. In line with what the gentleman from Kentucky said, we all recognize that the Army engineers have a preferred list. This preferred list will be modified just as sure as we are here if we adopt this Senate amendment, because they will say, "Well, the Congress has spoken."

Mr. CASE of South Dakota. Yes; that is the big question at issue in this particular proposition.

[Here the gavel fell.]

Mr. SNYDER. Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi [Mr. WHITTINGTON].

Mr. WHITTINGTON. Mr. Speaker, I am interested in flood control as I am interested in no other subject. Congress adopted a national policy in 1936. We authorized appropriations for $300,000,000. This policy was extended and enlarged in 1938, and we authorized projects in the Arkansas, the White, and the other regions of the United States, aggregating $375,000,000. It is the province of the legislative Committee on Flood Control, as it is the province of the Committee on Rivers and Harbors, to recommend for adoption by the Congress projects for which appropriations should be made.

Standing as I do now, and as I have stood for 15 years as a Member of this body, Mr. Speaker, for a policy of national flood control, I oppose the amendments inserted in this bill on the floor of the Senate, and I say advisedly on the floor, because they were inserted after having been rejected by the Committee on Appropriations of the Senate of the United States, for it is a blow aimed at the very heart and integrity of the policy of national flood control that we have adopted and that we have supported for the past 4 years. [Applause.]

Now, let us consider the matter. I should like to remind you that until about 3 years ago river and harbor and flood-control appropriations were a part of the appropriations for the Military Establishment of the Government. They have been separated. This bill carries with it appropriations of $100,000,000 for flood control and some $65,000,000 for rivers and harbors, a total of $165,000,000, and these projects cover all parts of our common country. The President of the United States just a few days ago vetoed an authorization bill for $123,000,000 for rivers and harbors. I call upon you, the friends and advocates of rivers and harbors and flood control, to oppose these amendments because if we adopt Senate amendments and insert on an appropriation bill authorizations for $98,121,000 merely because some Senator rose in his place and said, "Mr. President, I offer the following amendment on my own responsibility," I tell you that flood control and the protection of the lives and properties of the people of our country are doomed insofar as legislation is concerned. [Applause.] We might as well be frank about the matter.

Mr. NICHOLS. Mr. Speaker, will the gentleman yield?

Mr. WHITTINGTON. I will be glad to yield in just a moment, but let me complete my statement first.

This particular amendment carries with it an authorization of $41,000,000 that will provide for some three, and not over four, reservoirs on the Arkansas and on the White Rivers, and it is in substantially the exact language of the authorization bill reported to the House by the Committee on Flood Control. In other words, you have lifted these two rivers out of that bill and given them priority over projects where we leave the priority to the Chief of Engineers of the United States Army in order that he might determine priority as the exigencies might arise from year to year.

Now, Mr. Speaker, this amendment involves an authorization of $41,000,000. The following amendment in the Connecticut River Basin involves an authorization of $6,000,000, and there is an amendment inserted on the floor of the Senate, a flood-control, navigation, and a power project under

consideration in this bill involving an authorization of $28,000,000. So the total authorizations inserted on the floor of the Senate, without consideration by a committee and without hearings, aggregate, as I say, substantially $100,000,000.

[Here the gavel fell.]

Mr. SNYDER. Mr. Speaker, I yield the gentleman 5 additional minutes.

Mr. WHITTINGTON. Now, Mr. Speaker, the Committee on Flood Control has been diligent. We conducted exhaustive hearings. On the 7th day of May we reported a bill, and that bill carries with it authorizations of $191,000,000. Is it not fair and is it not just to give priority to the projects embraced in the amendments? All projects should first be authorized after consideration and reports by proper legislative committees.

Let me remind you at this time that the bill that the House Flood Control Committee has reported carries only $191,000,000 of authorizations. These Senate amendments aggregate, in the pending appropriation bill I repeat to emphasize, about $100,000,000.

Much has been said about a veto. I submit that a bill reported by the Committee on Flood Control which provides not only for the Arkansas, not only for the White, but for the Brazos River, but for the Colorado River in Texas, but for the San Gabriel, but for the Santa Ana River, the Sacramento River, the Kings River, the Willamette River, and the rivers of New England and the Atlantic seaboard, carrying appropriations aggregating $191,000,000, should be considered, and your committee has done its dead, level best, because we have gone before the Rules Committee and have contacted the leadership for a hearing. These projects are provided for in a better way, in the flood-control bill reported.

I now yield to the gentleman from Oklahoma.

Mr. NICHOLS. I wanted to ask the gentleman if he had any assurance that we are not going to get an opportunity to vote on an authorization bill for flood control this year in the House.

Mr. WHITTINGTON. I say that so far as the assurance is concerned, my thought is that you would endanger the appropriations already made for flood control in this bill, if you put in the authorizations, for $100,000,000, because the President has already vetoed authorizations for $123,000,000 for rivers and harbors. My judgment is that you would hinder and delay.

Mr. NICHOLS. The gentleman has not answered the question.

Mr. WHITTINGTON. I have received no assurance that the flood bill reported will be considered, but if all Members cooperate I am still hopeful. The gentleman himself came before the Committee on Flood Control and advocated two reservoirs on the Arkansas River. They could not be considered under the amendment that we are voting on now, and in our bill, the committee provided that those two reservoirs might be considered. The very reservoirs that the gentleman advocated cannot be considered if this Senate amendment is adopted.

Mr. NICHOLS. That is right. The reservoirs in whose behalf I appeared could not be considered under this, but I ask the gentleman if every reservoir on the White and the Arkansas Rivers that would be affected by this has not received authorization from the gentleman's own subcommittee?

Mr. WHITTINGTON. They have, and I would say that they are not alone. The way the Flood Control Committee authorizes the construction of reservoirs is to select and approve on the recommendation of the Chief of Engineers, say, 40 or 50 reservoirs, say, on the Ohio River in the heart of the greatest industrial empire in the United States, along whose banks there are munition factories and gun factories from which, within authorizations, the Chief of Engineers selects the projects in the order of their priority.

If this Senate amendment is adopted, you would disregard the recommendations of your Committee on Flood Control, and eliminate those emergency projects that protect Pittsburgh and Huntington and other centers, including munition centers. Something has been said about the manufacture of airplanes. I am in sympathy with the project for the protection of Hartford, Conn., and we have agreed in our bill on flood control, reported to this House, on provisions not only for Hartford, but for Los Angeles, Calif., where they have a population of two million and more, and where we have the largest airplane manufactories in the United States.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. WHITTINGTON. I yield to my colleague, the gentleman from Kentucky [Mr. MAY].

Mr. MAY. I wonder if there is not something more important still involved in this legislative procedure than the mere fact that a Senator personally makes the recommendation, whether they are not usurping the functions of the Flood Control Committee.

Mr. WHITTINGTON. The gentleman has asked a fair question. Authorizations have been the province of the Committee on Flood Control. I have been chairman of that committee for some time. The Committee on Flood Control has not reported, and there is not contained in the report now submitted to this body, a single project on which there has not been a favorable report by the Chief of Engineers, on which exhaustive hearings have not been conducted, and as long as I am chairman of that committee it will continue to be my policy never to ask the Congress of the United States to appropriate a dollar for a single project until that project has, first of all, been approved, not only by the committee, not only by the Chief of Engineers, but by the House and by the committee of the Senate, and signed by the President of the United States. Otherwise we cannot preserve the integrity of our legislative and appropriation system. [Applause.] Let me remind you that if this policy of Senate amendment is adopted it means the doom of all legislation. We do not need any legislation to provide for national defense if we authorize the appropriations be made in the first place. We do not need any legislation for our Air Force, for our Army and Navy, if we are to appropriate at one stroke here by initiating and adopting the policy here proposed of putting legislation in another body on an appropriation bill.

Let me say this before I conclude. The situation is this. The committee having this matter in charge insists on a disagreement to the Senate amendment.

Mr. SNYDER. That is correct.

Mr. WHITTINGTON. A preferential prior motion has been made by the gentleman from Oklahoma, within his rights, and that motion is to recede and concur. I urge the membership of this body, in accordance with the policy that has obtained in river and harbor legislation for 115 years and in flood-control legislation for 75 years, to insist on authorizations duly considered, reported, and adopted, and that that policy be maintained by voting down the motion to recede and concur. Then the vote will recur on the motion of the chairman of this subcommittee, the gentleman from Pennsylvania [Mr. SNYDER] to further insist on the disagreement of the House to the Senate amendment.

As stated and in revising, I advocate additional authorizations for the Arkansas River and for the White River. I favor additional authorizations for Hartford and for East Hartford, and for Springfield, West Springfield, Chicopee, Holyoke, and Northampton, Mass. I favor an additional authorization for the Sacramento River.

The Committee on Flood Control has provided adequate authorizations for all of these projects. They are contained in the bill for flood control reported by the committee to the House on May 7, 1940.

The statement is often made that a bill should be passed because it is simply an authorization. Such a policy should not obtain. Authorizations should not be adopted unless Congress means to follow them up with appropriations. No authorization should be adopted unless the flood-control project has been recommended by the Chief of Engineers and carefully considered by the Flood Control Committee

of the House and the Commerce Committee of the Senate, and approved by both the Senate and House, and by the President of the United States.

It is said that the Connecticut River projects and the Prattsville project are emergency projects. I am in accord with the statement, but there are other emergency projects; in fact, the general policy of the Committee on Flood Control is to include priority projects. If the pending Senate amendments are adopted, a discrimination would be made against other important projects. Hereafter Members will be relieved of the necessity of securing favorable consideration at the hands of a legislative committee. It would only be necessary, in an appropriation bill, for the Senator from the State in which the project is located to propose an authorization for the project from the floor, without a favorable report by the Commerce Committee of the Senate and without any consideration whatsoever by the Flood Control Committee of the House.

I express no opinion respecting the Savannah River and Clark Hill Reservoir. No hearings on this project have been conducted by the Flood Control Committee of the House. I am familiar with the report. There is flood control involved, but navigation and power are also involved. The amendment is inserted under the paragraph dealing with Fort Peck and with Bonneville. These two projects have been considered by the Committee on Rivers and Harbors. I assume it was the intention of the author to have the Savannah River and Clark Hill project considered as a river and harbor project. I may say, with respect to this project, that it is an authorization on an appropriation bill, and it is an authorization that has not been reported by the legislative committee having jurisdiction, and has not been adopted by the House of Representatives. All river and harbor projects should take the same course. All flood-control projects should take the same course. Appropriations should be preceded by authorizations, as contemplated by law. The country and the Congress are entitled to hearings so that the projects may be fully and completely considered.

Senate amendments authorizing projects on an appropriation bill is a blow at our legislative and appropriating system. If substantially $100,000,000 can be authorized by legislation on an appropriation bill, the functions of the legislative committees might as well be abolished.

In 1938 Congress adopted a comprehensive bill for flood control. Generous provision was made for reservoirs along the Connecticut and Merrimack Rivers in New England, along the Ohio River, the upper Mississippi, the Missouri, the White, the Arkansas, the Red, and the Willamette Rivers. The Chief of Engineers selected appropriate reservoirs along each of the rivers. They were approved by the committee and by the Congress. Authorization for constructing all of them were inadvisable. The Flood Control Act of 1938, therefore, authorized appropriations in the amounts named for the construction of reservoir projects and vested in the Chief of Engineers the priority and selection of these projects.

The Flood Control Committee during the present session conducted exhaustive hearings. All witnesses requesting a hearing were heard. All projects submitted were considered. If the Senate amendments are adopted, it means that projects along the Hudson River, along Lake Champlain, along the Susquehanna, along the Alabama-Coosa, the Colorado River in Texas, the Brazos River in Texas, the lower Mississippi River, and the Red-Ouachita River will not be considered. They will be discriminated against. If the Senate amendments are adopted, additional reservoirs may be constructed along the White and Arkansas Rivers, but additional reservoirs may not be constructed along the Ohio, the Missouri, the Santa Ana, the San Gabriel or the Willamette Rivers.

The Committee on Flood Control has not only appeared before the Rules Committee and asked for a rule at the present session, but it has urged that the leadership of the House give the bill an opportunity to be considered on the floor of the House.

There is no emergency and there is no occasion for ignoring the time-honored precedent by including the pending authorizations in the pending appropriation bill.

I am in sympathy with flood control along all of the rivers of the United States. Asking for protection from floods for the people whom I represent, I accord similar protection to others in other parts of the country. I am sympathetic with flood control at Hartford and at Springfield in New England, but I recall that these municipalities are small compared with the larger municipality of Los Angeles, with a population in excess of 2,000,000.

If airplanes and munitions are manufactured in New England, they are also manufactured in the great industrial empire extending from Pittsburgh to Cincinnati. If it is necessary to provide for national defense along the Connecticut River, it is equally as necessary to make such provision along the Ohio River, extending as it does from Pittsburgh to Cairo, and along the Mississippi River, the father of waters and the father of floods.

The Committee on Flood Control did not report an authorization bill in the first session of the present Congress. There were many demands for such a bill. The committee stated that it planned to report a bill in 1940. It has made good its promise. While there have been no major floods since 1938, great floods have occurred in many of the regions of the United States. This is particularly true along the Sacramento River and the Ohio River.

In the construction of projects, changes are necessary, and authorizations for these changes should be made. The Committee on Flood Control has pursued a reasonable policy. We have recommended the adoption of projects that are sound; that are recommended by the Chief of Engineers; and that will provide protection in all of the principal regions of our common country. We have endeavored to distribute internal improvements for flood control. I know of no more satisfactory public works than levees, flood walls, and reservoirs for flood control.

The authorization bill reported by the Committee on Flood Control, authorizing $191,000,000, should be passed. It will place the projects therein authorized on a par with other authorized projects for future appropriations. It contemplates a 5-year program.

I advocate a unified policy of national flood control. I therefore urge that the motion to recede and concur be voted down, and that the motion of the gentleman from Pennsylvania, the chairman of the committee in charge of the pending appropriation, to further disagree to the Senate amendments be adopted. [Applause.]

Mr. SNYDER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the preferential motion of the gentleman from Oklahoma that the House recede and concur in Senate amendment No. 3.

The question was taken; and on a division (demanded by Mr. NICHOLS) there were—ayes 28, noes 121.

So the motion was rejected.

The SPEAKER pro tempore. The question recurs on the motion of the gentleman from Pennsylvania that the House insist upon its disagreement to the amendment of the Senate No. 3.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 4: Page 9, line 22, insert the following: *"Provided further,* That the local flood-protection works at Hartford and East Hartford, Conn., and Springfield, West Springfield, Chicopee, Holyoke, and Northampton, Mass., authorized by the Flood Control Act approved June 28, 1938, shall be constructed in accordance with the revised plans and cost estimates described in House Document No. 653, Seventy-sixth Congress, third session."

Mr. SNYDER. Mr. Speaker, I move that the House further insist upon its disagreement to the amendment of the Senate No. 4.

The SPEAKER pro tempore. The gentleman from Pennsylvania moves that the House further insist upon its disagreement to the amendment of the Senate No. 4.

Mr. CLASON. Mr. Speaker, I submit a preferential motion.

The Clerk read as follows:

Mr. CLASON moves that the House recede from its disagreement to the amendment of the Senate No. 4 and concur in the same.

The SPEAKER pro tempore. The gentleman from Massachusetts submits a preferential motion to recede and concur.

The gentleman from Pennsylvania is recognized for 1 hour.

Mr. SNYDER. Mr. Speaker, this amendment was placed on the bill on the floor of the Senate. It formerly was included in the river and harbor bill recently vetoed by the President of the United States. It is purely legislative in character. No hearings were held on it by the Senate Appropriations Committee, and it is in the same category exactly as the amendment we just voted on. It has no place in the bill in the judgment of the committee and, therefore, we ask the House to vote down the motion to recede and concur and to vote to insist on the disagreement of the House to the amendment.

Mr. CLASON. Mr. Speaker, will the gentleman yield me 10 minutes?

Mr. SNYDER. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. CLASON]. I regret that I cannot yield him 10.

Mr. CLASON. Mr. Speaker, one of the flood-control items which was added in the Senate to the appropriation bill for the civil functions of the War Department is to be used in the completion of the flood-control works now under construction at Northampton, Holyoke, Chicopee, Springfield, and West Springfield, Mass., and Hartford and East Hartford, Conn.

As the Members of Congress are aware, this particular region is in the heart of the industrial area, where many of the great plants providing munitions for national defense are located. A flood in this area, which broke through the dikes now under construction, would invade many of the most important manufacturing plants for war purposes in the United States. Other plants would not be reached by the floodwaters but would be put out of commission by the blocking of railroads and power plants in the respective communities.

The history of the local protection works in the Connecticut Valley extends back many years when private interests and local municipal governments undertook unsuccessfully to protect portions of the area from disastrous floods. Following the great flood of March 1936, the most disastrous financially that the valley ever suffered, Congress passed legislation authorizing the expenditure of $11,524,000 in the above-named cities for local flood-protection works. The program was based on data gained from the 1936 and preceding floods. Work was actually started in the various cities and was only partially completed when the great hurricane and flood disaster of September 1938 swept that portion of New England, with a loss of hundreds of lives and tremendous property damage. The flood-protection works, which had been partially completed in the north end of Springfield and in West Springfield, proved the worth of the entire program, as the people and property behind these particular dikes received almost complete protection, although the dikes themselves gave way in different places.

It was then found that the type of dike, which had been constructed largely with W. P. A. funds, was not capable of withstanding floodwaters, but sloughed away. The cost of repairs to the damaged dikes in Springfield was $315,000, and in West Springfield $458,000, while additional damage was done at other places along the river.

The 1938 flood brought out a mass of new data about the necessary protective works at the seven cities and towns, as the flood originated from a heavy fall of rain in an area different from that of preceding floods. For instance, the Chicopee River, which flows through the city of Chicopee, with 50,000 population, and close to the Springfield-Chicopee city line, reached the highest flood heights in its history in 1938 at the same time that the crest of the Connecticut River flood was passing the mouth of the Chicopee River. Great losses resulted, which showed that additional protection must be given, not only in Chicopee, Springfield, and West Springfield, which are close to the junction of these two rivers, but at the other named cities. This additional authorization for the completion of the works, redesigned because of the additional information gained from the 1938 flood, must be given in order that the works originally contemplated may be of permanent value.

In West Springfield, it is known that the new dikes which have been built are for a considerable distance on top of a stratum of sand-bearing water. Even this spring, the water came up through this sand behind the dikes to a considerable depth, and during a flood might result in the water inside the dike approximating the level of the floodwaters in the river, with the possibility that the dike would be undermined and give way. A similar condition existed in the north end of Springfield, which has been effectually taken care of by sinking steel sheathing and making use of concrete walls. The height and length of the dikes have been necessarily increased because of the knowledge gained from the 1938 flood. Likewise, the capacity of pumping plants must be increased.

I do not believe that there is any question or controversy over the need to provide the Army engineers with the appropriations necessary to complete the extensive works now under construction at the seven cities at the present time. I, therefore, urge you to vote to retain the provision in the Senate bill for these purposes.

The locality affected by this legislation is in the heart of the most important area in the United States in producing supplies for national defense. Some of the plants which are now engaged in making war materials, and which are in each instance owned by private concerns, have been disastrously affected by the floods of 1936 or 1938, or both of them. The operation of other plants, like the Springfield Armory, which are located high above floodwaters, may be seriously crippled indirectly by the floods through the inundation of main power plants and railroad lines. For instance, the main power plants of the great cities of Holyoke, Chicopee, Springfield, and Hartford, which, in addition, supply the other cities in the entire surrounding area in large part, are located at the river's edge. Likewise, the railroads run along the river's banks on both sides and cross it on several bridges in this area. The completion of the protective works outlined by the Army engineers will in large measure effectually protect these utilities, as well as the plants actually manufacturing the munitions. The direct loss from the 1936 flood was $35,000,000. The direct loss of the 1938 flood was $25,000,000 and might have reached $35,000,000 again if the dikes at West Springfield and in the north of Springfield had not been effective, even though badly damaged. The indirect loss on each occasion was as much or larger than the direct loss, due to the stoppage of business, loss of wages, and other factors.

At a time when the United States Government is spending billions for national defense, perhaps no other single expenditure of a like sum of money is contemplated which will add more to the security and national defense of our Government than the completion of the flood-protective works at the seven important industrial cities on the Connecticut, for which this sum of money will complete fully and adequately their protection against the disastrous floods which rage in this valley and which paralyzed business for weeks on three different occasions in 12 years.

Behind these dikes will be not only such railroads and public utilities but also many plants whose names have been associated for years with national defense. Besides the Springfield Armory, there is the new Northeast Air Base, likewise on high ground, but still in need of power and railroad facilities. Some of the largest machinery and machine-tool companies in the country are in this area—Pratt &

Whitney, Van Norman, Baush, National Equipment, Package Machinery, Perkins Machinery & Gear, Hayden, Bay State, and Stacy Machine Works.

In addition, in Springfield and West Springfield alone, we have other very important industrial plants which make munitions for the War Department, including the great works of the Westinghouse Electric & Manufacturing Co., the American Bosch Corporation, Gilbert & Barker Manufacturing Co., a Standard Oil subsidiary, and numerous others. In the Hartford-East Hartford area are such important munitions establishments as the Colt Patent Fire Arms Corporation, which manufactures a large part of the revolvers, pistols, and machine guns used by the United States Army, the main engine-manufacturing plant of the great United Aircraft Corporation, whose inactivity for even a few days would be a staggering loss in the production of airplanes in wartime, and the plant of the Hamilton Propeller Co., which manufactures a very large portion of all the propellers used on American aircraft. At Chicopee is the Stevens Arms Co., a branch of the Savage Corporation. At Springfield is the world-renowned plant of Smith & Wesson, at the present time engaged in the manufacture of war orders for small arms. The Indian Motocycle Co. has already furnished thousands of motorcycles for the French Army, and its uninterrupted operation is of prime importance to the United States Army. I could continue the enumeration of plants whose products are essential to the successful operation of a war by the United States Government, and which would be adversely and seriously affected and crippled by floodwaters entering the areas which will be safeguarded by the local flood-protection works, designed and now under construction by the Army engineers.

As a measure of great importance for flood protection alone, the passage of this amendment is warranted. As a measure affording absolutely necessary protection to sources of supply of the greatest importance to the successful conduct of war by the United States Government, its passage at this time is of the utmost necessity.

[Here the gavel fell.]

Mr. SNYDER. Mr. Speaker, I yield 5 minutes to the gentleman from Connecticut [Mr. MILLER].

Mr. MILLER. Mr. Speaker, I am particularly interested in part of the items in amendment 4. I am not qualified to speak of the projects, or the importance of the projects, except in a general way as they relate to Springfield, West Springfield, and Chicopee; but I do know that the Hartford and East Hartford items, while small in amount of money, are of great importance.

I would not want to do anything in this House to take any prerogatives away from the Committee on Flood Control. Amendment 4 and amendment 6 were offered in the other body because of an emergency situation. The Hartford item calls for an appropriation on the part of the Federal Government of $252,000 to relocate a dike already authorized. The present plans call for putting the dike behind the so-called South Meadow plant of the Hartford Electric Light Co. I have here a telegram from the president of that company pointing out that that plant provides power for the United Aircraft Co., the Hamilton Propeller Co., the Pratt-Whitney Machine Tool Co., and the Colt Patent Firearms Co. In both the 1936 and 1938 floods that power plant was out of business for 3½ days until connections could be made to bring electricity in from other sources. The city of Hartford will spend $135,000 to match the $252,000 that this authorization calls for. I will not discuss the East Hartford project now, because that is covered in section 6.

I am sure the question before the House this afternoon is not whether we will interfere with any of the prerogatives of the Committee on Flood Control, but whether the House is willing to deal with an emergency; in other words, cut the red tape and permit the expenditure of $252,000 to protect a $20,000,000 power plant that provides electricity and current for three of the most important industries in this country in regard to national defense, industries which manufacture aircraft, firearms, and machine tools.

Mr. Speaker, I think that covers the situation, and I will refer to the East Hartford item, with the permission of the chairman, when the other amendment is considered.

[Here the gavel fell.]

Mr. SNYDER. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut [Mr. SMITH].

Mr. SMITH of Connecticut. Mr. Speaker, I rise in support of the preferential motion. I am sorry I have only 2 minutes to speak on it, because it is of great importance to the national defense of our country.

I regret that it has been necessary to bring this item here in this way, because the Flood Control Committee should, as the gentleman from Mississippi, Chairman WHITTINGTON, has said, control the flood-control expenditures under normal circumstances. I agree thoroughly with everything he has said, but when he said that we ask preferential treatment, may I say that he is correct. We do ask preferential treatment in this case, and particularly in connection with item No. 6, because we feel an emergency, which is more than the ordinary flood emergency, exists up there.

In the East Hartford plant of the United Aircraft it has been said that one-third of our aircraft engines are manufactured. The fact is that today one-half of the military aircraft engine capacity of this country is in that plant in East Hartford, and we desperately need military aircraft engines. That is the worst bottle neck in our whole production of materials with which to defend ourselves. We are in desperate need of that capacity. In 1936, and again in 1938, that plant went out of action because the flood-control works were not in existence. They are being built. The amount for that East Hartford flood-control project is only $249,000. It is contained in amendment No. 6. The authorization is also contained in amendment No. 4.

[Here the gavel fell.]

Mr. SNYDER. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Speaker, I want to corroborate all the remarks made by the three previous speakers. The Connecticut Valley is sorely in need of the flood-control proposition that has already been undertaken by the Government, it would be unfortunate to delay, particularly in view of the war situation, the completion of the protection needed along the Connecticut River, both in the districts represented in Massachusetts by the gentleman from Springfield [Mr. CLASON], the district represented by myself, and the districts represented by the gentlemen from Connecticut who have spoken. My particular interest in this amendment is the additional protection from future floods that will be provided for Holyoke.

I appreciate very much the statements that have been made both by the chairman of this committee and by the chairman of the Flood Control Committee. The chairman of the Flood Control Committee has been more than fair and liberal at all times with the representatives who have come before his committee in connection with flood control along the Connecticut from the city of Holyoke and Hoosic Rivers. The Hoosic River, by the way, is not in this bill, but it is in my district, and there is a preferred project for that which the committee has already approved. It is not in the minds of the people at home a very serious question where these authorizations come from. Admitted this item has been placed in the bill, which is not a direct flood-control measure, nevertheless that is not applicable so far as the interest of the people directly affected are concerned. That is a matter of committee pride here and possibly to a certain extent orderly procedure. The people in Holyoke realize that this item is in a measure being considered here today, and they, the ones who sent us here to represent them, want these items carried out and the authorization made.

I want to take exception, if I may, to one statement that the chairman of the committee made. He said that this particular amendment No. 4 had already been included in the bill vetoed by the President. He made that statement, as I heard it. If he will look up the matter, he will find that this

particular item was not in the river and harbor bill vetoed by the President. Am I correct in that?

Mr. CASE of South Dakota. Will the gentleman yield?

Mr. TREADWAY. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I think that is in the flood-control bill that is pending.

Mr. WHITTINGTON. It is my understanding, and you can correct me if I am in error, that that project was not in the river and harbor bill, but the gentleman has another project up there that is.

Mr. SNYDER. It was formerly included; not this particular one, but there was one that was formerly included.

Mr. TREADWAY. But not at the time the President vetoed the bill?

Mr. SNYDER. That is right.

Mr. TREADWAY. Yes; I thought that was correct.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. I yield to the gentleman from Michigan.

Mr. DONDERO. Is not this the same item that was rejected by the House last year while in Committee of the Whole when we were considering the river and harbor bill?

Mr. TREADWAY. I do not believe the gentleman is correct in that respect.

Mr. DONDERO. I am asking that question.

Mr. TREADWAY. This is a flood-control item, and we stand on the flood-control item. I insist that I am representing people interested in these items in saying that where the item actually appears in any bill is of small concern to them. They want the flood-control project adopted. I hope this preferential motion will be agreed to and that the city of Holyoke will have the protection it so badly needs. [Applause.]

[Here the gavel fell.]

Mr. SNYDER. Mr. Speaker, I yield 5 minutes to the gentleman from South Dakota [Mr. CASE], a member of the committee.

Mr. CASE of South Dakota. Mr. Speaker, there are two or three things I believe the Members of the House should know in connection with this item. This particular amendment goes further than the previous amendment, which was voted down. That was an authorization. This goes further and directs the construction. Let me call your attention to the language that is used:

Provided further, That the local flood-protection works at Hartford and East Hartford, Conn., and Springfield, West Springfield, Chicopee, Holyoke, and Northampton, Mass., authorized by the Flood Control Act approved June 28, 1938, shall be constructed in accordance with the revised plans and cost estimates described in House Document No. 653, Seventy-sixth Congress, third session.

Mr. WHITTINGTON. Mr. Speaker, will the gentleman yield?

Mr. CASE of South Dakota. I yield to the gentleman from Mississippi.

Mr. WHITTINGTON. Let me remind the gentleman that while it would be far from my intention to criticize the other body, there is no amount or authorization at all mentioned in this item of $6,000,000 which is involved and is not referred to in the bill.

Mr. CASE of South Dakota. Yes. It simply says:

In accordance with the revised plans and cost estimates described in House Document No. 653.

I sent out and got House Document Numbered 653 and have it here in my hand. It recites the previously authorized cost under the Flood Control Act of 1928 as $11,524,000, and I think subsequently that had an increase of $1,264,000, but the total estimated cost under this revised plan is $17,000,000; in other words, this amendment not merely increases the authorization by $6,000,000 but says that much shall be spent on these works.

I want you to know what the effect of that will be upon the bill before us. This bill appropriates $70,000,000 for flood-control projects. Some of that is earmarked for administration, but the bill states:

Of which not to exceed $58,125,780 shall be available for expenditure upon projects on account of which allotments have heretofore been made.

That limitation was written in the bill in order to insure that at least $6,400,000 would be available for new projects. The Senate amendment would use all of that for these projects.

When the subcommittee was considering this matter we felt that it would be unfortunate if all the money appropriated by this bill for flood-control projects were to be expended on projects which had heretofore been authorized and none left available for some of the more recently approved projects or some that might be approved in the authorization bill now pending. Consequently, after consideration of that we put in this limitation to provide that not more than $58,000,000 should be available for expenditure on projects on account of which allotments heretofore had been made. We did this designedly and figured that that would leave $6,400,000 for the expenditure on new projects which had not heretofore been authorized.

If we should leave the Senate amendment in the bill and direct the construction of these Connecticut and Massachusetts projects and an increased authorization of $6,000,000, it means that the entire amount we tried to reserve for emergency projects all over the country is definitely earmarked for this single group of projects. When you vote you should keep in mind that you are voting on whether to take this $6,400,000 which we tried to reserve for new projects and authorize and appropriate it directly for this one group of projects, or whether you will keep it for new projects throughout the country according to priorities determined by the Army engineers.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. CASE of South Dakota. I yield to the gentleman from Kentucky.

Mr. MAY. In the bill we passed last Friday we handed over to the President $200,000,000, which I understand he wants for just exactly such situations as this. If there is an airplane engine manufacturing plant in peril, he can take care of it out of that fund.

Mr. CASE of South Dakota. I am glad that the distinguished chairman of the Committee on Military Affairs brought out that point.

Since something has been said about national defense and the urgency of these projects in connection with it, I am certain I violate no confidence when I say that the appropriation bill will carry enough emergency authority to take care of national defense projects. [Applause.]

[Here the gavel fell.]

Mr. SNYDER. Mr. Speaker, I yield 2½ minutes to the gentleman from Michigan [Mr. Dondero].

Mr. DONDERO. Mr. Speaker, I hope I shall not be violating any of the rules of confidence of the Committee on Rivers and Harbors when I say to the House that when the President vetoed the rivers and harbors bill he indicated, at least by implication, that he would consider certain projects which might have in them the element of national defense. I wish to say to the House that the Committee on Rivers and Harbors at the present time is considering a list of projects sent to us yesterday, coming by the direction of the Army and the Navy, for national defense. Not a single project on that list is on any inland river of the United States, or in the Great Lakes region of the country, neither is there any on the international boundary line between the United States and Canada. Every project in that list of projects for national defense is on one of the seacoasts or is on the Gulf coast of the United States. So let no one rise on the floor of this House and assert that in the amendments now before us, the element of national defense is the controlling consideration. If it were, why were they not included in the list sent to the Committee on Rivers and Harbors yesterday by direction of the Army and Navy, and I am sure at the direction of the

Chief Executive of the United States. So I say, when you consider these additional authorizations in an appropriation bill, it seems to me they do not come with a justification of national defense.

Mr. MILLER. Mr. Speaker, will the gentleman yield?

Mr. DONDERO. I yield to the gentleman from Connecticut.

Mr. MILLER. Mr. Speaker, will the gentleman yield?

Mr. DONDERO. Yes; I yield.

Mr. MILLER. I do not believe the gentleman means just what he said. My own main consideration where national defense is involved is that if a power plant today is furnishing power to three vital munitions factories, that must be considered an element of national defense, and may I ask one question? Can these items be considered in your river and harbor bill?

Mr. DONDERO. Let me say this to the gentleman: That the items in here are by way of an authorization on an appropriation bill, and I do not know why they were not stricken out on point of order.

Mr. WHITTINGTON. A point of order would not lie against them.

Mr. DONDERO. In addition to that, if the question of national defense was of sufficient importance they would have been included in the list that came to the Rivers and Harbors Committee yesterday.

[Here the gavel fell.]

Mr. SNYDER. Mr. Speaker, I yield 2½ minutes to the gentleman from New York [Mr. SOMERS].

Mr. SOMERS of New York. Mr. Speaker, I do not agree with the previous speaker. My sympathies lie with the distinguished chairman of the Flood Control Committee, who feels that there is some trespass against the jurisdiction of his committee. Nobody squeals more loudly than I do when that happens to my committee, but there was something said here by one of the previous speakers that I think should be emphasized with respect to this particular item, which is of vast importance at the present moment. If this particular item has to do with the production of airplane motors, just bear in mind, before you vote against it, what is going on on the other side of the ocean. When we see two great nations being driven from Belgium because they lack airplanes and airplane motors, gentlemen, do not put us into the position at the present time of permitting our defense program to bog down because of technicalities. If there is anything we can do to protect our motors and our arms industries, I think this is the moment and not some weeks from now, when some other legislation may be brought in. [Applause.]

Mr. SNYDER. Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi [Mr. WHITTINGTON].

Mr. WHITTINGTON. Mr. Speaker, I wish I were advocating not only the authorization of the project under consideration, but the numerous other projects in the flood-control bill that I, as chairman of the Committee on Flood Control, reported to this House on May 7, 1940, authorizing projects in all of the regions of the United States, aggregating, as I have stated, $191,000,000, on which I have diligently sought a rule.

Mr. Speaker, I recall that a few crimes were committed during the last World War in the name of national defense. I think flood control has a legitimate place in national defense in connection with the interruption of transportation, communications, and the protection of our munitions plants, and I am sympathetic with the problem along the Connecticut River. It is one of the most beautiful rivers that I ever saw, as I realized when I motored, a few years ago, through the delightful city in which my friend the gentleman from Massachusetts [Mr. TREADWAY] lives, and through the Berkshires in Massachusetts and Connecticut, crossing this river in a most delightful mountainous area I like rivers, but, Mr. Speaker, this amendment involves $6,000,000. My colleague the gentleman from Massachusetts [Mr. CLASON], a member of the Committee on Flood Control, has been perfectly frank. None of these factories is located in the region that is protected by the flood walls. That is not true of the airplane project in East Hartford, which is a small project.

Mr. MILLER. Yes; it is.

Mr. WHITTINGTON. I called the office of Chief of Engineers, and I have the testimony before my committee, and he stated that the extension of this project would provide for an area that was not contemplated originally, but that it would provide for the protection of some homes of workers in that plant.

Mr. MILLER. Mr. Speaker, will the gentleman yield?

Mr. WHITTINGTON. In just a moment. I am giving you a statement of yesterday when I called his office in this connection, and he stated that the airplane factory was not in the flooded area. Now, having made that statement, I yield to the gentleman for a question.

Mr. MILLER. The gentleman is correct as far as he goes. The factory itself is not in the area, but the only road that you can get from the city of Hartford to that factory will be protected by the $249,000 item.

Mr. WHITTINGTON. I will say this, with all deference, and I am sympathetic with your problem——

Mr. MILLER. I know you are.

Mr. WHITTINGTON. I have gone to the bat for you, and the first flood-control project you ever had is contained in the bill I reported to this House.

Mr. MILLER. We appreciate that.

Mr. WHITTINGTON. And the Government has been more generous in New England and along the Connecticut River than in almost any other section of this country, and I have advocated generous consideration. It is a densely populated area, and New England has contributed largely to the taxes of this country, and I have gone down the line, and we have authorized every cent recommended by the Chief of Engineers of the United States Army. It is one of the few rivers in the country, Mr. Speaker, where the Committee on Flood Control in 1938 authorized every project and every dollar recommended for local protection by the Chief of Engineers.

We were unable to do it in Pittsburgh, in Cincinnati, Huntington, and other cities of the country. We were unable to do it in Los Angeles, but along the Connecticut River we included in the act of 1938 every dollar recommended for every one of these projects. The situation is this. Our New England friends know a good thing when they see it. The Chief of Engineers has submitted a report, and he has recommended that these flood walls and levees be extended and enlarged so as to take in additional territory, and I am for that. That situation obtains not only in Hartford, in East Hartford, at Mount Holyoke, at Chicopee, and Northampton, where these splendid schools and universities are located, but it also obtains in other parts of our country. There is an authorization in the bill that we have reported for $6,000,000, that will authorize these projects. Whatever be the emergency, if there be a $20,000,000 power project privately owned which can be protected by a $250,000 levee, then God save the country if in an emergency, when we are providing for the munitions factories of the country, that $20,000,000 institution would not put up a little $250,000 flood-control levee to protect itself. So, in my judgment, the preferential motion should be voted down, and the motion proposed by the chairman of the subcommittee agreed to.

The SPEAKER pro tempore. The time of the gentleman from Mississippi has expired.

Mr. SNYDER. Mr. Speaker, I move the previous question.

Mr. SHANLEY. Mr. Speaker, may I ask the gentleman from Pennsylvania to yield to me for a moment? I understood that the time allowed on this amendment would be an hour.

The SPEAKER pro tempore. That, of course, is in the discretion of the gentleman in charge of the measure.

Mr. SNYDER. Mr. Speaker, I state at this point that the preferential motion should be voted down, if gentlemen want to support the committee recommendation. I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the preferential motion of the gentleman from Massachusetts.

The question was taken and the motion was rejected.

The SPEAKER pro tempore. The question now recurs on the motion of the gentleman from Pennsylvania, that the House insist upon its disagreement to the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 5: Page 10, in line 4, following amendment numbered 4 insert: *"Provided further,* That funds appropriated herein may be used for flood-control work on Ontauga Creek at Prattville, Ala., in accordance with the recommendations of the Chief of Engineers and subject to the conditions set forth in House Document No. 657, Seventy-sixth Congress, third session."

Mr. SNYDER. Mr. Speaker, I move that the House insist upon its disagreement to the Senate amendment.

The SPEAKER pro tempore. The gentleman from Pennsylvania moves that the House insist upon its disagreement to the Senate amendment.

Mr. HOBBS. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment, which I send to the desk.

The Clerk read as follows:

Mr. HOBBS moves that the House recede and concur in Senate amendment numbered 5 with an amendment as follows: "strike out the word 'Ontauga,' insert the word 'Autauga.'"

Mr. SNYDER. Mr. Speaker, I can say, speaking for myself, that it really hurts me to do anything that would injure the feelings of my friend the gentleman from Alabama [Mr. HOBBS]. On the other hand, as I said a while ago, your committee is trying only to act fairly with all Members of the House. It has brought back here in disagreement all amendments that would favor one section over another.

This amendment is in the same category as the last two amendments on which we have acted. I ask the House to support the committee.

Mr. Speaker, I yield 5 minutes to the gentleman from Alabama [Mr. HOBBS].

Mr. HOBBS. Mr. Speaker, the remarks of the distinguished chairman make me think of the way an old judge used to "but" defendants into the penitentiary:

Gentlemen of the jury, this defendant, as every other defendant, comes before you armed with the presumption of innocence which the law indulges in his favor. That presumption should attend him until it is removed, if it be removed, by evidence which convinces your mind beyond all reasonable doubt of his guilt. But, gentlemen of the jury, if you have been so convinced, then it is your solemn, your sworn duty to convict him.

[Laughter.]

These friends who take a sweet wind-up and then pitch that hard word "but" at you are mighty nice. I love them; in fact, I love everybody. [Applause.]

Now, please wipe off your smiles and let us be utterly serious. The majority of the people who populate hell stand there on the pavement of good intentions and voice their lament at having waited too long to accept the gift of God's free grace by moaning, "Too late. Too late."

The second world war has taught many valuable lessons, not the least of which is that action is worse than useless which comes too late.

Were it not for the desperate, the tragic situation of this, one of the loveliest towns in the whole wide world, the home of some of the finest people under the sun, whose all is there invested; were it not for the fact that 87 percent of the employables of that lovely community are employed by two concerns each of which has resolved to move because in 1938 and again in 1939 they have lost over $200,000 by reason of floods; were it not for the fact that this community out of its poverty has already spent more money, in seeking to protect itself from floods, than is now being asked in this amendment for the Federal Government to spend; I do not believe I could, under the circumstances and believing as I do in our legislative system, bring myself to ask you to recede and concur in the Senate amendment.

But those are the facts, and I not only ask, but also urge and adjure you to adopt my motion. Every member of the Alabama delegation in both Houses has certified the truth of those facts and joined in an appeal to you to pass this motion. We know the facts. We plead with you not to kill Prattville. The distinguished chairman of the Committee on Flood Control, the gentleman from Mississippi [Mr. WHITTINGTON], and the members of that committee, have been most gracious, diligent, sympathetic, and cooperative. They have done all they could for Prattville. The same thing is true of the Appropriations Committee. Every member of it is thoroughly sympathetic with this project. It involves $530,000 less the local contribution of $11,000. Prattville has already, out of her poverty, spent more than the amount we are asking the Government to spend. We have spent the last cent we have, the barrel is empty, we have scraped the bottom; we asked no aid until we had exhausted ourselves and our resources. Now, in our extremity, we cry for help. Save us or we perish.

Out of the desperateness of her need, an American city, small, it may be true, is crying to Congress to act before it is too late. When she becomes a ghost town all the money in the world will not help her.

Mr. MOTT. Mr. Speaker, will the gentleman yield?

Mr. HOBBS. I yield, gladly.

Mr. MOTT. The project in which the gentleman is interested, of course, is in the 1940 flood-control authorization bill.

Mr. HOBBS. The gentleman is correct.

Mr. MOTT. So are a dozen other important projects throughout the country.

Mr. HOBBS. That is certainly true.

Mr. MOTT. May I ask the gentleman why he and the distinguished Speaker of the House, who is from the State of Alabama, do not insist that this 1940 flood-control authorization bill be brought upon this floor and passed in spite of the President's veto? I feel that we have enough votes on this side that we could pass it over his veto.

[Here the gavel fell.]

Mr. SNYDER. Mr. Speaker, I yield 4 additional minutes to the gentleman from Alabama.

Mr. HOBBS. I shall be so happy to answer the distinguished gentleman's question so far as I am concerned. As for the Speaker of the House, it should be noted that his signature to the letter which you gentlemen have seen today is not as Speaker but as a Member of the House and as a citizen of Alabama. I am, and I am sure he is, heartily in favor of an adequate flood-control program. So is President Roosevelt. His idea is that as we are not able to appropriate enough money to do the flood-control work already authorized, further authorization can serve no worthy purpose. But I do not know that the 1940 flood-control bill would be vetoed if passed. It is merely an authorization bill and would take no money out of the Treasury. It would not minimize the amount of money we should spend for national defense. In truth, flood control strengthens national defense by making the people safer and happier—more devoted and grateful to the Government. I am for the new flood-control bill. I have already been to the leader and the Speaker urging that it be given the floor. I have already approached friends on the Rules Committee urging that a rule be granted for its consideration. But that bill will not save Prattville. Prattville needs help now, not in 1950.

Mr. MOTT. Let me say to the gentleman that he can get this bill out if he will have the Speaker, the majority leader, and the distinguished chairman of the Committee on Flood Control insist that it be brought out. They can bring it out. We will pass it, and if the President vetoes the bill, we will pass it over the veto.

Mr. HOBBS. Frankly, I am not intrigued by the gentleman's suggestion. You may speculate if you wish. I do not care to join you. I must decline to be diverted from reality,

into the pursuit of vanity. That bill will not help Prattville; the adoption of my motion will.

Mr. MOTT. But the majority leader and the Speaker can bring it out.

Mr. HOBBS. I have no control over them. I do not challenge what the gentleman is saying. I am doing the best I can for the flood-control bill. I have done my "darndest" and angels can do no "darnder"! [Laughter.]

Mr. DONDERO. Will the gentleman yield?

Mr. HOBBS. I am always glad to yield to the gentleman from Michigan.

Mr. DONDERO. In the interest of clarity, so that nobody will misinterpret the name of this company, I notice that it reads "Continental Gin Co." Will the gentleman explain that?

Mr. HOBBS. I will be so happy to. The gin referred to is not the liquid kind. It is a concern that manufactures the machinery that my good friend the gentleman from Mississippi [Mr. WHITTINGTON] uses to gin his cotton. They have branches from here to Brazil. But the Prattville plant is the parent factory—the world's first.

Friends, for God's sake, give us a break. [Applause.]

[Here the gavel fell.]

Mr. SNYDER. Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi [Mr. WHITTINGTON].

Mr. WHITTINGTON. Mr. Speaker, I doubt very seriously if I would have said anything had it not been for that word "but" used by my good friend the gentleman from Alabama [Mr. HOBBS]. Ordinarily, he is exceedingly serious, but when he commingles his seriousness with his jovial attitude, I then think it is well to be on guard.

Now, so far as this splendid project is concerned, as he says, I have supported it. [Applause.] It is in a bill now under consideration, and if you want to hurt that bill you take out his project. I know his influence. I know some of the influences he mentions. If you people now from Maine to California, from Georgia to Oregon, on the rivers and streams of the country, would like to have a flood-control bill considered this session, help me now by voting down his motion to recede and concur with an amendment and support the motion offered by the gentleman from Pennsylvania to disagree to the Senate amendment.

Whenever my colleague the gentleman from Alabama [Mr. HOBBS] espouses a cause, it is usually bombproof. This project down there is a worthy one. It involves a town with a population of about 3,000 people. The creek is 25 miles long. They have had much damage. I am for the project, but I doubt very seriously that we ought to take from Hartford, Pittsburgh, Cincinnati, New Orleans, Los Angeles, and other similar areas the money that is appropriated in this bill this year. If it had not been for that word "but," emphasized by my friend, I should not have said anything; but I want to call the attention of the Members of the House to the fact that this amendment supported by the gentleman from Alabama [Mr. HOBBS] is different from all these other amendments.

It says:

Provided, That the funds appropriated herein—

And every dollar appropriated herein has been allocated to the Sacramento River or to the Ohio River and to some other river. Now, jovial as he is, he provides that the funds be appropriated herein that are already allocated to other projects. When the Committee on Appropriations approved this bill you knew where every dollar of it was going to be spent because you had a list of the projects. This particular amendment provides:

The funds herein may be used for flood control at Prattville, Ala.

In all seriousness, and in an effort to protect the legislation and the orderly processes of the House of Representatives of the United States, I ask you to vote down his amendment. I admire and love my good friend, and I use that word advisedly, but the best way to promote the great common interest of all the regions and of all the rivers of the United States that my big-hearted friend advocates is to vote down the preferential motion.

Mr. HOBBS. Will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from Alabama.

Mr. HOBBS. Is it not a fact that here is a general appropriation of $70,000,000 carried in the appropriation bill, and that only $64,000,000 worth of projects have been allocated against that $70,000,000?

Mr. WHITTINGTON. That is a fair question. If the gentleman had had as much experience as I have had with flood-control matters, he would know that when the Chief of Engineers submits his projects and his recommendations to the Committee on Appropriations, he gives them every project and he reserves a backlog for administrative expenses. So this particular bill safeguards that. It has estimated the amount and stated the amount that shall be used for the projects, but the gentleman's amendment would provide that the amounts herein appropriated shall be used for Prattville, Ala., although allocated to other projects.

[Here the gavel fell.]

Mr. SNYDER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore (Mr. WARREN). The question is on the preferential motion offered by the gentleman from Alabama [Mr. HOBBS].

The question was taken; and on a division (demanded by Mr. HOBBS) there were—ayes 34, noes 81.

So the preferential motion was rejected.

The SPEAKER pro tempore. The question now recurs on the motion of the gentleman from Pennsylvania [Mr. SNYDER].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next Senate amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 6: Page 11, at the top of the page insert the following:

"Flood-control project, East Hartford, Conn.: For prosecuting work on the flood-control project at East Hartford, Conn., authorized by the Flood Control Act approved June 28, 1938, in accordance with the revised plans and cost estimates described in House Document No. 653, Seventy-sixth Congress, $249,000."

Mr. SNYDER. Mr. Speaker, I move that the House insist upon its disagreement to the Senate amendment.

Mr. SMITH of Connecticut. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

Mr. SMITH of Connecticut moves that the House recede and concur in Senate amendment No. 6.

Mr. SNYDER. Mr. Speaker, I move the previous question. We have already talked on this question, and this is in the same category as the rest.

Mr. SMITH of Connecticut. Mr. Speaker, I make the point of order that a quorum is not present.

I withdraw the point of order, Mr. Speaker.

Mr. SNYDER. Mr. Speaker, I withdraw my motion for the previous question and yield 5 minutes to the gentleman from Connecticut.

Mr. SMITH of Connecticut. Mr. Speaker, this project includes only a diking project at East Hartford, Conn., at which town the Pratt & Whitney aircraft factory, to which I have referred before, is situated. This is not only an authorization but it carries a specific appropriation in this paragraph, so that the arguments about removing a part of the other appropriation do not apply to this.

This is a project which has been approved by the House Committee on Flood Control and is included in the bill which the committee seeks to bring up. The orderly way to handle it would be to wait for the committee to bring up a bill and pass it, but we do not know when that will hap-

pen. This is needed to insure us against a shut-down of this plant by a flooding of the town in which it is situated and the cutting off of the roads to the plant by floods. As I have said, the plant was closed, both in 1936 and 1938, by the floods which occurred then. This item amounts to $249,000. It is something we can well appropriate now to protect against the loss of the facilities for making the most important munitions we are making today. The thing we are most desperately in need of is aircraft engines. One-half of our engine capacity is in this particular plant. We are turning out about 1,800 engines for military aircraft a month, 900 of them in this plant. An addition is being built now which will increase the plant capacity by over 50 percent.

This amount is needed now, otherwise I would not ask for it. I may say that this is not in my district; none of these projects are in my district. I believe that if we stop and think of the situation that faces us in regard to aircraft and aircraft engines we will be willing to waive, on a project of as much necessity as this, the question of going through the normal time-consuming procedure in order to protect the prerogatives of a committee of the House. I believe that in all normal cases they should be protected, but in this case the need for the products of this plant is so great that we should not delay. I have called it a desperate need, and I am not exaggerating. We need engines more than anything else we need today except time. If we had the time we could build plants all over the country where there would be no danger from floods cutting off the roads. If we had time we could build all the things we need. If we had time we could wait for the Committee on Flood Control to bring in this bill and to pass the bill. I am in favor of the bill the Committee on Flood Control has reported, and as I say, it includes this item, but we do not have the time to wait. This is the best opportunity we would have to get work under way to finish this dike and to protect that part of our aircraft-engine capacity.

Mr. Speaker, I ask support for the preferential motion. [Applause.]

[Here the gavel fell.]

Mr. SNYDER. Mr. Speaker, I yield 3 minutes to the gentleman from Connecticut [Mr. MILLER].

Mr. MILLER. I regret that the chairman of the subcommittee has seen fit to shut off debate on this amendment, as it is of vital importance not only to Connecticut but to an airplane-purchase program.

Mr. Speaker, we have come to an amendment now that carries $249,000, and that is getting down to a reasonable sum of money that I can comprehend. My colleague the gentleman from Connecticut [Mr. SMITH] has pointed out the importance of this amendment to our aircraft-expansion program. The chairman of the Committee on Flood Control very truthfully said that this dike does not protect the property of the Pratt & Whitney Aircraft Co., or the United Aircraft Corporation, but I say to you on my honor as a Member of this House that this extension—and it is nothing more than an extension of a dike already authorized and being built—would protect the approaches, and the only direct approaches, from the city of Hartford and the city of Springfield to the East Hartford plant of the United Aircraft Corporation. During the 1938 flood I saw the streets that will be protected by this extension of the dike under 18 feet of water.

When the corporation built their plant in East Hartford they, of course, went a little way out of the city so that, as they thought, they were a safe distance from the river. This amendment was offered in the other body by the senior Senator from Connecticut. At that time he did not know that these other items were to be added to the bill. He offered it on the ground of an emergency, and the other body agreed to an appropriation of $249,000 simply because it was an emergency.

I hope that regardless of the action that has been taken on the other amendment you will consider seriously the importance of this amendment. As the chairman of the Committee on Flood Control, I am sure, will be ready to tell you, he approves of the item. It is in his bill. Certainly it is not a large enough item to affect the outcome of his bill when it comes here. [Applause.]

[Here the gavel fell.]

Mr. SNYDER. Mr. Speaker, I yield 3 minutes to the gentleman from Mississippi [Mr. WHITTINGTON].

Mr. WHITTINGTON. Mr. Speaker, I rather hesitate to detain the House, but in all fairness to the flood-control projects in the other parts of the country I call attention to the fact—and this is the purpose of my rising—that this particular amendment is an appropriation. It involves an appropriation without this project having been authorized. The authorization for this project is embraced in the previous amendment, which we voted down. This is at East Hartford, across the river from Hartford, Conn., a much smaller municipality than Hartford. We authorized a project there in 1938. It has been given priority. In the prosecution of the project they wanted to extend it, the levee and flood walls, to take in other areas.

It is a worthy project and I stand for it and it is embraced in our bill now pending, but I respectfully submit that where Congress appropriates millions and hundreds of millions of dollars for flood-control projects we are not justified in making an exception and nullifying that policy by appropriating for any project that has not been approved and authorized by the Congress of the United States. So this particular amendment has all the vices of previous Senate amendments and, in addition to that, it has the further vice that it has not been authorized by the Congress. I trust that the preferential motion will be voted down. The airplane plant is not located within the area that will be protected, but it is a worthy project and should finally be adopted.

[Here the gavel fell.]

Mr. SNYDER. Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

The SPEAKER pro tempore (Mr. WARREN). The question is on the preferential motion of the gentleman from Connecticut [Mr. SMITH] that the House recede and concur in the Senate amendment.

The question was taken; and on a division (demanded by Mr. SMITH of Connecticut) there were—ayes 12, noes 66.

So the motion was rejected.

The SPEAKER pro tempore. The motion now recurs on the motion of the gentleman from Pennsylvania [Mr. SNYDER] that the House insist upon its disagreement to the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 7: Page 11, line 11, strike out "$600,000" and insert "$1,242,000."

Mr. SNYDER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The SPEAKER pro tempore. The Clerk will report the motion offered by the gentleman from Pennsylvania.

The Clerk read as follows:

Mr. SNYDER moves that the House recede and concur in Senate amendment No. 7, with an amendment, as follows: After the amount named in said amendment, insert the following: "*Provided*, That from and after the approval of this act the Caddoa Reservoir project for flood control and water conservation in Colorado and Kansas, authorized by the Flood Control Act approved June 22, 1936, shall be known and designated on the public records as the John Martin Reservoir project, and that the change in the name of such project shall in no wise affect the rights of the State of Colorado or the State of Kansas, or any county, municipality, corporation, association, or person, and all records, surveys, maps, and public documents of the United States, or of either of said States in which such project is mentioned or referred to under any other name than the John Martin Reservoir project, shall be held to refer to such project under and by the name of John Martin Reservoir project."

Mr. SNYDER. Mr. Speaker, I yield 5 minutes to our distinguished chairman of the Committee on Appropriations, the gentleman from Colorado [Mr. TAYLOR]. [Applause.]

Mr. TAYLOR. Mr. Speaker, as you all realize, this amendment is purely a tribute to our late and beloved colleague John A. Martin, of Colorado. He worked incessantly nearly 6 years to bring about the realization of this project. I think it was to him the most important activity of his entire congressional career. I know what an immense amount of energy and persistence it required for him to accomplish the definite authorization of this project. I know the House will be pleased to learn that not only the entire membership of the conference committee but the entire population of the Arkansas Valley and Colorado are unanimously in favor of paying this permanent expression of appreciation and gratitude to John Martin.

I have often felt that actions of this kind are not only eminently just and appropriate but they are a perpetual inspiration to the youth of our country.

The language that I have used is, merely with the change of names, the identical language that I have used several times before. A number of years ago I took a similar action in respect to the Casper-Alcova reclamation project in Wyoming. Senator John Kendricks, of that State, put in a large part of his time for about 10 years creating that project. After he passed away I inserted a provision in the Interior Department appropriation bill changing the name of that project to the John Kendricks project.

I used similar language in changing the name of the large dam and reservoir on the Shagras River that furnishes the water for the operation of the locks on the Panama Canal and named it the Madden Dam and Reservoir in honor of the former chairman of the Appropriations Committee, Martin Madden, of Chicago.

I used similar language in changing the name of the hospital in the city of Panama in honor of General Gorgas.

I may add that for some 250 years the Colorado River was composed of two branches named the Green River, which came from Wyoming, and the Grand River, which came from Colorado. Those two streams met in the central part of Utah and formed the great Colorado River.

When the Territory of Colorado was created in 1861 the Territory was named Colorado after that great stream. But from that time, for 60 years thereafter, the river for which our State was named never came nearer than about 100 miles to our State.

In 1921 I passed a seperate bill through Congress changing the name of the Grand River to the Colorado River, which was the main branch of that stream. There has never been any question about the legality or any complications as a result of any of those changes, and I am confident there will not be in this case. I hope the House will unanimously approve this amendment. [Applause.]

Mr. SNYDER. Mr. Speaker, I yield 1 minute to the gentleman from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. Speaker, I simply wish to say that the people of the West generally recognize the fact that John Martin was a fighter for the West and a rugged patriot who served his country well. I am sure that the people who knew him, regardless of their party affiliation, will appreciate this tribute to him, the renaming of this project in his memory.

Mr. CARLSON. Mr. Speaker, I want to compliment the Committee on Appropriations for offering an amendment to this bill to change the name of the Caddoa Reservoir on the Arkansas River in Colorado to the John Martin Reservoir. As a Representative from Kansas and a member of the Flood Control Committee at the time the Caddoa Reservoir was authorized, it was my privilege to cooperate with the late John Martin, of Colorado, in securing its approval and commencement. It was a privilege to work with him, as he was energetic, enthusiastic, and at all times a gentleman. Those of us who worked with him miss his inspiration and enthusiasm whenever flood-control and water-conservation legislation is before the House. This is a worthy memorial to a worthy man.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 8: On page 11, line 12, insert:
"Flood control, Sacramento River, Calif.: There is hereby authorized for the completion of Sacramento River flood-control works heretofore authorized the additional sum of $1,844,000."

Mr. SNYDER. Mr. Speaker, I move that the House insist upon its disagreement to the Senate amendment.

Mr. LEA. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

Mr. LEA moves that the House recede and concur in Senate amendment No. 8.

Mr. SNYDER. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. LEA].

Mr. LEA. Mr. Speaker, I appreciate the fine work done by the gentleman from Mississippi [Mr. WHITTINGTON] in his leadership in flood-control matters in this House. Personally, I believe that each year Congress ought to pass a river and harbor bill and a flood-control bill. Such a policy, if followed, would, in my judgment, confine such legislation to more meritorious projects, and it would permit action upon them within a reasonable time. There is now no certainty as to how long it may take to secure the adoption of the most meritorious project.

If I could see any prospect of getting action under the flood-control bill, I would not be so concerned about this item in an appropriation bill. In view of the tragic results from delays in completing the Sacramento Valley flood-control project and the danger of the repetition of such a disaster any winter, it is distressing to see no certain results as to a situation that so clearly demands the most prompt action.

I might distinguish this project from the others that have been considered here today. A similar amendment for the same purpose after hearings was included in the river and harbor bill which passed this House last year. A similar item is in the bill recently reported to this House by the Flood Control Committee. The amendment before us passed the Senate. So we have the situation where an amendment approved by both Houses cannot be considered on the basis of its merits, but, like other authorizations, is proposed to be rejected on a question of procedure only. If these floods would delay for procedure, I would be highly in favor of that plan.

Let me explain some of the facts. The Sacramento flood-control project covers over 90 miles of that river. The Sacramento River, like the Mississippi River, for a long distance flows on a ridge, and the river channel is not large enough to carry much of its storm waters. The project requires vast levees, bypasses, and spillways. The project was adopted by the Federal Government after the local people had expended millions of dollars for flood-protection plans. Since then over $50,000,000 has been spent. The local people have contributed over $30,000,000. The Federal Government, without this authorization, would spend about $20,100,000. With this amendment the Federal responsibility would be $1,844,000 greater than now.

In 1937 we had a flood in that area. Great damage was done. The levee system was incomplete though several years beyond the time for its completion had expired. Flood damage to the uncompleted levees had increased the amount necessary to finish the work. Under the slow procedure of Congress, it was not until 1939 we got the amendment in the river and harbor bill, but it failed to pass. This year we had two floods. One of those floods did damage of over $15,000,000 in this flat farming section. Six thousand people were compelled to flee from their homes. The water submerged some of the lands as deep as 15 to 20 feet. A high wind came

up and waves 4 and 5 feet high dashed houses to pieces. The levees had not been improved, as was called for in the river and harbor bill of the last Congress. The Army Engineers had recommended this improvement. If that work could have been done on project time it might have saved several millions of the damage. In the recent storms 38 breaches were made in the levees. It would cost $925,000 to replace those levees temporarily. It will cost much more to build them to project standards. Practically all the breaches occurred in levees not yet completed according to the project standards. Over 600,000 acres of agricultural lands were submerged by that flood. The project was originally designed on a 5-year basis. Instead of that it has been over 11 years since the revised plan was approved. The delay with these recurring floods has done damage to the levees until this increased cost is necessary to complete the project. The funds if granted would be expended for the purposes and on the contributory basis of the established project. The amendment does not call for the extension of the existing works but simply for their completion.

The SPEAKER pro tempore. The time of the gentleman from California has expired.

Mr. SNYDER. Mr. Speaker, I yield the gentleman 1 minute more.

Mr. LEA. Mr. Speaker, recently the Governor of California called a special session of the legislature, which appropriated $1,900,000 to match the authorization proposed in this amendment. The Governor has signed the bill.

The Sacramento River flood-control project is probably the only substantial Federal project in the United States for which the local people contribute 50 percent of the cost of levee construction. That 50 percent has been appropriated by the State of California to match this authorization.

In connection with the recent floods in the Sacramento Valley, the Federal agencies did much to afford relief and to aid recovery. The engineers of the War Department acted with fine executive ability, diligence, and understanding. They deserve the highest commendation.

I sincerely hope the House will adopt the Senate amendment.

Mr. SNYDER. Mr. Speaker, I yield 3 minutes to the gentleman from Mississippi [Mr. WHITTINGTON].

Mr. WHITTINGTON. Mr. Speaker, for 15 years and since I have been a Member of Congress, I have supported appropriations for the Sacramento River. I am in sympathy with the situation that obtains there now, and the Committee on Flood Control has reported properly and in proper language, I think, an amendment for an authorization for $2,000,000 additional. I am grateful for all appropriations made on the Mississippi River and on the other rivers of the country for flood control. I think it is fair for me to say that I know of no more generous treatment that has been accorded to any river in the United States than has been accorded to the Sacramento River. As stated by the gentleman from California [Mr. LEA], the Federal Government has contributed $20,000,000 for flood control on that river, and the Government contributed that before it made any other contributions to any other river in the United States except the lower Mississippi. There is now being erected in the headwaters in the vicinity of Mount Shasta one of the greatest reservoirs in the United States, at a cost of millions and millions of dollars, and it was said at the time we authorized it that one of its purposes is to detain the waters and promote flood control in the Sacramento River.

Let me remind you of the situation. In agreeing to the previous amendment because of the emergency and the recent floods I was delighted that we increased the funds for work along the Sacramento in accordance with the recommendation of the Budget. The only appropriation made for flood control that was increased, in the Senate, and just approved by the House is the one increasing the appropriation for flood control along the Sacramento River by $642,000. In other words, out of all the projects in the United States we selected this one to increase the appropriation this current year.

One thing more, with all deference to the Senator who drew it, the amendment was drawn ineptly. The language is:

Flood control, Sacramento River, Calif.: There is hereby authorized for the completion of Sacramento River flood-control works heretofore authorized the additional sum of $1,844,000.

There is not a single condition, not a single requirement of local interests. In all other projects in the United States where they have levees and flood walls the local interests are required to provide lands for the right-of-way; and in the general authorization bill that we reported, we required that.

In all fairness, I submit the amendment should take the same course as previous Senate amendments, and that the preferential motion should be voted down.

Mr. SNYDER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the preferential motion to recede and concur.

The motion was rejected.

The SPEAKER pro tempore. The question recurs on the motion of the gentleman from Pennsylvania that the House insist on its disagreement to the amendment of the Senate No. 8.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 11: Page 12, line 4, insert the following:

"Savannah River and Clark Hill Reservoir: Senate Document No. 66, Seventy-sixth Congress, first session; in accordance with the plan recommended on page 4 of said document: *Provided*, That in marketing power developed by this project, the policy of giving preference and priority to States, municipalities, public bodies, and cooperatives, heretofore established by the Congress in the Federal Power Act and the Bonneville Act, shall be preserved and continued.

"Whenever any power project, not under Federal license, is benefited by the Clark Hill Reservoir project, the Federal Power Commission, after notice to the owner or owners of such unlicensed project and after opportunity for hearing, shall determine and fix a reasonable and equitable annual charge to be paid to the United States on account of such benefits by said owner or owners or other recipients of such benefits."

Mr. SNYDER. Mr. Speaker, I move that the House further insist upon its disagreement to the amendment of the Senate No. 11.

Mr. BROWN of Georgia. Mr. Speaker, I submit a preferential motion.

The Clerk read as follows:

Mr. BROWN of Georgia moves that the House recede from its disagreement to the amendment of the Senate No. 11 and concur in the same with an amendment as follows:

"Savannah River and Clark Hill Reservoir: The Savannah River and Clark Hill Reservoir project, in accordance with the plan recommended on page 4 of Senate Document No. 66, Seventy-sixth Congress, first session, is hereby authorized and adopted: *Provided*, That in marketing power developed by this project the policy of giving preference and priority to States, municipalities, public bodies, and cooperatives heretofore established by the Congress in the Federal Power Act and the Bonneville Act shall be preserved and continued.

"Whenever any power project not under Federal license is benefited by the Clark Hill Reservoir project, the Federal Power Commission, after notice to the owner or owners of such unlicensed project and after opportunity for hearing, shall determine and fix a reasonable and equitable annual charge to be paid to the United States on account of such benefits by said owner or owners or other recipients of such benefits."

Mr. SNYDER. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia [Mr. BROWN].

Mr. BROWN of Georgia. Mr. Speaker, the amendment has only two additional words, "authorized and adopted," which, by mistake, were left out of the Senate amendment.

We are in a little different situation with respect to this project in that it is a multiple-purpose project for flood control, navigation, and power. When this appropriation bill was considered in the Senate the distinguished Senator from South Carolina [Mr. BYRNES] and the two distinguished Senators from Georgia sponsored this amendment and it was agreed to unanimously.

I do not believe we ought to reject this amendment just because the Senate adopted it. I will show you in a few

minutes where this project has been recommended by six or seven different governmental agencies which have control of projects of this kind. Its authorization in an appropriation bill sets no new precedent.

To those Members who oppose an authorization in an appropriation bill, I wish to state that this is not a new departure.

This was done in the War Department civil functions appropriation bill, approved July 19, 1937, Public Law No. 208, Seventy-fifth Congress. This bill contained an authorization for such works as may be necessary for the protection of the town of Collinsville, Ala.

Also, the War Department civil functions appropriation bill, Public Law No. 154, Seventy-sixth Congress, approved June 28, 1939, contained a modification of the authorization for the Memphis, Tenn., flood-control project authorized by the Flood Control Act approved August 28, 1937, by providing that the conditions of local cooperation should be so modified—without increasing the total estimated construction cost of the project—that the cost of providing pumping stations and outlet works for interior drainage should be borne by the United States, all in accordance with plans to be approved by the Chief of Engineers. It also contained a modification of the Bayou Bodcau and Cypress Bayou, La., project, authorized by the Flood Control Act approved June 28, 1938, by providing that the reservoir and other flood-control works on Bayou Bodcau and Cypress Bayou, La., should be constructed in accordance with the revised plans and cost estimates in the Office of Chief of Engineers.

On page 9 of the pending bill, put in by the House committee, is the provision that the flood-control project at North Little Rock, in Pulaski County, Ark., authorized by the Flood Control Act approved June 22, 1936, shall be constructed in accordance with the revised plans and cost estimates now in the office of the Chief of Engineers.

With the different reports on Clarks Hill of practically all the Government agencies dealing with projects of this type approving this project and stating that it is highly desirable, sound, and economically justified; and in further view of the fact that it will be self-liquidating, this amendment should not be stricken from the bill. The Senate was within its rights and did the proper thing by placing this item in this bill, for the reason that it was not placed in the navigation or flood-control bills on the theory that it was a multiple-purpose project for power, flood control, and navigation, and especially in view of the fact from a national-defense aspect authorization of this project is highly desirable at this time.

The report of the Federal Power Commission, dated March 29, 1939, included in the report of the Chief of Engineers, United States Army, in Senate Document No. 66, Seventy-sixth Congress, first session, entitled "Savannah River and Clarks Hill Reservoir, Ga.," relative to national-defense aspects, stated that meritorious water-power developments are of special significance to national defense. Constructed in time of peace in connection with the development of rivers for the benefit of navigation and for the control of floods, or during depressions as work-relief measures, they represent, in effect, stored peacetime labor and provide a source of dependable power which almost certainly would be of great value in a war emergency. It further stated that power from the Clarks Hill project would thus be available for supplying the increased power load during war as well as the expanding market in the region of the project, and it would make possible the establishment of war industries in that region or, in the alternative, would provide power for transmission, by relay, to distant industrial centers.

The recently completed navigation project on the Savannah River from Augusta to Savannah provides a depth of 6 feet in the river during 80 or 85 percent of the year. The Government has spent nearly $3,000,000 on this project. It is very unsatisfactory because it will not carry barges during the whole year. Dry weather occurring every fall causes low river stages, with a reduction of loads being carried on barges. Therefore, the full benefit to navigation cannot be realized unless we have a larger flow of water during the dry-weather season. This can be accomplished only by construction of the Clarks Hill Reservoir.

The only practical way to secure a uniform channel 100 percent of the time is to store water in reservoirs during rainy periods and to release the water at a uniform rate during dry periods. Not only will the Clarks Hill project, if developed, accomplish this but it will produce a large amount of power during the entire year and provide flood control to many counties in Georgia and South Carolina lying along the Savannah River above and below the city of Augusta.

In 1937 the Federal Power Commission made a survey of the power market within reach of the Clarks Hill site, and it reported that the maximum demand for power had increased from 1,180,000 kilowatts in 1933 to 1,425,000 kilowatts in 1936, an increase of 20 percent in 3 years. The Commission also estimated that the power demand would exceed 2,000,000 kilowatts by 1941. The estimated average annual increase is 82,000 kilowatts. The Federal Power Commission also stated there would be ample market for the power before the project could be completed.

As has been pointed out by the Savannah River Special Board, the Clarks Hill site is exceptional in that a very large reservoir may be created with only moderate flowage damage. The reservoir site is well down on the main stem of the river so that a large volume of water for filling purposes each year is definitely assured.

The usable storage capacity is sufficient for satisfactory annual regulation of the stream flow during low-flow years.

The damage to railroads, highways, and other valuable improvements would be very small. The lands that would be flooded are largely uninhabited, sparsely wooded tracts and uncultivated fields, with only a small proportion of farm lands in high state of cultivation, and with practically no farm buildings. Thus, it is seen that the entire flowage damage would not greatly exceed the bare cost of the project lands.

Throughout the driest years the project could so regulate the natural flow of the river that the minimum flow at Augusta would be approximately 5,600 cubic feet per second, or more than three times as great as the present ordinary low-water flow. The greatly augmented low-water flow below Augusta would convert an unsatisfactory channel into a navigation route of importance, with navigable depths in excess of 6 feet available 100 percent of the time, and capable of accommodating relatively large-scale tonnage.

This proposed project for navigation, flood control, and power would cost nearly $28,000,000 and will produce annually 500,000,000 kilowatt-hours of electric energy at a cost of about 2½ mills per kilowatt-hour for prime power, which is about 53 percent of the cost of steam-generated power in this territory.

This project has been approved and recommended by various Government agencies as being practical, sound, and economically justified, including the following:

First. Brig. Gen. G. B. Pilsbury, Acting Chief of Engineers, November 9, 1934. See 308 Report Savannah River, House Document 64, Seventy-fourth Congress, first session, published January 3, 1935.

Second. Special board appointed by President Roosevelt. Report dated February 29, 1936.

Third. National Resources Committee, November 5, 1936.

Fourth. Federal Power Commission Power Market Survey, April 1937.

Fifth. Board of Engineers, United States Army, January 25, 1938.

Sixth. Federal Power Commission, March 1938.

Seventh. National Resources Committee, April 1938.

The report of the Acting Chief of Engineers to the Secretary of War, dated November 9, 1934, printed in House Document No. 64, shows that the district engineers conclude that the most economical plan for the coordination of development of power and navigation lies in the development of the Clarks

Hill site for power and storage, and the improvement for navigation below Augusta by the United States under the project as now provided for, with supplementary regulating works.

They consider it to be of prime importance to navigation. As brought out in section V, development of the basin above Augusta for power would provide a large amount of storage and, as the addition of storage to natural low flows is of prime importance in connection with navigation below Augusta, the possibility of a coordinated scheme involving the development of power with storage and navigation is apparent.

The report shows that the proposed reservoir at this site is greater than at any other power site; that the drainage area above Clarks Hill is 85 percent of that above Augusta, hence the reservoir requirements, as to operation, for either power or navigation, should be very nearly the same; and that the Clarks Hill site is but 21 miles above Augusta and therefore the effectiveness of the proposed reservoir for navigation cannot be questioned.

The report of the President's special board, composed of Col. Earl I. Brown, United States division engineer; Roger B. McWhorter, chief engineer of the Federal Power Commission; and Sherman M. Woodward, water consultant, National Resources Committee, dated February 29, 1936, shows that in an official report dated April 26, 1933, the district engineer, War Department, Savannah, Ga., estimated the annual benefits to the public for a dependable 6-foot navigation channel below Augusta, with project depths available 100 percent of the time, at $751,000. The division engineer, in reviewing the report, concurred in the principles upon which the district engineer's estimate was based, but expressed the opinion that annual benefits of only $500,000 could be foreseen with reasonable assurance. The Board examined the reports and findings of the two reporting officers and considered that the reduction made by the division engineer may have been somewhat too drastic. Consequently, the Board assumed for the purpose of this report that the annual benefits to the public from a thoroughly dependable 6-foot navigation project below Augusta would be $600,000, stating that while admittedly such benefits are not susceptible of exact determination, the latter figure appears to be conservative.

The report also shows that by drawing water from the Clarks Hill reservoir in advance of the maximum inflow, flood discharges and stages could be reduced at Augusta, without detriment to either navigation or power.

Due to the short advance notice, the first peak of the 1929 flood could have been reduced by only 1.5 feet, but the second peak could have been reduced by more than 3 feet. Ordinarily, in the case of large floods, it is believed that sufficient advance notice can be had to permit of operating the reservoir in such manner as to prevent the river at Augusta from rising to within 3 feet of the stage which would be reached under natural conditions.

The report states that the reservoir would vitiate, or greatly reduce, the effect downstream from the project of small and intermediate floods, and the control of such floods would afford a measure of protection to farm lands along the river between Clarks Hill and Savannah.

The United States is committed to the improvement of the Savannah River below Augusta for steamboat and barge navigation, and any channel with less than 6 feet of dependable depth would be inadequate for the purpose. The Army engineers have estimated the cost for providing a dependable 6-foot channel by canalization (locks and dams) at approximately $15,000,000. As an alternative they have estimated the cost of providing such a channel by the construction of a storage dam at Brighams Landing (mile 142.4), supplemented by open river improvements, at $14,798,000. They reached the conclusion, however, that neither of these methods is economically justified at this time. The special board stated in the report that aside from the question as to whether either of the above alternatives would be justified under any conditions, it is certain that the Clarks Hill project, rather than either of these schemes, affords the most economical means of improving the river below Augusta for 6-foot navigation, due credit being allowed for benefits to other interests.

The comprehensive report on the Savannah River Basin by the National Resources Committee in cooperation with the East Georgia Planning Council, Prof. Blake R. Van Leer, water consultant, dated November 5, 1936, placed this project in group 1 and recommended immediate construction because of its importance to navigation, flood control, and power.

It stated that according to the estimates of the Department of Commerce Bureau of the Census the States of South Carolina (15.7 percent) and Georgia (15 percent) showed the greatest percentage growth of any States in the Union between 1930 and 1935, and that the industrial possibilities of this region are just dawning.

It further stated this site without question represents the next logical step in power generation in this area, and the high rate of cost to return (1:1:49) based on market for all power is so high as to offset the doubt as to the future of this market.

The power market for the output of the Clarks Hills project by the Federal Power Commission in April 1937 indicated there would be an ample and suitable market for the absorption of Clarks Hill power by the year 1941, when the project could have been completed if construction had commenced in 1937.

The loads which might advantageously be served from the Clarks Hill project can be classified as follows:

Class 1: Communities and wholesale customers within about 100 miles of the site, not independently served, to be served over separate transmission lines from Clarks Hill.

Class 2: Future increase in power requirements now served from existing transmission systems in the territory within economic transmission distance of Clarks Hill, largely in central Georgia and western South Carolina. Clarks Hill power for such requirements could be delivered at low cost, principally over existing lines.

Class 3: Power requirements in intermediate areas now supplied from sources more distant than Clarks Hill. Replacement by Clarks Hill power would release the generating capacity of the distant sources to supply the growth of loan in their own territories.

The cost of Clarks Hill power delivered to loads described as classes 1 and 2 above is thus estimated at not more than 4 to 5 mills per kilowatt-hour for firm energy. It could, therefore, be sold at rates advantageous to the purchaser as compared with power from other comparable and new sources, according to this survey.

The national policy of the United States has been declared to be that a navigable river is a public highway for commerce and the advantages should be utilized.

The Piedmont Belt is an agricultural and industrial area, with some dairying. Many textile mills have been established, due to the abundance of water power. Minerals are also found in this region. In Elbert County, in this area, there is probably more monumental granite than in any section of the United States. Much cotton is raised, besides poultry, livestock, and fruits. We also have an abundance of clay products.

It is estimated that there is available for upstream movement in the river some 600,000 tons of commerce per annum, and for downstream movement practically 400,000 tons, making a total of over 1,000,000 tons at an estimated saving of over $500,000,000. Coal could be shipped much cheaper to this section by navigation.

It is shown by the various reports that the Clarks Hill project will pay for itself and in the end will not cost the Government anything. It is highly desirable that this project be developed rather than spend some $15,000,000 or $18,000,000 on the river for year-round navigation only. This, of course, would cost the Government something when the development of Clarks Hill, with a threefold purpose of power, navigation, and flood control, would in the long run be of no cost to the Government.

This river is one of the longest that empties into the Atlantic Ocean, and probably has less improvement than any river of its length and size in the United States, and the delay in its development by the Government has worked to the disadvantage of the people of the Southeast.

[Here the gavel fell.]

Mr. SNYDER. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. DONDERO].

Mr. DONDERO. Mr. Speaker, this amendment, like some of the other amendments in the bill, has not been before the Rivers and Harbors Committee of the House. It involves $28,000,000. Undoubtedly there are some features of the proposed project that are meritorious. It may even have some aspects of national defense. But when the House is asked to consider a project involving $28,000,000 it does seem to me that it ought to have the benefit of a final determination by the committee that should have this matter before it; namely, the Rivers and Harbors Committee.

This project is located on the boundary line between South Carolina and the State of Georgia, about 75 miles or more as the crow flies from the seacoast. May I say for the benefit of the House, and I do not think I am violating any confidences of the Committee on Rivers and Harbors, that this project is not included in the list of projects that was sent to the committee yesterday to be considered from the standpoint of national defense.

There are two things in the report of the Army engineers regarding this project, and they are "navigation and the development of hydroelectric power." I have been fundamentally and eternally opposed to the Government of the United States going into the power business in competition with its private citizens. This is an attempt to load upon the Government another project to put the Government in business in competition with its private citizens. There has been no great necessity shown for the development of power in that region and certainly at the present time if it were needed for national defense it could not be completed and made ready in time to serve the national need.

Mr. WHITTINGTON. Will the gentleman yield?

Mr. DONDERO. I yield to the gentleman from Mississippi.

Mr. WHITTINGTON. Mr. Speaker, with the gentleman's permission, I would like to call attention to the language under consideration. In line 4 it says "Savannah River and Clark Hill reservoir. Senate Document No. 66: In accordance with the plan recommended on page 4 of said document." There is no authorization, there is no appropriation, and it is difficult to tell just what this language does mean. At all events, the project has not been authorized and it involves $28,000,000.

Mr. DONDERO. The gentleman is correct.

Mr. BROWN of Georgia. That was corrected by an amendment.

Mr. WHITTINGTON. I did not catch the correction as the amendment was read.

Mr. BROWN of Georgia. Will the gentleman yield further?

Mr. DONDERO. I yield to the gentleman from Georgia.

Mr. BROWN of Georgia. This was in Senate Document 66, and was considered by the Commerce Committee of the Senate. It is located in the southeastern section of the country. Our rivers have not been treated fairly. The Savannah River is the longest river running into the Atlantic Ocean and here you are freezing us out when we have a project that will pay for itself. It is in the southeastern section, and we need this development. The gentleman could not say anything against this project if he had read about it.

Mr. DONDERO. At the very outset I conceded this project may have some merit, but under present conditions, without any consideration by the House committee, when this Nation needs every dollar at its command, it seems to me that we are launching on a very large program when we need this for national defense.

[Here the gavel fell.]

Mr. SNYDER. Mr. Speaker, I yield 5 minutes to the gentleman from South Carolina [Mr. HARE].

Mr. HARE. Mr. Speaker, if the gentleman from Michigan, who just preceded me, had carefully read the report of the Army engineers, he would have found, as a matter of fact, that this project is 220 miles from the seacoast, or about three times as far as he indicated in his speech.

Mr. DONDERO. Will the gentleman yield?

Mr. HARE. I yield to the gentleman from Michigan.

Mr. DONDERO. Perhaps the map I have before me, prepared by the Army Engineers, is correct, but I was trying to be generous. The gentleman is convincing the House along the lines of the argument I wanted to make in far greater terms than I could.

Mr. HARE. If that is the case, we will win.

Mr. Speaker, as far back as the River and Harbor Act of 1927 there was a provision for a survey and study of navigation and flood control as related to rivers in southeastern United States, including the Savannah River. The report was to be prepared and submitted to Congress under the direction of the Secretary of War and the Chief of the Board of Engineers.

The survey and report were not completed and submitted to Congress until November 1934. The feasibility of flood control, navigation, and power development by one or more reservoir dams above Augusta was recommended, the reasons therefor being set out at considerable length and detail in the report.

On August 15, 1935, the President of the United States addressed a communication to the Secretary of War, the Secretary of the Interior, and the Chairman of the Federal Power Commission, directing that a three-member board be created, consisting of one representative of the Corps of Engineers, one from the Natural Resources Committee, and one from the Federal Power Commission to make a further study and prepare a report on the advisability of proceeding the following year with the Savannah River improvement by erecting a dam at a point approximately 21 miles above the city of Augusta. On February 29, 1936, the committee submitted a report, which has been filed and is now available to both the House and Senate.

The report suggested that the Clarks Hill site was exceptionally suited for the creation of a reservoir to impound waters for flood-control purposes; that it is equally well suited for storage waters to be used when needed for navigation purposes on the river between Augusta and Savannah, Ga., saying:

> This reservoir is located well down the main stream of the river so that a large volume of water for filling purposes each year is definitely assured. The reservoir could be operated in such a manner as to reduce the stage of major floods at points below the dam, without detriment to either navigation or power, and thus increase the margin of safety at Augusta against possible inundation.

That is, the committee found that the construction of a dam at Clarks Hill will prove to be an insurance against floods on the Savannah River, a distance of over 200 miles, and will insure a 6-foot channel for navigation for 100 percent of the time.

More recently the report referred to was submitted by the President of the United States to the Natural Resources Committee and Federal Power Commission for a further study and report, both of which have approved the recommendations of the special committee in most enthusiastic terms.

These reports are all now before us, and it is unnecessary for me to review them at any length. It is sufficient to say that the Natural Resources Committee, as well as the Federal Power Commission, find and conclude that the industrial possibilities of the Savannah River Valley and adjacent territory are practically in their beginning, although within a radius of 75 miles of this site we find the center of the great textile industry of both South Carolina and Georgia. The Federal Power Commission concludes there is, and will be, ample and suitable markets for all of the power to be generated at this plant when completed.

It is made clear that the impounded waters will be sufficient to obviate the possibility of a major flood on the

Savannah at any point between Clarks Hill and the Atlantic Ocean. It is shown further the waters can be loosed in dry weather and provide a 6-foot channel from Augusta to the ocean for at least 100 percent of the time. In addition, it is estimated that there can be generated upward of 400,000,000 kilowatt-hours of electric current for rural electrification, if needed, as well as added industrial enterprises.

This report was submitted to the Commerce Committee of the Senate last year after the river and harbor bill had been reported out by the House Committee. The Senate committee then held hearings and took into consideration the report of the Board of Engineers and the several other agencies of the Government that had studied and reported favorably and included this project in the river and harbor bill of the Senate last session. Subsequently, by action of the Senate the river and harbor bill was recommitted to the committee the early part of this session, where it was decided that only navigation projects would be included. The Clarks Hill Dam project, therefore, was left out. Now let us take just a minute and see what the situation is. Under the policy adopted by the Senate Commerce Committee no project that is not purely navigation will be considered by the committee. I know the gentleman from Oregon [Mr. PIERCE] can vouch for this statement. Therefore, this bill, under the ruling made by the Senate committee, cannot be considered under the present circumstances and included in the river and harbor bill. Now let us see what the situation is with the House Committee on Flood Control. I understand this committee has a policy that a project must have at least 50 percent of the estimated appropriation for flood control, or it will not be considered by that committee.

[Here the gavel fell.]

Mr. SNYDER. Mr. Speaker, I yield the gentleman 5 additional minutes.

Mr. HARE. The authorization under consideration does not have 50-percent flood control, consequently it cannot be considered by the Flood Control Committee of the House, and it is barred from the Senate committee because it is not wholly navigation. Then, where can this project land, The Senate, which had a right to do so, placed it upon this bill, and it attempts to provide only for an authorization. It does not provide for any appropriation whatever at this time. The proposed amendment provides for authorization for navigation, flood control, and power. I can say here and show you from the report submitted to Congress by the Board of Engineers that this is one of the most plausible projects in the United States. The report said with reference to the Clarks Hill site, and I quote—

> The Clarks Hill site is one of the best undeveloped power sites on any stream entering the Atlantic Ocean from the Atlantic States.

Then, why should we not accept this amendment which the Senate has placed in the bill? I know it is legislation on an appropriation bill, and it is therefore subject to a point of order, but it is on the bill, and it is a proposal which has been studied, investigated, and recommended by more governmental agencies than any other similar project now before Congress, and I hope the motion to recede and concur in the Senate amendment will be approved. [Applause.]

[Here the gavel fell.]

Mr. SNYDER. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon [Mr. PIERCE].

Mr. PIERCE. Mr. Speaker, I have persistently in the consideration of this bill voted with the committee against these amendments. I have been further confirmed in that vote by the statement made by the chairman of the Committee on Flood Control, to whom I always listen when he speaks from this Well. But I have been converted to this amendment by the speech of my colleague the gentleman from Michigan. When he takes the floor and voices his objection, basing it on the fact that this project is going to produce a little power, then my feathers are up. I know something of that fight. Of all the good, genial Members of this House, there is nobody who swallows the propaganda of the utilities more readily than our colleague the gentleman from Michigan.

I have had some reason to study this project. I fully concur in what was said by the previous speaker, the gentleman from South Carolina [Mr. HARE], that there is no other way under the President's instructions by which this project can receive consideration, as it is both power and navigation.

I am going to vote for the preferential motion of our friend, and I do so simply as a rebuke to that group who are constantly opposing any project looking toward generating any power.

[Here the gavel fell.]

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DONDERO. Mr. Speaker, in answer to the distinguished and kindly gentleman from Oregon [Mr. PIERCE] that he is going to vote for Senate amendment No. 11 to H. R. 8668 to include the so-called Clark Hill project, may I say again that this project has never been considered by the Rivers and Harbors Committee of the House, it involved $28,000,000 and is almost wholly a power project. It is a further attempt to drive the Federal Government into competition with its citizens and speed the Nation along the road of socialism. With a national debt exceeding $45,000,000,000 and an empty Treasury, my venerable friend from Oregon would vote to further weaken the national defense by supporting another raid on our diminishing finances. To oppose, in principle, every effort at national socialism is not following a protest by private enterprise to the competition of government, although I am in sympathy with that complaint. If power is required in the region of this project why has private capital refrained from venturing in such an investment. I am opposed as a fundamental principle to this proposal.

Mr. SNYDER. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon [Mr. MOTT].

Mr. MOTT. Mr. Speaker, I have voted against all these amendments, particularly those pertaining to flood control, not because I felt they were unworthy amendments, since personally I would like to have supported all of them, but I have voted against them because, in my opinion, they have no business in this appropriation bill. They are items in the 1940 flood-control authorization bill, which has already been reported to the House, and I oppose them as amendments to an appropriation bill in protest against the apparent inability of the majority leadership to bring up the flood-control authorization bill on the floor of this House and pass it.

This debate has been significant. We all know about the flood-control bill and the refusal of the majority leadership to give it a rule. We all know that it is a worthy and a necessary bill. We all know that it contains, among many others, the very projects which have been inserted by the Senate in this appropriation bill. We all know that the only reason we do not have the whole flood-control authorization bill before us at the present time for consideration in an orderly and proper manner is that the President has threatened to veto it.

Mr. WHITTINGTON. Mr. Speaker, will the gentleman yield?

Mr. MOTT. I yield to the gentleman from Mississippi.

Mr. WHITTINGTON. Is it not true that the flood-control bill we reported does contain projects where multiple purposes are involved? I invite the attention of the gentleman among others to a project located in the State of Georgia, the Altoona project, and the project in the State of Texas that was passed 2 years ago, the Denison project. Where there is power that can be produced, the Committee on Flood Control has made provision for it in flood-control work.

Mr. MOTT. That is all true. These projects have all been approved by the Board of Army Engineers. They have all been approved by the House Committee on Flood Control. They are incorporated in the 1940 flood-control bill. Two-thirds of the Members of this House would like to pass that flood-control authorization bill. It is necessary for many reasons, among which is national defense; yet because the President does not want it we are not allowed to have a rule for its consideration here on the floor.

It is the same with rivers-and-harbors legislation, and to a large extent it is the same with road legislation. Why does not the President want the House to consider legislation of this kind? It is because these bills specify how and under what circumstances the money can be spent. The President generally disapproves of that kind of legislation because it does not contain a blank-check authorization permitting the President to say how the money shall be spent. In flood control, river and harbor, and road legislation the law itself says how and where the money must be spent, and the President does not like that kind of legislation. I hope the flood-control bill will be forced into this House whether the President wants it or not, and that the House will pass it, even if it has to do so over the President's veto. [Applause.]

[Here the gavel fell.]

Mr. SNYDER. Mr. Speaker, I yield one-half minute to the gentleman from Kansas [Mr. CARLSON].

Mr. CARLSON. Mr. Speaker, I was detained at the time the House adopted the amendment changing the name of the Caddoa Dam to the John Martin Dam. I ask unanimous consent to extend my remarks at that point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. SNYDER. Mr. Speaker, I yield such time as he may desire to the gentleman from Oregon [Mr. ANGELL].

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD and include therein a short newspaper article on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

BONNEVILLE IN PEACE AND WAR

Mr. ANGELL. Mr. Speaker, in considering items Nos. 9 and 10 in H. R. 8668 for the development of the project on the Columbia River in Oregon, it is essential to keep in mind that the construction of the dam and power facilities in the Columbia, known as the Bonneville project, is being carried out by the War Department as one of the civil functions under that Department, in connection with the development of the Columbia River for navigation. Power is only incidental, being a byproduct. However, the marketing of the power is under the Department of the Interior, and the bill we recently considered, making an appropriation for that Department, carried an item for distribution facilities, being power lines and substations. The War Department has no jurisdiction over that portion of this development.

This improvement in the Columbia River at Bonneville was authorized by the Public Works Administration on September 30, 1933, and was approved by the River and Harbor Act of August 20, 1935. Originally an installation of 2 units of 43,200 kilowatts each was authorized, with an ultimate installation of 10 units. The present objective of six units is being carried forward under provision heretofore made in appropriations of $9,800,000 which have been made available. When this bill was before the House an additional $800,000 was carried for power installations through unit 6, but the House determined at that time that commitments should not be made going beyond the six units, authorized and attached a condition to the appropriation to effectuate that purpose.

There is no disposition on the part of those responsible for carrying forward the Bonneville project to build beyond the demands for the electric energy to be produced. It is, however, deemed advisable and in the interests of public welfare that the additional units should be constructed and put into operation as rapidly as there is demand for the power. It should be kept in mind that the power, pursuant to the provisions of the act under which the project is being constructed, must be sold wholesale. The Bonneville administration is prohibited from entering into competition with private or municipally owned utilities by marketing the power to individual users, with the exception of certain large manufacturing concerns, which buy direct at wholesale rate. Energy is now being furnished to utility districts, municipalities, and privately owned utility companies.

After this bill left the House the other body held hearings. Senate Report No. 1397 on the War Department civil functions appropriation bill for the fiscal year 1941, shows an increase of $2,600,000 over the House Bonneville item. This $2,600,000 represents two additional expenditures, namely, $100,000 for accelerating the completion date of units 3 and 4 and $2,500,000 for starting the foundations for units 7, 8, 9, and 10. The justifications for these amounts were placed in the record of the hearings before the Senate Subcommittee on Appropriations by Senators MCNARY and HOLMAN, and are found on pages 169 and 213 of the Senate hearings on H. R. 8668.

Unfortunately, the status and necessity for the work was not included in the hearings before the House subcommittee. The brief testimony before the House subcommittee shown on page 125 of the House hearings was based on a misconception, which was partly corrected during the House debate on the bill, and is shown on page 2177 of the CONGRESSIONAL RECORD of February 29, 1940.

In January 1940, the Secretary of the Interior wrote to the Secretary of War indicating the necessity for this work. This letter appears in the House appropriation hearings on the Interior bill, page 223, but was not placed before the Budget or the House war committee. In this letter the Secretary of the Interior pointed out that by 1942 there would be a demand for primary power amounting to 231,920 kilowatts, which is 37,520 kilowatts in excess of the dependable power which will be available at Bonneville at that time.

The details making up this estimate appear on page 173 of the Senate hearings.

On page 174 of the Senate hearings the prime power sales progress schedule is given, and this exhibit may be summarized as follows:

Item	Number of applications	Kilowatts
Applications received	121	657,614
Applications ready for connection	40	92,971
Feasibility reports completed	25	128,621
Contracts submitted and executed	23	82,210
Contracts executed	15	65,110

Since the preparation of the exhibit, Administrator Raver testified on page 213 and the following of the Senate hearings that the Aluminum Co. was negotiating for an additional contract of 32,500 kilowatts, which has now been consummated, and that another large industrial organization has asked for a reservation of 50,000 kilowatts.

Under the present schedule of construction, units 3 and 4 will not be completed until April 1941. To take care of contract commitments, contracts in sight, as well as a definite power shortage in the Portland area, there will not be sufficient capacity in operation the late winter of this year to handle the load. The additional revenue accruing to the Government from accelerating completion date of units 3 and 4 will be approximately $500,000 and the cost $100,000, leaving a net advantage to the Government of about $400,000.

Units 3, 4, 5, and 6 are now under construction and funds appropriated and available do not make any provision for any work on the remaining units. The construction schedule of the Army engineers was designed to effect the most economical plan. Discontinuing the schedule at this time will

result in a construction loss to the Federal Government, for this reason alone, of $200,000 to $500,000.

In addition to the loss occasioned by interrupting the schedule there will be a very substantial loss from inability to contract the capacity of units 5 and 6. If the foundations for units 7 to 10, inclusive, are put in at a later date, it will be necessary to construct a foundation cofferdam which will block off the water from units 5 and 6. These two units will have a capacity of 108,000 kilowatts, which if sold on a firm basis under existing rates will mean $1,890,000 in revenue per year. The total amount of loss to the Government cannot be estimated exactly, as the same will depend on the length of time units 5 and 6 will be tied up, and this in turn will depend on the appropriation schedule. Industry is moving into the Bonneville area. This is not industry transplanted from other sections, but is either new projects or curtailment in Canadian development. This movement should not be stopped by the impression that Congress is curtailing the program. If this movement is slowed down, the loss to the Federal Government could amount to at least $10,000,000.

The object of the $2,500,000 appropriation is to cover so much of the foundation work for units 7 to 10 as will obviate the necessity for cofferdams blocking the output of units 5 and 6.

The report of the Chief of Engineers for 1939 shows that $7,089,200 could be profitably expended during the fiscal year 1941 at Bonneville, and of this amount $4,000,000 would be necessary to bring the substructure of the last four units to a point where there will be no impairment in the output of units 5 and 6. The $2,500,000 is that minimum part of the full amount that the War Department advises can be profitably expended in the fiscal year 1941. This item will avoid tying the hands of the Bonneville administrator on power sales. No industry seeking a location in the Bonneville area would make an investment unless there is a guaranty of capacity delivery. The $2,500,000 appropriation is designed to remove this handicap applying to 108,000 kilowatts of capacity.

This additional appropriation passed by the other body, of $2,600,000, is authorized specifically so that this project may not be penalized when it becomes necessary to build the foundations for units 7, 8, 9, and 10, by having to shut down the plant. A shut-down of the plant would result in a loss of much revenue from power sales. This additional appropriation will permit the building of the foundations of these units at the present time, for which an additional allocation of $2,500,000 is made, and will also permit the accelerating and completion of units 3 and 4, at an additional cost of $100,000, making up the total of $2,600,000. Furthermore, considerable savings may be made by the Government by building these foundations at the same time that the foundations for the other units are being constructed. As I have pointed out, applications for power thus far received clearly demonstrate that there will be a market for all of the output of the plant as rapidly as these units may be completed.

It is important also to consider this project in connection with the national-defense program which is now demanding so much attention. Unfortunately, we find that many strategic and critical materials absolutely essential for national defense are not available within the United States under present developments. Many of these come from Europe and Asia and no one can foretell at the present time whether these sources of supply will not be completely cut off. It is most imperative that we immediately utilize, so far as available, our natural resources, so that we may make available these strategic and critical materials. In the Northwest there are many deposits which can be made available through the use of cheap electrical power, and thus supplying a considerable portion of our needs in this respect. Fortunately we have in the vicinity of Bonneville and Grand Coulee large mineral and nonmetallic deposits and quantities of other material which may be developed, which will fit into any program designed to make the United States self-sufficient with respect to these strategic and critical war materials. It should not be overlooked that these materials are as equally desirable in times of peace.

Under leave to extend, I desire to include in my remarks an article appearing in the Christian Science Monitor under date of March 15, 1940, discussing briefly a new process with reference to the treatment of low-grade chromium ores in the Pacific Northwest, and the beach sands of the Oregon coast. The article follows:

IF NEW PROCESS SUCCESSFUL, OREGON MAY BECOME BIG CHROMIUM PRODUCER

PORTLAND, OREG.—Vast stores of chromium locked in the low-grade ores of the Pacific Northwest and beach sands of the Oregon coast soon may form the basis of a new industry in Oregon and revolutionize the world industry.

That will become a fact if the new process perfected by Joseph Schulein, youthful chemist, for electrochemical reduction of low-grade chromite ores proves successful.

He declared the Schulein process combines chemicals with an electric bath with a resulting production in one operation which results in metallic chromium, 99.99 percent.

METHOD CHEAPER

This not only is purer than that produced by the furnace method but also would be cheaper. Furnace processing of Northwest low-grade ore has been tried but because of the several stages of refining necessary has not proved practicable financially.

Chromite metal is melted down with pure iron to produce ferro-chromium, which has a wide variety of uses because of its unusual hardness.

Development of the new process, on which Mr. Schulein has applied for patents, was carried on in the Oregon State College laboratory at Corvallis. He is an ex-employee of the Chromium Co. of America and is a graduate of the University of Wisconsin. He lives in Portland and is a special student at Oregon State.

Backing was by L. B. Haley, Hillsboro meat canner, and supervisory aid was provided by Profs. George Gleeson and G. C. Ware, of the college's chemical engineering department.

PLANS NEW PLANT

Earl K. Nixon, director of the Oregon State department of Geology and mineral industries, declared, "If he has perfected his process, he has something that will upset the whole chromium industry. It is something that experts said couldn't be done."

Professor Gleeson said he thought Mr. Schulein's process is "quite sound and workable."

Plans already are under way for construction of a small-scale plant to start commercial production, probably in Portland.

BONNEVILLE—UNEMPLOYMENT AND INDUSTRIAL DEVELOPMENT

The development of these power resources is further important in connection with our whole domestic problem of unemployment, the solution of which we have met with such little success. I have made some studies in connection with Bonneville power development, making comparisons with other similar developments for the purpose of forecasting so far as possible the possibilities of furnishing employment in the Northwest. These studies are of special interest in connection with this whole power-development program. The time allotment does not permit me to direct your attention to and to comment upon them in detail. The results of these studies and comparisons will be extended, however, in full in my remarks.

BONNEVILLE

Total complete installed capacity, 518,400 kilowatts. This is equivalent to 698,000 horsepower; 50 percent is reserved for public agencies. This equals 349,000 horsepower.

The distributed power of all the private companies in the United States is classified as follows:

	Percent
Residential and rural	19.4
Commercial	17.0
Industrial	54.0
Miscellaneous uses	9.6
	100.0

Employees of private companies, 250,000.

Lowered resale rates will increase residential and commercial usage, so at least 35 percent of the distributed power should go to intermediate industry:

	Horsepower
35 percent of 349,000 horsepower	122,000
Possible direct sales	349,000
Total dinner-pail horsepower	471,000

The available Bonneville dinner-pail horsepower is 19 percent more than the usage in the city of Niagara Falls and about 5 percent more than Niagara County. Deducting a 10-percent transmission loss to be conservative, the experience in other localities can be proportioned to Bonneville capacity as follows:

Item	City of Niagara Falls	Niagara County	Composite of cases cited of distributed industries
Number of direct wage earners	12,400	18,300	72,500
Number of indirect wage earners	11,550	15,600	54,000
Estimated value of products per industrial wage earner	$7,000	$6,450	$3,000
Total annual manufactured value	$86,850,000	$118,000,000	$217,500,000
Annual value added by manufacture to raw material	$44,500	$60,800	$109,000,000

The Bonneville employment estimates based on other experience can only be taken as an index, rather than an absolute measure, as the net result will depend on developed rates of sattelite to basic industries. However, these facts point out certain conclusions which are as follows:

(1) Large electrochemical or metallurgical industries are necessary to develop the latent resources of the Northwest.

(2) Such major industries are necessary to induce distributed satellite industries.

(3) Employment per 1,000 horsepower is lower with the basic industries than with the distributed satellite industries.

(4) The annual value added to raw materials by manufacture, for the final complete plant installation should run from $44,000,000 to say $100,000,000. This added value would pay for the complete plant in 1 or 2 years.

SUMMARY OF MANUFACTURING INDUSTRIES

Entire United States

Number of establishments	169,111
Average number wage earners	7,378,845
Annual wages	$7,545,338,434
Average annual wage per worker	$1,025
Cost of materials, fuel, power	$26,263,493,668
Value added by manufacture	$19,496,269,394
Value of manufactured products	$45,759,763,062
Value of products per wage earner	$6,201
Horsepower of industrial isolated power plants	20,133,000
Horsepower of private utilities dedicated to industrial use (estimated)	28,200,000
Total horsepower serving all industry	48,333,000
Employees per 1,000 horsepower, all kinds of industries	153

(Based on Department of Commerce data for 1935.)

City of Niagara Falls, N. Y.

Installed active water horsepower	507,000
Approximate horsepower used locally	395,000
Approximate horsepower transmitted	112,000
Number large industries	26
Number satellite industries	68
Satellite industry per major industry	2.6
Number, wage earners	11,392
Annual wages	$14,326,963
Cost of raw materials and power	$46,642,904
Value added by manufacture	$49,657,783
Total value of manufactured products	$96,300,687
Value of manufactured product per wage earner	$8,453
Direct industrial wage earners per 1,000 horsepower	28.2
Indirect wage earners per 1,000 horsepower	24.0

Industrial power sale price, Niagara Falls, N. Y.

	Number of companies	Mills per kilowatt-hour
Aluminum Co., original contract	1	1.3
Metal companies	6	3.4
Abrasine company	2	2.7
Chemical companies	14	3.3
Paper companies	3	3.1
Total	26	

	Mills per kilowatt-hour
Average sale price all industries at Niagara Falls	3.1
Bonneville dump-power sale price	2.5
Bonneville prime power at 95 percent load factor	2.1
Bonneville prime power at 55 percent load factor	3.6

Industrial power at T. V. A. sells for $24.00 per kilowatt-year or 2.9 mills per kilowatt-hour at 95 percent load factor.

Bonneville rates are on average about 30 percent lower than T. V. A. industrial rates and about 25 to 30 percent below Niagara Falls.

Niagara County, N. Y.

Estimated horsepower used	450,000
Number large industries	26
Number satellite industries	200
Satellite industry per major industry	7.7
Wage earners	19,295
Total annual wages	$23,471,437
Cost of raw materials and power	$75,613,553
Value added by manufacture	$73,531,622
Value of manufactured products	$149,145,175
Value of product per wage earner	$7,730
Direct industrial wage earner per 1,000 horsepower	42.8
Indirect wage earner per 1,000 horsepower	40.0

NOTE.—Comparison of city Niagara Falls with Niagara County shows that the distributed satellite industries, dependent on large industries, increases employment per 1,000 horsepower.

TYPICAL CASES OF DIRECT AND INDIRECT INDUSTRIAL EMPLOYMENT PER 1,000 HORSEPOWER

Midwestern paper-mill town

Mills	110
Satellite	18
Indirect	110
Total wage earners	238

This town built around two paper mills.

New England mill towns

Population	350,000
Number families	84,500
Local water—Horsepower	155,000
Number industries	477
Number industrial wage earners	56,752
Indirect employment per direct employment	0.49

New England figures do not include rural areas. Indirect employment in mill towns is low because of not including rural areas and close proximity of large shopping centers. In addition to water power locally located in these mill towns, power is also transmitted into these localities, which will make the over-all figures approximately as follows:

Direct industrial employment per 1,000 horsepower (large and satellite combined)	175
Indirect employment	88
Total direct and indirect employment per 1,000 horsepower	263

Swiss conditions—Largely transmitted power to numerous smaller industries

Approximate direct employment per 1,000 horsepower	175
Approximate indirect employment	220
Total	395

Canadian conditions—Eastern water-power section

Approximate direct employment per 1,000 horsepower	167
Approximate indirect employment per 1,000 horsepower	168
Total	335

Norway's industrial activity is similar to eastern Canada.

Completely autcmatic industries will run as low as 34 employees per 1,000 horsepower for direct employment. However, this type of industry generally produces substantial employment for raw materials.

Sierra Iron Co.

This is the company which recently executed Bonneville contract. Total complete capacity, 32,000 kilowatts, or 40,000 horsepower.

Direct employment, complete plant, 500-ton capacity	350
Mining, transportation, and handling ore	250
Rich Manufacturing Co., Portland, a new plant to use products of finished plant	400
Estimated new additional outlets, as this operation is the only smelting operation on the Pacific coast	250
Indirect mining and transportation from new outlets	200
Total direct and indirect employment	1,450
Direct factory employment per 1,000 horsepower	8.8
Mining and transportation per 1,000 horsepower	6.3
Satellite industries per original 1,000 horsepower	10.0
New satellite industries per original 1,000 horsepower	10.0
Total wage earners per 1,000 horsepower	35.1

Mr. SNYDER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the preferential motion of the gentleman from Georgia [Mr.

BROWN] to recede and concur in the Senate amendment with an amendment.

The motion was rejected.

The SPEAKER pro tempore. The question now recurs on the motion of the gentleman from Pennsylvania that the House insist on its disagreement to the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 12. Page 12, after line 20, insert the following:

"SURVEYS AND MAPPING

"For topographic surveys and mapping as proposed in Senate Document No. 54, Seventy-sixth Congress, first session, to be applied to the same objects (but not limited to the amounts specified for such objects) enumerated in the Interior Department Appropriation Act for the fiscal year ending June 30, 1941, under the heading 'Geological Survey' and the subheading thereunder 'Topographic Surveys', $1,210,350, to remain available until June 30, 1942: *Provided*, That this appropriation shall be devoted to mapping in strategic areas, in accordance with priorities to be determined by the Secretary of War."

Mr. SNYDER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. SNYDER moves that the House recede from its disagreement to the amendment of the Senate No. 12 and concur therein with an amendment as follows:

In lieu of the matter inserted by the said amendment insert the following:

"SURVEYS AND MAPPING

"For topographic surveys and mapping as proposed in Senate Document No. 54, Seventy-sixth Congress, first session, to be transferred to the Department of the Interior, Geological Survey, and to be applied to the same objects (but not limited to the amounts specified for such objects) authorized in the Interior Department Appropriation Act for the fiscal year ending June 30, 1941, in the first paragraph under the heading 'Geological Survey' and in the subitem for 'Topographic Surveys', and to the employment of personal services (not to exceed $30,400) in the District of Columbia, the purchase of office equipment for use in the District of Columbia, field and office stationery, and engraving and printing maps, $1,210,350, to remain available until June 30, 1942: *Provided*, That this appropriation shall be devoted to mapping in strategic areas, in accordance with priorities to be determined by the Secretary of War."

The SPEAKER pro tempore. The question is on the motion of the gentleman from Pennsylvania.

The motion was agreed to.

The SPEAKER pro tempore. The clerk will report the next amendment in disagreement.

Mr. SNYDER. Mr. Speaker, amendments Nos. 13 to 20, inclusive, are all concerned with the proposition to build a third set of locks in the Panama Canal Zone. What is done on amendments 18 and 19 will determine the course to pursue with respect to the entire number of amendments and I therefore ask unanimous consent to take up amendments Nos. 18 and 19 out of turn and consider them together.

Mr. POWERS. Mr. Speaker, reserving the right to object, all of these eight amendments pertain to the construction of a third set of locks in the Panama Canal Zone. I wonder if the gentleman would revise his unanimous-consent request and make the request that we consider all eight amendments as one. We are either going to vote this proposition up or vote it down, and if the gentleman will revise the request, I think it would simplify the matter; but before I shall agree I would like to have some understanding with the gentleman as to how much time there will be for debate and what the division of the time will be.

Mr. SNYDER. If it is desired to consider all of them together, I shall not object.

Mr. POWERS. Now, reserving the right to object, if the gentleman has made that request—and I am sure he has—may I ask the gentleman how much time we are going to have on the amendments and what the division of time will be?

Mr. SNYDER. I suggest that we run along for an hour, and if we need more time after that, we will take more time.

Mr. POWERS. Mr. Speaker, if the gentleman will yield, what does the gentleman mean by "if we need more time"?

Mr. SNYDER. If we need additional time at the end of the hour——

Mr. POWERS. The gentleman will not object if we need 2 hours?

Mr. SNYDER. I will not object if we need more time at the end of the hour, but I do not wish to extend the time now. We want to dispose of this matter tonight.

Mr. POWERS. Having had experience with the gentleman I would really like to know if I ask for an additional hour whether he will object or not.

Mr. SNYDER. At the end of the hour, if the gentleman has requests for a sufficient amount of time to consume another hour, I shall not object.

Mr. POWERS. Then how will the time be divided?

Mr. SNYDER. As equally as possible.

Mr. POWERS. Just what does that mean?

Mr. SNYDER. That means about 30 minutes for the gentleman and about 30 minutes for me.

Mr. POWERS. Then if we require an additional hour, it will be divided in the same way—30 minutes for the gentleman and 30 minutes for me?

Mr. SNYDER. To be more correct, 30 minutes for those in favor of the amendments and 30 minutes for those against the amendments.

Mr. POWERS. I shall not object.

The SPEAKER pro tempore. The gentleman from Pennsylvania asks unanimous consent that amendments Nos. 13 to 20, inclusive, be considered together. Is there objection?

There was no objection.

The Clerk read as follows:

Amendment No. 13: Page 13, line 15, after the word "Zone", insert "and construction of additional facilities."

Amendment No. 14: Page 14, line 5, after the word "Canal", insert "and construction of additional facilities."

Amendment No. 15: Page 15, line 5, after the word "Canal", insert "and construction of additional facilities."

Amendment No. 16: Page 15, line 23, strike out "$8,861,367" and insert "$8,011,367."

Amendment No. 17: Page 15, line 25, strike out "$27,861,367" and insert "$27,011,367."

Amendment No. 18: Page 16, at the end of line 9, insert:

"Construction of additional facilities—Panama Canal: For construction of additional facilities for the improvement and enlargement of the capacity of the Panama Canal, in accordance with the act approved August 11, 1939 (53 Stat. 1409), including reimbursement to the appropriations 'Maintenance and operation, Panama Canal,' 'Sanitation, Panama Canal,' and 'Civil government, Panama Canal,' in such amounts as the Governor of the Panama Canal shall from time to time determine to be additional costs incurred for the objects specified in said appropriations on account of the prosecution of the work; in all, $15,000,000."

Amendment No. 19: Page 16, line 20, after "$15,000,000"', insert a comma and the following: "and, in addition, the Governor of the Panama Canal may, when authorized by the Secretary of War, make or authorize the making of contracts prior to July 1, 1941, for or on account of the construction of such additional facilities, to an amount not in excess of $99,000,000."

Amendment No. 20: Page 17, line 20, strike out "$30,098,771" and insert "$44,248,771."

Mr. SNYDER. Mr. Speaker——

Mr. BLAND. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. Does the gentleman from Pennsylvania yield for a parliamentary inquiry?

Mr. SNYDER. I yield, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. BLAND. Was the agreement made a while ago that the time should be equally distributed between those for the Senate amendments and those against them?

The SPEAKER pro tempore. That is the way the Chair is going to try to divide the time.

Mr. SNYDER. Mr. Speaker, I move that the House insist upon its disagreement to the amendments of the Senate numbered 13 to 20, inclusive.

Mr. TERRY. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

Mr. TERRY moves that the House recede and concur in Senate amendments Nos. 13 to 20, inclusive.

Mr. SNYDER. Mr. Speaker, by act approved August 11, 1939, a third set of locks was authorized to be built in the

Panama Canal Zone at a total cost of $277,000,000. The 1941 Budget proposes on account of such project an immediate appropriation of $15,000,000 and contractual authority of $99,000,000. The House Appropriations Committee made an adverse recommendation and its recommendation was concurred in by the House. The Senate, however, approved of the Budget proposal, so the matter is before us for reconsideration.

When this bill was before the House in the latter part of February, the House was intent upon effecting substantial reductions in all of the regular annual appropriations measures. We were not particularly impressed with projects which would take 6 years to complete. They were not looked upon as being in an emergent category. The Appropriations Committee, therefore, decided to defer the initiation of this project and merely made provision for continuing the preparation of detailed plans and specifications. That enabled us to effect a reduction of around $15,000,000.

That is what every appropriation subcommittee was attempting to do at that time; to bring every appropriation bill out under the Budget, with the object of making up the $462,000,000 we wanted to make up in order to keep within the forty-five billion debt limit. I went along with that program at that time.

Today we face an entirely different situation. The national defense phase stands out above all other considerations. What is best to do is debatable. If our need be of an immediate or almost immediate nature, an auxiliary waterway which cannot be made ready for 6 years has little to commend it at this time. In that case, I think the suggestion of my friend, the gentleman from Michigan [Mr. ENGEL], is worthy of very careful consideration, which is, that any outlay we are prepared to make in the Canal Zone should be in the nature of more extensive protective and defense measures for the existing waterway. There is no question about both the Army and the Canal authorities being able to take additional steps to those presently in course of consummation. Another consideration not earlier of special concern, is the matter of labor, skilled and unskilled, both at the site and in producing establishments of the materials which would be used in the project. Is it wise at this time to tie that labor up upon a project, the completion date of which lies as far ahead as 6 years? These are questions which should be very carefully considered.

My motion that we further insist upon our disagreement to the amendment of the Senate does not express my own judgment. As chairman, I offer it as the sentiment of a majority of the managers on the part of the House.

In February I felt the matter could be deferred. Today, in the light of what is happening in Europe, and because of what may follow, I feel that it is our duty to make every provision possible to make sure the continued availability of this waterway for the passage of our fleet. I am not sure in my own mind what the answer is, but I offer this suggestion, Mr. Speaker: While I have made a motion further to insist upon disagreement to the amendment of the Senate, I should like to see a motion to recede and concur with an amendment, which would add to the Senate amendment a proviso reading—

Provided, That, as an alternative course, the President may expend all or any part of such amount upon protective measures, including military equipment, for the security of the existing waterway.

Mr. Speaker, I yield 10 minutes to the gentleman from Arkansas [Mr. TERRY].

Mr. TERRY. Mr. Speaker, I dislike to rise on the floor and argue against the conclusion of the majority of my committee, and yet I feel that the project we have under discussion now is so important and so interwoven with the future of our country and with the national-defense program that we are now undertaking, that I am compelled to oppose the views of my colleagues on the subcommittee. During the hearings on this bill we tried to cut down all appropriations as much as possible, and we tried to reduce those items which the committee thought were less important than some others and some that were not as important in point of time. Our committee when this bill was reported out provided only $850,000 for the drawing of the plans of these supplemental locks, and cut out the request that was made by the Budget for $15,000,000 for preliminary work in connection with the supplemental locks, and also cut out the authorization for $99,000,000 with which to go ahead in the future for contracts for the beginning of the construction of the locks. I believe that everyone in this Chamber will agree with me that it is only since the German armies rushed into Belgium and Holland overnight and started the "blitzkrieg" with the aid of parachutists and the "fifth column," that the people of this country realized the danger to what is left of democracy in this world.

Mr. FITZPATRICK. Mr. Speaker, will the gentleman yield?

Mr. TERRY. Yes.

Mr. FITZPATRICK. Does the gentleman feel if we accept the Senate amendment that it will go a great way toward national defense and to protect the Panama Canal?

Mr. TERRY. That is my feeling.

Mr. VORYS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. TERRY. Yes.

Mr. VORYS of Ohio. The gentleman has no doubt studied this in view of the developments in Europe, to which the gentleman has just referred. Would it be possible to defend this new set of locks which I understand are within bombing range of the other set of locks, or would we not simply be spreading out the amount of things we have to defend and not making it any harder in aerial warfare? I do not know myself.

Mr. TERRY. Answering the gentleman, I may say that I am a layman myself and of course am not familiar with military matters to any considerable extent. I do know, however, that the Congress in 1939 duly debated and considered the question of these supplementary locks from the standpoint of national defense rather than from the standpoint of expansion for commercial use.

Mr. LEAVY. Mr. Speaker, will the gentleman yield?

Mr. TERRY. I yield for a question.

Mr. LEAVY. This group of amendments that are being considered together, I understand, form a part of the present defense program that the President has recommended and outlined. Am I correct?

Mr. TERRY. The President has recommended the building of these supplemental locks. Their building has also been recommended by the War Department and by the Navy Department. All the military and naval officials of the country are asking that this be done.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. TERRY. I yield for a question.

Mr. KNUTSON. What is the total cost of the third set of locks?

Mr. TERRY. It is estimated that the third set will cost $277,000,000.

Mr. BLAND. Mr. Speaker, will the gentleman yield?

Mr. TERRY. I yield.

Mr. BLAND. Answering the interrogation I may say that the President was so much in favor of these locks that he said he would not veto the bill in which they were authorized because he felt it was necessary that the locks should be installed.

Mr. TERRY. I thank the gentleman.

Mr. Speaker, I have given this matter a great deal of consideration and have come to the conclusion that the greatest danger to which the Panama Canal is subject is sabotage. At the present time two sets of locks exist at the Canal side by side. Army and Navy authorities tell us that the Canal at present is not subject to attack from land, but that its main danger is from the air and from sabotage. It is proposed that this third set of locks shall be constructed at some little distance from the present locks, one-third, one-half, and three-quarters of a mile, respectively.

Should a bombing squadron fly over the Canal and bomb the present locks or drop a bomb on either of the two channels the danger is, that because the locks parallel each other, side by side, an explosion of a heavy bomb from the air or detonated in a ship in one would in all probability damage the contiguous lock. The peril the Army and Navy officers fear is that before we get into a war, in the first few days or weeks before actual entrance, when tension is great, an enemy ship in traversing the locks may be blown up and destroyed, not only sinking the ship, but seriously damaging the Canal and causing weeks, if not months, of delay.

Mr. COLE of New York. Will the gentleman yield?

Mr. TERRY. I yield.

Mr. COLE of New York. Is it intended that the third set of locks shall be made bomb-proof?

Mr. TERRY. It is intended that the third set of locks shall be made bombproof. And I may say in this connection the Government is spending between $39,000,000 and $40,000,000 in bombproofing as far as possible the present locks. They are doing what they can to correct a defect that now appears by reason of the fact that the locks were built long before the possibilities of aerial warfare was realized.

Mr. VORYS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. TERRY. I yield.

Mr. VORYS of Ohio. Is that money for bombproofing the present locks included in this authorization?

Mr. TERRY. No. That is an additional amount that is being expended to build up the protection of the present locks.

Mr. VORYS of Ohio. That has already been appropriated.

Mr. TERRY. That is already being done.

Mr. Speaker, the result of what we do here this afternoon may, in the days to come, spell the difference between victory and defeat for our country. We do not know what the future holds in store for us. We should not fail to do everything that is humanly possible to fully protect our country in this war-maddened world. The cost of these supplemental locks is large, but should the day ever come when their need would be vital, the cost of their construction would count but little when compared with the dire results that their absence would impose. You and I cannot afford to accept the responsibility of turning a deaf ear upon the recommendations of those upon whom we have the right to rely for expert advice. President Roosevelt recommends it. The Navy endorses it. The Governor of the Panama Canal Zone says it is essential. Brigadier General Strong, Assistant Chief of Staff, War Department, at page 52 of the hearings, says:

> The War Department feels that the availability of a third set of locks, constructed as planned, will reduce the present hazards of interruption of passage, through sabotage or air bombardment by at least 50 percent.

Can we afford to take the chance of it happening here? I say, "No."

[Here the gavel fell.]

Mr. SNYDER. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. CULKIN].

Mr. CULKIN. Mr. Speaker, the necessity of building a bypass in the Panama Canal to supplement the present double locks was fully discussed before the Committee on Merchant Marine and Fisheries which considered a bill authorizing this construction. That bill passed the House without any extended debate and certainly without serious opposition. The committee regarded this project as a matter of first importance in the field of national defense.

The country is confronted with the building of two navies unless some such protection is given the Panama Canal as is proposed here.

The Canal at present is open to sabotage no matter what precautions are taken. Ships of all nations pass through these locks carrying cargoes some of which are essential to our own national well-being. The bypass here proposed would be limited to ships of the Navy, with sabotage within the locks a very remote possibility.

The present locks, as was stated a moment ago by the able speaker who preceded me, are more or less archaic in type and cannot be made effectively bombproof; but this new bypass, the chief objection to which, as will be urged here, is its nearness to the present Canal, can and will be made effectively bombproof under the existing conditions of warfare. This will avoid the necessity of the country, if you please, building a navy for the Pacific and a corresponding navy for the Atlantic. This will require the spending of $4,000,000,000. I was very strongly for this procedure at the time the request for the authorization was before the committee. I am a good deal more strongly for it at this time because of the greater potentialities that exist by reason of conditions in Europe.

Assuming that the British Navy were destroyed or taken over by Germany, our problem would be vastly more serious than it is today. I urge the House to consider that without my going into detail and without attempting to prophesy what the future will bring forth. The procedure of building this bypass insures the almost certain transit of the Navy back and forth from the Pacific to the Atlantic at will. Without this, by reason of sabotage within the locks, warships would have to go around the Horn, as the Oregon did in the Spanish-American days.

Mr. SANDAGER. Will the gentleman yield?

Mr. CULKIN. I yield to the gentleman from Rhode Island.

Mr. SANDAGER. I think the gentleman has omitted something with which he is familiar. That is, this new bypass will be wide enough to accommodate the most modern warships.

Mr. CULKIN. That is another question. We are talking about building greater battleships, with beams so wide they will not pass through the present locks. As my colleague on the committee suggests, these new ships with the additional beam will be unable to pass through the present locks.

Mr. VAN ZANDT. Will the gentleman yield?

Mr. CULKIN. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. The present aircraft carriers can just squeeze through the present locks?

Mr. CULKIN. Yes. I recall the battleship *Renown* of the British Navy some years ago jammed her bow in going through. By reason of the new menace from the air, future ships must be more heavily armored. That will require greater beam.

Mr. COLE of New York. Will the gentleman yield?

Mr. CULKIN. I yield to the gentleman from New York.

Mr. COLE of New York. We were advised by the Navy Department that all of these battleships will be able to go through the present locks.

Mr. CULKIN. It is obvious that ships of the future must carry greater weight. That will surely require greater beam. That is the lesson of the present war.

Mr. Speaker, I urge the House in the interest of sound national defense to concur in the Senate amendment. [Applause.]

[Here the gavel fell.]

Mr. SNYDER. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. VAN ZANDT].

Mr. VAN ZANDT. Mr. Speaker, I arise at this time in support of the preferential motion offered by the gentleman from Arkansas [Mr. TERRY], because it will provide for the immediate construction of the much-needed new set of locks for the Panama Canal. This new set of locks is imperative if we are to fully expand the defenses of our Nation during these trying days. Some few months ago it was my privilege to make a thorough study of the Panama Canal from the standpoint of national defense. At that time it was impressed upon me by high officers of the Army and Navy that if the Panama Canal was to be properly defended not only would Congress have to provide funds for

additional aircraft batteries, additional defense guns, additional regiments of infantry, make bombproof the present locks, but, by all means, construct immediately a new set of locks.

In the discussion of a new set of locks, time and time again the question of transferring the Navy from the Atlantic to the Pacific or vice versa was mentioned. Those who understand the military necessity of transferring the fleet from one ocean to another via the Canal support a new set of locks because same will preclude the necessity of our Government spending five billions of dollars for the construction of another fleet to be stationed in the Atlantic, since the present fleet is in the Pacific.

Mr. WHITE of Idaho. Will the gentleman yield?

Mr. VAN ZANDT. I yield to the gentleman from Idaho.

Mr. WHITE of Idaho. Has the gentleman ever been down to the Canal and inspected it?

Mr. VAN ZANDT. I have.

Mr. WHITE of Idaho. The gentleman knows that it is controlled by locks and the water is let out and brought back in. Now, one well-placed bomb in a lock would destroy the lock and let the water out, would it not?

Mr. VAN ZANDT. In reply to the gentleman's question, those in charge of the Army and Navy in the Canal Zone have already provided the necessary defenses for both the locks as well as the dams. And in this connection I have great confidence in their ability to defend the Canal proper.

Mr. WHITE of Idaho. What defense is there at the Pedro-Miguel lock or at the lock on the eastern end? What defenses are there to protect those locks?

Mr. VAN ZANDT. The locks on both the Atlantic and Pacific sides have been made bombproof by the burying of all machinery under heavy layers of steel and cement. The dams that control the water level are protected by auxiliary breastworks as well as nets. At this time I am certain that both the auxiliary breastworks as well as the nets are in full operation.

Mr. WHITE of Idaho. Does the gentleman think they are impregnable from airplane attack or bomb attack?

Mr. VAN ZANDT. Of course, that would be very difficult for me to say, in view of the rapid and almost unbelievable development and use of aircraft since the beginning of the second world war. However, as I have already mentioned, I have great confidence in the ability of the officers of the Army and Navy stationed in the Canal Zone when it comes to protecting the Canal.

Mr. Speaker, the present facilities of the Panama Canal are rapidly reaching the point, from the standpoint of commercial traffic, of operating to their fullest capacity. Some say this point will be reached in 1961, while others predict an earlier date. Regardless of the time, when the Canal has reached the limit of its capacity, we will be called upon to provide additional facilities to handle the commercial traffic of the world. Therefore, since it will take about 6 years to complete a new set of locks, why not build them now?

Mr. Speaker, much discussion has taken place concerning the construction of a new canal through Nicaragua. If we were to construct such a canal at this time, naturally, we would have to provide the necessary defenses. Not only would we have to spend about two billion constructing the canal but we would have to spend an additional five hundred million to defend such a canal. Common sense should tell anyone that the construction of a new set of locks in the already existing Panama Canal will do two things: First, save the cost of $5,000,000 that would be necessary to construct the second fleet for our Navy, and, next, two billion five hundred millions, the cost of constructing another canal through Nicaragua.

In the name of national defense, I appeal to every Member of this House to support the Terry amendment, and it is with great pleasure that I have been afforded this opportunity to speak in its behalf.

[Here the gavel fell.]

Mr. SNYDER. Mr. Speaker, I yield 10 minutes to the gentleman from Virginia [Mr. BLAND].

Mr. BLAND. Mr. Speaker, I have never approached a subject in this House with a deeper feeling of the importance of the action to be taken on the future of our country or upon its national defense than I do now. I plead for adoption of the motion to concur in the Senate amendment. The authorization of these locks was carefully considered by the Committee on Merchant Marine and Fisheries. That committee then reported to this House the authorization bill with the endorsement of the Army and the Navy. Every angle was considered. Today the question is whether we will follow the Commander in Chief of the United States in his desire to provide adequate national defense for America. So much did he realize the importance of this measure that when he approved the authorization bill he issued a statement saying there were some things in that bill which he felt were unwise at the time; but he added:

> I am giving my approval to this important bill, which, by authorizing the construction of a third set of locks, will enhance not only our own security but that of the hemisphere.

So important did he consider it that, though the bill finally passed the House and Senate only a few days before the adjournment of the Congress, he sent down immediately an estimate, asking that the appropriation be made forthwith. He has reiterated that request again and again. Why? Because it is necessary to have these locks to take care of the larger ships of war that may be needed in a few years. We need the locks now to reduce the chance that the use of the Panama Canal for transit purposes will be stopped by sabotage or air raids.

I heard the statement made on this floor some time ago that an effort to sabotage the Panama Canal would be an act of suicide. There are yet men imbued with the spirit of suicide in defense of their native land, as they see it. Richard Pierson Hobson doubtless thought himself to be committing suicide when he blocked the harbor at Santiago, but he was willing to die, and other men went with him for the same purpose. Men of other nations feel the same way. We must be prepared to defend against them.

Let me call your attention to the fact that it is necessary to provide locks that can be limited to the exclusive use of the Navy if, as, and when desired. We are bound today by the Hay-Pauncefort Treaty to keep the present Canal open, but these bypasses may be reserved for the use of the United States Navy. No ships of other nations, whether ships of war or commerce, may use these additional facilities unless we permit. As to these locks the treaty does not apply. We need these locks to provide for larger ships in our Navy. Admiral Van Keuren had this to say when he appeared before the Senate committee:

> As stated by Captain Cooke, the design of warships is already hampered by the present dimensions of the Panama Canal locks. Orders are now outstanding for adding blisters to the underwater body of the *Saratoga* and *Lexington*, aircraft carriers (converted from battle cruisers), for the purpose of adding buoyance and increasing protection. These blisters add to the beam of the ship and would have been made considerably larger but for the fact that the width of the locks permitted only a small increase in beam over present dimensions.

He also said:

> The projected Canal locks will be 140 feet beam, depth 45 feet, and length 1,200 feet. That will give us latitude for any reasonable expansion in tonnage, say, up to 100,000 tons or even more. But the point is, if now we want to increase the battery of the present type of battleship, to put on more guns, we have got to make the ships bigger, and any increase of tonnage over the 45,000-ton limit, which will just fit into the beam of the present locks, would be prevented by the width of the present locks.

He further said:

> It is reliably reported that a German battleship has been launched that has 118 feet beam. We, ourselves, in our studies of larger battleships, have gone even beyond that figure, close to 130 feet beam, and with the numerous advantages that increase in size affords, can visualize battleships in the not too distant future that will require the services of the 3 drydocks that we are now building—1,000 feet by 132 feet by 45 feet, all of which can be extended to 1,200 feet in length.

Admiral Van Keuren also made a comparison of the estimated cost of new locks with the cost of the probable increase in Navy capital ships. He pointed out that the present 45,000 tonners will approach $100,000,000 in cost, and said that we have laid down or authorized 8 replacement battleships, our treaty Navy consists of 15 battleships, and there are still 7 to be built. Admiral Van Keuren said that these will be at least 45,000 tonners, and that the very next ones will probably be larger than that, if they can possibly see their way clear and get the necessary authority. As a result there are still $700,000,000 worth of battleships to be built, which should be the best the Navy can design. If we compare the $277,000,000 with the $700,000,000 and consider the vital necessity of using these 7 battleships in both oceans for 26 years, which is the life of a battleship, there is emphasized the necessity for starting the new locks in order to be ready for these battleships as they come along.

Admiral Van Keuren pointed out that the present locks of the Panama Canal are also deficient in length for the probable aircraft carriers of the future. He said that we are already crowding the length of the present locks, and with the increase in size and speed that is constantly being made, our carriers will have to be made longer and longer. He noted that carriers of over 1,000 feet in length are just around the corner, speaking from a design standpoint.

Admiral Van Keuren was supported in his testimony by Capt. C. M. Cooke who said that construction and protection of our larger men-of-war are now being hampered by the limit of the beam permitted by the present locks. He said that our large aircraft carriers are already a close fit, and have, in fact, been damaged on occasion in the past during passage of the locks, due largely to the narrow margin of clearance—about 13 inches at the narrowest place. We now find it necessary to add to our large ships additional under-water protection against enemy torpedoes and mines.

Captain Cooke said that we cannot add the protection needed, and would add the protection needed if not restricted by the limiting width of the present Canal locks.

The testimony of these officers was in exact accord with that given by Commander Lowe, of the Navy, to the Committee on Merchant Marine and Fisheries when the authorization bill was reported by that committee.

Commander Lowe said then that it is very important that an additional safe passage be provided as early as possible, and that it is equally important that the larger locks be provided and quickly. He said that the beams of our older battleships that have been modernized approach very closely the width of the present Canal locks; that they make a tight fit; that our ships now building will make an even tighter fit.

The Army, the Navy, and the President of the United States have all said that these locks are necessary and should be constructed at once.

Something has been said about the Nicaragua Canal. The testimony before the committee was that it would take 12 to 15 years to get the Nicaragua Canal built, 15 at the outside, and that we can get these facilities within 6 years. The testimony was that it would take around $1,400,000,000 to construct the Nicaragua Canal, and that these locks can be constructed for $277,000,000. The testimony further was that it would require negotiation in order to make arrangements. We can have this in 6 years. The annual cost of the Nicaragua Canal would be around $76,300,000 which includes operation and maintenance of the Canal, amortization of defense costs, and maintenance of garrison and defense. The annual cost of Panama Canal enlargement would be $10,010,000, the increased cost of Canal maintenance and operation being $1,700,000 as against $11,000,000 for Nicaragua, and increased cost of garrison and defense being nothing as against $25,000,000 for Nicaragua.

As I see it, the trouble in the world today is that Great Britain, France, and the other nations have deferred preparation, and even we have deferred preparation, until it seems almost too late. Do not let us commit the mistake that has been committed by these other nations. Let us see to it now that America shall be defended and that the Panama Canal, the life line of America, the very heart of our national defense, shall be protected. It will be protected by the construction of these locks. I call upon the House to stand with the President of the United States in the defense of America and to construct these locks at the earliest possible moment. [Applause.]

Mr. VAN ZANDT. Mr. Speaker, will the gentleman yield?

Mr. BLAND. I yield.

Mr. VAN ZANDT. Will the gentleman develop for the benefit of the House the fact that in 1961 the present locks will reach their commercial capacity.

Mr. BLAND. They will, but I am not troubled about commercial capacity now. There is a higher thing, a more important thing, Mr. Speaker. Every man who concedes the truth knows that America today is in danger. I remember how with bated breath in 1898 we listened to the reports of the progress of the *Oregon*. Even the farmer at the store asked the question from day to day, "Where is the *Oregon?*" and followed the *Oregon* on that memorable trip from the Pacific around Cape Horn to the Atlantic to engage in the battles of that war. That progress was watched day by day, and every farmer at every store asked, "What is the report on the *Oregon?* How is she coming? Will she be on time?" She was, but let no such question come hereafter. It is for America I plead. [Applause.]

Mr. SNYDER. Mr. Speaker, I yield 15 minutes to the gentleman from New Jersey [Mr. POWERS].

Mr. POWERS. Mr. Speaker, never have I approached a subject in Congress with the feeling I have about the subject I am going to discuss, namely, the construction of a third set of locks at Panama at this time. I am not going to stand here this afternoon and wave a flag; neither am I going to make the eagle scream; but I am going to tell you facts, and then I want every lady and gentleman to vote according to what he or she thinks is the proper thing to do.

Mr. Speaker, I am absolutely opposed, bitterly opposed, to the construction of a third set of locks at this time. Let me give you my reasons and my facts. Let us look at the situation in Panama as it is today. We have two sets of locks parallel. In the last year or two we have spent $25,000,000 on protective devices for the present locks. We have appropriated another $39,000,000, which will be spent within a year for additional protective devices. We are also appropriating in our supplemental War Department bill additional moneys for Panama protective devices, and before we are through we will appropriate many millions more.

Mr. Speaker, the third set of locks calls for an expenditure of at least $277,000,000. The third set of locks is supposed to be constructed within a quarter or a half mile of the present site. The third set of locks will take 6 long years to complete. The third set of locks, if you authorize it, will take thousands and thousands of our best mechanics out of the country today and put them in Panama on a 6-year project, and let me tell you, Mr. Speaker, we are going to need every good mechanic we have right now and in the days immediately to follow.

Mr. Speaker, everyone admits that if an attack comes on the Panama Canal the attack will come by air. Everyone admits that with the present efficacy of planes, if the present set of locks can be bombed, another set of locks from a quarter to a half mile away can very easily be bombed by the same mission. If we are going to spend $277,000,000, let us put it in things we need immediately. Let us not spend it on a project that is going to take 6 years to complete.

Mr. Speaker, I have gone through the Senate hearings on the third set of locks; I have listened and I have been a part of the House hearings on the third set of locks; and in my heart right now I can find no justification for the immediate construction of them. Do you think, Mr. Speaker, if a third set of locks was so vital to the cause of national defense

that our colleague the gentleman from Colorado, Mr. EDWARD TAYLOR, chairman of the Appropriations Committee, would oppose it? Do you think, Mr. Speaker, that if a third set of locks was so vital to national defense that my colleague and good friend from Mississippi, Ross A. COLLINS, would oppose it? Do you think, Members of this House, that your War Department subcommittee of the Appropriations Committee would oppose it if they thought it was vital to national defense at the moment?

We hear a lot about sabotage. We all know—and I am not going to dwell upon this at length, because it is not a subject for the CONGRESSIONAL RECORD—but we all know the protective devices that we have installed in Panama. We all know, too, those of us who have investigated it thoroughly, that the only chance for sabotage is a suicidal mission coming through the Canal, and that can be done in spite of almost any protective device which we may put there.

We have heard a lot, Mr. Speaker, about the size of the ships and about the present locks not being large enough. It is a matter of record that there is not a ship in the United States Navy today that cannot go through the present set of locks. It is a matter of record that there is not a ship under construction that cannot go through the present set of locks, and I think, also, if a third set of locks were completed, if there is going to be any sabotage, that would probably be the first place where sabotage would occur.

Bear in mind that if and when the emergency occurs the locks will be closed to all but the United States Navy and American ships, so that danger of sabotage will not exist when we need the locks most. In the next few weeks we are going to learn a lot about national-defense appropriations. If we think we have appropriated money in our regular bills, and if we think we are going to appropriate a lot of money in accordance with the President's message, we are right; but we do not know half of it yet. We are going to be asked to appropriate a lot more money before we leave Washington, and if conditions get any worse we are going to be asked to appropriate billions of dollars more. I say to you, Mr. Speaker, and I say in all sincerity to every Member of this House, now is not the time to put $277,000,000 in a 6-year project, when we need critical items of equipment so badly and so quickly. [Applause.]

Mr. SNYDER. Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi [Mr. COLLINS].

Mr. COLLINS. Mr. Speaker, the question before us is very simple. We are called upon to embark on an expenditure of $277,000,000 for the purpose of constructing a third set of locks within about a quarter of a mile of the existing locks on the Panama Canal. It is going to take at least 6 years to build them. The third set of locks will not be used for commercial purposes but will be placed in a stand-by condition for the use of naval craft if such use is necessary after the locks are completed. This in brief is the proposal. The subcommittee recognized the fact that there ought to be ample protection of the existing locks and facilities of the Panama Canal, with the result that in the last year's appropriation bill $27,000,000 was appropriated for protective works, and in the military appropriation bill which we will consider again when we act on the conference report in a few days, the amount of $39,000,000 for protective work is included. In addition, there are literally millions of dollars appropriated for the augmentation of existing forces at the Panama Canal, for needed antiaircraft guns, and for other military and protective weapons. We have been alive to the situation and have endeavored to protect the Canal, Canal locks, and all installations on the zone.

At the time that the House considered this item when the bill was passed we figured sabotage would come from ships that might go through the Canal. We did not consider sabotage as we know it has been carried on in Europe during recent weeks—by persons wearing Army uniforms, policemen's and firemen's uniforms of the opposing country at war, or by dropping persons from parachutes into the opposing nation's territory. So that what we have considered sabotage then is not the modern method as we now find it practiced.

In my opinion, Mr. Speaker, if anything happens to the Panama Canal, it is not going to happen by sabotage. It is going to happen from the air by bombs dropped from military planes. For that reason it is my deliberate judgment that a third set of locks a quarter of a mile away would be practically worthless.

Mr. TERRY. Mr. Speaker, will the gentleman yield?

Mr. COLLINS. I am sorry I cannot. If we feel something is necessary in the way of additional canal facilities, let us meet the problem squarely and build the Nicaragua Canal. [Applause.] It will mean a greater outlay of money, but it will also mean that if the Panama Canal is destroyed we will have another highway through which we can carry our Navy and our merchant vessels.

These are matters that this House should consider, but I submit to you today that the paramount question before this body is to implement properly the Army of the United States; and if we expect to withdraw skilled mechanics and those persons versed in the manufacture of implements of war, we should put them to work in continental United States producing these very critical items.

The SPEAKER pro tempore. The time of the gentleman from Mississippi has expired.

Mr. COLLINS. Mr. Speaker, I ask the gentleman to yield me 5 additional minutes.

Mr. SNYDER. Mr. Speaker, I yield 5 minutes more to the gentleman from Mississippi.

Mr. COLLINS. My good friend the gentleman from Virginia [Mr. BLAND]—and I have great respect for him and high regard for his judgment—but I want the gentleman to know that in his congressional district or near it are the Norfolk Navy Yard and the Newport News Shipbuilding & Dry Dock Co. It is said we ought to have three shifts of men in these and other shipbuilding plants. A gentleman whom I know and most of the membership of this House know told me only a few days ago that it is impossible to provide three shifts of men for the shipyards of this country; that we cannot even provide one shift of men for them. Mr. Speaker, the President of the United States has sent us carefully prepared language, which has been carried in the Army and Navy appropriation bills, for emergency funds to be expended by him.

This language is as follows:

> The procurement and training of civilian personnel necessary in connection with the production of critical and essential items of equipment and matériel and the use and operation thereof.

We are insisting on trained personnel of young men in the country in mechanical ways so that we can produce the implements which may be needed in the very near future; yet at the same time it is proposed to start this huge undertaking which would take away people of this very sort and transfer them to Panama, and this construction cannot be completed for at least 6 years.

I submit to you in all fairness, as one who believes in adequate military preparedness of the modern type, that you should sustain the committee, vote down the Senate amendments, and let us use these men and these materials for purposes I regard as more urgent at this time. [Applause.]

[Here the gavel fell.]

Mr. SNYDER. Mr. Speaker, I yield 3 minutes to the gentleman from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. Speaker, the chairman [Mr. SNYDER], the gentleman from Mississippi [Mr. COLLINS], and the gentleman from New Jersey [Mr. POWERS] have pretty well covered the argument on this third set of locks. They have pointed out that protective bombproofing is being applied to the existing locks at a cost of over $39,000,000. I want only briefly to call your attention to testimony given before the Senate subcommittee in which authorities spoke of additional protective measures that can be taken. Indeed, if an emergency arises, they will be taken, I understand.

General Strong testified that these measures could be taken:

First, the installation and operation at the earliest practical date of special equipment in the locks designed to prevent the placing and detonation of time bombs or mines. Of course that should be done now.

Second, single track operation which involves the closing of one side of each set of locks to all traffic, except elements of the United States Navy.

This would mean placing the locks on a 24-hour basis and operating them as a single-track proposition. At the present time the double locks there are operated on a two-track basis, one route for each direction of traffic.

Third, the placing of armed guards on the bridge and in the engine room of ships to control their movements, coupled with such inspection of the ships before transit as it is practicable to make without unloading the cargo.

Of course, it is understood by everyone that a ship's crew does not take the vessel through the Canal. That is done by electric "mules."

All of us are approaching this question from the standpoint of national defense. After studying the situation and sitting through 2 days of hearings on the new requests for Army appropriations, it is my firm conviction that there are many critical items to which this money had better be devoted and to which men had better be devoted at the present time than the sort of proposition which will take 6 years to complete even under speed-up conditions.

The normal time estimated for the completion of this third set of locks was 9 years, but we were told that it might be done in 6. That is not the immediate and critical proposition that confronts the country. The immediate and critical proposition that confronts the country is to supply the items of emergency defense.

The most that we can do so far as protecting the Canal from aerial or naval attack is concerned we can do by acquiring land bases that will keep an enemy far at sea. We can do more for the Canal defenses by acquiring such bases than we can by providing another target which would be susceptible of bombing from the air. Let us put first things first.

[Here the gavel fell.]

Mr. SNYDER. Mr. Speaker, I move the previous question on the motion to recede and concur.

The previous question was ordered.

The question was taken; and on a division (demanded by Mr. TERRY) there were—ayes 38, noes 68.

Mr. TERRY. Mr. Speaker, I object to the vote on the ground there is not a quorum present.

The SPEAKER. Evidently there is not a quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 190, nays 141, answered "present" 1, not voting 98, as follows:

[Roll No. 135]

YEAS—190

Allen, La.	Cartwright	Duncan	Green
Anderson, Mo.	Casey, Mass.	Dunn	Gregory
Arnold	Chapman	Durham	Griffith
Barden, N. C.	Clark	Eberharter	Guyer, Kans.
Barnes	Cochran	Edelstein	Hare
Barry	Coffee, Wash.	Edmiston	Harrington
Bates, Ky.	Cooley	Ellis	Havenner
Bates, Mass.	Cooper	Elston	Healey
Beckworth	Costello	Evans	Hendricks
Bell	Courtney	Ferguson	Hennings
Bland	Cravens	Fernandez	Hess
Bloom	Crosser	Fitzpatrick	Hill
Boehne	Crowe	Flannagan	Hinshaw
Boland	Crowther	Flannery	Hobbs
Boren	Culkin	Ford, Leland M.	Hook
Brooks	Cullen	Ford, Miss.	Hunter
Brown, Ga.	D'Alesandro	Fries	Jacobsen
Bryson	Darden, Va.	Fulmer	Johnson, Luther A.
Buckler, Minn.	Davis	Garrett	Johnson, Lyndon
Bulwinkle	Dempsey	Gathings	Johnson, Okla.
Burch	DeRouen	Gavagan	Jones, Tex.
Burgin	Dingell	Geyer, Calif.	Kefauver
Byrns, Tenn.	Disney	Gibbs	Keller
Cannon, Fla.	Doughton	Gore	Kelly
Cannon, Mo.	Drewry	Gossett	Kennedy, Md.
Kilday	Martin, Iowa	Rayburn	Sutphin
Kirwan	Massingale	Rees, Kans.	Tarver
Kitchens	May	Richards	Tenerowicz
Kramer	Mills, Ark.	Robertson	Terry
Larrabee	Mills, La.	Rogers, Mass.	Thomas, Tex.
Lea	Monroney	Rogers, Okla.	Thomason
Leavy	Murdock, Ariz.	Romjue	Tolan
Lesinski	Nelson	Ryan	Van Zandt
Lewis, Ohio	Nichols	Sandager	Vincent, Ky.
Ludlow	Norrell	Sasscer	Voorhis, Calif.
McAndrews	Norton	Satterfield	Wallgren
McCormack	O'Connor	Schulte	Ward
McGehee	Oliver	Secrest	Warren
McKeough	O'Neal	Shanley	Weaver
McMillan, Clara G.	Parsons	Sheppard	Welch
McMillan, John L.	Patman	Smith, Conn.	Wheat
Maas	Patton	Smith, Va.	Williams, Mo.
Maciejewski	Pearson	Somers, N. Y.	Wolverton, N. J.
Magnuson	Peterson, Fla.	South	Wood
Mahon	Poage	Spence	Woodrum, Va.
Maloney	Rabaut	Steagall	Zimmerman
Marcantonio	Ramspeck	Sumner, Ill.	
Martin, Ill.	Rankin	Sumners, Tex.	

NAYS—141

Allen, Ill.	Elliott	Kinzer	Rutherford
Allen, Pa.	Engel	Kocialkowski	Schafer, Wis.
Andersen, H. Carl	Englebright	Kunkel	Scrugham
Anderson, Calif.	Gamble	Lambertson	Seccombe
Andresen, A. H.	Gartner	Landis	Seger
Andrews	Gearhart	Lanham	Shannon
Angell	Gehrmann	LeCompte	Short
Arends	Gerlach	Lewis, Colo.	Smith, Ohio
Austin	Gifford	Luce	Smith, W. Va.
Barton, N. Y.	Gilchrist	McDowell	Snyder
Bender	Gillie	McGregor	Springer
Blackney	Goodwin	McLaughlin	Starnes, Ala.
Bolton	Graham	McLean	Stearns, N. H.
Burdick	Grant, Ind.	McLeod	Stefan
Carlson	Gwynne	Marshall	Sweet
Carter	Hall, Leonard W.	Martin, Mass.	Taber
Case, S. Dak.	Halleck	Mason	Talle
Chiperfield	Hancock	Michener	Thill
Church	Harness	Miller	Tibbott
Clason	Harter, N. Y.	Monkiewicz	Tinkham
Clevenger	Hoffman	Mott	Treadway
Cluett	Holmes	Mundt	Vorys, Ohio
Coffee, Nebr.	Hope	Murdock, Utah	Wadsworth
Cole, N. Y.	Horton	Murray	White, Idaho
Collins	Houston	O'Day	White, Ohio
Colmer	Hull	Peterson, Ga.	Whittington
Crawford	Jarrett	Pierce	Wigglesworth
Creal	Jenkins, Ohio	Pittenger	Williams, Del.
Cummings	Jensen	Polk	Winter
Curtis	Johnson, Ill.	Powers	Wolcott
Dies	Johnson, Ind.	Reed, Ill.	Wolfenden, Pa.
Ditter	Johnson, W. Va.	Reed, N. Y.	Woodruff, Mich.
Dondero	Jonkman	Rich	Youngdahl
Doxey	Kean	Robinson, Utah	
Dworshak	Keefe	Robsion, Ky.	
Eaton	Kerr	Routzohn	

ANSWERED "PRESENT"—1

Knutson

NOT VOTING—98

Alexander	Douglas	Keogh	Rodgers, Pa.
Ball	Faddis	Kilburn	Sabath
Beam	Fay	Kleberg	Sacks
Bolles	Fenton	Lemke	Schaefer, Ill.
Boykin	Fish	Lynch	Schiffler
Bradley, Mich.	Flaherty	McArdle	Schuetz
Bradley, Pa.	Folger	McGranery	Schwert
Brewster	Ford, Thomas F.	Mansfield	Shafer, Mich.
Brown, Ohio	Grant, Ala.	Merritt	Sheridan
Buck	Gross	Mitchell	Simpson
Buckley, N. Y.	Hall, Edwin A.	Moser	Smith, Ill.
Byrne, N. Y.	Hart	Mouton	Smith, Wash.
Byron	Harter, Ohio	Myers	Sparkman
Caldwell	Hartley	O'Brien	Sullivan
Camp	Hawks	O'Leary	Sweeney
Celler	Izac	Osmers	Taylor
Claypool	Jarman	O'Toole	Thomas, N. J.
Cole, Md.	Jeffries	Pace	Thorkelson
Connery	Jenks, N. H.	Patrick	Vinson, Ga.
Corbett	Jennings	Pfeifer	Vreeland
Cox	Johns	Plumley	Walter
Darrow	Jones, Ohio	Randolph	West
Delaney	Kee	Reece, Tenn.	Whelchel
Dickstein	Kennedy, Martin	Risk	
Dirksen	Kennedy, Michael	Rockefeller	

So the preferential motion was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Plumley (for) with Mr. Randolph (against).
Mr. Keogh (for) with Mr. Edwin A. Hall (against).
Mr. Corbett (for) with Mr. Bolles (against).
Mr. Sullivan (for) with Mr. Vreeland (against).
Mr. Delaney (for) with Mr. Ball (against).
Mr. Vinson of Georgia (for) with Mr. Rockefeller (against).

Mr. Martin J. Kennedy (for) with Mr. Gross (against).
Mr. Schwert (for) with Mr. Reece of Tennessee (against).
Mr. Pfeifer (for) with Mr. Kilburn (against).
Mr. Flaherty (for) with Mr. O'Brien (against).
Mr. Michael J. Kennedy (for) with Mr. Simpson (against).
Mr. O'Leary (for) with Mr. Osmers (against).
Mr. Merritt (for) with Mr. Douglas (against).
Mr. O'Toole (for) with Mr. Hartley (against).
Mr. Fay (for) with Mr. Kleberg (against).
Mr. Celler (for) with Mr. Thomas of New Jersey (against).
Mr. Byrne of New York (for) with Mr. Jeffries (against).
Mr. Dickstein (for) with Mr. Brown of Ohio (against).
Mr. Lynch (for) with Mr. Hart (against).
Mr. Buckley of New York (for) with Mr. Fenton (against).

General pairs:

Mr. Mansfield with Mr. Dirksen.
Mr. Beam with Mr. Hawks.
Mr. Camp with Mr. Jennings.
Mr. Schuetz with Mr. Risk.
Mr. Cox with Mr. Rodgers of Pennsylvania.
Mr. West with Mr. Fish.
Mr. Sparkman with Mr. Alexander.
Mr. Pace with Mr. Brewster.
Mr. Folger with Mr. Schiffler.
Mr. Bradley of Pennsylvania with Mr. Bradley of Michigan.
Mr. Grant of Alabama with Mr. Darrow.
Mr. Jarman with Mr. Jenks of New Hampshire.
Mr. Cole of Maryland with Mr. Lemke.
Mr. Boykin with Mr. Johns.
Mr. Mouton with Mr. Thorkelson.
Mr. Patrick with Mr. Jones of Ohio.
Mr. Harter of Ohio with Mr. Shafer of Michigan.
Mr. Claypool with Mr. Moser.
Mr. McArdle with Mr. Sacks.
Mr. Sheridan with Mr. Izac.
Mr. Sabath with Mr. Kee.
Mr. Faddis with Mr. Schaefer of Illinois.
Mr. Buck with Mr. Whelchel.
Mr. Sweeney with Mr. Walter.
Mr. Smith of Washington with Mr. Taylor.
Mr. Myers with Mr. Caldwell.

Mrs. CLARA G. MCMILLAN and Messrs. COFFEE of Washington, ROGERS of Oklahoma, and NELSON changed their votes from "nay" to "yea."

The doors were opened.

The result of the vote was announced as above recorded.

Mr. VOORHIS of California. Mr. Speaker, my colleague from California, Mr. IZAC, is unavoidably detained on very important business. Had he been present he would have voted "yea" on the motion just agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 21: Page 19, line 3, strike out section 2 and insert the following:

"SEC. 2. No part of any appropriation contained in this act shall be used directly or indirectly after May 1, 1941, except for temporary employment in case of emergency, for the payment of any civilian for services rendered by him on the Canal Zone while occupying a skilled, technical, clerical, administrative, executive, or supervisory position unless such person is a citizen of the United States of America or of the Republic of Panama: *Provided, however*, (1) That at no time shall the number of Panamanian citizens employed in the above-mentioned positions exceed the number of citizens of the United States so employed, if United States citizens are available in continental United States or on the Canal Zone; (2) that nothing in this act shall prohibit the continued employment of any person who shall have rendered 15 or more years of faithful and honorable service on the Canal Zone; (3) that in the selection of personnel for skilled, technical, administrative, clerical, supervisory, or executive positions, the controlling factors in filling these positions shall be efficiency, experience, training, and education; (4) that all citizens of Panama and the United States rendering skilled, technical, clerical, administrative, executive, or supervisory service on the Canal Zone under the terms of this act shall (a) normally be employed not more than 40 hours per week, (b) shall receive as compensation equal rates of pay based upon rates paid for similar employment in continental United States plus 25 percent."

Mr. SNYDER. Mr. Speaker, I ask unanimous consent that amendments Nos. 21 and 22 be considered together.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. SNYDER]?

Mr. CASE of South Dakota. Mr. Speaker, reserving the right to object, will the gentleman tell us what his motion to recede and concur with an amendment will consist of?

Mr. SNYDER. I have not made a motion yet.

Mr. CASE of South Dakota. Then I shall object to considering the two amendments together. I reserved the right to object in the hope the gentleman would explain what his motion will be.

Mr. SNYDER. In that case I will have to offer a motion to recede and concur in amendments Nos. 21 and 22 with an amendment, which I will send to the Clerk's desk, as agreed to by the conferees. I talked to the gentleman from New Jersey [Mr. POWERS] about this and he said it was all right.

Mr. POWERS. Mr. Speaker, the gentleman is absolutely wrong. The gentleman spoke to me and I said that the gentleman from South Dakota [Mr. CASE] was handling those two amendments and to see him.

Mr. SNYDER. I beg the gentleman's pardon.

Mr. CASE of South Dakota. Mr. Speaker, I think we will save time by considering these amendments separately, so I object to the request.

Mr. SNYDER. Mr. Speaker, I move to recede and concur in amendment No. 21 with an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Mr. SNYDER moves to recede and concur in amendment No. 21 with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

"SEC. 2. No part of any appropriation contained in this act shall be used directly or indirectly after May 1, 1941, except for temporary employment in case of emergency, for the payment of any civilian for services rendered by him on the Canal Zone while occupying a skilled, technical, clerical, administrative, executive, or supervisory position unless such person is a citizen of the United States of America or of the Republic of Panama: *Provided, however*, (1) That, notwithstanding the provision in the act approved August 11, 1939 (53 Stat. 1409), limiting employment in the above-mentioned positions to citizens of the United States from and after the date of the approval of said act, citizens of Panama may be employed in such positions; (2) that at no time shall the number of Panamanian citizens employed in the above-mentioned positions exceed the number of citizens of the United States so employed, if United States citizens are available in continental United States or on the Canal Zone; (3) that nothing in this act shall prohibit the continued employment of any person who shall have rendered 5 or more years of faithful and honorable service on the Canal Zone; (4) that in the selection of personnel for skilled, technical, administrative, clerical, supervisory, or executive positions, the controlling factors in filling these positions shall be efficiency, experience, training, and education; (5) that all citizens of Panama and the United States rendering skilled, technical, clerical, administrative, executive, or supervisory service on the Canal Zone under the terms of this act (a) shall normally be employed not more than 40 hours per week; (b) may receive as compensation equal rates of pay based upon rates paid for similar employment in continental United States plus 25 percent."

Mr. LANHAM. Mr. Speaker, I offer an amendment to the gentleman's motion. I offer an amendment that in subdivision 3 of the proviso the figure "5" be changed to "15" and that in subdivision 5 (b) of the proviso the word "may" be stricken out and the word "shall" be inserted in lieu thereof.

The Clerk read as follows:

Amendment offered by Mr. LANHAM to the proposed amendment offered by Mr SNYDER: In subdivision 3 strike out the word "five" and insert "fifteen", and in subdivision 5 (b) strike out the word "may" and insert the word "shall."

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield for a parliamentary inquiry?

Mr. SNYDER. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. Mr. Speaker, is the amendment offered by the gentleman from Texas [Mr. LANHAM] divisible?

The SPEAKER. In the opinion of the Chair, the amendment is divisible.

Mr. CASE of South Dakota. Mr. Speaker, I would like to ask for a division on the two parts of the amendment.

Mr. SNYDER. Mr. Speaker, the House placed on this bill and on the War and Navy appropriations bills a provision prohibiting the employment on the Canal Zone after January 1, 1941, of any person above the unskilled class who is not a citizen of the United States.

The Senate Committee on Appropriations gave careful consideration of this proposition, and after conferring with the War Department, the State Department, Panama Canal authorities, and a representative of the American Federation of

Labor, drafted the substitute provision which the Clerk has just read.

Mr. FITZPATRICK. Mr. Speaker, will the gentleman yield?

Mr. SNYDER. Please let me complete my statement.

The matter was discussed in the House at some length when the three bills I have mentioned were under consideration. The Senate provision speaks for itself. It is not as drastic as the provision placed on the bill in the House. It varies chiefly in these respects:

First, it extends by 4 months the effective date; second, it excepts temporary employment in case of emergency; third, it excepts citizens of the Republic of Panama and thereby avoids any treaty violation; fourth, it guards against an excess above equality of Panamanian employees; fifth, it includes a saving clause as to persons who shall have been in continuous employment for 15 years or more; sixth, it provides for a 40-hour week under normal conditions; and, seventh, it proposes equality of compensation as between American and Panamanian employees. The latter two considerations introduce distinctly new factors into the proposition.

We are proposing to go along with the Senate substitute with the following exceptions: First, we change the saving clause as to aliens presently employed, excepting those who have been continuously employed for 5 or more years instead of 15 or more years, and I may say that this change is strongly recommended by the War Department.

Second, we make permissive instead of mandatory the proposal touching equality of compensation, by using the word "may" instead of "shall."

Lastly, we propose that the President in the event of war or a national emergency shall have the right to suspend the application of the entire section. The reason for this latter I think is obvious.

Mr. FITZPATRICK. Mr. Speaker, will the gentleman yield now for a question?

Mr. SNYDER. I yield to the gentleman from New York.

Mr. FITZPATRICK. The amendment offered by the gentleman from Texas restored the provisions of the Senate amendment appearing on page 19, line 23, and on page 20, line 8. It simply restores the language to that of the Senate amendment.

Mr. SNYDER. That is right.

Mr. FITZPATRICK. That language met with the approval of the American Federation of Labor and the administration; is not that true?

Mr. SNYDER. No; not with the approval of the War Department.

Mr. FITZPATRICK. I understand it met with the approval of the administration.

Mr. SNYDER. Mr. Speaker, I yield 10 minutes to the gentleman from Texas [Mr. LANHAM].

Mr. LANHAM. Mr. Speaker, I would not ask your indulgence at this late hour if I did not think that the amendment I have offered to the motion made by the gentleman from Pennsylvania is one of serious significance in the matter of national defense.

When this bill was pending in the House originally I offered an amendment, which was adopted by an overwhelming majority, to restrict the employment in the Canal Zone in skilled, technical, clerical, administrative, and supervisory positions to persons who are citizens of the United States. The only objection that was interposed at that time was that that might in some way violate the treaty provisions.

When the bill went to the Senate the amendment was redrafted as it appears in the bill before you in the new section 2, and the provisions of the Senate amendment protect all of the treaty obligations, consequently that question does not arise.

I am seeking to amend the motion of the gentleman from Pennsylvania in only two respects, and in those respects restore the language of the Senate amendment, which is the new section 2. The first of those changes has to do with the number of years of faithful and honorable service aliens shall have performed in order to continue in employment in the Panama Canal Zone. The provision in the Senate amendment states—

> That nothing in this act shall prohibit the continued employment of any person who shall have rendered 15 or more years of faithful and honorable service on the Canal Zone.

The recommendation of the gentleman from Pennsylvania is to reduce the time element to 5 years. I want to retain the Senate language and make it 15 years.

We have heard a great deal of talk of spies and subversive activities in the Canal Zone. In the last 5 years, in these times of machination, it is more than peradventure of possibility—in all likelihood it is a great probability—that agents of the "fifth column" have been busy in this zone of our national defense. What I am trying to do is to retain the Senate provision that these aliens, the people from Panama and other places, who would be retained to the exclusion of American workers, would be those honorable, faithful ones who have been serving for 15 years, as is provided in the Senate provision.

Mr. MOTT. Mr. Speaker, will the gentleman yield?

Mr. LANHAM. Let me within my time explain what my second provision is, and then I shall be glad to yield.

The second part of the amendment retains the word "shall" as it is in the Senate amendment, which provides that citizens of Panama and the United States rendering these various skilled services shall receive as compensation equal rates of pay based upon rates paid for similar employment in continental United States plus 25 percent.

When the Panama Canal was being constructed under General Goethals the increase over continental pay went as high as 80 percent, but when the Canal was approaching completion a provision was recommended that those exorbitant rates be reduced and, consequently, ever since the Panama Act in 1912, this provision has been carried that those working in the Canal Zone should receive, because of the exigencies of that environment and situation far from home, an increase of 25 percent. That is what is being paid, that is what they have been paying, that is the provision of the Panama Act, and if you make that permissive, instead of mandatory, what is going to be the result? The result is going to be that in these skilled and technical and clerical and supervisory and administrative places they are going to reduce the rates of pay that have been prevailing down there in order that some of these aliens may come in at a little cheaper wage and do the work while American workers go idle.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. LANHAM. I yield.

Mr. CASE of South Dakota. But, of course, the Panamanian citizens who are employed up to the 50 percent and who must be paid this 25-percent bonus, are not away from home.

Mr. LANHAM. That is all true, and, as a matter of fact, from the study I have made I do not think it would be any violation of the treaty if we had them all down there in these positions American citizens, and that is the amendment I offered originally. And let me call this to your attention: In the statement given by the gentleman from Pennsylvania he mentioned a provision which evidently will be offered under amendment No. 22 to this effect:

> *Provided, further,* That the President may suspend compliance with this section in time of war or national emergency if he should deem such course to be in the public interest.

So my amendment, as put in by the Senate, and after deliberation with all parties concerned, conforms to normal conditions and normal operations, and in the next amendment will be inserted a provision that in time of war or national emergency they can be disregarded in accordance with national-defense plans; but for our national defense in this crucial Canal Zone, it behooves us to see that just as many American citizens are working in these positions as possible, and I very greatly fear that, unless we make

this language mandatory and carry on in normal times the rates of pay which have been prevailing, we are going to see American citizens dispossessed of their positions down there and aliens substituted in their stead.

So I propose in these two suggestions that I have made, which are just exactly the same as those in the Senate amendment, that we retain those who have had the 15 years of loyal service instead of 5 years, and that we continue in normal times the rates of pay which have prevailed in order that American citizens may not be at a disadvantage in securing employment in the Canal Zone.

Mr. MOTT. Mr. Speaker, will the gentleman yield?

Mr. LANHAM. I yield.

Mr. MOTT. I agree with the gentleman that if we are going to permit employment of aliens at all in the Canal Zone it is better to have a requirement of 15 years' employment rather than 5 years, but why permit any aliens to work down there at all, when there are Americans who can do the work?

Mr. LANHAM. I will say in response to the gentleman that that was the original amendment that I offered when this bill was up in the House for passage, and that amendment was overwhelmingly adopted by the House, and that amendment represented my sentiments, but now, in view of the fact that the measure has gone to the Senate, and these provisions have been placed in it because it is said they comply with treaty obligations, I say then let us keep it as the Senate sent it to us and protect ourselves by retaining only those aliens who have had the 15 years of loyal and faithful service, and by paying in normal times the same wage that has been paid in order that Americans may not be displaced by aliens in these technical, clerical, supervisory, and administrative positions.

Mr. MOTT. Let me ask the gentleman this further question. While employment of Panamanians may come under the treaty, certainly there is nothing in our treaty obligations with other nations that would require us to employ their nationals on the Panama Canal.

Mr. LANHAM. No; but I think, perhaps, the gentleman might find upon investigation that some of them working down there were not Panamanians originally.

Mr. MOTT. I think it would be a very good thing, since this provision is going to be amended anyway, to allow it to go to conference and for the gentleman to revert to his original view and take that 15-year requirement out entirely.

Mr. LANHAM. I thank the gentleman, but I will say to him that I think under the circumstances it behooves us to be practical with reference to the situation which confronts us and to do the best we can to see that under the provision of the Senate amendment we retain only those aliens that we know, through long years of service, have been faithful in their work, and that we make mandatory in normal times a continuation of the wage scale in order that American workers may not be displaced. [Applause.]

[Here the gavel fell.]

The SPEAKER pro tempore (Mr. THOMASON). The gentleman from South Dakota [Mr. CASE] having demanded a division of the question, the Clerk will report the first part of the motion.

Mr. SNYDER. Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi [Mr. COLLINS].

Mr. COLLINS. Mr. Speaker, there are two propositions embraced in the Lanham amendments. The language affected by the first one, in part, is as follows:

> No part of any appropriation contained in this act shall be used directly or indirectly after May 1, 1941, except for temporary employment in case of emergency, for the payment of any civilian for services rendered by him on the Canal Zone while occupying a skilled, technical, clerical, administrative, executive, or supervisory position unless such person is a citizen of the United States of America, or of the Republic of Panama.

Then there is the 50-percent provision, which, in substance, provides that 50 percent of these workers shall be Panamanians. Added to these provisions is this:

> That nothing in this act shall prohibit the continued employment of any person who shall have rendered 15 or more years of faithful and honorable service on the Canal Zone.

The Secretary of War wrote to the gentleman from Colorado [Mr. TAYLOR], the chairman of this committee, on April 26, suggesting that 15 years be changed from 15 to 5 years, and the change was made by the subcommittee because of the warning of the Secretary of War.

We have in the Panama Canal Zone a great number of civilian employees who hold minor clerical, supervisory, and administrative positions. We generally refer to them as silver employees. The higher-grade employees are the gold employees. The maximum rate of pay of the silver employees is about $80 per month. The average pay is much less and I have never thought American workers wanted these jobs. This is the type of workers the Lanham amendment is striking at, and the Secretary of War objects to eliminating them from the service down there. He feels that they are honest and faithful and ought to be kept in the positions they are now occupying. As to the advisability or nonadvisability of doing this, let me submit this for your consideration: There are about 18,000 employees that are affected. About three-fourths of them will go if this provision is eliminated. Some of them are Panamanians. I am very doubtful about the advisability of beginning an innovation of this nature on a large scale, especially at this particular time, when there is so much ill-feeling against us in certain sections of Central and South America. It seems to me that this is the time that we need friends. Furthermore, it seems to me that this is the time we need our skilled labor in the United States.

Mr. LANHAM. Mr. Speaker, will the gentleman yield?

Mr. COLLINS. No; I am sorry. It seems to me that in critical times like these we ought to be making friends of our neighbors rather than enemies, and I am saying this as a person who has been a consistent friend of organized workers and have a consistent voting record for measures affecting their interests. Furthermore, I submit that when we discharge 10,000 or 15,000 persons, as this amendment will do, we are building up a "fifth column" the like of which no foreign nation could plant there. So much for that.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. COLLINS. The gentleman will excuse me. Let us go to the next amendment. The next amendment proposed by the gentleman from Texas—and I have the highest regard for the gentleman—relates to this language:

> That all citizens of Panama and the United States rendering skilled, technical, clerical, administrative, executive, or supervisory service on the Canal Zone under the terms of this act shall normally be employed not more than 40 hours per week, shall receive as compensation equal rates of pay based upon rates paid for similar employment in continental United States plus 25 percent.

The SPEAKER pro tempore. The time of the gentleman from Mississippi has expired.

Mr. COLLINS. Mr. Speaker, I ask the gentleman from Pennsylvania to yield me 5 minutes more.

Mr. SNYDER. Mr. Speaker, I yield the gentleman 5 minutes more.

Mr. COLLINS. What does that mean? It means that these civil employees who are now receiving a maximum of $80 per month would automatically have their pay raised. Panamanians, Jamaican Negroes, all types, will automatically have their wages raised, and it would not stop there. In addition, the amendment provides that this additional pay must be supplemented by 25 percent additional. I do not know how that is going to sound back home.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. COLLINS. Just let me run along for a moment. I do not believe it is going to be very healthy for you who vote to increase the pay of Panamanians, Jamaican, and West Indian Negroes by such amounts. We of the committee wanted to leave the question of increased pay up to the Secretary of War and we use the word "may." If the word "shall" is used, as proposed by this amendment, the Secretary of War must increase the pay of all and all alike.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. COLLINS. Yes.

Mr. MAY. In a recent conference with the Governor of Panama I was informed by him that the amendment, if

adopted, would cost an additional $35,000,000 in the construction program on the Panama Canal.

Mr. COLLINS. In line with what the gentleman from Kentucky has just said, that means the cost of constructing the third set of locks will go from $277,000,000 up to $312,000,000.

Mr. LANHAM. Mr. Speaker, will the gentleman yield?

Mr. COLLINS. I yield.

Mr. LANHAM. Is this not the same basis of pay that applies down there now? And, furthermore, does the gentleman think we are unfair to Central America when we give them half of the skilled work, when they have practically all of the common labor?

Mr. COLLINS. I will answer the latter part of the gentleman's question first. We are not giving Panama anything, because its citizens are guaranteed half of the jobs of this type under the treaty we made with them years ago. As to the second part of the question, if these Panamanians are drawing 25 percent additional now, which they are not doing and which the Secretary of War says will result in greatly increased pay for all, there would be no necessity for urging this amendment.

It will not only raise the cost of building the third set of locks and increase it materially, but it will also increase the pay of all employees who are generally referred to as silver employees in Panama.

So I urge the House to stand by the subcommittee. We are merely endeavoring to uphold the administration at a critical time.

Mr. SNYDER. Mr. Speaker, I yield 10 minutes to the gentleman from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. Speaker, this question, like a lot of others raised these days, carries more implications than appear on the surface.

I think it was the gentleman from New York [Mr. FITZPATRICK] who asked the chairman of the subcommittee whether or not the amendments that were offered by the gentleman from Texas were in line with the administration's desire in the matter. I did not quite get the answer, but I think it is safe to say that the amendments offered by the gentleman from Texas are not in line with the desires of the administration and its national-defense program. I base this statement upon the letter from the Secretary of War addressed to the gentleman from Colorado [Mr. TAYLOR], chairman of the general Appropriations Committee, dated April 26, and to which the gentleman from Mississippi has already referred. I want to read just a sentence, just a portion, of that letter in reference to the first amendment.

In asking the conferees to reduce from 15 to 5 the years of employment required for the exception to the citizenship rule provided by the section, this is what the Secretary of War gave as his reason:

> In order to avoid delay and disruption of construction of the special protective works on the Panama Canal for which the bill contains $19,000,000, this work is now proceeding at top speed day and night, and it is of vital importance to the United States that nothing whatever delay its completion.

Mr. LANHAM. Mr. Speaker, will the gentleman yield?

Mr. CASE of South Dakota. Surely.

Mr. LANHAM. I call the attention of the gentleman from South Dakota to the fact that this amendment does not take effect until the 1st of May 1941, which would give ample time to replace any who might be displaced under this amendment.

Mr. CASE of South Dakota. The Secretary of War was not satisfied with that.

Mr. FITZPATRICK. Mr. Speaker, will the gentleman yield? He mentioned my name, said he disagreed with me.

Mr. CASE of South Dakota. Yes; I am glad to yield to the genial gentleman from New York.

Mr. FITZPATRICK. What I said to the gentleman from Pennsylvania was that the amendment offered by the gentleman from Texas to line 23 on page 19 increased the time from 5 years to 15. The Senate figure was 15. Does the gentleman mean to say that is incorrect? And on page 20, line 8, the Senate language was "shall." Those were two words that the gentleman from Texas restored.

Mr. CASE of South Dakota. Yes.

Mr. FITZPATRICK. Does the gentleman mean to say that is not correct?

Mr. CASE of South Dakota. No. I said that this did not have the approval of the administration, because the Secretary of War wrote to the chairman of the House Committee on Appropriations and asked that the conferees reduce the 15 to 5 as is proposed by the motion of concurrence offered by the subcommittee chairman, the gentleman from Pennsylvania [Mr. SNYDER]. Now then, if we are going to prepare for a condition of national emergency it seems to me we ought to give careful consideration to what the men who are directing the program say as to the effect of legislative riders such as this.

The purpose of the gentleman's amendment is commendable—more employment for American citizens—but I am sure the gentleman does not want to disrupt the progress of important work.

The gentleman also spoke of "fifth column" activities. No one wants to encourage them. As the gentleman from Mississippi has pointed out, however, faithful employees summarily discharged might be fertile soil for foreign agents. No one is proposing to add new employees who are not citizens; the amendment requested by the Secretary of War merely retains tried and tested employees.

I want to call your attention to the testimony of Governor Ridley before the Senate committee on these matters. Mr. Ridley is Governor of the Canal Zone. Governor Ridley said of these employees who would be discharged:

> Ample statutory authority now exists for replacing alien employees with American citizens if such action should hereafter be deemed advisable. However, those who know the character of these employees intimately know they are thoroughly faithful and loyal to the Panama Canal.

And it will be noted that the language of the amendment provides that faithful and honorable service are two of the requirements for those who stay on. So if there is any danger from any of these employees they can be gotten rid of.

Governor Ridley also said not only that the cost of construction would be increased down there as the chairman of the Committee on Military Affairs (Mr. MAY) has pointed out, but he said that a survey of the additional cost on an earlier similar proposition showed the annual cost of maintenance thereafter would be increased by approximately $5,350,000; and he said—

> This estimate takes into account the superior efficiency, the higher wages, the shorter workweek, the more liberal vacation privileges, and the cost of recruitment in the States and transportation to and from the Isthmus involved in the employment of Americans. The estimate is conservative.

Then let me call your attention to this sentence from Governor Ridley's testimony before the Senate subcommittee considering this matter. Speaking of the full proposal, he said:

> If the object of the proponents of this change is to relieve unemployment in the United States it would be much better from the viewpoint of the Panama Canal, the Treasury of the United States, and the Americans who are proposed to be employed to pay at least $1,600 per year for life to each of these Americans and then permit them to remain in their own country among their friends and relatives.

Do you get the import of that? Governor Ridley says that if this program is interrupted it is going to have a serious effect upon the national-defense program, upon the prosecution of these protective works in the Canal Zone at the present time; and in addition he says that if the object of the proponents of this change is to relieve unemployment in the United States it would be much better from the viewpoint of the Panama Canal, the Treasury of the United States, and the Americans who are proposed to be employed to pay at least $1,600 per year for life to each of these Americans and then permit them to remain in their own country among their friends and relatives.

I want also to call your attention to the language of the amendment where the words "shall" and "may" are involved

in the 25-percent bonus on wages. In the motion of the committee to recede and concur with an amendment, the word "may" is used instead of "shall." That is the suggestion of the conferees. The gentleman from Texas would change the "may" back to "shall." What does that mean? Let me read clause 4 of this section. If you vote for the second part of the Lanham amendment you will be voting to have the legislation carry this language:

That all citizens of Panama—

It also says "and the United States" but I drop that so you will get the full import of the provision—

That all citizens of Panama rendering skilled, technical, clerical, administrative, executive, or supervisory service on the Panama Canal under the terms of this act shall normally be employed not more than 40 hours per week, and shall receive as compensation equal rates of pay based upon rates paid for similar employment in continental United States plus 25 percent.

Forty hours per week at continental United States wages plus 25 percent.

You go back and tell the unemployed in your district that you voted to put in a bill a mandatory requirement that the citizens of Panama, those who have lived there and grown up there, must receive the wages that they would receive on a 40-hour week in the United States plus a bonus of 25 percent and see what will happen. That is what you are voting for when you vote for the second part of the Lanham amendment.

Mr. LANHAM. Will the gentleman yield?

Mr. CASE of South Dakota. I yield to the gentleman from Texas.

Mr. LANHAM. Is not the same rate of pay paid to a citizen of Panama that is paid to a citizen of the United States for these skilled services?

Mr. CASE of South Dakota. It may be; but the gentleman would make it mandatory to give them a 25-percent bonus, working a 40-hour week, without traveling away from home. That is the kind of a proposition you will have to defend under the amendment that the gentleman has offered.

Mr. HINSHAW. Will the gentleman yield?

Mr. CASE of South Dakota. I yield to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. If I understand the gentleman correctly, the amendment proposed by the gentleman from Texas will benefit the Panamanians, but not the American citizens who are employed down there?

Mr. CASE of South Dakota. It will probably help both of them, because it will become mandatory for all of them. The committee would leave it permissive. I have not found recently that there has been any lack of applications for these positions that have been opening up down in Panama. My mail has carried a great many requests for application blanks. They are apparently willing to go down there with all expenses paid and work under the conditions they find there. Pay averages about $250 per month. I am not worrying about further applications. I think we are establishing, however, a strange policy when we put into a national emergency set-up provisions like these, when we set up conditions about which the Governor says, "It would be better for the Canal, the Treasury, and for these people to pay them $1,600 a year for life and leave them here." That is not the testimony of a layman or someone who may have a political ax to grind. That was the testimony of Governor Ridley before the Senate subcommittee.

[Here the gavel fell.]

Mr. SNYDER. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana [Mr. SCHULTE].

Mr. SCHULTE. Mr. Speaker, it is a unique position for a Member of Congress to be placed in when he has to get up and defend an American citizen who may be trying to get a job in an American country and be paid the American standard of wages. Certainly we have reached the height of something when we do that. We hear all of you Congressmen plead, "I am an American. This is my country. I want to do everything I can for my people." Yet you will go back home with that same story, "I tried to help you." Well, here is your chance.

Mr. Speaker, the property down there belongs to the Federal Government and yet we have the spectacle of 18,000 aliens in that particular country, aliens in every sense of the word, receiving the same rate of pay that an American citizen would get if he went down there and could get the job. You have heard the gentleman from Mississippi say this would mean an increase in wages. You heard him say it would mean additional millions of dollars, but the gentleman from Mississippi is entirely wrong. It does not mean an increase in anything. It means that the Americans who are unemployed in the United States, carpenters, plumbers, electricians, railroad engineers, railroad firemen, and others by the thousands who need employment and are destitute who want to go down there may do so. At present they are stopped because the Governor of Panama, it is rumored, does not want an American down there in that particular country. I do not know why. I make that statement and I invite the Governor of Panama to deny it, and I want him to let us know. Talk about aliens, well, here is an item taken from a newspaper, the Panama American, of May 6, 1940:

R. P. IMMIGRATION OFFICIALS CHECKING ON ARRIVALS OF JAMAICAN WORKERS

The section of immigration of the National Police Force has asked the United Fruit Co. for a complete list of the passengers who arrived at Cristobal on May 2 last by the steamship *Jamaica* in order to check a report made by the Panamanian vice consul in Kingston that the vessel in question brought 41 Jamaicans to the Isthmus.

Now, follow this closely:

It is asserted that the Jamaicans in question are to be employed by the Panama Canal and that they were disembarked in Cristobal without the necessary legal formalities having been fulfilled in the port of departure.

According to information given El Panama America, it is proposed to bring here a total of 500 carpenters from Jamaica, preference being given to those who speak Spanish.

Now I say, Mr. Speaker, there are carpenters and plumbers and all kinds of workmen in the State of Mississippi who want to go down there and work. There are men in the State of Virginia who want to go down there and work. I know, because they have told me so. In January 3,000 mechanics are going to be let out of work in the State of Washington who are working on the Grand Coulee Dam. There are men in my district, several hundred in the district represented by the gentleman from South Dakota, and other districts, who have written asking to be given an opportunity to go down there to go to work.

There are men on the W. P. A., carpenters, plumbers, electricians, getting $58 a month who are begging to go down there to Panama and be given the opportunity to work. Yet Members of Congress will get up here and say, "I am sorry, but we have to give it to the aliens because we might hurt the feelings of some other nation." O Lord, forbid!

Since when do we have to apologize because of the fact we are Americans? I never heard of that before. Why not apologize, if that is so, to the aliens of America? Why not turn the Americans out and say, "I am afraid we might hurt some other nationality;" so you say, "Mr. American, step out and let this other fellow in"?

Now, Mr. Speaker, I am an American, 100 percent, and I hope and pray that every Member of this Congress is. I know that if you are you will support the amendment offered by the gentleman from Texas and give the American workman an equal chance. That is all he is asking and that is all he wants. Panamanians and Spaniards are now employed and they receive the same as Americans. I beg and ask you to adopt the amendment offered by the gentleman from Texas, which places the American on an equal basis, at least with a chance to go to work, something everyone wants. I beg of you, in humanity's name, let us give the American a chance. [Applause.]

[Here the gavel fell.]

Mr. SNYDER. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia [Mr. BLAND].

Mr. BLAND. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein certain excerpts.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. BLAND. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I just wanted to point out that the first part of this amendment—and it is not at all in dispute—limits the employment to people who are either citizens of the United States or the Republic of Panama for these skilled positions, so there will not be any 500 Jamaicans coming in there who are not citizens either of Panama or the United States.

Mr. BLAND. Mr. Speaker, I would not take your time, but there is one fact that has not been mentioned at all, and that is that any indictment of the labor policy of the Panama Canal authorities is an indictment of the President of the United States. The President of the United States under the present legislation has the right by Executive order to determine the classifications and the employees. He has complete control over the employment policy. It was fixed by Executive order issued in 1908, by Executive order issued in 1914, and by Executive order issued in 1920. If labor has any request to make, it can make it to the President of the United States, and he has the absolute authority to answer that request. The President has amply shown himself to be friendly to labor. Why not trust him now?

In a complicated situation such as this, with international complexities so graphically portrayed by the distinguished gentleman from Mississippi—involving international problems of the first order in this perilous time—that question by all means should be left with the President of the United States. If the President thinks it wise to make a change, Governor Ridley cannot stand in the way. Heaven knows that the President has shown that he is the friend of labor in this country. I am willing to trust him. Are you?

The cost of the Lanham amendment will be about $26,525,000, or, annually, $5,350,000. Why? Because it is necessary to construct quarters and other facilities. Are you going to send American employees down there to live in quarters that have been occupied by Jamaicans and other people from the West Indies?

I am informed by the Canal Zone authorities that all of the aliens today employed by the Panama Canal and the Panama Railroad Co., other than the citizens of the Republic of Panama, are British subjects, natives of various West Indian islands, including Jamaica, Barbadoes, Trinidad, and St. Vincent. None of them is German, Japanese, Italian, or Russian, and it is believed that none of them is European or Asiatic. During the World War none of these West Indians was interned and none was arrested for sabotage or espionage.

Mr. Speaker, there is one other thing. This troublesome question continues to come up from time to time. Let us freeze the situation at 5 years and then let the committee, working with the President of the United States, see if we cannot provide a policy whereby we will provide the quarters, the sanitation, the sewerage, the things that are necessary for Americans if they are going down there. Let us freeze the situation and gradually get away from this condition of which Members have been complaining here. Such a situation would be fair and would save these people from being thrown upon Panama and causing international discord, international friction, and international trouble.

I ask you to stand by the President. [Applause.]

[Here the gavel fell.]

Mr. SNYDER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The gentleman from South Dakota having demanded a division of the question, the Clerk will report the first amendment offered by the gentleman from Texas.

The Clerk read as follows:

Amendment offered by Mr. LANHAM to the motion of Mr. SNYDER: In subdivision (3), strike out "five" and insert "fifteen."

The SPEAKER pro tempore. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. LANHAM and Mr. SCHULTE) there were—ayes 93, noes 64.

So the amendment was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment offered by the gentleman from Texas.

The Clerk read as follows:

Amendment offered by Mr. LANHAM to the motion of Mr. SNYDER: In subdivision (b), strike out "may" and insert "shall."

The SPEAKER pro tempore. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. LANHAM and Mr. SCHULTE) there were—ayes 72, noes 86.

Mr. SCHULTE. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were refused.

So the amendment was rejected.

The SPEAKER pro tempore. The question now recurs on the motion of the gentleman from Pennsylvania to recede and concur in the Senate amendment, as amended.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 22: On page 20, line 10, after the word "percentum", insert "; (5) this entire section shall apply only to persons employed in skilled, technical, clerical, administrative, executive, or supervisory positions on the Canal Zone directly or indirectly by any branch of the United States Government or by any corporation or company whose stock is owned wholly or in part by the United States Government."

Mr. SNYDER. Mr. Speaker, I move to recede and concur in the Senate amendment with an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Mr. SNYDER moves to recede and concur in Senate amendment No. 22 with an amendment as follows: In lieu of the matter shown in Senate amendment No. 22 insert "this entire section shall apply only to persons employed in skilled, technical, clerical, administrative, executive, or supervisory positions on the Canal Zone directly or indirectly by any branch of the United States Government or by any corporation or company whose stock is owned wholly or in part by the United States Government: *Provided further*, That the President may suspend compliance with this section in time of war or national emergency if he should deem such course to be in the public interest."

The motion was agreed to.

A motion to reconsider the votes by which the various motions were agreed to was laid on the table.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to the gentleman from Pennsylvania [Mr. MYERS], for today, on account of official business.

EXTENSION OF REMARKS

Mr. EATON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to insert a concurrent resolution of the New Jersey State Legislature with reference to the airport at Newark.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. BOLTON. Mr. Speaker, we have spent these last days in the shadow of war, in contemplation of the need for the physical protection of this Republic. We have occupied the

hours of this day voting for and against appropriations for this purpose according to our several points of view.

I rise in protest, Mr. Speaker, that the leadership has seen fit to disregard the deep meaning of this 30th day of May—a day set apart in the hearts of our people to thank God for the courage of our illustrious dead. None of us has been unwilling to use the hours of this day for a better defense of the Nation we serve, but we do protest that not even one moment of reverent silence has been given to do homage to those who died in the service; that not one moment has been given to the spiritual defenses without which America, as Washington dreamed her, will most surely die.

Mr. Speaker, I beg to record this protest, made in the deep sense of what we as a nation owe to those who died that America may continue to abide under the shadow and in the light of Almighty God. [Applause.]

Mr. CROWTHER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CROWTHER. Mr. Speaker, on this Memorial Day, May 30, 1940, the Congress of the United States is engaged in the consideration of the Army civil functions bill. The atmosphere is surcharged with talk of war and defense preparedness. Our sympathy goes out to the millions of innocent victims who are suffering directly or indirectly as a result of this tragic conflict. For all our people it means sacrifice and continuing devotion to our beloved country. The following article written by Walter H. Main of my home town, Schenectady, N. Y., is a message that I wish every American might read. It is a literary gem, worthy of a place in this CONGRESSIONAL RECORD.

THE LAST FULL MEASURE OF DEVOTION

(By Walter H. Main)

The bugles that will sound off tomorrow morning will remind us that another Memorial Day has come.

The drum-throbs and the sound of marching feet will again summon us to pay silent tribute to the Nation's dead, and to uncover at the passing of the flag, the symbol of that for which they died.

This is the yearly meed of respect which is due to them from us, the living, who came into our heritage of freedom through the sacrifices of the thousands who have given all they had that this Nation, under God, might have a new birth of freedom.

We have come upon a fresh visitation of war. The sounds which reach us from overseas on the calm May morning are ominous. We confidently thought on last Memorial Day, as the martial hosts swung down the street on their peaceful purpose of respect to the dead, that years would pass before war again would desecrate the earth. Under the fresh foliage of spring, on that day a year ago, with the lush grass of revived life, with the early flowers and all the promise which spring brings, thought of newly desolated homes, of bleeding bodies, of orphaned children was so foreign to the peace and beauty of the occasion that it seemed impossible it ever could occur again.

Yet the solemn fact overwhelms us on this Memorial Day that forces more savage and more destructive have been let loose upon the earth than ever were loosed before, and that their purpose is to destroy democracy. Already thousands, abroad, have made the supreme sacrifice in defense of democracy, and no man knows what the end may be.

"Sacrifice" is not a pleasant word. It carries the implication of giving up something which we wish to keep, whether it be life or possessions. In the word "sacrifice" is implied the idea that the individual often must surrender personal rights for the greater good to the larger number. When it comes to preserving the principles and the ideals for which one's country stands, sacrifice entails the supreme test.

Memorial Day is sacred to the sacrifices of the past. Not all those who have given all that the principles of free government might live died on the battlefield. Some of those who have sacrificed much may not have died. They may have continued to live lives of exemplary self-sacrifice and to have endured persecution for their principles.

We gladly pay reverence to those who have sacrificed that the Nation might live; but of what value is our tribute unless we, the living, dedicate ourselves to the unfinished work which they so nobly advanced?

Sacrifice must go on, if freedom is to live. No progress is made without cost. Neither tree, nor man, nor an institution grows without nourishment. Everything has its price. For everything that lives, something must die. Freedom itself is not self-perpetuating. It will perish unless it be kept alive by constant sacrifice. If we do not deem it worth the sacrifice by living and dying for it, we shall be unworthy of it, and it no longer will remain.

It is not for us complacently to sit by and take for granted this freedom for which they who have gone before paid so high a price. It is rather for us, the living, to be here dedicated to the great task remaining before us—that from these honored dead we take increased devotion to that cause to which they gave the last full measure of devotion.

Mr. CROWTHER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an article on sacrifice and devotion.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, the gentleman from Michigan [Mr. WOODRUFF] has 45 minutes assigned to him to address the House this afternon. He is unavoidably absent because of important business, and he has requested me to ask that he be given the same time tomorrow following any special orders that may heretofore have been entered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

MEMORIAL DAY OBSERVATION

Mr. HARTER of New York. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. HARTER of New York. Mr. Speaker, I sincerely pay respects to the gentlewoman from Ohio [Mrs. BOLTON] for her remarks concerning the use of this day. It seems to me it would have been mighty appropriate for us to have given some little time during this day to pay respects to those who have made the supreme sacrifice in the wars of this country in the past, while at the same time we could have given sufficient time to look after our defense of the present.

One of the greatest things we do in America is to pause on this day, giving expression to our sentiments for our soldier dead and giving them credit for their true measurement. Let us put it this way:

> A prince once said of a king struck down:
> "Taller he seems in death."
> And the word holds good, for now, as then,
> It is after death that we measure men.

On this day of memory, less than 22 years after the cessation of hostilities of the World War, we meet when a war—more brutal than any before—is raging in Europe. The huge toll in life will only be told when it comes to an end. The world's economic loss will be evidenced in generations to come. Deprivation, emaciation, weakness, and incalculable suffering follow in the wake of death and maiming at the hands of the god of war. This is known to mankind. This is known to leadership the world over, but wars seem to be fought just as surely as comes our normal cycle of life and death.

It is grand that God makes man strong, vibrant, and with a will to live and create, but it is hell that the wisdom of man is turned to efforts of destruction of his fellow man. On this day of memory can we say that those we honor did not die in vain? We cannot say that their sacrifice helped to create a better world. Would that we could! Would that a clean, God-fearing world were here today, as the immortal veterans' heritage to us. Instead, the gods of greed, waste, destruction, dishonesty, and death hold forth as the worldly fiends of today. Oh, yes; no matter how ruthless, no matter how insanely ingenious war is made, those warring prove to their own satisfaction, at least, that theirs is a holy cause—God is with them because right is on their side. This blighted world picture our comrades fortunately are missing today. But what heritage have we right here in America from major wars involving our country?

The War of the Revolution left a young, struggling, but free, nation. The War of 1812 brought that young Nation freedom of the seas. The War of the Rebellion gave freedom

to a race. The War with Spain has resulted in one free country, with freedom for the Philippines now scheduled for 1945. The World War, wherein our youth traveled over the Atlantic to fight for a principle, gave lasting freedom to none.

Out of that war our country sought and received nothing for its people except the desire to insure to the people of the world the right to live, governed as that people wish. All too quickly have we seen our cherished hopes and ideals dashed to the depths. All too quickly have we observed a world traveling away from God and moving to the brink of oblivion. If we of the United States of America move along that road—if we turn away and join the horde—then I say, truly, the end of free civilization is at hand and the sacrifices of our hallowed dead are in vain. But, if our memory is clear, if our reasoning remains cool, if we bend our efforts to building this Nation into a defensively modern and strong nation, if we eliminate from our midst those who owe allegiance to foreign powers and care naught for the freedom given to us through our forefathers, and in all of this if we will but think more of the will of God than of man, then can we truly say that those whom we honor on this Memorial Day in the year of 1940 have not been sacrificed in vain.

But, you say, shall we sit idly by while horrible sufferings are prevalent overseas? If you mean shall we again send our youth over there to become a part of a war machine, my answer is "No." In the first place, it is commonly known that we do not now have the means—the equipment—if we would, and memories of lack of international accomplishment flowing from the lifeblood of our youth of 1917 makes that "no" emphatic. Have we no heart for the suffering of the troubled world? God knows we have, and He knows that we are needed at peace and will be sorely needed when peace arrives to combatants—whichever turn of the wheel it takes. As a nation at peace, building a strong, modern defensive machine, even though our economic situation is out of balance, even though our debts are huge, still, as that nation at peace, we can and do use our resources to aid suffering world humanity during the continuation of this awful war. We reach out as a peaceful people to help furnish medical supplies and clothe and feed those small peoples who have as usual, in war, suffered the horrible reality of disruption, starvation, and death. In peace we can do that. In war, we would be doing that for our own flesh and blood on the battlefields, at the same time creating the problem of more men at war when the machines of war lacked by us are what is needed. And, when hostilities cease, we will find a different world. Bitterness is being extended to the limit. Resources are being burned up, blown up, and just plain destroyed. The world will bear the brunt of that destruction and man will be groveling, slaving, and starving for generations unborn to rehabilitate the nations receiving the full shock of devastating war.

Then, if never before, will a free-thinking people truly have to serve the world, but in errands of mercy and not of war. Then, likewise, will our free system be tested as never before. A bankrupt world will be grasping for trade on a starvation basis. The picture at best is unpleasant to contemplate, but our dead would have died in vain were we to pursue any other course at this unhappy time. In reverent thoughtfulness and devotion to our sleeping soldiers, let us consecrate this, our land, to a peaceful helping of downtrodden mankind, to a continuation and rejuvenation of our beloved country as a strong, virile nation, ready to protect its freedom, but working for a fair, lasting world peace where God is recognized as right and the people follow Him, rather than any one human being.

Remember the immediate cost of war in money, property, manpower, suffering, maiming, and death is only the beginning. The resources of our Nation are inevitably strained for years to pay the cost of rebuilding and replacing of property and, above all, in taking care of those who fought and after them those who were dependent on them. I say it does not pay, and those honored by us, I know, are now echoing a silent but fervent amen. And in closing, may I leave with you this supplication for our future:

Our fathers' God, from out whose hand
The centuries fall like grains of sand.
* * * * * *
Oh, make Thou us, through centuries long,
In peace secure, in justice strong:
Around our gift of freedom draw
The safeguards of Thy righteous law;
And, cast in some diviner mold,
Let the new cycle shame the old.

EXTENSION OF REMARKS

Mr. BECKWORTH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. BATES of Kentucky. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. HARRINGTON. Mr. Speaker, I ask unanimous consent to extend my remarks and to include certain tables.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. RABAUT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an editorial from the Detroit News which I have titled "A Timely Word of Caution."

The SPEAKER pro tempore. Is there objection?

There was no objection.

WAGE AND HOUR PROVISIONS IN PUERTO RICO

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. MARCANTONIO. Mr. Speaker, some time ago the House without opposition passed H. R. 9576, which provided for the hospitalization in St. Elizabeths Hospital in Washington, D. C., of residents of the Virgin Islands. When the bill was considered in the Senate yesterday an amendment was offered by Senator KING, of Utah, and adopted, exempting the working people of Puerto Rico and the Virgin Islands from the protection of the wage and hour law. This amendment had no more relation to the hospitalization of Virgin Islanders than a fishing creek in Montana has to a navy yard in New York. It was a most shocking use of a bill for the sick people in the Virgin Islands to aid and abet labor exploiters in Puerto Rico. It seems to me that that procedure was, to say the least, inordinate. I hope that when the leadership of the District of Columbia Committee makes any request with regard to this bill, which is now on the Speaker's desk, that it will do me the courtesy of giving me sufficient notice so that I may be present to object.

EXTENSION OF REMARKS

Mr. CARLSON. Mr. Speaker, I ask unanimous consent to extend my remarks and include a speech by Maj. Al Williams, delivered last night.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a short poem.

The SPEAKER pro tempore. Is there objection.

There was no objection.

Mr. CROWTHER. Mr. Speaker, I ask unanimous consent that in the remarks I made a few moments ago I may include a short article on sacrifice and devotion.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent to extend my remarks and to include an article from the Toledo Blade.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. DWORSHAK. Mr. Speaker, I ask unanimous consent to extend my remarks and include an article by David Lawrence.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent to extend my remarks and to include a resolution adopted recently by the Selected Weeklies of Oklahoma commending the Oklahoma delegation for remaining at its post of duty.

The SPEAKER pro tempore. Is there objection?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that on Tuesday next, at the conclusion of the legislative business and any other special orders, I may be permitted to address the House for 10 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

CHANGE OF REFERENCE

Mr. KRAMER. Mr. Speaker, I ask unanimous consent that the Committee on Military Affairs be discharged from the further consideration of the bill H. R. 9232, to authorize the Secretary of War and the Secretary of the Navy, respectively, to deal with patented and secret inventions, and for other purposes, and that the same be referred to the Committee on Patents.

The SPEAKER pro tempore. Is there objection?

There was no objection.

SENATE BILLS AND JOINT RESOLUTIONS REFERRED

Bills and joint resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 458. An act extending the benefits of the Emergency Officers' Retirement Act of May 24, 1928, to provisional, probationary, or temporary officers of the Army, Navy, Marine Corps, and Coast Guard who served during the World War; to the Committee on Military Affairs.

S. 537. An act granting a pension to Alice F. Thomas; to the Committee on Invalid Pensions.

S. 769. An act authorizing the Secretary of the Interior to furnish mats for the reproduction in magazines and newspapers of photographs of national park scenery; to the Committee on the Public Lands.

S. 1009. An act granting a pension to Bert W. Helmer; to the Committee on Invalid Pensions.

S. 1138. An act granting a pension to Mary Jane Blackman; to the Committee on Invalid Pensions.

S. 1251. An act for the relief of certain settlers in the town site of Ketchum, Idaho; to the Committee on the Public Lands.

S. 1560. An act for the relief of Amos B. Cole; to the Committee on the District of Columbia.

S. 1770. An act granting a pension to Mittie Gaffney; to the Committee on Pensions.

S. 1910. An act to extend the time within which applications for benefits under the World War Adjusted Compensation Act, as amended, may be filed; to the Committee on Ways and Means.

S. 2263. An act granting a pension to Timothy C. Toler; to the Committee on Invalid Pensions.

S. 2305. An act relating to hours of work of licensed officers and seamen on tugs operating in certain inland waters of the United States; to the Committee on Merchant Marine and Fisheries.

S. 2413. An act granting a pension to Arminda Bauman; to the Committee on Invalid Pensions.

S. 2679. An act to amend the Independent Offices Appropriation Act, 1934, as amended, with respect to the authority of the Attorney General to compromise suits on certain contracts of insurance; to the Committee on World War Veterans' Legislation.

S. 2768. An act authorizing the naturalization of Thomas A. Lambie; to the Committee on Immigration and Naturalization.

S. 2891. An act to amend the act of October 6, 1917, "An act to provide for the reimbursement of officers, enlisted men, and others in the naval service of the United States for property lost or destroyed in such service"; to the Committee on Naval Affairs.

S. 2952. An act to reinstate in the Court of Claims the suits entitled "Eastern or Emigrant Cherokees against the United States," No. 42077, and "Western or Old Settler Cherokees against the United States," No. 42078; to the Committee on Indian Affairs.

S. 2983. An act to authorize the sale of lumber and other forest products obtained from the forests on Indian reservations by Indian enterprises; to the Committee on Indian Affairs.

S. 2984. An act authorizing the transfer of title of the Hayward Indian School to the State of Wisconsin; to the Committee on Indian Affairs.

S. 3101. An act for the relief of certain purchasers of, and entrymen upon, opened lands of certain Indian reservations; to the Committee on Public Lands.

S. 3131. An act to extend the benefits of the United States Employees' Compensation Act to members of the Officers' Reserve Corps and of the Enlisted Reserve Corps of the Army who were physically injured in line of duty while performing active duty or engaged in authorized training between dates of February 28, 1925, and July 15, 1939, both inclusive, and for other purposes; to the Committee on Military Affairs.

S. 3136. An act to authorize an appropriation for the construction of small reservoirs under the Federal reclamation laws; to the Committee on Irrigation and Reclamation.

S. 3218. An act for the relief of Schroeder Employees' Thrift Club; to the Committee on Ways and Means.

S. 3223. An act for the relief of Arthur A. Schipke; to the Committee on Claims.

S. 3266. An act to provide pensions, compensation, retirement pay, and hospital benefits for certain Air Corps Reserve officers who were disabled while on active duty with the Regular Army; to the Committee on Military Affairs.

S. 3339. An act for the relief of John C. Crossman; to the Committee on Claims.

S. 3351. An act for the relief of I. M. Cook, J. J. Allen, and the Radiator Specialty Co.; to the Committee on Claims.

S. 3352. An act to amend the act of August 27, 1935 (49 Stat. 2194), and for other purposes; to the Committee on Indian Affairs.

S. 3443. An act for the relief of William A. Wheeler; to the Committee on Claims.

S. 3464. An act to amend the Perishable Agricultural Commodities Act, 1930, as amended; to the Committee on Agriculture.

S. 3533. An act authorizing the appointment of a commission to prepare a new code of laws for the District of Columbia; to the Committee on Revision of the Laws.

S. 3587. An act for the relief of Earl P. Collins; to the Committee on Claims.

S. 3597. An act for the relief of Vernon C. Brown and F. L. Copeland; to the Committee on Claims.

S. 3617. An act granting the consent and approval of Congress to an interstate compact relating to control and reduction of pollution in the Ohio River drainage basin; to the Committee on Rivers and Harbors.

S. 3642. An act granting the consent of Congress to the Secretary of the Interior and the State of Washington to construct, maintain, and operate a highway bridge across the Spokane River, Wash.; to the Committee on Interstate and Foreign Commerce.

S. 3643. An act granting the consent of Congress to the Secretary of the Interior and Stevens County, State of Washington, to construct, maintain, and operate a highway bridge across the Kettle River, near Marcus, Wash.; to the Committee on Interstate and Foreign Commerce.

S. 3644. An act granting the consent of Congress to the Secretary of the Interior and the Great Northern Railway Co. to construct, maintain, and operate two railroad bridges across the Kettle River, near Marcus, Wash.; to the Committee on Interstate and Foreign Commerce.

S. 3649. An act for the relief of Harry D. Gann; to the Committee on Claims.

S. 3683. An act to remove the time limit for cooperation between the Bureau of Reclamation and the Farm Security Administration in the development of farm units on public lands under Federal reclamation projects; to the Committee on the Public Lands.

S. 3706. An act for the relief of Alfred G. Balls; to the Committee on Claims.

S. 3727. An act limiting the operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised Statutes of the United States with respect to certain counsel; to the Committee on the Judiciary.

S. 3742. An act for the relief of M. E. McGivern; to the Committee on Claims.

S. 3749. An act to relieve certain employees of the Veterans' Administration from financial liability for certain overpayments and allow such credit therefor as is necessary in the accounts of certain disbursing officers, and for other purposes; to the Committee on Claims.

S. 3763. An act for the relief of Capt. David H. Passell and First Lt. Paul E. LaMaster; to the Committee on Claims.

S. 3780. An act authorizing Alabama Bridge Commission (an agency of the State of Alabama) to construct, maintain, and operate a toll bridge and causeway between Dauphin Island and the mainland at or near Cedar Point, within the State of Alabama; to the Committee on Interstate and Foreign Commerce.

S. 3794. An act for the relief of certain Navajo Indians, and for other purposes; to the Committee on Indian Affairs.

S. 3899. An act to defray the cost of returning to the United States the remains, families, and effects of officers and employees dying abroad, and for other purposes; to the Committee on Expenditures in the Executive Departments.

S. 3916. An act for the relief of Lawrence T. Post, G. F. Allen, and D. Buddrus; to the Committee on Claims.

S. 3978. An act for the relief of certain former employees of the National Reemployment Service; to the Committee on Claims.

S. J. Res. 157. Joint resolution authorizing the President of the United States to present to Eire on behalf of the people of the United States a statue of Commodore John Barry; to the Committee on Foreign Affairs.

S. J. Res. 175. Joint resolution to provide for the observance and celebration of the four-hundredth anniversary of the discovery of the Mississippi River by Hernando De Soto; to the Committee on the Library.

S. J. Res. 256. Joint resolution designating a day to be observed as Doctor's Day; to the Committee on the Judiciary.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 169. An act to facilitate the control of soil erosion and/or flood damage originating upon lands within the exterior boundaries of the Cleveland National Forest in San Diego County, Calif.;

H. R. 952. An act for the relief of Indians who have paid taxes on allotted lands for which patents in fee were issued without application by or consent of the allottees and subsequently canceled, and for the reimbursement of public subdivisions by whom judgments for such claims have been paid;

H. R. 1312. An act granting a pension to Ernest Francis White;

H. R. 1379. An act granting a pension to Timothy A. Lineham;

H. R. 1843. An act for the relief of the estate of K. J. Foss;

H. R. 2009. An act to facilitate the control of soil erosion and/or flood damage originating upon lands within the exterior boundaries of the Angeles National Forest, Calif.;

H. R. 2143. An act granting a pension to Helen M. Crowley;

H. R. 2273. An act granting a pension to Lizzie May Wilbur Clayton;

H. R. 2285. An act granting a pension to Maud Patterson;

H. R. 3048. An act to confer jurisdiction on the State of Kansas over offenses committed by or against Indians on Indian reservations;

H. R. 3138. An act authorizing J. E. Pate, his successors and assigns, to construct, maintain, and operate a bridge or ferry across the Rio Grande at Boca Chica, Tex.;

H. R. 3233. An act to repeal certain acts of Congress (pocket vetoed);

H. R. 4282. An act to amend the act of June 30, 1936 (49 Stat. 2041), providing for the administration and maintenance of the Blue Ridge Parkway, in the States of Virginia and North Carolina, by the Secretary of the Interior, and for other purposes;

H. R. 4349. An act for the relief of the estate of Lewis Marion Garrard Hale;

H. R. 4394. An act granting a pension to James G. Bailey;

H. R. 4832. An act for the protection of the bald eagle;

H. R. 5007. An act granting a pension to John W. Swoveland;

H. R. 5089. An act conferring jurisdiction upon the Court of Claims of the United States to hear, examine, adjudicate, and render judgment on the claim of the legal representative of the estate of Rexford M. Smith;

H. R. 5459. An act for the relief of George F. Lewis, administrator of the estate of Margaret R. Lewis;

H. R. 5477. An act for the benefit of the Indians of the Crow Reservation, Mont., and for other purposes;

H. R. 5880. An act to incorporate the Navy Club of the United States of America;

H. R. 5906. An act to repeal the prohibition against the filling of a vacancy in the office of district judge for the southern district of New York;

H. R. 5918. An act amending Public Law No. 96 of the Seventy-fifth Congress, being an act entitled "An act amending section 2 of Public Law No. 716 of the Seventy-fourth Congress, being an act entitled 'An act to relieve restricted Indians whose lands have been taxed or have been lost by failure to pay taxes, and for other purposes' ";

H. R. 5961. An act granting to the regents of the University of New Mexico the right to alienate certain lands conveyed to them under authority of the act of Congress, approved August 19, 1935 (49 Stat. 659), in exchange for an equivalent amount of land more expediently situated;

H. R. 6481. An act to authorize the conveyance of the United States fish hatchery property at Put in Bay, Ohio, to the State of Ohio;

H. R. 6552. An act for the relief of Mrs. Gottlieb Metzger.

H. R. 6681. An act granting a pension to Capt. Victor Gondos, Jr.;

H. R. 6751. An act to repeal certain laws with respect to manifests and vessel permits;

H. R. 6964. An act for the relief of Mr. and Mrs. Nathan Kaplan;

H. R. 7072. An act for the relief of Esther Ross;

H. R. 7084. An act to amend the act entitled "An act to regulate proceedings in adoption in the District of Columbia," approved August 25, 1937;

H. R. 7147. An act to amend the service pension acts pertaining to the War with Spain, Philippine Insurrection, and the China Relief Expedition to include certain continuous service;

H. R. 7306. An act for the relief of John R. Elliott;

H. R. 7530. An act to transfer the site and buildings of the Tomah Indian School to the State of Wisconsin;

H. R. 7615. An act authorizing the Bradenton Co., its successors and assigns, to construct, maintain, and operate a toll bridge across Sarasota Pass, and across Longboat Pass, county of Manatee, State of Florida;

H. R. 7733. An act to provide increased pensions for veterans of the Regular Establishment with service-connected

disability incurred in or aggravated by service prior to April 21, 1898;

H. R. 7833. An act to set aside certain lands for the Minnesota Chippewa Tribe in the State of Minnesota, and for other purposes;

H. R. 7853. An act for the relief of the Gallup Mercantile Co., of Gallup, N. Mex.;

H. R. 7901. An act to transfer certain Indian lands to the Grand River Dam Authority, and for other purposes;

H. R. 8086. An act to make it a crime to wreck or attempt to wreck a train engaged in interstate commerce;

H. R. 8317. An act for the relief of the Hermosa-Redondo Hospital, C. Max Anderson, Julian O. Wilke, Curtis A. Wherry, Hollie D. Murray, Ruth M. Laird, Sigrid I. Olsen, and Stella S. Guy;

H. R. 8423. An act to amend an act entitled "An act to increase the efficiency of the Coast Guard," approved January 12, 1938;

H. R. 8452. An act to declare Frankford Creek, Pa., to be a nonnavigable stream;

H. R. 8475. An act to limit the interpretation of the term "products of American fisheries";

H. R. 8537. An act to provide for the enlargement of the Coast Guard depot at Seattle, Wash., and for the establishment of a Coast Guard servicing base at or near Chattanooga, Tenn.;

H. R. 8589. An act to authorize the county of Burt, State of Nebraska, to construct, maintain, and operate a toll bridge across the Missouri River at or near Decatur, Nebr.;

H. R. 9013. An act to transfer Hardeman County, Tex., from the Fort Worth division to the Wichita Falls division of the northern judicial district of Texas;

H. R. 9115. An act to authorize the Commissioners of the District of Columbia to provide for the parking of automobiles in the Municipal Center;

H. R. 9210. An act to amend an act entitled "An act to establish a Board of Indeterminate Sentence and Parole for the District of Columbia and to determine its functions, and for other purposes," approved July 15, 1932, and for other purposes;

H. R. 9236. An act to amend the act entitled "An act to provide books for the adult blind," approved March 3, 1931;

H. R. 9261. An act to extend the times for commencing and completing the construction of a railroad bridge across the Missouri River at or near Randolph, Mo.;

H. R. 9271. An act to extend the existence of the Alaskan International Highway Commission for an additional 4 years, and for other purposes;

H. R. 9381. An act to provide for the alteration of certain bridges over navigable waters of the United States, for the apportionment of the cost of such alterations between the United States and the owners of such bridges, and for other purposes;

H. R. 9441. An act to accept the grant to the United States of certain land by the State of South Carolina and to authorize its use by the United States Coast Guard;

H. R. 9553. An act to amend and clarify certain acts pertaining to the Coast Guard, and for other purposes;

H. J. Res. 265. Joint resolution authorizing the Bureau of Labor Statistics to make studies of productivity and labor costs in industry;

H. J. Res. 302. Joint resolution to authorize compacts or agreements between or among the States bordering on the Atlantic Ocean with respect to fishing in the territorial waters and bays and inlets of the Atlantic Ocean on which such States border, and for other purposes;

H. J. Res. 385. Joint resolution establishing a Greenville Memorial Commission to formulate plans for the construction of a memorial building to commemorate the Treaty of Green Ville, at Greenville, Ohio;

H. J. Res. 400. Joint resolution authorizing the President of the United States of America to proclaim October 11, 1940, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski;

H. J. Res. 490. Joint resolution providing for an annual appropriation to meet the share of the United States toward the expenses of the International Techincal Committee of Aerial Legal Experts, and for participation in the meetings of the International Technical Committee of Aerial Legal Experts and the commissions established by that committee; and

H. J. Res. 496. Joint resolution providing for more uniform coverage under the Railroad Retirement Acts of 1935 and 1937, the Carriers' Taxing Act of 1937, and subchapter B of chapter 9 of the Internal Revenue Code.

ADJOURNMENT

Mr. SNYDER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 18 minutes p. m.) the House adjourned until tomorrow, Friday, May 31, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce on Friday, May 31, 1940, at 10 a. m.

Business to be considered: To continue hearings on S. 280 and H. R. 145, motion pictures. The opposition will continue.

COMMITTEE ON MINES AND MINING

The Subcommittee on Mines and Mining that was appointed to consider S. 2420 will continue hearings on Friday, May 31, 1940, at 10 a. m., in the committee rooms in the New House Office Building.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

There will be a meeting of the Committee on Merchant Marine and Fisheries on Saturday, June 1, 1940, at 10 a. m., for the consideration of H. R. 9905, relating to vessels affected by the Neutrality Act.

The Committee on Merchant Marine and Fisheries will hold a public hearing on Thursday, June 6, 1940, at 10 a. m., on the following bill:

H. R. 9913, relating to citizenship requirements for manning of vessels, and for other purposes.

COMMITTEE ON THE JUDICIARY

On Monday, June 3, 1940, the Special Subcommittee on Bankruptcy and Reorganization of the Committee on the Judiciary will hold a hearing on the bill (H. R. 9864) amending the Bankruptcy Act with respect to the basis of property and excluding certain corporations from the provisions of chapter XI. The hearing will be held in the Judiciary Committee room, 346 House Office Building, and will begin at 10 a. m.

COMMITTEE ON INVALID PENSIONS

There will be a meeting of the Committee on Invalid Pensions on Monday, June 3, 1940, at 10:30 a. m., in room 247, House Office Building, for the purpose of considering H. R. 7899, entitled "A bill extending the provisions of pension laws relating to Indian war veterans to members of Companies E and F, Frontier Battalion, Texas Rangers, and for other purposes," and H. R. 8030, entitled "A bill granting pensions to certain former members of the organizations known as the Spring Creek Company of South Dakota Volunteers."

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1706. A letter from the Secretary of War, transmitting draft of a proposed bill to authorize the construction of certain facilities in Marjorie Park, Davis Island, Tampa, Fla., and for other purposes; to the Committee on Military Affairs.

1707. A letter from the acting president, Board of Commissioners of the District of Columbia, transmitting draft of a proposed bill to regulate the hours of employment of fe-

males in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

1708. A letter from the Chairman, National Capital Park and Planning Commission, transmitting draft of a proposed bill entitled "A bill to establish a boundary line between the District of Columbia and the Commonwealth of Virginia, and for other purposes"; to the Committee on the District of Columbia.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. LANHAM: Committee on Public Buildings and Grounds. H. R. 9927. A bill declaring a forfeiture of certain land heretofore granted by the United States to the board of commissioners of the Orleans Levee District, in the city of New Orleans, State of Louisiana, for levee and street purposes; without amendment (Rept. No. 2342). Referred to the Committee of the Whole House on the state of the Union.

Mr. RAMSPECK: Committee on the Civil Service. H. R. 8046. A bill to amend section 1 of the act entitled "An act for the retirement of employees of the Alaska Railroad, Territory of Alaska, who are citizens of the United States," approved June 29, 1936; with amendment (Rept. No. 2343). Referred to the Committee of the Whole House on the state of the Union.

Mr. STEAGALL: Committee on Banking and Currency. H. R. 9886. A bill to amend the Federal Credit Union Act (June 26, 1934, ch. 750, par. 1, 48 Stat. 1216, sec. 1761); without amendment (Rept. No. 2347). Referred to the Committee of the Whole House on the state of the Union.

Mr. PEARSON: Committee on Interstate and Foreign Commerce. S. 2047. An act to divest prize-fight films of their character as subjects of interstate or foreign commerce, and for other purposes; without amendment (Rept. No. 2348). Referred to the House Calendar.

Mr. HILL: Committee on Indian Affairs. H. R. 9445. A bill for the acquisition of Indian lands for the Grand Coulee Dam and Reservoir, and for other purposes; with amendment (Rept. No. 2350). Referred to the Committee of the Whole House on the state of the Union.

Mr. KELLER: Committee on the Library. H. R. 9806. A bill to permit the Smithsonian Gallery of Art Commission to purchase a model of the winning design for the proposed Smithsonian Gallery of Art, and for other purposes; without amendment (Rept. No. 2352). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 2117. A bill granting a pension to Martha Pace; without amendment (Rept. No. 2344). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 7860. A bill granting an increase of pension to Mary Merrill Scott; without amendment (Rept. No. 2345). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 9963. A bill granting increase of pensions to sundry widows; without amendment (Rept. No. 2346). Referred to the Committee of the Whole House.

Mr. MASON: Committee on Immigration and Naturalization. H. R. 4353. A bill for the relief of Amelia Eisenstein; with amendment (Rept. No. 2349). Referred to the Committee of the Whole House.

Mr. AUSTIN: Committee on Immigration and Naturalization. H. R. 4066. A bill for the relief of Josefina Alvarado; without amendment (Rept. No. 2351). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BRADLEY of Michigan:

H. R. 9964. A bill to amend section 1101 of the Social Security Act; to the Committee on Ways and Means.

By Mr. FERNANDEZ:

H. R. 9965. A bill to provide for the acquisition by the United States of land for addition to the national-cemetery area of the Chalmette National Historical Park in the State of Louisiana, and for other purposes; to the Committee on the Public Lands.

By Mr. DOUGHTON:

H. R. 9966. A bill to provide for the expenses of national preparedness by raising revenue and issuing bonds, to provide a method for paying for such bonds, and for other purposes; to the Committee on Ways and Means.

By Mr. HOFFMAN:

H. Res. 505. Resolution requesting certain information from the Secretary of Labor; to the Committee on Labor.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AUSTIN:

H. R. 9967. A bill for the relief of Ethel Sherwood Wakeman; to the Committee on Claims.

By Mr. COLE of New York:

H. R. 9968. A bill for the relief of Constantinos Dardas; to the Committee on Immigration and Naturalization.

H. R. 9969. A bill for the relief of Hildegard Lacour; to the Committee on Immigration and Naturalization.

By Mr. HENDRICKS:

H. R. 9970. A bill granting a pension to E. G. Vans Agnew; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8511. By Mr. GOSSETT: Petition of Mrs. LeNelle Wheeler and 157 other citizens of Bowie and Montague County, Tex., urging action against subversive elements in America and insisting upon adequate preparedness; to the Committee on Military Affairs.

8512. By the SPEAKER: Petition of the Motion Picture Laboratory Technicians, Local 702, New York City, N. Y., petitioning consideration of their resolution with reference to the present war situation in Europe; to the Committee on Foreign Affairs.

8513. Also, petition of the Illinois District of the American Lutheran Church, Goshen, Ind., petitioning consideration of their resolution with reference to foreign entanglement; to the Committee on Foreign Affairs.

8514. Also, petition of the Illinois District of the American Lutheran Church, Goshen, Ind., petitioning consideration of their resolution with reference to the personal representative of the President of the United States of America; to the Committee on Foreign Affairs.

SENATE

FRIDAY, MAY 31, 1940

(Legislative day of Tuesday, May 28, 1940)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O Thou who dost reveal Thyself in the magic of creative beauty, no less in the mystery of night, with her silent stars, than in the morning's glorious awakening, for darkness and the light are both to Thee alike: We beseech Thee to lighten

the darkness of the way, and, since Thou hast always known us and from the beginning hast purposed when and where to use us, impart to us anew the sense of the dignity of life, that our people may return to the faithful practice of those simple virtues without which no nation can be sound at heart or constrained to do Thy will.

In the face of our exacting duties, help us to quit ourselves like men. Drive from our minds all doubt and fear, purge our lives from shame and our lips from all uncleanness, that we may be fitted not only to assist in the alleviation of the world's great agony and sorrow but, as prophets rising above the clatter and confusion, we may ever point the way to the road on which the fathers walked whereon their hallowing influence flowed to make and keep men free. In the Saviour's name we ask it. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Thursday, May 30, 1940, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Connally	King	Schwartz
Andrews	Danaher	La Follette	Schwellenbach
Ashurst	Davis	Lee	Sheppard
Austin	Downey	Lodge	Shipstead
Bailey	Ellender	Lucas	Slattery
Bankhead	George	Lundeen	Smathers
Barbour	Gerry	McCarran	Smith
Barkley	Gibson	McKellar	Stewart
Bilbo	Gillette	McNary	Taft
Bone	Guffey	Maloney	Thomas, Idaho
Bridges	Gurney	Mead	Thomas, Okla.
Brown	Hale	Miller	Thomas, Utah
Bulow	Harrison	Minton	Townsend
Burke	Hatch	Murray	Truman
Byrd	Hayden	Norris	Tydings
Byrnes	Herring	Nye	Vandenberg
Capper	Hill	O'Mahoney	Van Nuys
Caraway	Holman	Overton	Wagner
Chandler	Holt	Pepper	Walsh
Chavez	Hughes	Radcliffe	Wheeler
Clark, Idaho	Johnson, Calif.	Reynolds	White
Clark, Mo.	Johnson, Colo.	Russell	Wiley

Mr. MINTON. I announce that the Senator from Rhode Island [Mr. GREEN] is unavoidably detained.

The Senator from Ohio [Mr. DONAHEY], the Senator from Virginia [Mr. GLASS], the Senator from West Virginia [Mr. NEELY], and the Senator from Nevada [Mr. PITTMAN] are necessarily absent.

Mr. AUSTIN. I announce that the Senator from Kansas [Mr. REED] is absent on official business for the Committee Investigating Campaign Expenditures.

The Senator from North Dakota [Mr. FRAZIER] and the Senator from New Hampshire [Mr. TOBEY] are necessarily absent.

The VICE PRESIDENT. Eighty-eight Senators have answered to their names. A quorum is present.

SITES AT MIAMI BEACH, FLA., FOR THE COAST GUARD

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Treasury transmitting a draft of proposed legislation to amend the act of April 6, 1938 (52 Stat. 201) entitled "An act authorizing the Secretary of the Treasury to exchange sites at Miami Beach, Dade County, Fla., for Coast Guard purposes," which, with the accompanying paper, was referred to the Committee on Commerce.

BOUNDARY LINE BETWEEN VIRGINIA AND THE DISTRICT OF COLUMBIA

The VICE PRESIDENT laid before the Senate a letter from the chairman of the National Capital Park and Planning Commission, transmitting a draft of proposed legislation to establish a boundary line between the District of Columbia and the Commonwealth of Virginia, and for other purposes, which, with the accompanying paper, was referred to the Committee on the District of Columbia.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a resolution of the Council of the City of Compton, Calif., favoring conservation and protection of the national defense against all enemies, foreign and domestic, and calling attention to the alleged presence of groups of aliens or persons of foreign extraction in the vicinities of various United States air and naval bases, which was referred to the Committee on Military Affairs.

He also laid before the Senate a resolution of the Illinois District Convention of the American Lutheran Church, favoring the immediate recall of Myron C. Taylor as a representative at the Vatican, which was referred to the Committee on Foreign Relations.

He also laid before the Senate a resolution of the Illinois District Convention of the American Lutheran Church, favoring the observance of neutrality and the avoidance of foreign entanglements, the uncovering of all subversive activities in America, and also that the United States do all within its power to keep out of present and future European or Asiatic conflicts, which was referred to the Committee on Foreign Relations.

He also laid before the Senate a memorial of sundry citizens, being trade-unionists and persons interested in social work, of the Bronx, New York City, remonstrating against any involvement of the Nation in the present war situation, which was referred to the Committee on Foreign Relations.

Mr. WALSH presented a resolution adopted by a meeting of more than 700 citizens at Boston, Mass., held under the auspices of the National Negro Congress, favoring the prompt enactment of House bill 801, for the prevention and punishment for lynching, which was ordered to lie on the table.

RELIEF OF POPULATIONS OF INVADED EUROPEAN COUNTRIES

Mr. MALONEY. Mr. President, I ask unanimous consent to have printed in the RECORD a letter I have received from Right Reverend Monsignor Bojnowski and other distinguished residents of my State concerning the matter of relief for the stricken people of Poland, together with copy of a resolution adopted at a mass meeting in my State, and also copy of Senate Joint Resolution 261 on the subject introduced by myself and the junior Senator from New York [Mr. MEAD]. I ask that the letter and resolution be referred to the Committee on Foreign Relations, where the joint resolution was referred on the 24th instant.

There being no objection, the letter and resolution were referred to the Committee on Foreign Relations and, together with the joint resolution above mentioned, were ordered to be printed in the RECORD, as follows:

NEW BRITAIN, CONN., *May 15, 1940.*

His Honor FRANCIS T. MALONEY,
Senator of the United States, Washington, D. C.

MY DEAR SENATOR: Attached herewith is a resolution passed at a mass meeting held at the Sacred Heart School Hall, New Britain, Conn., on Sunday, April 21, 1940, which mass meeting was attended by about 2,000 people from New Britain and vicinity.

May we ask that you do everything in your power to help the poor and suffering people of Poland in every possible way?

Thanking you in advance for any help you may render them, we remain,

Respectfully yours,

GENERAL HALLER RECEPTION COMMITTEE,
Rev. L. BOJNOWSKI, *President,*
PAULIN NURCZYK, *Vice President,*
JOSEPH SAMOJEDNY, *Secretary,*
ANDREW MACIAG, *Treasurer.*

Resolution adopted at a mass meeting held on Sunday, April 21, 1940, at the Sacred Heart Parish Hall in New Britain, Conn., in the presence of His Excellency Gen. Joseph Haller, Minister of the State of the Republic of Poland:

Whereas we Americans of Polish descent and Polish residents of New Britain and vicinity of the State of Connecticut feel in common with the rest of the American people and each and every civilized human being;

Whereas we are fully cognizant of the unspeakable conduct of the German armies now occupying a portion of the territories of our mother country, Poland;

Whereas we are fully cognizant of the unspeakable conduct of the armies of Soviet Russia occupying a portion of the territories of our beloved mother country, Poland;

Now, therefore, we, assembled, resolve that the Congress of the United States be hereby petitioned to submit to the Secretary of State, Hon. Cordell Hull, this unanimous wish of ours that this Government should at the earliest convenience make the strongest representation through their diplomatic representatives at Berlin and at Moscow and most earnestly request them to stop such practices as are abhorrent to every citizen or resident of the United States of America, irrespective of race and creed.

We furthermore resolve that the Congress of the United States be respectfully requested to vote at the earliest possible time, and not later than before the closing of this session, such relief bills for the benefit of the suffering populations in Poland as are worthy of the great humanitarian traditions of the American people.

We finally resolve that copies of this resolution be forwarded to the Honorable Franklin D. Roosevelt, President of the United States, and to all Senators and Representatives of the United States Congress.

[S. J. Res. 261, in the Senate of the United States, May 24 (legislative day, April 24), 1940. Mr. MALONEY (for himself and Mr. MEAD) introduced the following joint resolution; which was read twice and referred to the Committee on Foreign Relations]

Joint resolution for the relief of the distressed and starving men, women, and children, of Poland, Norway, Holland, Belgium, Finland, and other similarly afflicted areas

Resolved, etc., That the President is hereby authorized, through such agency or agencies as he may designate, to purchase exclusively in the United States and transport and distribute medical supplies, and surplus supplies whenever found to be practicable, of grain, fats, dairy products, and other foodstuffs, and clothing, for and adapted to the relief of the distressed and starving men, women, and children in Poland, Norway, Holland, Belgium, Finland, and other similarly afflicted areas. That there is hereby authorized to be appropriated, to be expended under the direction of the President, a sum not exceeding $15,000,000, or so much thereof as may be necessary, for the purpose of carrying out the provisions of this joint resolution: *Provided*, That no part of any moneys that may be appropriated under the authorization of this joint resolution shall be expended for the purchase, transportation, or distribution of any commodities mentioned herein, unless and until there shall have been concluded by the United States Government, or some authorized agency acting in its behalf, with each and every foreign government whose consent to or cooperation in the undertaking proposed herein may by the President be deemed necessary, such understandings or agreements as will satisfy the President that the commodities, so to be purchased and transported, can and will be transported without hindrance or diversion and distributed to and received by such people who are in need of relief: *Provided further*, That the purchase, transportation, and distribution of all supplies and commodities mentioned in this joint resolution shall be under the direction and supervision of American citizens: *And provided further*, That the President shall, on or before December 31, 1940, submit to the Congress an itemized and detailed report of the expenditures and activities made and conducted through the agencies selected by him under the authority of this joint resolution.

AID FOR ALLIES

Mr. SMATHERS. Mr. President, I send to the desk and ask unanimous consent to have read into the RECORD at this point a telegram received from Mrs. Dwight W. Morrow. Mrs. Morrow is the widow of a former distinguished Member of this body from New Jersey, Dwight W. Morrow, and the mother-in-law of Col. Charles A. Lindbergh.

The VICE PRESIDENT. Without objection, the telegram will be read.

The legislative clerk read the telegram, as follows:

I and members of my family support resolution passed by New York branch of Committee to Defend America by Aiding Allies. Urge you to support immediate action on three points as follows: First, make available to Allies as many planes as may in opinion of President be released without impairing national defense. Second, make available a hundred million dollars to aid refugees in war zone. Third, stop export of war materials which may find their way to aggressive nations.

Sincerely yours,

MRS. DWIGHT W. MORROW.

Mr. AUSTIN. Mr. President, to the same effect is a telegram I found on my desk this morning from Dr. Waldo H. Heinrichs, a professor, of Middlebury, Vt. I should like to read it.

Tremendous shift in public opinion indicated by unanimous vote of Vermont public as indicated by local American Legion and Rotary Club and immediate response of faculty to William Allen White's four-point program, including immediate relief, all possible planes to Allies, $100,000,000 refugee relief, cessation of exports to aggressors, and fullest possible material aid to Allies. Rising sentiment against failure of Congress to help stop aggressors. This represents feeling in audiences I have addressed in Burlington, Montpelier, Brattleboro, Middlebury, Rutland, St. Albans, Manchester, and many other smaller centers.

WALDO H. HEINRICHS.

REPORTS OF COMMITTEES

Mr. WAGNER, from the Committee on Banking and Currency, to which was referred the bill (S. 3938) to authorize the purchase by the Reconstruction Finance Corporation of stock of Federal home-loan banks; to amend the Reconstruction Finance Corporation Act, as amended; and for other purposes, reported it with an amendment and submitted a report (No. 1725) thereon.

Mr. MILLER, from the Committee on Banking and Currency, to which was referred the bill (S. 4008) to authorize the Reconstruction Finance Corporation to make loans for the development of deposits of strategic and critical minerals and other metallic and nonmetallic minerals, and to authorize the Reconstruction Finance Corporation to make more adequate loans for mineral developmental purposes, reported it with amendments and submitted a report (No. 1726) thereon.

Mr. WALSH, from the Committee on Naval Affairs, to which was referred the bill (H. R. 9848) to authorize the construction or acquisition of naval aircraft, the construction of certain public works, and for other purposes, reported it with amendments.

Mr. ADAMS, from the Committee on Banking and Currency, to which was referred the bill (S. 71) to repeal the act entitled "An act relating to Philippine currency reserves on deposit in the United States," reported it without amendment and submitted a report (No. 1727) thereon.

Mr. CONNALLY, from the Committee on Public Buildings and Grounds, to which was referred the joint resolution (H. J. Res. 517) to clear title to certain real estate, reported it without amendment.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MEAD:

S. 4074. A bill to place postmasters at fourth-class post offices on an annual-salary basis, and fix their rate of pay; and provide allowances for rent, fuel, light, and equipment, and fix the rates thereof; to the Committee on Post Offices and Post Roads.

By Mr. McCARRAN:

S. 4075. A bill extending the jurisdiction of the Civil Aeronautics Authority over certain air-mail services, and for other purposes; to the Committee on Commerce.

By Mr. McKELLAR:

S. 4076. A bill to amend section 4021 of the Revised Statutes and to repeal section 4023 of the Revised Statutes relating to establishment of postal agencies; to the Committee on Post Offices and Post Roads.

By Mr. WHEELER:

S. 4077. A bill granting a pension to Hattie Bickerdyke; to the Committee on Pensions.

By Mr. MINTON:

S. 4078 (by request). A bill to authorize the appropriation of $200,000 for the purpose of constructing a national airport and aviation school at Indianapolis, Marion County, Ind., for training Negro citizens to become aviators in the United States Aviation Corps, and as aviators in the United States Army and the Government's subsidies; to the Committee on Military Affairs.

By Mr. BRIDGES:

S. 4079. A bill to authorize the acquisition of a site for a United States Post Office at Woodsville, N. H.; to the Committee on Public Buildings and Grounds.

By Mr. SHEPPARD:

S. 4080. A bill for the relief of William I. Ryan; to the Committee on Military Affairs.

By Mr. BILBO:

S. 4081. A bill for the relief of Harrison Smith; to the Committee on Claims.

S. J. Res. 268. Joint resolution authorizing the Interstate Commerce Commission to postpone the effective date of an order relating to joint rates between certain motor carriers

and forwarding companies not conducting motor-vehicle operations; to the Committee on Interstate Commerce.

RIVER AND HARBOR DEFENSE IMPROVEMENTS—AMENDMENT AS TO INTRACOASTAL WATERWAY, SHARK AND HACKENSACK RIVERS, N. J.

Mr. BARBOUR submitted an amendment intended to be proposed by him to the bill (H. R. 9925) authorizing the improvement of certain rivers and harbors in the interest of the national defense, and for other purposes, which was referred to the Committee on Commerce and ordered to be printed.

AMENDMENT OF RECONSTRUCTION FINANCE CORPORATION ACT—FOREIGN SILVER

Mr. TOWNSEND submitted an amendment intended to be proposed by him to the bill (S. 3938) to authorize the purchase by the Reconstruction Finance Corporation of stock of Federal home-loan banks; to amend the Reconstruction Finance Corporation Act, as amended; and for other purposes, which was ordered to lie on the table and to be printed.

TEN-PERCENT REDUCTION IN REGULAR GOVERNMENTAL EXPENDITURES—AMENDMENT

Mr. BYRD. Mr. President, I ask unanimous consent to submit an amendment to House Joint Resolution 544, the work relief and relief resolution, the amendment to be laid on the desk until that measure shall be presented to the Senate. The amendment reads:

SEC. —. That all appropriations for the regular expenditures of the Government for the fiscal year ending June 30, 1941, shall be reduced by an amount not less than 10 percent of the total of such appropriations. The provisions of this section shall not apply to the fixed charges of Government, expenditures for the national defense, and expenditures out of trust funds.

The adoption of this amendment will reduce the cost of the Government approximately $500,000,000 annually.

Mr. McCARRAN. Mr. President, does the amendment mean a reduction in the pay of Federal employees?

Mr. BYRD. It means a reduction in the pay of Federal employees provided the 10-percent reduction cannot be absorbed by other reductions and economies in the respective departments.

Mr. McCARRAN. I will oppose with everything in my being a reduction in the pay of Federal employees, because I think they are the most underpaid workers in the United States today.

Mr. BYRD. It also provides for a reduction of salaries of Senators and Representatives by 10 percent.

The VICE PRESIDENT. The Chair understands that the Senator desires to have the amendment lie on the table, not to be referred to a committee.

Mr. BYRD. I ask that it lie on the table until the work relief and relief joint resolution shall be presented to the Senate. Of course, I ask that it be printed, and printed in the RECORD, as I have read it.

The VICE PRESIDENT. Without objection, the amendment will be printed and lie on the table.

BENEFIT PAYMENTS AND RESERVES IN UNEMPLOYMENT COMPENSATION SYSTEM

Mr. LODGE. Mr. President, I have been making a study of the adequacy of benefit payments and the extent of reserves in our unemployment-compensation system. I ask unanimous consent to have printed in the RECORD correspondence which I have had with Mr. Altmeyer in regard to this matter.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The correspondence is as follows:

APRIL 30, 1940.

Hon. A. J. ALTMEYER,
Chairman, Social Security Board, Washington, D. C.

DEAR MR. ALTMEYER: Have we not sufficient experience to enable us to revise the existing Federal standards for State unemployment-compensation laws, both as to size of fund, size of benefit payments, and duration of waiting and payment periods? I shall be glad to have your views in regard thereto.

Sincerely yours,

H. C. LODGE, Jr.

FEDERAL SECURITY AGENCY,
SOCIAL SECURITY BOARD,
Washington, May 11, 1940.

Hon. H. C. LODGE, Jr.,
United States Senate, Washington, D. C.

DEAR SENATOR LODGE: The following comments are in reply to your letter of April 30, inquiring whether there is now sufficient experience available to enable us to revise existing Federal standards for State unemployment compensation laws as to size of fund and of benefit payments and the duration of waiting and payment periods.

As you are aware, Federal standards for State unemployment-compensation laws with respect to the size of State funds, scale of benefit payments, etc., actually exist only in the sense that a certain scale of benefit payments was originally estimated by the Committee on Economic Security as possible for the United States as a whole on the basis of a 3-percent contribution rate, and that certain recommendations as to benefit provisions have been made to the States by the Social Security Board. Up to date no Federal law has required the maintenance by the States of any specific reserve fund or minimum scale of benefit payments. The present situation is that there are inadequate scales of benefits in all States, with an accumulation of excessive reserves in many of them, and there is a possibility that the continuance of such accumulation will lead to a reduction of contribution rates to dangerously low levels without any effort to attain an adequate benefit structure, or even to levels at which the present scale of payments cannot be continued.

Preliminary studies by the Board now in progress, based upon experience of 1932–39, indicate that 16 weeks of benefits with a 1-week waiting period, weekly benefits of about 50 percent of the weekly wage with a $5 minimum and a $20 maximum, and partial unemployment benefits, probably could be supported, for the Nation as a whole, by a contribution rate in all States of 2.7 percent—the present generally prevailing rate. These standards would appear to represent the very minimum approach to adequacy which should be considered. In spite of this, no one State pays benefits on a scale which meets these standards in all respects, and some States fall below such standards in several respects. The need then seems obvious for some plan which will preclude any State from reducing its average rate of contributions unless it has met and can maintain such standards.

Certain States with large reserve accumulations could pay benefits conforming to the above-described minimum standards with a contribution rate lower than 2.7 percent. It might appear advisable that such States be allowed to lower their contribution rates, either uniformly for all employers or for particular employers on the basis of their experience with respect to stabilization of employment. Such reductions in contribution rates should be allowed, however, only if the minimum-benefit standards described are preserved, and necessarily only if a specified minimum reserve is maintained.

Some States, on the other hand, may, over the course of a business cycle, find it impossible to maintain even the described minimum-benefit standards with a 2.7-percent contribution rate. Studies by the Board of State unemployment experience to date indicate that this is particularly likely to be true of highly industrialized States. This leads to the conclusion that some form of national reinsurance fund may be necessary for the preservation of minimum-benefit standards in the States in general. Moneys from such fund would, of course, be disbursed only to States which found it impossible to maintain the minimum standards by their own contribution collections made at the prescribed rate. A proposal which has been made is that one source of funds for such reinsurance should be the excess of the moneys collected under the Federal Unemployment Tax Act over the amount appropriated to the States for administration of their unemployment compensation acts. At the present time this excess amounts to between $20,000,000 and $30,000,000 per year. The total excess collected since 1936 is about $120,000,000.

While, as stated, a 2.7-percent contribution rate for the Nation as a whole would probably enable benefits to be paid to eligible claimants for 16 weeks of unemployment, it may be questioned whether such a duration can be described as reasonably adequate. To the extent, however, that provision is made to pay benefits on a scale that would more fully accomplish the purposes of the unemployment-compensation program, it would be necessary to provide for other sources of income for the reinsurance fund.

The questions you have raised in your letter pertain to the most significant problems now confronting the unemployment-compensation program. Please feel free to call upon me again if at any time you desire further advice or information on this subject.

Sincerely yours,

A. J. ALTMEYER, *Chairman.*

ECONOMIC EQUALITY—ADDRESS BY HON. DAVID E. LILIENTHAL

[Mr. HILL asked and obtained leave to have printed in the RECORD an address by Hon. David E. Lilienthal, Director, Tennessee Valley Authority, before the Southern Newspaper Publishers' Association, at Mineral Wells, Tex., May 21, 1940, which appears in the Appendix.]

ADDRESS BY DR. J. F. ZIMMERMAN TO NEW MEXICO BANKERS' ASSOCIATION

[Mr. HATCH asked and obtained leave to have printed in the RECORD an address on the subject American Foreign Relations Today, delivered by Dr. J. F. Zimmerman, president of the University of New Mexico, to the New Mexico Bankers' Association at Albuquerque, N. Mex., on May 16, 1940, which appears in the Appendix.]

COMMUNISTS AND NAZIS ON BORDER

[Mr. LEE asked and obtained leave to have printed in the RECORD an article from the Washington Daily News of May 31, 1940, under the heading "Communists and Nazis concentrated on border," which appears in the Appendix.]

DEVELOPMENT OF TRADE AND COMMERCIAL RELATIONSHIPS WITH BRAZIL

[Mr. SCHWELLENBACH asked and obtained leave to have printed in the RECORD several editorials discussing the development of trade and commercial relationships between the United States and Brazil, which appear in the Appendix.]

ATTITUDE OF LABOR TOWARD NATIONAL DEFENSE

[Mr. HOLMAN asked and obtained leave to have printed in the RECORD an article from the Washington Daily News of May 31, 1940, on the attitude of British labor toward national defense; and an article from the Washington Evening Star of May 31, 1940, on the attitude of American labor toward national defense, which appear in the Appendix.]

NATIONAL DEFENSE—ARTICLE FROM ST. LOUIS POST-DISPATCH

[Mr. TRUMAN asked and obtained leave to have printed in the RECORD an article on national defense by Richard L. Stokes, published in the St. Louis Post-Dispatch of May 19, 1940, which appears in the Appendix.]

RELATION OF FLOOD-CONTROL PROJECT AT HARTFORD, CONN., TO NATIONAL DEFENSE

[Mr. MALONEY asked and obtained leave to have printed in the RECORD an editorial from the Hartford Times, of Hartford, Conn., of the issue of May 29, 1940, under the heading "Dikes, etc., and airplane engines," which appears in the Appendix.]

A CLEAR ISSUE—EDITORIAL FROM SALIDA (COLO.) DAILY MAIL

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD an editorial from the Salida (Colo.) Daily Mail of May 21, 1940, entitled "A Clear Issue," which appears in the Appendix.]

CIVILIAN CONSERVATION CORPS IN NEW YORK STATE

[Mr. MEAD asked and obtained leave to have printed in the RECORD a statement by Mr. Guy D. McKinney, assistant to the Director, Civilian Conservation Corps, regarding the Civilian Conservation Corps in New York State, which appears in the Appendix.]

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate, by Mr. Latta, one of his secretaries who also announced that the President had approved and signed the following acts:

On May 20, 1940:

S. 3251. An act to amend sections 16 and 17 of chapter II of the act of June 19, 1934, entitled "An act to regulate the business of life insurance in the District of Columbia."

On May 24, 1940:

S. 1036. An act to authorize the purchase of certain lands adjacent to the Turtle Mountain Indian Agency in the State of North Dakota.

On May 27, 1940:

S. 2578. An act to designate the lock and dam at Alton, Ill., as the Henry T. Rainey Dam;

S. 3016. An act to amend the act approved February 15, 1929, entitled "An act to permit certain warrant officers to count all active service rendered under temporary appointments as warrant or commissioned officers in the Regular Navy, or as warrant or commissioned officers in the United States Naval Reserve force, for purpose of promotion to chief warrant rank," so as to permit service in the National Naval Volunteers to be counted for purposes of promotion;

S. 3017. An act to amend the act entitled "An act to authorize an exchange of lands between the Richmond, Fredericksburg & Potomac Railroad Co. and the United States at Quantico, Va." approved June 24, 1935 (49 Stat. 395), so as to permit the removal of certain encumbrances on the lands concerned;

S. 3183. An act to extend the time for completing the construction of a bridge across the Mississippi River at or near La Crosse, Wis.;

S. 3254. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark.;

S. 3561. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Mauckport, Harrison County, Ind.;

S. 3570. An act to grant the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Allegheny River at or near Port Allegany borough, Liberty Township, in the county of McKean, and in the Commonwealth of Pennsylvania;

S. 3571. An act to grant the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Monongahela River, at a point between the boroughs of Elizabeth, in Elizabeth Township, and West Elizabeth, in Jefferson Township, in the county of Allegheny, and in the Commonwealth of Pennsylvania; and

S. 3575. An act to make better provision for the teacher of music, the leader of the Military Academy Band.

On May 28, 1940:

S. 229. An act to authorize the withdrawal of national-forest lands for the protection of watersheds from which water is obtained for municipalities, and for other purposes;

S. 255. An act authorizing the Secretary of War to convey to the port of Cascade Locks, Oreg., certain lands for municipal purposes;

S. 2980. An act providing for the sale of certain lands to the Arizona State Elks Association Hospital;

S. 2999. An act to legalize a bridge across Bayou Lafourche at Galiano, La.;

S. 3402. An act to authorize the granting of a right-of-way for roadway purposes on the Fort Thomas Military Reservation, Ky., in exchange for the release of property rights in and to a certain road on said reservation; and

S. 3423. An act to increase the number of brigadier generals of the line of the Regular Army by four.

On May 31, 1940:

S. 1214. An act to provide for a more permanent tenure for persons carrying the mail on star routes.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8668) making appropriations for the fiscal year ending June 30, 1941, for civil functions administered by the War Department, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 13, 14, 15, 16, 17, 18, 19, and 20 to the bill, and concurred therein; that the House receded from its disagreement to the amendments of the Senate numbered 7, 12, 21, and 22 to the bill, and concurred therein, severally with an amendment, in which it requested the concurrence of the Senate, and that the House insisted upon its disagreement to the amendments of the Senate numbered 3, 4, 5, 6, 8, and 11 to the bill.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the Vice President:

S. 1239. An act for the relief of Priscilla M. Noland;

S. 1289. An act for the relief of the city of Leavenworth, Kans.;

S. 1445. An act for the relief of Bruno Arena;

S. 1474. An act for the relief of Thomas G. Abbitt;

S. 1839. An act for the relief of Le Roy Breithaupt;

S. 1942. An act for the relief of the legal representatives of Anna Barbara Kosick, deceased;

S. 2199. An act for the relief of Isadore J. Friedman;

S. 2234. An act for the relief of Walter R. Maguire;

S. 2268. An act for the relief of Roxie Richardson;

S. 2419. An act for the relief of Walter J. Hogan and W. R. Larkin in connection with the construction, operation, and maintenance of the Fort Hall Indian irrigation project, Idaho;

S. 2572. An act for the relief of Anna M. Shea;

S. 2667. An act for the relief of Mr. and Mrs. John W. Finley;

S. 2798. An act for the relief of Charles H. Parr;

S. 3071. An act for the relief of Luther Devoe;

S. 3073. An act for the relief of Verle S. Ward;

S. 3091. An act for the relief of Barnet Warren;

S. 3092. An act for the relief of Maj. John R. Holt;

S. 3233. An act for the relief of C. T. Jensen;

S. 3304. An act for the relief of J. Frank Kuner, private, uniformed force, United States Secret Service;

S. 3307. An act to amend an act entitled "An act for the relief of Mrs. A. R. Barnard, Charles A. Stephens, Donald W. Prairie, and dependents of Vern A. Needles," approved July 15, 1939;

S. 3328. An act for the relief of Dorothy Crossing;

S. 3487. An act for the relief of the heirs of Lt. William Lee Clemmer, Coast Guard;

S. 3789. An act for the relief of the Eberhart Steel Products Co., Inc.;

H. R. 169. An act to facilitate the control of soil erosion and/or flood damage originating upon lands within the exterior boundaries of the Cleveland National Forest in San Diego County, Calif.;

H. R. 952. An act for the relief of Indians who have paid taxes on allotted lands for which patents in fee were issued without application by or consent of the allottees and subsequently canceled, and for the reimbursement of public subdivisions by whom judgments for such claims have been paid;

H. R. 1312. An act granting a pension to Ernest Francis White;

H. R. 1379. An act granting a pension to Timothy A. Linehan;

H. R. 1843. An act for the relief of the estate of K. J. Foss;

H. R. 2009. An act to facilitate the control of soil erosion and/or flood damage originating upon lands within the exterior boundaries of the Angeles National Forest, Calif.;

H. R. 2143. An act granting a pension to Helen M. Crowley;

H. R. 2273. An act granting a pension to Lizzie May Wilbur Clayton;

H. R. 2285. An act granting a pension to Maud Patterson;

H. R. 3048. An act to confer jurisdiction on the State of Kansas over offenses committed by or against Indians on Indian reservations;

H. R. 3138. An act authorizing J. E. Pate, his successors and assigns, to construct, maintain, and operate a bridge or ferry across the Rio Grande at Boca Chica, Tex.;

H. R. 3233. An act to repeal certain acts of Congress (pocket vetoed);

H. R. 3955. An act to amend section 335 (d) of the Agricultural Adjustment Act of 1938;

H. R. 4229. An act authorizing the conveyance to the Commonwealth of Virginia a portion of the naval reservation known as Quantico in Prince William County, Va.;

H. R. 4282. An act to amend the act of June 30, 1936 (49 Stat. 2041), providing for the administration and maintenance of the Blue Ridge Parkway, in the States of Virginia and North Carolina, by the Secretary of the Interior, and for other purposes;

H. R. 4349. An act for the relief of the estate of Lewis Marion Garrard Hale;

H. R. 4394. An act granting a pension to James G. Bailey;

H. R. 4832. An act for the protection of the bald eagle;

H. R. 5007. An act granting a pension to John W. Swoveland;

H. R. 5089. An act conferring jurisdiction upon the Court of Claims of the United States to hear, examine, adjudicate, and render judgment on the claim of the legal representative of the estate of Rexford M. Smith;

H. R. 5404. An act to extend the provisions of the Forest Exchange Act, as amended, to certain lands so that they may become part of the Ochoco National Forest, Oregon;

H. R. 5459. An act for the relief of George F. Lewis, administrator of the estate of Margaret R. Lewis;

H. R. 5477. An act for the benefit of the Indians of the Crow Reservation, Mont., and for other purposes;

H. R. 5784. An act to provide for the conservation and transfer of accumulated sick leave and vacation time due classified civil-service employees who succeed to the position of postmaster, and for other purposes;

H. R. 5880. An act to incorporate the Navy Club of the United States of America;

H. R. 5906. An act to repeal the prohibition against the filling of a vacancy in the office of district judge for the southern district of New York;

H. R. 5918. An act amending Public Law No. 96 of the Seventy-fifth Congress, being an act entitled "An act amending section 2 of Public Law No. 716 of the Seventy-fourth Congress, being an act entitled 'An act to relieve restricted Indians whose lands have been taxed or have been lost by failure to pay taxes, and for other purposes'";

H. R. 5961. An act granting to the regents of the University of New Mexico the right to alienate certain lands conveyed to them under authority of the act of Congress, approved August 19, 1935 (49 Stat. 659), in exchange for an equivalent amount of land more expediently situated;

H. R. 6481. An act to authorize the conveyance of the United States fish hatchery property at Put in Bay, Ohio, to the State of Ohio;

H. R. 6552. An act for the relief of Mrs. Gottlieb Metzger;

H. R. 6681. An act granting a pension to Capt. Victor Gondos, Jr.;

H. R. 6751. An act to repeal certain laws with respect to manifests and vessel permits;

H. R. 6964. An act for the relief of Mr. and Mrs. Nathan Kaplan;

H. R. 7018. An act to amend section 289 of the Criminal Code;

H. R. 7020. An act to amend section 2 of the act of March 4, 1931 (46 Stat. 1528), in regard to service of process on the United States in foreclosure actions;

H. R. 7072. An act for the relief of Esther Ross;

H. R. 7078. An act to authorize the acquisition by the United States of lands in Manchester and Jackson Townships of the county of Ocean and State of New Jersey for use in connection with the naval air station, Lakehurst, N. J.;

H. R. 7084. An act to amend the act entitled "An act to regulate proceedings in adoption in the District of Columbia," approved August 25, 1937;

H. R. 7147. An act to amend the service pension acts pertaining to the War with Spain, Philippine Insurrection, and the China Relief Expedition to include certain continuous service;

H. R. 7306. An act for the relief of John R. Elliott;

H. R. 7530. An act to transfer the site and buildings of the Tomah Indian School to the State of Wisconsin;

H. R. 7615. An act authorizing the Bradenton Co., its successors and assigns, to construct, maintain, and operate a toll bridge across Sarasota Pass, and across Longboat Pass, county of Manatee, State of Florida;

H. R. 7733. An act to provide increased pensions for veterans of the Regular Establishment with service-connected disability incurred in or aggravated by service prior to April 21, 1898;

H. R. 7833. An act to set aside certain lands for the Minnesota Chippewa Tribe in the State of Minnesota, and for other purposes;

H. R. 7853. An act for the relief of the Gallup Mercantile Co., of Gallup, N. Mex.;

H. R. 7901. An act to transfer certain Indian lands to the Grand River Dam Authority, and for other purposes;

H. R. 8086. An act to make it a crime to wreck or attempt to wreck a train engaged in interstate commerce;

H. R. 8119. An act to amend the Criminal Code so as to confer concurrent jurisdiction on courts of the United States over crimes committed on certain Federal reservations;

H. R. 8283. An act to amend section 4370 of the Revised Statutes of the United States (U. S. C., 1934 ed., title 46, sec. 316);

H. R. 8292. An act for the relief of Erich Hecht, Grete J. L. Hecht, and Erich F. Hecht, Jr.;

H. R. 8317. An act for the relief of the Hermosa-Redondo Hospital, C. Max Anderson, Julian O. Wilke, Curtis A. Wherry, Hollie D. Murray, Ruth M. Laird, Sigrid I. Olsen, and Stella S. Guy;

H. R. 8373. An act to amend section 79 of the Judicial Code, as amended;

H. R. 8403. An act to convey certain lands to the State of Wyoming;

H. R. 8423. An act to amend an act entitled "An act to increase the efficiency of the Coast Guard," approved January 12, 1938;

H. R. 8452. An act to declare Frankford Creek, Pa., to be a nonnavigable stream;

H. R. 8475. An act to limit the interpretation of the term "products of American fisheries";

H. R. 8491. An act authorizing the county of Knox, State of Nebraska, to construct, maintain, and operate a toll bridge across the Missouri River at or near Niobrara, Nebr.;

H. R. 8537. An act to provide for the enlargement of the Coast Guard depot at Seattle, Wash., and for the establishment of a Coast Guard servicing base at or near Chattanooga, Tenn.;

H. R. 8589. An act to authorize the county of Burt, State of Nebraska, to construct, maintain, and operate a toll bridge across the Missouri River at or near Decatur, Nebr.;

H. R. 8749. An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Petersburg, Mo.;

H. R. 8958. An act to authorize the Secretary of the Interior to grant to the county of Wayne, State of Michigan, an easement over certain land of the United States in Wayne County, Mich., for a sewage-disposal line;

H. R. 8983. An act authorizing the Secretary of the Navy to accept on behalf of the United States a gift of the yacht *Freedom* from Sterling Morton;

H. R. 9013. An act to transfer Hardeman County, Tex., from the Fort Worth division to the Wichita Falls division of the northern judicial district of Texas;

H. R. 9094. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Winona, Minn.;

H. R. 9115. An act to authorize the Commissioners of the District of Columbia to provide for the parking of automobiles in the Municipal Center;

S. 9118. An act to provide for the reimbursement of travel expenses to certain employees of the Corps of Engineers, United States Army;

H. R. 9210. An act to amend an act entitled "An act to establish a Board of Indeterminate Sentence and Parole for the District of Columbia, and to determine its functions, and for other purposes," approved July 15, 1932, and for other purposes;

H. R. 9236. An act to amend the act entitled "An act to provide books for the adult blind," approved March 3, 1931;

H. R. 9261. An act to extend the times for commencing and completing the construction of a railroad bridge across the Missouri River at or near Randolph, Mo.;

H. R. 9271. An act to extend the existence of the Alaskan International Highway Commission for an additional 4 years, and for other purposes;

H. R. 9381. An act to provide for the alteration of certain bridges over navigable waters of the United States, for the apportionment of the cost of such alterations between the United States and the owners of such bridges, and for other purposes;

H. R. 9394. An act to provide for the establishment of the Cumberland Gap National Historical Park in Tennessee, Kentucky, and Virginia;

H. R. 9411. An act to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N. Y., and for other purposes;

H. R. 9441. An act to accept the grant to the United States of certain land by the State of South Carolina and to authorize its use by the United States Coast Guard;

H. R. 9492. An act making it a misdemeanor to stow away on vessels and providing punishment therefor;

H. R. 9553. An act to amend and clarify certain acts pertaining to the Coast Guard, and for other purposes;

H. R. 9595. An act to postpone for 1 year the date of the transmission to Congress by the United States Coronado Exposition Commission of a statement of its expenditures;

H. J. Res. 265. Joint resolution authorizing the Bureau of Labor Statistics to make studies of productivity and labor costs in industry;

H. J. Res. 302. Joint resolution to authorize compacts or agreements between or among the States bordering on the Atlantic Ocean, with respect to fishing in the territorial waters and bays and inlets of the Atlantic Ocean on which such States border, and for other purposes;

H. J. Res. 385. Joint resolution establishing a Greenville Memorial Commission to formulate plans for the construction of a memorial building to commemorate the Treaty of Greene Ville, at Greenville, Ohio;

H. J. Res. 400. Joint resolution authorizing the President of the United States of America to proclaim October 11, 1940, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski;

H. J. Res. 490. Joint resolution providing for an annual appropriation to meet the share of the United States toward the expenses of the International Technical Committee of Aerial Legal Experts, and for participation in the meetings of the International Technical Committee of Aerial Legal Experts and the commissions established by that committee;

H. J. Res. 496. Joint resolution providing for more uniform coverage under the Railroad Retirement Acts of 1935 and 1937, the Carriers' Taxing Act of 1937, and subchapter B of chapter 9 of the Internal Revenue Code; and

H. J. Res. 537. Joint resolution to make temporary emergency provision for the determination of foreign construction costs under section 502 (b) of the Merchant Marine Act, 1936, as amended.

REORGANIZATION PLAN NO. V

The Senate resumed the consideration of the resolution (H. J. Res. 551) providing for the taking effect of Reorganization Plan No. V.

The VICE PRESIDENT. When the Senate took a recess yesterday it had under consideration House Joint Resolution 551; the Senator from Nebraska [Mr. NORRIS] had the floor, and announced that he had not concluded his remarks. The Chair recognizes the Senator from Nebraska.

Mr. NORRIS. Mr. President, if there ever was a time when our people, and especially the Congress of the United States, should be calm and deliberate, and not be carried away by clamor or hysteria even for a just and noble cause, that time, I think, is now.

In my opinion, one of the acts which would lead us into trouble, and cause us to do things that in years to come our descendants would regret, would be to take any hasty or ill-considered action affecting the civil liberties of our people. In order to preserve those liberties, as I see the matter, it is

incumbent upon those in authority to take no action now or at any other time which will interfere with or take away from our people the liberties and the rights which are preserved to them and to us by our Bill of Rights.

In order to preserve these rights, we ought, if we can, to make our Government worthy of the love and the esteem of all our citizens and of all the civilized world. Hitlerism and fascism and communism cannot grow in any land where the love of country prevails and where prosperity and happiness reign among the great common people.

Hitlerism and communism require a polluted soil, the only kind on which the seeds of disunion, bolshevism, Stalinism, and Hitlerism, can grow and propagate. Anything which detracts from the love and the admiration our people may have for their flag and their country prepares the ground for seed which will grow into hatred, murder, and chaos, as exemplified by the doctrines of the tyrants I have mentioned.

Tyranny will not grow or thrive in a pure, healthy environment, and Hitlerism is the system which grows only in corruption and dishonor. It is because I think the civil liberties of our people would be to some extent endangered and injured if the pending joint resolution should be enacted that I have had the temerity to raise my weak voice in protest.

The practices of the Federal Bureau of Investigation have brought no credit to the fundamental principles of human freedom and human liberty. The practices and procedures of that Bureau do not tend to build up a love of country, especially among the most ignorant and uneducated portions of our people. I think the practices followed and used by this organization in recent years show conclusively that the same methods are being used and the same objects are sought to be attained as were apparent in the arrest and imprisonment of thousands of people 20 years ago, mainly by this very organization. Although the raid in Detroit took place technically under the authority of the Attorney General, the warrants which were issued and the processes which were followed were, as far as possible, those of the Bureau of Naturalization in the Department of Labor. It is because I fear that the same practices will be used and continued to the detriment of the civil liberties of our people that I feel that the enactment of the pending joint resolution would be well nigh a catastrophe.

It does not appear at first blush that these practices are bringing about evil, because the seed is sown deep down in the hearts even of little children who witness the methods employed, and those seeds will grow, they will live as long as the children live, and will raise doubt and fear in their hearts as to their own country. That silent influence, which grows up during the years when it is to a great extent unobserved, constitutes a danger which will follow any interference with the rights of any person, even of aliens who happen to be residing in this land, and who come under the influence and the domination of the processes to which resort is had.

Mr. President, I spoke yesterday of the Carlson case, in Fremont, Nebr. I cite it only because it is an incident similar to others, similar to what occurred in Detroit, which has been approved by the Attorney General, similar to what happened in 1920 in connection with the famous raids of the 2d of January of that year. I refer to it now only as an incident.

Carlson was a man admittedly innocent of any crime, admittedly arrested under a warrant issued for a different man entirely, whose description was not at all like that of Carlson. Carlson was a man who had served his country in France in the battles of the World War, a man who admittedly had suffered from that service. He was living quietly in his home, not suspecting that anyone was making a charge of crime against him. He was arrested and searched on the front porch of the house where he was living, and then, in a defenseless condition, was taken by Hoover's men into the house, into the presence of his family, and handcuffed.

Will that picture ever be forgotten by his sons, one 11 years old and the others ranging up to 16? Whatever life may have in store for them, will they ever forget the time when, in the presence of their mother, their father, in the custody of F. B. I. men, had his innocent hands handcuffed, and in that condition was taken to the jail of the county? It perhaps did not appeal to them then that he was denied the right of counsel, that he was at first denied even information as to what was the charge against him, but they will remember their father. He was a loving father. Although extremely poor, the family was respectable and was respected in the community by all the people. Will that picture tend to make those boys good citizens of the United States as they grow up, when they realize that under their own Government, which their father had taught them to love, he was handcuffed and chained and thrown into prison for a crime of which he was not guilty under conditions which called for no such inhuman treatment?

Mr. President, how many thousands of little Carlsons are there in the United States? How many thousands who were children at the time of the Palmer raid, of which Mr. Hoover had charge, have now grown up to become men and women, and will take our places here and in other places of power in the Government of the United States? If poverty continues with them, if the kind of conduct exemplified by the Palmer raid continues, and they see it continued in all parts of the United States, will that have a tendency to make them love our flag? Will they become patriotic citizens? Will such actions on the part of Government officials instill in the hearts of the children of the country today some doubt whether their own fathers have not been abused and ill-treated by men who are sworn to uphold the law, but who are violating the law they were sworn to uphold?

Mr. President, it is that situation which alarms me. The time will come, if it is not already here, when we shall need the support of all our people, rich and poor alike, when we shall need the patriotism that comes only from loving hearts. But we cannot expect the children of the country to have the patriotism we need, or expect them to have loving hearts, if they are obliged to witness acts of tyranny of the kind which should be expected only under the rule of a dictator or a tyrant.

Mr. President, in the short time I have had to prepare for this debate I have been physically unable, because of the lack of time, to gather together the statistics, the records, and the official reports I should like to have laid before my brethren here for their consideration. I have tried to gather together some reports in a few hours. It would require at least 30 days to go over the voluminous record. I shall have to present to the Senate in a rather informal way statistics and documents which will perhaps not come in chronological or logical order, and I ask the forbearance of my colleagues and ask them to consider the volumes which ought to be studied if we are to pass on this question properly, and which ought to be digested in order to make a logical and a fair presentation of the case.

Mr. President, before I read some extracts I wish to say that it seems to me that now, instead of being carried off our feet, we should confine our efforts to building up in this country a solid belief in the theories of our Government, a firm belief that we shall protect the liberties of all, whether rich or poor; whether old or young; whether powerful or weak. We want to have—and we ought to have—a country which will emerge from the terrible catastrophe which is now almost blotting out the civilization of the world, with those doctrines at the masthead of the ship of state upon which our forefathers based their declaration of the right of human beings to be independent, to be free; doctrines contrary to the teachings of tyrants and dictators, whose methods and actions we abhor. We ought to emerge as a nucleus around which a dying world may assemble and struggle and be upheld in the preservation of the rights of humanity. We want to emerge from this terrible catastrophe, a people free from prejudice, free from oppression. We wish to be a country which gives to all alike the fundamental rights of human liberty which the Bill of Rights has sought to establish as a fundamental cornerstone of our Government; where tyranny

does not prevail; where human love, the family, and the fireside are the prime considerations and bulwarks to be maintained.

We ought to wish for that time. Bryant described it:

There shall come a time when no grief shall gnaw the heart, and never shall a tender tie be broken; when the eternal change that waits on growth and action shall proceed with everlasing concord, hand in hand.

Mr. President, we want to be on the side of right and righteousness, and we should avoid doing anything that would have a tendency to take away from us and our people the love of country, which we wish to inspire in and teach to our children and our children's children.

Mr. President, it will appear as I proceed that the official report in the infamous and disgraceful Palmer raid was made to Mr. Hoover, the man who is now perhaps one of the most popular heroes of the day; the man who spends thousands of dollars of the taxpayers' money to advertise himself and his business; the greatest advertiser since Barnum. I am afraid that in the enthusiasm of the day and the hour, our people may be carried away, and may be led astray in the years to come, when neither I nor my colleagues will be able to raise our voices here. So I should dislike to see that any step be taken now which would interfere with cherished civil liberties.

In the hearings on the emergency supplemental appropriation bill for 1940, before a subcommittee of the Appropriations Committee of the House of Representatives, Mr. Hoover testified. I shall begin reading at the bottom of page 303 of those hearings.

As a justification for this increase—

This is Mr. Hoover speaking, asking for an increase in appropriations—

I would like to point out that in the fiscal year 1938 we received 250 complaints involving matters pertaining to the national defense, which includes violations of the espionage, sabotage, and related national-defense statutes.

He was asked the question by Representative CANNON:

These came from private individuals?

Mr. HOOVER. These complaints were received not only from private individuals but also from local law-enforcement agencies. During the fiscal year 1939, which ended June 30, 1939, we received a total of 1,651 such complaints.

Mr. SNYDER. From Washington, D. C.?

Mr. HOOVER. From the entire country. At the present time we are receiving 214 complaints necessitating investigative attention daily. If that average continues, we will receive a total of approximately 78,000 complaints for the year. This comparison is indicative of the increase in the volume of this work. If conditions become more acute abroad, such complaints will increase materially.

Mr. LAMBERTSON. They are going over the heads of the local police officers?

Mr. HOOVER. That is impossible to determine without first investigating the complaints received. I do know that the complaints received by the F. B. I. refer to violations of the Federal statutes and not to violations of local statutes.

Mr. LUDLOW. About what percentage are you able to dispose of as being preposterous on their face?

This is the particular thing which I wanted to bring out. He is asked the question, of the 78,000 complaints in a year:

About what percentage are you able to dispose of as being preposterous on their face?

Mr. Hoover said:

Not any of these 214 are of that character. Because of the source, many complaints can be disposed of without making any extensive investigation.

Mr. LUDLOW. What is your experience as to the percentage of the complaints that have not any substance?

I think this answer is important to consider:

Mr. HOOVER. A comparatively small percentage of them.

Remember the question:

What is your experience as to the percentage of the complaints that have not any substance?

Mr. Hoover answered:

A comparatively small percentage of them.

That is, I take it most of them are genuine and have foundation of fact.

For instance, we recently received complaints of sabotage against certain large liners. Several such complaints have been given to us in reference to those ships. They came from sources considered reliable. Steps had to be taken promptly to make certain that proper protection is accorded to them.

I read that, Mr. President, to show the nature of the business of which Mr. Hoover is in charge, the large amount of business, and the tremendous number of complaints which he says are well-founded, having to do with various activities against the Federal Government. My own idea is that such complaints will increase just so long as we increase the activity of Mr. Hoover and approve the method of procedure which he follows. I think that will appear later.

Mr. KING. Mr. President, would it interrupt the Senator for me to ask him a question at this point?

Mr. NORRIS. No.

Mr. KING. Was there anything in the record indicating that complaints had been made to the local authorities and that they had refused to take action, which prompted the complainants to appeal to Mr. Hoover and his organization?

Mr. NORRIS. Not that I know of. I have not found anything of the kind.

Mr. KING. Was there anything to indicate that complaints were related to violations of Federal statutes, or were they related to violations of local statutes, which violations ought to have been proceeded against by local organizations?

Mr. NORRIS. I cannot answer that question. That is another question—and a very proper one, I think—which I believe I should have been able to answer if I had had time at my disposal to go over the very voluminous records of the past 20 years.

Mr. President, I have before me a book entitled "Federal Justice," written by Homer Cummings and Carl McFarland. As we know, Homer Cummings was for a long time, and until recently, Attorney General of the United States. In speaking of complaints and crimes, the Attorney General says:

Inevitably there were serious abuses.

I think that will be conceded by every thinking citizen.

He quotes from John Lord O'Brian:

"No other one cause contributed so much to the oppression of innocent men as the systematic and indiscriminate agitation against what was claimed to be an all-pervasive system of German espionage," said the Chief of the War Work Unit of the Department of Justice later.

That, as I understand, was John Lord O'Brian, an attorney of national reputation, of spotless character, and of admittedly great ability.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. WHEELER. I want to subscribe to everything the Senator has said about John Lord O'Brian. He was in charge in the Department of Justice during the wartime. I came to Washington to see him and to discuss the subject generally with him. Mr. O'Brian said to me, "Mr. WHEELER, my difficulty is not in getting district attorneys who will prosecute. My difficulty is in preventing district attorneys from prosecuting for treason when there is no treason whatsoever." John Lord O'Brian, who was in the Department of Justice during that time, was not only one of the ablest but one of the fairest and highest type of men with whom I came in contact during the period when I was a United States attorney.

Mr. NORRIS. I thank the Senator for his very valuable contribution.

I continue with the quotation:

"One unpleasant fact continually impressed on my associates and myself was the insistent desire of a very large number of highly intelligent men and women to become arms of the Secret Service and to devote their entire time to the patriotic purpose of pursuing spies." As many as a thousand letters a day reached the Department calling attention to individuals or acts thought to be seditious.

Notice this:

At least 95 percent of them turned out to be of no importance.

Mr. Hoover says that they are practically all important.

I read that, Mr. President, to show that honest, patriotic men and women become imbued with hysteria, and that with the best and most patriotic ideas and the purest of hearts they are carried away. As Mr. O'Brian says, they make all kinds of charges upon suspicion, which turn out to be groundless, but which cost money to investigate. This condition exemplifies the loss of confidence in our Government from which some of our people naturally suffer because of the methods pursued by those who ought to be enforcing the law instead of violating it.

Mr. President, shortly after the Palmer raid in 1920 some of the leading members of the bar of America prepared an address to the people of the United States on what had occurred in following out the Hoover methods in that disgraceful episode. I shall read that address to the Senate:

To the American people:

For more than 6 months we, the undersigned lawyers, whose sworn duty it is to uphold the Constitution and laws of the United States, have seen with growing apprehension the continued violation of that Constitution and breaking of those laws by the Department of Justice of the United States Government.

Under the guise of a campaign for the suppression of radical activities, the office of the Attorney General, acting by its local agents throughout the country, and giving express instructions from Washington, has committed continual illegal acts. Wholesale arrests both of aliens and citizens have been made without warrant or any process of law; men and women have been jailed and held incommunicado without access of friends or counsel; homes have been entered without search warrant and property seized and removed; other property has been wantonly destroyed; workingmen and workingwomen suspected of radical views have been shamefully abused and maltreated. Agents of the Department of Justice have been introduced into radical organizations for the purpose of informing upon their members or inciting them to activities; these agents have even been instructed from Washington to arrange meetings upon certain dates for the express object of facilitating wholesale raids and arrests. In support of these illegal acts, and to create sentiment in its favor, the Department of Justice has also constituted itself a propaganda bureau, and has sent to newspapers and magazines of this country quantities of material designed to excite public opinion against radicals, all at the expense of the Government and outside the scope of the Attorney General's duties.

We make no argument in favor of any radical doctrine as such, whether Socialist, Communist, or anarchist. No one of us belongs to any of these schools of thought. Nor do we now raise any question as to the constitutional protection of free speech and a free press. We are concerned solely with bringing to the attention of the American people the utterly illegal acts which have been committed by those charged with the highest duty of enforcing the law—acts which have caused widespread suffering and unrest, have struck at the foundation of American free institutions, and have brought the name of our country in disrepute. These acts may be grouped under the following heads:

(1) CRUEL AND UNUSUAL PUNISHMENTS

The eighth amendment to the United States Constitution provides:

"Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted."

Punishments of the utmost cruelty, and heretofore unthinkable in America, have become usual. Great numbers of persons arrested, both aliens and citizens, have been threatened, beaten with blackjacks, struck with fists, jailed under abominable conditions, or actually tortured.

Annexed hereto as Exhibits 1–1c, 2–2f, 5a, 5b, and 9 are affidavits and evidences of these practices.

(2) ARRESTS WITHOUT WARRANT

The fourth amendment of the Constitution provides:

"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by an oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

That is the end of the quotation of the fourth amendment to the Constitution, which is a part of our Bill of Rights.

Many hundreds of citizens and aliens alike have been arrested in wholesale raids, without warrants or pretense of warrants. They have then either been released, or have been detained in police stations or jails for indefinite lengths of time while warrants were being applied for. This practice of making mass raids and mass arrests without warrant has resulted directly from the instructions, both written and oral, issued by the Department of Justice at Washington. The cases are far too numerous to catalog, but typical instances may be found in Exhibits 1–1b, 2–2f, 5, and 13. The secret instructions of the Department also appear in exhibits 11 and 12.

(3) UNREASONABLE SEARCHES AND SEIZURES

The fourth amendment has been quoted above.

In countless cases agents of the Department of Justice have entered the homes, offices, or gathering places of persons suspected of radical affiliations, and, without pretense of any search warrant, have seized and removed property belonging to them for use by the Department of Justice. In many of these raids property which could not be removed or was not useful in the Department was intentionally smashed and destroyed. Exhibit 2–A is a photograph of the interior of a house raided by the Department of Justice. Exhibit 14 gives a recent opinion of the United States Supreme Court in a nonradical case, condemning seizure without warrant by the Department of Justice, and exhibit 15, the opinion of the United States district court in Montana in a more flagrant radical case.

Other exhibits bearing on this point are 2, 2a, 3 and 13.

(4) PROVOCATIVE AGENTS

We do not question the right of the Department of Justice to use its agents in the Bureau of Investigation to ascertain when the law is being violated. But the American people have never tolerated the use of undercover provocative agents or "agents provocateurs," such as have been familiar in old Russia or Spain. Such agents have been introduced by the Department of Justice into the radical movements, have reached positions of influence therein, have occupied themselves with informing upon or instigating acts which might be declared criminal, and at the express direction of Washington have brought about meetings of radicals in order to make possible wholesale arrests at such meetings. Attention is called to Exhibits 10 and 11, which are the secret instructions issued from Washington, Exhibit 13, containing an abstract of the testimony in the Colyer case in this regard, and exhibits 6, 7, and 8.

(5) COMPELLING PERSONS TO BE WITNESSES AGAINST THEMSELVES

The fifth amendment to the Constitution provides as follows: "No person * * * shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law."

That is not all the fifth amendment but that is all that pertains to this discussion.

It has been the practice of the Department of Justice and its agents, after making illegal arrests without warrant, to question the accused person and to force admissions from him by terrorism, which admissions were subsequently to be used against him in deportation proceedings. Instances of this sort appear in various exhibits, Nos. 1, 1B, 2B, and 2F. Attention is also called to the Cannone case, exhibit 9, in which the Department agents committed assault, forgery, and perjury.

(6) PROPAGANDA BY THE DEPARTMENT OF JUSTICE

The legal functions of the Attorney General are to advise the Government on questions of law and to prosecute persons who have violated Federal statutes. For the Attorney General to go into the field of propaganda against radicals is a deliberate misuse of his office and a deliberate squandering of funds entrusted to him by Congress.

Annexed as Exhibit 17 is a copy of a form letter sent out by the Attorney General under date of January 27, 1920, to many magazines and editors throughout the country, deliberately intended to prejudice them in favor of his actions. Exhibit 18 is a description of an illustrated page offered free to country newspapers at the expense of the Department of Justice, patently designed to affect public opinion in advance of court decision and prepared in the manner of an advertising campaign in favor of repression. These documents speak for themselves.

The exhibits attached are only a small part of the evidence which may be presented of the continued violation of law by the Attorney General's Department. These exhibits are, to the best of our knowledge and belief (based upon careful investigation) truthful both in substance and detail. Drawn mainly from the four centers of New York City; Boston, Mass.; Detroit, Mich.; and Hartford, Conn., we know them to be typical of conditions which have prevailed in many parts of the country.

Since these illegal acts have been committed by the highest legal powers in the United States, there is no final appeal from them except to the conscience and condemnation of the American people. American institutions have not in fact been protected by the Attorney General's ruthless suppression. On the contrary, those institutions have been seriously undermined, and revolutionary unrest has been vastly intensified. No organizations of radicals acting through propaganda over the last 6 months could have created as much revolutionary sentiment in America, as has been created by the acts of the Department of Justice itself.

Even were one to admit that there existed any serious "red" menace before the Attorney General started his unflinching war against it, his campaign has been singularly fruitless. Out of the many thousands suspected by the Attorney General (he had already listed 60,000 by name and history on November 14, 1919, aliens and citizens), what do the figures show of net results? Prior to January 1, 1920, there were actually deported 263 persons.

Since January 1 there have been actually deported 18 persons. Since January 1 there have been ordered deported an additional 529 persons, and warrants for 1,547 have been canceled (after full hearings and consideration of the evidence) by Assistant Secretary of Labor Louis F. Post, to whose courageous reestablishment of American constitutional law in deportation proceedings (see exhibit 16) are due the attacks that have been made upon him.

The Attorney General has consequently got rid of 810 alien suspects, which, on his own showing, leaves him at least 59,160 persons (aliens and citizens) still to cope with.

It has always been the proud boast of America that this is a government of laws and not of men. Our Constitution and laws have been based on the simple elements of human nature. Free men cannot be driven and repressed; they must be led. Free men respect justice and follow truth, but arbitrary power they will oppose until the end of time. There is no danger of revolution so great as that created by suppression, by ruthlessness, and by deliberate violation of the simple rules of American law and American decency.

It is a fallacy to suppose that, any more than in the past, any servant of the people can safely arrogate to himself unlimited authority. To proceed upon such a supposition is to deny the fundamental American theory of the consent of the governed. Here is no question of a vague and threatened menace, but a present assault upon the most sacred principles of our constitutional liberty.

Mr. President, that is all of the address itself. I shall read the names attached to it. Twelve lawyers signed that address to the American people.

The first one on the list was R. H. Brown, Memphis, Tenn.; attorney at law; member of the Tennessee Bar Association.

The others are as follows:

Zechariah Chaffee, Jr., Cambridge, Mass.; professor in the Harvard Law School.

Felix Frankfurter, Cambridge, Mass.; professor of law, Harvard Law School; major and judge advocate, Officers' Reserve Corps, United States of America, 1914; late assistant to the Secretary of War; and counsel to the President's Mediation Commission.

Ernst Freund, Chicago; professor of jurisprudence and public law, University of Chicago; author of Standards of American Legislation.

Swinburne Hale, New York City; attorney at law; graduate of Harvard; late captain, Military Intelligence Division, General Staff, United States Army.

Francis Fisher Kane, Philadelphia; attorney at law; United States district attorney, resigned.

Alfred Niles, Baltimore; attorney at law; former judge of the circuit court; professor in the University of Maryland Law School.

Roscoe Pound, dean of the law school, Harvard Unversity; author of Readings on the History and System of the Common Law, and so forth.

Jackson H. Ralston, Washington, D. C.; attorney at law; member, American Bar Association; umpire, the Italian-Venezuelan Claims Commission; author, International Arbitral Law and Procedure, and so forth.

David Wallerstein, Philadelphia; attorney at law; member of the American Bar Association.

Frank P. Walsh, Kansas City and New York; attorney at law; Joint Chairman of the National War Labor Board, and so forth.

Tyrrell Williams, St. Louis; acting dean, law school of Washington University; author, Missouri Appellate Practice, and so forth.

Mr. KING. Mr. President——

Mr. NORRIS. Will the Senator from Utah pardon me for a moment until I read some other matter that comes right in this connection? I think it is at this point. Perhaps I am mistaken about it. I shall come later, somewhere in the documents I have before me, to a statement from Mr. Justice Stone, then head of a law school in New York City, and a statement on the subject from Chief Justice Hughes; but they do not appear at this point.

I now yield to the Senator from Utah.

Mr. KING. Mr. President, a moment ago the Senator invited attention to the large number of cases for deportation. I assume that the Senator did not mean to imply that all of the persons concerned were illegally arrested or illegally deported.

Mr. NORRIS. Oh, no.

Mr. KING. As the Senator knows, under the immigration laws it is the duty of the Secretary of Labor, when persons have entered the United States in violation of law, no matter who they may be, no matter how worth while they may be, to institute proceedings for their deportation.

Mr. NORRIS. I think that is correct.

Mr. KING. I will very frankly say that I have sometimes thought some of the proceedings for deportation were rather harsh or cruel; and yet the American people demand the enforcement of the law. It is believed by some that there has been too great laxity in enforcing the law, and that many aliens have been permitted to come into the United States illegally, and to remain in, through technicality or otherwise in violation of the provisions of the statute.

Mr. NORRIS. I thank the Senator. I digress here to say, now that the Senator reminds me of it, that I am not contending, in the matter of the deportation of aliens, that the subject is not constitutionally in the hands of the Congress. I admit that the Congress has a right to exclude all aliens if it desires so to do. It may admit them on any conditions it prescribes. It may limit their residence here, and it may order them out of our country at any time if such a course does not interfere with a treaty or some other legal obligation under which the aliens entered the country.

Mr. President, the references made by these 12 lawyers were mostly, if not entirely, to incidents and arrests which occurred in the famous raids under Attorney General Palmer. I expect to show as I proceed that Mr. Hoover at that time was the assistant of the Attorney General; that he had charge of the raids; that reports in regard to them were made to him, and, although warrants of deportation all had to be signed by the Secretary of Labor, or the Immigration Bureau, I think there is no dispute that the Attorney General's office instigated and planned the raids. They were raids designed to bring about the arrest and deportation of aliens who were guilty of subversive acts, or who belonged to indicted organizations. The raids took place, as I recall, on the 2d of January 1920, and, these lawyers say, under instructions from Washington. The instructions were that the raids and arrests were to take place between the hours of 7 p. m. and 7 a. m., all the work to be done within those hours.

Later on Senator Walsh, of Montana, then a member of the Committee on the Judiciary of the Senate, offered a resolution in regard to the raids which had occurred; the resolution was referred to the Committee on the Judiciary, a subcommittee was appointed, and hearings were held. I hold in my hand a volume of the report of the hearings taken before that subcommittee, and I shall read at some length from the testimony taken.

Before I do that, I wish to read from two statements I said I desired to read in connection with the address of these 12 lawyers. I now have the statements in my hand, and first I will read what was said by the present Justice Stone. At that time he was professor of law in the Columbia University Law School. He was requested to appear and testify, but on account of something that happened, I have forgotten what, he was unable to appear, but he sent the statement I am now about to read, which became part of the record of the committee. The full statement is found on pages 279 and 280 of the hearings. Justice Stone said:

It appears from the reported decisions of Federal courts that in deportation proceedings taken by the Department of Justice under direction of the Attorney General, aliens have been deprived of such constitutional guaranties. It also appears that the agents of the Department of Justice in violation of the express provision of the statute have arrested aliens in deportation cases without warrant. These undisputed facts would of themselves seem to require a thoroughgoing investigation of the conduct of the Department of Justice in connection with the deportation cases. * * * It is therefore very much to be hoped that any such investigation will not only reveal fully the facts with respect to the violation of constitutional safeguards and statutes by the agents of the Department of Justice in the administration of the deportation laws, but that such investigation will result in legislation more adequately protecting aliens or those alleged to be aliens, but who

may be citizens of the United States, from the arbitrary exercise of power by administrative officers.

It is inevitable that any system which confers upon administrative officers power to restrain the liberty of individuals, without safeguards substantially like those which exist in criminal cases and without adequate authority for judicial review of the action of such administrative officers will result in abuse of power and in intolerable injustice and cruelty to individuals.

Now, I wish to read what Chief Justice Hughes said. This is an excerpt from a speech by Hon. Charles E. Hughes, entitled "Some Observations on Legal Education and Democratic Progress," from a booklet entitled "Two Addresses Delivered Before the Alumni of the Harvard Law School at Cambridge, June 21, 1920," published by the Harvard Law School Association. This, of course, was before Mr. Hughes was Chief Justice. This is what he said at that time:

Finding the intricacies of modern life too much for clearly expressed law, we have formed the habit of turning the whole business over to bureau chiefs, who, with the opportunity to create manifold restrictions and annoyances, hold the power of life and death over enterprise and reputation. This has seemed to be a comfortable way of dealing with evils, and the mischief it has been breeding has received scant attention. We went to war for liberty and democracy, with the result that we fed the autocratic appetite. And, through a fiction, permissible only because the courts cannot know what everyone else knows, we have seen the war powers, which are essential to the preservation of the Nation in time of war, exercised broadly after the military exigency had passed and in conditions for which they were never intended, and we may well wonder, in view of the precedents now established, whether constitutional government as heretofore maintained in this Republic could survive another great war, even victoriously waged.

Apart from these conditions, we cannot afford to ignore the indications that, perhaps to an extent unparalleled in our history, the essentials of liberty are being disregarded. Very recently information has been laid by responsible citizens at the bar of public opinion of violations of personal rights which savor the worst practices of tyranny. And in the conduct of trials before the courts we find a growing tendency on the part of prosecutors to resort to grossly unfair practices. Even as I speak, there appears in the Harvard Law Review a striking summary of this sort of lawlessness. (33 Harvard Law Review, p. 956 [1920].)

This is the quotation referred to:

During the past year no less than 44 convictions were reversed by appellate tribunals in the United States for flagrant misconduct of the public prosecutor or the trial judge whereby the accused was deprived of a fair trial. In 33 of these cases the district attorney made inflammatory appeals to prejudice upon matters not properly before the jury. In three of them the district attorney extorted confessions or coerced witnesses by palpably unlawful methods. In 4, witnesses were so browbeaten during the trial as to prevent the accused from fairly making his case. In 2, the trial judge interposed with a high hand to extort testimony unfavorable to the accused or to intimidate witnesses for the accused. It is significant that these cases come from every part of the country and from every sort of court.

Mr. President, it will be unnecessary for me to comment upon the reputation and the ability of the 12 men who signed this address to the people, or of Chief Justice Hughes, or Mr. Justice Stone, whose comments I have read, Justice Stone having reference to the particular investigation, and Chief Justice Hughes having reference to the subject matter in general.

The subcommittee of the Judiciary Committee of which I speak subpenaed various witnesses and took the testimony of a large number of persons. The subcommittee reported to the full committee. The matter was there discussed, and as there were two reports from the subcommittee, the full committee finally decided to make no report either way.

Later on Senator Walsh offered for the CONGRESSIONAL RECORD both of the reports from the subcommittee, and also his rejoinder to the report made by some members of the subcommittee.

I shall now read some evidence that was produced, showing what happened in that raid. I read on page 294, of the hearings, from the testimony of Mr. Kane. He had been a district attorney and served two terms, or part of two terms, and resigned because he could not conscientiously follow the procedure that was being taken in those cases.

The chairman of the subcommittee was Senator Sterling, of South Dakota, and he questioned Mr. Kane:

Senator STERLING. Your resignation as what?

Mr. KANE. As United States attorney for the eastern district of Pennsylvania, I having taken issue with the department on the matter of raids.

Senator STERLING. How long had you served as United States district attorney?

Mr. KANE. Six years. I had been appointed first by Mr. Wilson in his first administration, then I had been reappointed, and then, as I recall it, two or three events followed. Just at that time the expulsion of the socialist members of the New York Legislature occurred, and that brought the matter further before the people—this whole matter of the fight against the so-called radicals; and then, very soon afterward, the warrants of deportation, that is the original departmental warrants, were held up, proceedings had to take place under those warrants, hearings, in other words, they were taken up and considered personally by Assistant Secretary Post of the Labor Department, and it very soon became evident that a large number, or a certain proportion, at any rate, of the aliens who had been arrested in these raids were not going to be deported eventually. Then, as I remember it, there was a discussion over whether or not the Communist Labor Party was in the same category as the Communist Party, and just about that time, if I remember correctly, Mr. Ralston, a number of lawyers sent in letters, and this committee of 12 was formed, but exactly when I do not know.

His testimony was rather lengthy. I have read sufficient of it to introduce the man, to show who he was, and I shall now read some extracts from his testimony. He said:

It ought to be understood, sir, that the raids were conducted from Washington. The orders came down from that division of the Department of Justice, which had charge of such matters, directly to the local division superintendents of the Department of Justice, the heads of the detective force of the Department of Justice—that is, what we call the Bureau of Investigation; the agents. Then the orders came down from them, but not to the district attorney, and it might appear that the district attorney had a perfect right to stand aside and say, "This is directed from Washington, and it is none of my concern"; but I did not feel it in that way, and I do not feel it now, because, of course, large numbers of people were being arrested in different districts, and I felt that we district attorneys were necessarily involved. * * *

I felt that I would inevitably be called in to aid in various ways. You will understand that my office in Philadelphia is right across the hall from that of the local superintendent of the Bureau of Investigation. He acted under my directions ordinarily—would come in and consult me; and if I was not in sympathy with what he was doing it was only fair to the Department for me to express myself and get out. That was the common sense of the thing. It seemed to me that although the order for the raid in Philadelphia, or the arresting, as it was, of about 200 people, I think, might go through, directed from Washington, it would inevitably follow that I would be consulted, and that as in ordinary immigration cases, if we put on the stand officers, if there was a petition for habeas corpus, either I or one of my assistants would have to step across the hall and represent the Government.

He is explaining further why he resigned.

Mr. President, I shall now read at some length from a report contained in a pamphlet submitted by Mr. Kane before that subcommittee and placed in the record of the hearings by Senator Sterling, chairman of the subcommittee. From that report I shall now read some extracts. I read from page 313 of the hearings:

Two of the alleged radicals who were arrested and held for deportation had actually served in the United States Army. In the case of Steve Kerekoff (warrant No. 54860/156), a certified copy of his honorable discharge from the Army was introduced in the alien's defense. When questioned as to the organization of which he was a member, he replied, "The American Legion." His personal effects consisted of a suitcase and an Army uniform.

Record is also found that three of these alleged radicals had waived their right to exemption when registering for the draft and one had volunteered but had been refused because of physical disability. In one case an Aircraft Industrial Service Army button was introduced into the evidence as proof of the loyalty of the alien. Many of the men whose cases were examined were beyond the age of military service. Ernest Behm (warrant No. 54735/102), a man 50 years of age, said that his eldest son had volunteered and had served in the United States Naval Reserve.

One man who was deported had been very active in Liberty loan drives and an ardent advocate of Americanism among his Russian fellow countrymen.

In connection with the prison investigations, four ex-soldiers were found at Detroit among those being held on a charge of belief in the overthrow by force of the United States Government. These men were Poles, and each had received his honorable discharge from the Army. One had served 17 months in France and had been discharged because of disability. He had made application for citizenship while in France, and remarked to the investigator: "They did not kill me in France; they get me here." A second had served 12 months at the front, and the other two had been in service 5 months each. Two of them had experienced difficulty in finding work after leaving the Army; one had been out of work for 5 months. Still another man said when interviewed that he had tried to join the Army but had been rejected. He had volunteered for Government service and had his badge and certificate to prove this.

Occupation and economic status: Occupationally these persons represented the average run of immigrants in America. They were steel and brass workers, carpenters, painters, printers, restau-

rant waiters, teamsters, mechanics, shoemakers, and manual laborers. In over half of the cases no reference is found to the economic status of those studies. In only 19 of the records is it stated that the individual had no money. On the other hand 45 persons were found to have sums ranging from a few dollars to $2,000. The money was usually in a savings bank, but one man kept his savings in a Prince Albert tobacco box and one stated that his wife was his savings bank.

A number had interests in various kinds of business. One man had an interest in an ice and coal business; one owned stock in a mining concern; and another in a motortruck company. One man owned an automobile, two persons owned a home, nearly paid for, while two others owned grocery businesses worth $2,000 and $7,000, respectively. Another man referred to his having lost $1,700 in a business enterprise. The prison investigations showed similarly a considerable range in economic status.

Four men stated that they had lost all they had since being arrested; one of these had given power of attorney to a fellow countryman who had taken all the money and disappeared.

A personal testimony: It may be added that in some cases, both in the prison investigations and in the examination of the records, employers, social-service agents, pastors, and even a deputy sheriff, immigration inspectors, and Department of Justice agents spoke well of the men. In the case of four persons, a representative of the Ford plant in Detroit, where they had been employed, stated that he had always considered the men good workmen. An official physician at a certain detention station in a letter to the author, dated May 11, 1920, sums up the opinion of many persons who came into personal contact with the alleged radicals. This physician had had personal charge of all the aliens while they were being held pending their hearing or their deportation. I quote from his letter:

"Most of them impressed me as rather ordinary foreign workmen, a grade above altogether unskilled labor, of fair intelligence. A few had more intelligence and some were quite pleasant. A few also were obstinate, unreasonable, grouchy, and generally unpleasant. The few with whom I talked had fairly radical ideas of social change, advanced with varying degrees of skill. I never was able to corner anyone into an admission of a program of violence. None of the men pressed his views upon me until approached, and then only as a matter of statement. They quite resented some clerk's error in referring to them as anarchists. Order was kept fairly easy. The radicals chose their own committees, through whom they dealt with the authorities. They made rules for their own conduct.

"They complained occasionally of their food and the sanitation of their quarters; most of these complaints had at least some ground. I never heard of any violence against their guards, or attempt at it.

"In general, a few of these people I should not care to have around me at all; they are a general nuisance. Most of them seem harmless."

Cases of women arrested: Because of the social consequences involved, a general statement should be made at this point concerning the women who were included in these groups of aliens. Of the 200 cases examined, 7 were women; the husbands of 5 of them were also under arrest; the nationality record shows 4 to be Russian, 2 Polish, and 1 Dutch. They had been in the United States for periods of from 5 to 15 years, but their knowledge of English was slight. One woman could speak Russian, Lithuanian, and German, but handled English very imperfectly. All but one were mothers, and one was pregnant at the time of the hearing. Of the 12 children involved 10 were born in the United States.

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The raids: The exact number of arrests made in connection with deportation proceedings during the 5-month period covered by this study is not known. It is certain, however, that the total number of aliens arrested between November 1919 and March 1920 greatly exceeded the number of warrants issued.

Arrests were made in two ways: By raids and by individual apprehension. Of the 200 cases here studied, 169 were arrested in raids. There were two principal raids. One was conducted on November 7, 1919, against the Union of Russian Workers. The second took place on January 2, 1920, against the Communist Party of America.

These raids, or round-ups, as they are commonly called, were conducted by special agents. In some cases they were conducted with the aid of local police, and in still other cases with the aid of specially sworn deputies and citizens, and were aimed at meeting places of radical organizations, halls, schools, and other places where aliens were accustomed to congregate. Usually all the men found in any of these places were arrested at the same time. As will be seen later, in many cases there were no warrants of arrest.

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Affidavit of probable cause: The first steps, according to official records, were always taken by special agents of the Department of Justice. Through investigations which they conducted and from so-called confidential sources they were led to believe that certain aliens advocated the overthrow of the Government of the United States by force or violence or were affiliated with an organization which had for its object such a revolutionary purpose. In some cases the arrest occurred before the date of the special agent's affidavit. In the case of Jack Lunee (warrant No. 54860/784) a telegraphic warrant was issued on January 15, the same day on which Lunee was arrested. The regular warrant was issued on January 17, although the affidavit in the case was dated February 2. Contrary to legal requirements, this evidence was seldom forwarded to the proper authorities at Washington, and instead of requesting warrants in the usual way they were requested by wire. In many cases the request was made and the warrant was issued by telegram, and later confirmed by mail. The telegraphic request and warrant often included a number of aliens.

Arrests without warrant: More important than the foregoing is the fact that arrests were frequently made without warrant or even affidavit of probable cause of arrest.

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The period by which the arrests preceded the issuance of warrants ranged from 1 to 57 days.

With respect to the procedure of the agents, the report has this to say:

"Agents provocateurs": The term "agent provocateur" has been commonly used to describe a well-known type of official of the czarist regime in Russia. Its meaning is precisely what a transliteration from French into English indicates—"provocative agent." The agent provocateur is employed not merely to apprehend an offender, but to get rid of "undesirables" by inciting them to acts for which they may be apprehended and punished. The practice is so wholly out of repute in this country that no one would publicly offer a justification of it. The Attorney General has publicly disclaimed the employment of such agents, although it is freely admitted that "undercover men" are employed by the Department of Justice, who mingle freely with radicals and join their organizations. Manifestly the agent must counterfeit radicalism with sufficient accuracy to mislead persons who are experts in that field. To draw the line between the simple agent and the agent provocateur may not be easy. In connection with the raid of January 2, 1920, the Department of Justice issued instructions as follows:

These are instructions from Washington:

"If possible, you should arrange with your undercover informants to have meetings of the Communist Party and Communist Labor Party held on the night set. I have been informed by some of the bureau officers that such arrangements will be made. This, of course, would facilitate the making of the arrests."

Further on in this report of the Philadelphia cases he states:

Delays in admitting to counsel: On January 28, 1920, less than a month after this amendment to rule 22 was promulgated, it was annulled by the Secretary of Labor, and the original form was restored. But in the meantime this obviously important guaranty of the alien's rights was in abeyance, and it is impossible to know to what extent injustice was suffered by persons ignorant of the law, knowing English imperfectly and terrified by their sudden seizure and arraignment, in the absence of counsel, to aid them in making a defense. So far as the records of the 200 cases under examination indicate, in no case was the alien informed at the preliminary examination that he was entitled to be represented by counsel at the trial.

Mr. President, that practice was common; it occurred in more than a thousand, yes, several thousand arrests which were made. Those arrested were not accorded the privilege of counsel. As we sit here the same practice is going on in the Bureau of Investigation in conformity with instructions coming from the Department of Justice. The agents are to get statements from those arrested, if possible, before they have an opportunity to see a friend or a lawyer. That is not denied; it is admitted. That was true in all the Detroit cases; it was true in the Carlson case, which I have mentioned and, I take it, that is the general practice. It was the practice then, and it is the procedure still. To my mind, it is inhuman; it is unjustified; it is illegal; it is illogical; it is a denial of the constitutional right that every person in America is entitled to enjoy. It seems to me the first thing these agents should do is to tell the men whom they arrest that they are entitled to counsel and give them every possible opportunity to communicate with their families so as to let the families know where they are. That is denied in all cases.

Mr. President, this inhumanity, this unreasonable procedure which has been followed and is being followed now by the F. B. I., goes beyond the scope of the immediate cases involved. Rumors of arrests spread all over the community. The evidence shows, although I do not know whether I have it marked, that in communities such as Philadelphia, where over 200 men were arrested, some taken from halls, some taken from their homes, and some arrested on the street, and not allowed to communicate with their wives and families, information of the arrests became noised abroad by word of mouth; the news spread, that the great Government of the

United States, Uncle Sam was after others. They were all frightened to death, even though they were not molested or arrested. Wives were afraid to communicate with their own husbands or their own sons; they were afraid to go out and make inquiry lest they themselves be shut up. All kinds of rumors, many of them exaggerated, no doubt, spread, but that is the method pursued, the intention being to do that very thing, to put the fear of God into their hearts and scare them to death, if possible.

That is what the F. B. I. does. There is no other reason why a man should be denied the right to see an attorney or to communicate with his wife or his family.

They put men whom they arrest in a room, frequently, as the evidence shows, a room 10 by 20, crowded to suffocation, with one little window, and there men were held for days, with no place to sleep except on the stone floor of the cells where they were held. All that puts the fear of God into men's hearts, because they do not know what has happened to their families; they know that their families, if unmolested, are searching for them, but they cannot reach them. That went on all over the United States on that fateful night. It happened in Omaha; it happened, I think, farther West; it happened all over the East. There was no place in which to lock up all those arrested. Omaha and Detroit afford fair samples of what was done everywhere. The jails were all filled and had not the capacity for holding that many men. In Omaha 500 or 600 men, with warrants and without warrants, were taken up into the garret of the Federal building, which was not intended to be inhabited, and were held there for days. Their families did not know where they were, and for all those men in such sleeping quarters, for all those men in that garret, there was just one place to wash their faces and only one toilet room. It is beyond possibility that any human being can realize that such inhuman things can happen under our flag without a feeling of regret and sorrow.

This investigation further shows:

Types of evidence submitted—Photostats: A special study of 124 cases taken at random was made, with particular reference to the types of evidence submitted in substantiation of the charges of anarchy, etc., made against the aliens. The prevailing form of evidence was found to consist of photostatic copies of various documents, such as the Communist manifesto, constitution of the Union of Russian Workers, etc. These were made up in stock form and mimeographed and submitted as evidence in 60 cases, or slightly over 48 percent of the total. In 8 cases no evidence whatsoever was submitted.

Affidavits: In 14 cases the only evidence submitted was the customary affidavit of the Department of Justice. This affidavit also was in a mimeographed form, and in substance was a statement that the agent—

This is quoted from the affidavit—

"is informed and verily believes" the alien to be an anarchist or member of a proscribed organization. In some cases the signature of the agent making the affidavit was not affixed. The record of preliminary examination was submitted in 61, or 49 percent, of the 124 cases examined. In 6 cases it was the only evidence submitted. These records frequently did not bear the signature of the alien or of the officer making the examination, and often were extracted under threats and varying forms of compulsion. The absence of the interpreter also gave rise to all kinds of possibilities in the way of misunderstanding, as an examination of the records reveals.

Again, the records of the hearings frequently revealed the fact that the agent making the original charge was asked to produce the evidence or to disclose the source of his information. Invariably he refused to do this.

When questioned concerning his information that the alien was a member of a prescribed organization, the agent would frequently state that his information was derived from confidential sources the disclosure of which he considered would be inimical to the interests of the Government.

Can any lawyer think of a man being condemned or deported on evidence such as that—secret evidence? The agent said he had confidential information, and he did not consider—he was the judge of it—he did not consider it proper to reveal its source, because he thought it might be inimical to the interest of the Government of the United States. Can anyone conceive of the great Government of the United States trying to send anybody to prison or to deport any alien on evidence such as that? Yet there were hundreds upon hundreds of such cases.

Mr. President, if I had time to read all the evidence in the case, it would take a week. A great many such cases are a matter of record; they were put into the CONGRESSIONAL RECORD by the late Senator from Montana, Mr. Walsh.

Still reading from this report:

Attention has already been called to the fact that out of the 200 cases reported in this account 91 of the aliens were arrested without warrant. The records unquestionably disclose rough treatment at the time of arrest. Seventeen men distinctly testified at the hearings that they were pounded with clubs, blackjacks, handcuffs, or were threatened into submissiveness at the point of a revolver, either at the time of arrest or in the course of the preliminary examination.

* * * * * * *

The part of the jail in which the aliens were held is made up of a series of individual cells arranged in the form of a rectangle. Each row of cells forms a tier in a deck-like structure. Each floor or deck supports a tier of 25 cells. The barred side of each cell opened into a corridor about 2½ feet wide. Each man was held in one of these cells with no opportunity for direct communication with the others.

At the end of each tier there were three cells or six cells in each tier, in which, on account of the concentration of steam pipes in the corridor, the air was hot and suffocating. The men in these cells were naked or nearly so when the cells were inspected. They complained bitterly of not having sufficient air and some appeared very listless. Three of the men said that if they were held much longer under such conditions they would die of consumption. The attention of a prison officer was called to this state of things. It was pointed out to him that there were some vacant cells in the middle of each tier where the air was better, and the question was asked whether the men might not be transferred to these cells. The officer stated that it would involve too much trouble and red tape and would not be worth while.

The prisoners were asked a number of general questions. They seemed to be very eager for news, and upon inquiry it was discovered that they had been held incommunicado. They had not seen a newspaper, English or otherwise, nor had they received letters from their relatives or friends. They had not been permitted visits from their friends until the latter part of January. A conversation was heard between a prison officer and one of the aliens, who was known as the Professor. This man was desirous of sending a note to his wife, who was waiting outside. The officer refused to grant the permission, stating that he could only send her his address.

In the office of one of the departments of the Government a number of letters were seen on a desk addressed to the men in the jail. One of them bore the January postmark and was therefore at least a month old. They were open and arranged in tiers with elastic bands around them. An officer informed the investigator that the letters were being held for censorship.

While the investigator was in the same office three persons came in to ask permission to interview the prisoners. In each case there was considerable argument and pleading before the permission was granted. A woman with a little child of about 7 years of age pleaded at length for permission to visit her husband. Outside of the same office a woman was seen with a suitcase of food and clothing. When questioned she stated that her brother had been in jail for a month and that she had not been permitted to see him. A permit was finally granted her, and she was very much pleased.

On a later visit, March 25, 1920—

These men had been there since January 2—

other persons were found to be held incommunicado.

Fourteen men were in the upper cells. No interview with these men was allowed because they had not had their first hearing, and therefore were held incommunicado. According to records, they has been in prison since March 11, or 2 weeks. On April 2, 8 days later, they still had not had their first hearing and were still held incommunicado. In other words, these 14 men were held for 3 weeks without hearing and without a knowledge on the part of the authorities as to whether or not they were members of a proscribed organization.

On April 9 and 10 a similar investigation was made of the aliens held in custody at Detroit in the Wayne County jail on charges of anarchy and similar beliefs. There were at the time about 150 men being held in detention, all of whom had been seized in raids. There was no complete record of the total number of prisoners who had been held. Eighty-two men were interrogated.

The conditions surrounding the imprisonment of these men were exceedingly bad at first. Since no adequate quarters were available for the large number of prisoners taken in Detroit and vicinity, the upper floors of the post-office building were converted into a prison in which hundreds of men were held. A prominent citizen of Detroit compared the situation with the Black Hole of Calcutta. The conditions became so bad that the mayor of the city protested not on the ground of justice to the prisoners but because of menace to the health of the city which this situation created. Finally the Federal barracks at Fort Wayne were secured and the aliens were transferred to them.

A Government representative at Detroit stated that when he first took over the situation there had been a considerable amount of graft among the guards who were surrounding the men and who, for the most part, were uneducated men who used profanity freely

and who, having little sympathy with the prisoners, gave them abusive treatment. Two men seemed to have escaped from the barracks and on account of this severe punishment was inflicted on the prisoners who in turn went on a hunger strike in order to bring about a change in the treatment. This strike continued for 2 days without serious results. The prisoners, however, were refused permission to receive relatives and friends after that for a period, but at the time of the investigation the prisoners were doing their work steadily and were being allowed an hour out of doors in good weather—sometimes 2 hours.

The food given the prisoners was good, but the congestion which they suffered during the first days of their imprisonment made several of them seriously sick. Although the men were left without care, which endangered the health of the entire number, there were no serious results.

By far the greater number of the men interviewed in Detroit had been in jail since the raids, which occurred early in January. In fact, 64 of the 82 men seen by the investigator on April 9 and 10 had been in custody over 3 months. Four men had been held since December, approximately 4 months, and 2 since early in November, over 5 months. One had been held for 2 months. In 11 cases the period of detention was not stated.

Mr. President, I read further from what was put into the procedings by Mr. Kane:

In addition to the instances just cited where the women were permitted to see their husbands ocasionally, the investigation disclosed that frequently prisoners were not allowed to see visitors, and in many instances there came to our notice wives who were not allowed to see their husbands at all. One man, Fred Androchuk (warrant No. 54809/297), who had not see any member of his family since his arrest, was asked, "Who is taking care of your wife and children now?" "I don't know; they may be dead," he replied.

One of the Detroit prisoners interviewed seemed beside himself with anxiety over his wife and child. He did not belong to either of the proscribed organizations and professed to know no reason for his arrest. He said, bitterly, "Wife goes from one house to another; no help." He said that if he were deported without his wife she would commit suicide. He asked to be set free or to be shot.

That reminds me, although I do not remember that I have it marked, that I was a Member of the Senate when this investigation took place. I was on the committee to which the resolution was referred. Although I was not on the subcommittee which took the evidence, I joined with Senator Walsh in voting that these findings be the report of the committee, and that they be submitted to the Senate.

The testimony which I have just read refers to persons committing suicide. I remember distinctly that it was a matter of public record that at least two persons committed suicide and I am not sure there were not more, among those who were held incommunicado—some of them for more than a month, some of them without knowing what charge, if any, was made against them, some of them ignorant aliens who could not speak the English language, some of them incidentally who were doing the best they could to become citizens of the United States. Several of the defendants went insane because of this treatment. One of those who was held in New York City jumped from a great height, in the building in which he was imprisoned, and died.

Mr. President, I do not wonder that such treatment would drive a person insane. There were some bad men among them. I admit that some persons who should be arrested are not, and I wish they were arrested. But when we deviate from the path laid down by our forefathers when they adopted the Bill of Rights, we get into trouble at every turn of the road. When we deprive persons of their rights to consult their attorneys, to talk to their friends and relatives, to let their families know where they are kept imprisoned, when we thus deviate from the path laid down by our forefathers we get into an uncivilized realm fit only for the control and rule of such men as Hitler and Mussolini. We then have a condition which does not represent civilization. Such actions constitute a grievous violation of human liberty, that most sacred thing which our democracy tries to guarantee to all.

Mr. President, what would you think if after the Senate adjourned later in the day, and you started on your way to the Senate Office Building, you were arrested and held incommunicado? If you could not communicate with your family, your friends, or with a lawyer, but were held incommunicado, it would not matter to you whether those who had seized you were a body of preachers or lawyers, or a gang of demons or tyrants or murderers.

If you were seized and thrown into an automobile and driven away without the knowledge of anyone as to your whereabouts, it would be no consolation for you if your captors were to say, "Why, we are gentlemen. We are preachers. We are men high in the social world. We are rich men." All that would not help you in any way, and would be of no consolation to you. Nor would it be any consolation to your wife who was at home and wondering why you did not come home to her. And you, knowing that your wife was waiting for your footsteps, and had no knoweldge of your whereabouts, would not be consoled by any statements on the part of your captors of their high purposes. You would know that in the morning your little children would wake up and find that their father was not home, and you would know that those you loved were also suffering because of what was being done to you. It would not only be a case of your own suffering but you would know also that your wife and children would be suffering. You would know that your wife would anxiously consult her neighbors and ask them what she should do, and seek advice from your friends. You would know she would take up the matter with the police. You would know she would do everything possible to discover your whereabouts.

Mr. President, the men to whom I have referred were taken by the agents of the law. They suffered just as much as though they had been taken by Stalin or the Emperor of Japan. It would make no difference by whom they were taken; in any case their suffering would be as great. Then these men found out that other men in the community were taken likewise, and their whereabouts unknown. As the hours passed by, as the days passed by, and in many cases as the months passed by, there was no knowledge of their whereabouts. The horror and the agony in the hearts of those left at home may easily be imagined.

No wonder the man about whom I read should say, after months of incarceration incommunicado: "I do not know who is taking care of my wife and child. They may be dead." It would not be surprising if the wife were dead under such circumstances. The burden of grief would be sufficient to cause her to lose her reason. The man in prison would not know whether the little boy at home was motherless as well as fatherless.

Mr. President, we cannot tell what in the end will result from such procedure. It is said that if a penny is dropped near one shore of the ocean, in time the effect thereof will be felt on the further shore. These little things, at which we may laugh, which we may say are of no concern to us, are happening under our flag. We have in our country an organization that is doing such things now. When asked why it was the practice of the F. B. I. not to let the arrested man communicate with anyone, the answer was, "You stand a better chance of getting a statement out of him if you do not permit him to talk to a lawyer or anyone else." If our purpose is to convict only guilty persons we ought to let the light of day shine down upon every action we perform. We ought to let the sunlight of heaven shine through the little prison windows to give what comfort and ease and joy it can give to a brokenhearted man who may be dying in agony in prison.

Mr. President, I go to page 19 of the record, and read a small item which has great meaning in it, and which shows that the raids about which I have been reading, and about which I shall read more, were under the charge of Mr. Hoover. The Attorney General was on the stand testifying, and Senator Walsh of Montana asked him this question:

How many search warrants were issued?

Attorney General PALMER. I cannot tell you, Senator, personally. If you would like to ask Mr. Hoover, who was in charge of this matter, he can tell you.

I want the Senate to know that when I stated at the beginning that Mr. Hoover had charge, it was not without evidence, borne out by the record. I shall have more to read showing that Mr. Hoover was in charge of the raids at that time. Do not forget what the Attorney General said:

If you would like to ask Mr. Hoover, who was in charge of this matter, he can tell you.

Mr. President, I had not finished with the testimony of Mr. Kane, but, because the volume has been temporarily misplaced, I shall read some other testimony. I shall read from the testimony of Mr. Barkley. Mr. Barkley was a newspaperman who was in Detroit. He was put on the witness stand. His testimony is exceedingly interesting all the way through, but since I am already encumbering the RECORD to a very great extent, I shall not try to read all his testimony. He said in part, on page 714 of the committee record:

They took 128 of them—

That was right after the raid he had been telling about, on January 2, 1920.

They took 128 of them to what is known as the "bull pen" at the municipal court. That is a room that is designed to hold prisoners awaiting trial for petty offenses—to hold people for 2 or 3 hours. They bring people up from the jail and hold them there until their cases are called.

I think this man's testimony is very important and very material.

It is a room—

This so-called bull pen—

24 feet by 30 in size, I was informed by officials in the building.

Bear that in mind, Senators—24 feet wide and 30 feet long.

They had 128 men in there. That had a stone floor, with some flat benches with no backs—just room for perhaps 20 men to sit on those benches. In that room they were held for 7 days.

One hundred and twenty-eight men in a room 24 feet by 30, held for 7 days. That evidence is undisputed. Nobody contradicts it. It is admitted to be true.

This was a cellar room—

Think of that—

with one window. It had a little toilet off it, and one door, a grated door; and that was the condition that led the health commissioner upon the complaint of the municipal court judges, and the threat of the employees in the restaurant in that building to strike if those men were not removed, to make recommendations and recommend again to the mayor, and that led to the action that was read to you that the council later took. I went down there and looked in. They were packed in there just about as close as you could get them. One man had an infected hand and he had not had any treatment for it, that was the second day, and his hand was all swelled up and purple; and I think that was one of the conditions that led these men, the employees in the restaurant, to threaten to strike.

They told me that they had been fed one cup of coffee and two biscuits twice a day. That was the only food they had had.

Senator WALSH of Montana. Did you try to verify that?

Mr. BARKLEY. No; I did not verify that. I was not able at that time to verify it.

Senator WALSH of Montana. Did you accept it as in accordance with the facts?

Mr. BARKLEY. Well, it was in accordance with the same thing; that is, it was similar to the action that had taken place in the Federal building, where Barkey said that they had brought in coffee and doughnuts.

Senator WALSH of Montana. Was there any systematic effort on the part of the officials to feed them?

Mr. BARKLEY. No. Barkey said, "We brought them in coffee and doughnuts; but," he said, "they have all got good food from their homes, and boxes of oranges, and," he said, "we did not have time to bother with it; and they are being fed now, anyway. Their friends are bringing in food."

Seven days with no place to sleep. One hundred and twenty-eight men, in a room 24 by 30, had to sleep on the cold stone floor if they slept at all. There was no room for them all to sleep at once. They would have had to do it in relays, and when some of the men slept they would have had to pack the other men in the other part of the room closer together.

Mr. Barkley wrote an article describing these conditions, which article was published in the Nation. It is printed at page 720 of the hearings of the subcommittee of the Committee on the Judiciary on Senator Walsh's resolution. I ask unanimous consent that the article be printed in the RECORD at this point in my remarks without reading.

The PRESIDING OFFICER (Mr. SCHWELLENBACH in the chair). Is there objection?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

JAILING RADICALS IN DETROIT

(By Frederick R. Barkley)

On January 2 Arthur L. Barkley, chief agent of the Department of Justice in Detroit, received an order from Attorney General Palmer, instructing Mr. Barkley, according to his own statement, to raid the headquarters of a group of interdicted organizations, principally the Communist Party, "as long as they continue to meet," in a "supreme effort to break the back of radicalism" in Detroit. As a result, 800 men were imprisoned for from 3 to 6 days in a dark, windowless, narrow corridor running around the big central areaway of the city's antiquated Federal building; they slept on the bare stone floor at night, in the heavy heat that welled sickeningly up to the low roof, just over their heads; they were shoved and jostled about by heavy-handed policemen; they were forbidden even the chance to perform a makeshift shave; they were compelled to stand in long lines for access to the solitary drinking fountain and the one toilet; they were denied all food for 20 hours, and after that were fed on what their families brought in; and they were refused all communication with relatives or with attorneys. These 800 men, so closely packed that they had to step over one another's bodies to move about at all, included in their number citizens and aliens, college graduates and laborers, skilled mechanics making $15 a day, and boys not yet out of short trousers. They were seized without warrant while attending dances and classes in physical geography and similar subjects; they were herded behind bars with no examination and no chance to inquire or explain; they were labeled in the newspapers as "reds, bolsheviks, anarchists, terrorists," and were left there for the jeering gaze of the credulous, befoozled public.

What was the crime of the 800? The crime was that these men were attending a dance or studying physical geography and other sciences in a hall known as the House of the Masses, the headquarters of the Communist Party in Detroit. And back of that was the crime of the Communist Party—which has about one member for every thousand men in the country—in declaring, in stock phrases, for "proletarian revolution, the overthrow of capitalism, and the establishment of a dictatorship of the proletariat and destruction of the bourgeois state."

So the Department of Justice held in this dark, foul cage a young American-born college instructor who had come down from the university during the holidays to teach this revolutionary class in physical geography so that he could better support his wife and child. Three days and three nights they held him. They held a 17-year-old boy, who had been caught while at the House of the Masses to see a man about a job. They held from four to a dozen men who had simply been having a drink of near-beer in a cafe on the first floor of the building. They held at least one man who had simply stopped out of curiosity.

They held 22 men taken from another hall nearby, and labeled in the reports as the headquarters of the I. W. W. "We did not leave them a scrap of paper with which to do business," one paper quoted Mr. Barkley as saying. Eighteen days later, 3 of these 22, who, of course, were finally released, appeared before Mayor Couzens with an appeal for aid. They were officers of the Workingmen's Sick Benefit and Educational Society, they said, and with 200 sick members on their lists, they were unable to pay benefits because the Department of Justice had taken their membership and sick lists. They feared some of the members might be facing death for lack of the money due them. "We have tried to get the members together," said one of them, "but they are so afraid of being arrested that they won't come to a meeting. And the Department of Justice won't give us the lists." The mayor promised to do what he could. The headquarters of the I. W. W. were actually several blocks farther down the street. The 22 members of the Workingmen's Sick Benefit and Educational Society were playing checkers when the raid was made, they told the mayor.

The officers held one young man who was getting his dinner in the cooperative restaurant run by the Workers' Educational Society, which controls the House of the Masses. "He quit the Communist Party because he didn't believe in force," his sister said. "But the restaurant has better meals at cheap prices than any place around there, and he always ate there. They've had him 10 days now."

The raiders held together, it would appear from tabulations of releases made from time to time, more than 350 American citizens, or aliens who could prove conclusively, in the Department's secret examinations, that they had not even a "cursory interest in radicalism." For from 3 to 6 days they held these men and boys in this temporary prison, and then began to transfer them to precinct police stations and to the "bull pen" in the municipal building. All this time there was a state approaching chaos in the offices of the Department of Justice. No list of those held was available. Frantic wives and children haunted the lower halls in the Federal Building hoping to catch a glimpse of their men through the narrow apertures of the top-floor corridor railing. "The constabulary believe that the prisoners were being incited by a number of well-dressed women, who came up to the fourth floor and waved handkerchiefs and scarfs to them," said one newspaper in reporting the efforts of these relatives to learn if their menfolk were among the prisoners. The women often were well-dressed, for their husbands were skilled workmen, earning substantial wages in many cases.

As the men were transferred to the precinct stations, policemen sent these frightened women out to these stations, when calls for the men wanted, which were permitted after the first few days, failed to bring a response. For days they besieged the precinct stations, bullied by the police and refused permission to see their men or learn where they were. In many cases it was more than a desire to converse that led these women on their fruitless search. They needed food at home. Their children were suffering from lack of bread. Their men had cash in many instances; most of them had bank deposits also; but under the order holding them incommunicado it was impossible for their wives to get either the cash or orders on the bank for the money they needed to stave off hunger. Dozens of the women were sent to the public welfare commission by their attorneys. One attorney tells of a woman fainting in his office. On being revived she said she had eaten nothing for 3 days. Taken to a nearby restaurant, she fainted again at the smell of food.

Among these families were the wives and children of American citizens, whom officials of the Department of Justice admitted they had no right to arrest. "Do you know how many citizens you've got up there?" Mr. Barkey was asked by a reporter on the third day after the first raid. "No, no," he replied nervously, "but I don't say anything about citizens being held. We haven't any right to arrest citizens, you know, so don't say anything about that." When one newspaper reported Mr. Barkey to this effect, and told the conditions under which the men were being held, another journal reported his reply as follows: "The public should bear in mind that this is not a picnic, and the Department of Justice is not providing settees for criminals (350 of whom were later released for lack of evidence). They have got to sleep on the floor. That's right. But a stone bed in the post office probably isn't any harder than a board bed in the jail. The majority of them are getting better than their five-sleep-in-a-bed homes, and they have more food than they can eat. Relatives and friends have brought in whole boiled hams, boxes of oranges, and other delicacies."

At the municipal building, where some of the men were taken after 6 days in the corridor prison, the same abominable conditions were reestablished. From 130 to 140 men were herded into the police "bull pen," a room built to hold petty offenders for not more than 3 or 4 hours, a one-window cellar room, 24 by 30 feet in size, with no place to rest but wooden benches and a stone floor. For 7 days these men were held here, sleeping on the floor, fed largely by the contributions from relatives handed through the single-grated door. Many of them were ill; one was suffering from an infected hand which had had no treatment. Employees in the cafe of the building threatened to quit if the men were not removed. "These conditions are intolerable in a civilized city," Mayor Couzens told the city council, after asking it to demand that the Federal authorities remove the men to a proper place of confinement. To back up his request, he submitted a report from the superintendent of municipal buildings and the health commissioner, reporting the situation as "intolerable and a menace to the health of the city." Nothing was said of the health of the imprisoned men. "The conditions are no worse than they were in the Federal building," the health commissioner said.

When the prisoners held in the "bull pen" were taken there from the Federal building, the camera men were on hand to film them. Six days' imprisonment without opportunity to shave, 6 nights of sleeping in their clothing on a stone floor, had prepared them well for the enforced role of "Bolshevik terrorists" with which the public is regaled. And these films, like the photographs taken at the House of the Masses, probably are doing their vicious work of rousing hate and intolerance all over the country today. At the House of the Masses some Revolutionary War flintlocks, used in presenting costume plays, were found in a cupboard. Stacked before a great pile of books thrown from the institution's library and surmounted with framed pictures of Lenin, Trotsky, and Marx, they made a picture all too falsely convincing of the "menace of bolshevism."

Today, January 19, the 300 men left of the 800 seized are housed in an old Army fort here. In addition, about 140 are out on bond. Warrants for holding these 440 arrived from Washington on January 12, 10 days after the raids. These warrants, the chief immigration inspector explained, "would block further efforts of attorneys to gain release for their clients through habeas corpus proceedings." For there are a few attorneys courageous enough to take the cases of these persecuted people. One of them is Walter A. Nelson, a student of constitutional law and sociology, and head of a corporation engaged in supplying milk to 180 Detroit stores at 2 cents under the prevailing rate. "I would not defend one of these aliens if the Government would open its gates and permit them to leave the country," Mr. Nelson said. "But the Government refuses them passports to leave and then arrests them for staying here. Scores of these people came to me months ago to help them get passports. I couldn't get them. Now the Government proposes to ship them to some unknown port, with what-not possibilities of death awaiting them, and to leave their families behind to starve. It is an outraging of everything that America ever has stood for."

This is the situation in Detroit today. Nearly 400 men, citizens and aliens, are free again after being confined for 1 to 2 weeks under conditions of horror, confined because their peaceful assemblage, guaranteed by the Constitution, led the Department of Justice to suspect that their beliefs, also protected under the Constitution, were inimical to the peace and safety of 110,000,000 people. Nearly 400 men are free after a taste of "Americanization" that bodes ill for any future Americanizers who do not come backed by the clubs of the police and the constabulary.

Nearly 400 men, and hundreds more women and children, have had the seeds of hatred sown in their breasts. And probably 400 others, no more guilty of a crime than these, are waiting exile to Europe to spread those same seeds of hatred there. Thousands more of the city's great foreign-born population have had terror planted in their bosoms—terror like that which makes it impossible for the leaders of a sick-benefit society to get its members together. And terror and hate are close akin. As for those Detroiters who may sometime have read the American Constitution and the Declaration of Independence, or remembered the proud boast that this was the land of freedom for exiles from autocratic Europe, a revulsion, silent but nonetheless deep-seated and stern, has come. The mayor, who speaks as strongly as he can, represents the indignation and resolution of others who speak not at all now but who may speak at the ballot box at some not distant day. The people, sound at heart and steadfast for the right when they know the truth, will some day come to demand an accounting for this slaughter of Americanism to make a Presidential candidate's holiday.

Mr. NORRIS. Mr. President, Senator Walsh, of Montana, put into the RECORD the report which he made to the full committee, which the full committee did not adopt because, as I have said, the full committee finally declined to make any report whatever. Senator Walsh's report was printed in the CONGRESSIONAL RECORD of February 5, 1923. I wish to read Senator Walsh's request to print this matter in the RECORD. On page 3004 of the CONGRESSIONAL RECORD for February 5, 1923, Senator Walsh said:

> Mr. President, in the month of December 1920 the attention of the Senate was called to certain charges which were made against the Department of Justice in connection with what were known as the "red" raids. The matter was referred to the Committee on the Judiciary for investigation and report. It was referred by the committee to a subcommittee, which took testimony for some months. The subcommittee were unable to agree upon the report and were eventually discharged by the order of the full committee. Thereupon, however, I, a member of the subcommittee, submitted a report to the committee, and another report was submitted by the Senator from South Dakota [Mr. Sterling], also a member of the subcommittee, to which subsequently I replied.
>
> Recently a motion was made before the committee that the report submitted by myself be reported to the Senate as the report of the committee. That motion was defeated by the following vote:
>
> Yeas—Borah, Norris, Ashurst, and Walsh.

Mr. President, I am proud to be numbered among the four who voted in favor of the Walsh report. One reason why I am proud is that the report was made by Senator Walsh, of Montana, and concurred in by Senator Borah, of Idaho. Both those Senators have now passed on. The present Members of the Senate were all acquainted with Senator Borah. Some of the newer Senators did not enjoy the privilege and the pleasure of being acquainted with Senator Walsh, of Montana. It has been about 7 years since he passed away. He had served on the Judiciary Committee for many years, and he had a reputation in this body second to none. He was respected by enemy and friend alike. He had courage that was unlimited. He was one of the best lawyers in this body. He had a judicial mind, the superior of which no other Member possessed. I always feel that when Senator Walsh took his stand, after the study he made on this subject, after the months of toil and work he put in on this investigation, and on the raids made on order of Attorney General Palmer, if I had not been on the committee; if I had not read any of the record; if I had not been present when the discussion on the report or proposed report took place in the committee; if I knew nothing about it, and had to vote one way or the other, I would not have hesitated a moment to have followed Senator Walsh; such was my respect and my admiration for the man. When he made a study, as he did, of this question, and spent the time he did upon it, I never feared that he would go wrong. Now I will continue the reading:

> Yeas: Borah, Norris, Ashurst, and Walsh.
>
> Nays: Dillingham, Sterling, Ernst, Shortridge, Overman, Shields, and Nelson.

All those voting in the negative have now ceased to be Members of the Senate, and most of them have passed to their eternal reward.

> Absent and not voting: Colt, Brandegee, Cummins, Reed of Missouri, and Culberson.

Thereupon the committee resolved that no report be made to the Senate upon the subject. I ask unanimous consent that the various reports referred to be printed in the RECORD.

Mr. STERLING. Mr. President, I did not quite understand the request of the Senator from Montana. Does the Senator desire that all the reports submitted to the committee may be printed in the RECORD?

Mr. WALSH of Montana. It is my request that all the reports which were submitted to the committee shall be printed in the RECORD and that the committee be discharged from the further consideration of the subject.

There being no objection, the Committee on the Judiciary was discharged from the further consideration of the subject and the reports were ordered to be printed in the RECORD, as follows:

I should like to print the entire report, but it is already in the RECORD, and I will not ask that it be printed again. I would be very glad, if Senators have the time, if they would read that entire report before they pass on the pending joint resolution. It is difficult for me to read it because it is printed in exceedingly small type, which makes it almost impossible to read in this light. I shall, however, read an extract from it:

The unusually large haul of January 2, 1920, arose from the apprehension of all persons attending meetings of the prescribed parties being held on the night of that day, the meetings having been called at the particular time at which they were held by the procurement of "under cover" agents of the Department of Justice acting under explicit directions in that respect from Washington.

And those agents were all, without exception, agents under the control and supervision of Mr. Hoover.

* * * * * * *

In many cases there was no affidavit submitted as a basis for the warrant, the unsworn statement of the agent of the Bureau being accepted as sufficient, the theory being that his official oath met the constitutional requirement.

* * * * * * *

What was done was substantially as follows: A batch of warrants was sent to an agent of the Bureau at a particular place—Boston, Chicago, or Detroit. He secured the cooperation of the local police officers and with their aid the places of meeting—the synchronized meetings having already been arranged for by him or through him, as heretofore stated—the places of meeting were raided. It was assumed or perhaps surmised that the individuals against whom warrants were held residing in the neighborhood of the meetings, respectively, would be among those attending. Possibly, not unlikely, in some instances information more definite in character was in the possession of some of those acting in the premises that the persons whose arrests had been authorized were actually present at the meeting, the warrants for such serving as justification, such as it was, for the invasion of the premises. But regardless of the warrants every person in the room was placed under arrest. They were lined up along the wall after the manner of the making of arrests of desperate criminals or of an old-time stage hold-up and searched.

That was the usual practice. These meetings were held at a time that had been arranged in Washington for the raids; and when the agents raided a hall where there was an organization meeting they lined up against the wall all the persons present and searched them. All those present were placed under arrest, and they were all taken.

Senator Walsh, in his report, said:

The essential lawlessness of the proceedings detailed needs no comment. It will be startling to learn that they were carried out in strict accordance with instructions sent by the Department of Justice to its agents in the field through a circular letter, the extraordinary character of which justifies its incorporation at length in this report. A copy sent to the agent at Boston is as follows:

These are the instructions which went out from Washington to all parts of the United States, to the agents who were to make this raid on the 2d of January 1920. I wish every Senator could read them. They are directed in this case to George E. Kelleher, Esq., box 3485, Boston, Mass. He was the local F. B. I. man in charge at that place.

I read from the instructions:

On the evening of the arrests this office will be open the entire night, and I desire that you communicate by long distance to Mr. Hoover any matters of vital importance or interest which may arise during the course of the arrests.

That again, in addition to the testimony of the Attorney General already read, couples Mr. Hoover with this disgraceful raid, which, as Senator Walsh says, may well be likened to the holding up of a stagecoach by desperadoes in the early days.

Let us see further. The instructions further say:

I desire that the morning following the arrests you should forward to this office by special delivery, marked for the "Attention of Mr. Hoover," a complete list of the names of the persons arrested, with an indication of residence, organization to which they belong, and whether or not they were included in the original list of warrants. In cases where arrests are made of persons not covered by warrants, you should at once request the local immigration authorities for warrants in all such cases, and you should also communicate with this office at the same time. I desire also that the morning following the arrests that you communicate in detail by telegram, "Attention of Mr. Hoover," the results of the arrests made, giving the total number of persons of each organization taken into custody, together with a statement of any interesting evidence secured.

The above cover the general instructions to be followed in these arrests, and the same will be supplemented by telegraphic instructions at the proper time.

Very truly yours,

FRANK BURKE,
Assistant Director and Chief.

Mr. President, it seems to me that comes pretty close to connecting the raids in 1920 under Palmer with the raids in Detroit under Hoover, and other raids like that under Hoover. It seems to me it shows without any question in effect what is going to be done when this order is carried out if Mr. Hoover has charge, as he will, I think, unless the Attorney General changes his mind. If we are to have a continuous performance of what went on in the Palmer raid and what went on in the Detroit raid, and the New York raid, and the Fremont, Nebr., raid—all of which, admittedly, were under Hoover—if we are going to continue that indefinitely, and make that a permanent thing, and turn over this subject matter to Mr. Hoover, the result will be, to my mind, to bring about in the hearts of millions of our people a distrust of the Federal Government. It will inevitably build up there a feeling that the Government is the people's enemy; and that is something that we should avoid in this country. There ought to be no such feeling on the part of the citizen.

The citizen, however, is not to blame. Especially is there no blame on the part of the ignorant alien who comes over here and applies for citizenship, who probably cannot speak the language. He probably has come from a government which has been oppressive. He left his native land for that reason. He comes over here and finds that this Government, as he sees the matter, is his enemy, or at least he looks upon it with distrust. The fact may not always be just as he sees it, because it is admitted that he may be misinformed. He often is; but we have to take conditions as they are. He is not to blame that he has been misinformed. The little children who have suffered because their parents have been torn away from their firesides are not to blame. They are not to blame for being here. They were not asked. They are here, and they ought to be cared for just as we care for our children. They ought to grow up to be patriotic and loyal citizens; but if they are going to commence their careers in life by looking upon such outrageous things as have occurred in the Palmer raids and the F. B. I. raids, they are going to look upon their Government with suspicion; and when hardship and distress and privation come, as they have come to us, there are going to be places in those hearts where the seeds of bolshevism, of communism, of Hitlerism can grow and thrive and bring forth fruit.

That is our danger, Mr. President. I do not see how we can deny it.

I have a great many other quotations which I should like to read to the Senate from Senator Walsh's report; but I have already called attention to the place in the CONGRESSIONAL RECORD where it can be found, and any student of the subject cannot help being benefited in his study of it if he will peruse the whole report made by Senator Walsh.

Mr. President, some of the persons who were arrested at that time later commenced habeas corpus proceedings. They applied for writs of habeas corpus, and the case was tried before Judge Anderson in Boston, Mass. Judge Anderson was a circuit judge, but he came down to the district court and tried the case. I should like to call attention to some of the things

which Judge Anderson found as matters of fact, and to his action in the case.

Mr. President, to begin with, a famous attorney represented these defendants, an attorney who is now a member of the Supreme Court of the United States. It was Felix Frankfurter who appeared on behalf of these defendants, some of whom were poverty-stricken. He went into that court and tried the case before Judge Anderson.

I read now from the case of Colyer and others against Skeffington, and so forth, found in Two Hundred and Sixty-fifth Federal Reporter, page 17. I read first from page 28. Judge Anderson said in part—and this has a direct bearing upon the question of whether the Immigration Bureau should be in the Department of Labor or the Department of Justice.

There are obvious reasons why Congress delegated the important and delicate functions of excluding and expelling aliens to the Labor Department. This Department is charged with certain functions pertaining peculiarly to human welfare; it exercises large powers over millions of persons, many of them poor, comparatively helpless, and unacquainted with our language and institutions. As the functions of the Department of Justice and the Department of Labor are radically different, the official personnel of the two Departments would naturally have different methods of procedure. But, without elaborating reasons, the mandate of Congress, entrusting immigration matters to the Department of Labor, is binding upon all Government departments, including the courts. The Commissioner General of Immigration is a subordinate in the Department of Labor.

Under the immigration laws authority is vested in the Secretary of Labor to provide rules and regulations for enforcing the provisions of the acts. Of these rules, which have the effect of law, the court must take judicial notice. * * * They are binding upon the Department of Labor as part of the law of the land. For present purposes, the most important rule is rule 22, entitled "Arrest and deportation on warrant."

Subdivision 2 of rule 22 provides:

"Officers shall make a thorough investigation of all cases when they are credibly informed or have reason to believe that a specified alien in the United States is subject to arrest and deportation on warrant. All such cases, by whomsoever discovered, shall be reported to the immigration officer stationed nearest the place where the alien is found to be."

I read that rule because it was important in the consideration of the case before Judge Anderson, and his approval of it is important to be noted. The judge, in his opinion, read the following instruction to agents:

Person or persons taken into custody not to be permitted to communicate with any outside person until after examination by this office and until permission is given by this office.

The judge then said:

The arrests were, in fact, made by the representatives of the Department of Justice, assisted by the local police authorities, all of whom acted under the direction of the agents of the Department of Justice. The raids were made on the evening of January 2, 1920, in the following cities.

Then he gives a list of them.

Agents thereupon, generally without warrants, to go about the halls or homes where these people were, arrest them, and bring them to the concentration point—commonly, a police station. When halls were raided the occupants were, as required by the instructions, lined up against the wall and searched. Many citizens were gathered into the net in this fashion and brought to the various police stations.

Judge Anderson continues, as appears on page 43 of the Federal Reporter, volume two hundred and sixty-five, from which I am quoting:

I refrain from any extended comment on the lawlessness of these proceedings by our supposedly law-enforcing officials. The documents and acts speak for themselves. It may, however, fitly be observed that a mob is a mob, whether made up of Government officials acting under instructions from the Department of Justice or of criminals, loafers, and the vicious classes.

There were also incidents of the arrests of women under conditions involving great hardship. For instance, the witness Mrs. Stanislas Vasiliewska, the mother of three children aged 13, 10, and 8, was arrested in a hall in Chelsea, taken in the police patrol wagon with her eldest girl to the police station, and both put with another woman into the one cell. About midnight they took her child and sent her home alone to a remote part of the city. Mrs. Vasiliewska was taken the next day to the wharf, where, with Mrs. Colyer, she was confined for about 6 hours in a dirty toilet room. She was then taken to Deer Island, where she was kept 33 days. Such treatment of women by the Department of Justice contrasts with that contemplated by rule 22, subdivision 10, supra, when women are taken by the Department of Labor, which has a lawful right to arrest alien women.

The witness, Minnie Federman, was arrested at her home at 6 o'clock in the morning. Several men, showing her no warrant, entered her room where she was in bed. She was told to get out of bed and dress, which she did in a closet. Then she was taken in a police wagon to the police station after they had searched her premises, apparently for I. W. W. literature. When they found that she was a naturalized citizen, she was allowed to go.

Mr. President, when we read the description given of that case by Judge Anderson, we cannot help thinking it is a perfect photograph of what happened in Detroit under Hoover in his later years. He had not forgotten how to follow the methods which were adopted under Palmer, and which are now in full force under Hoover himself.

I read further from Judge Anderson's opinion:

In Nashua a hall was raided and about 13 women taken, 6 or 7 of whom were released at the police station; 5 of them were kept from Friday night to Saturday afternoon in one cell, without a mattress.

Mr. President, it is only necessary to state what the facts are in order to have such actions condemned by any court in any civilized nation.

Judge Anderson continued:

It was under such terrorizing conditions as these that aliens were subjected to questionnaires, subsequently used as, and generally constituting an important part of, the evidence adduced against them before the immigration inspectors. Pains were taken to give spectacular publicity to the raid, and to make it appears that there was great and imminent public danger against which these activities of the Department of Justice were directed. The arrested aliens, in most instances perfectly quiet and harmless working people, many of them not long ago Russian peasants, were handcuffed in pairs, and then, for the purpose of transfer on trains and through the streets of Boston, chained together.

Mr. President, that is the Detroit situation again.

The northern New Hampshire contingent were first concentrated in jail at Concord and then brought to Boston in a special car, thus handcuffed and chained together. On detraining at the North Station, the handcuffs and the chained aliens were exposed to newspaper photographers and again thus exposed at the wharf where they took the boat for Deer Island.

The Department of Justice agents in charge of the arrested aliens appear to have taken pains to have them thus exposed to public photographing.

Private rooms were searched in omnibus fashion; trunks, bureaus, suitcases, and boxes broken open; books and papers seized. I doubt whether a single search warrant was obtained or applied for. There is some hearsay or inferential evidence as to obtaining so-called gun warrants in Worcester and Lawrence.

And so on.

In the early days at Deer Island one alien committed suicide by throwing himself from the fifth floor and dashing his brains out in the corridor below in the presence of other horrified aliens. One was committed as insane; others were driven nearly, if not quite, to the very verge of insanity.

* * * * * * *

As the hearings before the Immigration Inspectors progressed, it became evident that the preliminary investigations made before arrests, not, as contemplated by the rules of the Department of Labor, by the experienced inspectors of that Department, but by agents of the Bureau of Investigation of the Department of Justice, were wholly inadequate and unreliable.

Mr. President, a question of law was involved in this case. There were two cases just alike. One was tried before Judge Anderson in Boston, and one was tried before Judge Mack, I think, in New York. The judges held differently on the question of law. The question arose whether it was sufficient to allege and prove that the alien was a member of the Communist Party, or the Communist Labor Party.

I think Judge Anderson held that it was not enough only to prove membership in those organizations, and that Judge Mack held that it was sufficient to prove membership in one of the parties—I think the Communist Party. That question was taken to the Supreme Court and settled. But the findings of fact by Judge Anderson were never disturbed. They stand before the world today undisputed, uncontested. The Judge does not relate all the things that occurred, of course. The case before him involved a comparatively small number of these people.

On page 78 the Judge stated:

I regard it as entirely clear on all the evidence, some parts of which have been abstracted above, that the situation of these aliens at Deer Island was, in most essential respects, within the control of the Department of Justice; that the agents of that Department were improperly interfering with the recommendations of the labor inspectors who were conducting the hearings; that the recommendations of these inspectors were naturally and properly taken by Acting Commissioner Sullivan.

And so forth.

There is no evidence warranting a finding that these aliens, if released on reasonable bail pendente lite, would have endangered in any way the public safety, or that they would not have appeared, when required, for further hearing, or to answer deportation warrants. There is no reasonable explanation offered for fixing bail in sums which must have been expected to be prohibitive, thus making the provision of the statute and the general order of the Secretary of Labor of no real effect. The aliens, when bailed by this court, had already been held, as though under sentence for crime, for 3 to 4 months. Some of them were arrested and held for days without any warrant whatsoever. Some of them had very substantial savings, one $1,500, others less sums, deposited in banks or invested in Government bonds. They are mostly wage earners of good average type—not loafers or agitators.

Even if the arrests had been lawful and the proceedings had been regular throughout, it cannot be the law that an alien shall be held, beyond a reasonable time, for trial and determination of his right either to go free and earn his living in this country, or to be deported. The fact that in this instance the Government had overloaded itself by the wholesale arrests of hundreds of aliens, only a small fraction of whom was there evidence to hold, and had thus caused an untoward delay in the cases of these particular aliens, was not the fault of these aliens. Their rights were, within reasonable time, either to be deported or to be allowed their freedom. Their detention, under all the unprecedented and extraordinary circumstances of this case, I find and rule was illegal, warranting the issuance of the writs.

Mr. President, I have not read it, but it appears in evidence that in some cases these raids were made on halls and clubrooms in which the defendants were engaged in various social activities. In one case they were in a hall, and gathered as an educational organization. They had selected from among themselves a teacher, the one best qualified, as they thought, and they were studying various subjects. Mostly they were trying to learn to speak, and to read and write, the English language. They were seized for deportation while they were engaged in this study. Others were pursuing the most lawful and honorable tasks in the effort to gain a living. There were honest, honorable men and women among them. Perhaps some of them ought to have been deported. I do not question the authority or the right of the Government under a law of Congress to deport any alien who is included in deportation plans. It is admitted that Congress has the right to pass such laws. But it is not admitted that even Congress could pass a law which would provide for inhuman treatment in violation of the Constitution of the United States.

Mr. KING. Mr. President——

The PRESIDING OFFICER (Mr. CHANDLER in the chair). Does the Senator from Nebraska yield to the Senator from Utah?

Mr. NORRIS. I yield.

Mr. KING. Were those deportations based primarily and exclusively upon the ground that the persons were aliens, or was it alleged that they were guilty of subversive activities?

Mr. NORRIS. They were alleged in many cases to be members of the Communist Labor Party.

Mr. KING. Was there any evidence tending to show whether or not any of them had made application for citizenship?

Mr. NORRIS. Some of them had.

Mr. KING. Or whether they had been in the United States long enough to acquire citizenship?

Mr. NORRIS. Some of them had been, and had not yet acquired it. That is true.

That reminds me, Mr. President, that the evidence did show that one man in particular who was questioned as to what he wanted to do, and what he was doing, said he wanted to work to support himself, his wife, and one child, and wanted to be able to go to night school to study the English language. The aliens had classes among themselves, where those a little further advanced than the others had been selected as instructors. They sat around tables trying to obtain a better knowledge of the American Government, and trying to learn to speak and write the English language. Without any doubt whatever some of them had a burning desire to become American citizens. Even at that time some of them were carried on the records as members of the Communist Party.

I remember reading in the evidence about one or two Poles. In Poland they had been members of a political party similar to our Socialist Party, and when they went into the city where they lived with their own people who went there before them, they joined the Socialist Party because they thought it was the party to which they had belonged in Poland, and they remained members of the Socialist Party. I believe this was in Detroit, although I am not sure. They had a hall, and they went to the meetings. They were Socialists. I do not take it that that is any crime. Some of the finest people in the world are Socialists. At least under our Constitution one has a right to be a Socialist.

As we all remember, the Socialists had a national convention in Chicago quite a number of years ago, where there was great strife. I have forgotten what the issue was, but in that national convention the Socialist Party split in two. One half went on one side, and the other half on the other. One faction was afterward taken over by the Communist Party, and the small local Socialist organization to which these Poles belonged was not even aware that anything of the kind had happened. They did not know the Communist Party from a wheelbarrow. They probably had never heard of it; and yet their own lodge and all its members had been transferred over to the Communist Party. They kept on meeting just the same, doing about the same as they had always done; and it was later discovered that they were members of the Communist Party and subject to deportation on that account.

It seems to me cruel to persecute a man who left the country where he was born to escape oppression and hardship and has come to the United States of America, away beyond the sea, where he had been told the door was open and where all those seeking freedom and human liberty were invited to come and live under our form of government.

I do not advocate a course of that kind for my country. I think the time has come when we ought to restrict immigration more than ever. However, the original concept was that the United States was the "melting pot of the world." These people heard it. They gained very exaggerated ideas of it and came to America. Like little children, they thought they were getting into paradise when they came to this land.

The most natural thing of all for a Pole, who has had correspondence with members of his own race in this country, is to go to them and become a part of them. That was not the best thing to do. In the end, that does not produce as good a citizenry as would be produced if another course were pursued; but a Pole naturally went into a Polish community. It was only the children who learned English. The parents did not learn the new language. They went to their own church, where services were conducted in the Polish language. They went to their own organizations of all kinds. They had their little societies and meetings, all of them innocent. They were only giving expression to the natural desire of human beings for a little enjoyment in this life. They all had homes and children. They loved their children and their firesides; but they had come to the great United States of America; and, because they did not mingle with Americans, because they were isolated, because they did not learn our language, many times they were misled into paths that led downward instead of upward. Some selfishly inclined individuals of their own race took advantage of them and traded upon their ignorance to mislead them.

Mr. President, we see the children of those people, like the 11-year-old boy in Nebraska, whom I mentioned earlier, growing up in pleasant homes, with nothing to be said against

them except that they are very poor, and on the verge of being on the list which has to be supported by taxation. Nevertheless, they are respectable and perfectly innocent. They look upon their parents just as our children look upon us. They follow them as our children follow us. If we do a disreputable, dishonorable act in the presence of our children, or within the knowledge of our children, and continue to act in such a way, our children will remember it after we are dead and gone. It will affect their entire life. When our children see us imposed upon by being handcuffed, chained, and thrown into jail without cause, they receive an impression which persists through life, and will eventually leave a scar on a citizen of the United States. That is what I want to prevent from happening, and that is what we will prevent, to a degree, if we refuse to pass the joint resolution.

Mr. President, I sometimes doubt whether I shall live to see the time come, but before I pass from this mundane sphere I should like to see the time come when my country will be on the road to prosperity and happiness. I should like to see it a Nation of homes, where fathers and mothers will raise up patriotic families of children, educate them, teach them patriotism at their mother's knee, and prepare them for the time to come when all the parents will have gone, when the children will have grown and come into authority, and will be guiding the great ship of state. I want to see them equipped to guide it through channels that are serene, and among flowers that bloom and bring happiness to all the people.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to the amendment of the House to the amendment of the Senate No. 110 to the bill (H. R. 8202) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1941, and for other purposes; that the House insisted upon its amendments to the amendments of the Senate Nos. 44, 45, 95, 99, and 103 to the bill; that the House further insisted upon its disagreement to the amendments of the Senate Nos. 17, 20, 21, 37, 39, 41, 42, 43, 60, 61, 65, 66, and 105 to the bill; agreed to the further conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CANNON of Missouri, Mr. TARVER, and Mr. LAMBERTSON were appointed managers on the part of the House at the further conference.

AVIATION

Mr. McCARRAN. Mr. President, on May 24, I introduced a bill, which I shall ask to have printed in the RECORD, which, to my mind, is in keeping with the strides which have been made by the greater nations of the world along the lines of aviation. I do not altogether refer to the greater nations of the world alone; I refer to all the nations of the world which have seen to it that their defense along aviation lines was protected.

The nations abroad which are now in a life-and-death struggle have realized far more than the American people have realized that aviation is their first line of defense. Unfortunately, some of those nations have looked on aviation as their first line of offense. But from the standpoint of a peace-loving nation, the United States aviation should be, and I hope will be, its first line of defense.

There is no place so potential for the development of things progressive as the mind of youth. So in the nations abroad a great fountain has sprung from their youth which has resulted in an expansion of aviation.

Germany has given its greatest attention to developing aviation from the standpoint of youth; in other words, Germany has given to the youth of that nation a knowledge of aviation from the first step. In the schools of Germany for the past 10 or more years there has been a department of modeling for aviation, in which boys from 12 years of age on have been taught the fundamentals of aviation as a part of manual training in the schools. Indeed, the same thing has been done in France to a lesser degree, and still again to a lesser degree in England. The youth in the schools have been taught to model so as to prepare themselves for aviation, so that they might understand aviation from every phase of its growth from the fluttering toy to the deadly bomber.

The bill which I had the privilege of introducing a few days ago provides that in the manual training courses in American schools, under the Department of Education of the United States Government, there shall be established a department which will give, to the ambitious boy or girl who is aviation-minded, instruction in modeling aviation.

We have spent millions of dollars, and we are going to spend millions more, to produce pilots in this country so that the President's message may be given some implementation. If we produce 50,000 planes in the United States but have only 5,000 pilots, there will be 45,000 planes which will remain idle. But I would have our youth taken at the initial stage at which pilots begin to learn, when imagination is ever present. Imagination is the basis of all great adventure, and adventure is the greatest prerogative and greatest power of youth. When the love of ease overcomes the desire to adventure, then we are getting old.

I ask now, as an initial step, in order that the Senate may have its attention drawn and the people of the United States may have their attention drawn to this matter, that the bill which I introduced on May 24, to establish a Division of Aviation Education in the United States Office of Education, Federal Security Agency, and for other purposes, be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That there is hereby created and established within the United States Office of Education, Federal Security Agency, a Division of Aviation Education, the functions of which shall be as follows: (a) To conduct research and make studies and investigations with respect to means and methods of promoting and carrying on education in aviation in the United States; (b) to furnish information and assistance to organizations seeking to promote such education; (c) to cooperate with public educational institutions in providing plans and material for instruction in aeronautics, including such subjects as aerodynamics, the theory of flight, the airplane and its engine, meteorology and map reading; (d) to stimulate interest in aviation among the youth of the Nation; (e) to assemble, compile, and maintain for reference and distribution records and statistical and other data on occupational opportunities in the field of aviation and the availability of training in aviation; (f) to prepare and distribute material for extension courses; and (g) such other functions as are necessarily incident to promoting education in aviation or related thereto.

SEC. 2. (a) The chief administrative official of such Division shall be known as the Director, and shall be appointed by the Commissioner of Education. The salary of the Director of such Division shall be $6,500 per annum. There shall be in such Division an Assistant Director, to be appointed by the Commissioner of Education, who shall possess the power and perform the duties of the Director during a vacancy in the office of Director or during the absence or inability of the Director. The salary of the Assistant Director shall be $5,600 per annum.

(b) The Director is authorized to appoint, subject to the civil-service laws, such other officers and employees as are deemed necessary and to fix their salaries in accordance with the Classification Act of 1924, as amended. With the consent of the Commissioner of Education, the Director is authorized to accept and utilize voluntary and uncompensated services of any person and to utilize, without additional compensation, the services of such consultants and research assistants as may be, at the request of the Commissioner of Education, assigned for that purpose by any department or establishment of the United States.

(c) The Director is authorized to make such expenditures as may be necessary for the exercise and performance of the duties and functions provided for by this act, including expenditures for (1) rent and personal services at the seat of government and elsewhere; (2) travel expenses for officers and employees of the Division of Aviation Education; (3) office furniture, equipment, supplies, newspapers, periodicals, and books of reference; and (4) printing and binding.

SEC. 3. The Commissioner of Education is authorized to select a committee of not to exceed 15 members for the purpose of obtaining advice with respect to programs of aviation education. Such committee shall meet at such times and at such places as the Commissioner of Education shall direct and confer with the Director of the Division of Aviation Education and the Commissioner of Education on plans and methods for promoting aviation education. The members of such committee shall serve without compensation as such members and shall be selected from persons nominated by the following organizations or interests, and there shall be at least

1 member on such committee representing each such organization or interest: Aeronautical Chamber of Commerce of America, Air Transport Association of America, private flying, soaring, the United States Army Air Corps, the United States Navy Bureau of Aeronautics, the United States Weather Bureau, the National Advisory Committee for Aeronautics, the Civil Aeronautics Authority, the National Aeronautic Association, Institute of Aeronautical Sciences, the Airline Pilots Association, and Model Aircraft Work.

SEC. 4. There is hereby authorized to be appropriated for the fiscal year 1941 the sum of $35,000, annually thereafter such sums as may be necessary, to carry out the provisions of this act.

Mr. McCARRAN. Mr. President, I also ask to have inserted in the RECORD an excerpt from National Aeronautics, a publication very much esteemed in the United States. This excerpt appears on page 19, under the caption "Education."

The PRESIDING OFFICER. Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

EDUCATION

Start an education program through the Civil Aeronautic Authority on the advantages of privately owned planes for business and pleasure use. Prepare and make available at low cost complete ground-school courses, together with examinations for both instructed and self-taught. Publish similar, but ground-school courses for younger people, together with plans for model planes and manuals on model-plane construction and flying. Establish a section of aviation education in the Federal Office of Education to foster the use of aviation as a conveyor subject in secondary schools.

Mr. McCARRAN. Mr. President, I also ask to have inserted in the RECORD a very able article on the very subject of my bill, which I have had inserted in the RECORD, the article being by J. Parker Van Zandt, which appears on pages 12 and 13 of National Aeronautics, bearing on the training of boys and girls in the schools of the United States, and under national control and supervision, the art and science of aviation.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MAKING THE PUBLIC AIR-MINDED—HOW DENMARK GIVES HER CHILDREN AN OPPORTUNITY TO FLY

(By J. Parker Van Zandt)

There's nothing rotten in Denmark, speaking aeronautically. It's a little country with a big idea. An idea so sound and far reaching that were the United States to adopt it flying in America would be revolutionized.

Quite by accident I stumbled on it last autumn in the little city of Esbjerg. Danes call Esbjerg the "Chicago" of Denmark; tourists know it better as the port for the channel route from Harwich to Copenhagen. The romantic island of Fano is a short ferry ride away, with its fine bathing beaches and colorful native costumes.

That's what took me there. I was hunting a spot to rest and swim after months spent searching for new ideas up and down Europe's airways, from Egypt to the Arctic Circle and Ireland to the Black Sea. As it happened, the biggest idea of all was where I least expected to find it.

Denmark, you know, is an island kingdom like England, but, unlike England, it has a foothold on the continent. The peninsula of Jutland, where you'll find Esbjerg, is the Danish mainland and quite the biggest part of the kingdom. But in Denmark the "tail wags the dog." For Copenhagen, the capital, is on a smaller island to the east, facing Sweden across the narrow straits where Hamlet once held sway.

Up to 2 years ago the Danish peninsula was not on any air map. All the famous European air lines passed it by. The Scandinavian Air Express, which brings the north countries within a few hours of London and Paris, the routes to Germany, Holland, and elsewhere, all stopped at Copenhagen. Jutland, and with it Esbjerg, was out of the great current of modern aviation progress, caught in a quiet backwater.

Not that the Jutlanders cared. They weren't air-minded. Proud even of their dialect, Jutlanders would tolerate no condescension from the capital or new-fangled contraption from Copenhagen. They turned a deaf ear to anything proposed by the directors of Det Danske Luftfartselskab—the Danish Airways.

REGULAR SERVICE ESTABLISHED

Two years ago, however, an experimental airline to northern Jutland demonstrated unmistakably that provincial leaders would profit from the establishment of a regular air service. Last summer saw the inauguration finally of several daily air connections between the peninsula and the capital, as well as a north-south route from Aalborg via Esbjerg, to Germany.

Converting conservative Jutlanders to air travel, however, proved tough sledding. The rank and file still belonged to the Abraham Lincoln school of flyers—they believed a man's legs should be long enough to reach the ground. Isolated by their geographical position, they had had no inducement to develop an interest in flying.

BREAKING THE ICE

So the directors of the air line went into a huddle with the city fathers of Esbjerg. Something had to be found to stir up local enthusiasm. Some scheme to break the ice and get more people started to flying was essential. The first time off the ground was the "hump"; once over that, the rest would be easy sailing.

So here is the idea they evolved:

The city fathers agreed to invite all the school children to ride free of charge on short joy flights over the city, as a part of their regular educational training. The air line agreed to place the necessary equipment at the disposal of the board of education, at something less than actual operating cost.

MAKING IT SIMPLE

Before each flight, instructors would explain in simple language what kept a plane in the air and the function of its various parts. Flights would be only out of regular school hours, so as not to interfere with classroom work. Following the demonstrations, parents and others would also be offered joy rides at reduced rates.

"But," warned the skeptical burgomaster, "of course, not half the children will fly. In the first place, their parents won't let them. It must be clearly understood that this is entirely voluntary, without obligation either on our part or theirs. We have 4,600 school children in Esbjerg, and you won't get over 3,000.

"All right," agreed the air-line directors. "We'll carry the first 3,000 at so much apiece, and any over that number at a lower figure." Final details were worked out and the plan put into effect last June.

How many of the 4,600 school children do you suppose accepted the Board of Education's invitation? Over 4,500.

Youngsters deviled the life out of their families until they obtained the coveted permission to fly. Timid parents had no peace.

PARENTS COAXED ALONG

The children talked of nothing else around the family table. Fathers and mothers were dragged to the airport to watch, loudly protesting, and ended by taking joy rides themselves.

On 1 day alone in a city of only 37,000 citizens there were 835 passengers. In 6 weeks over 10,000 had flown—practically one out of every three inhabitants. Aviation was the town topic—and has stayed so. Today Esbjerg, on the Jutland Peninsula, is the most air-minded city in Europe.

Now, transfer this idea to America:

Can you picture to yourself what it would mean if the boards of education in all our progressive cities and towns, from coast to coast and from Canada to the Gulf of Mexico, were to adopt this plan? How many hundreds of potential Esbjergs there are in the United States.

"And a little child shall lead them." More than 5,000,000 school children making air-minded enthusiasts out of 10,000,000 parents and an uncounted host of uncles, aunts, and in-laws. It would transform the whole tempo of aviation progress in America.

This Esbjerg idea is no idle theory. It works. It's a demonstrated plan that packs a wallop.

Europe's totalitarian states have demonstrated what the threat of aircraft can do to democracies that do not prepare. Let little Denmark, Europe's oldest unconquered kingdom, show us the democratic way to make the United States an air-minded, unconquerable nation.

Mr. WHEELER obtained the floor.

Mr. KING. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Connally	King	Schwartz
Andrews	Danaher	La Follette	Schwellenbach
Ashurst	Davis	Lee	Sheppard
Austin	Downey	Lodge	Shipstead
Bailey	Ellender	Lucas	Slattery
Bankhead	George	Lundeen	Smathers
Barbour	Gerry	McCarran	Smith
Barkley	Gibson	McKellar	Stewart
Bilbo	Gillette	McNary	Taft
Bone	Guffey	Maloney	Thomas, Idaho
Bridges	Gurney	Mead	Thomas, Okla.
Brown	Hale	Miller	Thomas, Utah
Bulow	Harrison	Minton	Townsend
Burke	Hatch	Murray	Truman
Byrd	Hayden	Norris	Tydings
Byrnes	Herring	Nye	Vandenberg
Capper	Hill	O'Mahoney	Van Nuys
Caraway	Holman	Overton	Wagner
Chandler	Holt	Pepper	Walsh
Chavez	Hughes	Radcliffe	Wheeler
Clark, Idaho	Johnson, Calif.	Reynolds	White
Clark, Mo.	Johnson, Colo.	Russell	Wiley

The PRESIDING OFFICER. Eighty-eight Senators having answered to their names, a quorum is present.

Mr. WHEELER. Mr. President, I would hesitate to take up the time of the Senate at this late hour of the day but I think the subject which I am about to discuss, because of the hysteria which seems to be now sweeping the country, is of sufficient importance to justify my doing so.

The Senator from Nebraska [Mr. NORRIS] has just concluded a speech of several hours, which I regret more Members of the Senate did not hear. He called attention to what went on during and after the last war with reference to persons being persecuted and denied their civil rights. That the same thing is taking place or beginning to take place in this country is revealed by nearly every daily newspaper which is printed in America. I happened to pick up and read the New York Times of this morning. I noticed a headline:

Two Labor Party men beaten by paraders. Attacked after passing out antiwar bills.

I know nothing of the circumstances, but this indicates the hysteria which is sweeping the country, and particularly in some of the cities of the East.

Mr. President, at a time when wars are raging around us, problems of defense and national safety must remain uppermost in our minds. We shall not find much to comfort us until we have taken every possible step to preserve liberty and democracy in a world from which those concepts are rapidly vanishing. But it is important for us to remember that such steps as we have taken, and others which we may be called upon to take, will be nullified unless they contain safeguards to preserve our traditional freedom of speech and opinion, our even-handed justice and fair labor standards, as well as whatever amelioration of social ills we have been able to obtain. It is impossible to defend our country against any possible threats, internal or external, without defending with our last breath the very basis on which this country was founded. Our earliest statesmen formed and stated an American policy of civil liberties sufficiently broad and strong, and so fundamentally in accord with American thought then and now, that liberty has survived and continued to grow in our land despite assaults upon it made in successive periods of grave emergency and strife. We have fought for liberty in the past with the strength that only freemen can muster. We must continue to fight in the future for the liberty which is our greatest defense against oppression or invasion by tyrants.

Civil liberty cannot be an abstract thing for Americans—a phrase to which we can pay lip-service, and then forget in practice. Our whole life is rooted upon it, and we have seen what has happened in countries where it has ceased to exist. The last decade has made us all familiar with the suppression of opinion, of newspapers, of churches, of legislatures, of courts, and of civil rights, which has come about in some European countries today. We all know the horrors of concentration camps, the brutal murders of political opponents, the functionings of secret political police who are employed to keep every person under observation, and to smash labor unions, and torture those whose only crime is that they hold unpopular religious or social opinions. To an extent unparalleled in history, human rights have been trampled upon and banished from the totalitarian states. Now that Europe is at war, that fanatical forgetfulness of all ideas of justice and freedom threatens to engulf the world—even our part of the world, where we have so long cherished quite opposite ideas.

In this country we are beginning to be faced with attitudes and states of mind which, if unchecked by reason, common sense, and the lessons of past experience, may threaten serious harm to our security and independence.

Let me call attention to the object lesson which we have before us today. I recently traveled across the country; and during my trip, patriotic, good citizens came to me and said that we ought to pass stringent laws to suppress this group or to suppress that group. It should be remembered by all those persons who are talking about suppressing their opponents, or persons who have different views from those held by some of us, that when Mr. Hitler came into power he promised the people of Germany that he would suppress all labor unions, that he would reduce wages, that he would increase profits, and that he would stamp out all liberal thought in all of Germany. The persons who put Mr. Hitler in power—the great German bankers and the great industrial leaders—did so because they wanted to see their opponents crushed and liberalism stamped out in Germany. Hitler carried out his program, but in carrying it out, the suppression of liberties struck home at those who sponsored him. Thus the very persons who had placed him in power gradually began to complain and to criticize and to disagree with him; and when they disagreed with him he sent them to concentration camps. He suppressed free speech upon their part; and that is exactly what always takes place when a dictator comes to power, or when free speech is suppressed in any country.

This is exactly what has happened in other countries where men have started to suppress free speech on the part of their opponents. The treachery of traitors within neutral countries of Europe has in some cases proved the undoing of those countries. We have seen "fifth columns" of disbelievers in democracy do their traitorous work behind the lines, and have wisely begun to ask ourselves to what extent our liberties and security may be endangered by possible traitors at home. Certain precautions have been taken, or have been proposed. There is general agreement that if there are spies or traitors in our midst they must be caught and properly dealt with. But our precautions and our self-questioning cannot succeed if their only effect is to arouse hysteria and set in motion forces and programs which may become as great a menace to democracy as the menaces they seek to combat. We cannot succeed if we relinquish the fundamental basis of democracy, or if we abandon vital parts of our hard-won social progress. The President has warned us against succumbing to hysteria arising from the widespread emotional disquiet provoked by recent events abroad. In his speech on May 26, he outlined the need for an adequate defense. Then he cautioned:

While our Navy and our airplanes and our guns may be our first lines of defense, it is still clear that way down at the bottom, underlying them all, giving them their strenth, sustenance, and power, are the spirit and morale of a free people.

The spirit of a free people is not made any more free by knocking out the props from under freedom. Quite the opposite is the case. So long as there are millions of unemployed we cannot afford to compel people to work longer hours or to accept lower wages. Neither can we preserve liberty and justice for some by denying it to others. This is not a time to harass, hound, or persecute anyone, no matter what his station in life may be, whether it is high or whether it is low. It seems to me this is a time for all classes of citizens in the United States, whether they be businessmen or whether they be laboring people, to unite for the common purpose of maintaining democracy here. It is time for all of us to stop calling each other names. Proposals which may have the effect of persecuting minorities are fundamentally un-American. If they involve the denial or infringement of the civil rights granted under the Constitution, restrictive measures may become as obnoxious to freedom-loving Americans as any disloyal action by a citizen or noncitizen. Hysteria or mob action without due process of law can have no part in the solution of any problem raised by the presence in our country of undesirable immigrants.

The President has also stated, in his message accompanying the proposed transfer of the Bureau of Immigration and Naturalization from the Department of Labor to the Department of Justice:

While it is designed to afford more effective control over aliens, this proposal does not reflect any intention to deprive them of their civil liberties or otherwise to impair their legal status.

I do not believe the President of the United States has any intention of doing other than he stated in his message to the Congress; but those of us who have been familiar with the activities of the Department of Justice in the past, and particularly during periods of hysteria, cannot help being fearful lest the same Bureau of Investigation resort to the same tactics which it has used on previous occasions, particularly when one of the same men is in charge of those activities.

Attorney General Jackson, who will have the great responsibility of guarding the rights and welfare of noncitizens if their supervision is transferred to his Department, vigorously affirmed his intention to carry out the President's assurance that the rights of noncitizens are to be assured. The Attorney General said on May 23:

> Every precaution will be taken to observe both the letter and the spirit of the President's message which assures proper respect for the civil rights of noncitizens.

But in view of the statements which have been made upon the floor of the Senate by the distinguished Senator from Nebraska [Mr. NORRIS] as to some of the things that have gone on, and in view of the report which the Attorney General made in answer to the Senator from Nebraska, it is not any wonder that people are skeptical. As I said on yesterday, I am not opposed to, and in fact, I should be very much inclined to vote for, a transfer of the Bureau of Immigration and Naturalization to another Department than the Department of Labor; but, in my humble judgment, the Department to which it more properly belongs is the Department of State.

The reassurances I have just quoted from the statements of high officials have come at a time when they are sorely needed. Already zealous persons, in their vigilance and their desire to be helpful, have acted and spoken without calmness and reason. Some of the instances reported by the newspapers during recent weeks might move us to laughter if they were not so prophetic of more dreadful things to come. For example, last week here in Washington police and Federal officers surrounded a downtown building on Twelfth Street to make a raid on suspected "fifth columnists." They dashed up three flights of stairs only to find one of the alleged plotters propped up in bed, innocently reading a mystery novel. In Philadelphia the police had to rescue from a barrage of eggs two youngsters who had obtained a permit for a peace talk. The speakers had to be taken to a police station as a protective measure. In Illinois, a number of radicals were threatened by mob action, and they, too, were compelled to take refuge in a police station overnight. Three persons were ejected from a border town in Texas by an angry mob of citizens. They were suspected of being Nazi sympathizers and the literature they carried was burned. After the aroused emotions of the townspeople had calmed down, it was discovered that the victims were in fact missionaries of a religious sect, and that the leaflets they were distributing were religious tracts filled with Bible quotations.

It so happened that a daughter of mine returned from St. Louis this morning. She told me that in St. Louis people are going around painting swastikas upon the homes of families of German descent. That is happening not only in St. Louis; the tide of intolerance is again rising in our country as it did during the last war. Such instances as these have brought to leaders of American thought, to press commentators, and to the editors of influential newspapers, the realization of the need for conquering the hysterical currents abroad in the land before they lead to a complete break-down of civil rights. Raymond Clapper wrote the following statement in the Scripps-Howard newspapers of May 28:

> We are in danger of going into a panic of fright, if indeed we are not already at that stage, over the "fifth column" danger.
>
> Public temper concerning national defense has struck an energetic, workmanlike pace. That same spirit should be applied to the "fifth column" problem. We are in danger of wrecking some of the basic things for which democracy stands, of doing the very things for which we so despise the Hitler regime, of wronging innocent people.
>
> Being calm and avoiding hysteria does not mean, or should not mean, being indifferent. We cannot afford to be indifferent about anything that concerns our national security. We can afford to be cool-headed.
>
> In the matter of the "fifth column" some fantastic events are being reported in the press. One organization intends to have 1,000,000 rifle-toting mothers ready by July 1 to combat any parachute invasion. Two parachute legions have been formed in Pittsburgh. In California there is an Erase the Fifth Column, Inc. Some fellow was reported shot because someone thought he was a "fifth columnist." A newspaper reader telephoned me the day after ex-Governor Landon issued his recent statement against a third term and said that was a "traitorous" utterance. A friend of mine, noticing in a newspaper a headline that the Nazis were advancing, said a pro-German must be writing those heads.
>
> Police here received a mysterious telephone call that two "fifth columnists" were about to blow up a Government building. Police raced to the home address given. Four surrounded the house, five dashed upstairs, flung open the door, and found one of the suspects reading a Conan Doyle detective story. After questioning him police decided their tip was the work of a crank.
>
> Press reports indicate that minutemen are springing up in many places. Before long any little pants presser will be able to put a competitor out of the way by turning him in as a "fifth columnist." Any fellow who wants 30 cents an hour when the boss is paying 25 cents will be suspected as a "fifth columnist." If this business goes on what will be the difference between a Communist criticizing President Roosevelt or a Republican criticizing him? They will both be stirring up dissension.

Mr. Clapper then discussed possible measures or precautions which he would like to see taken. He concluded with these words:

> In short, there is plenty of legitimate work to be done against real "fifth column" activities by authorized officials. The rest must be trusted to the good judgment and democratic spirit of American citizens.
>
> In the previous war, concrete tennis courts were reported as German gun emplacements cunningly laid here for future use. A restaurant which served a bit of rock salt in a dish of ice cream was liable to suspicion of having a German spy planting ground glass in the food. It will be a sad day in this democracy when a fellow can't tell one of those old W. P. A. jokes without being suspected of "fifth column" tactics to undermine confidence in the Government.

I have, on another occasion, told the story how, during the last war, reports came into the city of Washington from my State of Montana, that German airplanes were flying over the Rocky Mountains. I asked a Justice Department officer to look into the matter, and when he returned he reported that there was nothing to it. Later, I asked a United States marshal to look into the story, and he also reported that there was no basis for the stories. Yet the Washington office insisted that German airplanes were flying around out there. I then went down and conferred with an Army captain at the fort at Missoula. He said, "Have you ever been up to the little town of Hamilton at night, and then returned through that beautiful valley to Missoula? As you come down through the valley and look over your right shoulder you will see the North Star, and as you are moving the star appears to be moving too." He added, "These good, patriotic citizens out here have actually got to thinking they are hearing the buzz of an airplane; and that is all there is to it."

The hysteria in those days reached the stage where patriotic citizens all over the country were carried away, and were suspecting every one who had a German name. I could call attention to incident after incident along that line. All who were then active in affairs can do the same. There is no need for further detail on that score.

Mr. Justice Murphy, when Attorney General, ably stated the consequences of going about the job of saving democracy in an undemocratic way. He said:

> You do not and cannot strengthen and protect democracy by undermining it. And you begin to undermine democracy the moment you begin to draw the line and say that this or that person or group shall not have civil liberty. Draw the line against one group and it is an easy step to draw it against another, and then another.

The need for maintaining democracy by making democracy a living thing was recently stated by Chief Justice Hughes, who said:

> You cannot maintain democratic institutions by the forms of words or taking occasional patriotic vows. You maintain democracy by making the institutions work as they are intended to do with the full confidence of the people.

During the Court fight I stated that, in my judgment, Chief Justice Hughes would go down in history as one of the greatest Chief Justices ever to serve upon the Supreme Court. All during the war hysteria, all during his life, in fact, he has taken a position in line with the statement which I have just quoted.

In a well-considered editorial on May 25, the Washington Post declared that the right to hold and express opinions is inherent and unassailable, and added that to argue otherwise

is to emulate the methods of dictators while denouncing them. The Post editorial concluded:

One might believe, to listen to some current assertions, that all who are not now feverishly pro-Ally are by that token pro-German and "fifth column" in their outlook. The use of the phrase in that connection is ominous. It implies the undermining of an essential safeguard of democracy, which is the protection of minority opinions—no matter how unpopular and unwelcome they may be.

The most dangerous "fifth column," it may be argued, is composed of those who at this time seek to overwhelm and silence unorthodox opinions. It is composed of those who would stigmatize as traitorous all ideas and thoughts which do not coincide with what they personally deem desirable. That "fifth column" may be eager to defend the United States. But it has no wish to defend democracy.

This same thought was expressed by the New York Times on May 24:

The time has not come—and, God willing, will not come—when we shall see a spy behind every bush and a public enemy behind every foreign accent. The President specifically disclaims "any intention to deprive aliens of their civil liberties or otherwise to impair their legal status." We can count on Attorney General Jackson to live up to the spirit as well as the letter of this admonition.

The "fifth columnists" in every democratic country have abused their liberties. They are as low and groveling a form of human life as one can imagine. But they cannot be successfully fought by taking away the liberties of loyal citizens or of law-abiding aliens who are honestly grateful for the hospitality they have found here. Whatever happens, we must stand firm in friendship for all who love liberty.

The New York Post on May 27 warned against steps which might add some of our own people to the total of our enemies:

To cause suffering and despair in 2,000,000 people because of the actions of an infinitesimal percentage of them will only add to the problem of defense, not solve it.

On May 24 the New York Post, in the course of a long editorial, emphasized the need for caution in launching measures against our neighbors:

A blind movement against all foreigners is gathering force. Nothing could be more unjustifiable. * * * Protection of our democracy from so-called "fifth column" plots cannot be helped by persecution of the foreign-born.

The decent, hard-working neighbor with the unfamiliar accent is still the same today as he was last week. He is busy with the problems common to us all, the earning of a living, education of his children, the security of his home. If he belongs to any organization at all it's probably connected with his church or it may be a social club, where he can play a game of pinochle or backgammon and relapse for half an hour into his old language. The notions and politics of the Old World are far away, although he may be worrying over the fate of relatives overseas.

Men such as these were the fathers or grandfathers of many of us. Yet men and women, under the stress of fear, have short memories.

Mr. President, an account of an interview with Jonathan Daniels, the distinguished North Carolina editor and traveler and the son of Josephus Daniels, now Ambassador to Mexico, was published in the Washington Post on May 25. The account reports Mr. Daniels as believing that the country is "very sound at the core." The following is an extract from this newspaper story:

[Mr. Daniels] believes that most of the Germans in the United States would be loyal to this country in extreme eventualities and is convinced that the chief concern of everyone even now "is how to get something to eat."

"When they have a full stomach they all are nice," he said. He found them, everyone, still wanting bread and the security that brings it rather than guns.

On May 29 the New York Times commented on one of the bills currently before Congress which contains what the Times refer to as—

a provision which is a deadly blow at the civil liberties of several million law-abiding residents of the United States.

The editorial reads:

The fact that the alien is legally here will not save him [from being subject to the provision]. The fact that he may be a refugee from Russian or German tyranny will not excuse him. The fact that he has applied for his citizenship papers is immaterial. The fact that he fervently accepts the loftiest American traditions, including the Bill of Rights, will have nothing to do with his case.

Unconstitutional or not, the measure carries in every syllable the mark of bigotry and injustice. It turns its back on the noblest aspirations of the greatest Americans from the time of George Washington down. It comes as fuel to the flames of irrational prejudice at the very time when we need to be calm, to be tolerant, and to seek and hold the friendship of all men everywhere, on our shores and in foreign lands, who love liberty, who hate injustice and tyranny, and who believe in progress under law.

I call attention to these things because I have heard persons not in Congress say "Congress ought to pass laws to suppress this or that organization." And I have heard Congressmen and others in high places in the Government say the same thing. They denounce a totalitarian form of government on the one hand, and on the other hand they would set up totalitarian mechanisms which can only bring about totalitarianism in the United States of America.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. VANDENBERG. In line with what the Senator has just said, and touching one phase of it—a totally different phase—I want to take the liberty of reading to the Senator one paragraph from the Presidential message which was read in the House of Representatives at 1 o'clock today. I read as follows:

There is a specific recommendation I would make in concluding this message: That before adjournment this Congress grant me—

The President speaking—

grant me the authority to call into active service such portion of the National Guard as may be deemed necessary to maintain our position of neutrality and to safeguard the national defense, this to include authority to call into active service the necessary Reserve personnel.

Mr. President, as I read that paragraph it is shocking to me, because it sounds to me like a request for power to order at least partial mobilization on the strength of Executive authority alone. I submit that if we are that close to emergency this Congress had better stay in session continuously, and exercise its own constitutional authority with respect to mobilization. I should like to ask the Senator from Montana whether civil liberties are not involved in that sort of a contemplation.

Mr. WHEELER. Mr. President, I issued a statement a few days ago in which I said that I thought the Congress ought to stay in session, and that it owed a duty to the people of this country to remain in session during this period of hysteria.

My sympathies are with the Allies, but I have repeatedly said that I am vehemently opposed to any step that may lead this country into sending American boys across the waters. Not only that, but I oppose granting to any President of the United States, in the absence of the Congress, the authority and the right to mobilize or to take away the power that rightfully rests with the Congress of the United States.

In two editorials on May 26 and 27 the Washington Post again stated the case for tolerance and restraint. On May 26 the editorial writer pointed out that there is at present no emergency calling for the discriminatory treatment of law-abiding persons, and there is "no need to impair the fundamental rights and privileges that have made this country and its flag a source of pride." On the following day this newspaper said that—

Unremitting vigilance is essential * * * to guard against acts of oppression toward harmless aliens at a time when the public is in a highly excitable state of mind. * * * Fair-minded Americans must resist these trends. Otherwise the proposed system of alien registration, instead of being a legitimate protective device, might easily become a census of persons subject to unfair discrimination and oppressive restrictions.

The press of the Nation in general, as well as leaders of opinion, are apparently alive to the dangers implicit in any restrictive measures undertaken against minority groups in this country. It is also still realized that we cannot backtrack on either social progress or civil rights. The results of maintaining high standards of wages and hours, and an

extended rather than a curtailed program of economic security, are value not only in themselves. They have now become a part of the American way of life which, if we should ever have to go to war, we would be fighting to retain. Meanwhile, they are an essential part of the defense of our country, since the man who has but a small stake in democracy and has enjoyed few, if any, of its benefits cannot be expected to do battle as energetically in its defense as the man who has a job, who has some measure of security for himself and his family, and who is the beneficiary of all our heritage of freedom.

There is another reason why neither civil rights nor the fruits of progress can be sacrificed. The curtailment of either would lead to the possibility of dissension and would surely turn group against group at a time when national unity is most to be desired. The singling out of minorities for special controls or repressive action cannot fail to arouse resentment among large numbers of our people, whether they are citizens or noncitizens.

If action against minorities should include repressions that, through zeal or misguidance, result in needless severity or brutality, or in violations of the constitutional rights of aliens, such steps would be resented by the millions of Americans whose parents or grandparents were foreign-born and who fled to this country to escape the blight of oppression and injustice that has from time to time fallen upon other parts of the world. There can be no question but that the deprivation of democratic values would make for serious discord. Some of those who are now loyal might become less loyal. Some of those who have loyally closed their ears to the whisperings of the disloyal might, in the face of cruelty and the raids of secret police, take refuge in the ranks of the very "fifth columns" whose threat we are engaged in combating. Such methods would gain an attentive audience for the crackpots and the foreign agents around us.

This tragedy, which is entirely possible of accomplishment, as events of the past prove, must be prevented at all costs. And the best preventative may be found in the orderly application of the processes of democracy. Any other method does irreparable harm to great values. In the emotional chaos which the horrors of war produce, it is difficult to remember—but essential to remember—that it is impossible to be too free to fight for liberty, too democratic to fight for a republic, too just to fight injustice. The best bulwark against dictatorship is democracy; so long as the one exists there can never be the other.

It was after the post-war raids against aliens in 1920—raids which were replete with a disregard for legal, civil, and personal rights and which were denounced at the time by eminent members of the bar as savoring "of the worst practices of tyranny"—that the Honorable Charles Evans Hughes was led to make a grave speculation. He said:

> We may well wonder in view of the precedents now established whether constitutional government as heretofore maintained in this Republic could survive another great war even victoriously waged.

Mr. President, those are not the words of a radical. Those are not the words of a Democrat. Those are the words of a Republican, the Chief Justice of the United States, and a great American.

The memory of those days, when the Department of Justice carried out raids in which as many as 2,000 law-abiding persons were arrested in a single night, remain very much in the minds of many of us. That memory and the fear that hysteria will again prompt terroristic night assaults on many innocent and worthy citizens and noncitizens in the name of stamping out a "fifth column" haunts all of those who are now raising their voices against the enemies of tolerance, of restraint, of lawful process, of democratic procedures in dealing with as yet unrealized and undefined threats to our democracy.

The 1920 raids were carried out by the notorious General Intelligence Division of the Department of Justice. The details of those raids will bear close study if we wish to avoid their repetition now or in the future. Among other evils accompanying the raids were serious violations of fundamental constitutional rights, as was pointed out in later years by leading Americans, including Charles Evans Hughes, the present Chief Justice; Prof. Felix Frankfurter and Dean Harlan F. Stone, now on the Supreme Court; Senators Tom Walsh, Borah, and Norris; United States Circuit Judge George W. Anderson; and a number of law-school deans and professors.

The raids were investigated by a Senate committee, as well as by a Federal court, and evidence was presented of arrests without warrant, searches and seizures without warrant, sardinelike packing of hundreds of men for days under revolting conditions, as in the "black hole"' of Detroit, transportation of arrested persons on railroads and through city streets in chains, disregard of elementary decency in the treatment of women, some of them pregnant, and separation of families so that destitute dependents were unable to get help from breadwinners held incommunicado or "lost" in undisclosed places of detention.

Because some perhaps well-meaning but hysterical persons are again calling for raids and round-ups, it is interesting to read an account of what happened in 1920 as described by one of the country's foremost legal scholars, Prof. Zechariah Chafee, Jr., of Harvard University:

> The police dragged many men out of their homes in the dead of night. The aliens, none of them under any criminal charge and many of them held without warrants, were taken on trains and through the streets in handcuffs and chains. The prisoners were herded in vastly overcrowded quarters without sufficient clothing and food. For instance, the mayor of Detroit described as "intolerable in a civilized city" conditions in the police "bull pen," a room 24 by 30 feet, where over a hundred men were kept for a week. Bail was often fixed at very high amounts; for instance, $10,000, although $500 is the normal sum specified in the immigration rules. The men arrested were separated for days from their wives and children, who were left without support by the Government. Instead they were, Attorney General A. Mitchell Palmer assures us, "looked after by the most prominent charitable organization of their own creed in the locality. It is no part of the Attorney General's duty to look after the families of the violators of our law." The Supreme Court has repeatedly held that aliens held for expulsion are not criminials. This apology recalls the British General Dyer, the hero of Amritsar, who found shooting into a crowd a still more satisfactory way to get rid of sedition, and remarked that picking up the wounded was no business of his—that was the business of the hospitals.

Let me remind some Members of the Senate of what took place in 1920. During that period of hysteria it was the popular thing to make speeches from the public platform denouncing everybody with a German name, to talk about "fifth columns" or whatever they were called at that time, and to ask that laws be passed to put certain people in prison or in concentration camps. Many loyal, honest American citizens, some of our very finest and most patriotic citizens, indulged in that kind of speech and action. We had a Loyalty League and many similar organizations. Men sought and were elected to office on a platform of arousing hysteria against minority groups. But also let me call attention to the fact that these same men who sought to popularize themselves by besmirching the character of others, were forgotten after the hysteria was over. In many instances they became anathema in the communities in which they lived.

Now, once again, we witness a temporary hysteria, because of the use of "fifth column" tactics by Germany. I want to see our Government spend every single cent that is necessary to be spent for defense purposes; but I do not think we ought to be carried away by the hysteria which is now sweeping the country into vast expenditures of public money without giving serious thought and careful planning to the entire program.

Authoritative reports, some of them official, describe the conduct of the raids about which I have spoken, and show in detail that the victims were mainly persons who had committed no crime and had done no violence, and that the government police, under cover of dealing with aliens, accorded similar treatment to many citizens.

In the case of Colyer against Skeffington, which arose out of a 1920 raid, United States Circuit Court Judge George W.

Anderson indicated that the Department of Justice agents acted like a mob, made arrests without warrants, searched premises without warrants, seized papers unlawfully, held arrested persons incommunicado, questioned them without permitting them to have a lawyer, chained them, exposed them in chains before newspaper photographers, and used undercover informants to provoke action on the part of suspected persons. As part of many criticisms, Judge Anderson said:

I refrain from making any extended comment on the lawfulness of these proceedings by our supposedly law-enforcing officials. The documents and acts speak for themselves. It may, however, fitly be observed that a mob is a mob, whether made up of Government officials acting under instructions from the Department of Justice, or of criminals, loafers, and the vicious classes.

Mr. Moorfield Storey, for decades a leader of the Boston bar, and who is remembered wherever lawyers congregate, added his voice to that of those who came to look on the Government raids as a blot on American history. He said:

On a small scale a reign of terror was produced in which some thousands of innocent people were very cruelly treated and exposed to much suffering and loss. The statements in the newspapers were false and misleading. There was no conspiracy to overthrow this Government, and no evidence was ever produced which excused the action of the Government. The safeguards of the Constitution were ignored, and any true American must blush at what was done and at the indifference in which he and all but a handful of his countrymen tolerated it.

As a matter of fact, after the hysteria had passed, many good citizens who had been carried away by the hysteria blushed at what they had done. They were ashamed of it and apologized. We all remember that in the State of Wisconsin the then senior Senator from Wisconsin was hanged in effigy. We all know what happened to other Senators, including the distinguished Senator from Nebraska [Mr. NORRIS] because he voted against this country's entering the war. Those of us living in the Northwest know that a mob daubed yellow paint on the home of a Member of the United States Senate. I am calling attention to these matters now because all over this country, wherever I go, I can see the same hysteria being aroused again. I think it has been aroused partly, if I may say so, by some of the speeches which have been made by officials in Washington, which have frightened many of our people.

Another and still more celebrated Bostonian, Mr. Justice Holmes, habitually refused to mete out one sort of justice for citizens and another for noncitizens. He clearly saw the danger of penalizing aliens for holding unpopular opinions. This is what he said in the Schwimmer case:

Some of the applicant's answers might excite popular prejudice, but if there is any principle of the Constitution that more imperatively calls for attachment than any other it is the principle of free thought—not free thought for those who agree with us but freedom for the thought that we hate. I think that we should adhere to that principle with regard to admission into, as well as life within, this country. And recurring to the opinion that bars this applicant's way, I would suggest that Quakers have done their share to make the country what it is, that many citizens agree with the applicant's belief, and that I had not supposed hitherto that we regretted our inability to expel them because they believe more than some of us do in the teachings of the Sermon on the Mount.

This morning representatives of the National Broadcasting Co. and the Columbia Broadcasting Co., and the head of the organization of all the broadcasters, called at my office. They called my attention to the following statement which they had issued:

NEW YORK, N. Y., *May 30, 1940.*

GILLIS, RADIO STATION WJSV.,
Washington, D. C.:

The Columbia Broadcasting System, in response to several inquiries concerning Earl Browder's talk Sunday night, issued the following statement: The radio law requires broadcasters to give the same treatment to all candidates for any public office. In compliance with this law we have arranged to carry on Sunday evening June 2, a 15-minute talk by Earl Browder on the Communist Party's representation that, at that time he will be the duly nominated candidate for the Presidency. It is obvious that when the Congress enacted the communications law, present conditions and their dangers were not apparent. Columbia is of course obedient to the laws of the United States but it is of the belief that the communications law should be changed so that no broadcaster is compelled to give time to the candidates of any political party if it is proven to be subservient to a foreign power.

———.

In this connection I call attention to the statute. When we passed the communications law some years ago it contained this provision:

SEC. 315. If any licensee shall permit any person who is a legally qualified candidate for any public office to use a broadcasting station, he shall afford equal opportunities to all other such candidates for that office in the use of such broadcasting station, and the Commission shall make rules and regulations to carry this provision into effect: *Provided*, That such licensee shall have no power of censorship over the material broadcast under the provisions of this section. No obligation is hereby imposed upon any licensee to allow the use of its station by any such candidate.

The present law was drafted, not in a Democratic administration, but in a Republican administration, to preserve the right of free speech in the United States, and to see to it that each candidate for public office shall have the right to express his views, whether we agree with them or not, and I certainly do not agree with Mr. Browder, the Communist Party, or their theory of government. I think that the law probably should be changed, because of the fact that it perhaps goes too far in one respect as the Commission has interpreted it. Today a broadcaster is liable in damages if the speech contains libelous matter. Either the broadcaster should be relieved of liability or libelous matters should not be permitted.

The eminent members of the bar who prepared a searching report on the 1920 episodes included such men as Professor—now Justice—Frankfurter, Dean Roscoe Pound, Professor Chafee, Jr., Frank P. Walsh, and Francis Fisher Kane. Mr. Kane had resigned his post, after having been United States attorney for 6 years, because he could not stomach what the Department of Justice was doing in deportation proceedings. This report, which appeared prior to the congressional investigation, sharply condemned the raids of the Department of Justice. I read a portion of it:

For more than 6 months we, the undersigned lawyers, whose sworn duty it is to uphold the Constitution and laws of the United States, have seen with growing apprehension the continued violation of that Constitution and breaking of those laws by the Department of Justice and the United States Government. * * * We are concerned solely with bringing to the attention of the American people the utterly illegal acts which have been committed by those charged with the highest duty of enforcing the laws—acts which have caused widespread suffering and unrest, have struck at the foundation of American free institutions, and have brought the name of our country into disrepute. These acts may be grouped under the following heads: (1) Cruel and unusual punishments; (2) Arrests without warrant; (3) Unreasonable searches and seizures; (4) Provocative agents; (5) Compelling persons to be witnesses against themselves; (6) Propaganda by the Department of Justice.

Since these illegal acts have been committed by the highest legal powers in the United States, there is no final appeal from them except to the conscience and condemnation of the American people. American institutions have not in fact been protected by the Attorney General's ruthless suppression. On the contrary, those institutions have been seriously undermined, and revolutionary unrest has been vastly intensified. No organizations of radicals acting through propaganda over the last 6 months could have created as much revolutionary sentiment in America as has been created by the acts of the Department of Justice itself.

Even were one to admit that there existed any serious "red menace" before the Attorney General started his "unflinching war" against it, his campaign has been singularly fruitless. Out of the many thousands suspected by the Attorney General (he had already listed 60,000 by name and history on November 14, 1919, aliens and citizens) what do the figures show of net results? Prior to January 1, 1920, there were actually deported 263 persons. Since January 1 there have been actually deported 18 persons. * * *

It has always been the proud boast of America that this is a government of laws and not of men. Our Constitution and laws have been based on the simple elements of human nature. Freemen cannot be driven and repressed; they must be led. Freemen respect justice and follow truth, but arbitrary power they will oppose until the end of time. There is no danger of revolution so great as that created by suppression, by ruthlessness, and by deliberate violation of the simple rules of American law and American decency.

It is a fallacy to suppose that, any more than in the past, any servant of the people can safely arrogate to himself unlimited

authority. To proceed upon such a supposition is to deny the fundamental American theory of the consent of the governed. Here is no question of a vague and threatened menace, but a present assault upon the most sacred principles of our constitutional liberty.

It is difficult to believe or to realize, looking back to those days, the extent of the hysteria and terror engendered by the oppressive and fear-provoking methods used in the Department of Justice raids of the early 20's. Katharine Fullerton Gerould, writing in Harper's magazine in 1922, paints the following picture of despair:

America is no longer a free country, in the old sense; and liberty is, increasingly, a mere rhetorical figure * * * No thinking citizen, I venture to say, can express in freedom more than a part of his honest convictions. I do not, of course, refer to convictions that are frankly criminal. I do mean that everywhere, on every hand, free speech is choked off in one direction or another. The only way in which an American citizen who is really interested in all the social and political problems of his country can preserve any freedom of expression is to choose the mob that is most sympathetic to him, and abide under the shadow of that mob.

I have already quoted from an address by the Honorable Charles Evans Hughes in which he was caused by the post-war abuses of civil liberty to wonder if constitutional government could survive in this country if we were to engage in another great war. Because it is pertinent both to the 1920 raids and to pre-war, as well as post-war abuses of police power, I should like to read what Chief Justice Hughes said then:

Finding the intricacies of modern life too much for clearly expressed law, we have formed the habit of turning the whole business over to bureau chiefs, who with the opportunity to create manifold restrictions and annoyances, hold the power of life and death over enterprise and reputation. This has seemed to be a comfortable way of dealing with evils, and the mischief it has been breeding has received scant attention. We went to war for liberty and democracy, with the result that we fed the autocratic appetite. And, through a fiction, permissible only because the courts cannot know what everyone else knows, we have seen the war powers, which are essential to the preservation of the Nation in the time of war, exercised broadly after the military exigency had passed and in conditions for which they were never intended, and we may well wonder in view of the precedents now established whether constitutional government as heretofore maintained in this Republic could survive another great war even victoriously waged.

Apart from these conditions, we cannot afford to ignore the indications that, perhaps to an extent unparalleled in our history, the essentials of liberty are being disregarded. Very recently information has been laid by responsible citizens at the bar of public opinion of violations of personal rights which savor of the worst practices of tyranny. And in the conduct of trials before the courts we find a growing tendency on the part of prosecutors to resort to grossly unfair practices.

In 1921 the Honorable Harlan Fiske Stone, then dean of the Columbia University Law School, prepared a statement on repressive practices during the 1920 raids against aliens and others. This statement was submitted to a subcommittee of the Senate Judiciary Committee investigating charges of illegal practices of the Department of Justice pursuant to a resolution introduced by Senator Thomas J. Walsh. I quote:

It appears from the reported decisions of Federal courts that in deportation proceedings taken by the Department of Justice under direction of the Attorney General, aliens have been deprived of such constitutional guaranties.

It also appears that the agents of the Department of Justice, in violation of the express provisions of the statute, have arrested aliens in deportation cases without warrant. These undisputed facts would of themselves seem to require a thoroughgoing investigation of the conduct of the Department of Justice in connection with the deportation cases. * * * It is therefore very much to be hoped that any such investigation will not only reveal fully the facts with respect to the violation of constitutional safeguards and statutes by the agents of the Department of Justice in the administration of the deportation laws, but that such investigation will result in legislation more adequately protecting aliens or those alleged to be aliens, but who may be citizens of the United States, from the arbitrary exercise of power by administrative officers.

It is inevitable that any system which confers upon administrative officers power to restrain the liberty of individuals without safeguards substantially like those which exist in criminal cases, and the action of such administrative officers will result in abuse of power and intolerable injustice and cruelty to individuals.

Two years later, on February 5, 1923, Senator Tom Walsh submitted to the Senate a report based upon investigations by the subcommittee, and concurred in by Senators Borah, Norris, Ashurst, and Walsh. The full committee resolved that it would not report to the Senate on the subject. Senator Walsh's report is a remarkable indictment. Again I quote:

More serious are the accusations touching the general character and conduct of the so-called raids through which most of the arrests were made, of usurpation by the Department of Justice in connection with the same, and of flagrant disregard of the constitutional rights of those against whom they were directed.

* * * * * * *

Of the anxieties aroused in the families of those arrested, of the eager search of wives for unreturning husbands, of their pilgrimage from one place of concentration to another in their quest, hoping perhaps that no worse fate had befallen their loved ones than that they had been caught in the raids, of the distress occasioned and the want induced by the incarceration of the breadwinners of so many households, it is unnecessary that the hearings should tell, as they do. Such incidents and conditions were miserable concomitants of the proceedings.

This aspect of the affair never seems to have addressed itself to the conscience or the heart of the Attorney General. He coolly declared that it was no part of the business of the Department of Justice to look after the families of those who commit crimes or render themselves subject to arrest. But he overlooks the fact that none of those whose arrest he authorized were proceeded against upon any theory that they had committed any crime; that many of them, because of their citizenship or because they were obviously innocent, if aliens, would be entitled to their discharge without delay and that delay must necessarily ensue, considering the number to be taken, and that even among those held a large number would eventually be released for want of evidence to justify deportation or because their innocence was established. It seems quite likely from the meager records kept that at least one-half of those taken were discharged upon the preliminary inquiry.

* * * * * * *

Many of those arrested were householders, and not a few had accumulated considerable property. Instances were not rare in which the victims were the fathers of families, including a number of children born in America, while, sad to relate, not a few had enviable war records, having served in the grand army of that country whose Government they were accused of proposing to overthrow by force and violence. (See hearings, pp. 313–380.) For, be it remembered, these things were not done during the war, when official acts questionable in character at other times might be held excusable if not justifiable or defensible. A year and more had elapsed since the armistice at the time of these raids. Among those taken were skilled mechanics. Altogether, save for the class first named, they were the raw material out of which the American public school has made and will make in the first generation native to our soil our sturdiest manhood and the peers in devotion to this country and its ideals of any of its citizens.

* * * * * * *

* * * The wise men who framed our Constitution and who had some experience with arbitrary government were convinced that such means were inconsistent with the spirit of liberty, and on the whole subversive of justice. They believed in the doctrine that "every man's house is his castle," and determined to make the law of the Republic they were establishing at least as liberal as that of the parent country, because of the protection which the most eloquent orator of the day said:

"The poorest man may, in his cottage, bid defiance to all the forces of the Crown. It may be frail; its roof may shake; the wind may blow through it; the storm may enter; the rain may enter; but the King of England may not enter; all his force dares not cross the threshold of the ruined tenement."

Those who conceived the procedure here criticized were oblivious of the letter and wholly unappreciative of the spirit of the Bill of Rights. It should be said, for what extenuation there may be in it, that the practice of making such unlawful searches and seizures is not without precedent in the department. It is an abuse of modern growth which repeated condemnation by the Supreme Court has been ineffective to stay (*Silverthorne* v. *United States*, 251 U. S. 385; *Weeks* v. *United States*, 232 U. S. 383).

One of the reports on the Justice Department proceedings of 1920 was prepared by a minister of the Methodist Episcopal Church who was a student of immigration problems, and was published for the Federal Council of the Churches of Christ in America. In part, the report said:

We have found that these aliens were the common run of work folk—storekeepers, shopworkers, shoemakers, carpenters, mechanics, unskilled laborers, and the like. * * * They had resided in this country for a comparatively long period. Over half of them had families, most of whom were living in the United States, and included American-born children. The large majority had a little knowledge of English, and many of them had made application for American citizenship papers. A few had served in the United States military forces, and most of them had purchased bonds or in other ways taken part in wartime activities.

We find that they were arrested mostly in groups while attending meetings in public halls. In not a few cases there were no

warrants of arrest until long after the apprehension. At the police stations or other places of detention, a number of the aliens appear to have been forced to sign statements which were later introduced as evidence against them. It is also clear that at first they were not permitted to see their relatives or friends. Some evidently received cruel and abusive treatment at the time of arrest and during the period of detention.

A trial was in some cases not given them until weeks after they were imprisoned. Even at best, their trial was, as provided by law, only an administrative hearing. In this proceeding the immigrant inspector, who was usually a man untrained in law and often without even an academic training, acted as prosecutor, judge, and jury at the same time. Interpreters were often necessary because the aliens' knowledge of English was so imperfect. In some instances the very man who originally had caused the arrest of the alien acted as interpreter at the hearing. Frequently the accused was not informed of his right to counsel, and when he was so informed it was done after the representatives of the Government had extracted from him, sometimes by inquisitorial methods, all the admissions they desired.

The simplicity of their testimonies, their obvious sincerity, their straightforwardness, testify to the fact that the majority of the persons involved in this study were simple-minded folk who entertained no purpose hostile to the American Government or the American people.

Some of these aliens were held for a considerable period, which was virtually equivalent to an indeterminate sentence. A number were detained for weeks after they had been ordered released. In the meantime their families had been left without a means of support. As a consequence of all this a volume of prejudice and suspicion has been produced among immigrant groups, which it will require perhaps years to allay. It is impossible to know how much of the hostility now being reported on the part of foreign countries against America is due to the impressions made upon the nationals of other countries who have resided in the United States. It is difficult to avoid the conclusion that, with the exception of the comparatively few persons who were clearly deportable under the law, these aliens needed not legal but social and educational treatment looking toward an effectual interpretation to them of the best ideals of American life.

Writing in 1937, Attorney General Cummings and Assistant Attorney General McFarland referred to the post-war activities of the F. B. I., showing, as did the Walsh report, that there was but a slim line dividing those activities from activities against labor unions. They said:

To many this was a sordid period, echoes of which are still heard upon occasion.

There can be no question but that these raids were indeed sordid. They led to the establishment of a powerful secret police system whose capacity for and habits of lawless behavior knew no bounds. I, for one, have not forgotten the investigation of the F. B. I. in 1924, in which I brought out that an agent of that Bureau had sought to rifle the offices of the elder Senator La Follette. Likewise, during that investigation they rifled my office, as I stated on yesterday.

The Department of Justice agents went from aliens to labor unions, and from labor unions to Senators. Had not Attorney General Stone brought such practices to a stop, there is no telling how far matters might have gone. Apparently, even Presidential candidates were not safe from the spying of this police bureau which had got its start in spying on and raiding aliens.

In 1933 Ray Tucker wrote in Collier's magazine:

Ex-President Hoover was shadowed for a long period in the early twenties when William J. Burns was head of the Bureau and J. Edgar Hoover was his assistant. * * * At one time or another the Bureau's files have contained reports on such prominent Americans as Justice Harlan Fiske Stone, the late Senator Thomas J. Walsh, Senator Burton K. Wheeler, Senator William E. Borah, Dean Roscoe Pound, Prof. Felix Frankfurter, Prof. Zechariah Chafee, Jr., Frank P. Walsh, and John L. Lewis.

Tolerance, civil liberties, and a calm, reasoned approach to the pressing problems of the day could not long withstand a resumption of this earlier activity against the foreign-born, labor unions, and Members of Congress, with all its atmosphere of hysteria, hatred, rank illegalities, the pitting of man against man and group against group, with resulting dissension, and perhaps the ultimate destruction of liberty in the United States. To repeat anything remotely approaching the conduct of 1920 in the hope of turning up spies or protecting the country against foreign agents would be the most disastrous folly, as well as an exercise in futile brutality. I have said that if there are spies and traitors and foreign agents going about their poisonous work in our country I am all for catching them as promptly and as efficiently as possible. It would certainly be criminal to delay while any remain uncaught. But spy hunts provide no excuse for raising a hue and cry against any minority group which may come more readily to hand. Spies go about their business quietly, and with stealth and cunning. It seems obvious that methods to catch spies must be tempered with some of the same tactics that spies use to evade capture. The excitement and furor that would be created by any mass roundups, or by sensational methods directed against those who for the most part are innocent, law-abiding, and valuable residents of our country, would only furnish a cloak to cover up any failure to perform properly the job of apprehending spies and violators of various defense statutes.

Our country cannot possibly be endangered by any opinion, expressed or unexpressed, by citizen or noncitizen. We cannot and have not ever legislated against the holding of opinions, for our Government rests on a sound foundation of freedom of speech and thought. This is taught every school child in every schoolroom in America. This has also been affirmed from time to time in opinions of the Supreme Court, although it has probably never been better stated than by Justice Brandeis in Whitney against California. Justice Brandeis said:

Those who won our independence believed that the final end of the state was to make men free to develop their faculties; and that in its government the deliberative forces should prevail over the arbitrary. They valued liberty both as an end and as a means. They believed liberty to be the secret of happiness and courage to be the secret of liberty.

They believed that freedom to think as you will and to speak as you think are means indispensable to the discovery and spread of political truth; that without free speech and assembly discussion would be futile; that with them discussion affords ordinarily adequate protection against the dissemination of noxious doctrine; that the greatest menace to freedom is an inert people; that public discussion is a political duty; and that this should be a fundamental principle of the American Government. They recognized the risks to which all human institutions are subject. But they knew that order cannot be secured merely through fear of punishment for its infraction; that it is hazardous to discourage thought, hope, and imagination; that fear breeds repression; that repression breeds hate; that hate menaces stable government; that the path to safety lies in the opportunity to discuss freely supposed grievances and proposed remedies; and that the fitting remedy for evil counsels is good ones. Believing in the power of reason as applied through public discussion, they eschewed silence coerced by law—the argument of force in its worst form. Recognizing the occasional tyrannies of governing majorities, they amended the Constitution so that free speech and assembly should be guaranteed.

Justice Brandeis pointed to the necessity of having the right of free speech preserved if we are to spread political truths and he referred to public discussion as a duty. His opinion was written some 13 years ago. Only last week, however, a portion of the leading editorial in the issue of the New York Times for May 27 applies the same thought to problems of national defense:

But even if the minority made very severe criticism of the state of our defenses or of the future defense plans of the administration, the net effect would more likely be good than bad. For no criticism that a political minority at home can make, as the British and French are now learning at a frightful cost, can approach the terrific criticism of a foreign enemy—the devastating criticism of his guns and tanks and planes. The British and French publics today certainly wish that the alarming admissions which their Governments have made to them in the last few days had been made many months ago, when there was more time to correct them. Even violent critics of the state of the Allies' preparations, it is now seen, would have been performing a patriotic service. We need to know of any weaknesses in our armament before an enemy finds them out; and these weaknesses can often best be found by candid outsiders who have not been responsible for them.

There is an erroneous assumption, widely held, both here and in Europe, that public discussion indicates discord or absence of unity. This belief is far from the truth. Even in dictatorships, as is well known, opinion is not on a dead level of uniformity. Judgments vary, policies differ between statesman and statesman, general and general. The fact that in dictatorships differences are usually concealed does not hide their existence. It is possible that the fact that differences of opinion cannot be expressed openly and

promptly in dictatorships may lead to serious missteps which will eventually bring about the dictators' downfall. In democracies the will of the people is much more slowly evolved, because it takes time to debate thoroughly all aspects of a problem. Yet, when everyone has had his say and the debate is closed, and the will of the majority prevails, a true national unity is possible in a democracy, because the people and the government are one. The free expression of opinion plays a healthy and indispensable part in the formation of all our governmental policies. The recent vote in the Senate on the President's request for defense appropriations shows that there is unity on the part of the people in this country on the subject of national defense. While there is unity in Congress between Democrats and Republicans, we should be careful about charging ulterior motives to anyone who may disagree with us.

By tradition, the Constitution, and the laws of the land we enjoy rights and liberties which are all-important to most of us. It would be mockery to talk about national defense if we were to do anything which would deprive us of our greatest assets. There will be nothing left to fight for when there are no liberties left to defend.

Mr. President, I am glad to find so many Members of the Senate who are not being carried away by the hysteria apparent throughout the country. I do beseech the Members of the Senate and of the Congress, no matter what the turn of the war in Europe may be, to be calm, to remain cool, to keep their feet on the ground, and not be carried away by any demand for the suppression of free speech or of any of the fundamental rights and democratic processes in the United States.

EXPANSION OF NATIONAL DEFENSE PROGRAM (H. DOC. NO. 799)

The PRESIDING OFFICER (Mr. CHANDLER in the chair) laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on Military Affairs:

To the Congress of the United States:

The almost incredible events of the past 2 weeks in the European conflict, particularly as a result of the use of aviation and mechanized equipment, together with the possible consequences of further developments, necessitate another enlargement of our military program.

No individual, no group, can clearly foretell the future. As long, however, as a possibility exists that not one continent or two continents, but all continents may become involved in a world-wide war, reasonable precaution demands that American defense be made more certain.

An investigation into manufacturing resources since my message of May 16 to determine the practicability of placing additional orders with industry for special material, both to provide an early expansion of existing production facilities, and to obtain increased quantities of the special weapons concerned, has caused the War and Navy Departments to submit to me an urgent and new recommendation that increased appropriations and authorizations for the national defense be made before the adjournment of the present Congress.

Over and beyond the acquisition of this actual material is the evident requirement for the immediate creation of additional production facilities to meet possible future emergencies as well as present deficiencies in the making of munitions, such as guns, ammunition, and fire-control equipment. These facilities require a long time to create and to reach quantity production. The increased gravity of the situation indicates that action should be taken without delay.

The problem of defending our national institutions and territorial integrity is no longer a problem for men equipped simply with an indomitable determination. Modern defense requires that this determination be supported by the highly developed machinery of our industrial productive capacity.

The expansion of our defense program makes it necessary that we undertake immediately the training and retraining of our people, and especially our young people, for employment in industry and in service in the Army and Navy.

The requirements of industry and the expanded armed forces for persons with experience in mechanical and manual fields are obviously going to be great. We do not have such trained persons in the number that will be required for the tasks that lie ahead of us if our defense is to be assured. We have, therefore, the task of training a large number in the skills and semiskills required by modern production in industry and by a highly mechanized defense force in the Army and Navy. A primary consideration in the training of skills must be not the existing distribution of workers among skilled fields but the distribution that would be required if our industrial machine and our defensive forces were fully mobilized.

In the national effort for defense upon which we are now engaged, it is imperative that we make full and effective use of the mighty capacities that lie in our population. Here as yet undeveloped lie the ability and the strength needed in the building up of our armaments to provide a sure industrial foundation for the meeting of any and all defense requirements. Without the full development of these skills, our national defense will be less than it must be in the critical days which lie ahead. Without the full contribution of our people, our defense cannot attain the invulnerability which the Nation demands and which we are determined it shall have.

The one most obvious lesson of the present war in Europe is the value of the factor of speed. There is definite danger in waiting to order the complete equipping and training of armies after a war begins.

Therefore, I suggest the speedy enlargement of the program for equipping and training in the light of our defense needs.

I have instructed the representatives of the War and Navy Departments and also the representatives of the several agencies dealing with the training of young men for noncombatant services to make available to the appropriate committees of the Congress the plans and proposals which they have laid before me.

These plans call for immediate appropriations to carry forward congressional decisions in bills already pending, for immediate appropriations to add to the program and for authorizations to enter into contracts which it will take some time to complete.

There is a specific recommendation I would make in concluding this message, that before adjournment this Congress grant me the authority to call into active service such portion of the National Guard as may be deemed necessary to maintain our position of neutrality and to safeguard the national defense, this to include authority to call into active service the necessary Reserve personnel.

The amounts involved are large—over a billion dollars—but I believe that for national safety the needs are urgent.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *May 31, 1940.*

REORGANIZATION PLAN NO. V

The Senate resumed the consideration of the joint resolution (H. J. Res. 551) providing for the taking effect of Reorganization Plan No. V.

Mr. WILEY. Mr. President, after listening to the reading of the message from the President I feel that I can concur fully with the statement of the distinguished Senator from Michigan [Mr. VANDENBERG] when he said that he felt that Congress should remain in session.

Mr. President, I rise to speak to the House Joint Resolution 551 now before the Senate, but before I do so I wish to compliment the distinguished Senator from Montana [Mr. WHEELER] for his very wonderful speech in the Senate today. I wish all the people of the United States could have heard his speech, because I personally felt it would have done everyone a great deal of good.

It is not by fear or hysteria that a nation equips itself for any emergency. Not by fear or hysteria have the group of Englishmen and Frenchmen and Belgians just fought one of the most remarkable retreats in history.

The Senator from Montana spoke of the days back in 1917 and 1918. He remembers the hysteria of those days. He at that time was a prosecuting attorney. I, too, remember those days, because I happened to be on the side of the defense, and I know that I was investigated because I dared to maintain the same rights the great Otis of the revolutionary days maintained when he defended Englishmen.

No, Mr. President, this country need not become hysterical, and I am glad to echo the sentiments of the distinguished Senator when he said, "There is no hysteria in the Senate of the United States." We are thinking things through, which is all the more reason why we should hold the fort, stay in session, and do the job that is to be done, and not adjourn.

I said I wished to speak to the joint resolution before the Senate. There are several reasons why I rise to my feet at this time. After listening to the distinguished Senator from Nebraska for several years, I personally cannot understand why he, who has followed his leader, the President of the United States, for 7½ years, should now object to his recommendation to transfer the Immigration and Naturalization Service during this period, this critical period, to the office of the Attorney General.

Mr. President, this is a period of strife; this is a period when no sword in the Government service must be dulled; when no instrumentality which can aid the Government must be injured. Heretofore, during the last 7½ years, every wish of the Executive has been complied with by the distinguished Senator from Nebraska, but now, in this critical period, when the President speaks not only as the President, but as the Commander in Chief of the Army and Navy of the United States, and for reasons which satisfy him, and which are apparent, I believe, to everyone of us—now, when the President asks for this action to be taken, after 7½ years of following his leader, the distinguished Senator from Nebraska objects.

Why does he object, Mr. President? Because, as the Senator says, he feels that the F. B. I. may be called upon by the Department of Justice to investigate immigrants, aliens who are here legally and those who are here illegally. Now, for the first time, we find a revolt.

The Senator says he is not prejudiced against the F. B. I., but he recalls three occurrences that took place under Hoover. He spoke of them some months ago, and he recited them again today. One instance was that of the Detroit cases in connection with which I say the F. B. I. agents acted lawfully under warrants issued by the Federal courts, and if anyone was abused, if anyone was deprived of his civil rights, he had recourse to the courts.

The Senator from Nebraska cited another instance—the case of Mr. Carlson, who was arrested. In order to save time, I ask to have inserted in the RECORD at this point a complete memorandum in relation to the Carl John Carlson episode.

Mr. NORRIS. Mr. President, reserving the right to object, let me ask who prepared the memorandum?

Mr. WILEY. Mr. President, I believe my office sent to the F. B. I. for the memorandum, and received it this morning.

Mr. NORRIS. That is from Mr. Hoover's office?

Mr. WILEY. I have not seen Mr. Hoover, but some one in the F. B. I. prepared it.

Mr. NORRIS. How long is the report?

Mr. WILEY. It is three pages long.

Mr. NORRIS. Mr. President, I ask that it be read. I object to it being printed without being read.

Mr. WILEY. I am very happy to send it to the desk and ask that it be read. I was trying to accommodate the majority leader in this respect.

Mr. Hoover, of course, cannot speak on the floor of the Senate of the United States, but he can speak in a memorandum.

The PRESIDING OFFICER. Without objection the memorandum will be read.

The legislative clerk read as follows:

MEMORANDUM

Re: Carl John Carlson.

On May 26, 1939, the Des Moines Division of the Bureau received a complaint that one Carl J. Carlson had violated the impersonation statute at Sioux City, Iowa. Inquiries at Sioux City revealed that on April 11, 1939, one Carl J. Carlson applied for a room at the boarding house of Mrs. George Abraham, 1018 Pierce Street, Sioux City, Iowa, and represented himself to be a Secret Service operator of the United States Government, displaying a badge. On May 21, 1939, he left Mrs. Abraham's boarding house, giving her a "no fund" check for $8.

In the investigation of the complaint, a special agent of the Bureau made a request of the Superintendent of Mails at Sioux City, Iowa, for the forwarding address, if any, left by Carl J. Carlson who had been receiving mail at 1018 Pierce Street, Sioux City, Iowa, The Superintendent of Mails advised the agent that an individual by this name had requested all mail to be forwarded to him in care of Box 64, Fremont, Nebr.

It was ascertained further that while Carlson, the impersonator, was in Sioux City, he received mail from and was visited by relatives from Nebraska. Further, Mrs. Abraham advised special agents of the Bureau that Carlson, the impersonator, suffered from eye trouble and that he had a relative in Nebraska named Selma Anderson.

The information secured in this matter was presented to United States Attorney E. G. Dunn at Sioux City, Iowa, who authorized the filing of a complaint charging Carlson with violation of the impersonation statute. The complaint was filed before the United States commissioner at Sioux City on May 31, 1939, and a warrant was issued.

Information concerning the apparent location of Carlson at Fremont, Nebr., was transmitted by the Des Moines office to the special agent in charge of the Bureau's office at Omaha, Nebr. On June 22, 1939, the special agent in charge at Omaha by telephone ascertained from the post office in Fremont, Nebr., that one Carl J. Carlson was receiving mail at box 64, Fremont, Nebr., at that time. The agent in charge, accompanied by another Bureau agent, thereupon proceeded to Fremont, Nebr. Before approaching Carlson the Bureau agents went to the post office at Fremont and verified the fact that one Carl J. Carlson received mail at box 64. It was further ascertained that one Karum Anderson received mail at box 64. It should be noted that C. J. Carem was listed as an alias of Carlson, the impersonator, and that the name Anderson, associated with the recipients of mail at this post-office box, was identical with the name of a relative of Carlson, the impersonator.

The Bureau representatives then visited the sheriff at Fremont, Nebr., who advised them that a Carl J. Carlson, of Fremont, had lived there a number of years and was generally regarded as a dead beat, being considerably in debt at that time. Several years previously he had given the sheriff's son a worthless check for $19.

The Bureau's representatives, accompanied by two deputy sheriffs, went to the Carlson residence at 6:40 p. m. on June 22, 1939, and talked with Carlson. The agents questioned Carlson concerning his possession of a badge, and he denied having a badge, although a search of his car disclosed a white metal badge bearing the lettering "special police," the possession of which Carlson could not satisfactorily explain.

Carlson was questioned as to having been in Sioux City, Iowa, and he advised that he had been there on May 15, 17, 22, and 23, 1939, but that he stayed at the Jackson Hotel. The dates closely coincided with the dates on which Carlson, the impersonator, gave the worthless check to Mrs. Abraham.

In the questioning of the relatives of Carlson it was learned that his movements were clouded with secrecy, and Carlson could offer no plausible explanation for the secrecy involving his movements.

The description of Carlson, the impersonator, and Carlson, the resident of Fremont, Nebr., closely coincide. Both are 40 years of age and of approximately the same height; both have dark-brown hair; both have a scar or welt at the hairline; both wear double-breasted dark suits; and both professed to have eye trouble. Carlson, the impersonator, stated he had an aunt named Selma Anderson. The name of the mother of Carlson at Fremont was Anderson.

In view of the foregoing, Carlson was handcuffed and was taken to the office of the sheriff for further questioning. While he was being questioned, members of his family produced certain reports, letters, postcards, and other data which indicated that the Carlson at Fremont might not be identical with Carlson, the impersonator. Thereupon, after being questioned for approximately 2 hours, Carlson was taken to his home and was released. This action was taken after representatives of the F. B. I. conferred with United States Attorney Votava, of Omaha, Nebr., by telephone.

On the following day, Mr. Carlson voluntarily reported to the office of the United States attorney at Omaha, Nebr., approximately 30 miles from Fremont. United States Attorney Votava suggested to Mr. Carlson that he go to Sioux City, Iowa, and confront the complaining witness, Mrs. George Abraham. Carlson agreed to this and since there was at that time no Bureau agent at Sioux City, Iowa, it was arranged for Mr. Carlson to contact two local detectives at Sioux City who would accompany him to the home of Mrs. Abraham. Carlson proceeded alone to Sioux City,

Iowa, where Mrs. Abraham, upon seeing him, stated that he was not the impersonator.

Investigation, consequently, was continued, and later, in October 1939, the impersonator, Carl John Carlson, was located, identified, entered a plea of guilty at Sioux City, Iowa, and was sentenced to serve 90 days in jail.

In reviewing this matter to determine why the Bureau agents received erroneous information from the Superintendent of Mails at Sioux City, Iowa, it was determined that although the Bureau agent requested the forwarding address of Carl J. Carlson, who formerly resided at 1018 Pierce Street, Sioux City, Iowa, the Superintendent of Mails had furnished the forwarding address of one Carl J. Carlson, who had previously received mail at General Delivery, Sioux City, and who had requested a change of address from General Delivery, Sioux City, Iowa, to Box 64, Fremont, Nebr.

Mr. WILEY. Mr. President, I do not want to follow in the footsteps of my distinguished colleague and make a mountain out of this molehill. My only purpose in rising at this time, as I have said, is to see to it, so far as I can, that a great constructive weapon for the defense of the United States is not blunted. Under the rule in every State in the Union the prosecuting attorney is supposed to represent not only the people, but also the defendant. It is significant that certain persons who are currently attacking Mr. Hoover, Director of the Federal Bureau of Investigation, with respect to certain alleged activities upon his part during 1919 and 1920, which we heard described on the floor of the Senate, do not bring out the basic facts. It is significant also that they remained silent during the dark days when our citizens were menaced by an overwhelming wave of kidnaping, extortion plots, country-wide bank robberies, and practically unchecked lawlessness throughout the country. That is not to be considered. If J. Edgar Hoover is unfit to head the Federal Bureau of Investigation today, then he was unfit to head the Federal Bureau of Investigation in those days, when fathers and mothers looked to him for the protection of their homes and their loved ones.

It is true that J. Edgar Hoover, as an official of the Department of Justice, played a prominent part in the deportation of the late Emma Goldman, anarchist, in 1919. Is he to be condemned for that?

It is true that J. Edgar Hoover was largely responsible for the deportation of Alexander Bergmann, anarchist. Is Mr. Hoover to be condemned for that?

It is true that J. Edgar Hoover was largely responsible for the return to Russia in 1920 of Ludwig C. A. K. Martens, who claimed to be the representative of Soviet Russia in the United States. Is he to be condemned for that?

It is true that J. Edgar Hoover took an active part in combating widespread anarchistic and communistic activities during that period. Is he to be condemned for that?

In view of the facts which have been injected into the RECORD today, I wish to call attention to a significant situation: During the time of the so-called Palmer raids in 1920, upon which the Senator from Nebraska [Mr. NORRIS] has dwelt for two and a half hours, J. Edgar Hoover was not in the F. B. I. He was a special assistant to the Attorney General; and the evidence put into the RECORD today shows that he had nothing to do with those raids, which none of us approves. The Attorney General said—and the record is plain and undisputed—that he told the agents to report the evidence to his assistant. J. Edgar Hoover was not a member of the Federal Bureau of Investigation at that time. He was charged with the handling of prosecutions, just as the distinguished Senator from Montana [Mr. WHEELER] was charged with handling prosecutions when he was acting as a prosecuting attorney. He was charged with the handling of prosecutions following the obtaining of evidence and the arrest of persons whose activities were deemed by the Department of Justice to be in violation of certain laws and statutes. The arrests and the obtaining of the evidence in those cases were directed by and were under the immediate supervision of the then Director of the Federal Bureau of Investigation, William J. Flynn. I want the country to know that Mr. Hoover was not in the F. B. I. in those years. He was an assistant attorney, serving the Government of the United States.

The other day the Senator from South Carolina [Mr. BYRNES] rose and stated that he was informed that the Department of Justice does not propose to place the Bureau of Immigration under the F. B. I.; and the Senate and the country were so informed.

But that was not sufficient to stop the condemnation of the F. B. I. The story had to go on. The reason for the transfer, and the fact that the Commander in Chief in an emergency requested it, made no difference. The one-act drama, the attack on the F. B. I., had to continue.

Mr. President, I would not speak at all on this subject but for this situation which everyone but the Senator from Nebraska seems to be aware of. I know the eminent position of the distinguished Senator from Nebraska. I know the valiant services he has rendered the country. I do not impugn his motives; but I do question his judgment in this matter. I honor him for bringing before the public his yesterdays; but more than 23 years have gone over the dam since then, and the world has changed much. Then they had no "blitzkrieg" methods. Then the technique of the "fifth column" was unknown. Then the neutrality of nations was respected. Then the new paganism had not even reached its embryonic stage. Then Hitler and Stalin and Mussolini were not even in sight. Then the parachutist, the 90-ton tank, the "blitzkrieg" airplane, were unheard of. Now, Mr. President, we have all these; and, what is more, we have since that time experienced the great depression and the great recession; and, what is more, an infiltration of what has been termed the "fifth column" from overseas; but I want to enumerate a few more "fifth columns" that have helped to demoralize this America of ours.

First. The group of aliens or citizens who live in this country and who are not devoting themselves 100 percent loyally to America. Some of these folks belong to organizations that have taproots in the various capitals of Europe. The members of this group think more about the welfare of other nations than about the welfare of America. America needs, as I have said, 100-percent loyalty.

Second. The second group I call the "parlor pinks" and the internationalists who have found it convenient to hobnob with the communistic group with headquarters in Russia. Some folks high up in Government have been associating with this group.

Third. The third group consists of certain public officials whose laxity has permitted disciples of communism, nazi-ism, and fascism to come to America and teach their doctrines, not only in various labor and social groups but in our colleges.

Fourth. The fourth group consists of pseudo intellectuals who have been guilty of causing a patriotic erosion in our youth. We find many of these in our educational centers. For years they have talked America down and never talked her up, but they themselves are always ready to live on the fat of America.

Fifth. Another group is the defeatist group. We find them everywhere. Looking at the situation, they can see no hope, economically or politically, for America. They see our unpreparedness, and, through their defeatist attitude, slow up every constructive activity. They are a factor which must be reckoned with in our present situation.

Sixth. Another group we must eradicate is the so-called Fascist or Nazi group—not the foreigners, but the same group in this country that are referred to in the case of Europe by the distinguished Senator from Montana; the same group that handed Germany over to Hitler. They are always damning the democratic processes. They do not know it, most of them, but they have become inoculated with insidious suggestions from the "fifth columnists" who are tools of some overseas government.

Seventh. The next group consists of Government agencies which, through scatterbrained administrators, have hamstrung business and harassed business with unnecessary rules and regulations, have sabotaged industry, initiative, and invention.

Eighth. The next group is that of the racketeer. We find him in many phases of our life—in business, in labor, and

in government. The labor racketeer has done more damage to labor's cause than has any other force.

Ninth. There is another group which consists of men in all stations of life who let indifference, inaction, lethargy, smugness, and complacency dictate their course. That is the group to which I want to speak. The President, in his message, apparently has gone to the other extreme; but we cannot permit any feeling that hysteria is sweeping us away to cause us to take some counteraction, so that we shall become so smug and complacent that we cannot handle the situation. They are the men who will not meet the issue. They put off, and keep on putting off, the problems they should solve today.

Mr. President, I have not agreed with the President in many of his recommendations to the Congress; but when the Commander in Chief of the Army and Navy tells me that he would like to switch the Immigration Bureau—apparently for the period of the crisis—he knowing what he knows because he is President and Commander in Chief, I believe I should vote to grant his request unless someone can show a valid reason why it should not be done.

I ask the Senate, Has any valid reason been suggested? The only reason that has been suggested is hysteria itself, in that it is claimed that back in 1920 to 1921 or 1922, when Mr. Hoover was not in the F. B. I., certain injustices were perpetrated upon some 2,000 persons in this country. That is the reason which is given for our dulling the only sword we have in America to handle the situation as it is. An attack on the F. B. I. based upon two or three isolated instances in which the F. B. I. acted under Federal warrants is no justification for turning down the request of the Executive.

A mistake was made in the Nebraska Carlson case. Mr. Carlson had a right to sue for false imprisonment and get damages, and if he could not collect damages from the operative, he had a right to come before the Claims Committee of the Senate for retribution, if he was damaged. But that is no reason for denouncing this man who has eradicated great sinners against the civil liberty that has been so much talked of by the Senator from Montana; this man who has made civil liberty in the United States a reality. That is what Hoover has done. I ask, What were our civil liberties worth before the racketeer was disposed of; before the kidnaper was disposed of?

But we must go back to the real issue. The President wants this transfer; but the distinguished Senator from Montana [Mr. WHEELER] rises and tells about how, years ago, his personal rights were invaded, and therefore he does not want the Department of Justice to look after this phase of the national defense. That is what the Senator from Montana did the other day. Everyone would condemn that sort of thing. It has no place in our American life; but we are not talking about that. We are talking about something more precious than the injuries of yesterday. We are talking about this America of ours, which must have something virile in her being; this America, which must have power also to strike down the aggressor; which must have the power necessary to protect your civil liberties and mine.

There has been too much delay already in this country. There has been an absolute falling asleep in the face of the realities.

I feel that this Nation has no place in the present conflict in Europe. We could not help if we wanted to. We are unprepared. We could not send our boys overseas with peashooters. We have no army, no air force. The Allies do not need credit. They have plenty to buy with for the present, and any talk of repealing the Johnson Act is nonsense.

Our unpreparedness makes us unable to help if we wanted to; but I believe that the American people, as shown by the polls, do not want America to become involved in the conflict overseas; but they do want America prepared to meet any emergency. The American people are waking to the fact that America may be the next nation to be attacked. We must prepare. We must arm; and, Mr. President, one of the ways to prepare and to arm, as suggested by the Senator from Montana, is not to lose our heads, not to become hysterical, but to be steady. Anyone who has eyes with which to see knows that in this land of ours there are destructive forces. The President apparently has deliberated on this subject for some time. He had the advice of those who claim to know before he made this recommendation.

He feels that in the preparedness program the Department of Justice, during this period of conflict abroad, should take over this matter. If the Justice Department needs the assistance of the F. B. I., it should have such assistance. Already the saboteurs are starting their work. Three of the great airplane manufacturers reported that fact yesterday. Today's newspapers bring out the significant fact that in the shipyards in New Jersey, where labor unions have struck for a 10 cent an hour increase, there are two destroyers and two cruisers under construction.

Mr. President, there was once a gentleman from Massachusetts who said that policemen had no right to strike, and he told why. I introduced into the RECORD the other day an article from a newspaper showing there had been over 1,000 strikes of public employees. I am not in favor of Congress adjourning now. We have too much to do, and one of the problems we have to face, and face head-on, is the right of labor to strike when it is employed in a great national defense program—when the Nation's house itself is in danger.

I make these remarks as a friend of labor. I spoke a few days ago as a friend of labor in relation to the so-called La Follette civil liberties bill. Up to the time I spoke in the Senate on that measure I had received no communications from any labor group, thus indicating that they had no knowledge of the bill. Since that time I have received telegrams from three or four different unions asking me to support the bill, but not telling me why.

I believe, Mr. President, there is more than an ounce of truth in Rauschnig's books. I believe that if England and France should go under, we need a united front in America. We cannot obtain such a front by having "special pleaders" in the Congress. The welfare of the Nation demands the united effort of all classes.

What would be thought of the soldier who, just before the battle to protect home and country, laid down his arms? What would be thought of the fireman who, after the fire had started, refused to devote himself to extinguishing the fire? What would be thought of the farmers of this Nation if they should refuse to plant and cultivate, though they have the best reason in the world to do so? They have no 40-hour weeks.

After listening to the President's message a few moments ago, we know that we have to be straight in our thinking, and we cannot be wishy-washy in our attitude. We are planning now to tax the people as they have never before been taxed. We are asking them to pay. We are asking the youth of the Nation to become pilots and soldiers. We are asking the farmers to produce not only what we ourselves need but for the benighted people of Europe as well; and so we are asking all those who labor to take the oar and pull as they never pulled before, and for the period of the crisis to refrain from all strikes—to make themselves immune against the attacks of any "fifth columnists."

If I had a voice in the councils of labor, I would say, "If you want to make yourself solid, issue a manifesto to the people of the United States to the effect that during this period you will not walk out on your jobs—that you will pull an oar in the boat with all the rest of our fellow citizens."

We are all in the same boat with the other nations. Just as labor in England said, we know what we have to do. They are dying in defense of country, and they are not working merely 40 hours a week, but are working the week around; and if the crisis is nearly so serious as it appears to be from the President's message, there is but one answer to the problem—get away from self-seeking groups; be men who represent the Nation and not merely some special interests.

I realize that much I have said may not seem pertinent to the joint resolution under discussion, yet to me it is relevant. We need unity of action, of effort, of mind and soul, to

put our house in order, and we must make sure that the disorganizing forces are not given power.

Mr. President, I come from one of the great States of this Nation—Wisconsin. On the east it is bordered by Lake Michigan, on the west by the father of waters, on the north by Lake Superior. We are a thousand miles and more from the east coast.

Until the war clouds spread over Europe we felt that we were in one of the safest places in the world, but now we know that no place is safe. In other words, everyone is modifying his concept of isolation. This does not mean that war is coming upon this land. It does mean, however, as has been suggested, that, due to invention and modern methods, distances have become shortened. As a consequence, I believe Wisconsin is 100 percent for preparedness, for defense.

Preparedness means an adequate air force, and the word "adequate" means a great deal more than it meant 2 years ago. The war in Europe has shown us what it means.

Lindbergh told us a little while ago about German supremacy in the air, but apparently those in this country who were advising our Government were sufficient unto themselves, with the result that we are in the pickle we are now in.

Adequate preparedness means something different from what it meant 2 years ago, so far as navies are concerned.

Let me digress here and say that the general tendency for most people is to get into a rut, and that is what has happened with our advisers on national defense. They have had plenty of money. It is time that we have alert people in positions of great trust. There is no reason in the world why this country should not have been advised of the great development that was taking place in Germany. It is no excuse for us to say that France and England and the neutral countries were also asleep. We do not pay men in positions of trust to be asleep.

I believe that Lindbergh's knowledge and experience should be drafted. I believe that anything we can do that will put us ahead in a defense program that is really a defense program should be done. The mere fact that Lindbergh disagrees—as do millions of others—with a leadership in this Nation is no reason why his knowledge in the field in which he is a master should not be utilized by this Government.

We have the longest shore line in the world. Defense is a matter of geography. Germany has placed her airplane factories underground, and in different portions of her country. The Middle West is the place now to bring great arsenals into being. There we can produce the weapons of defense that are needed. Speaking about weapons of defense, we need men who have some inventive genius, some imagination—not "rutists," not folks who are living in their yesterdays, not folks who are asleep in this fast-moving world.

I have said we need men who have a little imagination. Germany saw other countries building airports, and she swooped down and took them and used them. Is there no way by which that could be prevented? Germany has airports, but it is said they are so fortified that no one could capture them from the air. We need air bases, a vast army of trained mechanics, an expanding plan for facilities.

Mr. President, we need men in the Army with vision, inventive genius, and imagination; not gold-braid artists. We have spent more than $8,000,000,000 in the past 6 years, and our Army and our Air Corps and our coast defense are a farce. We have no adequate supplies of modern mechanized equipment. While we cannot spend time on spilt milk, we can find those who have been responsible and give them no more opportunity to spill any more milk. It is the people's money that has been spent. We must profit from the mistakes of the past. We must get alert men to look after our national defense, men who are a step ahead and not a step behind.

Our primary problem now in relation to planes and in relation to equipment is that of capacity to produce. And coupled with the capacity to produce there must be an alert research group who are willing and able to learn new methods—men whose minds are not anchored.

Mr. President, we have minds like that in America, but this administration has not been willing to utilize them. The administration wanted simply a one-type mind. And I believe we have gotten in our preparedness program, in our farm program, and in our spending program just what that type of mind can produce.

We have heard in recent years the word "progressive" and the word "liberal." These words have been bastardized in applying them to certain political and economic misfit notions, and America today is reaping the harvest. I pray God we will not reap the whirlwind.

Because of the war fever in the world the day of American leisure is over. I started out with the idea that the notion of isolation is changing. It is changing in more ways than one. The war fever in Europe makes it necessary that we spend billions of our resources to protect our own. The war fever in Europe threatens to disrupt all the economic life of the world. It already has demonstrated that neutral nations—small nations—prepared or unprepared, have no right to remain neutral.

I am hoping, Mr. President, the war fever in Europe will cause America to think more and more of becoming self-sufficient. What about our manganese? What about tin and rubber? Can the exploring spirit of America find that answer?

There is another phase of the preparedness program that is all important. Europe has made us do the thing we are bound to come to; that is, train our youth to handle the modern mechanized instrumentalities, the airplane, the machine gun, the bomber, the antiaircraft gun, the antitank gun.

I am not in favor of creating a great army, but I am in favor—though I was not a few years ago—of giving youth a military education of some kind, which will not, in case this country has to defend itself, leave them to be slaughtered like lambs. No. If war comes to America, we must have our youth adequately prepared.

Why has Germany been able to do what she has been doing? Because she has created a war mechanism. I am not in favor of mechanizing the minds and souls of America, but I am in favor of seeing that each youth has some knowledge of the weapons of defense.

I said a few moments ago that America's day of ease is over. I mean that ahead of us there is work to be done, taxes and more taxes to be paid. We can lay that to various conditions. I know the youth in this country realize that if they are to maintain America they will have to be prepared to look after America. That means individual preparedness. It means also that not only the Regular Army but the National Guard must be adequately prepared and equipped. If we fail to train our youth with modern weapons—which means something more than simply loading a gun and firing it—we will fail in our responsibility to this and future ages. The lessons we must learn from overseas are too apparent. They are in the field of equipment and training. It was the mechanized units, the supermechanized units, coupled with the use of mass bombers and quick transport of troops fully mechanized and equipped, that made the blitzkrieg possible. That was Hitler's preparedness on the land. We will shortly see what his supplemental arm is on the sea.

That brings me to this matter of preparedness in our Navy. We have been building ships, with very little modification, along the old lines, making them more and more open to attack by bombers. Is there anyone now who is consulted, anyone with imagination and genius for such things, to see if ships cannot be made more immune from attack from bombs, and more immune from attack from torpedoes? Have we seen the need, with our vast coast line, of adopting new methods to protect our land, or are we still back in World War days? Would it not be a good thing to do what Weygand did, fire the "ruttists"?

When we are talking about adequate defense, it is imperative that we put our house in order in this country. That house has been very much in disorder. This country must realize fully the serious condition it is in, with a debt of

$45,000,000,000, inability now to balance the Budget, and going into the red more than $3,000,000,000 each year.

The vast bureaucracy which has, fungus-like, been imposed upon our economy, must be reshaped, cut down, and men utilized for constructive work in building our preparedness. Let us get rid of the surplus of public servants.

There is work to be done. There are real jobs to be filled. Everyone knows that in this city there are too many "swivel chair" gentlemen, too many loafers on the Government pay rolls, too many artificial jobs and unnecessary employees.

In this preparedness program we need to accomplish something. We must get rid of the termites within, and I classify among the termites not simply the "fifth columnists," but the loafers, the "parlor pinks," the Nazi-minded Americans. There is no place in America for anyone but the 100-percent American. And that goes for those who are pro-German, or pro-English, or pro-French, or pro anything else. People can have their own sympathies, but they cannot gum up the works with their hysteria or their emotional-jag methods. If they want to fight for other countries or want to aid other countries, they would not have much trouble doing that. There is Canada to the north of us and other channels open where they can individually assist if they want to. But today I am talking about someone who needs their assistance very much. It is their country, and the greatest aid one can give this country is to preach, act, and live 100-percent loyalty to it. We can also make our contribution in many other lines. We can aid in getting rid of the chiselers, the grafters, and the termites. We can be industrious, and preach again the doctrine of work and thrift and industry. We have had 7 years now of other teachings. We have tried the magic of the "hokus pokus" fellows, and we still find that two times two equals four; that the fundamental laws in economics still obtain, that the fundamental rules of living still have force; that the things of the spirit are the vital things.

Mr. BYRD. Mr. President, I wish to take this occasion to express my full confidence in and my approval of the public service of J. Edgar Hoover, Director of the Federal Bureau of Investigation. In my judgment, Mr. Hoover has performed a difficult task in a very satisfactory and eminent way. I am not in sympathy with the criticism and attacks which have been made on him. For this reason it is a matter of gratification to me that the Bureau of Immigration and Naturalization has been transferred to the Department of Justice, and I hope it will be placed under Mr. Hoover's personal direction. Acting in this position, he can do much to control alien activities in this country, and, supported by drastic legislation requiring the fingerprinting and registration of aliens, much can be accomplished to relieve this country of the danger which now exists from alien influences which are antagonistic to our form of government.

Mr. CONNALLY. Mr. President——

The PRESIDING OFFICER (Mr. MILLER in the chair). Does the Senator from Virginia yield to the Senator from Texas?

Mr. BYRD. I yield.

Mr. CONNALLY. Let me suggest to the Senator from Virginia that the Committee on the Judiciary has already reported to the Senate a comprehensive bill requiring the fingerprinting and registration of all aliens in the United States.

Mr. BYRD. I am glad to hear that.

Mr. CONNALLY. We hope to get early consideration for the bill.

Mr. BYRD. I congratulate the Senator from Texas on the fine work I am told he did in connection with this matter.

Mr. President, the time is here to purge America of every alien and foreign influence attempting to undermine and destroy our system of government. America is a free country for American citizens. It is not a free country for aliens who owe their allegiance to and take their orders from other countries. Aliens are permitted here only on good behavior.

There are, no doubt, in America many citizens of other countries who are making no effort to injure our democracy, but it is equally true that there are others who would injure and destroy us if they could.

The treachery of the "fifth column" in Denmark, Norway, Holland, and France should be a warning to us.

I thoroughly approve of the Executive order of the President to transfer the Bureau of Immigration and Naturalization from the Labor Department to the Department of Justice, but this is not enough. The Congress should at once enact laws requiring every alien in this country to register and to have every alien fingerprinted, and these aliens should be required to carry identification cards subject to inspection at all times.

In this time of great crisis, it is no reflection on the legitimate and honorable alien to require registration and an identification card, so it will be possible to detect, deport, and, if justified, punish the undesirable alien who has abused the privileges extended to him by the United States.

Action should be taken quickly and no time lost in passing drastic and compulsory legislation requiring a complete registration of every person in America who is not today a legalized citizen, together with careful supervision of the time of expiration on the permits of those who are here for intervals limited by law.

Mr. HOLMAN. Mr. President, as a member of the Committee on Immigration I wish to say that I hope the President's plan will be approved. It will be observed that there is on the Calendar Order of Business 1166, Senate Resolution 168, providing for an investigation of the immigration of aliens into the United States, which has been unanimously reported from the Committee on Immigration. The resolution was prompted by a conviction on my part, approved unanimously by the Committee on Immigration, that the Bureau of Immigration, under the present Secretary of Labor, is not functioning as the law intends it should function.

I hope that the Senate will approve the President's plan.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the joint resolution.

Mr. NORRIS. Mr. President, of course the Senate is going to approve the plan. I understand that. I hope we may have a yea-and-nay vote, although I may be the only one, with the exception of the Senator from Montana [Mr. WHEELER], who will vote in the negative. I wish to be on record if possible.

Before the vote is taken I wish to say a word or two in reply to what has been said by the Senator from Wisconsin [Mr. WILEY]. I recognize that I am in the minority on this question. I was in the minority 23 years ago; but, Mr. President, neither at that time nor at any time since have I ever charged, or said, or even thought that any of my colleagues who were on the other side and who I thought were carried away by hysteria, were not conscientious, or were doing anything except to follow their convictions. I never questioned the motives, and do not now, of anyone on the other side of that great question.

It occurs to me, however, that the Senator from Wisconsin is overenthusiastic in his condemnation of me and of the Senator from Montana because we are opposed to the joint resolution. We are just as conscientious as are other Senators; no more, but no less. We are just as patriotic as the others are, or as the Senator from Wisconsin is, but no more. We are on an equality and, even though we may be wrong, and stand alone, we still have the constitutional right to be wrong and to stand alone.

Mr. President, I never said, as one might gather from the remarks of the Senator from Wisconsin, that Mr. Hoover was in the F. B. I. at the time of the Palmer raids, an episode, conceded by everyone, I think, to be disgraceful, an episode condemned by one of the greatest men who ever honored the Senate Chamber with his presence, Senator Walsh of Montana, who was a member of the same political party as the then Attorney General, but who nevertheless, in respectful language condemned that raid in the terms in which it deserved to be condemned.

Mr. President, in the course of my remarks, either today or yesterday, I think I said—I may be wrong in my recollection—that at the time of the Palmer raids Mr. Hoover was an assistant to the Attorney General. That is a matter of record. Any intimation by the Senator from Wisconsin that I claimed that Mr. Hoover was running the F. B. I., or was in the Bureau of Investigation at that time, is uncalled for, and without foundation of fact. But Mr. Hoover did have charge of those raids. It was the Department of Justice that had charge of them. I read to the Senate today the testimony of the Attorney General himself. When on the stand, and asked by Senator Walsh, "How many warrants were issued?" the Attorney General said, "I do not know, Senator Walsh. If you want to know that, ask Mr. Hoover. He had charge."

Then the official record shows that the Bureau of Investigation in the Department of Justice gave official instructions to everyone in that organization, to all its field men throughout the United States, when it made provision for that secret raid on the 2d of January 1920, which, I repeat, was one of the most disgraceful things that have ever happened in any civilized country. The raid was under the control of Mr. Hoover. The record which I read here today shows that in the official communication which went out all the inspectors were directed to report by telegram to Mr. Hoover, and to send the telegrams to his office in Washington, which would be open all night; that they were to be marked "Attention of Mr. Hoover," and they were directed to send on the following day letters to that office marked "Attention of Mr. Hoover."

Mr. President, I did not suppose that anyone was going to deny that Mr. Hoover had charge of the raids, when the record so conclusively shows he did. But it seems the Senator from Wisconsin knew positively that Mr. Hoover had nothing to do with that raid. I do not know where he obtained his information. He did not get it from the records of the committee. If the committee records are untrue, and all that testimony, which, so far as I know, has never before been disputed, is false, then I may be wrong and Mr. Hoover may not have had anything to do with those raids.

I cannot help but refer again to that Fremont, Nebr., case, the Carlson case, with respect to which the Senator from Wisconsin obtained a report from Mr. Hoover's office. In that report, which was read at the desk, it was stated, for instance, that this man Carlson, living in Fremont, Nebr., had a plain scar on the back of his neck, and that the imposter, who had obtained money under false pretenses, and went to jail for it afterward, also had a scar; that they both had brown eyes; that they were about the same size.

Mr. President, I never saw Mr. Carlson. I do not know anything about the case except what he wrote me and what Mr. Sorenson, the vice president of one of the leading banks at Fremont, a well-known citizen of the State, told me.

Judging from the letter and from my conversation with a man who has known Carlson for years, there is no similarity whatever between the two men. The woman who swore out the warrant, in describing the man who had passed a bad check on her, said in her affidavit that he had a large scar on the back of his neck, not completely healed. That is the first difference. The real Carlson does not have a scar on the back of his neck; and I should be glad to have the Senator from Wisconsin [Mr. WILEY] go out to Nebraska and examine him so that he may be convinced. Possibly he can prevail upon Mr. Hoover to be more accurate in the description he has given and the record he has made of what happened.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. NORRIS. I shall be glad to yield in a moment.

Both men had brown eyes, says J. Edgar Hoover. That may be so. I cannot testify as a witness, because I have never seen the eyes of either man.

It is said that they both had brown hair. I know something about that, because, again from my conversation with Mr. Sorenson, the banker in Fremont, I know what the color of Carlson's hair is. It is the same as Carlson said it was in his letter. His hair is white. It turned white because he was serving his country in France under a difficult situation, under terrible stress, which changed the color of his hair almost overnight. That is why he has white or gray hair, although he is a comparatively young man.

J. Edgar Hoover says that the sheriff states that the man was a "dead beat" and that his credit was no good. The banker told me that outside of his having no credit and no property, morally, particularly, he is a fine citizen. He has been a leader in the Boy Scout movement and his family has a fine reputation. They are fine people. He has three boys, the eldest sixteen and the youngest eleven. They sat in their humble little home and saw the F. B. I. agents put chains upon their father for a crime of which it is now admitted by everybody he was absolutely innocent.

In the first place, the agents were at the Carlson home all day. One of them came to Carlson's house during the day inquiring for Carlson. Mrs. Carlson's mother told him that Carlson was not in the city, but would be in that night, and would be home for supper. Hoover's man told her that he wanted to have a talk with Carlson about the Boy Scout work; that he was very much interested in it, and he knew that Mr. Carlson was also. That was a bit of deception. It was all false. It was used to deceive this innocent man.

When Carlson arrived, and the agents found out his name, the first thing they did was to lay their hands on him and take everything away from him so that he could not fight. He could not defend himself or assault anybody else. If he had a penknife or a toothpick, they took it away from him; and after he was searched and deprived of all possible weapons, they took him into his home and, in the presence of his wife and three boys, made him put his hands up, and put handcuffs on this defenseless, innocent man.

Mr. President, I do not say that the agents ought not to have arrested him; but it was not necessary to go through the cruel performance they went through in the presence of the man's family, and cause him to suffer the humiliation which he suffered. That was not a humane thing to do. Must I pass it up because the Senator from Wisconsin [Mr. WILEY] thinks Hoover is such a great man, and because Hoover approves it? He does approve it. All such things are approved by the F. B. I. That is their method of procedure. That is what I have been inveighing against all this time.

Under the same circumstances the Senator from Wisconsin would not feel that he had been treated in the manner in which a citizen of the United States ought to be treated. After having given up several of the best years of his life in defense of the flag on foreign soil, two or three strangers from the F. B. I.—Hoover's men—came in and handcuffed him in the presence of his family. He said to them, "I will go with you, Mr. Sheriff. You do not need to handcuff me. I would have come if you had called me on the telephone."

Mr. Hoover makes a great ado about the police badge which was found in Carlson's car. The agents searched not only his car but also his house. They had no more right to search his house than I have to search the office of the Senator from Arizona. They had no right to search his car. They had no warrant to search anything, but they searched the house and the car, and they found a police badge. Mr. Carlson explained the badge, although Hoover said that no satisfactory explanation was given. Carlson told where he had obtained the badge. He got it from the mayor of the city of Fremont. The agents could have gone to the mayor and asked him about it. They could have found out whether or not Carlson was telling the truth. There would have been no difficulty in ascertaining how Carlson obtained the badge. He received it as an honor for his leadership in some entertainment or celebration. It was renewed after he had had it for some time because he was a leader in the Boy Scout movement.

I get all this from hearsay. I was not there. I do not know the man, but I know that his letters are corroborated by a man who would not lie about it, who has no interest in the matter, and who says that Carlson was all right except that he was poor. He was struggling to keep out of the poorhouse. But when the public wanted something done in the Boy Scout movement, Carlson was the man who did it. He

was given a police badge to hang on his car merely to entitle him to some privileges under certain circumstances which he would not otherwise have.

I pass by the ridicule in the remarks of the Senator from Wisconsin about how I have followed a leader for 7 years and now have deserted him. If all that were true, a good reason for it would be that a man who has been against Roosevelt all his life—the Senator from Wisconsin—is now coming over and fighting the battles of Roosevelt so his position is just the reverse of mine, if what he says is true. I do not question his right to support this joint resolution. I do not question his sincerity, and I challenge the right of any man in this Chamber or outside of it to challenge my sincerity because I refuse to agree to this rule, even though it be made by a President whom I have gone with, as a rule, ever since he has been in office. I would have a right, I think, to be suspicious of the action of that President because now, after 7 years of bitter opposition, he is supported by the Senator from Wisconsin. That ought to be a good enough reason to desert him now, if my action may be called that. It certainly would be a good enough reason to be suspicious; it certainly would be a good enough reason to investigate before going any further.

Mr. WILEY rose.

Mr. NORRIS. I yield to the Senator from Wisconsin.

Mr. WILEY. Mr. President, after that brilliant remark from the distinguished Senator from Nebraska, let me say——

Mr. NORRIS. Mr. President, I have not yielded for a speech. I supposed the Senator wanted to ask me a question.

Mr. WILEY. I expected that the Senator would be fair enough, after using such language as he did, to let me reply.

Mr. NORRIS. I do not care how much the Senator replies, but he cannot reply in my time. If he wants to ask me a question, I have yielded. If he wants to make a speech, he probably can contain himself until I get through and sit down. [Laughter.]

Mr. WILEY. Mr. President, as the RECORD will show, the distinguished Senator yielded the floor to me. He did not in the first instance limit his yielding to a question.

I am sorry what I have said has hurt the distinguished Senator. I am sorry, too, that the martyr spirit is so evident. I call the Senator's attention to the fact that Mr. Hoover was charged with handling prosecutions following the obtaining of evidence and the arrest of persons; and that is what the record shows.

Mr. NORRIS. Mr. President, I call the Senator to order. I have the floor, and under the rules of the Senate he has no right to make a speech in my time.

The PRESIDING OFFICER. The Senator from Wisconsin has taken his seat.

Mr. NORRIS. I do not want to put any obstructions in the pathway of the Senator from Wisconsin. God knows he may go on in his rapid path as fast and as long as he wants to, and he will not offend me. He has insinuated, however, that I said that Mr. Hoover was in the F. B. I. when the disgraceful Palmer raids took place. I did not say it. The record does not show it; but he was an assistant to the Attorney General, and he did have charge of those raids. That is shown by the record.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the joint resolution.

The amendment was ordered to be engrossed, and the joint resolution to be read a third time.

The joint resolution was read the third time.

The PRESIDING OFFICER. The question is, Shall the joint resolution pass?

Mr. NORRIS. On that question I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. SHIPSTEAD (when his name was called). I have a pair with the senior Senator from Virginia [Mr. GLASS]. I am informed that if he were present he would vote "yea." If I were at liberty to vote, I should vote "nay." I withhold my vote.

Mr. RADCLIFFE (when Mr. TYDINGS' name was called). My colleague the senior Senator from Maryland [Mr. TYDINGS] is unavoidably detained. Were he present he would vote "yea."

The roll call was concluded.

Mr. CHANDLER (after having voted in the affirmative). I have a general pair with the Senator from Pennsylvania [Mr. DAVIS]. I am not advised how he would vote if present. I transfer that pair to the senior Senator from Massachusetts [Mr. WALSH], and will permit my vote to stand.

Mr. ASHURST. My colleague [Mr. HAYDEN] is unavoidably absent. If present, he would vote "yea."

Mr. KING. I announce the unavoidable absence of my colleague, the junior Senator from Utah [Mr. THOMAS]. He has a pair with the Senator from New Hampshire [Mr. BRIDGES]. I am not advised how the Senator from New Hampshire would vote if present. I am advised that if my colleague were present he would vote "yea."

Mr. O'MAHONEY. My colleague [Mr. SCHWARTZ] is unavoidably detained. If present, he would vote "yea."

Mr. MILLER. I announce that my colleague, the senior Senator from Arkansas [Mrs. CARAWAY], is unavoidably detained. If present and voting, she would vote "yea."

Mr. HILL. I have a general pair with the junior Senator from Kansas [Mr. REED]. I am not advised how he would vote if present. I transfer that pair to the senior Senator from Maryland [Mr. TYDINGS], and will vote. I vote "yea."

Mr. MEAD. I announce the unavoidable absence of my colleague [Mr. WAGNER], who is detained on public business. If he were present he would vote "yea."

Mr. McKELLAR (after having voted in the affirmative). I have a pair with the senior Senator from Delaware [Mr. TOWNSEND]. I am advised that if he were present he would vote "yea." Therefore, I will let my vote stand.

Mr. AUSTIN. I announce the necessary absence of the senior Senator from Oregon [Mr. MCNARY]. If he were present, he would vote "yea."

I also announce the necessary absence of the Senator from Connecticut [Mr. DANAHER]. If present, he would vote "yea."

Mr. HARRISON. I have a pair with the Senior Senator from Oregon [Mr. MCNARY]; but in view of the statement made by the senior Senator from Vermont touching the senior Senator from Oregon, I will vote. I vote "yea."

Mr. MINTON. I announce that the Senator from Rhode Island [Mr. GREEN] is unavoidably detained.

The Senator from North Carolina [Mr. BAILEY], the Senator from Virginia [Mr. GLASS], the Senator from Illinois [Mr. LUCAS], the Senator from Connecticut [Mr. MALONEY], the Senator from West Virginia [Mr. NEELY], the Senator from Georgia [Mr. RUSSELL], the Senator from Illinois [Mr. SLATTERY], the Senator from New Jersey [Mr. SMATHERS], the Senator from Oklahoma [Mr. THOMAS], and the Senator from Massachusetts [Mr. WALSH] are necessarily detained. I am advised that, if present and voting, these Senators would vote "yea."

The Senator from Washington [Mr. BONE], the Senator from Idaho [Mr. CLARK], the Senator from Ohio [Mr. DONAHEY], the Senator from California [Mr. DOWNEY], the Senator from Rhode Island [Mr. GERRY], the Senator from Iowa [Mr. GILLETTE], and the Senator from Nevada [Mr. PITTMAN] are unavoidably detained.

The result was announced—yeas 56, nays 4, as follows:

YEAS—56

Adams	Byrd	Gurney	La Follette
Andrews	Byrnes	Hale	Lee
Ashurst	Capper	Harrison	McCarran
Austin	Chandler	Hatch	McKellar
Bankhead	Chavez	Herring	Mead
Barbour	Clark, Mo.	Hill	Miller
Barkley	Connally	Holman	Minton
Bilbo	Ellender	Holt	Nye
Brown	George	Hughes	O'Mahoney
Bulow	Gibson	Johnson, Colo.	Overton
Burke	Guffey	King	Pepper

Radcliffe	Sheppard	Taft	Van Nuys
Reynolds	Smith	Thomas, Idaho	White
Schwellenbach	Stewart	Truman	Wiley

NAYS—4

Lundeen	Murray	Norris	Wheeler

NOT VOTING—36

Bailey	Frazier	McNary	Smathers
Bone	Gerry	Maloney	Thomas, Okla.
Bridges	Gillette	Neely	Thomas, Utah
Caraway	Glass	Pittman	Tobey
Clark, Idaho	Green	Reed	Townsend
Danaher	Hayden	Russell	Tydings
Davis	Johnson, Calif.	Schwartz	Vandenberg
Donahey	Lodge	Shipstead	Wagner
Downey	Lucas	Slattery	Walsh

So the joint resolution (H. J. Res. 551) was passed.

Mr. LODGE subsequently said. Mr. President, I was detained from the Senate by reason of important public business at the time the vote was taken on House Joint Resolution 551, and arrived in the Senate Chamber a few minutes after the vote was concluded. I desire to say that if present I should have voted "yea." I ask to have this announcement appear at the proper point in connection with the vote.

Mr. BARKLEY. Mr. President, I ask unanimous consent to have printed in the RECORD a letter written by Miss Perkins, Secretary of Labor, on May 27, to the Honorable JOHN TABER, a Member of the House of Representatives, in which she comments on some statements Mr. TABER made regarding her administration.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 27, 1940.

The Honorable JOHN TABER, M. C.,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN TABER: I have just had called to my attention your speech in the House today with regard to the reorganization order transferring the Immigration and Naturalization Service to the Department of Justice. You are quoted as having said:

"We are going to vote for this reorganization plan because the President has not the patriotism nor the courage to remove the Secretary of Labor, a notorious incompetent, and one who for the last 7 years has steadily and steadfastly failed and refused to enforce the immigration law, and continuously admitted and kept here those who were not entitled to stay."

I have no objection to your expressing your opinion about my competency. That is a matter of personal judgment and you are unquestionably entitled to yours. I feel, however, that I must raise objection to that part of your statement which professes to be a statement of fact, namely, "That I have for the last 7 years steadily and steadfastly refused to enforce the immigration law and admitted and kept here persons not entitled to stay." This statement is not true, nor is it a mere expression of opinion.

The immigration law has been enforced faithfully and effectively during the last 7 years. For the first 4 of these 7 years the Immigration Service was in charge of the Commissioner, Col. Daniel J. MacCormack, an officer in the United States Army with a long record of effectiveness, efficiency, and patriotism. I appointed him for these reasons and directed him to enforce the law fairly and faithfully. We were confronted on the threshold of our duties with not only certain undesirable situations of administration which had been denounced by the Wickersham Committee, appointed by President Hoover, but by clear evidence of corruption in certain offices. It was our duty to correct these things, and we did so. We directed our attention not only at the deportation of aliens not legally entitled to remain in the county but also took vigorous steps to prevent the illegal entrance of aliens, including the smuggling of aliens, falsification of immigration documents, fraudulent activities in naturalization proceedings, all of which were found to be going on under the administration of the law.

We have reorganized and expanded the border patrol, one of the most effective branches of the Service for the prevention of illegal entry. We completely motorized the Service with radio-call system and provided for the modern supervision in training of that service. We developed a system of education and training for naturalization, which is practical and aims to enable the courts to make proper selection of those who are attached to the principles of the Constitution and so eligible for citizenship. These policies have been continued under Commissioner J. Lawrence Houghteling.

I also appointed a committee of experts, external to the Department (Dimock, Hart, and McIntyre) to study the problems of immigration. On the basis of their report a reorganization in the interests of making the service still more effective and of giving to the people in the field a better knowledge of the law and the Court decisions is being set up. A classification survey of positions in the Immigration and Naturalization Field Service has been completed in the interests of greater efficiency, following the recommendations of the committee.

The changes made, at times misrepresented by some, were designed to improve the system. They have cleared up irregularities and dishonest situations and have accomplished many of the reforms badly needed and recommended in the report of President Hoover's Wickersham Committee in 1931.

Every person admitted, temporarily or otherwise, to the United States during my administration of the immigration law has been admitted in accordance with the laws as enacted by the Congress of the United States. These admissions for brief periods as temporary visitors have been under proper safeguards. In a number of deportation cases involving no subversive or criminal charges, but which would have meant separation of families and the abandonment of American citizens, I have deferred making effective final deportation orders while legislation giving relief in these cases was pending in Congress. These cases have been reported to the immigration committees of Congress which were considering them in connection with private bills and with proposals for general remedial legislation.

Throughout my administration the immigration law has been enforced energetically, fairly, and humanely, under my direction.

I have been in public office for many years. I have a reputation for service to the public and for faithfulness in discharge of public duty, and for placing the public interest above any other, which I am sure you will admit I should and must defend in fairness to those who have placed their confidence in me, as well as to myself. I have tolerated many expressions of opinion adverse to me personally in my administration of this Department, believing that it was not in the interest of the public to raise personal objections to the free expression of opinion, however unfavorable. Some of the expressions led to statements on the floor of the House and to impeachment proceedings. These charges finally culminated in an investigation by the House Committee on the Judiciary resulting in a finding of lack of any evidence to evade responsibility to enforce the law, or of failing or neglecting or refusing to enforce the law against any alien.

Your statement of today, however, I feel I should not accept without protest. Since it was offered as fact, sir, I believe that it is in the interests of justice, not only to me but to the 4,000 men and women of the Immigration Service who have faithfully carried out the law, since they cannot speak for themselves, that this letter be made public.

I know that many things are said in the heat of political controversy which one does not wish to stand by, and I am sure you will understand that I bear you no personal animosity, but wish to correct the record. I realize that these statements were made under a rule of immunity which Members of Congress have and for that reason I am sure you will be the first to wish to correct anything that is misleading therein.

Yours very sincerely.

RELOCATION OF STATUE OF JOHN MARSHALL

Mr. BARKLEY. Mr. President, from the Committee on the Library I report favorably House Joint Resolution 260, authorizing the removal of the statue of John Marshall from its present site on the Capitol Grounds to a new site in proximity to the Supreme Court Building.

The PRESIDING OFFICER (Mr. MINTON in the chair). Is there objection to the immediate consideration of the joint resolution?

There being no objection, the joint resolution was considered, ordered to a third reading, read the third time, and passed.

STATUE OF GEORGE WASHINGTON

Mr. BARKLEY. Mr. President, I report favorably from the Committee on the Library House bill 6158, and ask for its present consideration.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H. R. 6158) authorizing the selection of a site in the District of Columbia and the erection thereon of a statue of George Washington.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

Mr. CLARK of Missouri. Mr. President, I inquire of the Senator from Kentucky why there is any particular reason for bills reported from the Committee on the Library being considered immediately, instead of going to the calendar?

Mr. BARKLEY. Mr. President, the reason is that these measures have been pending for some time; they have both passed the House; and the Fine Arts Commission is anxious to have them enacted, so that they may proceed with the removal of the Marshall statue, and, if possible, proceed to select a site for the statue of Washington.

Mr. CLARK of Missouri. I do not intend to object, but I have in mind that for the last 20 years the Fine Arts Commission has been anxious to remove the statue of Andrew Jackson from Lafayette Park, and I do not see any particular reason why these measures from the Committee on the Library should be removed from the ordinary practice of the Senate of having bills go to the calendar when they are reported from committees. I shall not object.

Mr. BARKLEY. So far as the Marshall statue is concerned, it is located at the foot of the steps on the west of the Capitol and very few people who come to Washington see it. Inasmuch as the Supreme Court has been located on the square designated for it, it has been felt appropriate that the statue of Marshall should be removed to the vicinity of the Court, where people will see it. It is not sympathy with the Fine Arts Commission that leads us to report the joint resolution. We feel that the statute should be moved.

Mr. CLARK of Missouri. I am in entire sympathy with the purpose of the measure, but that condition has existed, to my certain knowledge, for at least 45 years—I can remember it back that far—and the statue has been there all these years; and why it should be necessary to depart from the ordinary course of sending a bill to the calendar and having it go through the ordinary procedure, I am unable to understand. I do not intend to object because I think what the measure provides should be done.

Mr. McKELLAR. Mr. President, I am in favor of the bill and will be glad to see it enacted; but I corroborate what the Senator from Missouri has said with regard to the Fine Arts Commission and its attitude toward the statue of Andrew Jackson. The first contest I had as a new Member of the House of Representatives, nearly 30 years ago, was over an attempt of the Fine Arts Commission to have the Andrew Jackson statue removed from Lafayette Square. My recollection is that the House determined otherwise by a unanimous vote.

Mr. CLARK of Missouri. I may say that my father held up that attempt for 20 years.

Mr. BARKLEY. I do not know anything about the attempt to remove the Andrew Jackson statue. There is no bill before us on that subject, and, so far as I know, there is none before the Committee on the Library, and has not been since I have been chairman of it.

Mr. CLARK of Missouri. If the Senator will permit, my reason for mentioning the subject of rushing bills from the Committee on the Library through at a late hour in the afternoon is that I have been advised that there is soon to be an attempt made to take down either the great painting of the Battle of Lake Erie, which hangs at the head of the stairway on one side of the Senate, or the equally great painting of the storming of Chapultepec Castle, which hangs at the head of the stairway on the other side of the Senate, so as to make room for the new painting by Mr. Howard Chandler Christy, which has recently been paid for by the Congress to the tune of $30,000 under a measure which, I may say, was passed one day when a few of us happened to be off the floor.

Mr. CONNALLY. Mr. President, has the site already been selected for Marshall's statue?

Mr. BARKLEY. No.

Mr. CONNALLY. Who has authority to make the selection? I think we should have some say in the matter.

Mr. BARKLEY. I think it will be selected by the Joint Committee on the Library and the Fine Arts Commission, working together.

Mr. CONNALLY. If a committee of Congress has something to do with it, that is all right.

Mr. BARKLEY. It has been thought it would not be appropriate to place the statue of Marshall in the Supreme Court Building; but, in view of Marshall's long tenure as Chief Justice, it is believed his statue should be located somewhere in the vicinity of the Court.

Mr. CONNALLY. I agree with the Senator in that suggestion.

Mr. BARKLEY. It may be placed on the Court square, somewhere outside the Court Building.

Mr. CONNALLY. But someone in Congress should have a say in connection with selecting a location for the statue.

Mr. BARKLEY. My recollection is that the Joint Committee on the Library, together with the Fine Arts Commission, will decide the matter.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill last reported by the Senator from Kentucky?

There being no objection, the bill (H. R. 6158) was considered, ordered to a third reading, read the third time, and passed.

MILITARY EXPENDITURES

Mr. BARKLEY. Mr. President, I ask leave to have printed in the RECORD a statement made by the Secretary of War, together with a break-down of the appropriations for military purposes for the fiscal years 1925 to 1940, inclusive.

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

MAY 28, 1940.

WAR DEPARTMENT

There has been much discussion in recent weeks of the appropriations of moneys to the War Department for its military activities. In order to afford you a factual and long-range picture of those national-defense allotments, I enclose a tabulation of appropriations for military purposes—as distinct from those for the War Department's nonmilitary civil activities—covering a period of 16 fiscal years, 1925 to 1940, both inclusive.

You will note that during that 16-year period the amounts appropriated for the military activities of the Army totaled $6,169,300,000, including $371,300,000 from Federal emergency funds. That total includes not only allotments for the Regular Army, but for the National Guard, the Organized Reserves, the Reserve Officers' Training Corps, the citizens' military training camps, and other military activities.

Of that total of $6,169,300,000 it should be noted that 86.1 percent—that is, $5,314,744,000—were allotted for what are termed recurring charges and improvement of plant. These items include pay, rations, clothing, repairs, research and development, planning, construction, training, operations, maneuvers, schools, and similar activities. Left for expenditure by the War Department, after those charges, were a bare $854,556,000 for augmentation, modernization, and replacement of arms and equipment, including new aircraft, spare engines, spare parts, bombs, new tanks, antiaircraft and antitank guns, semiautomatic rifles, trucks, tractors, field guns, machine guns, ammunition, and similar matériel.

It should be noted that of this $854,556,000, $509,900,000 went to the Army's Air Corps, a comparatively new, but nonetheless vital, branch of the land forces. In other words, of the total of somewhat over six billions appropriated for the military activities of the War Department over a period of 16 years only $344,656,000—a bare 5.6 percent—was available for the augmentation, modernization, and replacement of arms and equipment for the ground elements of the Army of the United States. In view of these facts it is rather remarkable to me that we have been able to maintain any mobile ground Army at all, especially when it is considered that the useful life of much military equipment, such as tanks and heavy motor vehicles, barely exceeds 5 years.

You will note from the break-down that an average of only $21,000,000 per year has been allotted for the modernization, motorization, mechanization, and equipment of the Army's ground forces.

It is my hope that the enclosed tabulation will serve to clear up some of the prevailing misconceptions on the military expenditures by the War Department during the past decade and a half.

Total military appropriations, 1925–1940, inclusive	$6,169,300,000
Total spent on fixed charges—food, clothing, housing, training, etc	5,314,744,000
	854,556,000
Total spent on Air Corps	509,900,000
Total left—spent on arms and equipment for ground forces	344,656,000

16 years) $344,656,000 ($21,000,000

32

24
16

8

HARRY H. WOODRING,
Secretary of War.

Appropriations for the Military Establishment showing approximate break-down into major functions fiscal years 1925 to 1940, inclusive

Fiscal year	Recurring charges and improvement of plant: Pay, rations, clothing, repairs, research and development, planning, construction, training, operations, maneuvers, schools, etc.		Augmentation, modernization, and replacement of arms and equipment: This includes new aircraft, spare engines, spare parts, bombs, new tanks, antiaircraft and antitank guns, semiautomatic rifles, trucks, tractors, field guns, machine guns, ammunition, etc.		Total appropriation, Military Establishment
	Entire Army (less Air Corps)	Air Corps	Entire Army (less Air Corps)	Air Corps	
(1)	(2)	(3)	(4)	(5)	(6)
1925	$208,280,000	$35,398,000	$7,623,000	$4,699,000	$256,000,000
1926	202,795,000	38,950,000	12,244,000	7,011,000	261,000,000
1927	202,102,000	37,167,000	21,673,000	8,058,000	269,000,000
1928	224,268,000	42,917,000	4,219,000	10,596,000	282,000,000
1929	234,121,000	45,473,000	17,594,000	13,812,000	311,000,000
1930	249,829,000	53,975,000	11,502,000	16,694,000	332,000,000
1931	254,397,000	60,525,000	14,089,000	17,989,000	347,000,000
1932	244,031,000	60,603,000	14,163,000	16,203,000	335,000,000
1933	238,003,000	47,217,000	6,617,000	12,163,000	304,000,000
1934 [1]	222,625,000	45,472,000	590,000	8,313,000	277,000,000
	[2] 53,150,000	[2] 18,050,000	[2] 18,000,000	[2] 7,500,000	[2] 96,700,000
1935	205,219,000	54,375,000	8,373,000	13,033,000	281,000,000
	[2] 6,300,000	[2] 2,100,000	[2] 500,000		[2] 8,900,000
1936	243,538,000	57,284,000	24,121,000	30,057,000	355,000,000
	[2] 13,950,000	[2] 4,650,000			[2] 18,600,000
1937	258,834,000	65,951,000	19,538,000	43,677,000	388,000,000
	[2] 23,700,000	[2] 7,900,000			[2] 31,600,000
1938	282,780,000	75,303,000	15,626,000	43,291,000	417,000,000
	[2] 37,950,000	[2] 12,650,000			[2] 50,600,000
1939	294,010,000	81,431,000	30,151,000	54,408,000	460,000,000
	[2] 94,425,000	[2] 31,475,000			[2] 125,900,000
1940	380,038,000	222,533,000	118,033,000	202,396,000	923,000,000
	[2] 29,250,000	[2] 9,750,000			[2] 39,000,000
Total	3,944,870,000	1,024,574,000	326,156,000	502,400,000	5,798,000,000
	[2] 258,725,000	86,575,000	[2] 18,500,000	[2] 7,500,000	[2] 371,300,000
Grand total	4,203,595,000	1,111,149,000	344,656,000	509,900,000	6,169,300,000

The grand total in—
Column 2 is 68.1 percent of the grand total in column 6.
Column 3 is 18.0 percent of the grand total in column 6.
Column 4 is 5.6 percent of the grand total in column 6.
Column 5 is 8.3 percent of the grand total in column 6.

100.0 percent.

[1] A total of approximately $36,500,000 was impounded and refunded in 1934. This was taken more or less proportionately from all activities.
[2] Allotments from Federal emergency funds.

RIGHT-OF-WAY ADJACENT TO FORT LAUDERDALE, FLA.

Mr. PEPPER. Mr. President, I ask unanimous consent that the Senate request the House of Representatives to return to the Senate the bill (S. 3959) authorizing the Secretary of the Treasury to grant a certain right-of-way across Coast Guard property adjacent to the city of Fort Lauderdale, Fla.

The PRESIDING OFFICER. The Senator must first make a motion to reconsider the vote by which the bill was passed.

Mr. BARKLEY. Mr. President, that question was debated here a few days ago. I hope the Chair will not now make the ruling he indicates, because it seems to me the Senate has the right to ask the other body to return the papers in any case so long as the measure has not been acted on.

When the papers have left the custody of the Senate a motion to reconsider must be accompanied by a motion to ask the other House to return the papers. It seems to me that a mere request that the other House return papers should not require that a motion to reconsider be made. I do not think the rule so requires. The rule says that a motion to reconsider, made when the papers have left the Senate, must be accompanied by a motion to ask the House to return the papers. But when simply a motion is made to ask the House to return the papers without regard to any other consideration, I do not think the rule, even by implication, is to the effect that such a motion must be accompanied by a motion to reconsider.

Certainly, so long as the other House has not acted upon a bill which we have passed, we have a right to ask the House to return it to the Senate, and the rule does not state to the contrary. It simply states that when a motion is made to reconsider a bill which has left the Senate, it must be accompanied by a motion asking the other House to return the papers.

If the Chair is going to make the ruling he indicated, I do not want to detain the Senate here to argue that point now. For that reason I hope the Senator from Florida will not press his request. I hope that a ruling may not be made at this time.

The junior Senator from Kentucky [Mr. CHANDLER], who was in the chair the other day when a similar question arose, withheld his ruling so far as that question was concerned, although he held properly that the rule is that when a motion is made to reconsider a bill which has left the custody of the Senate it must be accompanied by a motion to return the papers.

Mr. PEPPER. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. PEPPER. What is the appropriate motion to make if a Senator wishes to ask the Senate to request the return of a bill which has recently been passed by the Senate and which has gone to the House of Representatives?

The PRESIDING OFFICER. The Chair is advised by the parliamentary clerk that the proper procedure is to make a motion to reconsider.

Mr. BARKLEY. Mr. President, at the proper time I shall appeal from the decision of the Parliamentarian on that point, because I do not think the rule justifies that interpretation. I do not want to make the appeal now, because a sufficient number of Senators are not present.

The PRESIDING OFFICER. The Chair withholds the ruling for the time being.

Mr. BARKLEY. With all due respect to the Parliamentarian, it is very important that that ruling be thoroughly discussed here. He and I have argued that point. We do not agree on it.

Mr. PEPPER. Mr. President, let the RECORD show that the request is withdrawn.

The PRESIDING OFFICER. The RECORD will so show.

Mr. LUNDEEN. Mr. President, I wish to state that I yielded my place on the list of speakers today, but, with the permission of the Senate, I should like to take the floor as soon as the naval-preparedness bill shall have been explained by the Senator from Massachusetts [Mr. WALSH].

Mr. BARKLEY. Mr. President, I wish to state to the Senator from Minnesota that I am advised that two other Senators have already indicated their desire to address the Senate Monday. I do not know at what time they wish to address the Senate, but I think I ought to make that statement in order that no priority may exist because of any notice being served at this time. I am satisfied there will be plenty of time for all Senators who wish to address the Senate.

Mr. LUNDEEN. I will say that I believe I was next on the list of speakers, and I should like to be heard as soon as it is possible.

Mr. BARKLEY. The Senator from Minnesota desired to speak today and very courteously yielded his position in order that we might conclude consideration of House Joint Resolution 551.

Mr. LUNDEEN. I wish to say that I could not resist the distinguished leader of the majority, the Senator from Kentucky, who requested that I withhold my request for permission to speak today.

Mr. BARKLEY. I thank the Senator from Minnesota. I wish I were irresistible in connection with many other matters.

KATHERINE SCOTT, AND OTHERS

The PRESIDING OFFICER (Mr. MINTON in the chair) laid before the Senate the amendments of the House of Representatives to the bill (S. 2132) for the relief of Kather-

ine Scott, Mrs. J. H. Scott, Jettie Stewart, and Ruth Mincemeyer, which were, on page 1, line 6, to strike out "$2,000" and insert "$2,500"; in line 7, to strike out "$1,300" and insert "$500"; in line 8, to strike out "$100" and insert "$50"; in line 9, to strike out "$100" and insert "$50"; and in the same line, to strike out "$3,500" and insert "$3,100."

Mr. TRUMAN. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

AMENDMENT OF DISTRICT CODE RELATING TO MURDER IN FIRST AND SECOND DEGREES—CONFERENCE REPORT

Mr. KING submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 186) to amend section 798 of the Code of Law for the District of Columbia, relating to murder in the first degree, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following:

"That sections 798 and 800 of the Act entitled 'An Act to establish a Code of Law for the District of Columbia,' approved March 3, 1901 (31 Stat. 1189), be amended to read as follows:

" 'SEC. 798. Murder in the first degree: Whoever, being of sound memory and discretion, kills another purposely, either of deliberate and premeditated malice or by means of poison, or in perpetrating or attempting to perpetrate any offense punishable by imprisonment in the penitentiary, or without purpose so to do kills another in perpetrating or in attempting to perpetrate any arson, as defined in section 820 or 821 of this Code, rape, mayhem, robbery, or kidnapping, or in perpetrating or in attempting to perpetrate any housebreaking while armed with or using a dangerous weapon, is guilty of murder in the first degree.

" 'SEC. 800. Murder in the second degree: Whoever with malice aforethought, except as provided in the last two sections, kills another, is guilty of murder in the second degree.' "

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill, and agree to the same.

WILLIAM H. KING,
FREDERICK VAN NUYS,
G. W. NORRIS,
Managers on the part of the Senate.
JACK NICHOLS,
HERMAN P. EBERHARTER,
EVERETT M. DIRKSEN,
Managers on the part of the House.

The report was agreed to.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. MINTON in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the calendar.

FARM CREDIT ADMINISTRATION

The legislative clerk read the nomination of Albert G. Black to be Governor of the Farm Credit Administration.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask that the nomination of postmasters on the calendar be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc. That completes the calendar.

RECESS TO MONDAY

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12, o'clock noon on Monday next.

The motion was agreed to; and (at 6 o'clock and 47 minutes p. m.) the Senate took a recess until Monday, June 3, 1940, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 31 (legislative day of May 28), 1940

DIPLOMATIC AND FOREIGN SERVICE

Harold L. Williamson, of Illinois, now a Foreign Service officer of class 4 and a secretary in the Diplomatic Service, to be also a consul general of the United States of America.

POST OFFICE DEPARTMENT

Walter Myers, of Indiana, to be Fourth Assistant Postmaster General, Post Office Department, vice Smith W. Purdum.

REGISTERS OF THE LAND OFFICE

George Finley, of Oregon, to be register of the Land Office at Roseburg, Oreg. (Reappointment.)

William Riddell, of Montana, to be register of the Land Office at Billings, Mont. (Reappointment.)

Mrs. Belle D. Byrne, of North Dakota, to be register of the Land Office at Bismarck, N. Dak. (Reappointment.)

POSTMASTERS

ALABAMA

James A. Sanders to be postmaster at Beatrice, Ala., in place of J. A. Sanders. Incumbent's commission expires July 13, 1940.

George B. Pickens to be postmaster at Moundville, Ala., in place of G. B. Pickens. Incumbent's commission expired May 19, 1940.

Lucile W. Hereford to be postmaster at New Market, Ala., in place of L. W. Hereford. Incumbent's commission expires July 1, 1940.

William H. Hoffman to be postmaster at Summerdale, Ala., in place of W. H. Hoffman. Incumbent's commission expires July 1, 1940.

Gladys W. Deramus to be postmaster at Verbena, Ala., in place of G. W. Deramus. Incumbent's commission expires June 25, 1940.

ALASKA

Augustus H. Kingsbury, Jr., to be postmaster at Haines, Alaska, in place of A. H. Kingsbury, Jr. Incumbent's commission expires July 1, 1940.

ARIZONA

Jessie Stephens to be postmaster at Camp Verda, Ariz. Office became Presidential July 1, 1939.

William J. Philipson to be postmaster at Ray, Ariz., in place of W. J. Philipson. Incumbent's commission expires June 16, 1940.

Minnie V. Van Deren to be postmaster at Tombstone, Ariz., in place of M. V. Van Deren. Incumbent's commission expires June 25, 1940.

ARKANSAS

Alfred J. Jefferies to be postmaster at Clarendon, Ark., in place of A. J. Jeffries. Incumbent's commission expires July 7, 1940.

LeRoy May to be postmaster at Rosston, Ark., in place of L. C. O'Keefe. Incumbent's commission expired May 9, 1940.

Clyde V. Warr to be postmaster at State College, Ark., in place of C. V. Warr. Incumbent's commission expires July 1, 1940.

CALIFORNIA

Winfred E. Robb to be postmaster at Arlington, Calif., in place of W. E. Robb. Incumbent's commission expired April 24, 1940.

Jerome Beatty to be postmaster at Claremont, Calif., in place of Jerome Beatty. Incumbent's commission expires June 16, 1940.

Myrtle A. Garaventa to be postmaster at Davenport, Calif. Office became Presidential July 1, 1939.

Melvin L. Horine to be postmaster at Denair, Calif., in place of M. L. Horine. Incumbent's commission expired May 22, 1940.

Maud W. Wilson to be postmaster at Fall River Mills, Calif., in place of M. W. Wilson. Incumbent's commission expired January 28, 1940.

Richard L. Byington to be postmaster at Friant, Calif. Office became Presidential January 1, 1940.

William R. Bernard to be postmaster at Gonzales, Calif., in place of W. R. Bernard. Incumbent's commission expired April 27, 1940.

Dorathea Dooley to be postmaster at Hopland, Calif., in place of Dorathea Dooley. Incumbent's commission expired January 23, 1940.

Margaret A. Brophy to be postmaster at Hughson, Calif., in place of M. A. Brophy. Incumbent's commission expires June 1, 1940.

Nettie Fausel to be postmaster at Independence, Calif., in place of Nettie Fausel. Incumbent's commission expired March 29, 1940.

Edythe C. McGowan to be postmaster at Julian, Calif., in place of E. C. McGowan. Incumbent's commission expired July 1, 1939.

Adelaide T. Orrell to be postmaster at Junction City, Calif. Office became Presidential July 1, 1939.

Nannie A. Coleman to be postmaster at Kentfield, Calif., in place of N. A. Coleman. Incumbent's commission expired April 3, 1940.

Lloyd C. Rowe to be postmaster at Lancaster, Calif., in place of L. C. Rowe. Incumbent's commission expired February 14, 1940.

Frank G. Kirby to be postmaster at Larkspur, Calif., in place of F. G. Kirby. Incumbent's commission expires June 18, 1940.

Fred J. Darby to be postmaster at Lemoncove, Calif., in place of F. J. Darby. Incumbent's commission expires June 25, 1940.

Claude T. Gadwood to be postmaster at Los Molinos, Calif., in place of C. T. Gadwood. Incumbent's commission expired April 25, 1940.

Marshall E. Walden to be postmaster at Newman, Calif., in place of M. E. Walden. Incumbent's commission expired March 13, 1940.

Roy C. Adams to be postmaster at Pacific Beach, Calif., in place of J. J. Ryan. Incumbent's commission expired August 26, 1939.

John E. Alfors to be postmaster at Parlier, Calif., in place of J. E. Alfors. Incumbent's commission expired January 23, 1940.

Martin E. Collins to be postmaster at Pinole, Calif., in place of M. E. Collins. Incumbent's commission expired August 14, 1939.

Fred Jacobsen to be postmaster at Roscoe, Calif., in place of Fred Jacobsen. Incumbent's commission expired February 14, 1940.

Manuel S. Trigueiro to be postmaster at San Miguel, Calif., in place of M. S. Trigueiro. Incumbent's commission expired March 25, 1940.

Lester C. Reed to be postmaster at Simi, Calif., in place of R. A. Printz, retired.

Catherine E. Ortega to be postmaster at Sonora, Calif., in place of C. E. Ortega. Incumbent's commission expired March 29, 1940.

Walter S. Young to be postmaster at Spreckels, Calif., in place of W. S. Young. Incumbent's commission expired April 24, 1940.

Bess Morabe to be postmaster at Sutter Creek, Calif., in place of Bess Morabe. Incumbent's commission expired January 23, 1940.

Marjorie G. Bray to be postmaster at Tranquillity, Calif. Office became Presidential July 1, 1939.

CONNECTICUT

John J. Lee to be postmaster at Beacon Falls, Conn., in place of J. J. Lee. Incumbent's commission expires June 17, 1940.

John J. Mahony to be postmaster at Derby, Conn., in place of J. J. Mahony. Incumbent's commission expires June 25, 1940.

Clinton A. Theis to be postmaster at Madison, Conn., in place of C. A. Theis. Incumbent's commission expires June 1, 1940.

Edna M. Jenkins to be postmaster at Middlefield, Conn., in place of E. M. Jenkins. Incumbent's commission expired August 22, 1939.

Charles J. Fields to be postmaster at Norfolk, Conn., in place of C. J. Fields. Incumbent's commission expired April 1, 1940.

Charles T. Kelly to be postmaster at Oakville, Conn., in place of C. T. Kelly. Incumbent's commission expired May 18, 1940.

Charles W. Camp to be postmaster at Plantsville, Conn., in place of C. W. Camp. Incumbent's commission expired May 20, 1940.

George E. Barton to be postmaster at Salisbury, Conn., in place of G. E. Barton. Incumbent's commission expires June 25, 1940.

DELAWARE

Byron C. Dunn to be postmaster at Camden, Del., in place of B. C. Dunn. Incumbent's commission expired April 24, 1940.

FLORIDA

Avie L. Hansford to be postmaster at Altha, Fla., in place of A. L. Hansford. Incumbent's commission expired February 5, 1940.

Herbert L. Eiland to be postmaster at Baker, Fla., in place of H. L. Eiland. Incumbent's commission expires July 1, 1940.

Frank B. Marshburn to be postmaster at Bronson, Fla. Office became Presidential July 1, 1939.

Esther M. Stewart to be postmaster at Graceville, Fla., in place of E. M. Stewart. Incumbent's commission expires June 25, 1940.

William T. Murrell to be postmaster at Miami Springs, Fla., in place of W. T. Murrell. Incumbent's commission expires June 25, 1940.

Clarence L. Ware to be postmaster at St. Andrew, Fla., in place of C. L. Ware. Incumbent's commission expires July 1, 1940.

GEORGIA

Alene W. Moxley to be postmaster at Cobbtown, Ga. Office became Presidential July 1, 1937.

Alma Bustle to be postmaster at Coolidge, Ga. Office became Presidential July 1, 1939.

John L. Callaway to be postmaster at Covington, Ga., in place of J. L. Callaway. Incumbent's commission expired March 18, 1940.

James Jarratt Pryor to be postmaster at Fitzgerald, Ga., in place of W. A. Adams, resigned.

Robert A. Fowler to be postmaster at Fort Gaines, Ga., in place of R. A. Fowler. Incumbent's commission expired March 18, 1940.

Ursuline Belcher Ingersoll to be postmaster at Industrial College, Ga. Office became Presidential July 1, 1939.

Arthur G. Williams to be postmaster at Jesup, Ga., in place of A. G. Williams. Incumbent's commission expired March 18, 1940.

Pearl E. Hughs to be postmaster at Stillmore, Ga., in place of P. E. Hughs. Incumbent's commission expired March 13, 1940.

Claude M. Proctor to be postmaster at Summit, Ga., in place of C. M. Proctor. Incumbent's commission expired February 27, 1940.

William H. Freeman to be postmaster at Toomsboro, Ga., in place of W. H. Freeman. Incumbent's commission expires July 1, 1940.

ILLINOIS

Richard M. Laux to be postmaster at Addison, Ill., in place of R. M. Laux. Incumbent's commission expires July 1, 1940.

Charles E. Olds to be postmaster at Albany, Ill., in place of C. E. Olds. Incumbent's commission expires July 1, 1940.

Henry Harris to be postmaster at Auburn, Ill., in place of Henry Harris. Incumbent's commission expired March 25, 1940.

William C. Hueckel to be postmaster at Caseyville, Ill. Office became Presidential July 1, 1939.

Raymond O. Huffman to be postmaster at Catlin, Ill., in place of R. O. Huffman. Incumbent's commission expires June 1, 1940.

George R. Bradley to be postmaster at Chatham, Ill., in place of G. R. Bradley. Incumbent's commission expires July 1, 1940.

Elizabeth K. Butler to be postmaster at Crystal Lake, Ill., in place of E. K. Butler. Incumbent's commission expired May 19, 1940.

John T. O'Brien to be postmaster at Harvard, Ill., in place of J. T. O'Brien. Incumbent's commission expired January 20, 1940.

Margaret Marshall to be postmaster at Ipava, Ill., in place of Margaret Marshall. Incumbent's commission expires July 15, 1940.

Oral LaVan Dowse to be postmaster at Kempton, Ill., in place of O. L. Dowse. Incumbent's commission expires July 1, 1940.

Mildred M. Conwell to be postmaster at La Harpe, Ill., in place of Mildred Conwell. Incumbent's commission expires June 1, 1940.

Marshall P. Kuhne to be postmaster at McNabb, Ill., in place of M. P. Kuhne. Incumbent's commission expires July 1, 1940.

Helen C. Mowen to be postmaster at Macon, Ill., in place of H. C. Mowen. Incumbent's commission expired April 24, 1940.

Eugene Hoerrmann to be postmaster at Manhattan, Ill., in place of Eugene Hoerrmann. Incumbent's commission expired January 20, 1940.

Harry L. Roberts to be postmaster at Mulberry Grove, Ill., in place of H. L. Roberts. Incumbent's commission expired April 24, 1940.

Bona D. Sutter to be postmaster at Pearl, Ill., in place of B. D. Sutter. Incumbent's commission expired August 22, 1939.

Guy George Gillespie to be postmaster at Pocahontas, Ill., in place of G. G. Gillespie. Incumbent's commission expires June 1, 1940.

Melville B. Carr to be postmaster at Scales Mound, Ill., in place of M. B. Carr. Incumbent's commission expires June 20, 1940.

Carney V. Kerley to be postmaster at Simpson, Ill., in place of C. V. Kerley. Incumbent's commission expires July 1, 1940.

John Wacker to be postmaster at Techny, Ill., in place of John Wacker. Incumbent's commission expired April 27, 1940.

Dominick J. Giacoma to be postmaster at Westville, Ill., in place of S. J. Ronchetto, resigned.

INDIANA

Clyde B. Oberlin to be postmaster at Butler, Ind., in place of C. B. Oberlin. Incumbent's commission expires June 25, 1940.

C. Dudley Watson to be postmaster at La Crosse, Ind., in place of F. G. Trinosky. Incumbent's commission expired January 20, 1940.

Jeannette Manifold to be postmaster at Mooreland, Ind., in place of Jeannette Manifold. Incumbent's commission expires July 1, 1940.

Albert E. Sewell to be postmaster at Pleasant Lake, Ind., in place of A. E. Sewell. Incumbent's commission expires June 8, 1940.

Guy R. Sears to be postmaster at Red Key, Ind., in place of G. R. Sears. Incumbent's commission expires June 8, 1940.

Fonzo Martin to be postmaster at Shelburn, Ind., in place of Fonzo Martin. Incumbent's commission expired April 24, 1940.

Elijah A. Gebhart to be postmaster at Warren, Ind., in place of E. A. Gebhart. Incumbent's commission expired April 24, 1940.

Dorothy B. Schirr to be postmaster at Westville, Ind., in place of D. B. Schirr. Incumbent's commission expired March 3, 1940.

James D. Arnold to be postmaster at Winslow, Ind., in place of J. D. Arnold. Incumbent's commission expires July 13, 1940.

IOWA

Raymond F. Sullivan to be postmaster at Afton, Iowa, in place of R. F. Sullivan. Incumbent's commission expires June 8, 1940.

George O. Smither to be postmaster at Anita, Iowa, in place of G. O. Smither. Incumbent's commission expired May 13, 1940.

Orren W. Swartfager to be postmaster at Ankeny, Iowa, in place of O. W. Swartfager. Incumbent's commission expired May 19, 1940.

Charles E. Malone to be postmaster at Atlantic, Iowa, in place of C. E. Malone. Incumbent's commission expired May 19, 1940.

William A. Fiester to be postmaster at Brandon, Iowa, in place of W. A. Fiester. Incumbent's commission expired July 1, 1939.

Anthony N. Huber to be postmaster at Calmar, Iowa, in place of A. N. Huber. Incumbent's commission expired May 19, 1940.

Joseph Benesh to be postmaster at Chelsea, Iowa, in place of Joseph Benesh. Incumbent's commission expires June 8, 1940.

Walter H. Eppens to be postmaster at Colesburg, Iowa, in place of W. H. Eppens. Incumbent's commission expires July 1, 1940.

Genevieve M. Lattin to be postmaster at Dakota City, Iowa, in place of G. M. Lattin. Incumbent's commission expires July 1, 1940.

Ora F. Ward to be postmaster at Dallas Center, Iowa, in place of O. F. Ward. Incumbent's commission expires June 19, 1940.

Samuel H. Sater to be postmaster at Danville, Iowa, in place of S. H. Sater. Incumbent's commission expires July 1, 1940.

Clifford A. Brause to be postmaster at Denver, Iowa, in place of C. A. Brause. Incumbent's commisison expires July 1, 1940.

A. George Ross to be postmaster at Doon, Iowa, in place of A. G. Ross. Incumbent's commission expired April 28, 1940.

Mark R. Doud to be postmaster at Douds, Iowa, in place of M. R. Doud. Incumbent's commission expired March 4, 1940.

J. Louis Buss to be postmaster at Dow City, Iowa, in place of J. L. Buss. Incumbent's commission expires June 25, 1940.

Kathryn D. Finn to be postmaster at Dumont, Iowa, in place of K. D. Finn. Incumbent's commission expired April 28, 1940.

Gerald Elias Faust to be postmaster at Earlville, Iowa, in place of G. E. Faust. Incumbent's commission expired April 28, 1940.

William A. Greenwood to be postmaster at Farley, Iowa, in place of W. A. Greenwood. Incumbent's commission expires June 25, 1940.

Paul E. Morf to be postmaster at Fredericksburg, Iowa, in place of P. E. Morf. Incumbent's commission expired April 28, 1940.

Juanita Springer to be postmaster at Fremont, Iowa, in place of Jaunita Springer. Incumbent's commission expires July 1, 1940.

Mabel J. Arnold to be postmaster at Garden Grove, Iowa, in place of M. J. Arnold. Incumbent's commission expired March 13, 1940.

Audra R. Howe to be postmaster at Greenfield, Iowa, in place of A. R. Howe. Incumbent's commission expires June 25, 1940.

Clesson E. Woodward to be postmaster at Griswold, Iowa, in place of C. E. Woodward. Incumbent's commission expired May 19, 1940.

Vern U. Waters to be postmaster at Havalock, Iowa, in place of V. U. Waters. Incumbent's commission expires June 23, 1940.

Palmer H. Hedges to be postmaster at Hedrick, Iowa, in place of P. H. Hedges. Incumbent's commission expires June 8, 1940.

Fritz H. Schulte to be postmaster at Kensett, Iowa, in place of F. H. Schulte. Incumbent's commission expires July 1, 1940.

William E. Lovett to be postmaster at Lake City, Iowa, in place of W. E. Lovett. Incumbent's commission expired May 19, 1940.

J. B. Wood to be postmaster at Lenox, Iowa, in place of J. B. Wood. Incumbent's commission expired May 13, 1940.

Frank W. Baumgardner to be postmaster at Livermore, Iowa, in place of F. W. Baumgardner. Incumbent's commission expired April 3, 1940.

Bonar B. Wood to be postmaster at Logan, Iowa, in place of E. H. Ross. Incumbent's commission expired March 13, 1940.

Wallace G. Strabala to be postmaster at Lohrville, Iowa, in place of W. G. Strabala. Incumbent's commission expired May 19, 1940.

Edward J. Rutenbeck to be postmaster at Lowden, Iowa, in place of E. J. Rutenbeck. Incumbent's commission expired May 19, 1940.

Harold H. Johnson to be postmaster at Mondamin, Iowa, in place of H. H. Johnson. Incumbent's commission expires June 19, 1940.

Grace Ryan to be postmaster at Neola, Iowa, in place of Grace Ryan. Incumbent's commission expired May 13, 1940.

William H. Theisen to be postmaster at Palmer, Iowa, in place of W. H. Theisen. Incumbent's commission expired July 19, 1939.

Viola F. McCartan to be postmaster at Pocahontas, Iowa, in place of V. F. McCartan. Incumbent's commission expired April 24, 1940.

Verne L. Heskett to be postmaster at Pulaski, Iowa, in place of V. L. Heskett. Incumbent's commission expired May 13, 1940.

George W. Trowbridge to be postmaster at Stuart, Iowa, in place of G. W. Trowbridge. Incumbent's commission expires June 1, 1940.

Linus L. Powers to be postmaster at Vail, Iowa, in place of L. L. Powers. Incumbent's commission expired April 28, 1940.

Charles E. Lynch to be postmaster at Waucoma, Iowa, in place of C. E. Lynch. Incumbent's commission expired April 28, 1940.

Eugene T. Alcorn to be postmaster at West Union, Iowa, in place of E. T. Alcorn. Incumbent's commission expired May 13, 1940.

Ella M. Hames to be postmaster at Williams, Iowa, in place of E. M. Hames. Incumbent's commission expires June 23, 1940.

KANSAS

Arden S. Morris to be postmaster at Elmdale, Kans., in place of A. S. Morris. Incumbent's commission expires July 1, 1940.

William T. Flowers to be postmaster at Havensville, Kans., in place of W. T. Flowers. Incumbent's commission expires July 1, 1940.

Christie C. Doughty to be postmaster at Leon, Kans., in place of A. M. Kistler, resigned.

Loraine Champlin to be postmaster at Long Island, Kans., in place of Loraine Champlin. Incumbent's commission expires July 1, 1940.

Walter E. Moore to be postmaster at Manhattan, Kans., in place of W. E. Moore. Incumbent's commission expires June 25, 1940.

Barton W. Wherritt to be postmaster at Montezuma, Kans., in place of B. W. Wherritt. Incumbent's commission expired May 19, 1940.

Ralph W. New to be postmaster at Norcatur, Kans., in place of R. W. New. Incumbent's commission expires June 1, 1940.

George D. Brooks to be postmaster at Oil Hill, Kans., in place of G. D. Brooks. Incumbent's commission expired May 19, 1940.

Harry F. Sloan to be postmaster at Selden, Kans., in place of H. F. Sloan. Incumbent's commission expired January 20, 1940.

KENTUCKY

Lela O. Sanders to be postmaster at Burgin, Ky., in place of L. O. Sanders. Incumbent's commission expires July 1, 1940.

Richard L. Kerr to be postmaster at Campbellsville, Ky., in place of J. P. Gozder, resigned.

Elizabeth R. Smith to be postmaster at Irvine, Ky., in place of E. R. Smith. Incumbent's commission expired April 24, 1940.

Samuel J. Spalding to be postmaster at Lebanon, Ky., in place of S. J. Spalding. Incumbent's commission expired March 21, 1940.

Hattie D. Wood to be postmaster at Millersburg, Ky., in place of H. D. Wood. Incumbent's commission expires June 25, 1940.

Joe Keefe to be postmaster at Nicholasville, Ky., in place of Joe Keefe. Incumbent's commission expired May 9, 1940.

Thomas E. Moss to be postmaster at Outwood, Ky., in place of B. F. Turner. Incumbent's commission expired March 6, 1938.

Vallette McClintock to be postmaster at Paris, Ky., in place of Vallette McClintock. Incumbent's commission expires June 17, 1940.

Charles W. Mitchell to be postmaster at Wilmore, Ky., in place of C. W. Mitchell. Incumbent's commission expires June 25, 1940.

LOUISIANA

Frank Reed to be postmaster at Basile, La., in place of Frank Reed. Incumbent's commission expires July 1, 1940.

Frank B. Kennedy to be postmaster at Cameron, La., in place of F. B. Kennedy. Incumbent's commission expired April 3, 1940.

Ruth W. Monroe to be postmaster at Elton, La., in place of R. W. Monroe. Incumbent's commission expired May 1, 1940.

Rene Tate to be postmaster at Eunice, La., in place of Rene Tate. Incumbent's commission expires June 3, 1940.

Richard Broussard to be postmaster at Iota, La., in place of Richard Broussard. Incumbent's commission expires July 1, 1940.

H. Ernest Benefiel to be postmaster at Kenner, La., in place of H. E. Benefiel. Incumbent's commission expired March 18, 1940.

Henry P. Sobert to be postmaster at Labadieville, La., in place of H. P. Sobert. Incumbent's commission expires July 1, 1940.

Mary K. Roark to be postmaster at Marion, La., in place of M. K. Roark. Incumbent's commission expired April 24, 1940.

Raleigh Leslie Wyble to be postmaster at Melville, La., in place of R. L. Wyble. Incumbent's commission expired May 22, 1940.

Mark D. Sutherlin to be postmaster at Oberlin, La., in place of M. D. Sutherlin. Incumbent's commission expires June 16, 1940.

Hubert A. Duhe to be postmaster at Reserve, La., in place of H. A. Duhe. Incumbent's commission expired March 18, 1940.

Bertha S. Jarnagin to be postmaster at Rochelle, La., in place of B. S. Jarnagin. Incumbent's commission expires June 16, 1940.

MAINE

Argie S. Henderson to be postmaster at Brownville, Maine, in place of A. S. Henderson. Incumbent's commission expired May 18, 1940.

Ivadell Gaddis to be postmaster at East Machias, Maine, in place of Ivadell Gaddis. Incumbent's commission expired May 13, 1940.

William G. Chamberlain to be postmaster at Fort Fairfield, Maine, in place of W. G. Chamberlain. Incumbent's commission expired May 29, 1940.

Eleric F. Michaud to be postmaster at Island Falls, Maine, in place of E. F. Michaud. Incumbent's commission expires June 17, 1940.

Arthur H. Carpenter to be postmaster at Limerick, Maine, in place of A. H. Carpenter. Incumbent's commission expired February 4, 1940.

Herbert L. Osgood to be postmaster at Mattawamkeag, Maine, in place of H. L. Osgood. Incumbent's commission expired February 4, 1940.

Eugene P. Lowell to be postmaster at South Paris, Maine, in place of E. P. Lowell. Incumbent's commission expired April 21, 1940.

Maynard A. Lucas to be postmaster at Union, Maine, in place of M. A. Lucas. Incumbent's commission expired April 21, 1940.

MARYLAND

M. Elizabeth Acree to be postmaster at Capitol Heights, Md., in place of Isabelle Chaney, resigned.

Morgan H. Baldwin to be postmaster at Crownsville, Md. Office became Presidential July 1, 1939.

Benjamin F. Johnson to be postmaster at Denton, Md., in place of B. F. Johnson. Incumbent's commission expires June 16, 1940.

Clayton F. Porter to be postmaster at Greensboro, Md., in place of C. F. Porter. Incumbent's commission expires July 15, 1940.

Herbert A. Wrenn to be postmaster at Lanham, Md. Office became Presidential July 1, 1939.

Alfred F. Gough to be postmaster at Leonardtown, Md., in place of A. F. Gough. Incumbent's commission expires June 2, 1940.

Charles E. Nikirk, Jr., to be postmaster at Middleton, Md., in place of C. R. Holter. Incumbent's commission expired January 17, 1939.

Ethel W. Gallagher to be postmaster at Preston, Md., in place of E. W. Gallagher. Incumbent's commission expires July 13, 1940.

Madeleine L. Bosher to be postmaster at Riverdale, Md., in place of M. L. Bosher. Incumbent's commission expires June 2, 1940.

Elizabeth E. Wood to be postmaster at Sandy Spring, Md., in place of E. E. Wood. Incumbent's commission expires June 16, 1940.

Basil Frank Dorsey to be postmaster at Woodbine, Md., in place of B. F. Dorsey. Incumbent's commission expires June 1, 1939.

MASSACHUSETTS

Richard E. O'Brien to be postmaster at Ballard Vale, Mass., in place of R. E. O'Brien. Incumbent's commission expired April 24, 1940.

Thornton S. Swift to be postmaster at Bourne, Mass., in place of T. S. Swift. Incumbent's commission expired January 23, 1940.

Joseph J. Durkin to be postmaster at Brookfield, Mass., in place of M. M. Daley, deceased.

Leon H. Thorner to be postmaster at Clifton, Mass., in place of L. H. Thorner. Incumbent's commission expired May 22, 1940.

Evelyn B. Merritt to be postmaster at Egypt, Mass. Office made Presidential July 1, 1939.

Marguerite H. Mallahy to be postmaster at Fiskdale, Mass., in place of M. H. Mallahy. Incumbent's commission expired January 23, 1940.

Osgood L. Small to be postmaster at Sagamore, Mass., in place of O. L. Small. Incumbent's commission expires June 25, 1940.

Lester J. Murphy to be postmaster at Wrentham, Mass., in place of L. J. Murphy. Incumbent's commission expires May 22, 1940.

MICHIGAN

Joseph L. Winslow to be postmaster at Alma, Mich., in place of J. L. Winslow. Incumbent's commission expires June 19, 1940.

Anne C. Parsal to be postmaster at Benton Harbor, Mich, in place of A. C. Parsal. Incumbent's commission expired April 21, 1940.

Roy W. Maddock to be postmaster at Benzonia, Mich., in place of R. W. Maddock. Incumbent's commission expired April 24, 1940.

Mildred C. Smead to be postmaster at Blanchard, Mich., in place of M. C. Smead. Incumbent's commission expired April 24, 1940.

Cecil Plum to be postmaster at Bloomingdale, Mich., in place of Cecil Plum. Incumbent's commission expired April 24, 1940.

Gustav H. Knaak, Jr. to be postmaster at Bridgman, Mich., in place of G. H. Knaak, Jr. Incumbent's commission expired March 10, 1940.

Benjamin J. Beasley to be postmaster at Britton, Mich., in place of B. J. Beasley. Incumbent's commission expires July 1, 1940.

Mabel E. Sbonek to be postmaster at Cedar, Mich., in place of M. E. Sbonek. Incumbent's commission expires July 1, 1940.

Francis Jackson to be postmaster at Clare, Mich., in place of Francis Jackson. Incumbent's commission expired April 21, 1940.

George T. Deline to be postmaster at Columbiaville, Mich., in place of G. T. Deline. Incumbent's commission expires July 1, 1940.

Floyd Harrison to be postmaster at Conklin, Mich., in place of Floyd Harrison. Incumbent's commission expires July 1, 1940.

Joseph J. Voice to be postmaster at Fife Lake, Mich., in place of J. J. Voice. Incumbent's commission expires June 23, 1940.

Clara Woodruff to be postmaster at Freeland, Mich., in place of Clara Woodruff. Incumbent's commission expired March 10, 1940.

Robert H. Edsall to be postmaster at Greenville, Mich., in place of R. H. Edsall. Incumbent's commission expired April 21, 1940.

William C. Radue to be postmaster at Hermansville, Mich., in place of W. C. Radue. Incumbent's commission expired April 24, 1940.

Mabel L. McCallum to be postmaster at Hesperia, Mich., in place of M. L. McCallum. Incumbent's commission expires June 1, 1940.

Harry E. Penninger to be postmaster at Lake Linden, Mich., in place of H. E. Penninger. Incumbent's commission expired March 21, 1940.

Guy D. Thompson to be postmaster at Lapeer, Mich., in place of G. D. Thompson. Incumbent's commission expired January 20, 1940.

Irwell Brody to be postmaster at Lawton, Mich., in place of Irwell Brody. Incumbent's commission expired March 10, 1940.

Hazel B. Erickson to be postmaster at Le Roy, Mich., in place of H. B. Erickson. Incumbent's commission expired April 27, 1940.

Frederick J. Hosley to be postmaster at Lowell, Mich., in place of F. J. Hosley. Incumbent's commission expired May 9, 1940.

Ross W. Gilliom to be postmaster at McBain, Mich., in place of R. W. Gilliom. Incumbent's commission expires June 16, 1940.

Bert Lowery to be postmaster at Manchester, Mich., in place of Bert Lowery. Incumbent's commission expired April 24, 1940.

Clifford A. Gardner to be postmaster at Middleville, Mich., in place of C. A. Gardner. Incumbent's commission expired March 10, 1940.

George Rundle to be postmaster at Olivet, Mich., in place of George Rundle. Incumbent's commission expired May 9, 1940.

Charles J. Schmidlin to be postmaster at Rockland, Mich., in place of C. J. Schmidlin. Incumbent's commission expires July 1, 1940.

Norman C. Reindel to be postmaster at Roseville, Mich., in place of N. C. Reindel. Incumbent's commission expires June 25, 1940.

Jarvis C. Chamberlin to be postmaster at St. Clair, Mich., in place of J. C. Chamberlin. Incumbent's commission expired March 21, 1940.

Jake D. Bowers to be postmaster at Sodus, Mich., in place of J. D. Bowers. Incumbent's commission expires July 1, 1940.

Lydia T. Bing to be postmaster at Tawas City, Mich., in place of L. T. Bing. Incumbent's commission expired April 24, 1940.

Franc S. Gillespie to be postmaster at Tecumseh, Mich., in place of F. S. Gillespie. Incumbent's commission expires June 23, 1940.

Georgia I. Holdship to be postmaster at Ubly, Mich., in place of G. I. Holdship. Incumbent's commission expires June 25, 1940.

Wilbur E. Davis to be postmaster at Vandalia, Mich., in place of W. E. Davis. Incumbent's commission expired March 10, 1940.

John R. Crumb to be postmaster at Watervliet, Mich., in place of J. R. Crumb. Incumbent's commission expired March 10, 1940.

Charles J. McCauley to be postmaster at Wells, Mich., in place of C. J. McCauley. Incumbent's commission expired March 21, 1940.

MINNESOTA

Lloyd A. Ahles to be postmaster at Albany, Minn., in place of L. A. Ahles. Incumbent's commission expired February 5, 1940.

George Enblom to be postmaster at Atwater, Minn., in place of George Enblom. Incumbent's commission expired March 25, 1940.

Jesse M. Pierce to be postmaster at Austin, Minn., in place of L. B. Hanna. Incumbent's commission expired February 5, 1940.

Walter F. Gregory to be postmaster at Backus, Minn., in place of W. F. Gregory. Incumbent's commission expires June 25, 1940.

Edward E. Vig to be postmaster at Belgrade, Minn., in place of E. E. Vig. Incumbent's commission expired Feburary 5, 1940.

William F. Priem to be postmaster at Bellingham, Minn., in place of W. F. Priem. Incumbent's commission expires June 25, 1940.

Glen M. Squires to be postmaster at Blackduck, Minn., in place of G. M. Squires. Incumbent's commission expires June 1, 1940.

Ethel F. Lerohl to be postmaster at Bovey, Minn., in place of E. F. Lerohl. Incumbent's commission expires June 8, 1940.

Arthur Elmer Imsdahl to be postmaster at Brooten, Minn., in place of A. E. Imsdahl. Incumbent's commission expired February 5, 1940.

William P. Tanner to be postmaster at Cannon Falls, Minn., in place of W. P. Tanner. Incumbent's commission expires June 17, 1940.

Mae Kirwin to be postmaster at Chokio, Minn., in place of Mae Kirwin. Incumbent's commission expires June 20, 1940.

Lucy M. Berczyk to be postmaster at Clarissa, Minn., in place of L. M. Berczyk. Incumbent's commission expired February 5, 1940.

A. William Danielson to be postmaster at Cyrus, Minn., in place of A. W. Danielson. Incumbent's commission expired February 13, 1940.

Anna Beatrice Perrizo to be postmaster at Delavan, Minn., in place of Beatrice Perrizo. Incumbent's commission expired May 19, 1940.

Fred A. Gerber to be postmaster at Donnelly, Minn., in place of F. A. Gerber. Incumbent's commission expires June 20, 1940.

Edward B. Anderson to be postmaster at Elbow Lake, Minn., in place of E. B. Anderson. Incumbent's commission expires June 1, 1940.

Christopher J. Keefe to be postmaster at Eyota, Minn., in place of C. J. Keefe. Incumbent's commission expires July 15, 1940.

Herbert G. Carlson to be postmaster at Gibbon, Minn., in place of H. G. Carlson. Incumbent's commission expires July 7, 1940.

Emma Jones to be postmaster at Gonvick, Minn., in place of Emma Jones. Incumbent's commission expires June 20, 1940.

Marvin B. Scheele to be postmaster at Hamburg, Minn. Office made Presidential July 1, 1938.

Hans P. Becken to be postmaster at Hanska, Minn., in place of H. P. Becken. Incumbent's commission expires June 20, 1940.

Earl P. Brackin to be postmaster at Herman, Minn., in place of E. P. Brackin. Incumbent's commission expires June 20, 1940.

Joseph M. Hilger to be postmaster at Iona, Minn., in place of J. M. Hilger. Incumbent's commission expires June 1, 1940.

Robert J. Mayheu to be postmaster at Ironton, Minn., in place of R. J. Mayheu. Incumbent's commission expires June 1, 1940.

Hugh T. Kennedy to be postmaster at Kerkhoven, Minn., in place of L. O. Sundeen, resigned.

Joseph A. Schneider to be postmaster at Le Roy, Minn., in place of G. A. Boyd, deceased.

Herman H. Krenzke to be postmaster at Lewiston, Minn., in place of H. H. Krenzke. Incumbent's commission expired February 5, 1940.

Mary Davidson to be postmaster at Middle River, Minn., in place of Mary Davidson. Incumbent's commission expires June 18, 1940.

Walter B. Gislason to be postmaster at Minneota, Minn., in place of W. B. Gislason. Incumbent's commission expires June 8, 1940.

Andrew J. Tauer to be postmaster at Morgan, Minn., in place of A. J. Tauer. Incumbent's commission expires June 25, 1940.

Raymond R. Keefe to be postmaster at Morton, Minn., in place of R. R. Keefe. Incumbent's commission expires June 20, 1940.

Alvin A. Ogren to be postmaster at New London, Minn., in place of A. A. Ogren. Incumbent's commission expired April 29, 1940.

Frank S. Averill to be postmaster at Ogilvie, Minn., in place of F. S. Averill. Incumbent's commission expired March 12, 1939.

Henry Falardeau to be postmaster at Oklee, Minn., in place of Henry Falardeau. Incumbent's commission expires June 1, 1940.

Raymond C. Faust to be postmaster at Pierz, Minn., in place of R. C. Faust. Incumbent's commission expires June 8, 1940.

Chester C. Gallagher to be postmaster at Plainview, Minn., in place of C. C. Gallagher. Incumbent's commission expires June 8, 1940.

Werl Smith Harris to be postmaster at Proctor, Minn., in place of W. S. Harris. Incumbent's commission expired April 30, 1940.

T. Donald O'Connor to be postmaster at Renville, Minn., in place of T. D. O'Connor. Incumbent's commission expires June 8, 1940.

Leonard J. Reiland to be postmaster at Rollingstone, Minn., in place of Leonard Reiland. Incumbent's commission expires June 1, 1940.

Edward C. Keefe to be postmaster at Rose Creek, Minn., in place of E. C. Keefe. Incumbent's commission expires July 1, 1940.

Leslie R. Lisle to be postmaster at Royalton, Minn., in place of L. R. Lisle. Incumbent's commission expired August 1, 1939.

Arthur Oliver Skalbeck to be postmaster at Sacred Heart, Minn., in place of A. O. Skalbeck. Incumbent's commission expires June 20, 1940.

Harold L. Holmes to be postmaster at St. Hilaire, Minn., in place of H. L. Holmes. Incumbent's commission expires July 1, 1940.

John F. Hawley to be postmaster at Sandstone, Minn., in place of J. F. Hawley. Incumbent's commission expires July 13, 1940.

William R. Kleven to be postmaster at Sebeka, Minn., in place of W. R. Kleven. Incumbent's commission expired February 5, 1940.

Delwin B. Clabaugh to be postmaster at Swanville, Minn., in place of D. B. Clabaugh. Incumbent's commission expired June 18, 1939.

Ida M. Chiabotti to be postmaster at Tower, Minn., in place of I. M. Chiabotti. Incumbent's commission expires June 25, 1940.

Alvi Hanord Auenson to be postmaster at Ulen, Minn., in place of A. H. Auenson. Incumbent's commission expired February 5, 1940.

MISSISSIPPI

Grant Hamilton to be postmaster at Hollandale, Miss., in place of T. F. Kirkpatrick, removed.

William W. Armstrong to be postmaster at Leland, Miss., in place of W. W. Armstrong. Incumbent's commission expires June 17, 1940.

Lucy R. Park to be postmaster at Merigold, Miss., in place of L. R. Park. Incumbent's commission expires June 20, 1940.

Cornelius V. Thurmond to be postmaster at Mound Bayou, Miss., in place of C. V. Thurmond. Incumbent's commission expired April 24, 1940.

Della A. Myers to be postmaster at Newhebron, Miss., in place of D. A. Myers. Incumbent's commission expired January 20, 1940.

DeWitt D. McEachern to be postmaster at Ruleville, Miss., in place of D. D. McEachern. Incumbent's commission expires June 2, 1940.

Ethel B. Comegys to be postmaster at Scott, Miss. Office became Presidential July 1, 1939.

John R. Trimm to be postmaster at Tishomingo, Miss., in place of J. R. Trimm. Incumbent's commission expires July 1, 1940.

MISSOURI

Avery L. Dreier to be postmaster at Billings, Mo., in place of A. L. Dreier. Incumbent's commission expired January 28, 1940.

Lettie H. Turner to be postmaster at Chilhowee, Mo., in place of L. H. Turner. Incumbent's commission expires June 25, 1940.

John A. Byler to be postmaster at Ethel, Mo., in place of J. A. Byler. Incumbent's commission expired January 23, 1940.

Earl L. Smithson to be postmaster at Exeter, Mo., in place of E. L. Smithson. Incumbent's commission expired March 13, 1940.

John Earle Lyons to be postmaster at Higginsville, Mo., in place of J. E. Lyons. Incumbent's commission expired March 13, 1940.

Charles V. Hollady to be postmaster at Ilmo, Mo., in place of C. V. Hollady. Incumbent's commission expires June 8, 1940.

John G. May to be postmaster at Jasper, Mo., in place of J. G. May. Incumbent's commission expires June 25, 1940.

P. Gilbert Utley to be postmaster at Knobnoster, Mo., in place of P. G. Utley. Incumbent's commission expires June 25, 1940.

William A. Bickel to be postmaster at Lockwood, Mo., in place of W. A. Bickel. Incumbent's commission expired August 27, 1939.

Joseph E. Soutee to be postmaster at Marionville, Mo., in place of J. E. Soutee. Incumbent's commission expired January 28, 1940.

John Y. Glasscock to be postmaster at Maysville, Mo., in place of J. Y. Glasscock. Incumbent's commission expired April 27, 1940.

Edward T. Rousselot to be postmaster at Noel, Mo., in place of E. T. Rousselot. Incumbent's commission expires June 25, 1940.

Edgar E. Smith to be postmaster at Owensville, Mo., in place of E. E. Smith. Incumbent's commission expired April 24, 1940.

Willie L. Hixson to be postmaster at Ozark, Mo., in place of W. L. Hixson. Incumbent's commission expires June 8, 1940.

Leonard V. Parker to be postmaster at Plattsburg, Mo., in place of L. V. Parker. Incumbent's commission expires June 8, 1940.

Walter J. Paschal to be postmaster at Verona, Mo., in place of W. J. Paschal. Incumbent's commission expires June 25, 1940.

Grailie B. Windes to be postmaster at Washburn, Mo., in place of G. B. Windes. Incumbent's commission expired January 28, 1940.

MONTANA

Esther M. Evenson to be postmaster at Broadview, Mont., in place of E. M. Evenson. Incumbent's commission expires June 2, 1940.

Orion A. Tellifero to be postmaster at Browning, Mont., in place of O. A. Tellifero. Incumbent's commission expires June 2, 1940.

Alfred T. James to be postmaster at Cascade, Mont., in place of A. T. James. Incumbent's commission expires June 2, 1940.

Lars E. Kodalen to be postmaster at Dodson, Mont., in place of L. E. Kodalen. Incumbent's commission expires July 1, 1940.

Frank H. McLean to be postmaster at Fairfield, Mont., in place of F. H. McLean. Incumbent's commission expires July 1, 1940.

William C. MacCallum to be postmaster at Geraldine, Mont., in place of W. C. MacCallum. Incumbent's commission expires June 2, 1940.

Mollie B. Cameron to be postmaster at Martinsdale, Mont. Office became Presidential July 1, 1939.

Ralph W. Brown to be postmaster at Missoula, Mont., in place of Stephen Nuerenberg. Incumbent's commission expired February 7, 1940.

Phyllis M. Crockford to be postmaster at Sweetgrass, Mont., in place of P. M. Crockford. Incumbent's commission expires June 1, 1940.

NEBRASKA

Gotthilf I. Pfeiffer to be postmaster at Arlington, Nebr., in place of G. I. Pfeiffer. Incumbent's commission expires June 1, 1940.

Lyman G. Gake to be postmaster at Beaver Crossing, Nebr., in place of L. G. Gake. Incumbent's commission expires June 18, 1940.

Margaret H. Andersen to be postmaster at Belgrade, Nebr., in place of M. H. Andersen. Incumbent's commission expires June 17, 1940.

Eli V. Balthazor to be postmaster at Campbell, Nebr., in place of E. V. Balthazor. Incumbent's commission expired May 19, 1940.

Gustav A. Koza to be postmaster at Clarkson, Nebr., in place of G. A. Koza. Incumbent's commission expired March 4, 1940.

Henry C. Paquin to be postmaster at Dakota City, Nebr., in place of H. C. Paquin. Incumbent's commission expired February 7, 1940.

Harry H. Row to be postmaster at Davenport, Nebr., in place of H. H. Row. Incumbent's commission expired April 28, 1940.

James A. Sears to be postmaster at Decatur, Nebr., in place of J. A. Sears. Incumbent's commission expires June 17, 1940.

Frank J. Srb to be postmaster at Dodge, Nebr., in place of F. J. Srb. Incumbent's commission expires June 1, 1940.

Floyd S. Worthing to be postmaster at Elm Creek, Nebr., in place of F. S. Worthing. Incumbent's commission expires June 1, 1940.

Edna M. Miner to be postmaster at Ericson, Nebr., in place of E. M. Miner. Incubent's commission expired February 7, 1940.

Emma G. Grabenstein to be postmaster at Eustis, Nebr., in place of E. G. Grabenstein. Incumbent's commission expires June 25, 1940.

Frank Ainsworth to be postmaster at Exeter, Nebr., in place of Frank Ainsworth. Incumbent's commission expires July 7, 1940.

Patrick J. Mullin to be postmaster at Friend, Nebr., in place of P. J. Mullin. Incumbent's commission expired May 19, 1940.

Roy W. Bruce to be postmaster at Genoa, Nebr., in place of R. W. Bruce. Incumbent's commission expires June 18, 1940.

Irene L. Barrett to be postmaster at Greeley, Nebr., in place of I. L. Barrett. Incumbent's commission expires June 25, 1940.

Renald A. Tobey to be postmaster at Gresham, Nebr., in place of R. A. Tobey. Incumbent's commission expired January 23, 1940.

Mary Dolores Jensen to be postmaster at Hampton, Nebr., in place of Dolores Jensen. Incumbent's commission expires June 1, 1940.

George B. McDowell to be postmaster at Hardy, Nebr., in place of G. B. McDowell. Incumbent's commission expires June 17, 1940.

Peter P. Braun to be postmaster at Henderson, Nebr., in place of P. P. Braun. Incumbent's commission expires July 1, 1940.

Isaac D. Brownfield to be postmaster at Hershey, Nebr., in place of I. D. Brownfield. Incumbent's commission expired April 28, 1940.

Bertha E. Busch to be postmaster at Howells, Nebr., in place of B. E. Busch. Incumbent's commission expires June 19, 1940.

Fredrick F. Thomas to be postmaster at Linwood, Nebr., in place of F. F. Thomas. Incumbent's commission expires June 18, 1940.

Arthur H. Barstler to be postmaster at Nebraska City, Nebr., in place of A. H. Barstler. Incumbent's commission expires June 18, 1940.

Orval C. Myers to be postmaster at Nelson, Nebr., in place of O. C. Myers. Incumbent's commission expires July 13, 1940.

Frank H. Kroger to be postmaster at Newcastle, Nebr., in place of F. H. Kroger. Incumbent's commission expires June 18, 1940.

Kitty Hennessy to be postmaster at Platte Center, Nebr., in place of Kitty Hennessy. Incumbent's commission expired March 4, 1940.

George H. Woolman to be postmaster at Republican City, Nebr., in place of G. H. Woolman. Incumbent's commission expires June 1, 1940.

Inez Gail Lidgard to be postmaster at Stockville, Nebr., in place of I. G. Lidgard. Incumbent's commission expires July 1, 1940.

Leonard L. Rook to be postmaster at Stratton, Nebr., in place of L. L. Rook. Incumbent's commission expires June 19, 1940.

George L. Everett to be postmaster at Union, Nebr. Office became Presidential July 1, 1939.

Elmer L. Bunger to be postmaster at Upland, Nebr., in place of E. L. Bunger. Incumbent's commission expires June 1, 1940.

Harry E. Christensen to be postmaster at Valparaiso, Nebr., in place of H. E. Christensen. Incumbent's commission expires June 19, 1940.

J. Marie D. Rutledge to be postmaster at Wilsonville, Nebr., in place of J. M. D. Rutledge. Incumbent's commission expires June 1, 1940.

Russell N. Linkswiler to be postmaster at Winnebago, Nebr., in place of R. N. Linkswiler. Incumbent's commission expires June 1, 1940.

NEVADA

Isaac L. Stone to be postmaster at McGill, Nev., in place of I. L. Stone. Incumbent's commission expired May 22, 1940.

Effie M. Perry to be postmaster at Yerington, Nev., in place of E. M. Perry. Incumbent's commission expired May 9, 1940.

NEW HAMPSHIRE

Arthur A. Croteau to be postmaster at Marlboro, N. H., in place of A. A. Croteau. Incumbent's commission expired April 29, 1940.

Edward A. Davis to be postmaster at North Conway, N. H., in place of E. A. Davis. Incumbent's commission expired April 29, 1940.

Edward W. Clement to be postmaster at North Woodstock, N. H., in place of E. W. Clement. Incumbent's commission expires June 1, 1940.

Louis T. Pike to be postmaster at Pike, N. H., in place of L. T. Pike. Incumbent's commission expires June 1, 1940.

Charles L. McGinness to be postmaster at Troy, N. H., in place of C. L. McGinness. Incumbent's commission expired April 24, 1940.

NEW JERSEY

Walter K. Bittle to be postmaster at Berlin, N. J., in place of W. K. Bittle. Incumbent's commission expires June 16, 1940.

Lewis D. Smith, Jr., to be postmaster at Fort Hancock, N. J., in place of L. D. Smith, Jr. Incumbent's commission expires June 17, 1940.

Lottie A. Cubberley to be postmaster at Hamilton Square, N. J., in place of L. A. Cubberley. Incumbent's commission expired February 14, 1940.

Walter F. Hoagland to be postmaster at Kenilworth, N. J., in place of W. F. Hoagland. Incumbent's commission expired March 25, 1940.

Catherine S. E. Cullen to be postmaster at Millington, N. J., in place of C. S. E. Cullen. Incumbent's commission expired July 3, 1939.

Floyd Smith to be postmaster at Montville, N. J., in place of Floyd Smith. Incumbent's commission expired February 14, 1940.

Fred Heckel to be postmaster at Ridgefield Park, N. J., in place of Fred Heckel. Incumbent's commission expires June 20, 1940.

Julia B. Hoaern to be postmaster at Robbinsville, N. J. Office became Presidential July 1, 1939.

NEW YORK

Barthold C. Hadel to be postmaster at Amagansett, N. Y., in place of B. C. Hadel. Incumbent's commission expired January 20, 1940.

Agnes G. Polley to be postmaster at Andes, N. Y., in place of A. G. Polley. Incumbent's commission expired April 24, 1940.

Curtis Van Valkenburgh to be postmaster at Arkville, N. Y., in place of Curtis Van Valkenburgh. Incumbent's commission expired August 14, 1939.

Emma Reynolds to be postmaster at Brightwaters, N. Y., in place of Emma Reynolds. Incumbent's commission expired April 28, 1940.

Chester T. Burnett to be postmaster at Burdett, N. Y., in place of C. T. Burnett. Incumbent's commission expires July 1, 1940.

Albert J. Linehan to be postmaster at Canandaigua, N. Y., in place of J. C. Monahan. Incumbent's commission expired January 31, 1938.

Timothy B. Ryan to be postmaster at Chateaugay, N. Y., in place of T. B. Ryan. Incumbent's commission expires June 25, 1940.

Philip J. Dwyer to be postmaster at Chittenango, N. Y., in place of P. J. Dwyer. Incumbent's commission expired January 31, 1938.

Purdy A. Kinkaid to be postmaster at Cohocton, N. Y., in place of P. A. Kinkaid. Incumbent's commission expires June 25, 1940.

Melvin C. Bundy to be postmaster at Cooperstown, N. Y., in place of M. C. Bundy. Incumbent's commission expires June 25, 1940.

John H. S. Griffin to be postmaster at Delhi, N. Y., in place of J. H. S. Griffin. Incumbent's commission expired August 21, 1939.

Frank P. Morstatt to be postmaster at Garnerville, N. Y., in place of F. P. Morstatt. Incumbent's commission expired March 10, 1940.

Wilmarth J. Tuthill to be postmaster at Goshen, N. Y., in place of W. J. Tuthill. Incumbent's commission expired May 27, 1940.

Anna C. Allen to be postmaster at Groveland, N. Y., in place of A. C. Allen. Incumbent's commission expires June 25, 1940.

Sarah B. Keenan to be postmaster at Hague, N. Y., in place of S. B. Keenan. Incumbent's commission expired April 24, 1940.

Ethel M. Martin to be postmaster at Hamlin, N. Y., in place of E. M. Martin. Incumbent's commission expires July 1, 1940.

Rita McGoey to be postmaster at Hartsdale, N. Y., in place of Rita McGoey. Incumbent's commission expires June 17, 1940.

Antoinette Ducharme to be postmaster at Lyon Mountain, N. Y., in place of Antoinette Ducharme. Incumbent's commission expires June 25, 1940.

Albert A. Morse to be postmaster at Moravia, N. Y., in place of C. E. Miller, deceased.

Lewis N. S. Rockwell to be postmaster at Otisville, N. Y., in place of L. N. S. Rockwell. Incumbent's commission expired May 22, 1940.

Bernard H. Powers to be postmaster at Oyster Bay, N. Y., in place of B. H. Powers. Incumbent's commission expires June 20, 1940.

Eugene B. Gormley to be postmaster at Phoenicia, N. Y., in place of E. B. Gormley. Incumbent's commission expires June 25, 1940.

Frank P. Bakutis to be postmaster at Quogue, N. Y., in place of F. P. Bakutis. Incumbent's commission expired August 2, 1939.

Cecile G. Taylor to be postmaster at Sloatsburg, N. Y., in place of C. G. Taylor. Incumbent's commission expires June 25, 1940.

James J. Collins to be postmaster at Water Mill, N. Y., in place of J. J. Collins. Incumbent's commission expired August 21, 1939.

Oliver Townsend to be postmaster at West Coxsackie, N. Y., in place of Oliver Townsend. Incumbent's commission expired August 21, 1939.

Jack Batt to be postmaster at Woodmere, N. Y., in place of Jack Batt. Incumbent's commission expired April 28, 1940.

George M. Allen to be postmaster at Worcester, N. Y., in place of G. M. Allen. Incumbent's commission expired May 26, 1940.

NORTH CAROLINA

Jewell Ballentine to be postmaster at Varina, N. C., in place of Jewell Ballentine. Incumbent's commission expired July 1, 1939.

James Russell Wiggins to be postmaster at Wake Forest, N. C., in place of J. R. Wiggins. Incumbent's commission expired April 29, 1940.

NORTH DAKOTA

John Urbon Pavlik to be postmaster at Buffalo, N. Dak., in place of J. U. Pavlik. Incumbent's commission expired June 1, 1940.

Joseph M. Moen to be postmaster at Galesburg, N. Dak., in place of J. M. Moen. Incumbent's commission expires July 1, 1940.

Ethel E. Hall to be postmaster at Hettinger, N. Dak., in place of E. E. Hall. Incumbent's commission expires June 16, 1940.

Bernhard C. Hjelle to be postmaster at Mercer, N. Dak., in place of B. C. Hjelle. Incumbent's commission expires July 1, 1940.

Mary J. Dunbar to be postmaster at Souris, N. Dak., in place of M. J. Dunbar. Incumbent's commission expires June 16, 1940.

Alice G. Russell to be postmaster at Thompson, N. Dak., in place of Alice Russell. Incumbent's commission expires July 1, 1940.

Anna F. Jones to be postmaster at Verona, N. Dak., in place of A. F. Jones. Incumbent's commission expires July 1, 1940.

Mae Scollard to be postmaster at Watford City, N. Dak., in place of Mae Scollard. Incumbent's commission expires June 25, 1940.

OHIO

Leo V. Walsh to be postmaster at Barberton, Ohio, in place of L. V. Walsh. Incumbent's commission expired April 1, 1940.

Mary Costigan to be postmaster at Berlin Heights, Ohio, in place of Mary Costigan. Incumbent's commission expires July 13, 1940.

John L. Keener to be postmaster at Brookville, Ohio, in place of C. R. Hayes, resigned.

Alice B. Romie to be postmaster at Fort Loramie, Ohio, in place of A. B. Romie. Incumbent's commission expires July 1, 1940.

John D. Reed to be postmaster at Green Springs, Ohio, in place of J. D. Reed. Incumbent's commission expires June 18, 1940.

Henry Beuchat to be postmaster at Louisville, Ohio, in place of Henry Beuchat. Incumbent's commission expired April 25, 1940.

Sylvie E. Sovacool to be postmaster at Peninsula, Ohio, in place of S. E. Sovacool. Incumbent's commission expires July 1, 1940.

Paul M. Hawn to be postmaster at Pleasant Hill, Ohio, in place of P. M. Hawn. Incumbent's commission expires July 15, 1940.

Charles Calvin Myers to be postmaster at Risingsun, Ohio, in place of C. C. Myers. Incumbent's commission expires July 1, 1940.

Frank Thompson to be postmaster at Senecaville, Ohio, in place of Frank Thompson. Incumbent's commission expires July 1, 1940.

OKLAHOMA

Mart R. Sargent to be postmaster at Indiahoma, Okla., in place of M. R. Sargent. Incumbent's commission expires July 1, 1940.

Hope C. McGinty to be postmaster at Kiefer, Okla., in place of H. C. McGinty. Incumbent's commission expires June 18, 1940.

Jasper Hood to be postmaster at Kiowa, Okla., in place of Jasper Hood. Incumbent's commission expires June 18, 1940.

OREGON

Reginald C. Cooke to be postmaster at Oswego, Oreg., in place of R. C. Cooke. Incumbent's commission expired July 18, 1939.

Nealia G. Haven to be postmaster at Sweet Home, Oreg., in place of N. G. Haven. Incumbent's commission expires July 1, 1940.

Joseph R. DeJardin to be postmaster at Taft, Oreg., in place of J. R. DeJardin. Incumbent's commission expires July 1, 1940.

Louis Earl Hammer to be postmaster at Tillamook, Oreg., in place of L. E. Hammer. Incumbent's commission expires June 1, 1940.

PENNSYLVANIA

Palmer W. Kunkle to be postmaster at Alburtis, Pa., in place of W. P. B. Gery, deceased.

William Scott Rinedollar to be postmaster at Everett, Pa., in place of W. S. Rinedollar. Incumbent's commission expires June 3, 1940.

Ray A. Deck to be postmaster at Fredericksburg, Pa. Office became Presidential July 1, 1936.

Della M. Sullivan to be postmaster at Genesee, Pa., in place of D. M. Sullivan. Incumbent's commission expires June 20, 1940.

William J. Tye to be postmaster at Gordon, Pa., in place of W. J. Tye. Incumbent's commission expires July 1, 1940.

John J. Sheridan to be postmaster at Hawley, Pa., in place of J. J. Sheridan. Incumbent's commission expires June 25, 1940.

James E. Madigan to be postmaster at Houtsdale, Pa., in place of J. E. Madigan. Incumbent's commission expires July 15, 1940.

Leo A. Donahoe to be postmaster at McKees Rocks, Pa., in place of L. A. Donahoe. Incumbent's commission expired June 18, 1938.

John C. Rodgers to be postmaster at Marianna, Pa., in place of V. J. McCarty, removed.

Harry B. Wimer to be postmaster at Quarryville, Pa., in place of H. B. Wimer. Incumbent's commission expires June 20, 1940.

Robert E. Walley to be postmaster at Spring City, Pa., in place of R. E. Walley, Sr. Incumbent's commission expires June 3, 1940.

Mable L. Lake to be postmaster at Springville, Pa., in place of M. L. Lake. Incumbent's commission expires July 1, 1940.

L. Pearle Seep to be postmaster at Titusville, Pa., in place of R. E. Seep, resigned.

Claire C. Davis to be postmaster at West Alexander, Pa., in place of C. C. Davis. Incumbent's commission expires June 25, 1940.

PUERTO RICO

Adela Delpin to be postmaster at Fajardo, P. R., in place of Adela Delpin. Incumbent's commission expires June 17, 1940.

RHODE ISLAND

Peter L. Creighton to be postmaster at Harrisville, R. I., in place of P. L. Creighton. Incumbent's commission expires June 28, 1940.

SOUTH CAROLINA

Russell P. Barnett to be postmaster at Campobello, S. C., in place of R. P. Barnett. Incumbent's commission expires June 1, 1940.

Frank P. Bynum to be postmaster at Darlington, S. C., in place of T. E. Stokes. Incumbent's commission expired March 23, 1939.

Mamie C. Spears to be postmaster at Lamar, S. C., in place of M. C. Spears. Incumbent's commission expires June 18, 1940.

James H. Fox to be postmaster at Lexington, S. C., in place of J. H. Fox. Incumbent's commission expires June 25, 1940.

John W. Wilbanks to be postmaster at Union, S. C., in place of J. W. Wilbanks. Incumbent's commission expires July 13, 1940.

SOUTH DAKOTA

Charles P. Corcoran to be postmaster at Miller, S. Dak., in place of C. P. Corcoran. Incumbent's commission expires July 13, 1940.

Michael F. McGrath to be postmaster at Morristown, S. Dak., in place of M. F. McGrath. Incumbent's commission expires June 16, 1940.

Leroy F. Lemert to be postmaster at Spencer, S. Dak., in place of L. F. Lemert. Incumbent's commission expires June 16, 1940.

TENNESSEE

George V. Anderson to be postmaster at Gates, Tenn., in place of G. V. Anderson. Incumbent's commission expires July 1, 1940.

Charles C. Gore to be postmaster at Livingston, Tenn., in place of W. H. Boswell. Incumbent's commission expired August 27, 1939.

Otis K. Martin to be postmaster at McKenzie, Tenn., in place of O. K. Martin. Incumbent's commission expired August 12, 1939.

Hughes H. Hunt to be postmaster at Rives, Tenn., in place of H. H. Hunt. Incumbent's commission expires July 1, 1940.

TEXAS

Edward W. Ross to be postmaster at Arp, Tex., in place of J. O. Allen, removed.

George J. Bell to be postmaster at Aubrey, Tex., in place of G. J. Bell. Incumbent's commission expires July 1, 1940.

Charles M. Fagg to be postmaster at Blue Ridge, Tex., in place of C. M. Fagg. Incumbent's commission expires July 1, 1940.

J. Frank Weaver to be postmaster at Cumby, Tex., in place of J. F. Weaver. Incumbent's commission expires July 1, 1940.

Coin T. Seago to be postmaster at Gustine, Tex., in place of C. T. Seago. Incumbent's commission expires July 1, 1940.

C. Lola Hill to be postmaster at Highlands, Tex., in place of C. L. Hill. Incumbent's commission expires July 1, 1940.

Kate Moses to be postmaster at Keltys, Tex., in place of D. W. Thompson, resigned.

Ruth S. Marion to be postmaster at Kermit, Tex., in place of R. S. Marion. Incumbent's commission expires July 1, 1940.

Henry T. Peace to be postmaster at La Pryor, Tex., in place of H. T. Peace. Incumbent's commission expires July 1, 1940.

Cicero Harper to be postmaster at Moran, Tex., in place of Cicero Harper. Incumbent's commission expired May 19, 1940.

James M. Noble, Jr., to be postmaster at O'Donnell, Tex., in place of J. M. Noble, Jr. Incumbent's commission expires June 25, 1940.

Ida A. Stockburger to be postmaster at Oglesby, Tex., in place of I. A. Stockburger. Incumbent's commission expires July 1, 1940.

Curry H. Walker to be postmaster at Pampa, Tex., in place of C. H. Walker. Incumbent's commission expires June 25, 1940.

Corinne H. Sewell to be postmaster at Pearsall, Tex., in place of C. H. Sewell. Incumbent's commission expires June 25, 1940.

Anna L. Smith to be postmaster at Port Aransas, Tex. Office became Presidential July 1, 1939.

Naomi M. Lewis to be postmaster at Royalty, Tex., in place of N. M. Lewis. Incumbent's commission expires July 1, 1940.

UTAH

James W. Nielsen to be postmaster at Castlegate, Utah, in place of J. W. Nielsen. Incumbent's commission expires July 1, 1940.

Gilbert L. Janson to be postmaster at Cedar City, Utah, in place of G. L. Janson. Incumbent's commission expires June 25, 1940.

Fred H. Jones to be postmaster at Gunnison, Utah, in place of F. H. Jones. Incumbent's commission expires June 25, 1940.

Heber M. Rasband to be postmaster at Heber, Utah, in place of H. M. Rasband. Incumbent's commission expires June 25, 1940.

Eugene C. Gibson to be postmaster at Helper, Utah, in place of E. C. Gibson. Incumbent's commission expires June 20, 1940.

Alice M. Todd to be postmaster at Myton, Utah, in place of A. M. Todd. Incumbent's commission expires July 1, 1940.

VERMONT

Dora W. Brown to be postmaster at Lunenburg, Vt., in place of D. W. Brown. Incumbent's commission expired March 25, 1940.

VIRGINIA

Richard F. Hicks to be postmaster at Schuyler, Va., in place of R. F. Hicks. Incumbent's commission expires July 1, 1940.

WASHINGTON

Truman W. Chamberlain to be postmaster at Quincy, Wash., in place of T. W. Chamberlain. Incumbent's commission expires June 17, 1940.

Edward V. Pressentin to be postmaster at Rockport, Wash., in place of E. V. Pressentin. Incumbent's commission expires July 1, 1940.

James F. Brislawn to be postmaster at Sprague, Wash., in place of J. F. Brislawn. Incumbent's commission expired April 30, 1940.

WEST VIRGINIA

Nancy Bethel Martin to be postmaster at Belle, W. Va., in place of N. B. Martin. Incumbent's commission expires June 25, 1940.

Austin H. Elrick to be postmaster at Gormania, W. Va., in place of A. H. Elrick. Incumbent's commission expires July 1, 1940.

James T. Spahr to be postmaster at Kingwood, W. Va., in place of J. T. Spahr. Incumbent's commission expired January 29, 1939.

Edson Stout to be postmaster at Nutter Fort, W. Va., in place of Edson Stout. Incumbent's commission expires July 1, 1940.

James B. Shrewsbury to be postmaster at Princeton, W. Va., in place of J. B. Shrewsbury. Incumbent's commission expires June 17, 1940.

Lucien Edward Felty to be postmaster at Rowlesburg, W. Va., in place of L. E. Felty. Incumbent's commission expires July 15, 1940.

WISCONSIN

L. Paul Mundschau to be postmaster at Dousman, Wis., in place of L. P. Mundschau. Incumbent's commission expired March 12, 1940.

Leonard P. Sheehy to be postmaster at Ettrick, Wis., in place of L. P. Sheehy. Incumbent's commission expired April 28, 1940.

Leonard W. LaBerge to be postmaster at Stetsonville, Wis., in place of L. W. LaBerge. Incumbent's commission expires July 1, 1940.

WYOMING

Grace E. Lyon to be postmaster at Burns, Wyo., in place of G. E. Lyon. Incumbent's commission expires July 1, 1940.

Edmund P. Landers to be postmaster at Casper, Wyo., in place of E. P. Landers. Incumbent's commission expired April 2, 1940.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 31 (legislative day of May 28), 1940

FARM CREDIT ADMINISTRATION

Albert G. Black, of Iowa, to be Governor of the Farm Credit Administration.

POSTMASTERS

COLORADO

Daniel B. Venable, Ault.
Bernard C. Killin, Kiowa.
Nea G. Gallegos, San Luis.
Leo F. Houston, Sugar City.
Mark S. Cole, Yampa.

INDIANA

Edward Bracher, Boonville.
William Henry Lynch, Boswell.
Roy L. Jones, Colfax.
Edward G. Arnold, Dubois.
Jacob De Groot, Highland.
Sylvester O. Kelly, Logansport.
Henry Harold Zollman, Medora.
Edward H. Scales, Petersburg.
Guy Dunlap, Poseyville.
Bernard J. McCaffery, South Bend.
Alonzo L. Rogers, Walkerton.

KENTUCKY

John B. Pendleton, Hardyville.
James C. Morris, Masonic Home.

LOUISIANA

Joseph C. Ballay, Buras.
Ethel T. Gauthier, Lake Arthur.
Lawrence S. Bourgeois, Schriever.

MARYLAND

Francis E. Thomas, Centerville.

MINNESOTA

William W. O'Malley, Le Sueur.

MISSOURI

Carl Richmond, Advance.
James W. Costello, Baring.
James G. Skidmore, Barnard.
Walter Fraser, Bolckow.
Benjamin F. Coleman, Center.
Victor F. Engelage, Chamois.
Clay C. Shelton, Clarkton.
George Petrus, Hermann.
Ruby M. Farr, Kingston.
Jesse F. Stevenson, Lees Summit.
George E. Scott, New Hampton.
Arch B. Young, Perry.
Theo. J. Quinn, St. Joseph.
Verna F. Whisner, Sarcoxie.
Edward P. Mullaley, Sedalia.
Marium Ethel Enyart, Stanberry.
Harley E. Church, Stockton.
John M. Earp, Versailles.
William R. Buche, Warrenton.

NEW YORK

Alberta J. Webber, Atlanta.
Joseph G. Mattes, Avon.
Henry E. Benedict, Broadalbin.
Milton B. Empie, Brownville.
John F. McGovern, Caledonia.
Ronald S. Kingston, Canaseraga.
Katherine M. Raps, Clarence Center.
George Leigh Dye, Cuba.
Henry A. Stecking, East Northport.
Raymond A. Switzer, Ebenezer.
Eva M. Wood, Elbridge.
Thomas N. Manion, Ferndale.
Alice L. Lyon, Fort Ann.
James T. McLaughlin, Glen Head.
John F. Richards, Hammondsport.
Abner B. Woodworth, Hensonville.
George J. Petith, Hillsdale.
Laura F. Howland, Hudson Falls.
William H. Toohey, Hurleyville.
Frederick W. Schadt, Jeffersonville.
Anna M. Shemet, Keene Valley.
Earl A. Guertin, Lakewood.
Walter E. Slattery, Lima.
Michael E. Murphy, Livonia.
Frank McBriarty, Loomis.
Katherine A. Slattery, Maryknoll.
Frederic F. Sheerin, Middletown.
William C. McRorie, Milford.
William McNeal, Montgomery.
Ralph S. Washington, Monticello.
William E. Mensing, Nassau.
Harriett H. Rundle, Odessa.
John Kenneth Hoffman, Old Forge.

J. Frederick Collins, Oriskany Falls.
Thomas A. Kenney, Ossining.
Katherine S. Wolosik, Peconic.
Victor S. Manchester, Petersburg.
George H. Stanton, Pine Bush.
James Earle Molyneux, Ransomville.
Irma R. Bennett, Ripley.
Maurice H. Fanning, Roxbury.
Timothy V. Sullivan, St. James.
George Arata, Sea Cliff.
Alice A. Sherman, Shelter Island.
Mary P. Mack, Shelter Island Heights.
Willis Meabon, Sherman.
Walter F. Herrling, Skaneateles.
E. Edward DeCamp, Smallwood.
Monte Yost, Springville.
Sarah C. Lounsbery, Stone Ridge.
William Cronin, Yonkers.

NORTH CAROLINA

Grover C. Haynes, Clyde.

OHIO

Marie Novotny Agee, Northfield.

OKLAHOMA

Ernest C. Morris, Drumright.
Lewis B. Rogers, Fort Gibson.
James W. Kincaid, Glencoe.
Ernest R. Davis, Keota.
Blanche Zoellner, Mountain View.
Eleanor Barnhill, Stringtown.
Thomas F. Lynch, Stroud.
James F. Nicholson, Talihina.
Lester F. Wray, Terral.
Roy C. Bennett, Vian.
Frank Bailey, Vinita.
Theodore H. Henderson, Wapanucka.
Sam Cunningham, Wellston.

WASHINGTON

Almon D. Hannan, Bothell.
Elliot Curry, Coleville.
Regina M. Mohrmann, Ferndale.
John M. Hurley, La Conner.
Esther H. Boaz, Manson.
Thomas Phil Hickman, Monroe.
Howard C. Roberts, Rosalia.
Alf Christian Willard, Stanwood.

HOUSE OF REPRESENTATIVES

FRIDAY, MAY 31, 1940

The House met at 12 o'clock noon, and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

We praise Thee, O God, our heavenly Father upon earth, that Thou art still mindful of us. Whither shall we go from Thy Spirit? Or whither shall we flee from Thy presence? If we ascend into heaven, Thou art there. If we make our bed in the grave, behold Thou art there. If we take the wings of the morning and dwell in the uttermost parts of the sea, even there shalt Thine hand lead us and Thy right hand shall hold us; how precious, O Lord, are Thy thoughts of us. O spirit of purity and grace, make our hearts Thy dwelling place. O Master, so rich in divine goodness, fill us with Thy love for mercy and pity. Almighty God, what would become of us if Thou wert not our Father? Take us in the arms of Thy care; interpret to us Thy holy purpose, even if it be but faintly and dimly revealed. As the sound of music afar off, may we hear Thy voice from the glory of Thine habitation. We thank Thee, blessed Lord, that America, the beautiful, still remains the citadel of Christian faith, freedom, and of public and private decency. In the name of our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 8429. An act for the relief of Maj. L. P. Worrall, and for other purposes.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 3115. An act to provide for the establishment and maintenance of an assay office at Helena, Mont.;

S. 3230. An act to provide for the general welfare through the construction of needed hospitals and grants to States and political subdivisions thereof for the construction, improvement, and enlargement of hospitals, and for other purposes; and

S. 3959. An act authorizing the Secretary of the Treasury to grant to the city of Fort Lauderdale, Fla., an easement or easements authorizing such city to construct and maintain a highway and utility facilities over the United States Coast Guard Reservation known as base 6 at Fort Lauderdale, Fla.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 920. An act conferring jurisdiction upon the United States District Court for the District of Montana to hear, determine, and render judgment upon the claim of the estate of Joseph Mihelich;

S. 1649. An act for the relief of Alan C. Winter, Jr., and Elizabeth Winter; and

S. 2083. An act conferring jurisdiction upon the United States District Court for the District of New Jersey to hear, determine, and render judgment upon the claims of Parker McKee, Sr., and Louise McKee.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8202) entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1941, and for other purposes."

That the Senate agrees to the amendments of the House to the amendments of the Senate numbered 8, 12, and 13 to said bill;

That the Senate agrees to the amendment of the House to the amendment of the Senate numbered 110 with an amendment as follows: At the end of the matter inserted by said Senate amendment and before the period insert the following: "*Provided*, That there is hereby appropriated out of any money in the Treasury not otherwise appropriated for an additional amount for salaries and expenses of the Rural Electrification Administration, to be immediately available, including the objects specified in the foregoing paragraph and subject to the limitations therein, $600,000, of which amount not to exceed $23,000 may be transferred to the appropriation 'Printing and binding, Department of Agriculture, 1941'";

That the Senate disagrees to the amendments of the House to the amendments of the Senate numbered 44, 45, 95, 99, and 103 to said bill, and that it further insists upon said amendments; and

That the Senate asks a further conference with the House on the amendments in disagreement and appoints Mr. RUSSELL, Mr. HAYDEN, Mr. TYDINGS, Mr. BANKHEAD, Mr. SMITH, Mr. NYE, and Mr. MCNARY to be the conferees on the part of the Senate.

EXTENSION OF REMARKS

Mr. ALLEN of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include therein a radio address delivered by David Beck, international representative of the teamsters' union.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SATTERFIELD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address delivered by my colleague the gentleman from Vermont [Mr. PLUMLEY] before the Virginia Federation of Women's Clubs.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HARE asked and was given permission to revise and extend his own remarks.

ADJOURNMENT OVER

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

THE EMBARGO AND AMERICAN NEUTRALITY

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include therein an editorial published in one of the leading papers in my district.

Mr. RICH. Mr. Speaker, reserving the right to object, and I shall not, I take this opportunity to notify the House that the Public Printer has asked the Committee on Appropriations for $450,000 to continue publication of the CONGRESSIONAL RECORD. This gives us a little realization of the cost of publishing these articles that are placed in the Appendix. I do not direct these remarks to the gentleman from Indiana but to the House generally.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. SCHULTE. Mr. Speaker, about 5 months ago the Members of this Congress were deluged with telegrams, letters, and petitions asking them under no consideration to vote to lift the embargo against the sale of munitions of war to the Allies except under the terms of cash on the barrelhead. A great many newspapers throughout the country, particularly certain papers in the city of Chicago, were behind this movement not to allow any of the belligerents any supplies of any kind whatsoever.

In the meantime a flood of propaganda has emanated from across the ocean, and it is peculiar to see how the public mind at this time has reacted, as will be seen from the following editorial, which was written by one of the most prominent editors in the State of Indiana, a man whose views go a long way in influencing the people of the State of Indiana, one of the highly regarded citizens of the city of Gary. There is no doubt in my mind that in this editorial he has expressed the opinion of hundreds of thousands of people throughout the United States, who are willing to do everything at this particular time with the exception of sending American boys across the pond.

The editorial I refer to follows:

TIME IS HERE FOR GREAT DECISION IF AMERICA IS TO AFFECT COURSE OF WAR

A large number of Americans have believed from the start of the war that the United States might get in it if the Allies were in danger of defeat. However, it was felt that such a possibility would not arise for a year or so and we would have plenty of time to make our decision.

But in view of the extreme gravity of the turn of the fighting in France and Belgium, the need of making a decision arises now. For unless the entire support of this Nation is quickly thrown into the balance, there is danger the scales will be tipped against the Allies in the very near future.

Indeed, the danger is so great that even our help may not stave off a German victory. It may be that we cannot start to produce and ship the needed supplies before the French have been defeated and England ruined. The question for us to answer and answer now is this:

Does the prospect of German victory, which probably means a world ruled by Hitler and the inhuman barbarism he typifies, permit us to remain at peace?

It all depends, as we have said many times, on what the American people want. If they are satisfied to remain in the United States and accept whatever standard of life fate may give us and at the same time feel no responsibility for what goes on anywhere in the world, then we should let the Allies go and permit Hitler to rule the earth.

But is that what we want? The American people know today that it is not. It has taken the invasion of neutrals, the near defeat of the French and British, and the now almost incomprehensible, yet clear, picture of the triumph of barbarism to convince us that there are values in this world much higher than peace.

There is no doubt that the American people are vitally interested in this struggle. They know it. But do they know they must decide between a strained neutrality or nonbelligerency and war?

We are now at the stage of a strained neutrality. Yesterday Wendell Willkie had reached an advanced stage for a Republican candidate for the Presidency. He said he favored our Government conferring with France and England to find out what they need. Mr. Willkie is moving rapidly toward war, even though he is opposed now to sending American troops to Europe.

There is reason to believe our Government has already conferred with those nations and is sending any available supplies, and now a council of national defense is meeting to expand our munitions production.

But that probably will not be enough to save France and Britain. In all probability only a national effort can do that. As the result of such an effort, a great deal of help could be flowing toward Europe in a very short time, despite our unpreparedness. Some supplies could be produced very rapidly and much that we could send would fill a very great need, either in the battle line or back of it.

Henry Ford estimated yesterday that his plant alone could turn out 1,000 fighting planes a day after 6 months' preparation. That may be an overestimation, but we have no doubt we could produce astonishing results with this Nation engaged in the one business of helping to win this war.

The American industrial system is so vastly superior to the 1917 system that we can feel quite certain the long delay in getting started would not occur again. We could not use 1,000 planes a day, but who doubts that the Ford plant and the General Motors plants alone could turn out planes and tanks to supply a great army in an extremely short period?

But it is not only supplies the Allies must have. Right now they need moral support more than airplanes and tanks. Their morale is low. The war has gone against them and they are in danger, not only of widespread death and destruction but of utter, overwhelming defeat.

The knowledge that the United States has stepped forth to their support to save civilization from the black night of barbarism would not only renew their strength and their belief in their own powers to resist, but the announcement that we had taken our stand against Hitler would ring like a bell of freedom throughout the now slipping and spineless neutral world.

And that announcement would resound through Germany as the knell of Nazi hopes. Germany seems united behind Hitler, but millions of Germans don't like him and would desert him at the first crack in his good fortune. They remember what America did in the last war and they would fear we can do the same thing again.

And then think what a declaration of war would mean to Mussolini and the Italian people. They don't want to fight this country. Mussolini will not attack France if Italians knew that in doing so they are also attacking us.

The time has come to act if we expect to affect the decision now being made on the battlefield. If we wait a month or two months, it may be too late. No fairy godmother is protecting the democracies today. They must protect themselves, and the only way we can protect our civilization and our freedom is through a decision that is not delayed. If we wait, the Allies are probably lost. If we go to their aid, they probably can be saved.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, 1941

Mr. CANNON of Missouri. Mr. Speaker, the bill (H. R. 8202) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1941, and for other purposes, has been returned by the Senate and is now on the Speaker's table.

I ask unanimous consent that the House agree to the amendment of the Senate to the amendment of the House to the amendment of the Senate numbered 110; insist upon its amendments to the amendments of the Senate numbered 44, 45, 95, 99, and 103; further insist upon its disagreement to the amendments of the Senate numbered 17, 20, 21, 37, 39, 41, 42, 43, 60, 61, 65, 66, and 105; that the House agree to the further conference requested by the Senate; and that the Chair appoint the conferees on the part of the House.

Mr. DIRKSEN. Mr. Speaker, reserving the right to object, and I shall not, as I understand the import of the gentleman's motion it is to further insist upon all matters with which the House is in disagreement with the Senate and to agree only in

respect of the $60,000,000 provision for the Rural Electrification Administration, together with an additional $600,000 of administrative funds.

Mr. CANNON of Missouri. We are agreeing to the amendment offered by the Senate to the Rural Electrification Administration amendment providing an appropriation for administrative funds. We are otherwise taking the same position on the remaining amendments taken by the House in the original disagreement when the bill was first sent to conference.

The SPEAKER. Is there objection to the request of the gentleman from Missouri? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. CANNON of Missouri, TARVER, and LAMBERTSON.

EXTENSION OF REMARKS

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address made to the West Point Cadets.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LABOR UNREST IN SHIPYARDS

Mr. BARDEN of North Carolina. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BARDEN of North Carolina. Mr. Speaker, I view with a great deal of alarm the headlines in this morning's Washington Post which read as follows:

FIRST BLOW TO DEFENSE PLANS

The country was confronted last night with its first strike in a key industry in the defense program only a few days after President Roosevelt had voiced confident hope that such difficulties would be averted. Union employees of the Federal Shipbuilding & Dry Dock Co., where 2 destroyers and 2 cruisers are under construction for the Navy, voted today to strike at midnight in a move affecting 6,000 workmen.

John Dempsey, national vice president and president of Local 16, Industrial Union of Maritime & Shipworkers of America (C. I. O.), said 5,000 workers at a meeting in nearby Jersey City voted overwhelmingly to strike after he and two other leaders had urged them to delay action pending further negotiations.

WORKERS ASKING A 10 CENT AN HOUR INCREASE

Dempsey said the leaders would support the men. Secretary of the Navy Edison was quite correct when he issued the statement "We cannot have trouble of this sort in these times." However, I would go further and say that we should not tolerate trouble of this sort in these times. I wonder if the C. I. O. covets the questionable honor of being branded by public opinion as the first to unfurl the "fifth columnist" flag?

Congress and the President are rushing in every way possible legislation that would enable the United States to provide necessary and adequate means of defense. Ships, arms, guns, tanks, and ammunition, for this, Congress is called upon to appropriate money and levy taxes to raise this money. We are, and wisely so, using figures showing normal cost of production; and now the C. I. O. at Kearny, N. J., 6,000 of them, have walked out and quit work on 2 destroyers and 2 cruisers because their demand for 10 cents per hour increase in wages was refused. The more profitable we make war the greater our chances are for having war. The good name of labor should be protected against such a blot, and racketeer leaders should be told where to head in. If we are facing a national emergency and we are, then patriotism and love of country should not be discarded or be placed in No. 2 position.

[Here the gavel fell.]

STRIKES

Mr. COX. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Georgia [Mr. COX]?

There was no objection.

Mr. COX. Mr. Speaker, supplementing what the gentleman from North Carolina has just said, I would like to say that to strike against the Government or essential production for the Government in time of stress is in fact treason, and ought to be so declared by law. I hope that the Committee on the Judiciary will see fit to examine this subject and in its wisdom report a bill dealing with just such situations.

Mr. MICHENER. Has the gentleman introduced any resolution?

Mr. HOFFMAN. I have one.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. ENGEL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address by Dr. Harold M. Dorr, assistant professor of political science of the University of Michigan.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. ENGEL]?

There was no objection.

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a statement from the War Department.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. ANDERSON]?

There was no objection.

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent to insert in the Appendix of the RECORD an article appearing in the press this morning.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. COLE]?

There was no objection.

ASSISTANCE TO THE RED CROSS

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. COLE]?

There was no objection.

Mr. COLE of New York. Mr. Speaker, there are millions of people in this country who are distressed and living under undesirable and deplorable conditions, but however bad those conditions may be they are not as bad as the conditions under which millions of people in Europe are now forced to live due to the ravages of war. This Government has in warehouses and stockrooms throughout the country millions of bales of cotton, thousands of bushels of wheat and corn, tons of dried fruits, all those things that go to sustain life and which are so sorely needed by the war refugees.

I have today introduced a resolution authorizing the Government to turn over to the American Red Cross $25,000,000 worth of those products for distribution in Europe. I hope the Committee on Agriculture will give it the immediate and favorable consideration which is characteristic of the generous and charitable American heart. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. THOMAS F. FORD. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include two tables which I personally prepared.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. THOMAS F. FORD]?

There was no objection.

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter signed by a Washington, D. C., mother on the subject of world peace.

The SPEAKER. Is there objection to the request of the gentleman from Washington [Mr. COFFEE]?

There was no objection.

Mrs. NORTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter received from the Secretary of Labor and also an editorial in this morning's Post.

The SPEAKER. Is there objection to the request of the gentlewoman from New Jersey [Mrs. NORTON]?

There was no objection.

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent to insert in the RECORD an editorial from a Bucyrus, Ohio, newspaper.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. SMITH]?

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a brief editorial from the Lead (S. Dak.) Daily Call.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota [Mr. CASE]?

There was no objection.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein a radio address delivered by myself.

The SPEAKER. Is there objection to the request of the gentleman from Oregon [Mr. ANGELL]?

There was no objection.

PREVENTING NATIONAL DEFENSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, supplementing what was just said by the gentleman from North Carolina [Mr. BARDEN], permit me to call your attention to this headline in today's press, "British Labor United—Determined To Win War."

Listen to and consider and let those who claim to represent labor in this country read again and consider these authorized statements of British labor:

This is not the Tories' war. It is labor's war—a people's war. * * *

Hitler's concept is that the people exist for the Government. Ours is that the Government should be of, by, and for the people. Abraham Lincoln might well be the patron saint of British labor, for his brand of democracy runs strong in our ideals of statecraft.

* * * * * * *

Wars made by mere governments are easily lost, but a war backed by an entire free people can end only in victory. * * *

The fact that British labor has voluntarily given up benefits which it took us a hundred years to win proves how much in earnest we are. We are working unlimited hours, 7 days a week, and doing it gladly.

Capital is giving up all its war profits and labor is pulling its full share of the load without thought of increased pay. We refuse to take advantage of the situation to force higher wages or win advantages, even where these are long overdue.

We refuse to do anything that might in any degree imperil the cause for which the Allies are fighting—for that cause is really ours.

There are no racketeer leaders in British labor. We do not say that to reflect upon the American labor movement, which we know is inspired by ideals as high as ours. But apparently the rank and file of American labor has not been able to keep some unworthy men who are not really workers from gaining power in their movement. It is fortunate for us that this has not happened here, for confidence in our leaders is one great factor in enabling British workers to get unanimously behind the war effort.

* * * * * * *

British labor thoroughly understands the position of the United States. We don't want America to come into the war. We don't need American manpower. But we do need American planes and materials in vast quantity, and we do want America's moral support.

British labor hopes that American labor will answer our appeal.

Quite true, these United States are not now engaged in a war. We do not propose to become involved in a war. But we have determined that, come what will, we shall not be found unprepared.

So well prepared must we be to protect our Nation that even a madman will not dare to attack us. To accomplish that end we must in this country have cooperation; put an end to the Government's assault upon business; to the internecine strife in labor.

The seriousness of our situation; the impossibility of preparing to defend ourselves, if present conditions continue, is demonstrated by another headline showing the attitude of labor in at least some instances. This is the headline from a morning paper:

Wage Dispute Ties Up Work on Two Cruisers—Two Destroyers.

Then follows the statement:

The country was confronted last night with its first strike in a key industry in the defense program.

Another paper carries this statement:

Strike is voted at yard making four United States warships. Kearny shipbuilding tie-up authorized by C. I. O. may halt $43,500,000 work.

The strike was authorized by 5,000 members of the Industrial Union of Marine and Shipbuilding Workers of America, Local 16, a C. I. O. affiliate, and will affect 6,700 of its members.

The union is asking a flat increase of 10 cents an hour in the pay of its men who now receive from 62½ cents an hour to $1 an hour. As one of the reasons for the strike, the workers state that the proposed tax for national defense will impose a further burden upon them. Their share of that tax will be but a few cents per week.

C. I. O. workers in the plant of the Timken-Detroit Axle Co., making axles for gun carriages, have given notice that they intend to strike.

Never can we prepare for national defense if the C. I. O. is to be permitted to hold up production of warships, of munitions of war.

Matthew Woll, vice president of the A. F. of L., called attention to the danger when he said, with reference to the appointment of Sidney Hillman, C. I. O. vice president, to the Advisory Commission on National Defense:

What the President has done is to put the entire vast problem of employment under the defense program in the hands of a representative of a minority faction, riddled with Communists, and engaged in making war upon more than 4,000,000 members of the American Federation of Labor.

In response to the statement of the gentleman from Georgia [Mr. COX], permit me to add that I am introducing a bill to end this intolerable situation, which is but a part of the movement of the "fifth column" to, from within, open the door, make easy, and pave the way for a foreign invader. The bill is as follows:

A bill to promote the national defense and to eliminate certain oppressive labor practices affecting the national-defense program, and for other purposes

Be it enacted, etc., That this act may be cited as the "Non-Interference With National Defense Act of 1940."

TITLE I

SECTION 1. (a) The Congress hereby finds that the violation of contracts of employment by those engaged in the production of things intended for use in national defense; the unfair use of pickets in places where things intended for use in national defense are being produced; the interference with the right to work in places where things intended for use in national defense are being produced; and the delay or stoppage of the construction of products designed or intended for use in the national defense.

(1) Causes and tends to provoke acts of violence, breaches of the peace, and destruction of property;

(2) Hinders and delays preparations for national defense; and

(3) Endangers the safety of our Nation.

SEC. 2. All persons engaging in employment in any place where anything is being produced for the United States or for any agency or department thereof, or for any individual, association, partnership, corporation, or group, and intended for use by the United States or any agency thereof in national defense, shall be required to enter into a contract of employment with the United States, or the department or agency, or individual, association, partnership, corporation, or group producing such thing intended for use in national defense, which contract shall contain a statement fixing the hours of work, the wage to be received, the duration of the employment, and a further provision that the terms of such contract shall not be altered without the consent of the Federal Government or of some person duly authorized by the executive or other department of the Government, or the consent of the individual, association, partnership, corporation, or group entering into such contract.

SEC. 3. It shall be deemed an oppressive labor practice for any person to violate the terms of any such contract under which he is employed in any place referred to in section 2 of this act, or to interfere with the performance by any person of any work in such a place.

SEC. 4. It shall be unlawful to violate any of the terms of the contract described in section 2 or to interfere, directly or indirectly,

with any person in the performance of his obligation under such a contract; or to prevent by force or by show of force or by threat or coercion any person from working in any place referred to in section 2.

SEC. 5. Any person violating any of the provisions of this act shall, upon conviction thereof, be subject to a fine of not more than $1,000 or imprisonment for not more than 6 months, or both.

[Here the gavel fell.]

CALL OF THE HOUSE

Mr. SECCOMBE. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. COX. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 136]

Alexander	Cooley	Kilburn	Schwert
Andersen, H. Carl	Darrow	Kirwan	Scrugham
Andresen, A. H.	Delaney	Lemke	Shafer, Mich.
Austin	Douglas	McGranery	Smith, Ill.
Ball	Fenton	McLeod	Sparkman
Barnes	Fernandez	Mansfield	Starnes, Ala.
Bolles	Fish	Marshall	Sullivan
Bradley, Mich.	Flaherty	Merritt	Sweeney
Bradley, Pa.	Flannagan	Moser	Taylor
Brewster	Folger	Myers	Thomas, N. J.
Brown, Ohio	Grant, Ala.	Osmers	Thorkelson
Buckley, N. H.	Guyer, Kans.	Pace	Tibbott
Byrne, N. Y.	Hall, Edwin A.	Patrick	Vinson, Ga.
Byron	Hart	Randolph	Wallgren
Caldwell	Harter, N. Y.	Reece, Tenn.	Walter
Camp	Harter, Ohio	Risk	Whelchel
Cartwright	Hinshaw	Rockefeller	White, Idaho
Casey, Mass.	Hook	Sabath	White, Ohio
Celler	Izac	Sacks	Wood
Claypool	Jarman	Schaefer, Ill.	
Connery	Johns	Schuetz	

The SPEAKER. Three hundred and fifty-two Members have answered to their names, a quorum.

Further proceedings under the call were dispensed with.

EXTENSION OF REMARKS

Mr. COLE of Maryland asked and was given permission to extend his own remarks in the RECORD.

AMENDMENT OF FEDERAL HOME LOAN BANK ACT, HOME OWNERS' LOAN ACT OF 1933, AND TITLE IV OF THE NATIONAL HOUSING ACT

Mr. COX. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 280 and ask its immediate consideration.

The Clerk read the resolution, as follows:

House Resolution 280

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 6971, a bill to amend the Federal Home Loan Bank Act, Home Owners' Loan Act of 1933, title IV of the National Housing Act, and for other purposes, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit, with or without instructions.

Mr. COX. Mr. Speaker, of the 60 minutes allowed for the discussion of the resolution I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN], to be in turn yielded by him.

Mr. Speaker, I yield 6 minutes to the gentleman from Alabama [Mr. STEAGALL].

Mr. STEAGALL. Mr. Speaker, this bill seeks to liberalize and enlarge the service that may be rendered home borrowers of the Nation by the home-loan banks. It will be remembered that the Home Loan Bank System was established in 1932 in an effort to meet the difficulties that had developed with respect to home financing and the general demonetization in the real-estate market of the Nation. I have never understood why leaders in the banking and financial world should have undertaken to treat real estate as a stepchild at the door of lending institutions. Our real estate, our soil, is so fundamental in the production of all the essentials of life and happiness that I have always entertained the view that our banking institutions should be more liberal in the recognition of real-estate securities offered for consideration, and that ample machinery should have been established long ago for protecting real-estate values and maintaining stability of real-estate values. These values are vastly important in their bearing upon our entire economic structure.

The Federal Home Loan Bank System was established to accomplish these ends. The act grew out of the unhappy experiences of the years immediately prior to the passage of that law. The bill before us seeks to enlarge that service by liberalizing the provisions for accommodation of members with home mortgages as security. I am not going to undertake to review every provision of the bill, but that is one.

A provision of the bill which is of supreme importance would permit the Secretary of the Treasury to purchase the obligations of the banks. The Home Loan Bank System had a capital originally of $125,000,000, subscribed by the Treasury of the United States. That capital has been increased by accumulation of ownership on the part of borrowers to $163,000,000. The banks have loaned over $600,000,000 since the establishment of the system. Collections have been made which have reduced the amount of loans now outstanding to about $140,000,000.

The System has operated without a dollar of loss and has paid annual dividends on the stock purchased by the Treasury amounting to a return substantially as high as the average rate paid by the Treasury upon its obligations. The Home Loan Bank System has resulted in a reduction of the interest rate to its borrowers from 7 and 8 percent to between 4 and 5 percent. In some sections of the country before the enactment of the Home Loan Bank Act the interest rate ran up to 9 percent and sometimes more. The Home Loan Bank System has accomplished vast benefits in the reduction of these rates, and has contributed largely toward the improvement of real-estate values and the stability of the real-estate market in the United States.

We contemplate by this bill a reduction in the charge against participating institutions, which is amply justified by the record, which shows that the Federal Savings and Loan Insurance Corporation has made a profit of $22,000,000 after sustaining all its losses up to this time. Therefore, we propose to reduce the rate from one-eighth to one-twelfth with the right to reassess in case of necessity.

It is provided that the Treasury will purchase the obligations of the home-loan banks, this arrangement being similar to that which exists with reference to the obligations of the Reconstruction Finance Corporation and other similar institutions where the Treasury purchases their obligations.

The legislation embodies another vitally important step in the administration's program of social security in its broadest sense—a program to protect the savings of citizens of small and moderate income and to insure them possession of their homes in the face of any crisis the future may bring. The principal feature of the bill is the provision authorizing the Secretary of the Treasury to buy debentures of the Federal Home Loan Bank System and the Federal Savings and Loan Insurance Corporation whenever, in his judgment, such purchases conform to and will promote sound public policy.

There is nothing revolutionary in this proposal. The Treasury already is authorized to support the Federal Reserve and the member institutions which comprise that System; it is now authorized to provide resources through which the Federal Deposit Insurance Corporation can assure the safety of deposits in commercial banks. The bill before us today seeks to give this same protection to the small savers and investors who entrust their savings to thrift and home-financing institutions.

There is no call in this bill for new Government expenditures. The Federal Home Loan Bank System bears its own expenses and pays its own way. Under ordinary circumstances, the system is more than self-sufficient. But, while it has no trouble in raising credit funds by the sale of its

debentures in ordinary times—every issue thus far has been oversubscribed—in a crisis the bank system would have to look elsewhere for buyers. In such a crisis, the only purchaser of its debentures would be the Federal Government itself.

There is no more risk involved here than in the authorization to the Treasury to support the Federal Reserve. The only support the Federal Home Loan Bank System needs is the assurance of liquid funds when good collateral is frozen during a period of economic depression. This assurance would be provided by the passage of the legislation now before us. The assurance will enable the banks to market its securities through private channels.

The other provisions of the bill are directed toward making the Federal Home Loan Bank System a more effective credit reservoir. They permit of a wider range of investments. They broaden the use of mortgages as collateral; permit the acceptance of mortgages amounting to more than $20,000 and mortgages on multiple dwellings. They would, for instance, make mortgages insured by the Federal Housing Administration eligible as collateral and in this way they would bring to an end the anomalous situation which sees bank system members forbidden to extend credit on many mortgages insured by F. H. A.

Essentially, the bill before us is an attempt to perfect the legislation which we inaugurated 8 years ago. The bank system was established in 1932, when home-financing institutions and home owners throughout the country were in desperate straits. With no credit reserves to fall back upon, the institutions were helpless to save themselves and helpless to extend aid even to home owners who offered sound collateral.

The legislation we passed in 1932 has not resulted in a perfect bank system by any means. We realize that while we have established a pattern that will suffice in normal times, we have failed to fortify the system for periods of economic stress. We realize that steps must be taken so that the savings held by institutions of the bank system will be available to their owners in times of necessity; that those institutions must be enabled to draw upon the national credit to preserve their own sound assets and extend leniency to their debtors if a crisis should arise. This bill will afford that protection and assurance.

May I briefly point out and explain the condition that calls for this action?

The savings and loan associations and other thrift institutions which comprise the bank system have financed practically half the small homes of this country. In this task they have used the savings of workers, small-business men, housewives, and children. Thus these institutions have had two coordinated purposes: One, providing sound credit for the construction, purchase, repair, modernization, and refinancing of homes; the other, developing thrift through systematic savings and conserving the use of the capital of their communities by providing a safe investment with a fair return for savings already accumulated.

These institutions provide for the purchase of homes through small monthly payments; it is their desire that every person who executes a mortgage shall eventually own a home. It is their desire to extend leniency in troubled times, because they know that their borrowers—average American home owners—will "come through" if given a fair chance.

But the home-financing institutions which do not have a credit reserve have no choice in times of economic stress. They are compelled to do either of two things: to foreclose on hard-pressed, delinquent mortgagors, or to deny their investors the privilege of withdrawing their savings at a time when those savings are most needed.

We have established a bank system which provides adequate credit for any expansion in home building the future is likely to bring. It has helped build institutions which today are doing $100,000,000 of home financing every month, bringing home ownership to thousands on thousands of families of small income who never would be able to purchase a home through any other means. It has provided a safe refuge for the savings of millions of our people.

But the system is not bulwarked against the period of crisis. That is why this legislation is needed. If it is enacted, the regional banks of the system would have a market for their debentures, an ample supply of funds to serve their member institutions in any circumstances. It will do more than provide safety in time of panic; it might well prevent panic itself. It is fear that worse may come that often turns an ordinary emergency into an extraordinary one. The knowledge that the Treasury stood back of the banks and that the bank system could, under any condition, dispose of its debentures and provide an adequate supply of funds, would reassure every individual and concern interested in real estate and home financing and would avert threatened upheaval.

If we had had on the statute books in 1930 the existing bank system, bulwarked by the additional legislation we now know is necessary and which is now before us, there would have been no need for the Home Owners' Loan Corporation in 1932 and 1933. There would have been foreclosures, it is true, for there are always victims who cannot be saved from such a catastrophe. But those with sound equities in their homes would have been carried over to better times, and the savings of those who financed them would have been safe. There would have been no wholesale dispossession of home owners and no panic in the real-estate market, to add to the economic disaster which engulfed the whole Nation.

Why should we deny the 4,000 institutions of the bank system the same protection that is accorded the commercial-bank members of the Federal Reserve System? This bill is for the protection of the vast number of workers and small-business people of the Nation, and the security afforded is the soundest known to the financial world.

We are called on here to extend protection to a great group of American citizens. Of the 51,000,000 savings accounts in this country, between 65 and 75 percent are in amounts less than $1,000, and between 30 and 40 percent are less than $100. A great many of these savings accounts, it is true, are already protected through the legislation granted to safeguard commercial banks. This legislation merely extends similar protection to others in the same group.

Investors in savings and loan associations seek to guard against illness and old age, or to give their children a start in life. Home seekers who finance their homes through such institutions are making the most important investment of their lives. Together, they constitute the most solid and substantial group of citizens of which this country can boast.

We seek here no Government appropriation, no class legislation, no allotment, no favor. We merely ask that the same protection be afforded them that already has been afforded other investors and property owners. This legislation is not in their interest alone, for no segment of the financial structure of our country can stand by itself; no economic structure can withstand a mortgage and real-estate market collapse in a nation where the home-mortgage debt alone is $18,000,000,000.

The Roosevelt administration embarked on an era of security-for-all long before that term became applied to a few special bills. Whatever criticism the administration has aroused, every Member of this Congress knows that no political party or faction dares challenge the basic social legislation that has been enacted here. The bill now before you offers another basic statute vital to six and one-half million savers and home owners, and it affects, in some measure, the lives of perhaps 20,000,000 of our people.

I could make an appeal to the very groups which have backed the minority report against this bill—asking them, in the name of common sense, to protect the home-mortgage and real-estate market in defense of their own larger interests. But I prefer to make the appeal in the broader sense, that the Congress which has extended protection to business

and industry and to citizens in every walk of life, to the aged, the blind, the unemployed, cannot fail to grant safeguards to those whose life savings are invested in homes.

The bill will have your full and thoughtful consideration. It deserves your overwhelming support.

I wish to read, in conclusion, a letter I received this morning from the Federal Loan Administrator, Jesse Jones:

FEDERAL LOAN AGENCY,
Washington, May 31, 1940.

Hon. HENRY B. STEAGALL,
Chairman, Banking and Currency Committee, House of Representatives, Washington, D. C.

DEAR CHAIRMAN STEAGALL: While I am not familiar with the details of H. R. 6971, Chairman Fahey and Director Hancock assure me that the provisions of the bill are desirable. I think it is generally conceded that the service rendered our home owners and savers of moderate means by the Federal Home Loan banks and their members, the Federal Savings and Loan Associations, and the Federal Savings and Loan Insurance Corporation, is essential to the welfare of our country, and the laws under which they operate should be improved as experience develops the need for it.

I understand Mr. LUCE, member of your committee, expects to offer an amendment to the bill, which, I am informed, is acceptable to the Home Loan Bank Board.

Under these circumstances, as Federal Loan Administrator, I recommend the bill be passed.

Sincerely yours,

JESSE H. JONES, *Administrator.*

I hope there will be no hesitancy on the part of the House in adopting the proposed rule and giving the membership an opportunity to pass on this important legislation. [Applause.]

[Here the gavel fell.]

Mr. ALLEN of Illinois. Mr. Speaker, I yield 15 minutes to the gentleman from Michigan [Mr. WOLCOTT].

Mr. WOLCOTT. Mr. Speaker, this probably is the most important and far-reaching bill which has been on the floor of this House for years. I do not believe that Mr. Jesse Jones has given very much consideration to this bill. It is noted that he starts out his letter, in which he allegedly approves the bill, by this statement:

While I am not familiar with the details of H. R. 6971, Chairman Fahey and Director Hancock assure me that the provisions of the bill are desirable.

I believe that if Mr. Jesse Jones had given consideration to the details of this bill he would not on his own responsibility be advocating its passage.

Let us look at the history of this bill. It is over a year old. Hearings were started in the Banking and Currency Committee on April 25, 1939. They continued through June 6, 1939. The House Committee reported the bill on June 23, 1939, and it lay dormant in the Rules Committee until July 28, 1939, a matter of 5 weeks, before the Rules Committee took any action on it whatsoever, indicating that the Rules Committee hesitated before they granted a rule on the bill. Why did they hesitate to grant a rule on this bill? The Banking and Currency Committee is made up of 25 members; 13 members of the Banking and Currency Committee, or a majority of that committee, are on record as opposing this bill. On the last page of the so-called minority report you will notice that 11 members of the committee signed the minority report, calling attention to the viciousness of the bill, 2 others who for reasons of their own did not sign the minority report voted against the bill in committee. Therefore 13 of this 25-man committee indicated that the bill should not be reported out of the committee, and that is the reason the Rules Committee hesitated for 5 weeks before granting a rule.

Now, for 10 months this bill has lain dormant on the calendar of this House. Nobody contends that it is necessary. Everybody contends that it will expand the authority of the Federal savings and loan associations. The only group which is pressing this bill are the Federal savings and loan associations which, Mr. Speaker, are the foundation upon which will be built, if this bill is passed, a colossal, Nation-wide branch-banking system and, of course, they are for the bill. The State-chartered institutions, every savings bank, every mutual savings bank, every cooperative bank, every Morris Plan bank, every other thrift institution but the Federal savings and loan associations are violently opposed to this bill because there is the potential danger in this bill that every thrift institution in this country will have but two alternatives—the one to go out of business, the other to convert to a federally and politically controlled Federal bureau, in that they will be forced to convert to Federal savings and loan associations if they want to do business.

I question the advisability of the Rules Committee reporting a rule on a bill and the House adopting a rule on a bill wherein a majority of the legislative committee oppose the bill.

Now, this does set up a third banking system to the prejudice of all banks now established, whether they are State-chartered banks or are Federal-chartered banks. One of the chief reasons for the bank crash of 1933, we are told by everyone, and we are all agreed on this, was overexpansion and unrestrained competition of banking facilities. One of the blessings of that crash, if there were any, and one of the most constructive activities of this present administration, has been the elimination of cutthroat banking competition.

Every effort has been made by this administration and all other to discourage the overlapping of banking facilities to the prejudice of the depositors in banks. Have in mind that when we set up this system we set it up with Federal money. We subsidize this system which competes with all private financial enterprises.

This rule should be defeated because a majority of the committee is opposed to it, a majority of thrift institutions are opposed to it, all the banks of the United States are opposed to it because it sets up a Nation-wide branch-banking system.

Is there a man on the floor of this House who would vote, if he knew what he was doing, to set up a Nation-wide branch banking system whereby the loan policy of his home-town bank would be controlled by Wall Street or a federally controlled bureau? Of course not; and that is just what we have here.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I am sorry, but I have a limited amount of time and a lot of material and I cannot yield.

Of course, we would not vote to establish a Nation-wide branch-banking system if we knew what we are about, but this bill does that. This bill would centralize the control of credit under a politically controlled Federal bureau, the Federal Home Loan Bank Board.

It puts the Federal savings and loan associations in the savings-bank business, in competition with all savings banks, mutual-savings banks, cooperative banks, Morris Plan banks, and State chartered building and loan associations.

It broadens the investment field of Federal savings and loan associations to enable them to invest in all first mortgages instead of home mortgages, thereby changing the purpose of the associations in that they may enter an unrestricted investment field instead of being confined to the financing of home building incident to thrift savings.

At the present time they are confined to the home-mortgage field, and we set them up to encourage people to build a home, not to establish a new investment field, but to encourage the building of homes so that a person could buy certificates in one of these Federal savings and loan associations and pay on that certificate until he had money enough on it to make a down payment on a home.

That is the purpose of the Federal savings and loan associations, and it is the purpose of all building and loan associations, but now we broaden the field to allow these Federal savings and loan associations to invest in all first mortgages, without restraint, to invest in Government obligations, to invest in almost every class of security. The bill authorizes the investment in every class of security, the principal and interest of which is guaranteed by the Federal Government. It does not throw around the shareholders of these associations the same protection which a savings bank finds it necessary to maintain for the protection of its depositors. It encourages the issuance of repurchasable and withdrawable certificates. It enables the associations to operate as savings banks, without restrictions and limitations, and with-

out the maintenance of adequate capital and reserves against losses as are required to protect the depositors in savings banks.

It makes possible the destruction of the savings and thrift banking system. The possible destruction of the savings-bank system lies in the fact that because of the advantages given to these associations through tax exemption, understand, their capital, their surplus, their certificates, and so forth, and their franchises and charters are exempt from taxation. The income from their shares is exempt from taxation. That is not true of State chartered institutions or the stock of any savings bank or mutual-savings bank in the United States. The possible destruction of the savings-bank system lies in the fact that because of the advantages through tax exemptions, the encouragement of loose investment policies, irregular and inadequate examinations, and others, Federal savings and loan associations do now and can continue to pay as high as 4-percent interest on their shares which are insured up to $5,000 by the Government. A savings bank, and other similar institutions, because of limitations, restrictions, and requirements with respect to the maintenance of reserves, a limited investment field, nontax exemption, and other restrictions enforced by rigid and frequent examinations, and many times by law itself, are unable to pay more than 2-percent interest. In most States the interest rate on savings bank deposits is 1½ percent and in many localities it is only 1 percent. Also they are prevented from paying higher interest rates because there is no demand for credit within the investment field to which they are limited. At the present time—and this is on this question of competition—there are over five and a half billion dollars of excess reserves in our banks, of untouched capital, untouched credit. If we had not raised the reserve requirements, which these banks must maintain, twice, the excess reserves of these banks today would be over $8,000,000,000. So that there are over $8,000,000,000 lying idle in these banks today, because of the lack of demand, and that is one of the reasons they cannot pay any higher interest rate.

If this bill is passed, as I said before, all savings banks, all mutual savings banks, corporate banks, Morris Plan banks, State chartered building and loan associations have but two courses to follow. They must either convert to a Federal savings and loan association, which is under the political control of a Federal bureau, or they must go out of business. These are the only alternatives which they have.

Mr. Speaker, much as some might disagree with the policies of the Federal Reserve Board, we respect that Board and its interest in the maintenance of the banking system as now established. Mr. Marriner Eccles, Chairman of the Board of Governors, was asked to comment on this bill. He had this to say about it in a letter addressed to the chairman of the committee:

> I do not believe, however, that the permissible activities of Federal savings and loan associations and other member institutions of Federal home-loan banks should be expanded so far beyond their original charter as local mutual thrift and home-financing associations as to allow them to transact a large amount of general banking business. * * * The proposed bill contains a number of far-reaching provisions leading to these ends, and, in my opinion, its enactment would tend to establish a separate complete banking system which would compete on favored terms with savings banks and the savings departments of commercial banks. I therefore do not favor its enactment.

I want to respectfully call the attention of the House to the minority report accompanying the report on this bill. The first sentence of the minority report states that the purpose of this bill is to set up a Nation-wide branch-banking system, to monetize mortgages, and to centralize the management of credit under a politically controlled Federal bureau. That is not an exaggeration, because these charges have been confirmed by bankers in high position and men in high position in this Government, including Marriner Eccles, Chairman of the Board of Governors. In a telephone conversation with me he confirmed the statements in his letter that this bill might establish a Nation-wide branch-banking system. And understand also that the bonds and debentures which are issued by these associations become a public debt transaction and there is a contingent liability on the part of the Federal Government proportionate to the amount of bonds and other obligations which these associations issue, because the Treasury is authorized to take them and to make them a part of the Federal debt transactions.

Here we are in the position where we are scrimping and pinching everywhere we can. We are raising new taxes to carry on a defense program. A bill will be presented to the House within the next 2 weeks providing for the recapture of the capital of some of these associations, because the Treasury needs the money—and here we are creating new, unusual, and unwarranted, and unlimited liability on the part of the Federal Treasury to maintain a system which competes with established systems which have adequate reserves and facilities to furnish every cent of credit which is demanded not only for our current and ordinary needs but for the unusual requirements of the national-defense program.

Mr. FERGUSON. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. FERGUSON. Will the gentleman tell us the practical effect of section 3 under which these bonds and debentures become a part of the public-debt transaction?

Mr. WOLCOTT. They may issue bonds and other obligations, and the Treasury takes them. I will read from the minority report, if I may, for I think it covers it very well:

> Federal home-loan banks are authorized to issue bonds and debentures. The bill would authorize the Secretary of the Treasury to purchase these obligations, and the bonds issued for this purpose are to be treated as a public-debt transaction. Thus the Secretary of the Treasury not only subscribes to the capital of the Federal home-loan banks but he would be authorized to obligate the United States Treasury for payment of all the bonds and debentures of such banks. This would create a contingent public-debt liability equal to the aggregate amount of the capital, bonds, and other obligations of the Federal home-loan banks. Under other provisions of the law, Federal home-loan banks are authorized to make advances to nonmember institutions over which the Board exercises little or no supervision. These advances tend strongly to impair the capital of the Federal home-loan banks and increase the possibility of losses which will have to be paid out of the Federal Treasury.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield further at that point?

Mr. WOLCOTT. I yield.

Mr. CRAWFORD. For the benefit of the House, would the gentleman mind giving just a bit more information relative to the bill he referred to a little while ago, which would authorize the Reconstruction Finance Corporation to purchase the stock of the home-loan banks from the Treasury Department so as to give additional funds to the Treasury to carry on the defense program.

Mr. WOLCOTT. Yes; that is the bill we have all heard about, known as the recapture bill, directing the Reconstruction Finance Corporation to purchase this capital, which is now owned by the Treasury, thereby relieving the Treasury of the burden of carrying this capital, and this at a time when we are expected by this bill to increase the obligations against that capital.

Mr. CRAWFORD. And this need for recapture is something entirely new that has arisen since this bill was reported by our committee and since the Rules Committee had the bill sent to it some time last summer.

Mr. WOLCOTT. Yes; and is an added reason why this rule should not be adopted.

This is a dangerous bill. If you were cognizant of the potentialities of this bill you would not vote for it; I am sure you would not.

Nobody is interested in the bill except the institutions which will be used as a foundation upon which to build this colossal Nation-wide branch banking system. I have been pressured, and I know you have been pressured for the last few months by these institutions—and they have a perfect right to do it because they have an interest involved in this bill—but they are the only ones who have an interest in the bill and their interest lies in the fact that they are going to profit by it. [Applause.]

[Here the gavel fell.]

Mr. COX. Mr. Speaker, I yield 10 minutes to the gentleman from Kentucky [Mr. SPENCE].

Mr. SPENCE. Mr. Speaker, at the outset let me inform the Members that this is not a United States Housing Authority bill. There may be some confusion in the minds of Members that it involves in some way the United States Housing Authority, but it does not. This is a bill to amend the Federal Home Loan Bank Act, the Home Owners' Loan Act of 1933, and title IV of the National Housing Act.

The gentleman from Michigan [Mr. WOLCOTT], who just addressed you, complains about the manner in which the bill was reported and the manner in whichs a rule was obtained for the consideration of this bill. The bill was reported in an orderly fashion by the Committee on Banking and Currency, by a majority of a quorum. It was then referred to the Committee on Rules, the great political committee of this House. They considered the bill and gave us a rule for its consideration by the House of Representatives, an open rule, a broad rule as open as the blue sky. There is not an amendment that you want to propose to this bill that you cannot propose. Any germane amendment is in order. The House of Representatives can consider this bill from any angle and in any manner; yet the gentleman from Michigan tells you you should vote down the rule. To vote down the rule, it seems to me, would be a confession that the House of Representatives was not able intelligently to consider this bill. It would, it seems to me, typify the attitude of the justice of peace who had just been elected. When they attempted to introduce some evidence in favor of the accused he said: "I do not care to hear any evidence. I heard all about it down at the corner saloon last night. You are fined $10 and costs." [Laughter.] Certainly, Mr. Chairman, the House is going to consider this bill.

This home-loan bank is not an institution that has just been established, it is an institution that is part of the public policy and one of the great governmental agencies of the United States. It is an agency that has rendered satisfactory service to a great body of institutions which in turn have rendered splendid service to the people of America.

It creates a liquid reservoir of credit for the savings and loan associations, building and loan associations, and other thrift and home-financing institutions, such as the Federal Reserve System furnishes to its members.

It would give greater availability to the assets of these institutions to furnish the accommodations to the people for which they were organized. It will make available for advances to the members the assets of the organizations and will enlarge their power to secure these advances. It will allow the member institutions to obtain advances from the home-loan bank on the security of the notes and mortgages the member institutions are authorized to accept for loans. It will further authorize the Secretary of the Treasury, at his discretion, to purchase obligations issued under the provisions of this act or title IV of the National Housing Act, which will further liquefy the assets of the home-loan banks and the Federal Housing Administration. The Federal Reserve System, agencies of the Farm Credit Administration, the Federal Deposit Insurance Corporation, and various other agencies have this support. There are also some provisions in reference to the powers of the Board to bring suit and criminal provisions defining the criminal jurisdiction, to protect the assets of the institutions against criminal acts. It further exempts from taxation the building of the Home Owners' Loan Corporation, which houses that corporation and the home-loan bank, the Federal Savings and Loan Insurance Corporation. It also reduces the premium to be paid by institutions for insurance of accounts to the Federal Savings and Loan Insurance Corporation from one-eighth of 1 percent per annum to one-twelfth of 1 percent per annum. This is in conformity with the premium paid by the banks for insurance under the Federal Deposit Insurance Corporation.

It should be observed also the Federal Savings and Loan Insurance Corporation only insures solvency. The Federal Deposit Insurance Corporation insures both solvency and liquidity. Certainly these thrift and home-financing institutions should not be compelled to pay more for insurance than the banks. The banks' loans are based upon individual credit, often unsecured, and often the result of personal favoritism and friendship of the bankers. Every loan made by the building and loan associations is secured by a first mortgage upon a home or other property authorized as security for these loans after appraisal by a board of disinterested appraisers. The home is probably the best security for a loan that can be obtained. Men will strive with diligence and sacrifice every other character of property in order to retain their homes, and even if through adversity and misfortune they eventually have to sacrifice them, the lending institution will then, in a great majority of cases, have ample security to protect its loans. This reduction in the premium is a simple matter of justice. While there will be some reduction immediately in the income of the Federal Savings and Loan Insurance Corporation, the Corporation expects to make up the deficiency by the increase in the volume of insurance and in the increase of the number of insured institutions. Many of these institutions are not insured at the present time by reason of the high rate they have to pay for insurance, but under the reduced insurance premium the Corporation expects great numbers of those who are now uninsured to apply for this insurance, which, by a greater spread of the insurance risk, will give greater security to the Federal Savings and Loan Insurance Corporation and will give greater security to those who have invested their funds in these lending institutions.

I am not in favor of enlarging the lending powers of these institutions to the extent this bill does. I am not in favor of the provision in reference to $100,000 loans. The gentleman from Massachusetts [Mr. LUCE], I understand, will offer an amendment to change this authority.

I am in favor of that amendment. But to say that because the bill in its present shape does not meet the wishes of all Members of the House and we should not consider it, seems to me is ridiculous. I am sure the Members of the House want to consider this great question and want to consider it in the light of the information they may obtain, in order to increase the efficiency of these splendid institutions that mean so much to the people of America.

I also intend to offer two amendments which have the approval of every building and loan association in the United States and one of which also has the approval of all the organizations of accountants in the United States, amendments that I think are just and that will be of great benefit in the administration of these institutions.

A building and loan association encourages home ownership and thrift in America. We have had a great many inquiries as to the cause of subversive activities, but I think the thing that would have a greater effect upon America and the stability of its institutions and in the patriotism of its people would be to make this a land of home owners. Anarchy and communism are not born in the home. There is something that gives a dignity and importance to him, when he can put his foot upon his own land. A man's house is his castle. That has come to us from the old English law.

[Here the gavel fell.]

Mr. COX. Mr. Speaker, I yield the gentleman 3 additional minutes.

Mr. SPENCE. Mr. Speaker, there was a distinction in ancient times between the serf, the vassal, and the free man. The free man could own his own home. The home has always had a significance under the common law. Sir Edward Coke said in a case reported in 1605, "The house of every one is to him his castle and fortress, as well for his defense against injury and violence, as for his repose."

When you make the American people home owners you are doing a great service to the Nation, and nothing has done more than the building and loan associations of the United States in this direction. They have rendered an incomparable service.

In my section of the State of Kentucky they have made it a land of home owners. The men who have been interested in those institutions have given unselfishly of their time and labor. Many members of the boards of directors of these

institutions receive little or no compensation for the services they render. Now when these fine institutions ask for the same privileges that the banks have had, we hear voices raised that they are invading the province of the bank.

We need the banks, and we have given them many privileges. However, the banks, as a rule, never wanted home mortgages until the F. S. H. A. came along and insured their mortgages 100 percent. Then they considered the building associations were invading the field of the banks. The building associations ought to be kept within the field they have heretofore occupied, but we certainly ought to do nothing to weaken these fine institutions. I appeal to the Members of the House not to close your minds to the merits of this case. If the Rules Committee had put us in a legislative strait jacket, if the Rules Committee had shackled Members so they could not give voice to their opinion, I would say vote down the rule. But what reason would there be to vote down a rule as broad as this for the consideration of a bill as meritorious as this bill is?

[Here the gavel fell.]

COMMITTEE ON WAYS AND MEANS

Mr. COOPER. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means may have permission to sit during the session of the House for the remainder of the day.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee [Mr. COOPER]?

There was no objection.

AMENDMENT OF THE FEDERAL HOME LOAN BANK ACT, HOME OWNERS' LOAN ACT OF 1933, TITLE IV OF THE NATIONAL HOUSING ACT

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. GIFFORD].

Mr. GIFFORD. Mr. Speaker, the bill contemplates important changes in our present banking structure. Lengthy and full explanations should be made to Members before action should be taken by the House. However, we can forget for a moment the many complicated and so-called technical amendments contained in the bill and present to you its real purpose. This is to change the entire intent of the original home-loan bank which is to take care of home mortgages and limited to 4-family units.

Under the plea that a large corporation backed by the Treasury itself must be set up as a safeguard against any future collapse in the mortgage market, extraordinary and liberal terms should be granted to federally capitalized and controlled institutions will at once force these independent State-chartered cooperative banks and building associations and even the large savings banks under this umbrella of so-called Federal protection. It is simply another attempt of reformers to extend another mighty arm of Federal control over institutions of established reputation for safe and conservative conduct in its operations. It now insures the shares of building associations up to $5,000 and carries the implied assurance that these shares are really classed as savings, always carrying the privilege of immediate withdrawal. The savings and loan institutions, set up by the Government with the intent to be placed in localities where banking facilities were lacking, have now penetrated into sections fully served with such banking facilities. Their preferred status by Government-supplied funds constitute a ruinous competition.

It is for this House today to determine whether another immense raid on private control and direction of capital shall be made by these ambitious bureaucrats to enlarge their respective domains. They quote other powers granted to the Federal Reserve and other departments of Government and want such powers duplicated in their own activities. For the Government itself to interfere and upset the already full and completely satisfactory financial institutions of many States should not be tolerated. The one item in this bill which would force the Treasury to furnish almost unlimited funds to this contemplated huge mortgage institution and to be treated as a public-debt transaction is disheartening and adds more public distrust to the public credit.

The rule should be voted down at this moment when our attention is on other pressing matters. We should not further jeopardize the national credit in assuming this large mortgage responsibility.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. GIFFORD. I yield to the gentleman from Texas.

Mr. PATMAN. The gentleman stated the Government's credit is already being questioned. Who is questioning the Government's credit when the interest rate is the lowest of history?

Mr. GIFFORD. That is the trouble. The interest rate is low. That is what has bedeviled the country and jeopardized the savings of everybody. Money issued because of debt certificates has caused this plethora of money and caused this low rate of interest. When you come to renew these bonds at a later date it may be that you will pay twice as much as the present low rate of interest you boast about. I see it ahead. Do not boast about it. It is a positive danger.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On May 22, 1940:

H. R. 8357. An act to amend the Mount Rushmore Memorial Act of 1938.

On May 24, 1940:

H. R. 2948. An act for the relief of Morris Hoppenheim, Lena Hoppenheim, Doris Hoppenheim, and Ruth Hoppenheim;

H. R. 3094. An act for the relief of Luise Ehrenfeld;

H. R. 7079. An act to provide for the appointment of additional district and circuit judges; and

H. R. 8826. An act to authorize an appropriation to assist in defraying the expenses of the American Negro Exposition to be held in Chicago, Ill., during 1940.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—NATIONAL DEFENSE (H. DOC. NO. 799)

The Speaker laid before the House the following message from the President of the United States, which was read, referred to the Committee of the Whole House on the state of the Union, and ordered to be printed:

To the Congress of the United States:

The almost incredible events of the past 2 weeks in the European conflict, particularly as a result of the use of aviation and mechanized equipment, together with the possible consequences of further developments, necessitate another enlargement of our military program.

No individual, no group can clearly foretell the future. As long, however, as a possibility exists that not one continent or two continents but all continents may become involved in a world-wide war, reasonable precaution demands that American defense be made more certain.

An investigation into manufacturing resources since my message of May 16, to determine the practicability of placing additional orders with industry for special material, both to provide an early expansion of existing production facilities and to obtain increased quantities of the special weapons concerned, has caused the War and Navy Departments to submit to me an urgent and new recommendation that increased appropriations and authorizations for the national defense be made before the adjournment of the present Congress.

Over and beyond the acquisition of this actual material is the evident requirement for the immediate creation of additional production facilities to meet possible future emergencies as well as present deficiencies in the making of munitions, such as guns, ammunition, and fire-control equipment. These facilities require a long time to create and to reach quantity production. The increased gravity of the situation indicates that action should be taken without delay.

The problem of defending our national institutions and territorial integrity is no longer a problem for men equipped

simply with an indomitable determination. Modern defense requires that this determination be supported by the highly developed machinery of our industrial productive capacity.

The expansion of our defense program makes it necessary that we undertake immediately the training and retraining of our people, and especially our young people, for employment in industry and in service in the Army and Navy.

The requirements of industry and the expanded armed forces for persons with experience in mechanical and manual fields are obviously going to be great. We do not have such trained persons in the number that will be required for the tasks that lie ahead of us if our defense is to be assured. We have, therefore, the task of training a large number in the skills and semiskills required by modern production in industry and by a highly mechanized defense force in the Army and Navy. A primary consideration in the training of skills must be, not the existing distribution of workers among skilled fields but the distribution that would be required if our industrial machine and our defensive forces were fully mobilized.

In the national effort for defense upon which we are now engaged, it is imperative that we make full and effective use of the mighty capacities that lie in our population. Here as yet undeveloped lie the ability and the strength needed in the building up of our armaments to provide a sure industrial foundation for the meeting of any and all defense requirements. Without the full development of these skills, our national defense will be less than it must be in the critical days which lie ahead. Without the full contribution of our people, our defense cannot attain the invulnerability which the Nation demands and which we are determined it shall have.

The one most obvious lesson of the present war in Europe is the value of the factor of speed. There is definite danger in waiting to order the complete equipping and training of armies after a war begins.

Therefore, I suggest the speedy enlargement of the program for equipping and training in the light of our defense needs.

I have instructed the representatives of the War and Navy Departments and also the representatives of the several agencies dealing with the training of young men for noncombatant services to make available to the appropriate committees of the Congress the plans and proposals which they have laid before me.

These plans call for immediate appropriations to carry forward congressional decisions in bills already pending, for immediate appropriations to add to the program and for authorizations to enter into contracts which it will take some time to complete.

There is a specific recommendation I would make in concluding this message, that before adjournment this Congress grant me the authority to call into active service such portion of the National Guard as may be deemed necessary to maintain our position of neutrality and to safeguard the national defense, this to include authority to call into active service the necessary Reserve personnel.

The amounts involved are large—over a billion dollars—but I believe that for national safety the needs are urgent.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *May 31, 1940.*

AMENDMENT OF FEDERAL HOME LOAN BANK ACT, HOME OWNERS' LOAN ACT OF 1933, AND TITLE IV OF THE NATIONAL HOUSING ACT

Mr. COX. Mr. Speaker, I yield 4 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Speaker, with a sense of humility and perhaps apology I find myself in disagreement with Members on my own side and particularly the members of the Banking Committee on the pending bill and pending rule. I do not share the apprehensions that were uttered on this floor his afternoon. I sincerely hope that the rule will not be voted down, so that the Members of the House can perfect the bill now before us in the hope that it can be enacted into law.

Perhaps I find comfort in the refrain of that old song current during the World War, They Were All Out of Step But Jim. It may be that I am out of step on this matter. I do not know, but I have labored with this bill for quite a long time and I think I express the feeling of most of the building and loan associations in the country, whether they be State chartered or whether they be Federal, that there ought to be implementing legislation to the existing Federal Home Loan Bank System, in the interest of justice, equity, and more expeditious operation.

This system was created in 1932. It bears the same relation to the thrift institutions that the Federal Reserve System does to the banks. There has to be some flexibility about the discounting of home-mortgage paper. It has been operating now for 8 years without any substantial amendment, and it occurs to me that some of the provisions in this bill at least are worthy of trial in the hope that a greater flexibility may be introduced into the home-loan financing field so that they can render better service not only to the Federal but to the State institutions as well.

There are only some 1,350 Federal associations as against more than 8,500 State institutions. I know State institutions that are in accord with many of the provisions of this bill, since more than 2,500 such institutions are members of the Federal Home Loan Bank System.

If there were no other reason for voting for the rule so that this bill can be considered, there would be one outstanding and selfish reason that I can give to every Member of the House, and that is that under existing law the State-chartered institutions today are not tax-exempt, whereas the Federal institutions are tax-exempt. I know of no way to dispel that inequity in existing law today unless we have a legislative instrumentality on which to hang that kind of an amendment. I know, speaking for the associations back in my State, and particularly my district, that if we could save the enacting clause, if nothing else, and then write in the provision that will be offered by the gentleman from Kentucky [Mr. SPENCE], our deliberations this afternoon on this bill will have been worth while. For that reason, if for no other, I trust that the rule will not be voted down because I believe it is important legislation, and I believe, sooner or later, we must induce a greater degree of flexibility in the home-financing and in the thrift field.

Much has been said about setting up another banking system and about a branch-banking system. I say to you very frankly, with all possible dignity and with the highest regard for Mr. Eccles, the Governor of the Federal Reserve Board, that I would prefer other testimony besides his in the field of thrift and home-financing institutions.

Mr. Eccles, if I remember my banking history correctly from the days when I served on this committee, was probably the outstanding banker in the State of Utah. I have always recognized the conflict between banks on the one side and the thrift institutions on the other and so I think I would rather have some authority besides that before I undertook to vote upon this rule, because I think we ought to give this matter consideration this afternoon, amend it as you will.

The Federal Home Loan Bank System now embraces 2,517 State institutions, 1,380 Federal institutions, 9 savings banks, and 40 insurance companies. Whatever is done to make the system more workable and operative inures to all types of savings and thrift institutions. The matter is of importance to every State in the union in view of the fact that nearly 10,000 such savings and loan and thrift institutions are providing loan and savings service to people of moderate means. They have constituted the very backbone of home financing in season and out. They have weathered the shock of the depression and rendered yeoman aid to people everywhere. Surely, the Congress should give careful consideration to such a far-flung enterprise which is so close to the people and therefore I earnestly hope that the rule will be supported and the measure considered. [Applause.]

Mr. ALLEN of Illinois. Mr. Speaker, I yield the remainder of my time to the gentleman from New Jersey [Mr. KEAN].

Mr. KEAN. Mr. Speaker, I have heard with admiration the beautiful laudation of home ownership made by the gen-

tleman from Kentucky and would say that my complete agreement with what he says in this matter is my reason for opposing this bill.

I believe in building and loan associations. In my county there are probably as many of these associations as in any other county in the Union, and they have performed a valuable service, encouraged thrift and home ownership, and I believe that all possible means should be taken to aid them in continuing their valuable work in their own field.

But if this bill should pass, its effect would be to divert the Federal associations from the functions that building and loan associations have exercised so well in the past, take them out of this field and make them into a chain of Nation-wide savings banks—in other words, a third banking system.

Now all of us know that there have been too many banks in this country and, as the gentleman from Michigan [Mr. WOLCOTT] says, the policy of the supervising authorities, ably aided by Jesse Jones and the Reconstruction Finance Corporation, has been to provide for strengthening the banking structure by combining unnecessary banks so that in place of many weak banks every community would have a few strong ones.

This bill would undo all the good that has been done along this line and again weaken the banking structure by providing for that further competition which will once more tempt banks to vie with these Federal associations for deposits through questionable promotional methods, practices which were one of the causes for the banking collapse in 1932.

There is a valuable and legitimate field for the building and loan associations—to provide a means for the thrifty to save funds toward the building of their own homes.

And as the money invested by the shareholders is employed by the association in real estate which is a non-liquid asset, it is entitled to a higher rate of return than money which is available on demand, such as money which the thrifty may place in a savings account.

Risk and long-term capital is entitled to a higher rate of interest than short-term and demand capital, yet this bill would provide that the building and loan associations need not use their funds as intended—for the financing of homes—but may invest them in any type of securities which are legal investment for fiduciary or trust funds, thus getting away entirely from the home-financing field where they belong.

Again, section 14 of this bill provides in case of default by an insured association for the immediate payment to the shareholders in cash of the $5,000 which is insured, compared with the present method of paying 10 percent in cash, 45 percent in 1 year, and the balance in 3 years. This is a provision which again completely confuses the functions of these loan associations, for if you must pay out cash on demand you must keep liquid assets—and home mortgages are not liquid assets.

Why should anyone place money in a savings account at a low rate of interest, if by this bill they can be assured of immediate cash at any time at a higher rate of interest in a Federal loan association?

Again, getting away from the theory which has been so successful for so many years of a thrift institution by which the thrifty can save to build a home, this bill takes the associations out of this field into the field of financing business properties and by amending the law to take out the word "home" from the bill puts these associations in the field of financing business properties which may cost as much as $200,000.

Many of us know from sad experience that this is a risky business—far afield from the original purpose of these associations.

Again, section 3 of this bill provides that the secretary-treasurer may, in his discretion, at any time, purchase any obligations of the Federal Home Loan Bank and thus increase the public debt.

So far these banks have sold their securities to the public without any Government guaranty, and have had a good market because they were secured by conservative home mortgages, which are always a good risk when properly diversified.

But under this bill this practice can be discontinued any time the Secretary wishes to, and certainly if this bill is to be passed this section should be amended to provide that this may be done only in time of emergency if the Secretary finds that the bank itself cannot sell its securities at a reasonable figure.

This is a dangerous bill. It will disturb the present banking structure, and it will impair the usefulness of the building and loan associations in aiding thrifty persons to save toward building homes. This rule should be defeated. [Applause.]

Mr. COX. Mr. Speaker, I yield 6 minutes to the gentleman from Texas [Mr. PATMAN].

Mr. PATMAN. Mr. Speaker, there is nothing in this bill to justify the statement that it will create a Nation-wide branch-banking system. If the gentleman is apprehensive that such will result, let him offer an amendment to prohibit it and I shall be very glad to support it, and I believe it will receive substantial support on this side.

This bill does not involve the Government's credit except to the extent of permitting one of the most deserving classes in America to use the Government's credit to a limited extent and under restrictions that will be no risk whatsoever to the Government. This bill will not cost the Government one penny, not one red cent.

Now, who are opposed to this bill? The big bankers are opposed to it. They are the only ones I have heard squawking about it. They want high interest. They are opposed to low interest. They want to keep for themselves privileges which they have refused to use, and if we judge the future by the past they will refuse to grant these home loans in the future. As evidence of that fact, over a period of 70 years the national banking system only granted loans for home ownership aggregating, in all, $1,200,000,000, and in 7 years the Federal Home Loan Banking System has granted more than that amount of loans. So this shows that the large commercial banks have not tried to develop, have not tried to expand this type of business.

Now, who is in favor of this bill? There are 7,000,000 people in the United States who are associated with these building and loans and savings and loans in every State who are greatly interested in the passage of this bill. Who are these people? They are not the big people, they are the little people, they are the ones who have obtained an average loan of $3,500, and they are saving enormous amounts in interest charges and other charges. They are saving on an average of $1,600 on a $5,000 loan, compared with the time prior to 1933. The average invested saving in these institutions is $700. So the person who is involved in this legislation, who is being fought by these big bankers, is the fellow who has an average saving of $700 and the fellow who has an average loan on his home of $3,500. In order to have an average of $3,500 you must have many loans that are only $1,000 or $1,500.

The big banks have no right to be against this bill. They cannot justly oppose it, but they do, and they are putting up a greedy, selfish fight. The Congress has been too good to them already to let them get by with any such thing as that, and I hope for once that Congress does not permit them to do it.

The gentleman from Michigan [Mr. WOLCOTT] stated in his minority report, and I read it for the purpose of thoroughly agreeing with him:

> It has been said that credit is the life-blood of the Nation. To allow any individual to control credit is to place in that person's hands powers which, if used improperly, can result in economic chaos.

I agree with the words of the gentleman from Michigan. Now, let us see the difference here. If you are for the Federal Home Loan Banking System, you are for the distribution and use of credit all over the Nation. This credit is distributed into every State, per capita, about the same. Let us compare it with the commercial banking system, the

system that is opposing this bill, although they have no right to oppose it.

Mr. ARNOLD. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I have no time to yield. I am sorry, but I just cannot do it.

Over a period of 10 years, from 1929 to 1939, the 10 largest banks, and incidentally they are all in one city, increased their deposits 90 percent. That is over a period of 10 years. During that same period of time, all of the other banks actually lost 15 percent of their deposits. What is the result? The result is, and I now refer to 15 banks, instead of 10, all in one city, that 15 banks in New York City have one-third of the banking deposits of the entire Nation—startling information. That is what the commercial banking system is doing. Let us try to break up this great concentration of wealth and economic power by encouraging these little home-ownership institutions, which will cause the distribution of money and credit. Over that same period of time, 15 banks increased their deposits 86 percent, and 300 of the largest banks 63 percent, and all banks in the Nation other than these, including demand deposits and time deposits, actually lost 22 percent of their deposits. That means concentration of money and credit. And remember that these institutions are locally owned. They are owned by the people in each individual community, and to say that they are going to adopt and engage in a Nation-wide branch banking system, I think, is absolutely ridiculous. This is a good bill and I hope the rule will be adopted.

Permission having been granted to extend my remarks, the following statement and tables are inserted:

THE FEDERAL HOME LOAN BANK SYSTEM AND COMMERCIAL BANKS

The Federal Home Loan Bank System was created in 1932 to assist in urban home financing. Urban home financing is one of three major fields of investment in this country, the other two being commercial banking and agricultural finance. What the Federal Reserve System and the Farm Credit Administration do for other fields, the Federal Home Loan Bank System does for urban home financing.

In the field of home-mortgage finance the Federal Home Loan Bank System has added a great national credit reservoir. It serves 3,912 home-financing institutions, with aggregate resources of approximately $4,763,000,000. These member institutions operate in every State and are helping to meet the home-financing needs of almost every community in the country.

Savings and loan associations, mutual savings banks and life-insurance companies comprise the membership of the Federal Home Loan Bank System. All of these types of institutions have for many years been engaged in the field of home-mortgage finance. Member institutions of the Federal Home Loan Bank System serve 6,500,000 savers and borrowers, representing about one-fourth of the nonfarm families in the United States.

Savings and loan associations, which comprise the major membership of the system, have traditionally served the small-home owner. This is shown by the fact that their average loan of $2,519 is considerably smaller than the average loan of any other institutional lender. Until recently savings and loan associations were practically the sole source of long-term amortized home-mortgage loans. Because they devote practically all their efforts to home financing and are specialists in this field, they are well equipped to carry a major portion of financing home ownership in this country. Moreover, they are in a position to give a high degree of personal service because they are locally owned and managed.

Since 1831, when the first savings and loan association was established, these institutions have traditionally utilized almost their entire resources in the financing of small dwellings, on a home-ownership basis. Mutual savings banks and life-insurance companies have also been active for many years in the mortgage field, although they have not specialized in the home-mortgage loan, but have also made a large volume of loans on other types of property. As far back as 1914, the proportion of assets invested in real-estate loans was almost 45 percent for mutual savings banks and 35 percent for life-insurance companies. Mortgage lending has thus been a traditional field for the long-term savings institutions of the country such as mutual savings banks, life-insurance companies, and savings and loan associations.

On the other hand, mortgage lending is a new field for commercial banks which have in the past been chiefly concerned with short-term commercial loans and demand deposits. Experience, law, and common sense have required that commercial banks keep the largest part of their assets in highly liquid loans and that they put only a small proportion of their capital into long-term investments. It is a fact, however, that commercial banks have been steadily and determinedly encroaching upon the mortgage field served by mutual savings banks, life-insurance companies, and savings and loan associations.

As I have stated, for the long-term savings institutions of the country, mortgage loans have long represented a large portion of total assets. On the other hand, prior to 1913, national banks had only 0.7 percent of their resources invested in mortgages. Since that time, as shown by an examination of the statutes, the powers of national banks to make mortgage loans have been progressively liberalized, and national banks have encroached more and more in the mortgage-lending field.

Prior to 1913 national banks were not allowed to make any mortgage loans, although they were permitted to take mortgages in satisfaction of prior indebtedness. However, the Federal Reserve Act in that year permitted national banks outside of central Reserve cities to make farm-mortgage loans for terms up to 5 years and up to 50 percent of appraised value. Then, in 1916, national banks were first allowed to make urban real estate loans. Of course, it was intended that these loans would be only short-term loans, not exceeding 1 year, and that they would not be competitive with the long-term loans made by savings and loan associations. But, in 1927, to prevent national banks from withdrawing from the Federal Reserve System, another concession was made, and they were allowed to make loans up to 5 years on nonfarm property. Since June 1934 national banks have been permitted to make long-term, amortized-mortgage loans.

The statutes have likewise been amended to increase the aggregate amount which national banks could lend on the security of real estate. As a result of the Federal Reserve Act of 1913 the maximum amount of real-estate loans was set at 25 percent of capital and surplus, or one-third of time deposits. In 1927, 1934, and 1935 the aggregate amount which could be loaned was successively increased. At the present time the statutes permit national banks to invest in real-estate loans up to 60 percent of time and savings deposits, or an amount equal to the paid-in and unimpaired capital, whichever is greater.

Now, what was the result of these changes in law which permitted national banks to put more and more of their assets in real-estate loans? On June 4, 1913, the total real-estate loans of national banks amounted to approximately $77,000,000. By 1916 these loans aggregated approximately $151,000,000. By 1927 the total had jumped to $1,063,000,000. By 1934, notwithstanding the depression, national banks had $1,330,000,000 invested in real-estate loans and by the end of 1939 the total had risen to $1,910,000,000.

In 1913 national banks had only 0.7 percent of their total resources invested in real-estate loans. By the end of last year, this ratio had jumped to 5.4 percent. In other words, during this period the proportion of their resources invested in real-estate loans had increased seven and one-half times.

All these irrefutable facts demonstrate that the commercial banks have to an increasing degree encroached upon the field of savings and loan associations and other long-term savings institutions. On the other hand, no one can say that savings and loan associations are attempting to invade the field of commercial banking. The purpose of this bill is not to create a third banking system but merely to implement the work of the Federal Home Loan Bank System, which is doing such an excellent job in serving as a credit reservoir for long-term savings institutions.

REGARDING SECTION 8

Much ado has been made of the provisions in section 8 of this bill, dealing with the powers of Federal savings and loan associations, and the question deserves some specific discussion. There are approximately 1,400 of these Federal associations operating in the country today. Approximately half of these are newly organized associations, organized in territories which the Federal Home Loan Bank Board has determined were not adequately served. The others are converted from State-chartered associations, because the owners of the associations thought they could do a better community job under Federal charter. These 1,400 Federal associations are securing a steady flow of new private savings in local communities and are lending about $30,000,000 a month on homes, a large part of which is to build new homes. Their average loan is perhaps not more than $3,500, and this means that they are making a great many loans of $1,000 and $1,500 on humble homes. This program has, for the first time, provided in many communities a sound thrift system which is actually doing a good job of financing small homes. In many other communities the converted associations have improved conditions.

The minority report on the bill refers to branch banking, to monetizing mortgages, and to a third banking system, but there is nothing in the legislation on any of these three subjects.

These associations are just as much local private enterprises as are our local national banks. They are locally owned, operated, managed, and directed, accumulating local savings and lending the same on local homes. The Federal Government simply provides a uniform Federal charter and Federal examination and supervision to protect the public. The original statute established extreme limitations, permitting these associations in effect to loan only upon homes and invest in Government bonds, except that 15 percent might be loaned on other improved property. Section 8 would permit an additional 15 percent to be loaned on small apartment houses and would slightly liberalize the investment provision. These associations will still be much more restricted in their opera-

tion than are our local State building and loan associations in most of the States.

No one thing has been done by the Government which has made a greater contribution to home building than the establishment of the Federal Savings and Loan System. It is reaching into the small cities and towns, as well as into the big cities, and providing a thrift program and liberal home financing on a local private basis without any expense to the Government. The only criticism of this effort to improve these associations has come from a few bankers and their representatives who object to what the committee believes is wholesome and helpful private competition in the public interest.

Summary table of number of associations, total membership, and total assets of savings, building and loan associations, by States, 1938 [1]

Name of State	Number of associations			Number of members				Amount of assets			
	State	Federal	Total	State	Federal	Total	Increase (+) or decrease (−) of total over 1937	State	Federal	Total	Increase (+) or decrease (−) of total over 1937
Alabama	23	14	37	11,250	9,728	20,978	+7,608	$7,078,844	$5,862,658	$12,941,502	+$271,957
Arizona	1	2	3	800	1,976	2,776	+1,445	501,144	2,141,496	2,642,640	+713,919
Arkansas	9	33	42	3,876	12,438	16,314	+6,721	3,714,217	10,011,228	13,725,445	+966,516
California	115	75	190	193,366	89,721	283,087	+28,503	210,928,929	93,724,475	304,653,404	+11,691,915
Colorado	33	23	56	16,550	21,965	38,515	+7,010	11,578,586	17,855,150	29,433,736	+639,004
Connecticut	35	15	50	29,667	15,146	44,813	+9,484	23,665,518	10,496,524	34,162,042	+3,107,770
Delaware	43	1	44	15,200	71	15,271	+371	12,668,992	121,847	12,790,839	+376,612
District of Columbia	26	2	28	133,321	9,494	142,815	+13,035	125,947,000	7,040,964	132,987,964	+12,373,964
Florida	40	48	88	6,000	36,098	42,098	+19,950	5,350,199	37,633,560	42,983,759	+7,256,930
Georgia	25	43	68	4,533	24,963	29,496	+8,347	7,473,562	16,832,047	24,305,609	+3,886,518
Idaho	5	9	14	1,950	11,009	12,959	+4,651	871,707	6,710,695	7,582,402	+634,107
Illinois	592	98	690	256,508	107,712	364,220	+22,213	236,038,329	96,277,794	332,316,123	−7,620,603
Indiana	191	68	259	100,000	111,462	211,462	+53,994	79,209,804	80,911,543	160,121,347	+4,540,037
Iowa	65	31	96	40,491	14,709	55,200	+10,114	33,766,264	10,731,725	44,497,989	+3,584,372
Kansas	120	24	144	70,571	23,318	93,889	−22,123	55,448,339	18,116,743	73,565,082	−2,147,604
Kentucky	122	51	173	70,000	69,601	139,601	+27,238	52,715,925	57,179,507	109,895,432	+4,878,568
Louisiana	62	12	74	96,594	11,590	108,184	+3,779	77,372,558	12,700,972	90,073,530	+989,118
Maine	36	5	41	23,932	876	24,808	+347	22,737,003	601,078	23,358,081	+224,678
Maryland	[1] 700	31	731	[1] 150,500	28,789	179,289	−34,299	[1] 100,000,000	22,994,902	122,994,902	−35,836,539
Massachusetts	185	26	211	338,091	89,080	427,171	+27,162	387,812,995	90,644,598	478,457,593	+2,265,278
Michigan	55	27	82	78,477	34,125	112,602	+16,987	91,567,814	31,302,368	122,870,182	+9,300,596
Minnesota	46	30	76	31,683	48,712	80,395	+32,203	25,703,696	35,559,600	61,263,296	+10,622,432
Mississippi	25	21	46	4,150	5,993	10,143	+3,120	5,060,000	3,937,831	8,937,831	+631,344
Missouri	183	37	220	150,000	38,001	188,001	+9,938	91,940,439	35,198,353	127,138,792	−754,212
Montana	20	2	22	14,449	696	15,145	−4,066	10,247,390	356,223	10,603,613	−559,905
Nebraska	57	15	72	81,434	8,054	89,488	+2,087	60,960,785	6,232,158	67,192,943	−4,084,254
Nevada	4		4	1,150		1,150	+10	954,898		954,898	+2,434
New Hampshire	28	2	30	14,928	6,581	21,509	+3,958	11,676,892	6,417,844	18,094,736	+1,146,538
New Jersey	1,327		1,327	528,507		528,507	−56,888	691,959,695		691,959,695	−100,401,361
New Mexico	14	8	22	3,600	1,682	5,282	+1,054	3,753,790	1,624,853	5,378,643	+582,325
New York	216	64	280	385,050	205,259	590,309	+80,261	258,019,052	138,572,753	396,591,805	+18,091,216
North Carolina	163	16	179	112,360	13,076	125,436	+20,052	75,559,988	10,674,641	86,234,629	+10,419,725
North Dakota	17	6	23	8,911	2,796	11,707	+1,960	8,778,658	1,981,196	10,759,854	+364,253
Ohio	605	113	718	1,224,621	233,968	1,458,589	+151,789	625,195,145	180,955,633	806,150,778	−4,447,454
Oklahoma	36	33	69	11,382	46,222	57,604	+18,978	17,909,050	42,895,404	60,804,454	+1,733,764
Oregon	13	22	35	15,390	18,112	33,502	+6,460	14,845,238	12,356,799	27,202,037	+2,190,271
Pennsylvania	1,821	71	1,892	471,127	46,342	517,469	−10,148	498,368,248	34,757,534	533,125,782	−63,579,454
Rhode Island	8	1	9	52,043	700	52,743	+3,092	34,180,833	616,038	34,796,871	−1,311,269
South Carolina	43	30	73	8,900	18,968	27,868	+10,442	8,800,369	14,090,429	22,890,798	+3,590,450
South Dakota	14	4	18	4,592	2,537	7,129	+324	3,171,677	1,619,131	4,790,808	+211,122
Tennessee	14	39	53	3,635	29,668	33,303	+18,124	2,689,938	21,572,108	24,262,046	+4,675,288
Texas	92	92	184	60,267	53,305	113,572	+54,097	51,654,198	39,708,239	91,362,437	+7,646,284
Utah	15	6	21	21,900	10,701	32,601	+6,171	20,603,249	6,624,067	27,227,316	+730,562
Vermont	12	2	14	5,204	1,828	7,032	+624	4,125,520	1,809,703	5,935,223	+335,942
Virginia	66	21	87	39,350	17,076	56,426	+10,309	31,482,272	16,146,612	47,628,884	+3,370,647
Washington	34	36	70	69,194	94,022	163,216	+20,994	20,639,159	38,458,340	59,097,499	+6,355,408
West Virginia	43	21	64	17,000	15,463	32,463	+2,922	13,172,237	13,709,147	26,881,384	+374,383
Wisconsin	171	27	198	164,785	13,600	178,385	−1,612	170,792,880	11,023,426	181,816,306	−5,318,429
Wyoming	5	9	14	3,400	2,559	5,959	+1,276	3,233,255	2,450,013	5,683,268	+302,084
Hawaii	8	1	9	16,815	1,702	18,517	−4,033	6,470,958	1,828,377	8,299,335	+2,295,882
Alaska		1	1		169	169	+113		139,305	139,305	+43,330
Total	7,583	1,368	8,951	5,167,504	1,661,663	6,829,167	+596,148	4,318,357,238	1,311,207,631	5,629,564,869	−82,093,541

[1] Estimated.

Source: Secretary-treasurer's report, 1939, United States Savings and Loan League.

Deposits in commercial banks in the United States, excluding possessions [1]

[In millions of dollars]

	All commercial banks	300 largest commercial banks	Other commercial banks	Percent of total held by—	
				300 largest banks	Other banks
Total deposits:					
Dec. 31, 1939	57,493	38,950	18,543	68	32
Dec. 31, 1938	51,170	33,597	17,573	66	34
Dec. 31, 1937	48,475	31,231	17,244	64	36
Dec. 31, 1929	51,205	27,518	23,687	54	46
Change from Dec. 31, 1929, to Dec. 31, 1939 (percent)	+11	+42	−22		
Demand deposits:					
Dec. 31, 1939	41,964	31,787	10,177	76	24
Dec. 31, 1938	35,941	26,601	9,340	74	26
Dec. 31, 1937	33,199	24,183	9,016	73	27
Dec. 31, 1929	31,535	19,522	12,013	62	38
Change from Dec. 31, 1929, to Dec. 31, 1939 (percent)	+33	+63	−15		

[1] Deposits of noninsured banks in 1939, 1938, and 1937, and of banks not members of the Federal Reserve System in 1929, partly estimated.

Deposits in the 300 largest commercial banks in the United States, excluding possessions

[In millions of dollars]

	10 largest banks	15 largest banks	25 largest banks	100 largest banks	200 largest banks	300 largest banks
Total deposits:						
Dec. 31, 1939	14,375	17,595	21,635	31,691	36,362	38,950
Dec. 31, 1938	11,874	14,654	18,176	27,072	31,262	33,597
Dec. 31, 1937	10,788	13,327	16,575	24,992	28,999	31,231
Dec. 31, 1929	8,400	10,552	13,567	21,506	25,244	27,518
Change from Dec. 31, 1929, to Dec. 31, 1939 (percent)	+71	+67	+59	+47	+44	+42
Demand deposits: [1]						
Dec. 31, 1939	12,706	15,812	18,787	26,493	30,071	31,787
Dec. 31, 1938	10,224	12,665	15,392	22,017	25,029	26,601
Dec. 31, 1937	8,913	11,322	13,841	19,840	22,718	24,183
Dec. 31, 1929	6,671	8,488	10,600	15,616	18,179	19,522
Change from Dec. 31, 1929, to Dec. 31, 1939 (percent)	+90	+86	+77	+70	+65	+63

[1] Demand deposits of noninsured banks in 1939, 1938, and 1937, and of banks not members of the Federal Reserve System in 1929 are partly estimated.

Federal Deposit Insurance Corporation, Division of Research and Statistics, Mar. 22, 1940.

Total deposits of the 15 largest commercial banks in New York City and of all commercial banks in the United States and possessions, June 1909, 1914, 1919, 1924, 1929, 1934, and 1939, and December 30, 1939

[Amounts in thousands of dollars]

June 30—	Largest banks in New York City (15 banks)	All commercial banks in United States and possessions	Ratio of column 1 to column 2	Number of all commercial banks in United States and possessions
1909			*Percent*	
Total deposits	[1] 1,578,032	13,326,637	11.84	20,385
1914				
Total deposits	1,995,488	17,295,529	11.54	25,067
1919				
Total deposits	4,490,114	32,714,147	13.73	27,484
1924				
Total deposits	5,107,652	40,893,442	12.49	28,175
1929				
Total deposits	6,861,103	48,795,779	14.06	24,328
Demand	5,958,689	28,960,468	20.58	
Time	902,414	19,835,311	4.55	
1934				
Total deposits	7,992,831	36,477,221	21.91	15,080
Demand	7,316,522	23,786,317	30.76	
Time	676,309	12,690,904	5.33	
1939				
Total deposits	12,608,198	53,478,424	23.58	14,530
Demand	11,980,899	37,888,132	31.62	
Time	627,299	15,590,292	4.02	
1939 (Dec. 30)				
Total deposits	13,725,387	57,291,297	23.96	14,483
Demand	13,064,589	41,530,450	31.46	
Time	660,798	15,760,847	4.19	

[1] As of November 1909, the only date in the year for which individual bank figures are available.

NOTE.—Demand and time deposits not available for years listed above prior to 1929. Prepared by Comptroller of Currency.

Mr. COX. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken; and on a division (demanded by Mr. ALLEN of Illinois) there were—ayes 51, noes 115.

Mr. COX. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 205, nays 133, answered "present" 1, not voting 91, as follows:

[Roll No. 137]

YEAS—205

Allen, La.	Carlson	Cummings	Ford, Miss.
Andersen, H. Carl	Cartwright	D'Alesandro	Ford, Thomas F.
Anderson, Calif.	Case, S. Dak.	Darden, Va.	Fries
Anderson, Mo.	Casey, Mass.	Davis	Fulmer
Angell	Chapman	Dempsey	Garrett
Barden, N. C.	Clark	DeRouen	Gathings
Barry	Cochran	Dingell	Geyer, Calif.
Bates, Ky.	Coffee, Nebr.	Dirksen	Goodwin
Beckworth	Coffee, Wash.	Disney	Gore
Bland	Cole, Md.	Doxey	Gossett
Bloom	Collins	Dunn	Green
Boland	Colmer	Durham	Gregory
Boren	Connery	Eberharter	Griffith
Boykin	Cooley	Edelstein	Gwynne
Brown, Ga.	Cooper	Edmiston	Hare
Bryson	Courtney	Elliott	Havenner
Buck	Cox	Ellis	Healey
Buckler, Minn.	Cravens	Evans	Hendricks
Bulwinkle	Crawford	Fay	Hennings
Burdick	Creal	Ferguson	Hill
Burgin	Crosser	Fitzpatrick	Hobbs
Cannon, Fla.	Crowe	Flannagan	Hope
Cannon, Mo.	Cullen	Flannery	Horton
Houston	McArdle	Patton	Smith, Conn.
Hunter	McCormack	Pearson	Smith, Wash.
Jacobsen	McGehee	Peterson, Fla.	Snyder
Jarrett	McGranery	Peterson, Ga.	South
Johnson, Luther A.	McKeough	Pfeifer	Spence
Johnson, Lyndon	McLaughlin	Pierce	Steagall
Johnson, Okla.	McMillan, Clara	Poage	Stefan
Johnson, W. Va.	McMillan, John L.	Polk	Sutphin
Kee	Maciejewski	Powers	Sweet
Keefe	Magnuson	Rabaut	Tarver
Kefauver	Mahon	Ramspeck	Taylor
Kelly	Maloney	Rankin	Tenerowicz
Kennedy, Md.	Marcantonio	Rayburn	Terry
Keogh	Martin, Iowa	Richards	Thill
Kerr	Massingale	Robinson, Utah	Thomas, Tex.
Kilday	May	Rogers, Okla.	Thomason
Kirwan	Mills, Ark.	Romjue	Tolan
Kitchens	Mills, La.	Ryan	Vincent, Ky.
Kleberg	Monroney	Sacks	Voorhis, Calif.
Kocialkowski	Mouton	Sandager	Vorys, Ohio
Kramer	Murdock, Ariz.	Sasscer	Wallgren
Kunkel	Murdock, Utah	Schafer, Wis.	Warren
Landis	Nelson	Schulte	Weaver
Lanham	Norrell	Scrugham	Welch
Larrabee	Norton	Secrest	Williams, Mo.
Lea	O'Connor	Shannon	Woodrum, Va.
Leavy	O'Day	Sheppard	
Ludlow	O'Neal	Shanley	
McAndrews	Patman	Sheridan	

NAYS—133

Allen, Ill.	Fernandez	Kean	Rodgers, Pa.
Allen, Pa.	Ford, Leland M.	Keller	Rogers, Mass.
Andresen, A. H.	Gamble	Kinzer	Routzohn
Andrews	Gartner	Knutson	Rutherford
Arends	Gearhart	LeCompte	Satterfield
Arnold	Gehrmann	Lewis, Colo.	Schiffler
Barnes	Gerlach	Lewis, Ohio	Seccombe
Barton, N. Y.	Gifford	Luce	Seger
Bates, Mass.	Gilchrist	McDowell	Short
Bell	Gillie	McGregor	Simpson
Bender	Graham	McLean	Smith, Ohio
Blackney	Grant, Ind.	McLeod	Smith, Va.
Bolton	Gross	Maas	Smith, W. Va.
Byrns, Tenn.	Hall, Leonard W.	Marshall	Springer
Carter	Halleck	Martin, Ill.	Stearns, N. H.
Chiperfield	Hancock	Martin, Mass.	Sumner, Ill.
Church	Harness	Mason	Taber
Clason	Harrington	Michener	Talle
Clevenger	Harter, N. Y.	Miller	Tinkham
Cole, N. Y.	Hartley	Monkiewicz	Treadway
Corbett	Hawks	Mott	Van Zandt
Costello	Hess	Murray	Wadsworth
Crowther	Hoffman	O'Brien	Ward
Culkin	Holmes	Oliver	Wheat
Curtis	Hook	Parsons	Williams, Del.
Ditter	Hull	Pittenger	Winter
Dondero	Jenkins, Ohio	Plumley	Wolcott
Drewry	Jenks, N. H.	Reece, Tenn.	Wolfenden, Pa.
Dworshak	Jennings	Reed, Ill.	Wolverton, N. J.
Eaton	Jensen	Reed, N. Y.	Woodruff, Mich.
Elston	Johnson, Ill.	Rees, Kans.	Youngdahl
Engel	Johnson, Ind.	Rich	
Englebright	Jones, Ohio	Robertson	
Faddis	Jonkman	Robsion, Ky.	

ANSWERED PRESENT—1

Mundt

NOT VOTING—91

Alexander	Dies	Kilburn	Shafer, Mich.
Austin	Doughton	Lambertson	Smith, Ill.
Ball	Douglas	Lemke	Somers, N. Y.
Beam	Duncan	Lesinski	Sparkman
Boehne	Fenton	Lynch	Starnes, Ala.
Bolles	Fish	Mansfield	Sullivan
Bradley, Mich.	Flaherty	Merritt	Sumners, Tex.
Bradley, Pa.	Folger	Mitchell	Sweeney
Brewster	Gavagan	Moser	Thomas, N. J.
Brooks	Gibbs	Myers	Thorkelson
Brown, Ohio	Grant, Ala.	Nichols	Tibbott
Buckley, N. Y.	Guyer, Kans.	O'Leary	Vinson, Ga.
Burch	Hall, Edwin A.	Osmers	Vreeland
Byrne, N. Y.	Hart	O'Toole	Walter
Byron	Harter, Ohio	Pace	West
Caldwell	Hinshaw	Patrick	Whelchel
Camp	Izac	Randolph	White, Idaho
Celler	Jarman	Risk	White, Ohio
Claypool	Jeffries	Rockefeller	Whittington
Cluett	Johns	Sabath	Wigglesworth
Darrow	Jones, Tex.	Schaefer, Ill.	Wood
Delaney	Kennedy, Martin	Schuetz	Zimmerman
Dickstein	Kennedy, Michael	Schwert	

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Mundt (for) with Mr. Johns (against).

Mr. Starnes of Alabama (for) with Mr. Wigglesworth (against).

Mr. Claypool (for) with Mr. Thomas of New Jersey (against).

Mr. Schuetz (for) with Mr. Ball (against).

Mr. Merritt (for) with Mr. Vreeland (against).
Mr. O'Leary (for) with Mr. Douglas (against).
Mr. Randolph (for) with Mr. Austin (against).
Mr. Vinson of Georgia (for) with Mr. Brown of Ohio (against).
Mr. Bolles (for) with Mr. Edwin A. Hall (against).
Mr. Gavagan (for) with Mr. Kilburn (against).
Mr. Sullivan (for) with Mr. Rockefeller (against).
Mr. Martin J. Kennedy (for) with Mr. White of Ohio (against).
Mr. Delaney (for) with Mr. Jeffries (against).
Mr. Somers of New York (for) with Mr. Cluett (against).
Mr. Michael J. Kennedy (for) with Mr. Risk (against).

Until further notice:

Mr. Burch with Mr. Lambertson.
Mr. Doughton with Mr. Fish.
Mr. Camp with Mr. Alexander.
Mr. Folger with Mr. Bradley of Michigan.
Mr. Grant of Alabama with Mr. Tibbott.
Mr. Jarman with Mr. Brewster.
Mr. Whittington with Mr. Thorkelson.
Mr. West with Mr. Osmers.
Mr. Sparkman with Mr. Fenton.
Mr. Pace with Mr. Guyer of Kansas.
Mr. Mansfield with Mr. Shafer of Michigan.
Mr. Beam with Mr. Lemke.
Mr. Lynch with Mr. Hinshaw.
Mr. Wood with Mr. Darrow.
Mr. Patrick with Mr. Boehne.
Mr. Dickstein with Mr. Nichols.
Mr. Dies with Mr. Hart.
Mr. Zimmerman with Mr. Sweeney.
Mr. Flaherty with Mr. Byrne of New York.
Mr. Duncan with Mr. Jones of Texas.
Mr. Wheichel with Mr. Harter of Ohio.
Mr. Sumners of Texas with Mr. Walter.
Mr. O'Toole with Mr. Sabath.
Mr. Bradley of Pennsylvania with Mr. Schaefer of Illinois.
Mr. Schwert with Mr. Brooks.
Mr. Lesinski with Mr. Caldwell.

Mr. MUNDT. Mr. Speaker, on this vote I voted "aye." I have a pair with the gentleman from Wisconsin, Mr. JOHNS, who, if present, would have voted "no." I therefore withdraw my vote of "aye" and vote "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NAVAL APPROPRIATION BILL, 1941

Mr. SCRUGHAM. Mr. Speaker, I ask unanimous consent to have until midnight tonight to file a conference report on the bill H. R. 8438, the naval appropriation bill for 1941.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. MAAS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix by inserting a speech delivered by my colleague the gentleman from Minnesota [Mr. YOUNGDAHL].

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

HOT SPRINGS DIVISION OF WESTERN JUDICIAL DISTRICT OF ARKANSAS

Mr. McLAUGHLIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7811) to establish the Hot Springs division of the western judicial district of Arkansas, with Senate amendments, and agree to the Senate amendments.

The SPEAKER. Is there any controversy over the bill?

Mr. McLAUGHLIN. There is no controversy, Mr. Speaker.

The Clerk read the title of the bill.

The SPEAKER. The Clerk will report the Senate amendments.

The Clerk read the Senate amendments, as follows:

Page 2, line 16, strike out "Grant."

Page 2, line 25, after "October", insert "and for the Hot Springs division at Hot Springs on the third Mondays in March and September."

Page 3, line 1, after "Fayetteville", insert "and Hot Springs."

Page 3, line 6, after "building", insert "or addition or annex thereto."

Page 3, line 7, strike out all after "in" down to and including "States" in line 11 and insert "Fayetteville or Hot Springs: *Provided further*, That the referee in bankruptcy of the western division of the eastern district may be appointed by the judge of the western district as referee in bankruptcy for the division herein created at Hot Springs."

Page 3, line 14, strike out "and."

Page 3, line 14, after "Harrison", insert ", and Hot Springs."

Page 4, line 4, after "Faulkner", insert "Grant."

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, I understand that all this does is to provide a referee in bankruptcy for Hot Springs, Ark.?

Mr. McLAUGHLIN. That is correct. In addition, it provides for a clerk at Hot Springs.

Mr. MARTIN of Massachusetts. In view of the way we are spending money, I guess this is a national-defense measure.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Senate amendments were agreed to.

A motion to reconsider was laid on the table.

BLUE RIDGE PARKWAY ACROSS CHEROKEE RESERVATION IN NORTH CAROLINA

Mr. DEROUEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6668) to grant the State of North Carolina a right-of-way for the Blue Ridge Parkway across the Cherokee Indian Reservation in North Carolina, to provide for the payment of just compensation for said right-of-way, and for other purposes, with Senate amendments, and agree to the Senate amendments.

The SPEAKER. Is there any controversy over this bill?

Mr. DEROUEN. No, Mr. Speaker; both the majority and minority members of the committee are in agreement.

The Clerk read the title of the bill.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, I understand this does not inflict any penalty upon the Indians.

Mr. DEROUEN. Not at all. It is a concession and a protection for the Indian tribe.

Mr. SCHAFER of Wisconsin. Mr. Speaker, reserving the right to object, what right has the gentleman's committee got to consider legislation giving right-of-way across Indian reservations? It seems to me this is a matter which would come within the jurisdiction of the Committee on Indian Affairs.

Mr. DEROUEN. For the reason that we are dealing with a public domain—this land belongs to the United States—it came to our committee. In order to get a right-of-way to the reservation we had to give them certain concessions.

Mr. SCHAFER of Wisconsin. As a member of the Committee on Indian Affairs of the House, may I ask if the Indians who are on the reservation approve of these amendments?

Mr. DEROUEN. Yes; the Indians approve of them, and all departments involved approve of them.

Mr. SCHAFER of Wisconsin. If the Indians approve of them, I shall not object; but I suggest that further bills such as this should be referred to the right committee.

The SPEAKER. The Clerk will report the Senate amendments.

The Clerk read as follows:

Strike out all after the enacting clause and insert: "That the Secretary of the Interior is authorized and directed to convey to the State of North Carolina for use as a right-of-way in connection with the Blue Ridge Parkway in the State of North Carolina all right, title, and interest of the United States and the Eastern Band of Cherokee Indians in such land and the timber thereon, to be determined as hereinafter provided, within the Cherokee Indian Reservation in the State of North Carolina as may be necessary for the construction and maintenance of such parkway over the following course: Beginning at a point in State Highway No. 293 near Soco Gap and extending to a junction with State Highway No. 107, near the mouth of the Ravens Fork of the Oconoluftee River by way of the following approximate controls: Leaving Soco Gap and following the east and northerly slopes of Soco and Bunches Bald ridge and crossing through Docks Gap to the south and west side of Soco and Bunches Bald; thence crossing Lickstone Ridge and entering Bunches Gap from the south; thence from Bunches Gap, following the south slopes of the main ridge, crossing Jenkins Divide ridge and entering Big Witch Gap from the southeast; thence leaving Big Witch Gap in a northwesterly direction and keeping on the northerly and westerly slopes of the main ridge, but crossing the various spur ridges circling around the heads of Mingo Creek and Sherrills Cove, and around the north end of the ridge lying immediately northeast of the Ravensford Mill site, crossing the

Oconoluftee River to the junction with State Highway No. 107, previously referred to, and in addition, starting in a northeasterly direction from Bunches Gap passing about one-half mile north of Soco Bald; thence turning north and intersecting the boundary between the Qualla Indian Reservation and the Great Smoky Mountains National Park at a point approximately 1 mile northeast of Bunches Gap.

"SEC. 2. Before making such conveyance, the Secretary of the Interior shall have the lands along such course surveyed and shall determine the exact location and boundaries of the land to be conveyed for use as such right-of-way, which shall not exceed 125 acres per mile. The deed of conveyance for such land shall contain an accurate description of the location and boundaries of such land in order that the interests of the United States and the Eastern Band of Cherokee Indians may be properly protected.

"SEC. 3. In consideration of conveyance, the State of North Carolina shall pay to the United States the sum of $40,000, or $30 per acre, for the lands embraced in the right-of-way described in section 1, whichever sum is the largest, which shall be deposited in the Treasury to the credit of the Eastern Band of Cherokee Indians and held in trust by the United States for the Eastern Band of Cherokee Indians. It is understood and agreed that the State of North Carolina shall build without further payment for right-of-way, and without expense to the United States or the Cherokee Indians, a suitable State highway between Soco Gap and Cherokee Village, subject to the same laws, rules, and regulations applicable to all State highways of North Carolina.

"SEC. 4. The Secretary of the Interior is hereby authorized, in his discretion, to grant to the Eastern Band of Cherokee Indians the beneficial interest in any lands selected by the council of said band within the Boundary Tree tract, containing approximately 884 acres; and the said Secretary is hereby directed to exclude from the Great Smoky Mountains National Park any lands so selected and granted. Prior to the consummation of any such grant, payment shall be made for all lands included therein by the transfer of a sum equal to the fair market value of such lands, as determined by the Secretary of the Interior, from any funds in the United States Treasury to the credit of said band, including funds made available under section 3 hereof, to the credit of the fund 'National Park Service, donations,' which transfer the Secretary of the Treasury is hereby authorized to make upon request by the council of said band approved by the Secretary of the Interior. Funds so transferred shall be available for national park and monument uses, including the acquisition of lands for inclusion in the Great Smoky Mountains National Park. All lands purchased or otherwise acquired for the Eastern Band of Cherokee Indians under authority contained in this act shall constitute a part of the Cherokee Indian Reservation in North Carolina, shall be held by the United States in trust for said band, and shall be nontaxable, nonalienable to the same extent as other lands within said reservation."

Amend the title so as to read: "An act to authorize the Secretary of the Interior to convey to the State of North Carolina for use in connection with the Blue Ridge Parkway certain land within the Cherokee Indian Reservation in the State of North Carolina."

The Senate amendments were agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein an editorial appearing in the Richmond Times-Dispatch and copy of my reply thereto.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. SMITH]?

There was no objection.

AMENDMENT OF THE FEDERAL HOME LOAN BANK ACT, HOME OWNERS' LOAN ACT OF 1933, TITLE IV OF THE NATIONAL HOUSING ACT

Mr. STEAGALL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 6971) to amend the Federal Home Loan Bank Act, Home Owners' Loan Act of 1933, title IV of the National Housing Act, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 6971) with Mr. COLE of Maryland in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

Mr. STEAGALL. Mr. Chairman, I yield 15 minutes to the gentleman from Missouri [Mr. WILLIAMS].

Mr. WILLIAMS of Missouri. Mr. Chairman, I do not share the belief expressed here by some Members that this is such a far-reaching and dangerous bill. As is usually the case, especially when there are bankers involved, there is a very large element of selfishness. The American Bankers' Association and the big bankers of this country have declared against this bill. They express the fear that the building and loan associations are about to encroach upon their territory and they are afraid that some business will be taken away from them by reason of the adoption of this measure. They have gone so far as to say that this bill attempts to establish a third Nation-wide banking system. I cannot imagine where they got that idea. There is not a word in this bill, there is not anything which can be drawn from this bill, that would even intimate the establishment of another banking system.

I want to discuss just for a minute or so our present banking system and show you what this bill does. We already have two banking systems in this country and this bill simply amends some of the laws that apply to one of those systems, and that is all it does.

Back in 1913 when the national banking system had broken down, there was a demand in this country for the establishment of a banking system that would furnish liquid credit to the commercial interests of the Nation. In response to this demand, the Federal Reserve System was created, which in case of necessity furnishes a reservoir which the commercial banks of the country may go to in order to obtain the necessary credit and currency with which to accommodate the demand of agriculture, commerce, and industry.

Following the debacle of 1929, when real-estate values tumbled in this country so rapidly, many of the banks, building and loan associations, and insurance companies found themselves loaded up with frozen real-estate assets in their portfolios and they, as did many other institutions, turned to the Government for help.

They first asked for the establishment of the Reconstruction Finance Corporation to make loans to them, and that was done. That did not satisfy them, and then the building and loan associations by united effort asked the Congress in 1932 for the establishment of the home loan banking system, which was established at that time. It was my privilege, along with the distinguished gentleman from Massachusetts [Mr. LUCE], to be a member of the subcommittee that wrote this legislation and helped secure the passage of it in this House.

Those who are familiar with the history of that time I am sure will not accuse me of being any too enthusiastic or lopsided toward the building and loan associations. I opposed that legislation, but anyway it was enacted into law.

We have at the present time those two banking systems, the Federal Reserve and the home loan banking system. They are very much alike in their own fields in many respects. There is a central board, a Board of Governors of the Federal Reserve System, appointed by the President and located in Washington. They have supervisory powers over members of the Federal Reserve System. There is a Home Loan Bank Board located here, appointed by the President, that has general supervision over the home-loan banks of the country that are members of the institution.

Each system is divided into districts and there are 12 of each in different parts of the country. Each of them is managed by a local board, part of the members of which are elected by the member institutions, and part of which are appointed by the central board. Each of them has a membership, the members of the Federal Reserve System being composed of the national banks and those State banks that can qualify and secure admission. The home loan bank system has the Federal building and loan associations as members and those State members that can qualify. Each member must subscribe to stock in the central system. The members in each system obtain loans from the central authority. Commercial banks obtain their loans from the Federal Reserve System. The building and loan associations of the country obtain their loans through the home-loan banks.

There are two insurance corporations, the Federal Deposit Insurance Corporation, which insures deposits in the commercial banks, and the Federal Savings and Loan Insurance Corporation, that insures accounts in the building and loan associations. It will be seen that there is a strange parallel

between these two banking systems that this country has established, one of them to furnish credit to the commercial interests of the country and the other to furnish credit to the home-loan, savings, and thrift institutions of the Nation.

This proposed law does not touch the Federal Reserve System. It provides for amendments in certain respects to the laws regulating the home-loan banks. Let us see what it does. Let us clear away, if we may, some of the rubbish that seems to have been thrown in the way here.

This has been talked about, as I say, as establishing a third banking system. There is not a word in this law that would justify that statement. It has been said that it will create a Nation-wide chain-banking system. There is not a man on this floor who has been more persistently and consistently against a chain-banking system than I. If I thought for a minute that there was a word in this bill that justified that statement I would not be for it. I challenge anybody to show where there is a word in this bill that justified that statement or any implication along that line. The Federal building and loan associations under the present law may and have in a half a dozen or so cases established branch associations in States where the State law permits the establishment of State branches. That is as far as they have gone, that is as far as they can go, and this bill does not change that situation a single syllable, remember that.

There are three important things, in my opinion, in this measure. There are some others, but there are only three important questions in this bill. The first one is that when a local building and loan association wants to obtain an advance or a loan from the home-loan banks in its district, this bill permits it to put up as security for that loan some obligations and securities in addition to what it already can put up under the law; in other words, it broadens the base of securities on which a bank or a building and loan association in need may borrow from the central bank. That is all it does. Under the present law that security is limited to home mortgages and Government obligations direct and guaranteed. Under this law it is extended somewhat. It includes not only home loans but it may include loans on residential properties up to the extent of $100,000, and instead of permitting only the filing of obligations guaranteed by the Government as security, it will permit any other legally held and sound security as an advance.

How does that compare with our Federal Reserve System? What have we done with reference to a member bank in the Federal Reserve System? Why should not we, in all fairness, grant to these building and loan associations the same opportunity and the same right in case they are in need to obtain a loan from the central bank, as we have already granted to the members of the Federal Reserve System? You who are familiar with that legislation know that in 1935, in the Banking Act we passed at that time, we permitted any member of the Federal Reserve System to borrow money from the Federal Reserve bank upon any sound security without limiting it at all. There is no limitation at all on it. The windows are thrown wide open as far as the Federal Reserve member banks are concerned. They can obtain a loan on any security the Board will approve and think is sound. We have had the limitation heretofore mentioned as to security which building and loan associations must put up to obtain a loan up until this time. We propose not to make it without limitation yet, but to throw down the bars so far as to permit these local building and loan associations to borrow in case they need money by putting up security on homes which they have or on other real-estate loans, including residential properties.

What objection can there be to that? The banks of this country say that the building and loan associations are encroaching upon their preserves. Do not forget that the commercial banks in this country today have over $14,000,000,000 in their time-deposit accounts, and those accounts are piling up. The banks do not and will not loan. It is my idea that this field should be broadened; and if the commercial banks will not make those loans—and they have not made them and will not make them—why should not these local building and loan associations engage in that field of lending and lend their money on some of these enterprises that are now striving to obtain loans, but cannot get them from the banks? This will furnish a market for capital goods and give labor employment. This will help put idle money and idle men to work.

That is the first thing of importance in this bill—to broaden the security base upon which these thrift institutions, if you please, can obtain loans and place them somewhat upon a comparable basis with the commercial banks of this country in their borrowing capacity.

In my judgment, the second important provision in this bill is the one which permits the Treasury of the United States to buy the obligations of the Federal home-loan banks and the Savings and Loan Insurance Corporation. You say, Why should that be done? That is only in case of an emergency. It does not direct him to do it, it permits and authorizes the Secretary of the Treasury to buy these obligations in case of necessity.

[Here the gavel fell.]

Mr. STEAGALL. Mr. Chairman, I yield 5 additional minutes to the gentleman from Missouri.

Mr. WILLIAMS of Missouri. That has been done in the case of every other substantial governmental agency, every one of them, and you can go down the line and pick them out. You talk about these securities being dangerous. They are the soundest securities that can be found today anywhere in the United States. So far they have been able to sell them on the open market at a rate of interest comparable to the Government bonds, and sell them at par, without any Government guaranty or without any authorization on the part of the Treasury to buy them.

You take the Federal Farm Mortgage Association. We authorize the issue of $2,000,000,000. There is an agency whose bonds are fully guaranteed by the Government, and the Treasury is authorized to buy them. You take the Home Owners' Loan Corporation, with an authorized issue of $4,750,000,000, fully guaranteed by the Government, and the Treasury authorized to buy their obligations. You take the United States Housing Authority bonds: They are guaranteed, and the Treasury is authorized to buy them. You can take the bonds of the Federal Housing Administration: They and guaranteed by the Government, and the Treasury may buy them. You may take the T. V. A. bonds and perhaps some others. We have passed a law already authorizing the Treasury to buy those securities in case of necessity. The F. D. I. C. is another one. That is the insurance corporation representing the commercial banks. Its obligations may be purchased by the Treasury.

This being true, why, I ask you, in the name of fairness to these two banking systems, if those obligations are purchased by the Secretary, why should he not be permitted, in case of necessity, to purchase the obligations of the Federal Savings and Loan Insurance Corporation as well? Not only that, but the Government owns the stock in these corporations and in case of need, in case of necessity, in case of an emergency, as a matter of common sense and good business, why should not the Treasury be permited to come in and buy these obligations if it becomes necessary to do so? So that is the second thing.

The third important change in this bill, to my mind, is the reduction in the premium rate to be paid by the building and loan associations to their insurance company.

When the Corporation was established, that rate of premium was set at one-fourth of 1 percent, as you know. Later on the law was changed making it one-eighth of 1 percent, with the authority in the Corporation, if necessary, to raise it one-eighth of 1 percent more. This bill proposes to reduce that premium rate from one-eighth to one-twelfth of 1 percent and place it upon the same basis that the members of the Federal Deposit Insurance Corporation pay to that insurance company. There we are again placing this insurance Corporation, in whose vaults are insured the accounts of the

building and loan associations, upon the same basis as the commercial banks of the country which now pay one-twelfth of 1 percent.

These are the three important changes in this bill, and we are not giving in any instance, under any circumstances, to any of these building and loan associations a right and a privilege which does not already belong to every commercial bank from one end of this country to the other, and there is no reason, there is not any sense or any justice, in continuing a discrimination against these institutions any longer. They have already been at a disadvantage in this contest, if you please to call it that, between the banks of this country as lending institutions and the building and loan associations. This bill should be passed. [Applause.]

Mr. LUCE. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, the Committee on Banking and Currency, on which I have served for many years, is the most powerful committee in the House for a singular reason. There are in attendance at the moment less than one-fifth of the membership of the House. The other four-fifths know nothing about finance or want to know anything about finance. They have gone over to their offices or are otherwise enjoying themselves. Presently, when the bells ring they will troop in here and when they come through the door they will ask, "How does the committee stand," and they will vote according as they agree with the Democratic or the Republican members of the committee. In the 20 years I have here served it has been impossible to raise an objection to a bill reported by the committee, supported by a majority of its membership, and to overthrow that decision.

Here is a unique situation. This is the only time since I have been here that I have seen the will of the majority of a committee threatened by the decision of a minority of the committee. Our rules are based on the theory that we will entrust these things largely to a majority of our committees, and when by a strange chance a majority of the members of this committee wanted to refrain from reporting the bill and the minority thought otherwise, the minority had its way, and here for the first time, so far as I know in the history of representative government, you are finding the will of the minority pretty certain to accomplish the result it desired, because those who come trooping in, the other four-fifths of the membership, will not know that this bill was rejected by a majority of the committee.

In this particular instance, with some reluctance, I voted against the consideration of the bill now because of the fact that since the bill was brought in to be acted upon a year ago, concessions have been made and what to me were the important things have been ironed out.

I take no issue with any argument presented by my very good friend the gentleman from Missouri [Mr. WILLIAMS], and I am glad to learn that, having seen the result of our years of experiment, no longer does he oppose it as he did at the beginning.

In the course of the reading of the bill for amendment I shall present two or three amendments which I feel have the approval, or at any rate the acceptance, of all the persons so far as I know behind this bill. I have small doubt that you will accept the amendments, but should a majority of those now here see fit to question and put it up to the absentees to decide when they arrive, they may blindly vote against the amendments, and so the bill may go to the Senate without improvement.

However, for your benefit, at least that of the one-fifth of the House now in attendance, I will draw the background for this present bill.

Eight years ago I was one of several members to share in the obligation and privilege of creating the home loan bank system. I took a keen interest in the subject because for many years it had been one of my favorite themes. I built my first house by the use of such an institution as the building and loan association. In New England we call it a cooperative bank. Elsewhere, generally, it is called a building and loan association. It is all the same thing, with the same principle. The idea that took root in this country about a century ago has spread until this has now become one of the great institutions of the United States.

Eight years ago we found out that one-half of the counties in this Nation had no thrift institution within their borders; one-half of the people of the country knew nothing about a cooperative bank, a building and loan association, a savings bank, or any other instrumentality for thrift. The field had been entered in that half of the country by the State banks and national banks whose primary function was to do a commercial business. They should have been restricted to that business, but they were the only institutions in one-half of the counties of this country that could lend a man money enough to add to his own in order to build a house. We thought it would be well to allow the other half of the country to enjoy the institution that had brought us in New England and in the East generally so much satisfaction. So we created the Federal savings and loan associations in order that the national protection thrown around these institutions would furnish the same benefits to all the counties in the land.

Mark you the change in the name. That was a compromise between the building and loan associations and the cooperative banks and the Louisiana institutions.

We looked forward to the prosperity they could achieve, the good work they could do, with satisfaction and certainty that it would be accomplished. It has been accomplished, until today the savings and loan associations are an addition to the welfare of the public that I personally feel happy to have had even a slight share in creating. But at the same time the unexpected happened. It was decided—and I do not know who made the decision—that these Federal associations should also be created in the States where there were already the State institutions. In my own State 18 Federal associations have been created, while we have 180 State cooperative banks. Among these Federal associations are some of the big concerns. They outrank the State institutions in ratio of business.

Then the trouble began. Then began the quarrel, the rivalry between the two creations, one of State origin and the other of national origin. My own State restricted cooperative banks to loans of $8,000, up to 80 percent of the value. You now find a bill for Federals that would make the limit of single investment $100,000.

Naturally the opportunity to invest attracted the attention of the shrewd financiers of the country. They fell for the idea—a good idea, you say—that the poor man ought to have as good a chance as a rich man to have his money invested profitably. Ah, but look behind it. The cooperative bank was created 100 years ago to help the man of moderate circumstances, the man like myself, starting out in life having only a small amount to invest—to help him get a home—h-o-m-e, home. It is today still thought these were to be home-building institutions. For my part I cannot conceive of an apartment house as a home, I cannot conceive a young man just starting in life wishing to buy an apartment in a block for a home. What is a home? What did the poet say, "Be it ever so humble, there's no place like home"—home, with all of its associations, the family, children, the quiet, the peace, the contentment, the satisfaction of the home. That is the very foundation of our social system, and it ought to be, and to encourage the building of homes was a noble work, a righteous work.

But now the Federals see a chance of investing their money in other directions than homes, and you will find in the printed bill a $100,000 limit, which means that the allurement of this opportunity to invest money at a high rate of interest is more than they can pass up. So they come here and ask to enter this field of the commercial banks. Fortunately we have been able to persuade these friends of the bill that it is an unwise thing, and as a concession they will not reject an amendment that drops out the apartment house.

What I am leading up to is this, that if one-fifth of you allow the other four-fifths to come in and vote for this bill as it reads, then you will perpetrate the destruction of an understanding now reached that risking the savings of the

poor shall not be a part of the activity of a home-loan association. For this reason I plead with you to ask that absent four-fifths, as they come trooping in the doors, to vote to sustain that understanding and to tell them that everybody so far as I know agrees that this ought to be done, that the amendment I shall offer ought to be accepted.

It is also provided by another amendment I shall present that the conditions of competition shall be restored—free and square competition. I am going to ask this absentee four-fifths to say that each State shall decide for itself what limits it shall impose upon these institutions. My own State, I am sure, will want to continue the cooperative banks as home-building institutions. It will not desire to go beyond the original limit. The limit of a single loan now imposed by my State has for 50 years and more satisfied everybody, has produced very little hardship or loss, has been a beneficent thing, a blessing to the State. The statute law of my State says that the cooperative banks shall not make any one loan of more than $8,000 on an 80-percent valuation basis.

Mark you, that is what we think is best. Now if some of your other States think it is all right for the building and loans to go ahead and lend $15,000, $20,000, or $75,000, that is your lookout, but I want protection in my own State, for the right of the people of the State if they so desire to restrain the activities of these associations to their normal, natural, valuable field. So I shall present another amendment providing in effect that no Federal institution of this nature in those States shall lend to any one person more money than is permitted to the State institution. That should put a crimp in those 28 Federal institutions in my State with all their glittering, glaring—I will not call it false—but all their deceptive advertising, leading the people in a community where the two institutions exist together to think that somehow it is better for them to patronize the Federal institution. [Applause.]

[Here the gavel fell.]

Mr. WILLIAMS of Missouri. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. THOMAS F. FORD].

Mr. THOMAS F. FORD. Mr. Chairman, stripping this bill of all its involved legal verbiage, we find that it is designed to achieve two important objectives. It is designed, first, to afford an opportunity for the building and loan associations in the larger cities to utilize large pools of idle money looking for a place to go to work. This is done by raising the limitation on the amount they may lend. The second purpose is to so implement the present law that in the event of financial crisis or an emergency it would be possible for the Board to take care of any of its members who were temporarily financially embarrassed. In other words, if they have sound mortgages on which they have loaned money, the granting of this additional power will enable them to meet a sudden demand for money that they could not get in any other way. What would happen is that they can take these securities to this Board and borrow on them just as a commercial bank now may borrow at the Federal Reserve bank, thus securing the necessary financial relief to save them from destruction.

If we had had a system of this kind in operation in 1932—and this is not a criticism of anybody—we might have saved one of the worst cycles of deflation this Nation ever went through. It is for the purpose of forestalling the recurrence of such a tragic situation that the law is being implemented.

There are a number of technical details in connection with the matter which I shall not discuss because other members of the committee who have given the details very deep study will discuss them.

Mr. Chairman, I yield the balance of my time to those who wish to discuss the technical details of the bill.

The CHAIRMAN. The gentleman from California yields back 1 minute.

Mr. WOLCOTT. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. GIFFORD].

Mr. GIFFORD. Mr. Chairman, in the few minutes I used on the rule earlier this afternoon I spoke only in generalities to show the intent of the legislation, hoping that the rule might be defeated.

The details of this bill may be easily understood. Several pages are devoted to penal clauses to which no one will probably object.

There is no man in this House who has received more commendation from me than the gentleman from Missouri [Mr. WILLIAMS]. I think so highly of him that sometimes I am shocked after listening to certain of his arguments in support of the way he votes; but I have been shocked many times today as I listened to the votes cast on the last roll call. Voices that pleaded with you lest the public credit be damaged, voices that told you how much the public credit is in danger were today heard to vote "yes" on this resolution. There seems to be no such thing as consistency. I do not suppose that I am consistent either. Someone questioned me one day about my consistency, and I said: "Yes; I probably sometimes go to questionable places." But the public credit is what bothers me. The gentleman from Missouri [Mr. WILLIAMS] recited to you a long list of guaranties by the Federal Government and asked: "If we guarantee all these things why should we not guarantee this?"

I have good reason to know what mortgages mean. When you go to a sale today in my section—and I assume it is true in all other sections of the country—there are almost always but two people present, the auctioneer and the representative of the mortgagee who bids it in. Often in my locality if there is a mortgage of $10,000, no matter what the value is, the bidder makes a bid of $2,000 and gets it, and then may sue for a deficiency judgment.

As I stated before, I have been in this business nearly 40 years. I know the very great danger of taking too high a mortgage. I know the damage that a tenant can do to property. I know the damage done by some people coming into a locality in the effect of their presence on the value of all other property in that section. I cannot begin to explain to you the damages resulting from many different unforeseen conditions, and I am sure you will agree with me that taking mortgages is a very risky business. However, my friend the gentleman from Missouri [Mr. WILLIAMS] says that we ought to guarantee these things because the Government guarantees everything else. That is an amazing argument. Is there no stopping place? I repeat what I said very recently: There is in the offing a plan to control another great creditor of the Government; an additional instance where this Government, through its politicians, wishes to control another phase of credit facilities. The new dealers are trying to blacken the life-insurance companies, our greatest creditor, the ones who buy outright most of our bonds. The next step is to control those life-insurance companies, and if we do that, of course, the Federal Government should guarantee their obligations. That is but one step ahead. My friend the gentleman from Texas [Mr. PATMAN] has suggested that the public credit must be good, since the rates of interest are so low and the people so willing to lend the Government money.

For fear he was not here the other day, I will repeat what I said then: "He did not want to take his neighbor's note." The neighbor said, "Why do you hesitate taking my note? My notes must be good. Everybody's got 'em." I think it is a good illustration.

In my section of the country they are taking money out of the savings banks to buy Government bonds, especially the so-called baby bonds, because the saving banks, as a result of monetary policies of the Government, cannot pay a dividend even of 1 percent in many cases. Small wonder that our people are buying Government bonds. What else would they do? It does not matter how many billions are borrowed. They are reassured constantly by those in authority. It does not matter in Germany what kind of money they use. If Hitler says, "You take this kind of money," as between nationals it is all right, just as good as a bad check going around paying off everybody and good so long as it does not reach the bank.

Mr. SACKS. Will the gentleman yield?

Mr. GIFFORD. I yield to the gentleman from Pennsylvania.

Mr. SACKS. Does the gentleman wish to leave with the House the impression that the United States Government is saying to its citizens the same thing that Hitler is saying to his people, "You must buy our bonds"?

Mr. GIFFORD. No, I did not say anything of the kind. I said if we had a government like that which exists under Hitler, where he can determine what kind of money the people are to use, we would use that kind of money. But, of course, when he wants to do business outside of his nation he has to have another sort of money, so he is bartering all he can, forcing his people to sacrifice in order to get a little gold that other nations will take. The situation is altogether different here, at least, for the present. Let us hope that we can protect this Nation so that when these loans are repaid it may be in good, sound money.

This very low rate of interest lulls our people to sleep. The suggestions of the gentleman from Texas [Mr. PATMAN] allays fear. As there is no place else to place money, we will buy Government bonds, especially as they pay more than private institutions can offer. Our people must buy billions and billions more, and a time may come when too many are on the market. My own fingers were burned. I sold $2,000 par value of Liberty Bonds for about $1,600. The national debt was only half as great then as it is now, and the bonds bore 4½ percent interest. But the public did not want them. I had to dispose of them at that very considerable loss. If that should happen again, heaven help this country. Senator GLASS and others make direful predictions.

We recall 1922. There was no hysteria, but Government bonds were down almost 20 points and the Congress did not do a thing to come to the rescue. It would have let them go down to 50. Many had told the people that the resources of the Nation were back of the bonds. Now, by this bill, you want to put the Government back of mortgages, and that, frankly, is very frightening to me. It should be to you. It is worse than any other guaranty that you have given, because the losses would be so much greater than in any other business activity, under present loans of 80 and 90 percent guaranteed by the Government.

Mr. SACKS. Will the gentleman yield again?

Mr. GIFFORD. I yield to the gentleman.

Mr. SACKS. Is my colleague again trying to impress the House with the fact that all the people, all the bankers, and all the institutions that are buying our bonds have lost their judgment?

Mr. GIFFORD. No. But I may say to the gentleman that I noticed last year that the New York City banks took all the new bonds that were issued. At the end of the year the country at large did not have any more United States bonds than they had at the beginning of the year. The New York City banks had taken them all. They had to support the market. They hold so many of them they have to carry on this bucket-shop business to hold up the price. The gentleman knows that.

Mr. SACKS. I do not agree with that statement. What institution owned all the bonds? Was it the banks?

Mr. GIFFORD. I am talking about the banks of the country outside of New York City. They did not increase by a dollar their holdings of bonds last year. The balance was all taken eventually by the New York City banks. I repeat that. The Government wants the insurance companies to buy them because the insurance companies pay cash for them the same as you would do. When the banks take them they have credits and create this damaging surplus of debit money, of which we have so much we cannot use.

[Here the gavel fell.]

Mr. WOLCOTT. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. CRAWFORD. Will the gentleman yield?

Mr. GIFFORD. I yield to the gentleman from Michigan.

Mr. CRAWFORD. This morning Secretary of the Treasury Morgenthau appeared before the Ways and Means Committee.

Mr. GIFFORD. Yes; I understand he had a most uncomfortable hour before the Ways and Means Committee.

Mr. CRAWFORD. He made what I would call a very genuine Morgenthau conservative plea that the Congress leave within his hands a $2,000,000,000 stabilization fund with which to meet some contingent emergency that might arise in the future. A few minutes following that, Mr. Bell, of the Treasury Department, made the observation that there was about $19,000,000,000 worth of gold in the country and that all of it was active. Here we have a plea for the additional guaranty of securities by the Federal Government. To me there are three very significant things. The gold comes in. Certificates are issued against it. These go to the banks and create excessive reserves, and if the gentleman from Pennsylvania will listen to this and consider the fact that the banks have approximately six and a half to seven billion dollars of excess reserves now, he will have some idea why the New York banks are so anxious to buy Government bonds, not because the credit is so good, not because they are so anxious to have these bonds in their portfolios, but because the gold comes in in an unceasing stream, in an ever-increasing stream, which creates excess reserves.

I wish the gentleman would tell us what the Secretary of the Treasury and his assistants meant when they said the $19,000,000,000 of gold was active. I wish somebody would support that statement, because I do not believe it. There are the excess reserves which are inactive, also the greater part of the stabilization fund, and the gold in the general fund.

Mr. GIFFORD. The gentleman knows that cannot be supported.

In the 2 or 3 moments I have left I wish to emphasize a point, and I want the gentleman from Massachusetts [Mr. HEALEY] to pay attention to me. He ought to take the floor in the fight against this bill. We have a great many Massachusetts State building and loan associations called cooperative banks. They are put in jeopardy by this bill. We willingly a few years ago chartered these Federal savings and loan institutions so they could go into places where money was needed, and voted Federal money as capital to finance them. In Massachusetts private individuals subscribed and furnished all the capital, and they want to be let alone. But now unless we come under this umbrella we in Massachusetts must go out of business. Every one of those institutions are pleading with you today to stop Federal encroachment and competition. Let these Federal associations keep to their own proper field, where facilities are lacking.

The gentleman from Missouri [Mr. WILLIAMS] said that this does not set up a third banking institution. But those institutions that we set up in Massachusetts cannot compete. They must come under this bill. The Federals take larger amounts on risk. At any time you may get your money on your shares, or so it is implied. No organization lacking Federal aid can withstand that sort of competition.

Mr. HEALEY. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. I yield to the gentleman from Massachusetts.

Mr. HEALEY. Many of the old cooperative banks have taken out charters in the Federal Savings and Loan Association.

Mr. GIFFORD. Not lately. They did for a time.

Mr. HEALEY. How many of them have?

Mr. GIFFORD. Only a few. Perhaps 18 out of 150.

Mr. HEALEY. I just want to say to the gentleman that a man whom I believe is a very sound banker, who for over a quarter of a century has been in this cooperative banking business, called me today and asked me to support this bill. I believe his judgment on these matters is worth consideration, because I know that for a quarter of a century he has been in this business.

Mr. GIFFORD. The gentleman has that one instance; but I had an army of cooperative bankers down here even 2 or 3 years ago. I took them down to the Bureau and they pleaded, and I pleaded for them, that the savings and loan institutions

keep away from their territory where they were not needed. To take advantage of the Government subsidy deliberately to compete and destroy State associations ought not to be tolerated. When private capital will do the job, why pledge the Government further in the matter? Let us stop traveling on this dangerous road. [Applause.]

[Here the gavel fell.]

Mr. WOLCOTT. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. SMITH].

Mr. SMITH of Ohio. Mr. Chairman, anyone who has studied the classical experiences of inflation and who is acquainted with our own situation, with the conditions as they now exist in this country, cannot help but realize that we are at this moment involved to a great extent in inflation. We are now in about the same position as France was in during the early part of her great revolution.

It has been stated that this is costing the Government nothing. The question has been asked by the gentleman from Pennsylvania whether the people of this country are forced to buy Government issues, as Hitler forces his people to buy German or Nazi Government bonds. I do not know exactly how Hitler is doing that in Germany, but let me answer the gentleman from Pennsylvania by saying that we in the United States are today forced to buy Government bonds. Virtually all the obligations that are being sold by the Government at the present time are forced sales.

Mr. PATMAN. Mr. Chairman, will the gentleman yield for a question?

Mr. SMITH of Ohio. I yield to the gentleman from Texas.

Mr. PATMAN. How can the gentleman make the statement that they are forced sales, when the people bid for them?

Mr. SMITH of Ohio. If the gentleman will give me time, I shall answer his question.

In the first place, answering the gentleman from Texas, there is no market in private industry for new capital. As is well known, last year the new capital invested amounted to about $360,000,000 as against an average of about $3,000,000,000 annually from 1919 to 1929. There is no demand for money in private industry. Politics has destroyed this demand. Therefore, savings find no place for investment except in Government obligations.

Secondly, the Federal Reserve Banking Act, as I understand, specifically makes it mandatory for the Federal Reserve banks to take the obligations of the Government. The Federal Reserve bank has no choice in this matter. What does the Federal Reserve bank do with these issues? It allocates them to the member banks. Have the member banks any choice as to whether or not they wish to buy these bonds or obligations? Certainly not.

Mr. PATMAN. Mr. Chairman, will the gentleman yield there?

Mr. SMITH of Ohio. I would rather finish my statement, because I will probably cover what the gentleman wishes to ask me.

Having no outlet for their funds in private industry, and being forced to invest these deposits somewhere, banks must invest them in governments. Moreover, every banker in this country knows that he is obligated—I am speaking of the member banks of the Federal Reserve System now—every bank belonging to that System knows that it must subscribe in some amount to these allocated Government obligations.

How long would it be before a member bank would receive a telephone call from the powers that be if it did not subscribe to the amount the Federal Reserve Board thinks it ought to take? Not very long, of course; and let me answer the gentleman from Pennsylvania from another standpoint. Does he know that the moment any nation suspends or stops specie payment all government loans become forced? Our Nation has been under the domination of forced loans since the Gold Reserve Act of 1934.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. I will be glad to yield to the gentleman.

Mr. GIFFORD. Can I square one thing that the gentleman has said? The gentleman recalls the statement I made that at the end of the year the New York City Bank had all the surplus. The gentleman has said that they have to take them, and they do; but you have brought out that during the year they quietly unloaded after they had taken them; and they did take them under duress in many cases that I know about.

Mr. SMITH of Ohio. Now, the fact is that these Government issues are forced loans. There can be no question about that. No sound student of money has ever questioned that Government lending becomes forced the moment specie payment is suspended.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. I will be pleased to yield to the gentlewoman from Illinois.

Miss SUMNER of Illinois. I think one might say quite truthfully that they are also voluntary. When a bank buys a Government bond, it can always discount it at the Federal Reserve bank for cash, and many people, fearful of the future and what may happen in the way of taxation, are glad to have their investments in a place where they can get cash.

Mr. SMITH of Ohio. "Fearful of the future," is the whole story. Certainly, when the Government credit goes, all credit goes.

The statement has been made here today that the low interest rate now prevailing is an indication the credit of the Government is good. Low interest rate is no criterion of good Government credit. Was the low interest rate on the paper issued by the French Government during the revolution a criterion of good government credit? Was the low interest rate which the Austrian Empire for nearly 100 years put on its paper issues a criterion of good government credit? I refer to the period of her money debauch in the latter part of the eighteenth century and lasting into the second half of the nineteenth. Of course not. Since our issues are forced, to be sure the Government fixes the rate arbitrarily, and there is nothing left for the people to do but to buy those obligations with such savings as they still can accumulate.

Now, let us see if this has not cost the Government anything or will not cost the Government anything, as has been stated here on the floor. To make such a claim is to assert that the lending of money by the Federal Government involves no risk whatsoever. Let me show you from some actual figures whether or not the Government loses anything through the operations of these lending agencies.

I have here some figures taken from the report of the Secretary of the Treasury in response to Senator BYRD's request for a statement showing the financial condition of the 30 political lending and spending bureaus—wrongly called corporations—which have been set up in the last 5 years. If you have not read this report you will find it very interesting. It will probably be published and available to all in a very short time. I took my figures from the only copy thus far available. However, let me read you some of the losses reported in this report:

Disaster Loan Corporation	$1,591,616

I am reporting losses now given by the Federal Treasury itself.

Electric Home and Farm Authority	$67,172
Home Owners' Loan Corporation	59,562,029
Federal Housing Administration	34,458,062
Agricultural Marketing Administration	319,206,512
Emergency Crop and Feed Loan Corporation	134,247,927
Regional Agricultural Credit Corporation	2,303,597
Federal Farm Mortgage Corporation	82,408,464
Commodity Credit Corporation	180,965,315
Farm Security Administration	239,860,832
Federal Crop Insurance Corporation	4,906,575
Rural Electrification	4,523,184
Tennessee Valley Association, Inc	109,514

Mr. PATMAN. Will the gentleman please state where he is getting those figures?

Mr. SMITH of Ohio. From the Secretary of the Treasury's report in response to Senate Resolution 150 demanding a financial statement of the balance sheets of the 30 political lending and spending bureaus.

Mr. PATMAN. Whose answer are you reading from?

Mr. SMITH of Ohio. Whose answer?

Mr. PATMAN. Yes; in other words, Senator BYRD made an inquiry, and somebody is answering that inquiry.

Mr. SMITH of Ohio. As I have said, this is from the report of the Secretary of the Treasury in response to Senate Resolution No. 150.

Mr. PATMAN. Who made the report?

Mr. SMITH of Ohio. As I stated a while ago, this is the report of the Secretary of the Treasury.

Mr. PATMAN. Did Mr. Morgenthau make that report?

Mr. SMITH of Ohio. This is Mr. Morgenthau's report.

Public Works, Administration	$1,144,594,302
United States Housing Administration	4,744,051
U. S. Maritime Commission	75,102,429
Tennessee Valley Authority	22,129,880
Puerto Rico Reconstruction Administration	37,959,311

This makes a total of $2,348,740,772.

Now, there is an offset to that, so that the final total net loss in round numbers is $1,600,000,000.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. CRAWFORD. Mr. Chairman, I yield the gentleman 3 minutes more.

Mr. SMITH of Ohio. In addition, that report shows a billion in defaults, in interest and principal.

Mr. SACKS. Mr. Chairman, will the gentleman yield for a question at that point?

Mr. SMITH of Ohio. Yes.

Mr. SACKS. Does that report say losses?

Mr. SMITH of Ohio. Yes.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. Yes.

Mr. CRAWFORD. To further enlighten the gentleman, if he will refer to page 228 of the last Federal Home Loan Bank Board report, he will find that the H. O. L. C. has a deficit there.

Mr. SMITH of Ohio. Let me analyze the deficit of the H. O. L. C. As I stated, the Byrd report, and I call it the Byrd report because he is responsible for it, shows the H. O. L. C. had a loss of $59,562,000 as of June 1939. I made this statement on the floor before and received a letter from Mr. Fahey, of the Federal Home Loan Bank Board, in which he stated that the H. O. L. C. has $89,000,000 in assets, which I understand are supposed to be derived from interest on loans made. In this letter he takes exception to my statement that this agency shows a loss of more than $59,000,000, but he does not analyze the statement all the way through.

It is, of course, impossible to set up any true balance sheet of the financial status of the Home Owners' Loan Corporation. There are several important reasons why this is so. The June 1939 annual report of the Federal home-loan bank shows $549,441,184 worth of property owned or in the process of acquisition by the Home Owners' Loan Corporation.

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. CRAWFORD. Mr. Chairman, I yield the gentleman 3 minutes more.

Mr. SMITH of Ohio. In the letter above referred to it is stated that $46,129,337 of that amount represents the properties in process of acquisition. This would leave $503,311,847 worth of houses actually foreclosed and owned by the Home Owners' Loan Corporation as of that date. The seventh annual report of the Federal Home Loan Bank Board, page 13, shows the Home Owners Loan Corporation had by June 1939 acquired 141,752 properties, of which it had sold 55,303, "leaving 87,618 owned by it."

Using the figures $59,562,029 as showing the loss and 55,303 properties as having been sold, this would represent a loss of $1,077 per property. Assuming the same loss will be sustained on the 87,618 houses still owned, and there is no reason to think otherwise, there would be an additional loss of $94,364,586.

Bear in mind, Mr. Chairman, I am giving the figures from the report of the Government agency, which has charge of H. O. L. C. operations. This would represent a total loss of $153,926,815 as of June 30, 1939. Deducting from this amount $89,000,000, which Mr. Fahey states is held as reserve, there is a loss of $64,926,615. In addition the report shows 11,736 properties in process of acquisition. If the same loss is sustained on these properties as was sustained in 55,303 properties sold, there will be an additional loss of $12,639,672. It is reasonable to assert, therefore, that the net loss of the Home Owners' Loan Corporation as of June 30, 1939, will have approximated $77,566,287. Furthermore, the $89,000,000 which Federal Home Loan Bank Board claims as a reserve held by the Home Owners' Loan Corporation requires still further qualification.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. Yes.

Miss SUMNER of Illinois. The gentleman has truly stated that money is going from the banks into Government bonds, because inevitably it has to go into Government bonds.

Mr. SMITH of Ohio. That is correct.

Miss SUMNER of Illinois. It is only good business to put it there from the standpoint of the bank. Permit me to add this statement from the seventh annual report of the Federal Home Loan Bank System, that the average annual amount of corporate securities issued by the railroad utilities and all other corporations in 1937–38, on June 30, 1939, was $2,255,000,000; for the whole total mortgage loans on one- to four-family dwellings covered by this particular bill, being the bill under consideration, is $2,500,000,000. In other words, there are only $55,000,000 more in mortgages of other kinds than there are in the one- to four-family dwellings, showing a situation which should not be encouraged, as it would be by the passage of this bill.

Mr. SMITH of Ohio. Apparently Congress is deliberately closing its eyes to the losses that are being sustained by the lending bureaus of the Government. As regards the national credit: Do you realize that the deficit, not the net deficit of the two Roosevelt administrations, without counting the extra expenditures we are adding at the present time, counting only what is shown on the books of the Treasury and what was projected in the 1941 Budget—is more than $25,000,000,000. The total deficit, not net deficit, of all the previous administrations combined was less than $33,000,000,000.

[Here the gavel fell.]

Mr. WOLCOTT. Mr. Chairman, I yield 2 additional minutes to the gentleman from Ohio.

Mr. SMITH of Ohio. If you take into consideration the additional expenditures that are now being contracted, if you add certain other Government obligations, such as the $800,000,000 U. S. H. A. obligation—and here let me remark how any man can stand on this floor and say this $800,000,000 is not an obligation of the Government, exactly like every other bond of the Federal Government, is most difficult to understand—and if you add still further other obligations assumed by the Government in the last 7 years, such as the heavy losses already shown to have taken place, the total deficit of the two Roosevelt administrations approximates closely the total deficit of all the administrations up to 1933.

Furthermore, the net deficit of the two Roosevelt administrations is at the present time, not taking into consideration these extras but only what is stated on the books of the Treasury, plus the projected deficit of the 1941 Budget, more than $2,000,000,000 in excess of the net deficit of all the other administrations. Let me repeat that the net deficit in the 8 years of the Roosevelt administration, all during peacetime, is more than $2,000,000,000 in excess of the net deficit of all the other administrations. These other administrations had to finance 10 or 15 wars, some of them major wars. When you say the credit of the United States is not

strained, my answer to you is that it is not only strained but it is more than strained. [Applause.]

[Here the gavel fell.]

Mr. WOLCOTT. Mr. Chairman, I yield the balance of my time to the gentleman from Michigan [Mr. CRAWFORD].

The CHAIRMAN. The gentleman from Michigan is recognized for 9 minutes.

Mr. CRAWFORD. Mr. Chairman, for the benefit of those few Members who are on the floor who are not members of the Banking and Currency Committee, I wish to read just a few lines from the June 30, 1939 report of the Federal Home Loan Bank Board which was issued under date of October 1, 1939, and which refers to this legislation:

> In order to increase the usefulness of the agencies under the Federal Home Loan Bank Board to thrift-and-home-financing institutions, the Board has supported a series of proposed amendments to the Federal Home Loan Bank Act and other laws governing the activities of the Federal Home Loan Bank Board. These proposals are based on more than 6 years' experience and deliberation. During these years, the Federal Home Loan Bank Board has made a thorough study of the effects of the existing legislation, and has carefully considered improvements regarded as desirable. The amendments now before Congress represent a program which, in the opinion of the Board, will assist greatly in a more efficient performance of the functions of the agencies under the Board, and which will better enable these agencies to meet future emergencies.

From that language I can come to only one conclusion, that the Board has in mind that the future does hold some very serious problems which the Board will have to meet and that, therefore, it is asking for this great liberalization of the present law.

Continuing, the Board says:

> Under the existing law, mortgages eligible as collateral for Federal home-loan bank advances are confined to mortgages on one- to four-family dwellings with a maturity limit of 20 years. Under the amendatory legislation as introduced in Congress, any first mortgage would be acceptable as collateral, the maturity limit would be extended to 25 years, and the present $20,000 limit on mortgages eligible as collateral for advances to members would be removed. In addition, the Federal home-loan banks would be allowed to make advances to members on obligations of the banks themselves, and those of the Federal Savings and Loan Insurance Corporation, as well as on any other obligations, acceptable to the Board, which such members may lawfully have available. The House Committee on Banking and Currency, in reporting the proposed legislation, amended these provisions so that eligible mortgages would have to be on properties designed principally for residential use, and so that a $100,000 limit would be substituted for the $20,000 limit.

Mr. Chairman, I very much regret that we find ourselves facing a situation such that I understand many members of the Building and Loan League have been forced into, somewhat of an acceptance of certain parts of this proposal in the hope of obtaining the benefit of certain other parts of the proposal. Personally, I very much dislike to act on a bill where the industry involved has not itself taken a clear position.

There was handed to the members of the Banking and Currency Committee today a set of figures which interested me very much, and which came, I understand, from the Building and Loan League. It shows the dollar and percent distribution of new loans made by all savings and loan associations for all purposes in the year 1937. It shows that the Federal members wrote 34.3 percent of the business; in 1938 they wrote 36 percent; in 1939 they wrote 40.6 percent; and in the first 3 months of 1940 they wrote 42 percent. The insured State and the uninsured State and the nonmembers wrote the balance of the business. As you go through this set of figures you find it broken down into divisions for home mortgages, for home construction, for refinancing of homes, for reconditioning of homes, for miscellaneous purposes; and in every case as you run through, from 1937 to 1940, you find a tremendous growth in the amount of business transacted by the Federal institutions.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. DONDERO. Does that mean an increasing invasion on the part of the Federal Government into the field of private enterprise?

Mr. CRAWFORD. No; I would not construe it that way. To me it means that building and loan associations which voluntarily desire to go Federal, we will say, proceed to do so and join the Federal family. The Federal family is picking up a greater and greater percentage of the total business written. If I am in error in my construction, I hope somebody will correct me, because I have had no chance to inquire closely into these figures.

Mr. DONDERO. If that pace continues, how long will it be before the Federal Government will control in some measure all of them?

Mr. CRAWFORD. If all the building and loan associations of the country put themselves in that position and then proceed to go Federal, thereafter 100 percent of the business will be handled by Federal institutions. But the thing that puzzles me more every day is why private business, as such, keeps pleading for the opportunity to have its business engineered and planned by Federal bureaus and Federal control. However, if an industry wants to do that, I do not know how we can prevent them from proceeding on that basis. If they just want to become children of the Federal Government, what is going to stop them? I am not so sure we can ever bring about enough influence here to stop them.

Mr. DONDERO. In other words, local self-government is vanishing from America?

Mr. CRAWFORD. In my firm opinion it is, and doing so very rapidly.

Mr. Chairman, amendments are to be offered by the gentleman from Kentucky [Mr. SPENCE] and the gentleman from Massachusetts [Mr. LUCE]. As far as I am personally concerned, I expect to support those amendments. If we can get a few good amendments added to this bill, I might be able to go along with it. I certainly hope all of the amendments offered by those two gentlemen will be approved by the House so that we may have a bill that we can vote for without having to hold our nose. Unless those amendments are agreed to, I have not the faintest idea that this bill will be approved by the Senate.

[Here the gavel fell.]

Mr. WILLIAMS of Missouri. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. SACKS].

Mr. SACKS. Mr. Chairman, during the discussion this afternoon concerning the provisions of this bill, many statements have been made concerning the position of the Federal Government in the savings and loan association field. It seems to me that many of us might well recall 1929, 1930, 1931, and 1932 when the building and loan field was left entirely to supervision by the States. We can remember the catastrophe that came as a result of this supervision. In my own State of Pennsylvania millions of dollars were lost by people who had used the building and loan associations under State supervision to save their money so that in old age they would either have a home or would have some savings.

That is the supervision that the Republicans want to protect. This supervision by the States resulted in the loss of millions of dollars to the ordinary men and women who were working, and also resulted in the loss of their homes. This is the supervision that they are attempting at this time to protect.

I am against the Government being in the building and loan business, but I certainly am not against supervision of the building and loan associations by the Federal Government, because it is proven that since its inception the losses in the Federal building and loan associations have been negligible.

Mr. LEWIS of Ohio. Will the gentleman yield?

Mr. SACKS. I yield to the gentleman from Ohio.

Mr. LEWIS of Ohio. Will the gentleman tell the Members of the House how many millions of dollars of investors' and depositors' money were lost in the failure of national banks under national supervision?

Mr. SACKS. I do not know the exact amount, but I feel all of that came as a result of an economic policy adhered to by this Government for a number of years prior to 1932.

The minority report on H. R. 6971, which would amend the Federal Home Loan Bank Act, the Home Owners' Loan Act,

and title IV of the National Housing Act, is a strange document. It was signed by the Republican members of our Banking and Currency Committee and by one other Member listed as a progressive. The report, for pure flight of fancy and for fearsome bogies, is a fitter product of imagination than of sound reason. When read without careful reference to the bill itself, the report appears to deal with sinister proposals for centralization of power of the Nation's thrift and credit resources which are applied to the financing of homes and appears to contemplate the destruction of commercial banks.

The report refers glibly to the setting up of a Nation-wide branch-banking system, the monetization of mortgages, and the centralization of credit under a politically controlled bureau. The report is so full of gross inaccuracies and misrepresentations that I would not give it any dignity or standing by referring to it except that some unfamiliar with the purposes of H. R. 6971 might be deceived by its innuendo and its sweeping charges into a belief that there is some foundation in fact for them.

If the Members of the House had time to do so, it would be illuminating to read the provisions of the bill and then examine the minority report. Any careful reading of the bill makes clear that the legislation sought is nothing more than an effort to correct and improve certain provisions of the acts referred to, so that in the light of experience they might be made to serve more fully the fundamental needs and purposes for which this Congress created them.

For more than 100 years we have had a group of thrift and lending institutions variously known throughout the country as building and loan associations, savings and loan associations, homestead associations, and cooperative banks. These institutions are locally owned and locally operated. In them the workingman and others of small income may place their savings and receive a moderate return. The common fund thus produced is invested in first-mortgage loans on homes. The institutions are mutual in character, operated by and for the benefit of their members through officers and managers of their choice. Their public need and their public service have never been questioned.

In 1913, under the Democratic administration of Woodrow Wilson, the Nation took a forward step in creating a Federal Reserve System to provide reserve funds for commercial banks in times of stress. In 1916 the organization and activities of the Farm Credit Administration were begun under legislation which began with the Federal Farm Loan Act and were amplified and perfected in the Farm Credit Acts of 1933, 1935, and 1937. During these years it was evident that there was general need of a reserve system for local thrift and home-financing institutions which would serve the needs of urban home owners and of those who placed their small savings in institutions of the building and loan type. In 1932 this need was met by the passage of the Federal Home Loan Bank Act. Companion legislation followed in 1933 and 1934 by the passage of the Home Owners' Loan Act, which, among other things, provided for the creation of Federal savings and loan associations and by title IV of the National Housing Act, which provided for the creation of the Federal Savings and Loan Insurance Corporation, created to insure the accounts up to $5,000 of those whose investments were placed in institutions covered by the Insurance Corporation.

H. R. 6971 makes no radical changes in the system thus set up. The original Federal Home Loan Bank Act authorized the creation of 12 regional home-loan banks and the inclusion in the membership of these banks of all building and loan associations, savings banks, life-insurance companies, and similar institutions engaged in making loans on urban homes who could qualify for membership. The law authorized these banks to make advances to member institutions on the security of home mortgages; that is, on first mortgages on properties designed for the residential use of from one to four families. In some cases members of the Federal home-loan banks are, under existing laws, authorized to make loans on the security of properties for more than four families. The present bill authorizes the Federal home-loan banks to make advances to their members on such collateral, provided the property is designed principally for residential use. The charge in the minority report that the bill "authorizes each Federal home-loan bank to make advances to its members on collateral secured by any first mortgage" is untrue.

Equally untrue is the charge that "this puts the members of the Federal home-loan banks in direct competition with banks, insurance companies, and other institutions making first-mortgage loans on business as well as home properties." I repeat, the only mortgages on which the Federal home-loan banks would be authorized to make advances to their members are those "designed principally for residential use," as the bill shows on its face.

Just as misleading, through half-truths, are the statements made with reference to the provision which would authorize the Secretary of the Treasury, in his discretion, to purchase obligations of the Federal home-loan banks. The purpose of this provision is to enable the Federal home-loan banks to obtain funds in times of financial stress and emergency when it might not be possible for them to sell their obligations in the open market. The Federal home-loan banks would thus be enabled to supply funds to their members in order to avert the danger of runs and frozen credits. Every dollar of the obligations so purchased by the Secretary of the Treasury would be supported by the sound mortgages held by the Federal home-loan banks as collateral for the advances made to their members and by the reserves and surplus of the member institutions to which the Federal home-loan banks had made advances. In purchasing these obligations, the Treasury would not only be averting the danger of panic and hysteria but would also be making a sound investment.

A particularly misleading statement appears in the minority report in this connection. The report states:

> Under other provisions of law, Federal home-loan banks are authorized to make advances to nonmember institutions over which the Board exercises little or no supervision. These advances tend strongly to impair the capital of the Federal home-loan banks and increase the possibility of losses which will have to be paid out of the Federal Treasury.

The minority report neglects to mention that such advances may be made only on the security of mortgages insured under title IV of the National Housing Act and then only to institutions which are approved mortgagees under said title and are subject to the inspection and supervision of a governmental agency. If a mortgage insured by the Federal Housing Administration is not good security the commercial banks and other financial institutions of the country are being sadly misled.

In the remainder of the minority report charges are made, wholly without proof, that H. R. 6971 enables the Federal savings and loan associations to "indulge in loose financial practices" and "puts the Federal savings and loan associations in the savings-bank business in competition with savings banks, cooperative banks, mutual savings banks, State-chartered building and loan associations, and other thrift institutions."

No basis whatever exists for these charges. At present, a Federal savings and loan association may make loans on its own shares and on first liens of not more than $20,000 on homes or combination home and business properties located within 50 miles of its home office, except that not more than 15 percent of its assets may be loaned on other improved real estate without regard to said $20,000 and 50-mile limitations but secured by a first lien. The present bill provides that where an institution applies and is so authorized by the Board because of its size or location it may lend up to an additional 15 percent of its assets on first liens on improved real estate upon which there is located one or more structures designed principally for residential use, without regard to the $20,000 limit but within the 50-mile zone. The purpose of this provision is to provide a means by which an association located in a metropolitan area, where there is a larger demand for apartment houses and multifamily properties and a relatively smaller demand for single-family properties, may lend a

slightly greater percentage of its assets on such larger properties, which must, however, be designed principally for residential use. In these metropolitan areas, as elsewhere, there is need for institutions in which the people may place their savings. There is also need to put these savings to work in the community where they are held, in building the kind of home that is in demand in the community. [Applause.]

Mr. FITZPATRICK. Will the gentleman yield?

Mr. SACKS. I yield to the gentleman from New York.

Mr. FITZPATRICK. In what financial condition is the Federal home-loan bank today? That is, as to its surplus?

Mr. SACKS. It has a great surplus and it is in very fine financial shape.

[Here the gavel fell.]

Mr. WILLIAMS of Missouri. Mr. Chairman, I ask that the bill be read for amendment.

Mr. SPENCE. Mr. Chairman, I suggest the absence of a quorum.

The CHAIRMAN. The Chair will count.

Mr. SPENCE. Mr. Chairman, I temporarily withdraw the point of order.

The Clerk read as follows:

Be it enacted, etc., That (a) the first two sentences of subsection (a) of section 10 of the Federal Home Loan Bank Act, as amended, are amended to read as follows:

"SEC. 10. (a) Upon such terms and restrictions as the Board may impose, each Federal home-loan bank is authorized to make advances to its members, upon the security of (a) home mortgages, (b) first mortgages on real estate upon which there is located a structure or structures designed principally for residential use for more than 4 families in the aggregate, irrespective of whether any such structure has a party wall or is otherwise physically connected with any other structure or structures, or (c) obligations of, or fully guaranteed as to principal and interest by, the United States, subject to the following limitations as to amount:".

(b) Paragraph (3) of subsection (a) of section 10 of the Federal Home Loan Bank Act, as amended, is amended to read as follows:

"(3) If secured by a first mortgage given in respect of any other mortgage loan, the advance shall not be for an amount in excess of 50 percent of the unpaid principal of the mortgage loan; but in no case shall the amount of such advance exceed 40 percent of the value of the real estate securing the mortgage loan."

Mr. WILLIAMS of Missouri. Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with and that it may be now open for amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri [Mr. WILLIAMS]?

Mr. WOLCOTT. Mr. Chairman, reserving the right to object, I do not want to do anything to disrupt the orderly debate of amendments to this bill; neither do I want to do anything to delay consideration of these amendments, but it will be recalled that the committee has not had this bill under consideration for about a year. I will make the bold confession that I have not read the bill for 11 months. I have many notes in my files concerning amendments which I expected to offer. In order to give us time to pull our thoughts together on them, possibly it might be well for the bill to be read. We will at least have that much time to consider it and whatever amendments we may have to offer. So, for the time being, I object to dispensing with the reading of the bill.

Mr. LUCE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LUCE: Beginning on line 3, page 1, strike out section 1.

Mr. LUCE. Mr. Chairman, this section, the next section, and one further on in the bill are the sections that concern what, for brevity's sake, I shall call power of the thrift institutions to lend large sums of money on apartment houses. It also would include business buildings, perhaps, although I think not. Anyhow, it is the apartment house thing that we want to get rid of. I have the impression or understanding that the gentlemen who are favoring this bill are willing to drop out the apartment houses in order to save what they consider to be the more important parts of the bill.

I would not like the House to understand that I guarantee this covers no provision that it is desirable to keep. If there is such a provision, this being a technical bill full of details that are hard even for one familiar with the general subject to understand, it may be that the destruction of these two sections will require the replacing of some provisions in them when the matter comes before the Senate. I do not think so, but it may be that the amendment goes too far. The only practical way that I see to determine the question at this moment is to strike out the whole section in order that we may declare our view as to this loaning on apartment houses.

To emphasize, and to repeat, perhaps, what I said before, I am against permitting the home institutions, the thrift institutions, to lend their money in a commercial market. They are, to be sure, pressed for chances to invest, because, by reason of the difficult times, people are now generally unwilling to take the ordinary places for investment.

Mr. BROOKS. Mr. Chairman, will the gentleman yield?

Mr. LUCE. I yield to the gentleman from Louisiana.

Mr. BROOKS. Would the gentleman's amendment strike out small homes as well as the apartment-type home?

Mr. LUCE. No. If the gentleman will look at the last thing on the page he will see that the sentence reads—

for residential use for more than four families.

Mr. BROOKS. That is subsection (b), however. If the gentleman includes (a), would that not strike out the small homes, too?

Mr. LUCE. No. It is the intention to return the situation to just where it is now.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. LUCE. Certainly.

Mr. CRAWFORD. How much does the gentleman's amendment strike out of the bill?

Mr. LUCE. The whole first section, halfway down page 2.

Mr. CRAWFORD. Down to and including line 15 on page 2?

Mr. LUCE. Line 15 on page 2.

Mr. CRAWFORD. I thank the gentleman.

Mr. LUCE. It may be that the last provision in there does not go to the core of the problem, but I am taking my chance on that, assuming that it would be put back in the Senate if it could be pointed out that some part of the section should still remain.

Our vote on this question will be whether we will permit the funds put there by the people of humble circumstances and people of moderate means, to be risked on what is, to me, a most dangerous type of investment, the investment in apartment houses. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The amendment was agreed to.

The Clerk read as follows:

SEC. 2. The first sentence of subsection (b) of section 10 of the Federal Home Loan Bank Act, as amended, is amended to read as follows:

"(b) No mortgage shall be accepted as collateral security for an advance by a Federal home-loan bank if, at the time such advance is made, the mortgage loan secured by it (1) has more than 25 years to run to maturity, or (2) exceeds $100,000, or (3) is past due more than 6 months when presented, unless the amount of the debt secured by such mortgage is less than 50 percent of the value of the real estate with respect to which the mortgage was given, as such real estate was appraised when the mortgage was made; each Federal home-loan bank may make advances to its members secured by obligations issued pursuant to this act, the National Housing Act, or other obligations, acceptable to the Board, which a member may lawfully have available, but no such advance shall exceed the market price or face value of such obligation, whichever is lower, and no such obligation shall be accepted as collateral security for an advance if such obligation is in default."

Mr. MAY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I do not expect to make any argument about the matter, but I do this for the purpose of asking the gentleman in charge of the bill just a question or two. Do I correctly understand that section 2 of this bill would authorize the acceptance by the home-loan bank of a past-due mortgage that is as much as 6 months past due as collateral for a loan?

Mr. WILLIAMS of Missouri. Yes; under conditions set forth in the bill.

Mr. MAY. In other words, if it is 6 months until it is due it could be accepted?

Mr. WILLIAMS of Missouri. No.

Mr. MAY. But the home-loan bank would not be permitted to accept it as security for a loan if it was past due?

Mr. WILLIAMS of Missouri. It would if it was under that one condition; yes. The gentleman from Kentucky will notice that there is a provision in there reading as follows:

Unless the amount of the debt secured by such mortgage is less than 50 per centum of the value of the real estate with respect to which the mortgage was given.

In other words, if the security is more than double, they can afford to take it even though it is past due 6 months.

Mr. MAY. The matter I had in mind was this. I did not like the idea of a Federal institution being permitted to take as security paper that is past due, because it is usually discredited paper when it becomes past due and is not taken care of.

Mr. WILLIAMS of Missouri. It is only on that condition where the amount of the security is more than double the amount of the obligation. Then they figure that that would be perfectly safe security, even though it was 6 months past due.

[Here the gavel fell.]

The pro forma amendment was withdrawn.

Mr. LUCE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LUCE: Beginning on page 2, line 16, strike out all of section 2.

Mr. LUCE. Mr. Chairman, the same considerations apply to this section as apply to section 1 and the intent of the motion is the same as in that case. If there is anything desirable in the section apart from the apartment-house provision, I presume it will be put back in the Senate.

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield?

Mr. LUCE. I yield.

Mr. DIRKSEN. I thought the purpose of the section was just to leave existing law intact and make maturities conform with F. H. A. insured mortgages of 25 years. Is that correct?

Mr. LUCE. No; you will find in there the figure in the twenty-third line "exceeds $100,000."

Mr. DIRKSEN. That is added?

Mr. LUCE. That is new, so far as I know.

Mr. DIRKSEN. Would not the gentleman's purpose be accomplished by striking that out instead of the entire section?

Mr. LUCE. I think the section ought to be rewritten, and if there is anything there that ought to be kept, that can be done in the other branch.

Mr. DIRKSEN. Yes; I know the gentleman's familiarity with the matter.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. LUCE. I yield to the gentleman.

Mr. CRAWFORD. In other words, striking out section 2 brings the bill back now to the present law wherever the rediscount privileges apply to mortgages on individual homes and apartments not to exceed four families.

Mr. LUCE. Yes.

Mr. CRAWFORD. And makes it correspond with the previous amendment offered.

Mr. LUCE. Yes.

The amendment was agreed to.

The Clerk read as follows:

SEC. 3. Section 11 of the Federal Home Loan Bank Act, as amended, is further amended by the addition of a new subsection as follows:

"(i) The Secretary of the Treasury, in his discretion, is authorized to purchase any obligations issued under the provisions of this act or title IV of the National Housing Act, and for such purpose the Secretary of the Treasury is authorized to use as a public-debt transaction the proceeds of the sale of any securities hereafter issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under the Second Liberty Bond Act, as amended, are extended to include such purchases. The Secretary of the Treasury may, at any time, sell any of the obligations acquired by him under this subsection. All redemptions, purchases, and sales by the Secretary of the Treasury of such obligations shall be treated as public-debt transactions of the United States."

Miss SUMNER of Illinois. Mr. Chairman, I move to strike out the last word.

I do not intend to make a speech, but I think the attention of the House should be drawn to the fact that whereas in the Federal Reserve law the amount of money that can be issued on security tendered by the banks is limited, it is not limited in the case of mortgage loans, because you have new buildings all the time, and at present there are $17,300,000,000 of mortgage-residential debt in the United States, and that is gradually increasing. One objection I have to the bill is that there is this unlimited responsibility on the part of the Government. My other chief objection has already been covered by the adoption of the amendment of the gentleman from Massachusetts [Mr. LUCE].

The pro forma amendment was withdrawn.

Mr. WILLIAMS of Missouri. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Section 3, page 4, line 3, after the period insert the following: "The Secretary of the Treasury shall not at any time purchase under this subsection any obligations issued under the provisions of this act if such purchase would increase the aggregate principal amount of his then outstanding holdings of such obligations under this subsection to an amount greater than three times the aggregate amount of the then outstanding capital stock, reserves and surplus of the Federal Home Loan Banks. Likewise the Secretary of the Treasury shall not at any time purchase under this subsection any obligations issued under title IV of the National Housing Act if such purchase would increase the aggregate principal amount of his then outstanding holdings of such latter obligations under this section to an amount greater than three times the aggregate amount of the then outstanding capital stock, reserves and surplus of the Federal Savings and Loan Insurance Corporation."

Mr. WILLIAMS of Missouri. Mr. Chairman, I think that perhaps meets the objection just raised by the gentlewoman from Illinois [Miss SUMNER]. I am of the opinion that there should be some limitation, and the amendment that I have offered places a limitation upon it.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS of Missouri. Yes.

Mr. GIFFORD. I congratulate the gentleman. He is taking the viewpoint that I thought he would. There is a limitation here. Can the gentleman give us any idea of what the present amount would be, what is the amount of capital stock of these corporations?

Mr. WILLIAMS of Missouri. The capital stock of the home-owners' loan bank is $165,000,000.

Mr. GIFFORD. And this?

Mr. WILLIAMS of Missouri. One hundred million dollars.

Mr. GIFFORD. So that the obligation of the Government under this amendment would amount to less than $250,000,000?

Mr. WILLIAMS of Missouri. There is a limitation in the law as to the amount of bonds that the home loan banks may issue. There is no limitation on the debentures which the savings and loan insurance corporation may issue.

Mr. GIFFORD. Will the Treasury have the privilege of buying the obligations thereunder?

Mr. WILLIAMS of Missouri. I have had the notion, and so expressed myself in the committee that there should be a limitation on the amount. There is a limitation as I recall it on all of the others.

Mr. GIFFORD. I thank the gentleman.

Mr. WILLIAMS of Missouri. There is a limitation on the amount of bonds which the Treasury may purchase under this amendment. There are various other limitations on the amount of bonds which the home loan banks may issue, and while I have no fear of this being abused, yet I think as a matter of proper legislative procedure that a limitation should be placed there, and that is the reason that I have offered the amendment.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS of Missouri. Yes.

Mr. SMITH of Ohio. I do not quite understand the total amount that can be issued under this $165,000,000 of capital. I don't understand what the amount is.

Mr. WILLIAMS of Missouri. Three times the amount, though I am not sure that I understood the gentleman's question. If he means the amount which they may issue, that is one thing.

Mr. SMITH of Ohio. Not issue but guarantee.

Mr. WILLIAMS of Missouri. The amount which the Treasury may purchase under this amendment and have on hand at any one time is limited to three times the amount of the capital stock and surplus, but that is not a limitation upon the amount of issue.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri.

The amendment was agreed to.

The Clerk read as follows:

SEC. 4. Section 17 of the Federal Home Loan Bank Act, as amended, is amended by adding at the end thereof the following:

"For the enforcement of its rights and powers and of its orders, rules, and regulations, the Board shall have power, by resolution, in its own name or in the name of the United States through the Attorney General, or using its own attorneys subject to the direction of the Attorney General, as the Attorney General may determine, to institute or otherwise voluntarily participate in and to prosecute to final satisfaction any action, suit, or other proceeding in any State, Federal, or other court. Any such action, suit, or other proceeding instituted in a district court of the United States shall be deemed to have been instituted by an officer of the United States authorized by law to sue, within the meaning of section 24 of the Judicial Code, as amended."

SEC. 5. (a) Section 20 of the Federal Home Loan Bank Act, as amended, is amended by inserting at the beginning thereof the letter "a" in parentheses, by striking the word "twice" where it appears in the first sentence, and by adding at the end of such section the following additional sentence: "Such examiners shall not use their powers, privileges, or position, directly or indirectly, for personal advantage."

(b) Section 20 of the Federal Home Loan Bank Act, as amended, is further amended by adding the following new subsection:

"(b) The Board shall have power to require each member of each Federal home-loan bank to make an annual report of its affairs to the Board as of the end of each calendar year, or as of such other date as the Board may permit, upon forms prescribed by the Board and to require such additional information as the Board by resolution may request. The Board shall have power to examine, audit, and supervise (1) federally or State-chartered institutions insured under title IV of the National Housing Act; and each such insured institution, by accepting the benefits of such insurance, agrees to permit and pay for such examinations, audits, and supervision by the Board; (2) other members of the Federal home-loan banks, if such members are not subject to State examination and supervision or if, in the judgment of the Board, State examination and supervision is inadequate for the protection of such banks, other members, and the public; and each such member, by the acceptance of the benefits of membership in a Federal home-loan bank, agrees to permit and pay for such examinations, audits, and supervision."

(c) The third sentence of section 8 of the Federal Home Loan Bank Act, as amended, is hereby repealed.

Mr. SPENCE. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. SPENCE: Add to section 5, subsection (b), page 5, line 25, the following: "The Board is authorized to accept, in whole or in part, reports of examinations and audits made by independent public accountants or public supervisory authorities to the extent that such reports will serve the purposes of the Board. Reports of audits and examinations made by independent accountants and public supervisory authorities and made available to the Board by the associations examined shall be considered, and if determined by the Board to be adequate and reliable, such association shall not be charged for duplicate auditing or examination for the same period."

Mr. SPENCE. Mr. Chairman, this merely enlarges the powers of the Home Loan Bank Board and gives it the authority to accept these examinations if they are adequate and satisfactory. There is nothing mandatory in the provision. There has been quite an imposition on some of these institutions by reason of the amounts that are required to be paid for these examinations, and what can be the objection to allowing the Board to accept an examination that is adequate and satisfactory if the Board desires to do so? This amendment not only has the endorsement of all of the building, savings, and loan associations, but it has the approval of all the large organizations of accountants. I hope and trust the amendment will be adopted, together with the other amendment which I shall offer.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. SPENCE. Yes; I yield to the gentleman from Michigan.

Mr. CRAWFORD. The gentleman's amendment reads "independent public accountants." In the country we have certified public accountants and we have accountants, members of the American Institute of Accountants, and we have independent public accountants who might be senior bookkeepers who open an office to perform accountancy work and who know very little about first-class bookkeeping, as a matter of fact. Would the gentleman be willing to accept substitute language and make that a certified public accountant?

Mr. SPENCE. Yes. My idea in that was that they did not have to be supervisory authorities, but accountants certified by the proper authorities. If the gentleman thinks it will be more acceptable to strike out the word "independent," I would be perfectly willing to have that done.

Mr. CRAWFORD. It will give public protection.

Mr. SPENCE. There are independent certified public accountants that are not connected with any supervisory institution, or the State, and it was the purpose to include those men who are authorized to do this work, but who are not connected with a State or any of its subdivisions, who are independent, certified accountants.

Mr. DIRKSEN. Mr. Chairman, I think to the degree the gentleman uses the language, to that extent it will serve the public and the Board. It is resilient enough to satisfy the Board, it seems to me.

Mr. SPENCE. It merely gives them the power to do it if they decide to. It leaves it in the discretion of the Board.

Mr. STEAGALL. Mr. Chairman, will the gentleman yield?

Mr. SPENCE. I yield.

Mr. STEAGALL. I suggest to the gentleman from Kentucky that he modify his amendment as suggested by the gentleman from Michigan; and I may say that I do not believe there will be any trouble in having it passed; for I do not think there is any objection to it.

Mr. CRAWFORD. What I wish is this, if the gentleman will permit, that if in their judgment they need an audit made that it be by an independent certified public accountant.

Mr. SPENCE. The modification is agreeable to me.

Mr. CRAWFORD. The audit should be by a certified public accountant because then it is done by a person the State approves.

Mr. SPENCE. Mr. Chairman, I ask unanimous consent to modify my amendment by striking out the word "independent" and inserting in lieu thereof the word "certified."

The CHAIRMAN. Without objection the amendment will be modified accordingly.

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky.

The amendment was agreed to.

Mr. FERNANDEZ. Mr. Chairman, I move to strike out the last word in order to register in the RECORD the opposition of certain building and loan organizations in New Orleans to this particular section. In this connection I read two telegrams and a letter I have received from the Central Homestead Association of New Orleans and my reply thereto:

NEW ORLEANS, LA., *March 7, 1940.*

HON. H. J. FERNANDEZ,
House of Representatives Building, Washington, D. C.:

As president of Southwestern Building and Loan Conference representing associations in the States of Arkansas, Colorado, Kansas, Louisiana, Mississippi, Missouri, New Mexico, Oklahoma, and Texas, the majority of which associations are State-chartered institutions, I must advise that there is serious objection to section 5 of House bill 6971, which in its present form gives supervisory power over State-chartered associations to the Federal Home Loan

Bank Board. State-chartered institutions are rightfully creatures of the several States authorizing their operation and supervisory powers over these institutions rightfully belong to the State banking departments of the various States. Enactment of House bill 6971 will be a usurpation of powers rightfully belonging to a State by an agency of the Federal Government, and I ask that the bill referred to be returned to the committee for redrafting of the objectionable features referred to or killed outright in its present form. Kindest personal regards.

ALLEN H. GENERES.

NEW ORLEANS, LA., *May 7, 1940.*

Hon. H. J. FERNANDEZ,
House of Representatives Building, Washington, D. C.:

Our association, comprised of over 2,000 shareholders, vigorously objects to section 5 of House bill 6971 which gives supervisory power over State-chartered institutions to the Federal Home Loan Bank Board. This is definitely an infringement on State rights and a usurpation of powers of supervision rightfully belonging to the State Banking Department of Louisiana. We ask that House bill 6971 be returned to the committee for redrafting or killed outright in its present form.

CENTRAL HOMESTEAD ASSOCIATION,
C. E. WHITMORE, *Secretary.*

HOUSE OF REPRESENTATIVES,
Washington, D. C., March 8, 1940.

Mr. ALLEN H. GENERES,
Care Conservative Homestead Association, Audubon Building, New Orleans, La.

Mr. C. E. WHITMORE,
Secretary, Central Homestead Association, Audubon Building, New Orleans, La.

GENTLEMEN: I acknowledge your night telegrams of last night in opposition to section 5 of H. R. 6971, designed to give the Federal home-loan bank "the power to examine, audit, and supervise (1) federally or State-chartered institutions insured under title IV of the National Housing Act; and each such insured institution, by accepting the benefits of such insurance, agrees to permit and pay for such examinations, audits, and supervision by the Board; (2) other members of the Federal home-loan banks, if such members are not subject to State examination and supervision or if, in the judgment of the Board, State examination and supervision is inadequate for the protection of such banks, other members, and the public; and each such member, by the acceptance of the benefits of membership in a Federal home-loan bank, agrees to permit and pay for such examinations, audits, and supervision."

From my point of analysis, there may be some justification in Federal examination, audit, and supervision if the State's supervision is unsatisfactory for the general welfare of the public involved. However, I do not feel, even in those particular cases, that the Federal Government should supersede State authority, but be supplemental thereto; also that such Federal scrutiny should be made only under extraordinary circumstances warranting such action.

Please let me know how you feel about this.

Sincerely,

J. O. FERNANDEZ.

CENTRAL HOMESTEAD ASSOCIATION,
New Orleans, March 12, 1940.

Hon. J. O. FERNANDEZ,
House of Representatives Building, Washington, D. C.

DEAR MR. FERNANDEZ: Replying to your letter of March 8 regarding section 5 of H. R. 6971, we beg to point out the following:

Our objection to this bill is not to the power granted the Federal home-loan bank to examine or audit our records. At the present time examiners of the Federal Home Loan Bank Board make annual examinations of State-chartered institutions that are insured, which are also subject to complete audit by the examiners of the Federal Home Loan Bank Board in the event the audit which they have made is not satisfactory to the said Board.

However, at the present time the Board is not vested with the right of supervision, which power is presently vested in the State banking departments of the respective States.

We can even agree that if State supervision is unsatisfactory for the general welfare of the public involved, there may be justification for the Federal Home Loan Bank Board to give such supervision; but under the act as it is presently framed, the power to examine, audit, and supervise federally State-chartered institutions insured under title IV of the National Housing Act is granted without any qualification, and only in the case of members of the Federal home-loan bank which are not insured is there a qualification that the supervision shall be exercised in the event there is not State supervision, or if, in the judgment of the Board, State supervision is inadequate.

In other words, where a State-chartered institution is insured, it is subject to supervision by the Federal Home Loan Bank Board regardless of the degree of supervision given by the State banking department; and from the wording of the act, particularly that section giving the Federal Home Loan Bank Board the right to go into any court, whether State or Federal, in order to have its regulations enforced, it would seem to indicate that the supervision of the Federal Government should supersede State supervision and not be supplemental thereto.

We wish to thank you for the interest shown in this matter, and sincerely trust that you will get our point of view and do what you are able to maintain the right of State supervision.

Yours very truly,

C. E. WHITMORE, *Secretary.*

Mr. Chairman, I may say in conclusion that I shall vote for the passage of the bill because it contains many sections that are beneficial.

By unanimous consent the pro forma amendment was withdrawn.

The Clerk read as follows:

SEC. 6. Section 21 of the Federal Home Loan Bank Act, as amended, is amended to read as follows:

"(a) Whoever makes any statement, knowing it to be false, or whoever willfully overvalues any security, for the purpose of influencing in any way the action of a Federal Home Loan Bank or the Board, a member of a Federal Home Loan Bank, or the Federal Savings Insurance Corporation upon any application, advance, discount, purchase, or repurchase agreement, or loan, or any extension thereof by renewal, deferment, or action or otherwise, or the acceptance, release, or substitution of security therefor, shall be punished by a fine of not more than $5,000 or by imprisonment for not more than 2 years, or both.

"(b) Whoever (1) falsely makes, forges, or counterfeits any note, debenture, bond, or other obligation, or coupon, or share account, in imitation of or purporting to be a note, debenture, bond, or other obligation, or coupon, or share account issued by the Board, a Federal Home Loan Bank, a member of a Federal Home Loan Bank, or the Federal Savings Insurance Corporation; or (2) passes, utters, or publishes, or attempts to pass, utter, or publish, any false, forged, or counterfeited note, debenture, bond, or other obligation, or coupon, or share account, purporting to have been issued by the Board, a Federal Home Loan Bank, a member of a Federal Home Loan Bank, or the Federal Savings Insurance Corporation, knowing the same to be false, forged, or counterfeited; or (3) falsely alters any note, debenture, bond, or other obligation, or coupon, or share account, issued or purporting to have been issued by the Board, a Federal Home Loan Bank, a member of a Federal Home Loan Bank, or the Federal Savings Insurance Corporation; or (4) passes, utters, or publishes, or attempts to pass, utter, or publish, as true any falsely altered or spurious note, debenture, bond, or other obligation, or coupon, or share account, issued or purporting to have been issued by the Board, a Federal Home Loan Bank, a member of a Federal Home Loan Bank, or the Federal Savings Insurance Corporation, knowing the same to be falsely altered or spurious, shall be punished by a fine of not more than $10,000 or by imprisonment for not more than five years, or both.

"(c) Whoever, being connected in any capacity with the Board or a Federal home-loan bank, a member of a Federal home-loan bank, or the Federal Savings Insurance Corporation, (1) embezzles, abstracts, purloins, or willfully misapplies any moneys, funds, securities, or other things of value, whether belonging to or pledged or otherwise entrusted to said Board, a Federal home-loan bank, a member of a Federal home-loan bank, or the Federal Savings Insurance Corporation; or (2) with intent to defraud the Board, a Federal home-loan bank, a member of a Federal home-loan bank, or the Federal Savings Insurance Corporation, or any other body politic or corporate, or any individual, or to deceive any officer, auditor, or examiners of the Board or a Federal home-loan bank, a member of a Federal home-loan bank or the Federal Savings Insurance Corporation, makes any false entry in any book, report, or statement of or to the Board, a Federal home-loan bank, a member of a Federal home-loan bank, or the Federal Savings Insurance Corporation, or, without being duly authorized, draws any order or issues, puts forth, or assigns any note, debenture, bond, or other obligation, or draft, mortgage, judgment, or decree thereof, shall be punished by a fine of not more than $10,000 or by imprisonment for not more than 5 years, or both.

"(d) It shall be unlawful for any individual, firm, partnership, association, or corporation (1) which is not such an institution to use the words 'Federal home-loan bank,' 'Federal savings and loan association,' or 'Federal Savings Insurance Corporation,' or a combination of the word 'Federal' with any of such words, as a name or a part of a name under which he or it shall do business except in the case of a name under which business is being done at the time of the enactment of this act); (2) which is not such an institution to advertise or represent in any way that he or it is a Federal home-loan bank, a Federal savings and loan association, or Federal Savings Insurance Corporation, or to publish or display any sign, symbol, or advertisement reasonably calculated to convey the impression that he or it is a Federal home-loan bank, a Federal savings and loan association, or Federal Savings Insurance Corporation; or (3) which is not a member of a Federal home-loan bank to advertise or represent in any way that he or it is such a member, or to publish or display any sign, symbol, or advertisement reasonably calculated to convey the impression that he or it is such a member. Every association, partnership, firm, or corporation violating any provision of this subsection shall be guilty of a misdemeanor and shall be subject to a fine of not exceeding $1,000. Any individual violating

any provision of this subsection, or any officer or director of any association or corporation or any member of any firm or partnership violating any provision of this subsection, who participates in, or knowingly acquiesces in, any such violation shall be guilty of a misdemeanor and shall be subject to a fine of not exceeding $1,000 or to imprisonment not exceeding 1 year, or both. Any violation of any provision of this subsection may be enjoined by the United States district court having jurisdiction, at the instance of any United States district attorney, the Federal Home Loan Bank Board, or a Federal home-loan bank, a Federal savings and loan association, or the Federal Savings Insurance Corporation.

"(e) The provisions of sections 29, 30, 32, 35, 37, 39, 112, 113, 114, 115, 116, 117 of the Criminal Code of the United States (U. S. C., title 18, secs. 73, 74, 76, 80, 82, 83, 88, 91, and 202 to 207, inclusive), insofar as applicable, are extended to apply to Federal home-loan banks and members thereof, and to Federal Savings Insurance Corporation and to contracts or agreements of any Federal home-loan bank and members thereof, and the Federal Savings Insurance Corporation, which, for the purposes hereof, shall be held to include advances, loans, discounts, insurance, and purchase and repurchase agreements; extensions and renewals thereof; and acceptances, releases, and substitutions of security therefor.

"(f) Any person who willfully and knowingly makes, circulates, or transmits to another or others any statement or rumor, written, printed, or by word of mouth, which is untrue in fact and is directly or by inference derogatory to the financial condition or affects the solvency or financial standing of a Federal home-loan bank, a member of a Federal home-loan bank, or the Federal Savings Insurance Corporation, or who knowingly counsels, aids, procures, or induces another to start, transmit, or circulate any such statement or rumor, is guilty of a misdemeanor, punishable by a fine of not more than $1,000 or by imprisonment of not exceeding 1 year or both.

"(g) As used in this act, the term 'examiner' means any person employed by the Board, a Federal home-loan bank, or by the Federal Savings Insurance Corporation to make examinations. No such institution, no member of a Federal home-loan bank, no institution which is insured by the Federal Savings Insurance Corporation, and no officer, director, employee, attorney, or agent thereof, shall hereafter knowingly make any loan or grant any gratuity to any examiner who examines or has authority to examine it. Any such officer, director, employee, attorney, or agent violating this provision shall be deemed guilty of a misdemeanor and shall be imprisoned not exceeding 1 year or fined not more than $5,000, or both, and may be fined a further sum equal to the money so loaned or gratuity given. Any examiner who shall accept a loan or gratuity from any institution examined by him, or from any officer, director, employee, attorney, or agent thereof, or who shall steal or unlawfully take, or unlawfully conceal, any money, note, draft, bond, share account, or security or any other property of value in the possession of any such institution, or from any safe deposit box in or adjacent to the premises of such institution, shall be deemed guilty of a misdemeanor and shall, upon conviction thereof in any district court of the United States, be imprisoned for not exceeding 1 year or fined not more than $5,000, or both, and may be fined a further sum equal to the money so loaned, gratuity accepted, or property stolen, and shall forever thereafter be disqualified from employment by the Board, a Federal home-loan bank, or member thereof, or the Federal Savings Insurance Corporation, or any institution insured by it. No examiner shall perform any other service for compensation, while holding such office, for any institution which he has authority to examine or for any officer, director, employee, attorney, or agent thereof. No examiner, officer, director, employee, attorney, or agent of the Board, a Federal home-loan bank, or the Federal Savings Insurance Corporation shall disclose the names of borrowers or investors or the collateral for loans of, or other facts confidential to the management and not otherwise publicly disclosed regarding any institution examined by him to any person other than the Board, a Federal home-loan bank, or the Federal Savings Insurance Corporation, their officers and employees, or to the proper officers of such institution, without first having obtained express permission in writing from his respective employer, or from the boards of directors of the institutions examined, except when ordered to do so by a court of competent jurisdiction or by direction of the Congress of the United States, or of either House thereof, or any committee of Congress, or of either House duly authorized. Any person violating any of the provisions of the last two sentences shall be imprisoned not more than 1 year or fined not more than $5,000, or both."

SEC. 7. (a) The ninth sentence of subsection (c) of section 4 of Home Owners' Loan Act of 1933, as amended, is hereby amended by striking the period at the end thereof and adding a colon and the following: "*Provided*, That any building now or hereafter owned by the Corporation in the District of Columbia and used principally as an office building of the Corporation, together with the land upon which the same stands, and all appurtenances, buildings, and land used principally in connection therewith, shall be exempt from any and all taxation heretofore or hereafter imposed."

(b) The fourth sentence of subsection (d) of section 4 of the Home Owners' Loan Act of 1933, as amended, is hereby amended by striking the word "fifteen" in the phrase "not to exceed 15 years", and inserting in lieu thereof the word "twenty-five."

Mr. BARRY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BARRY: Page 13, line 13, after the word "imposed", strike out subsection (b) (lines 14 to 18, inclusive) and insert the following language:

"That the sixth sentence of section 4 of the Home Owners' Loan Act of 1933, as amended, is further amended as follows: The Corporation must at any time grant an extension of time to any home owner for the payment of principal or interest owed by him to the Corporation or must at any time during the existence of the mortgage grant an extension and revision of its terms to provide for the amortization by means of monthly payments sufficient to retire the interest and principal within a period not to exceed 25 years from the date of its execution if the home owner was in arrears in his payments of either interest, principal, or taxes on May 1, 1940."

Mr. BARRY. Mr. Chairman, the section my amendment strikes out was enacted into law last year by this House as a separate bill and was signed by the President. It gives the corporation the right to extend the amortization period for 10 years. My amendment is designed to carry out what I believe to be the intent of the amendment we adopted last year.

Let me point out to the House briefly that when the Corporation ended its work there were 1,018,171 loans. On April 1 of this year the Corporation authorized the foreclosure of 203,891 loans. This leaves a balance of 814,280. Of this amount, Mr. Fahey testified before our committee when he appeared in behalf of this bill that there were 435,207 loans paid up to date. This leaves a balance of 379,073 loans now in distress but not in sufficient distress to be foreclosed. My amendment does not affect the 435,207 loans that are paid up to date. It applies merely to the 379,000, and makes it mandatory upon the Corporation to extend the 10-year amortization period which we passed last year. The Corporation has undertaken this work within the discretion granted it by the law, but there has been considerable complaint by people who feel they should be granted this relief. Others believe that they have not received a sufficient amount of relief.

I feel that we should do everything within reason to try and save these 379,000 loans now in distress. We passed legislation to carry out a housing program with Government subsidies. We passed legislation to permit home building under the Federal Housing Act with the liberal terms and with a small down payment and with 25 years in which to pay it off. I think the House should take into account those families who have been living in these H. O. L. C. homes for a great many years and not foreclose unless it actually has to, unless they are a total bad risk, because after we get the houses we merely spend a lot of money on repairs. The Corporation pays a lot of money in foreclosure costs. Then it turns around and rents them for an amount equal to and in many cases less than what the home owner can now pay, or it sells the houses in the real-estate market at a very substantial loss.

I hope the amendment will be adopted. [Applause.]

Mr. STEAGALL. Mr. Chairman, the gentleman from New York has just called attention to a liberal provision formerly adopted with reference to the extension of defaulting mortgages held by the Home Owners' Loan Corporation. Attention has been called during this debate to the losses that have necessarily been incurred under the operation of the Home Owners' Loan Corporation, losses at which I do not complain—losses that it might be fair to say were contemplated when the act was passed, because the legislation was intended to take care of citizens facing immediate loss of their homes. It was in the nature of an altruistic endeavor. But, Mr. Chairman, this amendment would give to any borrower the right to say whether or not his mortgage should be extended. It would take out of the hands of the Board all their powers and discretion in the administration of the law insofar as extension of mortgages is concerned. It seems to me to be going so far that it is almost unthinkable that a Member of the House would seriously advocate it. The proposal would be unjust and unfair to borrowers who are meeting their obligations.

Mr. BARRY. Will the gentleman yield?

Mr. STEAGALL. I yield to the gentleman from New York.

Mr. BARRY. This amendment does not affect the 435,000 Federal mortgages that are now paid up to date. It applies only to those who were in arrears on May 1, 1940, and I have selected that date so that if this amendment should pass, the people who are paid up to date cannot lapse their payments.

Mr. STEAGALL. Well, true, it applies only to mortgagors whose mortgages were in default on the 1st of May, but with that qualification all I have said applies.

Miss SUMNER of Illinois. Will the gentleman yield?

Mr. STEAGALL. I yield to the gentlewoman from Illinois.

Miss SUMNER of Illinois. May I direct the gentleman's attention to a report issued by the Federal Home Loan Bank Administrator, after the bill was in our committee, in which it is stated that there were only 13 States now with moratoriums on mortgages and he thought that conditions in the country no longer warranted moratoriums. This in effect is a moratorium.

Mr. STEAGALL. Yes. It is unfair to the mortgagors who make the necessary sacrifice to pay.

Mr. BROOKS. Will the gentleman yield?

Mr. STEAGALL. I yield to the gentleman from Louisiana.

Mr. BROOKS. I am wondering if the 379,000 mortgages in default as of May 1 will reduce the losses of the H. O. L. C. when it takes over that many homes because of default in payments? I notice the wholesale advertisements in some of the papers of these little homes which have been taken over in large numbers. It seems to me it has a depressing effect upon the real-estate market to advertise homes in wholesale quantities which have been taken over as a result of the fact that an owner has not been able to keep up with his payments.

Mr. STEAGALL. Whenever it is decided that we are not going to try to enforce collection of these mortgages, we invite defaults.

Mr. BARRY. Will the gentleman yield further?

Mr. STEAGALL. I yield to the gentleman from New York.

Mr. BARRY. In answer to the gentlewoman from Illinois [Miss SUMNER] may I say this is not a moratorium. This merely spreads the principal payments over an extra 10 years that we gave the right to the corporation to do last year. There is no moratorium involved.

Miss SUMNER of Illinois. When you leave it to the discretion of the borrower, you in effect give him a moratorium.

Mr. BARRY. No. This spreads the payment over an additional 10 years and the corporation is doing that in many cases now.

Miss SUMNER of Illinois. This would be a temporary moratorium, at least.

Mr. BARRY. It is not a moratorium at all. The payments are only spread over the 10 years.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, in the first place, the Home Owners' Loan Corporation has permissive authority to liberalize to a certain extent now, so that the amendment offered by the gentleman from New York [Mr. BARRY] would become unnecessary. Secondly, he has used the word "must" in his amendment. The mortgagee tenant can commit waste, tear up all the wallpaper, ruin all the floors; yet if he is in default, the Corporation could not secure possession under this amendment. I will not lend my vote to that kind of amendment, and I hope it is voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. BARRY].

The amendment was rejected.

Mr. FITZPATRICK. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. FITZPATRICK: On page 13, line 18, after the word "twenty-five", add a new subsection, to read as follows:

"(c) That subsection (d) of section 4 of the Home Owners' Loan Act, as amended, is amended by adding the following:

"'That the rate of interest on the unpaid balance of the obligation of any home owner to the Corporation under this act outstanding on the date this paragraph takes effect, or on the unpaid balance of any such obligation incurred after such date, shall not exceed 3½ percent per annum.'"

Mr. FITZPATRICK. Mr. Chairman, I am offering this amendment to bring a little relief to the distressed property owners who are trying so hard to hold their homes, which are so near and dear to each and every one of them.

However, I feel that I should say a word or two about the Home Owners' Loan Corporation. This Corporation, in my opinion, has been managed in a most efficient manner. I doubt if there is any private organization in the United States that has been handled with more economy or efficiency than this Corporation.

After the Home Owners' Loan Corporation Act was passed, this Corporation took over more than a million mortgages of distressed property owners in this country. Most of these mortgages were in such a condition that it was only a matter of time when foreclosures would have taken place. However, I understand that over 75 percent of these home owners will be able to save their homes, which I believe is a greater percentage than what is held by private mortgagors. This was brought about, no doubt, by the efficient management of the Home Owners' Loan Corporation. They had a very hard job on their hands, but they met the situation and are doing fine work in order to carry out the purpose of the act.

The amendment offered by me is to reduce the interest rate to 3½ percent, as I understand the Government is borrowing the money for around 2 percent.

For that reason I believe in justice to the distressed property owners of this country who are holding H. O. L. C. mortgages and for whom the interest rate should be reduced to 3½ percent. I hope the amendment offered by me will be approved by the Committee.

Mr. BARRY. Will the gentleman yield?

Mr. FITZPATRICK. I yield to the gentleman from New York.

Mr. BARRY. On occasions this House on behalf of the farmers has overridden the President's veto message and has kept the farmers' rate of interest at 3½ percent. If it is consistent to do that, it should support the gentleman's amendment.

Mr. FITZPATRICK. I agree with the gentleman's statement, and I voted to keep the farmers' rate of interest at 3½ percent.

Mr. DIRKSEN. Will the gentleman yield?

Mr. FITZPATRICK. I yield to the gentleman from Illinois.

Mr. DIRKSEN. I may say to my good friend from New York that 30 days ago the chairman of the Home Loan Bank Board said that if this type of amendment is agreed to, providing for 3½ percent interest, it will cost the Federal Treasury $280,000,000 the first year. That is what it will cost if you approve this amendment.

Mr. FITZPATRICK. The Government borrows this money for less than 2 percent. It seems to me that if the home owners pay 3½ percent interest, the loss could not be as great as stated by the chairman of the Home Loan Bank Board to the gentleman from Illinois.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. FITZPATRICK) there were—ayes 40, noes 67.

So the amendment was rejected.

Mr. FITZPATRICK. Mr. Chairman, I offer a further amendment.

The Clerk read as follows:

Amendment offered by Mr. FITZPATRICK: On page 13, after the word "'twenty-five'", add a new subsection, to read as follows:

"(c) That subsection (d) of section 4 of the Home Owners' Loan Act, as amended, is amended by adding the following:

"'That a moratorium is hereby proclaimed forbidding, suspending, causing, and stopping the foreclosure of home owners' loan

mortgages by the Home Owners' Loan Corporation, its agents and employees, for a period of 2 years from the date of enactment: *Provided*, That the mortgagor pays the interest, taxes, and all other assessments levied against the mortgaged property except any part of the principal indebtedness.'"

Mr. FITZPATRICK. Mr. Chairman, the amendment I offered for a moratorium is to relieve the distressed property owners for 2 years from making payment on their principal and giving them a chance and opportunity to pay up their taxes without any loss to the citizens of this country, because after the 2-year moratorium they are to take up and pay the balance of the mortgage as prescribed in section 4 of the Home Owners' Loan Corporation Act.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. FITZPATRICK. I yield to the gentleman from Kentucky.

Mr. MAY. Is it not a fact that under section 77 (b) of the Federal statute relating to bankruptcy all farm loans may have a moratorium of 3 years?

Mr. FITZPATRICK. Yes; and why should the home owners not receive the same consideration?

Mr. MAY. Simply on the payment of interest.

Mr. FITZPATRICK. Yes; and why not let the home owners have a moratorium of 2 years, as long as they pay their interest, assessments, and any other indebtedness?

Mr. THOMAS F. FORD. Mr. Chairman, will the gentleman yield?

Mr. FITZPATRICK. I yield to the gentleman from California.

Mr. THOMAS F. FORD. Is it not a fact that under the gentleman's amendment the Home Owners' Loan Corporation would make money and save itself from taking over a great mass of dead property and carrying it for 2 or 3 years, and flooding the market with foreclosed properties?

Mr. FITZPATRICK. There is not question about it. It would be money saved to the taxpayers throughout the country. I hope the amendment will be agreed to. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. FITZPATRICK) there were—ayes 31, noes 71.

So the amendment was rejected.

The Clerk read as follows:

SEC. 8. Subsection (c) of section 5 of Home Owners' Loan Act of 1933, as amended, is amended to read as follows:

"(c) Such associations shall lend their funds only on the security of their shares or on the security of first liens upon homes or combination home and business properties, as defined by regulations of the Board, within 50 miles of their home office, no such loan to exceed $100,000: *Provided*, That not more than $20,000 shall be loaned on the security of a first lien upon any one property upon which there is located a dwelling or dwellings designed principally for residential use for not more than four families in the aggregate, irrespective of whether such dwelling or dwellings have a party wall or are otherwise physically connected with another dwelling or dwellings. However, not exceeding 15 percent of the assets of any association may be loaned on any improved real estate, which by reason of its condition is not only marketable but is capable of producing income reasonably in relation to the payment of interest upon and the amortization of the loan secured thereby, and all other loan charges, without regard to said limitations on amount of loans, and without regard to said 50-mile limit but secured by a first lien thereon. Subject to regulations of the Board, associations upon application to and authorization by the Board, because of their size or location, may lend within the 50-mile limit and without regard to said $20,000 limitation, up to an additional 15 percent of their assets on any improved real estate upon which there is located one or more structures designed principally for residential use, irrespective of whether such structures have a party wall or are otherwise physically connected with other structures. All real estate owned as a result of the foreclosure of loans previously made within any such percentage of assets shall be included in computing such percentage of assets. Any portion of the assets of such associations may be otherwise invested only in obligations of, or fully guaranteed as to principal and interest by, the United States, the stock of a Federal home-loan bank, or obligations issued pursuant to the Federal Home Loan Bank Act, or the National Housing Act, or in other securities which are legal investments for fiduciary and trust funds and are approved by regulations of the Board. Also, upon application to and approval by the Board, an association may make loans under title I of the National Housing Act as now or hereafter amended. Subject to regulations of the Board, any association which is converted from a State-chartered institution may continue to make loans in the territory in which it made loans while operating under State charter."

Mr. LUCE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LUCE: Page 13, line 25, strike out "as defined by regulations of the Board."

On page 14, line 1, strike out "no such loan to exceed $100,000" and insert "loans made shall be subject to the same limitations on the principal amount of the loan and the type of property with respect to which the loan may be made as are applicable to cooperative banks or similar home financing institutions under the law of the State, Territory, or district in which the property with respect to which the loan is made is situated; however, this provision shall be applicable only to loans made after the date of the enactment of this act and shall not apply to loans made after such date with respect to which a binding commitment to make the loan is in effect on such date."

Also strike out, in line 16, the words "Subject to regulations", and all of lines 17 through 24, inclusive.

Mr. LUCE. Mr. Chairman, this amendment will do two things. It will complete the extermination of the apartment-house feature and it will provide by separate provision that no Federal bank can exceed the permissions given to the State bank in the particular State concerned. I pointed out previously that in Massachusetts we limit the loaning power of the cooperative banks to loans of $8,000 on an 80-percent-valuation basis. This would provide that a Massachusetts Federal bank could not make a larger loan. Those who may not have heard me before will remember that my desire is that the Federal and the State banks shall start on an even footing, and make the race honorably, squarely, and fairly, giving advantage to neither kind of bank. In Massachusetts the Federals, 28 of them, have an advantage now over the 180 cooperatives. In their advertising the Federals misrepresent, I fear sometimes, and certainly exaggerate the advantages from being shareholders in the Federal institution. Inasmuch as I helped create the Federal institutions I have no hostility toward them, but I want both sides to start even and have the same privileges and the same restrictions in a given State. Therefore, I present this amendment. [Applause.]

Mr. WILLIAMS of Missouri. Mr. Chairman, to some parts of this amendment, as far as I am concerned, I see no objection, such as the part making the provision conform to the amendments which have already been adopted; in other words, the striking out of the $100,000 limitation, limiting that as we have already done with the agreement entered into concerning section 1. However, as to the part of the amendment which requires the Federal savings and loan institutions to be standardized by the various laws of the different States, to my mind that is an impossible situation, if we are going to have a Federal system at all. The conditions and the laws under which building and loan associations may operate are different in all the States. There is a limitation placed upon the amount of loans which may be made in some States and in other States, I understand, there is no limitation at all. There is what is known as a legal list in some States in which a building and loan association may invest in certain securities.

These securities are entirely different in other States and now if we are to have a Federal system, a system that is set up by an act of Congress, a system that is regulated by a national board and by national examiners, it seems to me as a practical proposition it is almost impossible to administer it in accordance with the laws of all the different States of this Union, and for that reason, if the gentleman keeps his amendments combined in the shape they are at the present time, I will ask that they be voted down. Some of them, I want to say again, I have no objection to, and if the gentleman will separate them, I am satisfied that so far as the committee is concerned, there will be no objection to that part of the amendment, but the other part, it seems to me, is entirely impossible under our present system unless we are going to destroy the Federal system. We might just as well say we will place the national banks in our system under the rules and regulations and laws of the various States. It would be exactly analogous and for that reason that part of the amendment should not, and must not, be adopted.

Mr. LUCE. Mr. Chairman, I would have no objection to separating the amendment and taking the vote first on the first part of the amendment.

I ask unanimous consent that the amendment be separated and that the amendment be reported in that form.

The CHAIRMAN. Without objection, the amendment will be changed in the manner directed by the gentleman from Massachusetts, and the Clerk will report the first amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. LUCE: On page 13, line 25, strike out "as defined by regulations of the Board", and on page 14, line 1, strike out "no such loan to exceed $100,000" and insert "loans made shall be subject to the same limitations on the principal amount of the loan and the type of property with respect to which loans may be made as are applicable to cooperative banks or similar home-financing institutions under the law of the State, Territory, or District in which the property with respect to which the loan is made is situated."

Mr. WILLIAMS of Missouri. Mr. Chairman, that is not a separation of the amendment along the lines contemplated by the gentleman from Massachusetts, as I understand it, and I would have to oppose the amendment in that shape.

Mr. LUCE. Mr. Chairman, I ask unanimous consent that I may withdraw the amendment for the time being, until it can be perfected, and return to this portion of the bill later.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to withdraw the amendment at this point and return to the section later. Is there objection?

There was no objection.

Mr. SPENCE. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. SPENCE: Insert a new section between original sections 8 and 9, page 15, line 17, to be numbered 9, and renumber sections 9 to 17, inclusive, seriatim as 10 to 18, inclusive, the new section to read as follows:

"SEC. 9. Subsection (h) of section 5 of Home Owners' Loan Act of 1933, as amended, is amended by adding at the end thereof the following: 'Any exemption from taxation by the United States now or hereafter provided applicable to Federal Savings and Loan Associations or the shares thereof or the income therefrom shall likewise apply to any building-and-loan, savings-and-loan, homestead association, and cooperative bank organized under the laws of any State, Territory, dependency, or possession of the United States or the District of Columbia, and to the shares, deposits, and certificates of indebtedness issued by such associations and to the income derived therefrom: *Provided, however,* That nothing herein contained shall exempt any building-and-loan, savings-and-loan, homestead association, or cooperative bank, organized under the laws of the United States or of any State, Territory, dependency, or possession of the United States or the District of Columbia, from the provisions of the Social Security Act.'"

Mr. SPENCE. Mr. Chairman, this amendment seeks to do long-delayed justice. The National Congress has permitted men to organize corporations in States to do the very thing that State corporations have been doing for years, yet has given the national corporations certain privileges and immunities that it has denied to the corporations of the State. It seems to me this goes to a fundamental question, a principle on which our Government was founded. When the Supreme Court selected an inscription to be placed on the Supreme Court Building that would epitomize the spirit of our national institutions, they chose to engrave the words, "Equal justice under law," and that is the purpose of this amendment.

The income on the shares of the State associations is subject to the normal income tax of the shareholder. The income on shares of Federal associations is by law exempted from that tax. The national associations, therefore, have a certain advantage over the State associations that is unconscionable and unjustified.

It seems inconceivable that the National Government would authorize citizens of a State to create a corporation under the Federal laws and give to that corporation privileges and immunities which a corporation of the same character, organized exactly for the same purpose and to do the very things that the Federal Corporation is authorized to do, does not have. This amendment would merely exempt from normal income taxation the income on the shares of the State associations, just as the income on the shares of the Federal associations is now exempt, but would subject both to the provisions of the Social Security law. There may be a contention made that the income on the shares of both should be subject to this tax, rather than exempt the State associations as a means of doing justice. However, I think the peculiar services these institutions are rendering to the people of America would justify the exemption of the income on the shares of both from the normal income tax. The building associations are doing and have been doing what the Government has been attempting to do by subsidy and direct aid. We have made an effort to keep the home owner in his home by the organization of the Federal home-loan bank of the Federal Housing Administration and the Home Owners' Loan Corporation. We have recognized that the very basis of our civilization and the stability of our institutions are the homes of our people. We have recognized that the best way to combat subversive activities and sinister doctrines is to make this a land of home owners. The anarchist, the Communist, and all those who advocate doctrines inimicable to our institutions that would overthrow our present form of Government do not come from the homes of America. To be a home owner gives a man a sense of importance and stability, a sense of dominion that makes him feel that he has an interest in his community and in the Government and its institutions. A man who can put his foot upon his own land feels that he is an important citizen in the community in which he lives. A man's house is his castle, and so I say that because of the splendid services these institutions are rendering to the people, because of the money they are saving the National Government, which would have to furnish this aid either directly or by subsidy, those who invest their small periodic savings in these institutions are entitled to exemption from the normal income tax. I know of no way of discovering what this would mean in loss to the Government, but I venture to say it would be very little. Almost all the people who resort to building associations as a means of buying homes or saving are of moderate means. They are almost all married people and have an exemption from normal income tax of $2,500.

The average amount invested in shares is $700. If we say they yield 5 percent, that would be $35 a year in income. So we see that the loss to the Government would be very very little in doing this act of justice. Most of these people have comparatively meager incomes and the great majority of these shares would, because of the exemptions from the income tax, be exempt from the payment of this normal tax. However, the passage of this amendment would have the effect of promoting thrift and saving. It would be an act of simple justice that would be a stimulation to the future activities of the building and loan and savings and loan associations and other similar institutions. The income from postal savings, baby bonds, and credit unions, which are in direct competition with the building and loan associations, are exempt.

The Home Loan Bank Board has said there is no opposition on the part of the Board to this amendment.

It may be said that both State and Federal institutions should be taxed, but the fact of the matter is that the local associations have borne this burden for a long time and the Federals have been exempt from it. The just thing to do would be to give the local associations, the State associations, this exemption until some comprehensive measure can be considered by the Ways and Means Committee.

I hope and trust that this Committee will adopt this amendment. It means very little loss to the Government in revenue. It will stimulate these local institutions that have been carrying the burden of this fine activity for a long time and will give them the same rights and the same immunities the Federal associations have. [Applause.]

[Here the gavel fell.]

Mr. WILLIAMS of Missouri. Mr. Chairman, I offer a substitute amendment.

The Clerk read as follows:

Amendment offered by Mr. WILLIAMS of Missouri as a substitute for the amendment offered by Mr. SPENCE: On page 13, line 19, after the figure "8", insert "(a)".

On page 15, after line 16, insert the following new subsection:

"(b) Section 5 (h) of the Home Owners' Loan Act of 1933, as amended, relating to tax exemption of Federal savings and loan associations and their shares is amended to read as follows:

"'(h) Such associations, including their franchises, capital, reserves, and surplus, and their loans and income, shall be exempt from all taxation now or hereafter imposed by the United States except the taxes imposed by sections 1410 and 1600 of the Internal Revenue Code with respect to wages paid after December 31, 1939, for employment after such date. No State, Territorial, county, municipal, or local taxing authority shall impose any tax on such associations or their franchises, capital, reserves, surplus, loans, or income, or on the value of or income from shares thereof greater than that imposed by such authority on other similar local mutual or cooperative thrift and home-finance institutions or on the value of or income from shares thereof, respectively.'

"2. The amendment made by this subsection removing exemptions from Federal income tax on shares shall be applicable only to the income received after the date of the enactment of this act."

Mr. WILLIAMS of Missouri. Mr. Chairman, I am very sorry to be in disagreement with my friend, the gentleman from Kentucky.

The substitute just read sounds rather complicated, but in effect it is simple. The substitute makes income from building and loan associations in the hands of individuals subject to tax regardless of whether it is a State or a Federal institution. Under the present law the Federals are exempt. When I say "the Federals" I mean the income from the Federal institutions in the hands of the individual.

The present law is that all building and loan associations so far as the association itself is concerned—understand that—are not subject to any kind of Federal tax outside of the social-security tax. That is the only tax they pay. They do not pay any income tax. They do not pay any capital tax. They do not pay any corporation tax; they do not even pay any stock-transfer tax. They are absolutely Federal-tax free, except as above stated. This substitute does not involve that question at all.

The only question here is: Are you going to permit the individual who has his investments, who has his deposits in the building and loan associations of this country, and who receives an individual income from it—are you going to have him pay an income tax on that or not?

State and Federal institutions should be treated equally. The individual income from investments or deposits in State and Federal building and loan associations should be taxed alike. But such income should be taxed in each case instead of not taxed at all, as provided by the amendment of the gentleman from Kentucky. At this time when we are seeking all the avenues and fields possible to obtain revenue for the Treasury it is a remarkable suggestion we have here to expand the field of tax exemption and make the income from investments and deposits in building and loan associations tax free. Is it possible that we are going to let down the bars and say to the individual who has his investment, who receives his income, and interest on his deposits from these institutions, that he should not pay an income tax on that?

What reason or what excuse can there be for not making him pay the same income tax as is paid by the individual who has his investment in bank stock or in stock of any other corporation? I believe in equalizing the taxes between the Federal and the State building and loan associations, but instead of exempting all of them, as the amendment offered by the gentleman from Kentucky [Mr. SPENCE] would do, instead of exempting the income which the investors in these institutions receive, instead of exempting that from a normal income tax, my substitute makes them all subject to taxation.

Mr. SPENCE. Will the gentleman yield?

Mr. WILLIAMS of Missouri. I yield to the gentleman from Kentucky.

Mr. SPENCE. At the present time the United States savings bonds are exempt, the Federal Savings Loan Association shares, the National Mortgage Association obligations, and many others are exempt. Does not the gentleman think it would be a good thing to have the Ways and Means Committee go into these things and recommend an act that would be just and equitable among all of these organizations? For a long time the State associations have carried the load.

Mr. WILLIAMS of Missouri. All of those institutions the gentleman has mentioned are Federal agencies. The question whether or not we should remove the tax exemption as to Federal obligations is a question, of course, that is open to debate. We may lose more than we gain.

But there is not any question open to debate anywhere when it comes to what the individual receives on his investment in any kind of an enterprise. It is income to him, whether he receives it from a building and loan association or receives it from a bank-stock dividend or any kind of a dividend or any place else. There is not any just reason or excuse anywhere why an investment in a building and loan association should not be subject to an income tax. It is absolutely ridiculous to have these institutions, which have deposits or investments that may run into the hundreds of thousands of dollars, investments which draw 3- or 4-percent interest, and not tax them; say to them that they will not be subject to an income tax. It is not right, it is not just to anybody, and there is no reason and no sense in it. Let us make them pay a tax on all incomes received from these associations instead of paying no tax at all. [Applause.]

[Here the gavel fell.]

Mr. WOLCOTT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, there was a great deal of discussion about this matter in the committee. We were split upon the question whether we would continue the policy of exempting from taxation the income from these shares in the Federals or to accept either one of these proposals to remove the tax-exempt features of this law as they applied to the federally chartered and State-chartered building and loan associations to tax all equally. Either one of these amendments, as I understand them, will equalize the taxes which the State-chartered and federally chartered institutions will have to pay. The only difference in principle between the two amendments, as I understand it, is that the Spence amendment would make all the institutions tax exempt, State-chartered as well as Federal-chartered; and the Williams amendment, contrary to that, would tax the Federal savings and loan associations on the same basis that the State-chartered associations are taxed.

In adopting the Williams amendment we would remove any advantage which the Federal savings and loan associations have over other thrift institutions. The income from savings deposits is not tax-exempt, the income from Morris Plan Bank shares, the income from cooperative bank shares or mutual savings bank shares are not tax-exempt. The only class of income from thrift institutions which is tax-exempt is that which the shareholders receive from the shares which they own in Federal savings and loan associations. That gives the Federal savings and loan associations a decided advantage over all other thrift institutions.

Personally, I very much favor the Williams amendment. We have been told in late months that it is the policy of the present administration to do away with tax-exempt securities as far as possible. The White House has, on several occasions, informed us that it objected to tax-exempt features in certain bills which we have passed. We have harmonized our differences and have removed the tax-exemption feature from very many security issues during the past few months. I cannot speak for the President in this respect, and I do not intend to, but it would seem to me if we adopted the Spence amendment today we would be doing something contrary to the announced policy of this and other administrations in respect to tax-exempt securities. I believe the best way of equalizing taxation is to adopt the Williams amendment.

Mr. SPENCE. Will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Kentucky.

Mr. SPENCE. The gentleman is a student of national finance. Can he tell us how much the Government would lose by the adoption of my amendment? Would it not be a very small amount?

Mr. WOLCOTT. It is more a matter of principle. It is a matter of advantage. If you had your choice between investing your money in the shares of a federally chartered institution, knowing that the income was to be tax exempt, and putting it into a State-chartered institution, knowing you would have to pay a tax on the latter, what would the gentleman do? It would give a decided advantage to the federally chartered institution over the State-chartered institution and other thrift institutions. My attention has been called to a specific case, of minor importance, to be sure, but the President has vetoed a bill which provided that tax-exempt bonds might be issued in respect to the Niagara Bridge. We passed a bill authorizing the issuance of those bonds and providing that the income from those bonds be tax exempt.

The President vetoed it, thereby establishing the policy that this administration is against tax-exempt securities.

Mr. SPENCE. Does the gentleman believe it is a sound governmental policy for a national government to invade the province of a State and say to the citizens of the State that they can organize a corporation that will have immunities and privileges that a State association does not have?

Mr. WOLCOTT. No; and I also do not believe the Federal Government should say to the States, "We can set up organizations and exempt their securities from taxation, but you shall not."

[Here the gavel fell.]

Mr. GIFFORD. Mr. Chairman, I rise in opposition to the amendment.

I recently called the attention of the Committee to the fact that I am between two fires. The gentleman from Missouri this afternoon argued so earnestly that because we had guaranteed everything else, why should we not guarantee these mortgages? Well, we have exempted everything else, why should we not exempt these? Why does not the gentleman from Kentucky use the same argument? It was so effective.

Mr. SPENCE. Does the gentleman want to know my opinion? I think it is a species of legislative impudence for the Congress of the United States to go into a State and let the people organize a corporation and give it certain immunities that the State corporation does not have.

Mr. GIFFORD. The point I want to bring out is that you now see the two gentlemen lined up against each other on this matter; now acknowledging that which I tried to point out, the competition between the federally-owned institutions and the State-owned institutions. The gentleman from Kentucky would like to help a little. I should like to help a lot. But it is a pleasure for me to listen to the acknowledgement of the two gentlemen now.

Mr. WILLIAMS of Missouri. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. Yes.

Mr. WILLIAMS of Missouri. I wonder if the gentleman is in favor of exempting this income from the tax?

Mr. GIFFORD. No.

Mr. WILLIAMS of Missouri. In other words, is the gentleman for the amendment or the substitute?

Mr. GIFFORD. No; I am voting for about every amendment offered to this bill today that makes it a little better.

Mr. WILLIAMS of Missouri. We have two amendments here.

Mr. GIFFORD. I shall vote for the gentleman's amendment. But I am calling the attention of the other gentleman to this: Why do you not use the Missouri gentleman's style of oratory? "They did it for everybody else, why not do this?"

[Here the gavel fell.]

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Missouri [Mr. WILLIAMS] to the amendment offered by the gentleman from Kentucky [Mr. SPENCE].

The substitute amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky, as amended.

The amendment was agreed to.

Mr. LUCE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LUCE: On page 13, line 25, strike out "as defined by regulations of the Board."

On page 14, line 1, strike out "no such loan to exceed $100,000."

Also strike out in line 16, page 14, the words "Subject to regulations" and all of lines 17 through 24, inclusive.

Mr. LUCE. Mr. Chairman, that completes the apartment-house provisions.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The amendment was agreed to.

Mr. LUCE. Mr. Chairman, I offer a further amendment.

The Clerk read as follows:

Amendment offered by Mr. LUCE: On page 14, after the period in line 16, insert: "Loans made shall be subject to the same limitations on the principal amount of the loan and the type of property with respect to which the loan may be made as are applicable to cooperative banks or similar home-financing institutions under the law of the State, territory, or district in which the property with respect to which the loan is made is situated; however, this provision shall be applicable only to loans made after the date of the enactment of this act and shall not apply to loans made after such date with respect to which a binding commitment to make the loan is in effect on such date."

Mr. LUCE. Mr. Chairman, this provision is the one as to which the gentleman from Missouri and I differ in judgment. My own feeling is prompted by the situation in my own State, where the State law prohibits loans in excess of $8,000. The Federals—as I previously said, and I hope I shall have your patience while I repeat—are able to give larger loans than the State cooperatives can give. The provision here the gentleman from Missouri thinks is impracticable. It certainly will not be so in my State. It would only provide that the Federal shall be on the same footing with the cooperative banks and shall not have advantages which they may set forth in their advertising to take away business from the cooperative banks.

There ought never to have been any Federals in Massachusetts. We did not pass this law with the intention of putting any Federals in Massachusetts. We passed this law because one-half of the counties in the country had no thrift institution, and we created it for them. I somewhat regret that the Federal system saw fit to come into Massachusetts to compete with our State system. They have taken away 28 of our cooperative banks and turned them into Federals. This has produced an unfortunate result. The amendment simply provides that in this particular they shall be put on the same level and exposed to the same conditions.

Mr. RAMSPECK. Mr. Chairman, will the gentleman yield?

Mr. LUCE. I yield to the gentleman from Georgia.

Mr. RAMSPECK. Is it not true that in some States the State institutions have some privileges which the Federals do not?

Mr. LUCE. It is possible; I am familiar only with the situation in my own State.

Mr. WILLIAMS of Missouri. Mr. Chairman, I do not know that I shall take the 5 minutes, because I do not know that I have much to add to what I said a while ago. This is the same proposition that I previously objected to; and from the standpoint of the Federal associations, I do not believe there is any question about the fact that it could not work at all. Here is a sample of that: We have already limited now, under this other amendment which we have agreed to, these investments to $20,000. There are States, I understand, in which there is no limit at all, and still we would have the anomalous situation of having a Federal association located in one State where it could not make a loan anything like comparable to the loan made by the local or the State building and loan association. If we are going to have a Federal system, or if we are going to have Federal building and loan associations, they must certainly be regulated according to the Federal law and not be controlled and regimented by the laws of each individual State. It is utterly impossible to do this and carry on the system that we have already established,

and for that reason I certainly hope the amendment will be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. LUCE].

The question was taken; and on a division (demanded by Mr. LUCE) there were—ayes 53, noes 61.

So the amendment was rejected.

Mr. WILLIAMS of Missouri. Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with and that it be printed in the RECORD and that amendments may be offered at any point in the remaining portion of the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

SEC. 9. Subsection (i) of section 5 of the Home Owners' Loan Act of 1933, as amended, is amended by striking the period at the end thereof and inserting a colon and the following: *"Provided, however,* That said conversion shall not be in contravention of the State law. Any association chartered as a Federal savings and loan association may convert itself into a thrift and home-financing institution or mutual savings bank incorporated under the laws of the State (hereinafter termed a 'State-chartered institution') in which the home office of such Federal association is located, upon the vote, cast at a legal meeting called to consider such action, specified by the law of such State as required for a State-chartered institution to convert itself into a Federal association, but in no event less than 51 percent of the votes cast at such meeting, provided legal titles are protected by such conversion or provided proper conveyances of legal titles are made: *And provided further,* That if any shares of such Federal association are held by the Secretary of the Treasury or the Home Owners' Loan Corporation, such conversion shall be subject to approval by the Board."

SEC. 10. Subsection (c) of section 401 of the National Housing Act, as amended, is amended to read as follows:

"(c) The term 'insured account' means any investment or interest in an insured institution whether in the form of a share of capital or a deposit or investment certificate, which investment or interest may be withdrawn by the holder or repurchased by the insured institution in whole or in part and the value thereof paid to the holder prior to the liquidation and payment of all of the liabilities of the institution upon the winding up of the institution, less any part thereof which is in excess of $5,000. The total insurance which any insured member may obtain in any one insured institution is $5,000, whether the insured member has one or more withdrawable or repurchasable accounts in such insured institution; and if such accounts are of a different priority, the Corporation shall have the right to determine upon the payment of insurance which of such accounts shall have the benefit of the $5,000 aggregate amount of insurance. Investments or interests in an insured institution which cannot be withdrawn or the value thereof paid to the holder until all of the liabilities of the institution have been fully liquidated and paid upon the winding up of the institution are not insurable, being nonwithdrawable accounts. The total amount of all accounts of the insured members of an insured institution is the total amount of withdrawable or repurchasable accounts credited or apportioned to all insured members, whether or not such withdrawable or repurchasable accounts are subject to a pledge and whether insured in full or only in part."

SEC. 11. Subsection (a) of section 402 of the National Housing Act, as amended, is amended by adding at the end thereof the following:

"On the effective date of this amendment to subsection (a) of section 402 of the National Housing Act, as amended, the name of the 'Federal Savings and Loan Insurance Corporation' shall be changed to 'Federal Savings Insurance Corporation.'"

SEC. 12. The last sentence of subsection (b) of section 402 of the National Housing Act is repealed, and the following inserted in lieu thereof: "The Corporation shall issue to the Home Owners' Loan Corporation receipts for payment for or on account of such stock, which shall serve as evidence of the ownership thereof, and when the reserve fund of the Corporation established under the provisions of section 404 of this title equals 5 percent of all insured accounts and creditor obligations of all insured institutions, such stock shall be entitled to the payment of dividends out of net earnings at a rate equivalent to that currently paid by the Government on its last issued bonds having a maturity of 10 years or more. Such dividends shall not be cumulative. Dividends heretofore accumulated but unpaid are hereby waived."

SEC. 13. (a) Subsections (a) and (b) of section 404 of the National Housing Act, as amended, are amended by striking the word "one-eighth" wherever it appears therein and inserting in lieu thereof the word "one-twelfth."

(b) Subsection (c) of section 404 of the National Housing Act, as amended, is amended to read as follows:

"(c) The one-twelfth of 1 percent per annum insurance premium rate shall be effective as of January 1, 1939. If an insured institution has paid a premium at a higher rate for any period of time beyond such date it shall receive a credit upon its future premiums in an amount equal to the excess premium so paid for the period beyond such date."

SEC. 14. Subsection (b) of section 405 of the National Housing Act, as amended, is amended to read as follows:

"(b) In the event of a default by an insured institution the Corporation shall promptly determine the insured members thereof and the amount of each insured account, and shall make payment of the insured accounts in such insured institution to each insured member as soon as possible upon surrender and transfer to the Corporation of each insured account free and clear of any lien or other encumbrance either (1) by making available to each insured member a transferred insured account in an insured institution not in default in the same community in an amount equal to the insured account so transferred, or (2) in such other manner as the board of trustees may prescribe: *Provided,* That the Corporation may require proof of the ownership of insured accounts and that in any case where the Corporation is not satisfied as to the ownership of an insured account, it may require the final determination of a court of competent jurisdiction before paying such insured account."

SEC. 15. Subsection (f) of section 406 of the National Housing Act, as amended, is amended to read as follows:

"(f) In order to prevent a default in an insured institution, restore an insured institution in default to normal operation as an insured institution, or minimize loss which the Corporation might otherwise suffer by reason of the liquidation of an insured institution in default, the Corporation is authorized, in its discretion, to make loans to, purchase the assets of, or make contributions to, any such institution."

SEC. 16. Section 407 of the National Housing Act, as amended, is amended to read as follows:

"SEC. 407. (a) Any insured institution other than a Federal savings and loan association may vote to terminate the insurance contract by a majority vote of all of the members of its board of directors or other similar governing body, unless under State law, the charter, constitution, or bylaws of any such institution, the shareholders only are entitled to vote on such question: *Provided,* That where such vote is reserved to the shareholders by State law, the charter, constitution, or bylaws, they shall have the sole power to vote to terminate the insurance contract. Upon a legal vote for the termination of the insurance contract, a notice of termination of such contract shall be sent to the Corporation at its office in Washington, District of Columbia, by registered mail, together with evidence satisfactory to the Corporation that the procedure required by this section has been duly complied with. The contract of insurance shall terminate at the close of business on the ninetieth day after the date of the registration of such notice of termination: *Provided, however,* That final termination of all insurance of accounts shall take effect as provided in subsection (d) of this section.

"(b) For any violation by an insured institution of any provision of this title, any rule or regulation made thereunder, or any agreement made pursuant to section 403, or otherwise, the Corporation, after allowing such insured institution an opportunity to be heard, may give such institution by registered mail a notice of termination of the insurance contract. The contract of insurance shall terminate at the close of business on the ninetieth day after the date of the registration of such notice of termination: *Provided, however,* That final termination of all insurance of accounts shall take effect as provided in subsection (d) of this section.

"(c) In the event such institution votes to terminate the insurance contract, written notice of such termination shall be given within 10 days to each insured member at the last address shown on the books of the institution. In the event the Corporation shall exercise its power to terminate the insurance contract of any insured institution at any time, such institution shall, within 10 days after receipt of the notice of termination provided in subsection (b) of this section, give written notice to each insured member as above provided of the fact of such termination of the insurance contract. In all cases, a copy of the notice sent to insured members in reference to the termination of the insurance contract of any institution shall be furnished to the Corporation, together with evidence that such notice was given as herein provided. In the event that, in the judgment of the Corporation, such notices given by an insured institution do not give adequate notice, the Corporation shall have the right, for the protection of insured members and the public, to give such additional notice as it deems to be appropriate.

"(d) In the event of termination of the insurance contract of any insured institution under the provisions of this section, no shares, certificates of deposit, investment certificates, or other accounts issued or created by such institution after the ninetieth day after the registration of such notice of termination of the insurance contract shall be insured; but the insured accounts of such institution, to the extent that they were insured on the ninetieth day after the registration of such notice of termination, less any amounts thereafter withdrawn or repurchased, shall remain insured for a period of 2 years after such date, which date shall be the effective date of the termination of insurance for all purposes. No payments on account of such insured accounts and no additions thereto by way of the credit of dividends or otherwise made or accrued after the ninetieth day after the registration of such notice of termination shall be insured. Such institution shall be obligated to pay within 30 days after the effective date of the termination of the insurance contract, as a final insurance premium twice the annual rate of premium last paid by such institution applied upon all accounts of the insured members of such institution plus all creditor obligations of such institution on

the ninetieth day after the registration of such notice of termination of insurance, as shown by a sworn statement of financial condition accompanying such payment of the final insurance premium. If such institution fails to furnish such sworn statement, the Corporation may assess and collect a final insurance premium as above provided calculated upon the accounts of insured members and creditor obligations shown upon the latest statement of financial condition submitted to the Corporation, or at its option the Corporation may by court process compel the production of the sworn statement of financial condition hereinabove required to accompany the payment of the final insurance premium.

"(e) No institution which has voted to terminate the insurance contract under the provisions of subsection (a) of this section or which has been notified by the Corporation in accordance with the provisions of subsection (b) of this section that its contract of insurance is terminated, shall thereafter advertise or represent by any means that it is an insured institution, nor shall it advertise or represent by any means that any new account created after such termination of the insurance contract or any sum thereafter received by such institution on any account or credited thereto by way of dividends or otherwise, are insured. After the effective date of the termination of insurance as provided in subsection (d) of this section, no such institution shall advertise or represent in any manner that any of its accounts or any part of the same are insured under this title. The Corporation is authorized to make reasonable rules and regulations with respect to the procedure herein prescribed governing the termination of insurance."

SEC. 17. Notwithstanding any other evidences of the intention of Congress, it is hereby declared to be the controlling intent of Congress that if any provision of this act, or the application thereof to any person or circumstances, is held invalid, the remainder of this act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

Mr. WOLCOTT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WOLCOTT: On page 17, beginning in line 16, strike out all of section 11.

Mr. WOLCOTT. Mr. Chairman, the reason the name the Federal Savings & Loan Insurance Corporation was to be changed in this bill to the Federal Savings Insurance Corporation was because the Federal savings and loan associations were to enter into the savings-bank business.

Mr. WILLIAMS of Missouri. Mr. Chairman, I think we can all agree on that. It is simply a matter of change of name, and I believe there is no objection to that.

The amendment was agreed to.

The CHAIRMAN. If there are no further amendments, the Committee automatically rises under the rule.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. RAYBURN) having assumed the chair, Mr. COLE of Maryland, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 6971) to amend the Federal Home Loan Bank Act, Home Owners' Loan Act of 1933, title IV of the National Housing Act, and for other purposes, pursuant to House Resolution 280, he reported the same back to the House with sundry amendments agreed to in the Committee.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment; if not, the Chair will put them en gross.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PERMISSION TO FILE REPORT

Mr. DEROUEN. Mr. Speaker, I ask unanimous consent to have until 12 o'clock tonight to file a report on H. R. 9972.

The SPEAKER pro tempore. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. DEROUEN. Mr. Speaker, I ask unanimous consent that my colleague, Mr. FERNANDEZ, may extend his remarks in the RECORD by including therein the remarks made by him before the Committee of the Whole on H. R. 6971, and also two telegrams and a short letter.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. DEROUEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include my testimony before the Civil Functions Appropriations Subcommittee, and also the Committee on Agriculture.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. LARRABEE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend the remarks I made in the committee today, and to include an additional statement and also tables relating to that statement.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. TINKHAM. Mr. Speaker, I ask unanimous consent to extend my remarks and to include a telegram from a constituent and an answer thereto.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to extend my remarks and to include a table from the Farm Security Administration. Also, to extend my own remarks and to include an article from the Washington Post.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my remarks and to include an editorial.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. GEARHART. Mr. Speaker, I ask unanimous consent to extend my remarks and to include an article from the New York Times of March 24, 1940.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. COOLEY. Mr. Speaker, I ask unanimous consent to extend my remarks and to include a speech delivered by Senator CLAUDE PEPPER on April 29, 1940, at the convention of Young Democrats, at Raleigh, N. C.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. COOLEY. Mr. Speaker, also I ask unanimous consent to extend my own remarks and to include a letter I addressed to Secretary Wallace concerning the storage of cotton and other communications with reference to a bill I am introducing today.

The SPEAKER pro tempore. Is there objection?

There was no objection.

PERSONAL EXPLANATION

Mr. RUTHERFORD. Mr. Speaker, my colleague the gentleman from Pennsylvania [Mr. TIBBOTT] is unavoidably detained today, and if he were present he would have voted against the resolution considered today.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. MYERS, for today, on account of official business.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Michigan [Mr. WOODRUFF] is recognized for 45 minutes.

COL. CHARLES A. LINDBERGH

Mr. WOODRUFF of Michigan. Mr. Speaker, history does repeat itself.

Fifteen years ago Gen. "Billy" Mitchell was criticized viciously and bitterly; court-martialed; driven from the Army; held up to public ridicule, abuse, and condemnation; ostracized socially; damaged financially; and finally went to his grave with a broken heart. Why?

Because he dared to warn this country that the potential power of airplanes was greater than officers of the Army and the Navy were willing to admit; that the potentially destruc-

tive capacity of the airplane was such that, unless the United States prepared, unless it had the best and most modern fleet of airplanes in the world, with a plentiful supply of pilots, observers, ground crews, bombs, guns, and so forth, this Nation would one day face a danger more grave than any it had ever encountered in our short history as an independent people.

Intolerant officers, rendered mentally rigid by professional jealousy and prejudice, not only fought every inch of the way against the warnings and proposals of General Mitchell; they stooped to attacks on his personal character, to personal venom. They were utterly hostile toward the views of anyone who dared to disagree with the powers that were in the Army and Navy at that time.

MAJ. GEN. BILLY MITCHELL

General Mitchell today lies in his grave—a victim of that intolerance of men whose professional jealousies blinded them to their plain duty and responsibility as the Nation's trusted guardians. Pride of opinion prevented them seeing where the safety and security of their country was weak. Where are those men—those high-command officers who opposed General Mitchell's views, and who publicly ridiculed him?

Where are they today, when this Nation faces exactly the danger which General Mitchell warned us 15 years ago we would face? What have those men to say for themselves and their intolerance today, when the President of the United States has demanded 50,000 airplanes as rapidly as they can be produced, and has thus publicly admitted the truth of every warning and of every argument uttered by General Mitchell? None of those generals or admirals have anything to say now.

I said a moment ago, Mr. Speaker, that history repeats itself. Well, it does. Today men just as intolerant as those men were, just as prejudiced, just as bitter, are trying to assassinate the character of a great and patriotic American citizen—Col. Charles Augustus Lindbergh. They are trying most viciously to discredit him for daring to disagree with the views of some of the new dealers. Men exactly similar in their intolerance, and in their methods, to those who sent "Billy" Mitchell to his grave a broken-hearted and disillusioned man, now are attacking the great flier. This time they are not military men.

It was my great privilege to have been intimately acquainted with General Mitchell. I knew the great depth of his patriotism. I knew the great earnestness and sincerity of his warnings to his superiors and his country. I knew his experience upon which he based his arguments and his warnings.

I knew his freedom from egotism, from any desire for self-aggrandizement or glorification. "Billy" Mitchell dared to tell the truth, even though it reflected upon his superiors and his service and he had to pay the penalty. But the awful tragedy of it is that this Nation has had to pay the penalty along with General Mitchell. The Nation today faces a state of very grave danger because his superiors refused to listen to General Mitchell. And that danger will become greater, day by day, if we permit the same sort of intolerance, bias, and prejudice to succeed in this attack on the Lone Eagle because he, too, places the welfare of his country and the safety and security of his fellow citizens, above the opinions, and some of the policies, of the New Deal administration.

WOULD ASSASSINATE LINDBERGH'S CHARACTER

While they mouth platitudes about free speech and the blessings of democracy, New Deal spokesmen are in the very act of trying to assassinate the character of Colonel Lindbergh, and to discredit his warnings against dangers which are obvious. Free speech? Constructive discussion? Open-minded fairness? Where are any of those elements of democracy to be found in the case of Colonel Lindbergh's critics today?

Now, Mr. Speaker, I for one do not intend to remain silent while Lindbergh is insulted and assailed by men who were busily indulging in armchair activities while he was writing one of the proudest chapters in American history by his lone and epic flight across the Atlantic Ocean.

It has been said of Lindbergh in the last few days that he has no more business to be muddling into foreign policy, or aviation, or military affairs, than "Wrong Way" Corrigan or any other aviator who may fly the ocean.

Well, Mr. Speaker, that is to presume Colonel Lindbergh was chosen by the Guggenheim Foundation as its chief aviation technical adviser because he did not know anything about aviation, military or civil.

That is to presume the degree of master of aeronautics was conferred upon him by New York University in 1928 because he knew nothing about aviation or foreign policy.

That is to presume that the degree of doctor of laws was given him by Northwestern University and by the University of Wisconsin, and the degree of master of science was conferred by Princeton because he knew nothing about aviation and was just an aviator who had flown across the ocean.

That is to presume that he was made chairman of the technical committee of the Continental & Western Air Transport Co. and was technical adviser to the Pan-American Airways because he knew nothing about aviation. He was just a pilot who had flown across the ocean.

That is to presume that Colonel Lindbergh was made a colonel in the military Air Reserve because he did not know anything about aviation, military or otherwise.

That is to presume Colonel Lindbergh was made a member of the National Advisory Committee for Aeronautics because he did not know anything about military aviation.

That is to presume Colonel Lindbergh's flights over various parts of the world, on some of which he was accompanied by his lovely and courageous wife, were all successful because he did not know anything about airplanes or aviation.

That is to presume that Colonel Lindbergh's studies of the air strength of Russia, and later of Germany, failed to teach him anything about military aviation or the air strength of Europe.

That is to presume that Colonel Lindbergh's advice to Great Britain a year ago, which has since been tragically and horribly confirmed, was given because he did not know anything about Germany's air strength.

That is to presume Colonel Lindbergh was asked to appear before executive sessions of congressional committees because he did not know anything about military aviation, the air strength of Europe, or the necessity for an air defense of his own country.

Oh, Mr. Speaker, what intolerance; what prejudice; what unfairness; what ruthless, vicious, bitter injustice has been leveled at this man who alone, unaided, without any public subscriptions or governmental subsidies, wrote a saga of the air that made every man, woman, and child in this Nation proud and glad to be a fellow American of the Lone Eagle.

And, Mr. Speaker, let me ask, just how many oceans and countries have been flown by these bitter critics of this distinguished and brave American? How many times have any of these critics of Colonel Lindbergh pioneered airways over the world, led scientific explorations, good-will tours?

How much concentrated study have they given the question of civil and military aeronautics in different parts of the world? These sparrows perched on high political and official limbs chirping angrily at a lone eagle.

Another critic of Colonel Lindbergh challenges him to reveal who wrote his speech. Well, Mr. Speaker, one thing is certain: Colonel Lindbergh's speech was not written by "Tommy-the-Cork" or "Benny-the-Co-hen." That sort of sniping is petty—too petty to be indulged in under circumstances such as these when our national safety is endangered.

After all, Mr. Speaker, Colonel Lindbergh is an American citizen. He has exactly the same right to raise his voice, to speak his views over the radio, as any other citizen—including those drawing good salaries on the public pay rolls.

After all, Mr. Speaker, free speech has not yet been stifled in this Nation. But if critics like those who so viciously

assail Colonel Lindbergh have their way, free speech will soon be but a memory in this land of the free and home of the brave.

THAT GERMAN DECORATION

One of the most unfair and vicious aspects of this assault against the Lone Eagle is the half-truth being repeated about his having accepted a Nazi decoration. His detractors are very careful not to tell all the facts about that incident. So, in the interest of fairness—of just common, ordinary, decent, American fairness—I want to recall the real facts surrounding that incident.

You will all remember that Lindbergh had inspected the air forces of Russia and had said they were weak. His Russian hosts promptly called him a liar. Subsequent events have proved the Soviet officials to be the liars.

Then Lindberg was invited by the Hitler government to inspect the German air forces. He went to Germany to do that.

At a stag dinner given in Colonel Lindbergh's honor by the United States Ambassador, Hugh R. Wilson, Lindbergh was surprised and embarrassed by the sudden presentation of the medal. The New York Times of Thursday, October 20, 1938, in reporting the incident, stated in part as follows:

On arriving (at the stag party at the American Embassy) Marshal Goering immediately produced a little box and in the name of the Fuehrer put the decoration—the service cross suspended from a ribbon—around Colonel Lindbergh's neck and pinned on his chest the six-pointed silver star that goes with it.

Colonel Lindbergh appeared surprised, displayed an embarrassed smile, and thanked Marshal Goering.

In the American magazine of April 1939, this statement concerning the incident was made:

Marshal Goering came in late and, to everybody's surprise, presented the medal to Lindbergh. What could Lindbergh do but accept it?

Exactly. What else could he do? He could not refuse it, for that would have been an affront by the American Embassy, not by Lindbergh. He could not send it back, for the same reason. He could not explain, either.

So, then, it is clear, Mr. Speaker, that Lindbergh knew nothing of the intended presentation of this medal. He was surprised and embarrassed. But he was a guest of a government with which we were at peace. He was suddenly honored at a dinner in the embassy of his country by the second most important official of the German Government.

Now, Mr. Speaker, I want to ask you, just what would you, just what would any Members of this Congress, of our Government, or any citizen, have done under similar circumstances? In what way would any of us have acted differently than Colonel Lindbergh acted? There was neither reason nor excuse for him to scornfully insult a friendly government by rejecting the decoration. He had received decorations from every other country in the world for his great exploit. It would be just as fair for Lindbergh's critics to assert now that he is biased in favor of all those other governments—including England, France—because they have given him decorations, as to assert that he is pro-Nazi because Goering and Hitler surprised him with such an honor. So in sheer fair play, let his critics tell the whole truth about that incident, not a half-truth turned to the effort of deliberately falsifying the whole incident.

JUST WHAT DID COLONEL LINDBERGH SAY?

Now, Mr. Speaker, I want to dissect Colonel Lindbergh's speech and see with just what parts of it you or any Member of this House can find disagreement.

Said Colonel Lindbergh:

In time of war and confusion it is essential for our people to have a clear understanding of the elements upon which our national safety depends.

Does anybody deny the truth of that statement?

Aviation has now become one of those elements.

Well, Mr. Speaker, that is true, is it not? And what is wrong with anybody saying so?

Said Colonel Lindbergh further:

The power of aviation has been greatly underrated in the past.

Now what is wrong or pro-Nazi about that statement? He said further:

Now we must be careful not to overrate this power in the excitement of reaction.

All right, Mr. Speaker, who is there in this Congress who believes we should overrate aviation power in the excitement of reaction? This is simply a counsel of cool-headedness and caution. Now for the next statement:

Air strength depends more upon the establishment of intelligent and consistent policies than upon the sudden construction of huge numbers of airplanes.

Now, Mr. Speaker, is not that exactly what committees of this Congress are being told now by the highest officials of the Army and the Navy? It is. So, then, are we to brand them as pro-Nazis, and as disloyal to the New Deal administration, or to their country, simply because they insist on speaking the truth and the facts in the midst of this hullabaloo raised by the White House "Janizariat" and New Deal spokesmen in the Congress?

Colonel Lindbergh said further:

Even here in America it is difficult to think clearly amidst the conflict of facts and headlines, the contradictory advice of columnists, the claims and counterclaims of propaganda, and the blind selfishness of party politics.

All right, Mr. Speaker, who denies that every word of that paragraph is a statement of fact? Now, let us take the next statement:

The conservative who scoffed at aviation yesterday has become the radical who says that tomorrow we will be invaded by European aircraft.

That is another statement of fact, is it not?—

Let us reexamine the position of America in the air—

continues the Colonel. Well, who disagrees with that proposition? How can we have an intelligent and practical air defense, unless we do first reexamine our position in the air with relation to the other nations of the world—particularly other nations which are, or may become, potential enemies of this Nation?

New discoveries and developments affect nations in different ways. In Europe aviation has affected England adversely and Germany advantageously. One nation may have a psychology and topography which promotes the development of aviation, while another finds itself entirely unadjusted to the tempo of the air.

All right, now, what is wrong with those statements? Who can disagree with them? They are all true, are they not?

Judged by aeronautical standards, we in the United States are in a singularly fortunate position. Our people have natural ability in the design, construction, and operation of aircraft. Our highly organized industry, our widely separated centers of population, our elimination of formalities in interstate travel all contribute to the development of American aviation. From the standpoint of defense we still have two great oceans between us and the warring armies of Europe and Asia.

In fact, there is hardly a natural element contributing to air strength and impregnability that we do not now possess. Aviation is for us an asset. It adds to our national safety. With a firm and clear-cut policy, we can build an air defense for America that will stand above these shifting sands of war.

Now, Mr. Speaker, what Member of Congress, what member of the administration, what good American citizen anywhere could quarrel with that view?

But until we have decided upon a definite policy of defense the mere construction of large numbers of aircraft will not be adequate for our national safety. In fact, without a strong policy of defense we will not even know what types of planes to build. The speed and range of our fighting planes must depend upon the bases available for their use.

Now at this point, Mr. Speaker, we begin to get down to some of the statements the administration spokesmen do not like, and for which they would assassinate Lindbergh's character, distort his motives, and discredit his standing before the American people. And yet Lindbergh's assertion has been more than amply borne out by high Army officials testifying before congressional committees and by industrialists who attended that famous "four-alarm" meeting at the Treasury to decide on aviation coordination and construction.

If we are to defend the United States alone, then we must construct numerous air bases along the Mexican and Canadian borders. Such a plan would require numbers of small bombers and pursuit planes, and eventually it would leave us as vulnerable to air attack as the nations of Europe are today. On the other hand, if we are to defend the entire Western Hemisphere, we need long-range bombers capable of attacking a hostile fleet a thousand miles or more at sea. But there is little use discussing types and numbers until a defense policy is established.

I venture the assertion, Mr. Speaker, that there is not a Member of this Congress who can honestly disagree with those views. I venture further that there is not a single responsible official of either the Army or the Navy who will disagree with those views. We do not have to be military or naval air experts to be able to comprehend the simple truths enunciated in that paragraph. They are obvious.

Colonel Lindbergh continues:

This brings us to an issue which must sooner or later be faced. An adequate air defense of the Western Hemisphere necessitates the cooperation of other nations of this hemisphere.

Our military aircraft must have access to their bases. Their foreign policy must have some relationship to ours. We cannot hold this hemisphere free from foreign wars if nations which lie within it declare war on foreign powers.

Mr. Speaker, it must be clear to every Member of this distinguished body that we cannot go flying our military airplanes into countries of Central and South America without agreements permitting us to do so and unless we have similar foreign policies—unless we have agreements with these other countries that they will take no action toward war without our sanction.

It must be equally plain to every Member of this House that if we are going to undertake the protection of the entire zone covered by the Monroe Doctrine we must be prepared to face the consequences if any of the other nations within the zone of the Monroe Doctrine become involved with some other country in war—as, for instance, Mexico. So, then, what is there to quarrel with in that paragraph of Colonel Lindbergh's address? Said the Colonel further:

Let us not be confused by this talk of invasion by European aircraft. The air defense of America is as simple as the attack is difficult when the true facts are faced.

We are in danger of war today not because European people have attempted to interfere with the internal affairs of America, but because the American people have attempted to interfere with the internal affairs of Europe.

Now, Mr. Speaker, the only possible criticism of that factual statement that could be made is that Colonel Lindbergh used the term, "the American people," when he might have been more specific and said, "American officials." Have we forgotten the lectures and the tirades and the speeches and the advice directed by various administration spokesmen to the peoples of other nations?

Now, my colleagues, it does no good, it is no sufficient answer to accuse anybody of being a "fifth columnist" simply because some of us still stick to the American policy of demanding to be left alone by the peoples of other nations in the settlement of our own internal affairs, and insisting that we have no right to interfere in the internal affairs of the peoples of other nations?

Indeed, Mr. Speaker, let me cite an authority on this point that certainly will be acceptable to the majority party in this House and to the administration. It is from the Democratic platform of 1928, which states, under the head of foreign policy, that—

We declare for * * * (d) noninterference with the elections or other internal political affairs of any foreign nation.

In view of this declared position of the Democratic Party, certainly Colonel Lindbergh cannot be considered anything but a good, patriotic American for endorsing the policy.

It is true, continues the colonel's address, that bombing planes can be built with sufficient range to cross the Atlantic and return. They can be built either in Europe or America.

Aeronautical engineers have known this for many years. But the cost is high, the target large, and the military effectiveness small. Such planes do not exist today in any air force. A foreign power could not conquer us by dropping bombs in this country unless the bombing planes were accompanied by an invading army. And an invading army requires thousands of small bombers and pursuit planes; it would have little use for huge trans-Atlantic aircraft.

No; the advantage still lies with us, for great armies must still cross oceans by ship. Only relatively small forces can be transported by air today, and over distances of a few hundred miles at most. This has great significance in Europe, but it is not an element that we have to contend with in America.

Such a danger can come, in any predictable future, only through division and war among our own peoples. As long as American nations work together, as long as we maintain reasonable defense forces, there will be no invasion by foreign aircraft. And no foreign navy will dare approach within bombing range of our coasts.

Mr. Speaker, what Member of Congress, or what officer of the Army or Navy, or what official of the administration can honestly quarrel with a single one of those statements? They are all true.

Have we forgotten the facts set forth recently by a distinguished, if plain-spoken, general of the marines, Gen. Smedley D. Butler? Perhaps someone may have the temerity to assert that he knows nothing of warfare or of military strategy, but I am willing to accept his views as sound.

MAJ. GEN. SMEDLEY D. BUTLER

In the CONGRESSIONAL RECORD of October 18, 1939, extracts from an address by General Butler were printed, and they contained the following salient facts, somewhat saltily stated. Said General Butler in part:

They say: "Well, if the British and the French don't lick Hitler, Hitler will be over here and on our necks."

"He'll be bombing our women and children and shelling our cities."

Don't let anybody feed you that misinformation.

It doesn't take a military education to figure out what I'm going to tell you.

It will take not less than 1,000,000 soldiers to invade the United States with any hope of getting ashore.

These million men must come all at once.

They must bring not less than 7 tons of baggage per man—1,000,000 men, 7,000,000 tons of food, ammunition, and what not.

They must bring 400,000 motor vehicles. They've got to find room for 50 gallons of gasoline per day for each vehicle for 270 days—that's 9 months' supply.

Why, there are not enough ships in the whole world to carry that kind of an expedition. And, remember, those ships have to have enough fuel to get back with—to make the round trip.

But here's some more: They've got to have harbors to land in; docks to get their stores ashore. You know you can't stop 25 miles out at sea, drop a 5-ton armored tank overboard, and tell it to swim ashore and meet you on Broadway.

You know very well we're not going to open our harbors to them, prepare docks for them, and invite them in.

New York Harbor is the only big one we've got on this coast, and to block New York Harbor all you have to do is to dump 2 days' garbage in the channel instead of hauling it out to sea. * * *

Now, what about aerial bombardment? Well, Colonel Lindbergh and Eddie Rickenbacker, the two foremost fliers we have, already have told you it is ridiculous to talk or think about bombing New York from Berlin.

Now, let us return to Colonel Lindbergh's address:

Our danger in America is an internal danger. We need not fear a foreign invasion unless American peoples bring it on through their own quarreling and meddling with affairs abroad. Our eyes should not search beyond the horizon for problems which lie at our feet. The greatest lesson we can draw from Europe today is that national strength must be built within a nation itself and cannot be achieved by limiting the strength of others.

Now, Mr. Speaker, I venture the assertion that I can take the CONGRESSIONAL RECORD and in its pages find those same sentiments, in one form or another, expressed by more than half a hundred Members in this and the other Chamber. You know that is true. So what is there for us to criticize in Colonel Lindbergh saying over the radio the very things that have been said time and again upon the floors of the Congress and by Members of the Congress and others over the radio and in the public addresses?

Let us take another statement, now:

What of the unforeseen developments of science? Rocket propulsion? New forms of energy? New methods of destruction? No generation can entirely safeguard the future for those that follow. They must meet their own problems as those problems arise. The greatest inheritance we can pass on to our children is a reasonable solution of the problems that confront us in our time—a strong Nation, a lack of debt, a solid American character free from the entanglements of the Old World.

All right, Mr. Speaker, let the critics now sing out. What is wrong with that statement? If my memory serves me, Colonel Lindbergh is very distinctly and emphatically in line

with George Washington, Thomas Jefferson, Abraham Lincoln, and a dozen other great statesmen of the past. Or is it, Mr. Speaker, that these vociferous and vehement critics of Lindbergh do not approve either of him or of the company he keeps?

Let us guard America today as our forefathers guarded it in the past.

Now that sounds to me, Mr. Speaker, like a good, sound American sentiment—precisely like the sentiments you and I have heard expressed on this floor times without number during our years here. Indeed, I seem to recall that some of the New Deal orators, when they were waving the flag, have proclaimed such sentiments.

But maybe Colonel Lindbergh ought not to say it.

Let us guard America today as our forefathers guarded it in the past. They won this country from Europe with a handful of Revolutionary soldiers. We certainly can hold it now with a population of 130,000,000 people. If we cannot, we are unworthy to have it.

That, Mr. Speaker, is, as I understand it, one of the passages in the Lindbergh address that caused many New Deal henchmen to see red. Such being the case, suppose a tall, lanky, carelessly dressed, sad, and kindly faced man got on the radio tonight and said:

At what point shall we expect the approach of danger? By what means shall we fortify against it? Shall we expect some transatlantic military giant to step the ocean and crush us at a blow? Never! All the armies of Europe, Asia, and Africa combined, with all the treasure of the earth (our own excepted) in their military chest, with a Bonaparte for a commander, could not by force take a drink from the Ohio or make a track on the Blue Ridge in a trial of a thousand years.

Suppose at the end of that statement the announcer said:

You have just heard Abraham Lincoln in an address entitled, "Can 23,000,000 People Hold This Country Against the Whole of Europe?"

Why, Mr. Speaker, on the basis of this vicious criticism of Lindbergh, Lincoln would be run out of Washington by these New Deal patriots if he said such a thing over the radio.

Now let us proceed to another statement made in the Lindbergh address:

But the course we have been following in recent months leads to neither strength nor friendship nor peace. It will leave us hated by victor and vanquished alike, regardless of which way the tide of battle turns. One side will claim that we aided its enemies; the other, that we did not help enough.

Now what is there new, startling, or offensive in that statement? Not a single thing. Do you want to find similar, if not almost exactly the same, statements that have been made on the floors of this Congress? Then read the debates on the amendment of the Neutrality Act. You will find scores of statements exactly along this line expressed by members on both sides of the aisle.

To be successful in modern warfare a nation must prepare many years before the fighting starts. If anyone doubts that, let him turn his eyes to Europe.

Well, my colleagues, there is nothing disloyal, untrue, pro-Nazi, or anti-New Deal in that statement—except that when new dealers say it—as new dealers have said the same thing—it is all right; but when Col. Charles Augustus Lindbergh says it the new dealers read some subtle and dangerous meaning into the words.

Years ago we decided to stay out of foreign wars—

Continues the colonel. And so we did.

We based our military policy on that decision—

He adds. And so we did.

We must not waver now that the crisis is at hand. There is no longer time for us to enter this war successfully. The result of vacillating policies lies clearly before us in the chaos of Europe today.

All fact—every bit of it. And, again, no less an authority than Mr. Roosevelt himself has given utterance to similar sentiments, except, possibly, as to whether we still have time to enter the war successfully. Well, every Member here knows that Colonel Lindbergh stated the fact, and I am going to repeat it on my own responsibility as a Member of this House.

I say, in agreement with Colonel Lindbergh, there is no longer time for us to enter this war successfully—and the overwhelming majority of the American people did not and do not want the United States to enter this war; and you, Mr. Speaker, know that is the fact.

Let us turn again to America's traditional role—that of building and guarding our own destiny.

Again Lindbergh is in distinguished company. Washington, Jefferson, Lincoln, and a thousand others, many of them Members of this Congress at one time or another, have said exactly the same thing. So what is there to criticize about the statement? Do the Lindbergh critics believe we ought not to build and guard our own destiny? That must be so if they disagree with this statement.

Let us proceed to the next statement:

We need a greater air force, a greater Army, and a greater Navy; they have been inadequate for many years.

Now, Mr. Speaker, is that one of the declarations which critic of Colonel Lindbergh insist is wrong because he knows nothing about military aviation or foreign policy? Well, all the colonel had to do was to read some of the speeches and messages of the President; some of the speeches of the Secretaries of War and Navy; some of the statements of the Assistant Secretaries of War and Navy; some of the speeches and testimony of the highest-ranking officers of the Army and Navy, in order to get that information. This Congress has heard little else for weeks; the newspapers have printed little else for weeks; the very columnists who now bitterly criticize Colonel Lindbergh for saying this have been saying the same thing for weeks. Ah, consistency, thou art, indeed, a jewel. Now let us take the next statement:

Let us form with our neighboring nations a clear-cut and definite policy of American defense.

In that statement Colonel Lindbergh has repeated what leading new dealers, from President Roosevelt down, have said; so to criticize him for that statement is to criticize everybody in the administration who has in any way discussed the good-neighbor policy.

And now, Mr. Speaker, we are face to face with the passage in the Lindbergh address that served most to incense the new dealers. This statement which I shall quote in a moment seems to be the one which caused the most frothing at the mouth and gnashing of the New Deal teeth. Here it is:

But, above all, let us stop this hysterical chatter of calamity and invasion that has been running rife these last few days. It is not befitting to the people who built this Nation.

There it is, Mr. Speaker. That is the statement that did the damage, because the new dealers all construed it to be a reference to the assertion that we are only about 2½ hours from an invasion. Maybe it was a reference to that wild statement. Whether it was or not, and whether the New Deal gentleman like the statement or not, I venture the opinion here and now that millions of Americans agree with Lindbergh's statement. The chatter has been hysterical, and it has been unworthy of those who built this Nation. We are reading in the newspapers now that men's clubs and even women are banding together and arming themselves with rifles to shoot down German parachute troops whom they fear will be dropping in on us any day now. So, then, some folks may not like the statement, but it is a statement of fact just the same.

"That the world is facing a new era is beyond question," said Lindbergh. I presume even the new dealers agree with that statement. "Our mission is to make it a better era," he added. I think even Mr. Roosevelt would agree with that statement because it is in accord with his own declarations repeated times over.

Now we come to another statement that seems to have aroused ire in some quarters. Indeed, some critics have

pettishly inquired if Colonel Lindbergh is competent to speak for Hitler on this point. The statement is:

But, regardless of which side wins this war, there is no reason, aside from our own actions, to prevent a continuation of peaceful relationships between America and the countries of Europe. If we desire peace, we need only to stop asking for war. No one wishes to attack us, and no one is in position to do so.

Now, Mr. Speaker, let us analyze these statements and see whether the Lone Eagle was pro-Nazi, disloyal, talking through his hat, or meddling into foreign policies which do not concern him, in making these statements.

To begin with, Colonel Lindbergh is concerned as a citizen, as a husband, as a father and as one who would participate in any war in which this Nation might become engaged. On that score, he has much more right to be concerned than some of his critics, because many of them never fought in a war and never will; and others are too old to fight in any war, while others have no children to be affected by any turn of future events.

There is no reason—

Says Colonel Lindbergh—

to prevent a continuation of peaceful relationships between America and the countries of Europe, regardless of which side wins the war.

Well, Mr. Speaker, we still maintain, even in this very hour, diplomatic relations with the belligerents on both sides of the conflict. This is not because of Colonel Lindbergh's policy. That is administration policy. Is there any critic of Colonel Lindbergh who can tell us that if one or the other side wins the war in Europe we are going to sever relations and sunder peaceful intercourse and go to war with them? If that has been decided on, who made the decision—and when? Unless that is the case, the Lindbergh critics cannot criticize his statement. "If we desire peace, we need only to stop asking for war," the great flyer observes.

That is a fact. If we want peace we do not want responsible spokesmen in high governmental places going on world-wide hook-ups and rebroadcasts making belligerent speeches at foreign governments or the heads of foreign governments. Certainly every sensible person knows that is not the way to maintain peace, but it is exactly the way to get this country into war.

"No one wishes to attack us, and no one is in position to," says the Lone Eagle. All right. Is there anyone in this House or in this Congress or in the administration who can assert with acceptable proof that any nation in the Old World wants to attack us, is going to attack us, or is in position to do so? If any official of the Government, any Member of this Congress, has such information—if he knows of such plans—then he should step forth with his proof and make known to this Congress the facts. Otherwise, by concealing such dangerous facts, so vital to the security of the Nation, he becomes a traitor of the first degree. So, then, let the critics of that paragraph produce the proof to the contrary or admit the truth of the Lindbergh statement.

Now, Mr. Speaker, as to whether Colonel Lindbergh is in position to know more about whether any nation wants to attack us or is in position to do so, I think every fair-minded man and woman here will agree that he is in much better position, by study, travel, observation, investigation, and judgment, to say nothing of the information reaching him from many sources, to make a statement on that point than is any one of his critics, barring none. Certainly the swivel-chair patriots and glass-top-desk observers who criticize him most bitterly are in no sense as well equipped to speak authoritatively on that point as he is. And, finally, let these critics bring forth their proof that somebody, some nation, intends to attack us, and when.

The only reason that we are in danger of becoming involved in this war is because there are powerful elements in America who desire us to take part. They represent a small minority of the American people, but they control much of the machinery of influence and propaganda. They seize every opportunity to push us closer and closer to the edge.

Mr. Speaker, that is the only paragraph or statement in the entire Lindbergh address that I personally wish might have been eliminated. Not because the statement is not true, for it is, I think, correct to say there are those who, for reasons of profit or prejudices, do want us to get into war with some of the other nations. I think, however, that any statement of this sort is very apt to be misconstrued, distorted, and made to appear as being directed at those at whom it was not aimed. But I think no one will attempt to say there is no minority in this country that has wanted us to get into war.

It is time for the underlying character of this country to rise and assert itself, to strike down these elements of personal profit and foreign interest.

Well, certainly, Mr. Speaker, from what we have learned through the work of the Committee Investigating Un-American Activities, it would appear Colonel Lindbergh spoke the truth in that line. Those who hope to profit in business, in work, in the chaos, in speculation—all of these dangerous, self-seeking, and self-serving elements which want to push us into war should be sought out and rendered powerless.

This underlying character of America is our true defense—

Says Colonel Lindbergh. I take it that no one questions that statement.

Until it awakes and takes the reins in hand once more, the production of airplanes, cannon, and battleships is of secondary importance.

No one, I am sure, will question that statement, because it has been made over and over again on the floors of this Congress. It means simply that character, patriotism, courage, love of freedom are necessary to make cannons and ships and airplanes effective.

Let us turn our eyes to our own Nation. We cannot aid others until we have first placed our own country in a position of spiritual and material leadership and strength.

That statement ends the address. With it no one can quarrel. Member after Member of this House has risen in his or her place in past months and warned the country that our domestic problems are dangerous; that they may cause our ruin; that we must end unemployment, suffering, agricultural distress; that we must watch a rising national debt, recurring deficits, intolerable taxes. And yet today we face even greater problems along these lines than ever before.

Now, Mr. Speaker, a few words in conclusion as to why I have taken the time of this House to analyze the Lindbergh speech and to answer his critics.

LINDBERGH A GREAT AMERICAN

Lindbergh is a great American. He proved himself so by his own efforts and through his own ability and courage. He has made valuable contributions to science; his transoceanic flight did more for aviation at a time when it was languishing than any other single feat ever performed. Lindbergh did a magnificent, a thrillingly magnificent thing in flying the Atlantic alone. He has been as modest as he has been brave.

His later exploits in flying, in which he was accompanied by his wife, have, in and of themselves, been epics of adventure, daring, care, and skill, which would have stood out had they not been overshadowed by the previous more spectacular feat.

Lindbergh has sufficient funds to retire from the public gaze; he could avoid all contact with public questions—and, therefore, any criticism. Instead he has had the courage to speak because, I believe, his knowledge and his deep patriotism impelled him to speak out.

Now, with those who may not agree with Colonel Lindbergh's views, and who may want to argue with those views, I have no differences. Discussion after disagreement is a fundamental American method. But there has arisen a storm of personal abuse, a venomous attack against the character and the motives of this distinguished and courageous American flier. An attempt has been made to besmear his purposes, to injure his character, to question his sincerity, to belittle his experience, his intelligence, and his judgment—all because he has dared to disagree publicly with some of the New Deal administration adherents. Such

tactics represent a trend toward an intolerance not a whit different than the intolerance in countries ruled by ruthless dictators.

Such tactics represent a trend toward such intolerance, toward such venom in public affairs, toward such a philosophy of gangsterism in politics as cannot be tolerated or permitted to grow in the United States of America. To permit this trend to gain headway, fellow Members of the House, will be to loose a tide that eventually will sweep the Bill of Rights out of the Constitution. Free speech and free press are the essence of Americanism, and for officials in high places to stoop to personal attacks, character assassination, and libelous slurs, is a spectacle to make every American who admires courage, and who believes in fair play, ashamed.

I assume, Mr. Speaker, that every Member of this House knows exactly what my sentiments are regarding a national defense. Certainly I have expressed them often enough.

I believe the question of the national defense should be kept wholly free from any taint of partisanship, politics, class, or sectional prejudices. I believe nonpartisanship means nonpartisanship for all—not merely for the critics of the administration.

Let us by all means create an adequate national defense—but let us do it sensibly, practically, calmly, as quickly and as economically as possible. [Applause.]

SENATE BILLS AND JOINT RESOLUTIONS REFERRED

Bills and joint resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 217. An act for the relief of Charles B. Payne; to the Committee on Claims.

S. 1460. An act to provide uniform reciprocal hospitalization in any Army or Navy hospital for retired personnel of the Army, Navy, Marine Corps, and Coast Guard, and for other purposes; to the Committee on Military Affairs.

S. 1473. An act to extend the time for filing claims for refunds of amounts collected under the Agricultural Adjustment Act; to the Committee on Ways and Means.

S. 1789. An act to authorize the cancelation of deportation proceedings in the case of Florence Sinclair Cooper and daughter, Margaret Lavallie, and Philip P. Roy; to the Committee on Immigration and Naturalization.

S. 2013. An act to amend the Code of the District of Columbia to provide for the organization and regulation of cooperative associations, and for other purposes; to the Committee on the District of Columbia.

S. 2326. An act to provide and maintain an adequate supply of suitable seed for production of food for the population of Hawaii in times of emergency; to the Committee on Agriculture.

S. 2915. An act relating to rentals in certain oil and gas leases issued under authority of the act of February 25, 1920, as amended, and for other purposes; to the Committee on the Public Lands.

S. 3021. An act for the relief of A. A. Ramsay; to the Committee on Claims.

S. 3115. An act to provide for the establishment and maintenance of an assay office at Helena, Mont.; to the Committee on Coinage, Weights, and Measures.

S. 3146. An act relating to the citizenship of William Lawrence Tan; to the Committee on Immigration and Naturalization.

S. 3230. An act to provide for the general welfare through the construction of needed hospitals and grants to States and political subdivisions thereof for the construction, improvement, and enlargement of hospitals, and for other purposes; to the Committee on Interstate and Foreign Commerce.

S. 3594. An act to provide an additional sum for the payment of a claim under the act entitled "An act to provide for the reimbursement of certain personnel or former personnel of the United States Navy and United States Marine Corps for the value of personal effects destroyed as a result of a fire at the Marine Barracks, Quantico, Va., on October 27, 1938," approved June 19, 1939; to the Committee on Claims.

S. 3608. An act to authorize an exchange of lands between the people of Puerto Rico and the United States; to the Committee on Naval Affairs.

S. 3647. An act for the relief of the legal guardian of Paul Sanford, a minor; to the Committee on Claims.

S. 3707. An act for the relief of certain disbursing agents and certifying officers of the Indian Service, the United States Veterans' Administration, and the Treasury Department; to the Committee on Claims.

S. 3739. An act to amend the act providing for Federal aid to the States in the establishment of wildlife-restoration projects, for the purpose of clearly indicating that such projects are to be owned by the respective States and maintained by them in accordance with the provisions of their laws; to the Committee on Agriculture.

S. 3748. An act for the relief of Guy F. Allen, chief disbursing officer, Division of Disbursement, Treasury Department; to the Committee on Claims.

S. 3769. An act for the relief of Jerry McKinley Thompson; to the Committee on Claims.

S. 3786. An act to provide for the punishment of persons transporting stolen animals in interstate commerce, and for other purposes; to the Committee on the Judiciary.

S. 3807. An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Arrow Rock, Mo.; to the Committee on Interstate and Foreign Commerce.

S. 3808. An act to provide for the reimbursement of certain officers and enlisted men or former officers and enlisted men of the United States Navy for personal property lost in the hurricane and flood at New London, Conn., on September 21, 1938; to the Committee on Claims.

S. 3927. An act to provide for the administration of the Washington National Airport, and for other purposes; to the Committee on Interstate and Foreign Commerce.

S. 3958. An act to authorize the Secretary of the Treasury to grant to the road department of the State of Florida an easement for a road right-of-way over the Coast Guard Reservation at Flagler Beach, Fla.; to the Committee on Merchant Marine and Fisheries.

S. J. Res. 214. Joint resolution authorizing the recognition of the two hundredth anniversary of the founding of the University of Pennsylvania by Benjamin Franklin and the beginning of university education in the United States, and providing for the representation of the Government and people of the United States in the observance of the anniversary; to the Committee on the Library.

S. J. Res. 222. Joint resolution granting the consent of Congress to the States of Maryland and West Virginia and the Commonwealths of Virginia and Pennsylvania and the District of Columbia as signatory bodies to enter into a compact for the creation of a Potomac Valley conservancy district and the establishment of the interstate commission on the Potomac River Basin; to the Committee on Rivers and Harbors.

S. J. Res. 260. Joint resolution to make emergency provision for the maintenance of essential vessels affected by the Neutrality Act of 1939, and for adjustment of obligations with respect to such vessels; to the Committee on Merchant Marine and Fisheries.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 3955. An act to amend section 335 (d) of the Agricultural Adjustment Act of 1938;

H. R. 4229. An act authorizing the conveyance to the Commonwealth of Virginia a portion of the naval reservation known as Quantico in Prince William County, Va.;

H. R. 5404. An act to extend the provisions of the Forest Exchange Act, as amended, to certain lands so that they may become part of the Ochoco National Forest, Oreg.;

H. R. 5784. An act to provide for the conservation and transfer of accumulated sick leave and vacation time due classified civil-service employees who succeed to the position of postmaster, and for other purposes;

H. R. 7018. An act to amend section 289 of the Criminal Code;

H. R. 7020. An act to amend section 2 of the act of March 4, 1931 (46 Stat. 1528), in regard to service of process on the United States in foreclosure actions;

H. R. 7078. An act to authorize the acquisition by the United States of lands in Manchester and Jackson Townships of the county of Ocean and State of New Jersey for use in connection with the Naval Air Station, Lakehurst, N. J.;

H. R. 8119. An act to amend the Criminal Code so as to confer concurrent jurisdiction on courts of the United States over crimes committed on certain Federal reservations;

H. R. 8283. An act to amend section 4370 of the Revised Statutes of the United States (U. S. C., 1934 ed., title 46, sec. 316);

H. R. 8292. An act for the relief of Erich Hecht, Grete J. L. Hecht, and Erich F. Hecht, Jr.;

H. R. 8373. An act to amend section 79 of the Judicial Code, as amended;

H. R. 8403. An act to convey certain lands to the State of Wyoming;

H. R. 8491. An act authorizing the county of Knox, State of Nebraska, to construct, maintain, and operate a toll bridge across the Missouri River at or near Niobrara, Nebr.;

H. R. 8749. An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Petersburg, Mo.;

H. R. 8958. An act to authorize the Secretary of the Interior to grant to the county of Wayne, State of Michigan, an easement over certain land of the United States in Wayne County, Mich., for a sewage-disposal line;

H. R. 8983. An act authorizing the Secretary of the Navy to accept on behalf of the United States a gift of the yacht *Freedom* from Sterling Morton;

H. R. 9094. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Winona, Minn.;

H. R. 9118. An act to provide for the reimbursement of travel expenses to certain employees of the Corps of Engineers, United States Army;

H. R. 9394. An act to provide for the establishment of the Cumberland Gap National Historical Park in Tennessee, Kentucky, and Virginia;

H. R. 9411. An act to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N. Y., and for other purposes;

H. R. 9492. An act making it a misdemeanor to stow away on vessels and providing punishment therefor;

H. R. 9595. An act to postpone for 1 year the date of the transmission to Congress by the United States Coronado Exposition Commission of a statement of its expenditures; and

H. J. Res. 537. Joint resolution to make temporary emergency provision for the determination of foreign construction costs under section 502 (b) of the Merchant Marine Act, 1936, as amended.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1239. An act for the relief of Priscilla M. Noland;

S. 1289. An act for the relief of the city of Leavenworth, Kans.;

S. 1445. An act for the relief of Bruno Arena;

S. 1474. An act for the relief of Thomas G. Abbitt;

S. 1839. An act for the relief of Le Roy Breithaupt;

S. 1942. An act for the relief of the legal representatives of Anna Barbara Kosick, deceased;

S. 2199. An act for the relief of Isadore J. Friedman;

S. 2234. An act for the relief of Walter R. Maguire;

S. 2268. An act for the relief of Roxie Richardson;

S. 2419. An act for the relief of Walter J. Hogan and W. R. Larkin in connection with the construction, operation, and maintenance of the Fort Hall Indian irrigation project, Idaho;

S. 2572. An act for the relief of Anna M. Shea;

S. 2667. An act for the relief of Mr. and Mrs. John W. Finley;

S. 2798. An act for the relief of Charles H. Parr;

S. 3071. An act for the relief of Luther Devoe;

S. 3073. An act for the relief of Verle S. Ward;

S. 3091. An act for the relief of Barnet Warren;

S. 3092. An act for the relief of Maj. John R. Holt;

S. 3233. An act for the relief of C. T. Jensen;

S. 3304. An act for the relief of J. Frank Kuner, private, uniformed force, United States Secret Service;

S. 3307. An act to amend an act entitled "An act for the relief of Mrs. A. R. Barnard, Charles A. Stephens, Donald W. Prairie, and dependents of Vern A. Needles," approved July 15, 1939;

S. 3328. An act for the relief of Dorothy Crossing;

S. 3487. An act for the relief of the heirs of Lt. William Lee Clemmer, Coast Guard; and

S. 3789. An act for the relief of the Eberhart Steel Products Co., Inc.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills and joint resolutions of the House of the following titles:

H. R. 169. An act to facilitate the control of soil erosion and/or flood damage originating upon lands within the exterior boundaries of the Cleveland National Forest in San Diego County, Calif.;

H. R. 952. An act for the relief of Indians who have paid taxes on allotted lands for which patents in fee were issued without application by or consent of the allottees and subsequently canceled, and for the reimbursement of public subdivisions by whom judgments for such claims have been paid;

H. R. 1312. An act granting a pension to Ernest Francis White;

H. R. 1379. An act granting a pension to Timothy A. Linehan;

H. R. 1843. An act for the relief of the estate of K. J. Foss.

H. R. 2009. An act to facilitate the control of soil erosion and/or flood damage originating upon lands within the exterior boundaries of the Angeles National Forest, Calif.;

H. R. 2143. An act granting a pension to Helen M. Crowley;

H. R. 2273. An act granting a pension to Lizzie May Wilbur Clayton;

H. R. 2285. An act granting a pension to Maud Patterson;

H. R. 3048. An act to confer jurisdiction on the State of Kansas over offenses committed by or against Indians on Indian reservations;

H. R. 3138. An act authorizing J. E. Pate, his successors and assigns, to construct, maintain, and operate a bridge or ferry across the Rio Grande at Boca Chica, Tex.;

H. R. 3233. An act to repeal certain acts of Congress (pocket vetoed);

H. R. 3955. An act to amend section 335 (d) of the Agricultural Adjustment Act of 1938;

H. R. 4229. An act authorizing the conveyance to the Commonwealth of Virginia a portion of the naval reservation known as Quantico in Prince William County, Va.;

H. R. 4282. An act to amend the act of June 30, 1936 (49 Stat. 2041), providing for the administration and maintenance of the Blue Ridge Parkway, in the States of Virginia and North Carolina, by the Secretary of the Interior, and for other purposes;

H. R. 4349. An act for the relief of the estate of Lewis Marion Garrard Hale;

H. R. 4394. An act granting a pension to James G. Bailey;

H. R. 4832. An act for the protection of the bald eagle;

H. R. 5007. An act granting a pension to John W. Swoveland;

H. R. 5089. An act conferring jurisdiction upon the Court of Claims of the United States to hear, examine, adjudicate, and render judgment on the claim of the legal representative of the estate of Rexford M. Smith;

H. R. 5404. An act to extend the provisions of the Forest Exchange Act, as amended, to certain lands so that they may become part of the Ochoco National Forest, Oreg.;

H. R. 5459. An act for the relief of George F. Lewis, administrator of the estate of Margaret R. Lewis;

H. R. 5477. An act for the benefit of the Indians of the Crow Reservation, Mont., and for other purposes;

H. R. 5784. An act to provide for the conservation and transfer of accumulated sick leave and vacation time due classified civil-service employees who succeed to the position of postmaster, and for other purposes;

H. R. 5880. An act to incorporate the Navy Club of the United States of America;

H. R. 5906. An act to repeal the prohibition against the filling of a vacancy in the office of district judge for the southern district of New York;

H. R. 5918. An act amending Public Law No. 96 of the Seventy-fifth Congress, being an act entitled "An act amending section 2 of Public Law No. 716 of the Seventy-fourth Congress, being an act entitled 'An act to relieve restricted Indians whose lands have been taxed or have been lost by failure to pay taxes, and for other purposes' ";

H. R. 5961. An act granting to the regents of the University of New Mexico the right to alienate certain lands conveyed to them under authority of the act of Congress approved August 19, 1935 (49 Stat. 659), in exchange for an equivalent amount of land more expediently situated;

H. R. 6481. An act to authorize the conveyance of the United States fish hatchery property at Put in Bay, Ohio, to the State of Ohio;

H. R. 6552. An act for the relief of Mrs. Gottlieb Metzger;

H. R. 6681. An act granting a pension to Capt. Victor Gondos, Jr.;

H. R. 6751. An act to repeal certain laws with respect to manifests and vessel permits;

H. R. 6964. An act for the relief of Mr. and Mrs. Nathan Kaplan;

H. R. 7018. An act to amend section 289 of the Criminal Code;

H. R. 7020. An act to amend section 2 of the act of March 4, 1931 (46 Stat. 1528), in regard to service of process on the United States in foreclosure actions;

H. R. 7072. An act for the relief of Esther Ross;

H. R. 7078. An act to authorize the acquisition by the United States of lands in Manchester and Jackson Townships of the county of Ocean and State of New Jersey for use in connection with the Naval Air Station, Lakehurst, N. J.;

H. R. 7084. An act to amend the act entitled "An act to regulate proceedings in adoption in the District of Columbia," approved August 25, 1937;

H. R. 7147. An act to amend the service pension acts pertaining to the War with Spain, Philippine Insurrection, and the China Relief Expedition to include certain continuous service;

H. R. 7306. An act for the relief of John R. Eiliott;

H. R. 7530. An act to transfer the site and buildings of the Tomah Indian School to the State of Wisconsin;

H. R. 7615. An act authorizing the Bradenton Co., its successors, and assigns to construct, maintain, and operate a toll bridge across Sarasota Pass and across Longboat Pass, county of Manatee, State of Florida;

H. R. 7733. An act to provide increased pensions for veterans of the Regular Establishment with service-connected disability incurred in or aggravated by service prior to April 21, 1898;

H. R. 7833. An act to set aside certain lands for the Minnesota Chippewa Tribe in the State of Minnesota, and for other purposes;

H. R. 7853. An act for the relief of the Gallup Mercantile Co., of Gallup, N. Mex.;

H. R. 7901. An act to transfer certain Indian lands to the Grand River Dam Authority, and for other purposes;

H. R. 8086. An act to make it a crime to wreck or attempt to wreck a train engaged in interstate commerce;

H. R. 8119. An act to amend the Criminal Code so as to confer concurrent jurisdiction on courts of the United States over crimes committed on certain Federal reservations;

H. R. 8283. An act to amend section 4370 of the Revised Statutes of the United States (U. S. C., 1934 ed., title 46, sec. 316);

H. R. 8292. An act for the relief of Erich Hecht, Crete J. L. Hecht, and Erich F. Hecht, Jr.;

H. R. 8317. An act for the relief of the Hermosa-Redondo Hospital, C. Max Anderson, Julian O. Wilke, Curtis A. Wherry, Hollie B. Murray, Ruth M. Laird, Sigrid I. Olsen, and Stella S. Guy;

H. R. 8373. An act to amend section 79 of the Judicial Code, as amended;

H. R. 8403. An act to convey certain lands to the State of Wyoming;

H. R. 8423. An act to amend an act entitled "An act to increase the efficiency of the Coast Guard," approved January 12, 1938;

H. R. 8452. An act to declare Frankford Creek, Pa., to be a nonnavigable stream;

H. R. 8475. An act to limit the interpretation of the term "products of American fisheries";

H. R. 8491. An act authorizing the county of Knox, State of Nebraska, to construct, maintain, and operate a toll bridge across the Missouri River at or near Niobrara, Nebr.;

H. R. 8537. An act to provide for the enlargement of the Coast Guard depot at Seattle, Wash., and for the establishment of a Coast Guard servicing base at or near Chattanooga, Tenn.;

H. R. 8589. An act to authorize the county of Burt, State of Nebraska, to construct, maintain, and operate a toll bridge across the Missouri River at or near Decatur, Nebr.;

H. R. 8749. An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Petersburg, Mo.;

H. R. 8958. An act to authorize the Secretary of the Interior to grant to the county of Wayne, State of Michigan, an easement over certain land of the United States in Wayne County, Mich., for a sewage-disposal line;

H. R. 8983. An act authorizing the Secretary of the Navy to accept on behalf of the United States a gift of the yacht *Freedom* from Sterling Morton;

H. R. 9013. An act to transfer Hardeman County, Tex., from the Fort Worth division to the Wichita Falls division of the northern judicial district of Texas;

H. R. 9094. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Winona, Minn.;

H. R. 9115. An act to authorize the Commissioners of the District of Columbia to provide for the parking of automobiles in the municipal center;

H. R. 9118. An act to provide for the reimbursement of travel expenses to certain employees of the Corps of Engineers, United States Army;

H. R. 9210. An act to amend an act entitled "An act to establish a Board of Indeterminate Sentence and Parole for the District of Columbia and to determine its functions, and for other purposes," approved July 15, 1932, and for other purposes;

H. R. 9236. An act to amend the act entitled "An act to provide books for the adult blind," approved March 3, 1931;

H. R. 9261. An act to extend the times for commencing and completing the construction of a railroad bridge across the Missouri River at or near Randolph, Mo.;

H. R. 9271. An act to extend the existence of the Alaskan International Highway Commission for an additional 4 years, and for other purposes;

H. R. 9381. An act to provide for the alteration of certain bridges over navigable waters of the United States, for the apportionment of the cost of such alterations between the

United States and the owners of such bridges, and for other purposes;

H. R. 9394. An act to provide for the establishment of the Cumberland Gap National Historical Park in Tennessee, Kentucky, and Virginia;

H. R. 9411. An act to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N. Y., and for other purposes;

H. R. 9441. An act to accept the grant to the United States of certain land by the State of South Carolina and to authorize its use by the United States Coast Guard;

H. R. 9492. An act making it a misdemeanor to stow away on vessels and providing punishment therefor;

H. R. 9553. An act to amend and clarify certain acts pertaining to the Coast Guard, and for other purposes;

H. R. 9595. An act to postpone for 1 year the date of the transmission to Congress by the United States Coronado Exposition Commission of a statement of its expenditures;

H. J. Res. 265. Joint resolution authorizing the Bureau of Labor Statistics to make studies of productivity and labor costs in industry;

H. J. Res. 302. Joint resolution to authorize compacts or agreements between or among the States bordering on the Atlantic Ocean with respect to fishing in the territorial waters and bays and inlets of the Atlantic Ocean on which such States border, and for other purposes;

H. J. Res. 385. Joint resolution establishing a Greenville Memorial Commission to formulate plans for the construction of a memorial building to commemorate the Treaty of Greene Ville, at Greenville, Ohio;

H. J. Res. 400. Joint resolution authorizing the President of the United States of America to proclaim October 11, 1940, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski;

H. J. Res. 490. Joint resolution providing for an annual appropriation to meet the share of the United States toward the expenses of the International Technical Committee of Aerial Legal Experts, and for participation in the meetings of the International Technical Committee of Aerial Legal Experts and the commissions established by that committee;

H. J. Res. 496. Joint resolution providing for more uniform coverage under the Railroad Retirement Acts of 1935 and 1937, the Carriers Taxing Act of 1937, and subchapter B of chapter 9 of the Internal Revenue Code; and

H. J. Res. 537. Joint resolution to make temporary emergency provision for the determination of foreign construction costs under section 502 (b) of the Merchant Marine Act, 1936, as amended.

ADJOURNMENT

Mr. STEAGALL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 42 minutes p. m.) the House, under the order heretofore adopted, adjourned until Monday, June 3, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce on Monday, June 3, 1940, at 10 a. m. Business to be considered: To continue hearings on S. 280 and H. R. 145, motion pictures. The opposition will continue.

COMMITTEE ON INDIAN AFFAIRS

There will be a meeting of the Committee on Indian Affairs on Monday, June 3, 1940, at 10: 30 a. m., for the consideration of bills that have passed the Senate and bills reported by subcommittees.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

There will be a meeting of the Committee on Merchant Marine and Fisheries on Saturday, June 1, 1940, at 10 a. m., for the consideration of H. R. 9905, relating to vessels affected by the Neutrality Act.

The Committee on Merchant Marine and Fisheries will hold a public hearing on Thursday, June 6, 1940, at 10 a. m., on the following bill:

H. R. 9913, relating to citizenship requirements for manning of vessels, and for other purposes.

COMMITTEE ON THE JUDICIARY

On Monday, June 3, 1940, the Special Subcommittee on Bankruptcy and Reorganization of the Committee on the Judiciary will hold a hearing on the bill (H. R. 9864) amending the Bankruptcy Act with respect to the basis of property and excluding certain corporations from the provisions of chapter XI. The hearing will be held in the Judiciary Committee room, 346 House Office Building, and will begin at 10 a. m.

COMMITTEE ON INVALID PENSIONS

There will be a meeting of the Committee on Invalid Pensions on Monday, June 3, 1940, at 10:30 a. m., in room 247, House Office Building, for the purpose of considering H. R. 7899, entitled "A bill extending the provisions of pension laws relating to Indian war veterans to members of Companies E and F, Frontier Battalion, Texas Rangers, and for other purposes," and H. R. 8030, entitled "A bill granting pensions to certain former members of the organizations known as the Spring Creek Company of South Dakota Volunteers."

COMMITTEE ON MINES AND MINING

The subcommittee on Mines and Mining that was appointed to consider S. 2420 will continue hearings on Tuesday, June 4, Thursday, June 6, and Friday, June 7, 1940, at 10 a. m. each morning, in the committee rooms in the New House Office Building.

COMMITTEE ON FOREIGN AFFAIRS

There will be a meeting of the Committee on Foreign Affairs at, 10 a. m., Tuesday morning, June 4, 1940.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization in room 445, Old House Office Building, at 10:30 a. m., on Wednesday, June 5, 1940, for the consideration of private bills.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1709. A communication from the President of the United States, transmitting a draft of a proposed provision to be added to the language submitted in connection with my request for funds for the Council of National Defense which was transmitted to you on May 29, 1940 (H. Doc. No. 797); to the Committee on Appropriations and ordered to be printed.

1710. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Federal Works Agency for the fiscal year 1940 in the amount of $1,060,000 (H. Doc. No. 798); to the Committee on Appropriations and ordered to be printed.

1711. A letter from the Acting Secretary of the Treasury, transmitting a draft of a proposed bill to amend the act of April 6, 1938 (52 Stat. 201) entitled "An act authorizing the Secretary of the Treasury to exchange sites at Miami Beach, Dade County, Fla., for Coast Guard purposes"; to the Committee on Merchant Marine and Fisheries.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. RAMSPECK: Committee on the Civil Service. H. R. 8181. A bill to grant retirement benefits to Chinese, Japanese, and Hindu interpreters in the United States Immigration and Naturalization Service; with amendment (Rept. No. 2353). Referred to the Committee of the Whole House on the state of the Union.

Mr. RAMSPECK: Committee on the Civil Service. H. R. 8645. A bill to provide Saturday half holidays for char force working in Post Office Department; without amendment (Rept. No. 2354). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. H. R. 9898. A bill to further amend section 13a of the National Defense Act so as to authorize officers detailed for training and duty as aircraft observers to be so rated, and for other purposes; without amendment (Rept. No. 2355). Referred to the Committee of the Whole House on the state of the Union.

Mr. BUCKLER of Minnesota: Committee on Indian Affairs. H. R. 6583. A bill for expenditure of funds for cooperation with the public-school board at Walker, Minn., for the construction, extension, equipment, and improvement of public-school facilities to be available to all Indian children in the district; without amendment (Rept. No. 2358). Referred to the Committee of the Whole House on the state of the Union.

Mr. KELLER: Committee on the Library. H. R. 9751. A bill for the creation of the United States De Soto Exposition Commission, to provide for the commemoration of the four hundredth anniversary of the discovery of the Mississippi River by Hernando De Soto, the commemoration of De Soto's visit to the Chickasaw Territory in northern Mississippi, and other points covered by his expedition and the two hundred and fifth anniversary of the Battle of Ackia, and for other purposes; without amendment (Rept. No. 2359). Referred to the Committee of the Whole House on the state of the Union.

Mr. MURDOCK of Utah: Committee on the Judiciary. H. R. 9531. A bill to provide for the holding of the terms of court of the United States Court for the Eastern Division of the Eastern District of Arkansas at Forrest City, St. Francis County, Ark.; to transfer Desha County from the eastern division to the western division of the eastern district of Arkansas; and to transfer Crittenden County from the Jonesboro division to the eastern division of the eastern district of Arkansas; without amendment (Rept. No. 2360). Referred to the Committee of the Whole House on the state of the Union.

Mr. DEROUEN: Committee on Rivers and Harbors. H. R. 9972. A bill authorizing the improvement of certain rivers and harbors in the interest of the national defense, and for other purposes; without amendment (Rept. No. 2361). Referred to the Committee of the Whole House on the state of the Union.

Mr. SCRUGHAM: Committee of conference on the disagreeing votes of the two Houses. H. R. 8438. A bill making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1941, and for other purposes (Rept. No. 2362). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. JOHN L. McMILLAN: Committee on Immigration and Naturalization. H. R. 9593. A bill for the relief of Walter Sittner; without amendment (Rept. No. 2356). Referred to the Committee of the Whole House.

Mrs. O'DAY: Committee on Immigration and Naturalization. H. R. 8163. A bill for the relief of Antonio Sabatini; without amendment (Rept. No. 2357). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. COLE of New York:

H. R. 9971. A bill to authorize the distribution of Government-owned farm commodities to the American National Red Cross and other organizations for relief of distress; to the Committee on Agriculture.

By Mr. DEROUEN:

H. R. 9972. A bill authorizing the improvement of certain rivers and harbors in the interest of the national defense, and for other purposes; to the Committee on Rivers and Harbors.

By Mr. JONES of Texas:

H. R. 9973. A bill to transfer the jurisdiction of the Arlington Farm, Va., to the jurisdictions of the War Department and the Department of the Interior, and for other purposes; to the Committee on Agriculture.

By Mr. LARRABEE:

H. R. 9974. A bill to establish a Division of Aviation Education in the United States Office of Education, Federal Security Agency, and for other purposes; to the Committee on Education.

By Mr. RANDOLPH:

H. R. 9975. A bill to regulate the hours of employment of females in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H. R. 9976. A bill to establish a boundary line between the District of Columbia and the Commonwealth of Virginia, and for other purposes; to the Committee on the District of Columbia.

By Mr. RICH:

H. R. 9977. A bill providing for the control and regulation of alien-published periodicals, pamphlets, newspapers, and other publications in the United States of America; to the Committee on the Judiciary.

By Mr. HOFFMAN:

H. R. 9978. A bill to promote the national defense and to eliminate certain oppressive labor practices affecting the national-defense program, and for other purposes; to the Committee on Labor.

By Mr. COOLEY:

H. R. 9979. A bill to amend the act entitled "An act to facilitate the execution of arrangements for the exchange of surplus agricultural commodities produced in the United States for reserve stocks of strategic and critical materials produced abroad," approved August 11, 1939; to the Committee on Banking and Currency.

By Mrs. ROGERS of Massachusetts:

H. Res. 506. Resolution expressing the sense of the House with respect to funds appropriated for the citizens' military training camps; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8515. By Mr. BROOKS: Petition of Arcadia National Farm Loan Association, of Arcadia, La., opposing the Wheeler-Jones bill, favoring an independent board to head the Farm Credit Administration, suggesting a continued reduction of the loan interest rate, and for other purposes; to the Committee on Agriculture.

8516. By Mr. GOODWIN: Petition of the Independent Business Men's Association, Des Moines, Iowa; to the Committee on Ways and Means.

8517. By Mr. MARTIN J. KENNEDY: Petition of the Association of State Civil Service Employees of the State of New York, Albany, N. Y., urging as full and complete aid as is practicable to the democracies in their present struggle for that freedom which is the inherent right of each man; that food be immediately forwarded to alleviate the distress of millions of refugees; and that the material resources of this country be mobilized and utilized in every way necessary to preserve civilization and the rights of all men everywhere; to the Committee on Military Affairs.

8518. Also, petition of the American Legion, national legislative committee, Washington, D. C., urging support of Senate bill 134; to the Committee on Military Affairs.

8519. By Mr. MICHAEL J. KENNEDY: Petition of Safair, Inc., in affiliation with Erickson & Remmert, Brooklyn, N. Y., urging the designation of Floyd Bennett Field for the contemplated military flight-training program of the Federal Government; to the Committee on Military Affairs.

8520. Also, petition of the Association of State Civil Service Employees of the State of New York, commending the program of national defense outlined by the President and approved by the Congress, and pledging itself to wholehearted support of that program; to the Committee on Military Affairs.

8521. Also, petition of the National Grange, Washington, D. C., favoring enactment of House bill 8813, to amend the National Labor Relations Act; to the Committee on Labor.

8522. Also, petition of the Women's International League for Peace and Freedom, New York State board, commending the appointment of a civilian commission to study defense needs; to the Committee on Military Affairs.

8523. Also, petition of J. R. Wood Federal Credit Union, New York City, favoring enactment of Senate bill 2568, which would increase unsecured loans for Federal Credit Union members from $50 to $100; to the Committee on Banking and Currency.

8524. Also, petition of the New York Board of Trade, Inc., favoring immediate enactment of House bill 8813; to the Committee on Labor.

8525. Also, petition of the New York Board of Trade, Inc., commending and supporting the appropriations for national defense recently proposed by the President; to the Committee on Military Affairs.

8526. Also, petition of the American Association of University Women, opposing enactment of Senate bill 1970; to the Committee on Labor.

8527. Also, petition of the Enterprise Association of Local Union 638 of the United Association, relative to certain prosecutions of labor unions by the Department of Justice; to the Committee on the Judiciary.

8528. By Mr. KRAMER: Resolution of the Democratic Council of Los Angeles County, relative to the repeal or modification of the Johnson Act, etc.; to the Committee on Foreign Affairs.

8529. By Mr. KEOGH: Petition of the Chamber of Commerce of the State of New York, with reference to taxation and national defense; to the Committee on Ways and Means.

8530. Also, petition of the Chamber of Commerce of the State of New York, concerning a threat to the nation's defense program; to the Committee on Military Affairs.

8531. Also, petition of the Chamber of Commerce of the Borough of Queens, City of New York, concerning the so-called Smith bill (H. R. 8813); to the Committee on Labor.

8532. Also, petition of the New York Board of Trade, Inc., New Yorn City, favoring appropriations for national defense as proposed by the President; to the Committee on Military Affairs.

8533. Also, petition of the New York Board of Trade, Inc., New York City, concerning House bill 8813; to the Committee on Military Affairs.

8534. By Mr. LUDLOW: Petition of sundry citizens of Indianapolis, Ind., protesting against the imposition of new processing taxes; to the Committee on Agriculture.

8535. By Mrs. NORTON: Petition of the State of New Jersey, memorializing Congress and the War Department to investigate conditions at Newark Airport, Newark, N. J.; to the Committee on Military Affairs.

8536. By Mr. PFEIFER: Petition of the New York Board of Trade, Inc., New York City, concerning House bill 8813; to the Committee on Labor.

8537. Also, petition of the New York Federation of Post Office Clerks, Local No. 10, New York City, urging support and passage of the longevity and court of appeals bills; to the Committee on the Post Office and Post Roads.

8538. By Mr. SHAFER of Michigan: Petition of 200 citizens, asking consideration of House bill 5237, which provides that postal employees, after having served 30 years, may apply for voluntary retirement; to the Committee on the Post Office and Post Roads.

8539. By Mr. TENEROWICZ: Resolution adopted at a mass meeting held at the Sacred Heart School hall, New Britain, Conn., April 21, 1940, urging early assistance to the suffering population of Poland; to the Committee on Foreign Affairs.

8540. Also, resolution adopted by the United Polish Organizations of Camden, N. J., protesting against the injustices which are being committed against the people of Poland, and urging early aid to the civilian population of Poland; to the Committee on Foreign Affairs.

8541. By the SPEAKER: Petition of M. Berger, Bronx, New York City, N. Y., petitioning consideration of his resolution with reference to embargoes; to the Committee on Foreign Affairs.

8542. Also, petition of the Grand Lodge of Alabama Knights of Pythias, Montgomery, Ala., petitioning consideration of their resolution with reference to national defense; to the Committee on Foreign Affairs.

8543. Also, petition of the International Longshoremen's and Warehousemen's Union, Locals 1–10, petitioning consideration of their resolution with reference to a bill to deport Harry Bridges; to the Committee on Immigration and Naturalization.

8544. Also, petition of the International Union, United Automobile Workers of America, Congress of Industrial Organizations, Local No. 2, Detroit, Mich., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8545. Also, petition of Muscoda Red Ore Local Union, No. 123, International Union of Mine, Mill, and Smelter Workers, Bessemer, Ala., petitioning consideration of their resolution with reference to the President of the United States defense program; to the Committee on Military Affairs.

SENATE

MONDAY, JUNE 3, 1940

(Legislative day of Tuesday, May 28, 1940)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty and Eternal God, unto whom each morning we direct our prayer, we thank Thee for Thy merciful providence bestowed on us as a people; for the years of growth through which we have come; for the great souls, the men of light and leading, who, though having finished their earthly course, still live in the work they have bequeathed. Help us to persevere in dutiful loyalty to those ideals which are part of our national heritage and are often difficult to maintain, that we may covet and acquire only that kind of superiority which is born of the spirit of integrity and the love of freedom. Strengthen and direct us in all our paths, whether of sun or shade; pity and help us when we are out of tune with life, when the strings of the soul are deranged and we are as instruments from which no touch draws aught but mordant sounds. Then bring to bear Thy restoring influence that we may recover our lost tone, by which alone we may penetrate the secret of life eternal. Through our Lord Jesus Christ. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Friday, May 31, 1940, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Donahey	La Follette	Schwartz
Andrews	Downey	Lee	Schwellenbach
Ashurst	Ellender	Lodge	Sheppard
Austin	George	Lucas	Shipstead
Bankhead	Gerry	Lundeen	Slattery
Barbour	Gibson	McCarran	Smathers
Barkley	Gillette	McKellar	Smith
Bilbo	Green	McNary	Stewart
Bone	Guffey	Mead	Taft
Brown	Gurney	Miller	Thomas, Idaho
Bulow	Hale	Minton	Thomas, Okla.
Burke	Harrison	Neely	Thomas, Utah
Byrd	Hatch	Norris	Townsend
Byrnes	Hayden	Nye	Truman
Capper	Herring	O'Mahoney	Tydings
Caraway	Hill	Overton	Vandenberg
Chandler	Holman	Pepper	Van Nuys
Chavez	Holt	Pittman	Wagner
Clark, Mo.	Hughes	Radcliffe	Walsh
Connally	Johnson, Calif.	Reed	Wheeler
Danaher	Johnson, Colo.	Reynolds	White
Davis	King	Russell	Wiley

Mr. MINTON. I announce that the Senator from North Carolina [Mr. BAILEY], the Senator from Idaho [Mr. CLARK], the Senator from Virginia [Mr. GLASS], the Senator from Connecticut [Mr. MALONEY], and the Senator from Montana [Mr. MURRAY] are necessarily absent from the Senate.

Mr. AUSTIN. I announce that the Senator from New Hampshire [Mr. TOBEY] and the Senator from North Dakota [Mr. FRAZIER] are necessarily absent.

The VICE PRESIDENT. Eighty-eight Senators have answered to their names. A quorum is present.

DISPOSITION OF ESTATES OF AMERICAN CITIZENS DYING ABROAD

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on Foreign Relations:

To the Congress of the United States:

I commend to the favorable consideration of the Congress the enclosed draft of proposed legislation designed to clarify and simplify the existing laws governing the disposition by American consular officers of the personal estates of American citizens who die abroad and to remove therefrom certain ambiguities. The draft also authorizes diplomatic officers, in the absence of consular officers, to dispose of such estates.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *June 3, 1940.*

[Enclosure: Draft of proposed bill.]

SALE OF WILMOT NATIONAL GUARD TARGET RANGE, ARIZ.—VETO MESSAGE (S. DOC. NO. 204)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying bill, referred to the Committee on Military Affairs and ordered to be printed:

To the Senate:

I return herewith without my approval S. 2122 entitled "An act to authorize the sale of the Wilmot National Guard target range, Arizona."

This legislation involves land which was set apart from the public domain by Executive Order No. 2131 of January 30, 1915, for military purposes for the use of the National Guard of Arizona as a target range. The range has become unsuitable for this purpose, and it is proposed to sell the lands and to use the proceeds thereof for the construction of necessary improvements in the National Guard camp located at Flagstaff, Ariz.

I believe that it is in the interest of the sound utilization of Federal public lands to provide for the return to the public domain for administration under the general land laws any public lands which have become unsuitable for the purpose for which they have been set aside. In harmony with this policy section 7 of the Taylor Grazing Act provides for the determination by the Secretary of the Internior of the most suitable use of lands within the public domain. In the vicinity of the lands involved in this legislation are at least three types of Federal reservations. Without examination and classification under the general laws it is not possible to know whether these lands will be required in the future in the orderly development and extension of these reservations.

Regardless of the question of policy with respect to the return of the land to the public domain, the legislation is objectionable by reason of the fact that it makes a direct appropriation of receipts, and, therefore, in effect provides an indefinite appropriation. Moreover, there would appear to be no direct relation between the amount that may be realized from the sale of the Wilmot target range lands and the amount required for improvements at the National Guard camp at Flagstaff, and it seems to me that it would be better procedure to provide for the deposit of the proceeds of sale of the lands in the Treasury to the credit of miscellaneous receipts, and have the improvement needs of the Flagstaff camp separately considered on their merits as estimates of appropriation.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *June 3, 1940.*

REDUCTION IN INTEREST RATE ON LOANS MADE TO THE DISTRICT THROUGH PUBLIC WORKS ADMINISTRATION

The VICE PRESIDENT laid before the Senate a letter from the Administrator of the Federal Works Agency, John M. Carmody, transmitting a draft of proposed legislation authorizing a reduction in the rate of interest to be paid on certain loans and advances made to the District of Columbia by the United States of America through the Public Works Administration, which, with the accompanying paper, was referred to the Committee on the District of Columbia.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the following joint resolutions of the Legislature of the State of California, which were referred to committees as indicated below:

To the Committee on Appropriations.

Senate Joint Resolution 2

Senate joint resolution relative to damage by earthquake in Imperial Valley.

Whereas the Imperial Valley has suffered a catastrophe caused by the recent earthquake in the damage of public property in the cities and counties of Imperial Valley and the Imperial irrigation district, particularly to their water systems endangering the shutting off of a domestic water supply necessary to preserve health and life; and

Whereas in the city of Imperial, the city hall, also library, are severely damaged and condemned; and

Whereas in the city of Brawley the immediate requirements are to replace the buildings of the fire department, city hall, with much damage to public property in the city of Calexico, Holtville, and El Centro; and

Whereas the board of trustees of the Brawley School District state that the earthquake has caused great and irreparable damage to their schoolhouse structures and in such a manner as to make mandatory the expenditure of $419,000 in order to replace structures damaged beyond repair and to rehabilitate structures capable of repair, with a request for immediate relief; and

Whereas the Imperial irrigation district furnishing water to all the cities and farms of Imperial Valley has been damaged to the extent of over $250,000, while the water supply for domestic and stock purposes is in a serious condition; and

Whereas water for delivery for agricultural purposes is now completely cut off and will remain in such condition until said canal can be repaired and placed in operating condition; and

Whereas the funds of the Imperial irrigation district for such emergency work have been exhausted on account of a flood of major proportion occurring through cloudbursts in the summer of 1939, leaving the district without funds to care for this grave emergency; and

Whereas the failure to meet the foregoing situation will bring about untold human suffering and loss of property and will increase the relief burden of the State if funds are not made available immediately; and

Whereas as near as it can be determined at the present time the damage to public property exceeds one and one-half to two million dollars, not including many hundreds of thousands of dollars to private property: Therefore

The Senate of California (the assembly concurring), Do hereby urge the Federal Government to render immediate financial assistance, either through a special appropriation or W. P. A. assistance or both, for substantial relief for the rehabilitation of the damage

sustained in cooperation with State and local assistance through the director of Public Works of the State of California: Therefore, be it

Resolved, That a copy of this resolution as passed be forwarded to the President of the United States, to Congress, and to our California Representatives in Congress.

To the Committee on Commerce:

Senate Joint Resolution 1

Senate joint resolution relative to memorializing the President and Congress with reference to the authorization of flood-control projects in California.

Whereas one of the major problems of the State of California is the solving of the problems of flood control; and

Whereas the devastating floods of 1938 as well as the great damage caused by floods during the season of 1940 has clearly demonstrated how vulnerable the cities and valleys are to floods caused by periodical storms, and the run-off from snows in the high mountain areas during the spring months; and

Whereas it is understood that preliminary reports have been prepared by the United States Army Engineers determining some of the vitally needed flood-control projects within the State of California; and

Whereas it is further believed that final reports thereon will be submitted to the proper Federal agencies in the near future, and that said reports will show the needed projects and what will be necessary to be done; and

Whereas the unnecessary delay may permit another flood to cause preventable loss of life and property in the near future, therefore it is imperative for the protection of the State from such loss, that work on these several projects be commenced without delay; and

Whereas should a rule prevail whereby projects are considered and authorized by Congress in even-numbered years, that such rule be set aside for the welfare and the protection of the people of the United States; and

Whereas the Federal Government has adopted a policy of aiding in flood control throughout the various States; and

Whereas that flood control is a problem too great to be handled by the State without Federal aid; and

Whereas it is necessary that the several reports made and to be made by the United States Army Engineers regarding flood control must be passed upon by several Federal agencies and must be authorized as projects to be constructed before appropriations can be made and construction begun: Now, therefore, be it

Resolved by the Senate and Assembly of the State of California jointly, That the Legislature of the State of California hereby respectfully urges and memorializes the President and the Congress of the United States at the earliest possible date to authorize the flood-control projects as recommended and as they may be recommended by the United States Army Engineers in their reports with reference to the construction of such projects in the State of California.

The Legislature of the State of California further urges and memorializes you, the President and Congress of the United States, to provide the necessary funds for the construction and completion at an early date of such construction; and furthermore, that such additional sums be made available as may be necessary to provide for such additional reports as may be found necessary by the Army engineers.

Resolved, That the secretary of the senate is hereby directed to send copies of this resolution to the President and the Vice President of the United States, the Speaker of the House of Representatives, and to each Member of the Senate and the House of Representatives in the Congress of the United States from California.

The VICE PRESIDENT also laid before the Senate a resolution of the National Farm Loan Association of George West, Tex., favoring restoration of the cooperative farm credit system under the operation of an independent Federal bureau, which was referred to the Committee on Banking and Currency.

He also laid before the Senate a resolution of the Detroit (Mich.) branch of the National Woman's Party, favoring the prompt adoption of the so-called equal-rights amendment to the Constitution, which was referred to the Committee on the Judiciary.

Mr. BONE presented several petitions numerously signed by sundry citizens of the State of Washington praying for the enactment of the bill (H. R. 8615) to provide for employment, for cooperation by the Federal Government with the several States in relieving the hardships and suffering caused by unemployment, and for other purposes, which were referred to the Committee on Appropriations.

Mr. TYDINGS presented resolutions of the Federation of Citizens' Associations, and the Tacoma and Petworth Citizens' Associations, in the District of Columbia, favoring more stringent regulation of the sales of alcoholic beverages in the District of Columbia, which were referred to the Committee on the District of Columbia.

He also presented a resolution of the Maryland branch of the Women's International League for Peace and Freedom, Baltimore, Md., calling upon Congress to remain in session throughout the summer months so as to keep the Nation out of war and reaffirming its stand against war as a means of settling disputes, which was referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of the State of Maryland praying for the prompt expansion of the national-defense program, which was ordered to lie on the table.

30-YEAR VOLUNTARY RETIREMENT BILL—PETITIONS

Mr. GIBSON. Mr. President, I ask consent to present herewith several petitions bearing 310 names of post-office employees asking consideration of Senate bill 540, the 30-year voluntary retirement bill; and I request that the petitions be referred to the Committee on Civil Service.

There being no objection, the petitions were received and referred to the Committee on Civil Service.

REPORTS OF COMMITTEES

Mr. HUGHES, from the Committee on Claims, to which was referred the bill (S. 3329) for the relief of Charles E. Molster, former disbursing clerk for the Department of Commerce and the National Recovery Administration; J. L. Summers, deceased, former chief disbursing clerk, Division of Disbursment, Treasury Department; and Guy F. Allen, Chief Disbursing Officer, Division of Disbursement, Treasury Department, reported it without amendment and submitted a report (No. 1728) thereon.

Mr. TOWNSEND, from the Committee on Claims, to which was referred the bill (S. 3710) for the relief of James H. Hearon, reported it with an amendment and submitted a report (No. 1729) thereon.

He also, from the same committee, to which was referred the bill (S. 3962) for the relief of the Louis Puccinelli Bail Bond Co., reported it with amendments and submitted a report (No. 1730) thereon.

He also, from the same committee, to which was referred the bill (H. R. 6845) for the relief of Anthony Borsellino, reported it without amendment and submitted a report (No. 1731) thereon.

Mr. CAPPER, from the Committee on Claims, to which was referred the bill (S. 3143) for the relief of Chandler V. Jensen, reported it with amendments and submitted a report (No. 1732) thereon.

He also, from the same committee, to which was referred the bill (S. 3866) for the relief of George W. Coon, reported it with an amendment and submitted a report (No. 1733) thereon.

Mr. ELLENDER, from the Committee on Claims, to which was referred the bill (H. R. 5930) for the relief of Raymond C. Knight, reported it without amendment and submitted a report (No. 1734) thereon.

Mr. BURKE, from the Committee on Claims, to which was referred the bill (H. R. 1857) for the relief of Nell Mullen, reported it without amendment and submitted a report (No. 1735) thereon.

Mr. TOBEY, from the Committee on Claims, to which was referred the bill (H. R. 3774) for the relief of Albert L. Barnholtz, reported it without amendment and submitted a report (No. 1736) thereon.

Mr. SCHWARTZ, from the Committee on Claims, to which was referred the bill (H. R. 8868) conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Bolinross Chemical Co., Inc., reported it with amendments and submitted a report (No. 1737) thereon.

Mr. BROWN, from the Committee on Claims, to which was referred the bill (S. 2997) for the relief of the Greenlee County Board of Supervisors, reported it with amendments and submitted a report (No. 1738) thereon.

He also, from the same committee, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H. R. 5211. A bill conferring jurisdiction upon the United States District Court for the Eastern District of Kentucky to hear, determine, and render judgment upon the claims of Mat Hensley, Arnold Blanton, Lillie Price, Clyde Thorpe, and D. L. Mason (Rept. No. 1739); and

H. R. 7959. A bill for the relief of Nathan A. Buck (Rept. No. 1740).

Mr. BROWN also, from the Committee on Claims, to which was referred the bill (H. R. 7861) conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of Hannah S. Bray, Jane Bickers, and Frances Bickers, reported it with an amendment to the title and submitted a report (No. 1741) thereon.

Mr. TYDINGS, from the Committee on Territories and Insular Affairs, to which was referred the bill (S. 3582) relating to the status of certain natives and inhabitants of the Virgin Islands, reported it with amendments and submitted a report (No. 1742) thereon.

Mr. THOMAS of Oklahoma, from the Committee on Indian Affairs, to which were referred the following bills, reported them each with amendments and submitted reports thereon:

S. 2001. A bill for the relief of the Choctaw and Chickasaw Tribes of Indians of Oklahoma (Rept. No. 1743); and

S. 3766. A bill for the acquisition of Indian lands for the Grand Coulee Dam and Reservoir, and for other purposes (Rept. No. 1751) thereon.

Mr. WHEELER (for himself and Mr. SCHWARTZ), from the Committee on Interstate Commerce, to which was referred the bill (S. 4070) to provide for more uniform coverage of certain persons employed in coal-mining operations with respect to insurance benefits provided for by certain Federal acts, and for other purposes, reported it with amendments and submitted a report (No. 1744) thereon.

Mr. McNARY, from the Committee on Indian Affairs, to which was referred the bill (S. 253) to authorize the leasing of certain Indian lands subject to the approval of the Secretary of the Interior, reported it with amendments and submitted a report (No. 1745) thereon.

Mr. ADAMS, from the Committee on Public Lands and Surveys, to which were referred the following bills, reported them each with an amendment and submitted reports thereon:

S. 3975. A bill granting to certain claimants the preference right to purchase certain public lands in the State of Florida (Rept. No. 1746); and

H. R. 7736. A bill authorizing the Secretary of the Interior to issue patents for lands held under color of title (Rept. No. 1747).

Mr. ADAMS also, from the Committee on Public Lands and Surveys, to which were referred the following bills, reported them each with amendments and submitted reports thereon:

S. 1433. A bill to add certain lands to the Siuslaw National Forest in the State of Oregon (Rept. No. 1750); and

H. R. 6831. A bill to authorize the Secretary of the Interior to lease certain of the public lands to the Metropolitan Water District of Southern California for the extraction of sodium chloride for water-conditioning purposes (Rept. No. 1748).

Mr. ADAMS, also from the Committee on Public Lands and Surveys, to which was referred the bill (H. R. 9274) to amend the act entitled "An act to provide for the establishment of the Cape Hatteras National Seashore in the State of North Carolina, and for other purposes," approved August 17, 1937 (50 Stat. 669), reported it without amendment and submitted a report (No. 1749) thereon.

Mr. WAGNER, from the Committee on Interstate Commerce, to which was referred the bill (S. 3920) to amend the Railroad Unemployment Insurance Act, approved June 25, 1938, as amended June 20, 1939, and for other purposes, reported it with amendments, and submitted a report (No. 1752) thereon.

Mr. GURNEY (for himself and several other Senators), as members of the Committee on Interstate Commerce, presented minority views on the bill (S. 3920) to amend the Railroad Unemployment Insurance Act, approved June 25, 1938, as amended June 20, 1939, and for other purposes, which were ordered to be printed as one report in connection with Report No. 1752.

JUDICIAL DECISIONS AFFECTING CORRUPT PRACTICES LAWS—REPORT OF PRINTING COMMITTEE (S. DOC. NO. 203)

Mr. HAYDEN. Mr. President, from the Committee on Printing, I report back favorably, without amendment, Senate Resolution 258, and ask unanimous consent for its present consideration.

There being no objection, the resolution (S. Res. 258), submitted by Mr. NYE on April 12, 1940, was considered and agreed to, as follows:

Resolved, That the manuscript entitled "Judicial Decisions Affecting the Corrupt Practices Laws in the United States," submitted by Senator GERALD P. NYE on April 10, and referred to the Committee on Printing, be printed as a Senate document.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DOWNEY:

S. 4082. A bill to provide for the defense of the people of the United States and for the defense of such other nations in the Western Hemisphere as may desire the cooperation and assistance of the United States; to the Committee on Military Affairs.

By Mr. HAYDEN:

S. 4083. A bill to permit mining within the Organ Pipe Cactus National Monument in Arizona; to the Committee on Public Lands and Surveys.

By Mr. CAPPER:

S. 4084. A bill for the relief of Marcel Stark; and

S. 4085. A bill for the relief of Max von der Porten and his wife, Charlotte von der Porten; to the Committee on Immigration.

By Mr. RADCLIFFE:

S. 4086. A bill to amend section 233 of the Criminal Code, as amended; to the Committee on Military Affairs.

(Mr. GILLETTE introduced Senate Joint Resolution 269, which was referred to the Committee on Foreign Relations, and appears under a separate heading.)

By Mr. KING:

S. J. Res. 270. Joint resolution to authorize a reduction in the rate of interest to be paid on certain loans and advances made to the District of Columbia by the United States of America through the Public Works Administration; to the Committee on the District of Columbia.

By Mr. PITTMAN:

S. J. Res. 271. Joint resolution approving nonrecognition of the transfer of any geographic region in the Western Hemisphere from one non-American power to another non-American power, and providing for consultation with other American republics in the event that such transfer should appear likely; to the Committee on Foreign Relations.

UNITED ACTION BY AMERICAN REPUBLICS FOR COMMON DEFENSE POLICY

Mr. GILLETTE. Mr. President, I ask consent to introduce a joint resolution for proper reference. At a later time I hope to address the Senate on its purpose, which I deem of paramount importance. I ask unanimous consent to have it printed in the RECORD at this point for the information of the Senate, and also referred to the Committee on Foreign Relations.

The VICE PRESIDENT. Without objection, the joint resolution will be received, appropriately referred as requested by the Senator from Iowa, and printed in the RECORD.

The joint resolution (S. J. Res. 269) for the purpose of urging immediate consultative and coordinated action by the American republics for unified defense policy in the common interest, was read twice by its title, referred to the Com-

mittee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Senate Joint Resolution 269

Whereas at the Inter-American Conference for the Maintenance of Peace, held at Buenos Aires in the year 1936, the governments of the American republics approved a Convention for the Maintenance, Preservation, and Reestablishment of Peace, which contained the following provisions:

"In the event that the peace of the American republics is menaced, and in order to coordinate efforts to prevent war, any of the governments of the American republics signatory to the Treaty of Paris of 1928 or to the Treaty of Nonaggression and Conciliation of 1933, or to both, whether or not a member of other peace organizations, shall consult with the other governments of the American republics for the purpose of finding and adopting methods of peaceful cooperation"; and

"That every act susceptible of disturbing the peace of America affects each and every one of them, and justifies the initiation of the procedure of consultation provided for"; and

Whereas at the Eighth International Convention of American states, held at Lima in 1938, there was adopted a further provision:

"That the procedure of consultation, provided for in the conventions and resolutions adopted by the Inter-American Conference for the Maintenance of Peace, may also be applied, on the initiative of one or more governments; and that in those cases where the consultation requires personal contact, it shall take place with the attendance of the ministers of foreign affairs or of their specially authorized representatives; and that in case the peace, security, or territorial integrity of any American republic is threatened by acts of any nature that may impair them, they shall proclaim their common concern and their determination to make effective their solidarity, coordinating their respective sovereign wills by means of the procedure of consultation, using the measures which in each case the circumstances may make advisable"; and

Whereas at a consultative conference of foreign ministers of the American republics, convened at Panama City in the year 1939, the following resolution was adopted:

"That in case any geographic region of America subject to the jurisdiction of any non-American state should be obliged to change its sovereignty and there should result therefrom a danger to the security of the American continent, a consultative meeting such as the one now being held will be convoked with the urgency that the case may require": Therefore be it

Resolved, etc., That in view of recent international events which have stirred the entire world, it appears desirable to place in immediate operation the procedure of consultation provided for and agreed upon in the pertinent provisions of the convention and declarations of the Inter-American Conference for the Maintenance of Peace, held at Buenos Aires in 1936, and the Eighth International Conference of American States, held at Lima in 1938, and the consultative meeting held by the ministers of foreign relations of the American republics at Panama City in 1939;

That the rapid development and change in the military, political, and economic situation in non-American sections of the world carry a possible threat to the peace, security, and common welfare of the American republics, and it is urgent that the consultative features be invoked for the formulation and enunciation of common aims and policies to meet possible eventualities, and to plan thoroughly policies of unified, cooperative, and coordinated action to meet any probable contingency;

And that the executive department of the Government should take immediately such initiatory steps as are necessary to put into effect the consultative machinery heretofore agreed upon to secure such unified purpose, program, and policy, and a closer union of the American states in the joint interest and defense of all and also to explore the possibility of a clearly definitive statement of a Pan-American doctrine, restating the so-called Montroe Doctrine and shaping it to meet the common needs and interests of the Western Hemisphere.

INCREASE IN LIMIT OF EXPENDITURES FOR INVESTIGATION OF TELEGRAPH INDUSTRY

Mr. WHEELER submitted the following resolution (S. Res. 274), which was referred to the Committee on Interstate Commerce:

Resolved, That the Committee on Interstate Commerce, authorized by Senate Resolution 95 of the first session of the Seventy-sixth Congress, and Senate Resolution 268 of the third session of the Seventy-sixth Congress, to investigate the telegraph industry, is hereby authorized to expend from the contingent fund of the Senate, in furtherance of the purposes of the above-mentioned resolutions, $5,000 in addition to the amount heretofore authorized for said purposes.

THE CONNECTICUT PLAN FOR TRAINING INDUSTRIAL WORKERS

Mr. DANAHER. Mr. President, in the 1939 session of the General Assembly of the State of Connecticut there was created a commission to study generally the unemployment problem. The whole program was thoroughly considered and a commission was appointed, headed by Mr. Carl Gray as chairman. That commission has done extraordinarily competent work, such, I think, as to attract the attention of economists and students throughout the country. Commissioner John W. Studebaker of the United States Office of Education recently asked the Governor of Connecticut, Hon. Raymond E. Baldwin, if he would give a report by telegraph of the progress of the plan and an outline of its scope and intendment. That telegram was sent under date of May 28, addressed to Mr. Studebaker. I should like to have a copy of it appear in the RECORD, and I ask unanimous consent that it be included as a part of my remarks.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

HARTFORD, CONN., *May 28, 1940.*

At the request of Dr. Wright, I am sending a short outline of Connecticut plan for training industrial workers.

Nineteen hundred and thirty-nine session of general assembly created commission to study employment. In July 1939, chairman of commission, Carl Gray, with Governor, called in group of employers of representative industries from all parts of the State for conference on reemployment.

As result of conference, analysis of unemployed was made through State employment bureau, working through the 18 district offices. Analysis indicated bulk of unemployed in untrained, unskilled, inexperienced group.

Eighteen local committees, representing industrial areas, were next organized to make analysis of jobs and job turn-over in their local communities. Based on findings, we began November 1939 in the Hartford Trade School a job-training course to train beginners for placement in openings available. As analyses continued similar training courses to meet local needs were established in other trade schools with flexible courses to meet local conditions and demands.

State has 11 trade schools. Regular courses continued, together with advanced night courses. Job-training courses done in third shift so not to interfere with regular training. When evening courses suspended for summer, additional time used for further job training. Courses formulated under commissioner of education and director of trade-school training, cooperating with industry. About 600 already graduated and placed in jobs.

Management and labor represented on local committees.

At recent meeting of chairmen of local committees in Hartford Monday, May 20, expansion of job training considered.

Subcommittee headed by Mr. Gray and Commissioner Grace now conducting new survey through local committees to ascertain needs for additional workers created by defense program. Also making new survey of available facilities in trade schools and high schools and industrial plants for expansion of training program. Plan to coordinate training program to current demand for workers, using facilities on one, two, and three shifts, if demand requires.

Long-range program begun last year includes study of vocational guidance and training needs for State.

Believe existing facilities used to capacity desirable as first step in training program.

Plan is flexible—use trade schools, high schools, vacant or unoccupied portions of existing plants.

If Federal funds are made available, should be expended by State under State department of education, using machinery of State government and organization already existing.

Connecticut plan developed with complete cooperation with industry, which furnished instructors, additional equipment, funds in part, and invaluable assistance in developing courses.

RAYMOND E. BALDWIN,
Governor of Connecticut.

ADDRESS BY SENATOR PITTMAN AT COMMENCEMENT EXERCISES, MONTANA SCHOOL OF MINES

[Mr. PITTMAN asked and obtained leave to have printed in the RECORD an address delivered by him at the commencement exercises of the Montana School of Mines at Butte, Mont., on May 31, 1940, which appears in the Appendix.]

LAUNCHING OF BATTLESHIP U. S. S. "WASHINGTON"—ADDRESS BY SENATOR WALSH

[Mr. WALSH asked and obtained leave to have printed in the RECORD a speech delivered by him at Philadelphia, Pa., on Saturday, June 1, 1940, at the launching of the battleship U. S. S. *Washington*, which appears in the Appendix.]

ARTICLE BY SENATOR BILBO ON AFRICAN HOME FOR NEGROES

[Mr. BILBO asked and obtained leave to have printed in the RECORD an article written by him entitled "African Home for Negroes," published in the Living Age for June 1940, which appears in the Appendix.]

ADDRESS BY WENDELL L. WILLKIE AT AKRON, OHIO

[Mr. BURKE asked and obtained leave to have printed in the RECORD an address delivered by Wendell L. Willkie before American Legion Summit Post 19 at Akron, Ohio, May 28, 1940, which appears in the Appendix.]

THE INTERNATIONAL SITUATION—ADDRESS BY HENRY R. LUCE

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an address delivered by Mr. Henry R. Luce, editor of the magazines Time and Life, on Saturday, June 1, 1940, on the international situation, which appears in the Appendix.]

ARTICLE BY MARK SULLIVAN ON COMMUNIST BROADCAST

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an article by Mark Sullivan entitled "Communists Go on Air Sunday, Week After Roosevelt Warning," which appears in the Appendix.]

EDITORIAL FROM SHEBOYGAN PRESS ON THE POSTAL SERVICE

[Mr. MCKELLAR asked and obtained leave to have printed in the RECORD an editorial from the Sheboygan Press of May 22, 1940, entitled "Our Postal Service," which appears in the Appendix.]

IN THE WRONG SPIRIT—EDITORIAL FROM DAILY ARGUS-LEADER

[Mr. GURNEY asked and obtained leave to have printed in the RECORD an editorial entitled "In the Wrong Spirit," from the Daily Argus-Leader, of Sioux Falls, S. Dak., of the issue of May 27, 1940, which appears in the Appendix.]

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to each of the following bills of the House:

H. R. 6668. An act to grant the State of North Carolina a right-of-way for the Blue Ridge Parkway across the Cherokee Indian Reservation in North Carolina, to provide for the payment of just compensation for said right-of-way, and for other purposes; and

H. R. 7811. An act to establish the Hot Springs division of the Western Judicial District of Arkansas.

The message also announced that the House had passed a bill (H. R. 6971) to amend the Federal Home Loan Bank Act, Home Owners' Loan Act of 1933, title IV of the National Housing Act, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 920. An act conferring jurisdiction upon the United States District Court for the District of Montana to hear, determine, and render judgment upon the claim of the estate of Joseph Mihelich;

S. 1649. An act for the relief of Alan C. Winter, Jr., and Elizabeth Winter; and

S. 2083. An act conferring jurisdiction upon the United States District Court for the District of New Jersey to hear, determine, and render judgment upon the claims of Parker McKee, Sr., and Louise McKee.

HOUSE BILL REFERRED

The bill (H. R. 6971) to amend the Federal Home Loan Bank Act, Home Owners' Loan Act of 1933, title IV of the National Housing Act, and for other purposes, was read twice by its title and referred to the Committee on Banking and Currency.

NAVAL EXPANSION

Mr. WALSH. Mr. President, I ask the Chair to lay before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H. R. 8026) to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes.

Mr. TYDINGS. Mr. President, last Tuesday I attempted to point out some facts which are pertinent to the national defense of the United States of America at this critical juncture of world history. At that time I made the general observation that no one in the world knows what the duration of the present war will be, how far it will spread before it is over, who the victor and the vanquished will finally be, what the aftermath of the peace that must come at some time will entail for all of us; and in connection with those observations I tried to stress the necessity, the imperative need, for financial preparedness to go hand in hand with Army, Navy, and air preparedness.

At the conclusion of my remarks the genial Senator from Mississippi [Mr. HARRISON] the chairman of the Finance Committee, rose and said that this subject had been occupying the attention of various authorities of our Government, and that a new tax bill raising perhaps some six or seven hundred million dollars or more would be formulated with the approval of the administration. It was very heartening to learn that we are to begin to pay more as we go than we have been doing since the depression started in 1929. After a closer examination of past history and our present situation, however, I believe that six or seven hundred million dollars will be no more than a drop in the bucket; and, indeed, I may say that we might as well have no tax at all as to have one so small, for it will only minimize to a small degree the aggravated condition of our national finances at the present time.

The war itself is costly, but the aftermath of the war will be equally costly. There is no doubt that the present depression is to no small extent attributable to the effects of the last World War on every country, including our own.

I will say, without partisanship, that some of the effects of the depression were offset for a long period when we were lending money to foreign governments and subdivisions thereof after the war to the extent of approximately $14,000,000,000 in a 9-year period, which foreign governments and subdivisions thereof were using the money to buy the products which we were selling in the handsome and high days of prosperity of the 1920's. With the stoppage of that lending the real, true picture of the actual conditions appeared to this Nation; the depression began, and we are dealing with it even today.

Now, let us for just a moment trace the national deficits of the past 10 years.

We incurred our first deficit in the fiscal year ending June 30, 1931, which was $462,000,000

On June 30, 1932, at the end of another fiscal year, we had a deficit for that year of $2,530,000,000.

In 1933 the deficit was $1,783,000,000.

In 1934 we had a deficit of $2,895,000,000.

In 1935 we had a deficit of $3,210,000,000.

In 1936 we had a deficit of $4,550,000,000.

In 1937 we had a deficit of $3,149,000,000.

These are net deficits, not gross deficits.

In 1938 we had a deficit of $1,385,000,000.

In 1939 we had a deficit of $3,543,000,000.

In 1940—the fiscal year ending at the end of this month—the deficit will be $3,346,000,000.

For the fiscal year ending June 30, 1941, on May 27 the deficit was estimated to be $3,700,000,000; since which time the President has asked for another billion dollars, which makes our probable deficit for 1941, $4,800,000,000, as we stand today.

Consider those figures for a moment. The total of the 11-year period is $30,553,000,000. There are 30,000,000 families in the United States. That means that our annual deficit for the past 10-year period has been nearly $100 a year per family. It was over $100 in 1940. It was over $140 in 1939. It was less than $100 a year in 1938. It was about $100 a year in 1937. It was $150 a year per family in 1936. It was $100 a year per family in 1935. It was approximately $100 a year per family in 1934, less than $100 a year in 1933, and about $100 a year in 1932.

During this emergency we had always hoped that improved national income, better world conditions, many things that we had tried to achieve, would create such an earning power in America that the deficits of themselves would disappear as the country became more prosperous. I think even the most optimistically inclined Member of this body, even one who put his hope in that prospect, must now reach the conclusion that the basis of that hope has completely vanished; for no longer do we face the prospect of a country which is likely to have a greater annual income than it has in 1940, as far as we can see ahead in the years immediately following 1940.

This deficit is only the deficit, of course, from June 30, 1930, down to date. It is not the total national debt. It is the net deficit after allowing for interest on the national debt and all other factors which remain, and the figures are taken from the official report of the Secretary of the Treasury and the Director of the Bureau of the Budget.

The question therefore is, What are we going to do about it? Before making a suggestion, let me analyze a little further the figures on this board and our expenditures during the past 10 or 11 years.

One would think at first that perhaps the cost of the Army and the Navy had occasioned these deficits. One would suppose at first glance that the extraordinarily large Army and Navy expenditures of the last 4 or 5 years had increased the deficits. But an examination of the figures proves that not to be true, and so that there may be no question about it I shall read into the RECORD figures to show just how much has been spent on the Army, first, including the river and harbor appropriations, appropriations for the Panama Canal, and all incidental appropriations which are properly chargeable to the Army, in addition to the Regular Army appropriations. For the various years the following appropriations were made for the Army:

1931	$478,418,000
1932	477,449,000
1933	449,395,000
1934	408,894,000
1935	489,155,000
1936	618,919,000
1937	628,348,000
1938	644,525,000
1939	695,780,000

In 1940, allowing for all appropriations, and even expenditures which have not been incurred but for which appropriations have been made, $1,050,466,000. For 1941, up to May 27 of this year, there was appropriated $1,723,000,000. So it may be seen that if we take the annual appropriations for the Army over a 10-year period, they average approximately $600,000,000 a year, which is only one-fifth or one-sixth of the deficit for each year. Therefore we cannot charge the deficits up to the Army, even though most of the Army appropriations were for routine, for soldiers, maintenance, clothing, and so on, and very little in the nature of expansion or for new equipment.

Now let us look at the Navy. Has the Navy caused this additional expense? The figures for the Navy are less than those for the Army. For the various years the following appropriations were made for the Navy:

1931	$354,000,000
1932	357,000,000
1933	349,000,000
1934	297,000,000
1935	436,000,000
1936	529,000,000
1937	556,000,000
1938	596,000,000
1939	672,000,000
1940	780,000,000

So if we add the Army figures and the Navy figures together, we find that there is rarely a year when the two of them total a billion dolars, and the average deficit for the past 10 years has been about $2,600,000,000 a year. Therefore it is perfectly apparent that, with all the preparedness we have provided for the Army and the Navy, the deficits cannot be charged to the Army and Navy appropriations, for the deficits are more than twice greater than the combined Army and Navy appropriations.

As we seek further to find where the money has gone, let us consider where the great bulk of Federal appropriations is finally spent. The civil and miscellaneous appropriations, not including the War Department, the Navy Department, the Indian Service, pensions, postal deficiencies, interest on the public debt, and so forth, are as follows:

1931	$1,800,000,000
1932	2,639,000,000
1933	2,000,000,000
1934	4,153,000,000
1935	4,797,000,000
1936	6,254,000,000
1937	5,915,000,000
1938	4,978,000,000
1939	6,395,000,000
1940	6,500,000,000

So we can see that, taking the period from 1931 to 1940, the increase has been in the civil and miscellaneous appropriations, taking in all the various activities of the Government outside the Army, Navy, pensions, postal deficiencies, interest on the public debt, and so forth. The total has increased from $1,800,000,000 in 1931 to $6,500,000,000 in 1940, while our taxes have remained more or less stationary.

The striking thing is that after we eliminate the Army, the Navy, the postal deficiencies, the interest on the public debt, Indian Service, pensions, and so forth, the figures I have just read as to 5 of the 10 years are greater than the National Treasury's income from all sources. In other words, the figures I have just read of civil and miscellaneous appropriations are greater than the total income of the Federal Government, without counting appropriations for the Army, Navy, pensions, Indian Service, postal deficiencies, interest on the public debt, and the like. So where are we today? We are in this position: We have set up a type of government, on which I will for the moment not comment, but which we as a group think it necessary for this country in the times in which we live. We have not provided for the financing of that type of government, even exclusive of any appropriations for the Army, the Navy, the Indian Service, interest on the public debt, pensions, and so forth. The financial picture on June 3, 1940, is that we are not even paying out of governmental income the expenses of the Government, exclusive of the Army, exclusive of the Navy, exclusive of pensions, exclusive of postal deficiencies, exclusive of the Indian Service, exclusive of interest on the public debt. Do we need a new tax bill, or shall we keep on going down the selfsame road, and shall we go down it all the way?

Now for a moment let us transpose all the "3's" on the chart to which I have been referring to "4's." Let us assume that "1931" is "1941." The deficit in 1941 will be greater than it was in 1931. In 1942 the deficit will be greater than it was in 1932, as we now view the world scene. And so on with each one of these years.

For the next 10 years we are likely to keep right on as we have been going for the last 10 years. And what will that mean? From what source is the money coming? It is coming from borrowings. Where do borrowings come from? They come, first, from the banks. What are the banks? They are nothing more than depositaries in which the people can put what they have saved for safekeeping and investment and until they need it; and the banks of the country own the I. O. U.'s for the $30,000,000,000 loaned to the United States Government, which in turn is owed to the people.

Then, too 66,000,000 people in the United States carry life insurance, aggregating 120,000,000 policies. Where do the life-insurance companies invest the premiums they take from their patrons? A large part of that money is invested in State, county, city, and Federal bonds. That is what we owe the life-insurance companies. So if we were to permit this debt structure to keep growing higher and higher the

day would ultimately come, unless we put a bottom under it, when all the life-insurance policies, or a large proportion of them, plus all the savings in the savings banks, or a large proportion of them, might conceivably be wiped out.

I lay it down as a proposition which I do not believe can be successfully refuted, that, as things look today, there will be no period in the next 10 years of our history when we will be as well able to pay our way as we are at this minute. I repeat that there will not be a period perhaps in the next 10 years, viewing the world situation as it is, when we will be as well able to pay our way as we are at this very moment; and I do not believe that as a Government we can longer defer taking action accordingly.

Mr. President, I am making no criticism of these deficits. I am not saying that there was not a certain ground for hope that the country would adjust itself. I did not feel that way about it; but I had no patent on that view. There were other men who disagreed. But the point is that now, with a world war raging, and with the prospect of bankruptcy and unemployment, and disruption of all the regular avenues and methods of conducting trade and finance after the war, with the soldiers returning home, with the munitions plants closed down, as they are bound to close down when the war is over, with them closing down in our own country, with our markets largely gone, we are bound to face a serious financial problem in meeting the distress which will be evident on all sides in this country.

Is there anyone in the United States who will say that six or seven hundred million dollars, or a billion dollars, if you please, will do anything more than put a very weak support under the financial foundations of the Republic? Unless we make up our minds to raise a billion and a half, or even $2,000,000,000, and make our finances coincide with our expenditures and appropriations, we will be only hastening and aggravating the distress which will ensue when the war is over, even if we stay out of it, and from which there will be no possible escape.

Superimposed on the figures I have given must be an ever-increasing outlay for national defense. We have not yet finished with that. Even if we stay out of the war, we know that the deficit for the present fiscal year, which was $3,700,000,000 the other day, has already reached $4,800,000,000 today, if we shall accede to the President's latest request. I shall be astounded if before adjournment other requests for national defense do not come to Congress, requests which will be granted. If we do not begin to finance this outlay now we will have let the American people down.

Mr. President, I believe the American people are ready to pay their share of taxes. They know if we have war, or even if we escape war which is all around us, that preparedness is necessary, and they know that it costs money. And as we expect our aviators and our soldiers and the men of our Navy to sacrifice, and join the colors, and receive training and be ready in emergency, those fighting men have a right to require the civil population to be good soldiers back home, and furnish the sinews, so that after the war is over, or prevented, the fighting men will not return to a country whose financial structure has been dissipated, and which has gone to ruin.

The picture today, as I see it, is an average yearly deficit for each of 10 years of $2,685,300,000. What is $600,000,000 or $700,000,000 a year, with a black future which will require more money than perhaps we expended in those 10 years? If the average yearly deficit was nearly $3,000,000,000 a year in the last 10 years, certainly it is not likely to be less in the next 10 years, predicated on present revenues.

I think I have shown conclusively that these deficits are not due to expenditures for preparedness, they are not due to building up the Army or the Navy, for the combined expenditures of those two departments would be perhaps at best but 35 or 40 percent of the total deficit if they were all charged up to the deficit. We might as well make up our minds that there are only two or possibly three ways that we can face this picture. Firstly, we can raise more taxes. Secondly, we can reduce expenses. Thirdly, we can take care of the burden in part by raising taxes, and in part through a reduction in expenses. But one of the three ways must be embraced, otherwise, as the years roll on, the saving of life insurance and all that men have struggled for through their lives is in jeopardy, as much jeopardy and more in jeopardy, in my opinion, than we are from the fear of enemy invasion at this very minute.

Mr. President, there is more danger in financial chaos following the European war than there is any danger at this very minute to our country. If we can appropriate billions of dollars to prevent the danger of invasion, which is even now somewhat remote, we should be able to tax and raise billions of dollars to prevent a danger which is not remote, and which is certain to come with the after-effects of the World War.

Picture conditions even today, without the war spreading any further: It is estimated that there are 85,000,000 Germans fighting 85,000,000 French and British, taking the populations of the countries as a whole. There are perhaps from 5,000,000 to 6,000,000 German soldiers and sailors, and about from five to six million French and British soldiers and sailors. Once the war is over the army of the vanquished will be demobilized almost immediately. That will be a part of the terms of the victors, and those 4,000,000 to 6,000,000 men will go back home. Will there be jobs for them? No. How about the millions in the vanquished country or countries who now work making guns or clothing or munitions, or transporting gasoline or airplanes or what not? Their plants will be closed down almost overnight, and the men and women therein engaged will likewise be thrown out into the stream of unemployment.

During this war the belligerent nations are buying more and more from parts of their own empires, or by the use of ersatz, synthetic materials, are endeavoring to replace those which they do not have—taking the place of materials in both instances which we originally produced in this country and sold abroad in exchange for the coffee and the rubber and tin and other commodities which we have to have in order to round out our national economy. So that in the period of reconstruction, the new homes to be built, the expenditures for damage to factories and railroads, fields and forests, will all require from the countries engaged tremendous outlays of money.

In addition to that, in the United States a short while after hostilities, if we shall escape the war, and if the peace looks at all durable, we too, will retrench. We will cancel orders when we can cancel them, lest the things being made will not be needed and be obsolete soon after.

Take my own city of Baltimore as an illustration. Located there is a large airplane plant, the Glenn Martin factory. I am advised that it employes 10,000 men. I have no doubt at all that were war to cease tomorrow morning thousands of those men would probably be turned out into the ranks of unemployed. So it will be with the farmers; so it will be with the laborers; so it will be with others, rich or poor, high or low, skilled or unskilled. What kind of a financial condition will we find our Treasury in when those people come in groups and knock on the doors for the help which we have been accustomed to give them during the last 10 or 11 years? They will find a national debt, even if we stop it now, of $45,000,000,000. They will find a national debt far in excess of that, because, as things now stand, we cannot pay for all this war as we go.

Then, if we go through 10 years, which are likely to be 10 more greatly aggravated years than the 10 years just used by way of illustration, we must put another $30,000,000,000 on top of that. Then our national debt will be eighty billion or ninety billion or one hundred billion dollars. Is there a limit somewhere—is there a figure which can finally be fixed and pointed to beyond which we dare not go? I think there is. I do not think we have reached it yet. I do

not think we will reach it tomorrow, or the week after, or perhaps this year. But every time we add several billion dollars to the national debt we go closer to the precipice of inflation, which means, as everyone knows, the reduction of the wages of every workingman in America, for that is all inflation is, with the cost of everything simultaneously going up by leaps and bounds until he cannot get the necessities of life.

That is what we are inviting. Therefore I feel that at this critical juncture to say that we will raise six or seven hundred million dollars is not only a breach of faith with the American people but, in my judgment, a failure to apprehend the dark consequences which will confront every government on the earth before the last echo of the present conflict shall have died upon the distant hills. It is sure to be heard on our doorsteps.

If we can escape this holocaust by remaining neutral, it may be a miracle. We may find new combinations of great powers working together against us before it is all over. It is quite possible that we may be the last remaining great democracy. Who knows? We are the richest nation. We have more to attract conquest than all the magnets of all the other countries in the world have to attract conquests to their countries. Here is wealth already saved and in the hills of Kentucky. Here are resources. Here is a virgin country—the richest on the face of the earth—yet we go into this dark period of imminent danger without any thought of building such a financial bulwark around us, as we are trying to build a defense bulwark by our Army and Navy and air force, and without any comprehension apparently of what we must face, in addition to the armed foe, by way of the invisible foe of poverty and want, unemployment, distress, malice, class prejudice, if you please, international, racial, and other hatreds—all of which in this condition will be as salt in the wound by its aggravating propensities.

So I am hopeful, Mr. President, today, that all three courses suggested will be adopted. I realize we cannot take a meat ax and chop down appropriations without sometimes creating more harm than good. But there is room for scientific retrenchment without hurting a person and without hurting a needed and vital function of the Government.

There is room, and we must find the room to make such retrenchment. From now on, every dollar of waste we can detect should be checked and avoided. In addition, we must broaden our tax base all the way down to those who up to this time have escaped.

Let me illustrate why that is necessary.

The other day I made a calculation on the basis of some official Treasury figures. I wondered how much money we could get if we took the total income—not a part of it, as we are now doing, but every dollar and every cent—from every man, woman, and child in this land who receives an income of $100,000 a year or more, whether or not it be earned or all or partly from investments. How much would we have if we took every cent from every person in America who has an income of more than $100,000 a year? Only $960,000,000. That is all we would have. How much is that? Only about 20 or 25 percent, at the most, of the annual recurring deficits for the past 10 or 11 years, and about 12 percent of our annual expenditures. Of course, the wealthy must pay in proportion to their incomes; they must pay more than they have been paying; but we should no longer delude ourselves with the idea that they can pay it all. Even if we should take everything they have, they could not do it. The tax base should be broadened. In my judgment, exemptions should be somewhat lowered. We cannot write a tax bill in open debate or upon the floor of Congress. It is a matter which requires close study, advice, and consideration in order to do less harm than good. But we ought to carry the tax base down, and I believe the American people are ready to carry it down. In fact, I believe they want to carry it down, if the tax bill is equitable and fair, so that every man—even the single man making $700 or $800 a year—may at least contribute $5 to the welfare of his country; and the married man, even with children, whose total income is only $2,000 a year, may give at least $10.

We must all realize that we are very close to war; and even if we stay out of the war we are even closer to the inevitable consequences, aftermaths, and effects of war which we have all sensed to some extent in the past 11 years.

When the committee finally comes to write the bill, I hope with all my heart—not that I want to put one penny of unnecessary taxes on anyone—that the committee will scan the whole picture. Let men of great means pay more. I am ready to vote for that. Let us take from them first, of course, because they are better able to stand it; and without driving or crushing anybody down into the earth, let us distribute the load, so far as we can, all the way down the line, and at least make our expenditures for all normal purposes coincide with our income when we shall have obtained the last cent we can scientifically and decently obtain in the face of this emergency.

Not to do so, as the party having charge of the affairs of the Government, would not be an advantage. It would be a disadvantage. I do not believe the people of this country would welcome skimming by with just a few new taxes. Every newspaper article and every bit of conversation in every community is predicated on the world disaster which is now taking place. The people know that we are not prepared financially. They know that we ought to be prepared on land, on sea, in the air, and in the Treasury. They are ready to bear their share of the load. They are patriotic. They are demanding that we put our house in order to bear the full impact of every one of the foes that are bound to assail us even if we escape war.

I am hoping that when we write the bill we shall write it as scientifically and equitably as possible, and in line with the policy of the ability to pay. Then we can go to the country and say that we did it to protect the country during the war and after the war, just as we are trying to provide the forces to protect the country if war itself should actually come to us.

That is our problem. That is the reason why I have presented these visible figures. We cannot go on like this from now on. The day of promiscuous expenditure is over. Whether it was good or bad, I am not commenting on it now. Some may think it was necessary; but from now on we must pay as we go, insofar as we can. If we do not do so, the next depression will catch us as unprepared as the present war has caught many countries unprepared to defend themselves. We still have time to act, and we ought to act fully before the adjournment of the present Congress.

Mr. DOWNEY. Mr. President, we have all listened with interest to the distinguished Senator from Maryland [Mr. TYDINGS] making his gloomy statement about what confronts the American Nation if we fail to balance the National Budget. If we accept the premise of the Senator that we must continue a nation of partially employed people, if we accept his statement that we lack the ability to increase our national income and fully utilize our farm and factory capacity, then, in my opinion, it does not make very much difference what we do from now on for our social collapse cannot much longer be delayed.

I should like to call to the attention of the able Senator from Maryland a statement issued by Mr. Morgenthau as Secretary of the Treasury, showing the receipts which would flow into the Treasury of the United States from our present tax rates if we were to do what ordinarily intelligent men would do, that is, eliminate unemployment and thereby increase our national income to at least $90,000,000,000 annually, a gain of about $24,000,000,000 over present productivity.

Mr. Morgenthau's figures show that on a national income of $70,000,000,000, tax receipts would be only $6,000,000,000, but that if we should increase the national income up to $90,000,000,000 our tax receipts would increase to $10,600,000,000. In other words, Mr. President, if we had the will, the vision, and the intelligence to end unemployment in this Nation, to provide our farmers with a market for food which is now being destroyed, to provide our railroads with freight which they could now carry, to provide our merchants with goods which they have the ability to move—if we but had the intelligence to operate our factory capacity to full employment there would then automatically flow into the Treasury of the United States about $5,000,000,000 more than is now the case. All this could readily be accomplished in a 12 months' period, and if thereafter we had the energy to continue the full operation of our farms and factories for another 3 or 4 years, until we should have reached a national income of $110,000,000,000, the present tax rates would yield to the Federal Treasury about $10,000,000,000 more than they now yield. These figures are of vital importance, and they are undeniably true.

The distinguished Senator from Maryland assumes an attitude of defeatism by predicting that we cannot increase the national income; and if that attitude finally prevails, it can end only in the complete collapse of our social, industrial, and financial orders.

Mr. President, I hold no brief for Germanic tyranny or for Adolph Hitler. Throughout my life I have been opposed to oppression and absolutism; but I say that unless we shake ourselves out of the unfortunate complacency which has gripped the American people in the past few years, unless we realize how, in the greatest and wealthiest nation of all times and all places, we have fallen into inefficiency, unemployment, and poverty, our civilization will be doomed by the seeds of decay planted by ourselves in our own country.

I ask Senators to consider with me for a moment what Hitler has accomplished since 1933—under a dictatorial form of government, to be sure, but nevertheless he has accomplished it. During the past 7 years, while our economy has been stagnant, Germany has increased its capital equipment and assets from 15 to 20 percent a year. It has spent upon its armament $100,000,000,000. It has created the greatest superhighway system in the world, a system which puts to shame the dangerous, inefficient traffic arteries of the United States. Let me give one typical example of how far German industry has outrun American factories as well as the British and the French.

In 1933 the German population was half ours, with one-sixth of our wealth and resources. It then had a machine-tool industry far inferior to ours or that of Great Britain, and probably not even equal to that of France. Under the 4-year program their statesmen wisely began to build the machine-tool industry, because that industry is the foundation of utilities, transportation, factories, and national defense alike; and, according to our consular reports, in 1938 the German Nation was producing eight times the amount of machine tools that were being produced there in 1933. Alas, in the last 10 years our machine-tool industry has depreciated about one-half, until today it is far inferior to Germany's.

Mr. President, I have conversed with many of the economists in Washington, and they tell me that if our farmers and businessmen could freely sell their full production within 1 year we could produce $25,000,000,000 more wealth than we now produce, and by doing it fully and fairly employ all our people. As a matter of fact, last fall, when we had the inventory boom, stimulated by the demand for war goods for Europe, our national income stepped up at about the rate of $2,000,000,000 a month. I ask you gentlemen, is it not time at the end of 10 years, instead of discussing how to levy heavier taxes or increase the national debt, we, at least for a few hours and a few days, sit down around the council table with our bankers and businessmen and see how a free economy can be stimulated and inspired so that farmers and factory operators may sell the goods which will be produced by full employment? And I declare, in confident terms, that tolerant, intelligent cooperation between business and governmental leaders would rapidly bring us to a full understanding and a full solution of economic problems.

Mr. President, prophecy is an uncertain business but I am only echoing the words of our Chief Executive when I say the probabilities are that Germany will emerge the victor in this contest, and the British and French Empires will be ended. Assuming that condition develops, I then want to make the prophecy that we shall see Europe—stripped of all artificial tariff barriers, its resources pooled in a common pot under Germanic leadership—going forward to an industrial renaissance unequalled in the history of the world.

German economic leaders, under the direction of Schacht, are already drafting a program involving not only the Scandinavian Peninsula, the Netherlands, and Belgium, but Poland, Russia, and many other European nations. While waging vast battles in France and on the English Channel German leadership has the will and the power to carry forward its plans looking to the industrial reinvigoration of Europe.

Mr. President, I suppose everyone admits that, with potent, dynamic, intelligent leadership, this power-driven machine age can produce a superabundance of wealth for us all; but I say if the gloomy prophecy of the Senator from Maryland is fulfilled—and well it may be—and we continue part employed and part unemployed, within 2 or 3 years we will see so many revolutionary groups, so many "fifth columns" formed in the Western Hemisphere, in Mexico, in the United States, in South America, that all our power and strength will not be able to check them.

Mr. President, I can tell you how to do away with 80 or 90 percent of the danger coming from "fifth column" groups and revolutionary activities. There is just one way, and that is general employment. If within 1 year we should bring prosperity to our farmers, our merchants, and our workers, if every man, women, and youth in America who wanted to work had the opportunity to labor at just wages, there would be but little danger then from disorder and domestic destruction.

Oh, I know, Mr. President, demagogic and pathological leaders would still exist who would preach treason and violence and disruption of democratic government. Men with matches would still be abroad to threaten our free governmental structure. But universal prosperity, general employment, would remove from the fields of America the inflammable material which if it is left here to increase and decay will produce within the next few years a holocaust that all the direct action of the Department of Justice and the Army alike will not be able to control.

Mr. President, I have heard intelligent Senators, for whom I have the highest respect, wonder how we could carry out the gigantic defense program of the President. I speak not critically of the President when I say it is not a gigantic program at all. The expenditure of two or three extra billions on armaments will probably not employ very many more workers than will be discharged from work because of the failure of our foreign trade. I doubt if all our armament program will decrease our idle army by more than a million or two.

Mr. President, during the course of the present month, June, we will have graduating from high schools and colleges of the country 700,000 boys—not boys and girls, but boys alone—who, under normal conditions, if conditions continue for the next few years as they have for the past, will have great difficulty in finding jobs at all. As a matter of fact, if we follow the sad course predicted by the Senator from Maryland, it may be said that over half that 700,000 young boys, the best human material we have in the land, will be hopelessly hunting employment a year, 2 years, 3 years, 5 years from now. Here is a wealth of manpower, talent, and genius

that could be made a reservoir of service and devotion and loyalty, that could help protect this American Nation and help restore well-being and prosperity to us all. But unless employment is restored, they will aggravate our danger, not lessen it.

Mr. President, nothing succeeds like success. Adolph Hitler for the last few years has been lampooned and ridiculed to the four corners of the earth. But let him once be successful, and all over the world, including the United States; yes, in all of South and North America, you will find individuals driven into a hysterical, fanatical desire to follow his example, to become dictators or to help create a dictatorship.

We in America may well become the last refuge of democracy. And we shall never safeguard freedom here until our governmental leaders take the time to learn about the operation of our industrial machine, determine why it does not operate, and undertake to make it operate at full capacity.

Adolph Hitler, in his Mein Kampf, fanatically expresses a dual thesis, first that a dictatorship is the most potent, efficient form of government, and that a democracy is woefully inefficient and weak.

I take it that the whole world now agrees that Hitler has abundantly demonstrated the first half of his thesis—the dynamic, yes, diabolically dangerous efficiency inherent in his dictatorial form of government.

Pray God that we here in America do not demonstrate the second half of his contention—that democracy in this complicated technological age must result in confusion, collapse, and chaos.

As for me, I shall ardently cling to my loyalty and belief in a free government, and if the American dream shall fail and our social order go down in chaos, I shall still contend that it is not democracy that has failed, but its leaders. I shall believe that it was not their hearts that were weak, but their mathematical sense. That free government perished because its statesmen were so obsessed by a complex of poverty, so lacking in an understanding of the basic machanism of a free economy that they could not make it operate.

Mr. President, I am convinced that a free people, enjoying all the fundamental sacred rights of humankind, fully employed and industrially operating, comprise the finest Nation the world has yet produced.

I believe that such a people, united and determined, can achieve more, both from an economic and military standpoint, than any nation whose people are driven and regimented under the whip of some dictatorial tyranny. I am confident that if our leaders in this crisis display the will, energy, and intelligence that they should possess as the representatives of a great and independent people, we shall vindicate our claim that a Government of free citizens is the best and most efficient that men can build.

Do you suggest to me, as the Senator from Maryland [Mr. TYDINGS] evidently had in mind, that with the burden of war preparedness upon us it will be more difficult than ever to progress economically? I say to you, Mr. President, on the contrary, this immediate period may possibly be the last year we shall ever have to restore this Nation to full employment and the abundant prosperity that is ready for us whenever we are ready for it.

Do you again suggest that that may be difficult? Well, let me point out this fact: When I say that we should raise our national income from seventy to ninety billion dollars, remember, that would be accomplished by an increase of less than a third in our national productivity; it merely means that our citizens who now grow cotton in Mississippi, fruit and vegetables in California, who now have the potential ability to produce wealth, will have the opportunity to market according to their productive power.

In other words, Mr. President, it does not take any great effort to step up by one-third our farm products. It does take a certain amount of will power to do what we are doing—let those farm products rot and decay or be unplanted.

In order to increase our national income to $90,000,000,000, does it mean that we have to build new factories? Oh, no. Many existing factories are running at from 50 to 75 percent of capacity.

Does it mean more railroads? No; existing railroads could carry an extra third more freight and passengers, and merchants with their present equipment and stores could handle a third more goods than they do.

Mr. President, the number of men we now have on relief alone, if by full employment they were brought into our productive economy, would greatly speed up our present operations and help to increase the national income from seventy to ninety billion dollars.

Mr. President, I should like also to make the point that the last third of our income can be produced with far less manpower than the first two-thirds. Many factories could step up their production to 100 percent by the full operation of their machines with little more manpower than is now being utilized.

And I think we should bear in mind that under our economy a national income is generated by the production of our wealth. If we want to increase the national income, if we want to increase Federal taxes, there is just one way in which it can be done, and that way is by full employment and greater production of farm and factory products.

Mr. President, I have sent to the desk an emergency defense bill which I am introducing today. That bill contains, I think, seven sections. I do not intend to argue any further upon it today; but before I conclude I want to offer the solemn prayer from my own heart that we, the leaders of the American Government, may awaken out of the delusive complacency which has engulfed us for the past several years; that we may with will, energy, and intelligence undertake to understand just why it is that our economy has operated with half employment, paralyzed, chaotic, disintegrating; and then, having gained that understanding, that we shall register the solemn vow that within 1 year from the date hereof we shall end all unemployment, increase the national income to $90,000,000,000, and thereafter spend upon our military defense, out of the abundant revenues that will then come to us, whatever is needed for full defense of the people of the United States and the continent of North America.

Mr. MCNARY. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Donahey	La Follette	Schwartz
Andrews	Downey	Lee	Schwellenbach
Ashurst	Ellender	Lodge	Sheppard
Austin	George	Lucas	Shipstead
Bankhead	Gerry	Lundeen	Slattery
Barbour	Gibson	McCarran	Smathers
Barkley	Gillette	McKellar	Smith
Bilbo	Green	McNary	Stewart
Bone	Guffey	Mead	Taft
Brown	Gurney	Miller	Thomas, Idaho
Bulow	Hale	Minton	Thomas, Okla.
Burke	Harrison	Neely	Thomas, Utah
Byrd	Hatch	Norris	Townsend
Byrnes	Hayden	Nye	Truman
Capper	Herring	O'Mahoney	Tydings
Caraway	Hill	Overton	Vandenberg
Chandler	Holman	Pepper	Van Nuys
Chavez	Holt	Pittman	Wagner
Clark, Mo.	Hughes	Radcliffe	Walsh
Connally	Johnson, Calif.	Reed	Wheeler
Danaher	Johnson, Colo.	Reynolds	White
Davis	King	Russell	Wiley

The PRESIDING OFFICER (Mr. MINTON in the chair). Eighty-eight Senators having answered to their names, a quorum is present.

Mr. LODGE. Mr. President, the unbelievable events of the past few weeks, added to the disclosure of the inadequacy of our national defense, have produced an undoubted excitement, in some cases bordering on hysteria and panic. This

agitation has served a useful purpose, in forcing the taking of steps toward the building up of our national defense. Of course, much remains to be done; yet important steps have been taken in the past few weeks. But I respectfully submit that the occasion now calls for a long view in which deficiencies and weaknesses may be calmly noted, and corrected with firmness and promptness. In our eagerness to acquire those things which we do not have, we should not forget entirely those things which we do have.

Some weeks ago I stressed the need of developing a military policy for the United States. I submitted a resolution, which I caused to have lie on the table, in the hope that thus we could obtain prompt action without the delays which are incident to committee reference. When I was blocked in this direction, I had the resolution referred to the Committee on Military Affairs, expressing the hope that the committee would act promptly on my resolution, or on some resolution of similar nature, for I repeat, I have no pride of authorship at all in this matter.

I have said many times that it is vital to have a clear understanding of what we are to defend, and how we are to defend it, if we are to spend money intelligently and make our efforts count. Every lesson of the war and every teaching of our experience at our own maneuvers confirms the need for a military policy. I wish the Committee on Military Affairs would report some kind of a resolution setting up a body to evolve such a policy. As a believer in democracy, I feel that such a procedure would produce a better policy than that which any one individual could evolve.

I feel, however, that the need for some guiding rule is so great that I have humbly attempted to draft my personal suggestions for a military policy and will submit them to the Senate at the first opportunity. The draft of policy is as follows:

UNITED STATES ARMY POLICY

It shall be the mission of the Army of the United States to maintain the manpower, equipment, and installations which are sufficient, in the light of the international situation, to achieve the following results:

First. To protect a base area, essential to the safety of the United States, consisting of North America, Central America, and the islands, waters, and shores comprising the Caribbean area.

I call the attention of the Senate to the map which is hanging on the wall, on which I have outlined in red what I describe as the base area. It will be noted that the island of Bermuda is outlined in red, because I think that is part of our base area.

Second. To prevent any non-American state from acquiring territory in the area bounded on the east by the thirtieth meridian of west longitude, and on the west by the line Alaska-Hawaii to the southern extremity of the Western Hemisphere.

That is bounded on the map in blue lines, and that is the Monroe Doctrine area.

Third. To support the civil power in the United States when such support is required.

Fourth. To develop the citizen army which might be necessary in an emergency.

Fifth. To be prepared, with the cooperation of the State Department, to take all necessary steps for the defense of the hemisphere.

Sixth. To maintain closest cooperation with the Navy.

THE REGULAR ARMY

First. The Regular Army shall not only be a laboratory for the development of military science and a body capable of expansion in war time, but shall be sufficiently large to be able to make a major effort immediately upon the outbreak of an emergency.

Second. To keep the Regular Army concentrated by Army Corps in four major areas.

I think the reason for that is self-evident. Unless the Army can frequently be assembled in large units it is utterly impossible to train the generals or to train their staffs in the indispensable work they must do in handling large units in the field.

Third. To have maneuvers for the Regular Army every year so that a constantly high level of technical proficiency and physical toughness will be maintained.

THE NATIONAL GUARD

First. The National Guard to continue as a reinforcement to the Regular Army after the first month of an emergency.

Second. In addition, the National Guard to become a first line force insofar as antiaircraft artillery is concerned.

I may say in passing that I believe that the handling of antiaircraft artillery is a function which the National Guard is particularly well designed to assume.

THE RESERVES

The mission of the Organized Reserves is to provide the personnel necessary.

First. To build up to war strength and to maintain at war strength the units of the Army of the United States.

Second. The R. O. T. C. and the C. M. T. C. to furnish personnel for the Organized Reserves, discretion being vested in corps-area commanders in the awarding of commissions to those physically and mentally qualified.

SUPPLY

First. The equipment of the Regular Army and National Guard force to be complete and modern.

Second. Adequate war-reserve stocks to be kept to meet the needs of wartime operations up to such time as wartime production has reached an adequate level.

Third. During industrial mobilization to procure munitions from private industry through a procurement agency headed by a single individual, appointed by the President, with full powers, who shall be a leading industrialist.

Fourth. Knowledge of military requirements to be imparted to private industry through educational orders and peacetime purchases.

Fifth. Government-owned plants to be set up where necessary for operation in an emergency by qualified private concerns.

MOBILIZATION

First. To assemble and begin training our manpower even if equipment requirements are not complete.

Second. The personnel in peacetime to be procured by voluntary enlistment. In time of war or in an emergency declared by the Congress all enlistments to be for duration of emergency only. Suggestions have been made that young men now on the rolls of the C. C. C. and other Government agencies be placed in the military service. While there can be no objection to optional instruction in trades and skills which would have wartime value, such as photography, radio work, and so forth, there would be the gravest objection to sending these boys out for service with the combat troops. It would be far better to have universal service for all boys of 18 for a 6-month period and expose the well-to-do boys to the broadening and hardening influence of Army life rather than confine it to a single class which happened to be in moderate means financially. The Civil War should have taught us the lesson that a personnel system which exempts the well-to-do from military service is bound to cause a sense of injustice and, consequently, sap and weaken the Nation's will to win.

Third. In time of war personnel to be procured through the operation of a selective-service law.

That concludes the statement of United States Army policy which I have prepared and which I submit to the Senate.

Mr. President, I should like to have printed immediately following this statement of United States Army policy the existing statement of United States naval policy, so that the two may be in the body of the RECORD for Senators to see concurrently. Those two together will form a comprehensive national-defense program.

There being no objection, the statement of naval policy was ordered to be printed in the RECORD, as follows:

UNITED STATES NAVAL POLICY

Naval policy is the system of principles, and the general terms of their application, governing the development, organization, maintenance, training, and operation of a navy. It is based on and is designed to support national policies and national interests. It comprehends the questions of number, size, type, and distribution of naval vessels and stations, the character and number of the personnel, and the character of peace and war operations

FUNDAMENTAL NAVAL POLICY OF THE UNITED STATES

To maintain the Navy in sufficient strength to support the national policies and commerce, and to guard the Continental and overseas possessions of the United States

GENERAL NAVAL POLICY

To create, maintain, and operate a navy second to none and in conformity with treaty provisions.
To develop the Navy to a maximum in battle strength and ability to control the sea in defense of the Nation and in its interests.
To organize the Navy for operations in either or both oceans so that expansion only will be necessary in the event of war.
To maintain the Marine Corps in strength sufficient to furnish detachments to vessels of the fleet, guards for shore stations, garrisons for outlying positions, and to provide expeditionary forces in immediate readiness.
To make war efficiency the object of all development and training and to maintain that efficiency at all times.
To protect American lives and property.
To support American interests, especially the development of American foreign commerce and the merchant marine.
To make foreign cruises to cultivate friendly international relations.
To encourage and to lead in the development of the art and material of naval warfare.
To maintain a definite system of progressive education and training for naval personnel.
To determine emergency material needs, and to plan for procurement.
To inspect systematically all naval activities and materials.
To cooperate fully with other departments of the Government.
To encourage civil industries and activities useful in war.

FLEET BUILDING AND MAINTENANCE POLICY

To build and maintain a fleet of all classes of fighting ships of the maximum war efficiency as permitted by Treaty provisions; to replace over-age ships under continuing programs.
To prepare and maintain designs for new ship construction of all types.
To make superiority in their class the end in view in the design of all fighting ships.
To provide great radius of action in all classes of fighting ships.
To maintain maximum efficiency of all ships by incorporation of such improvements as good practice sanctions and Treaty terms permit.

CAPITAL SHIPS

To replace existing capital ships when Treaty provisions permit.

AIRCRAFT CARRIERS, CRUISERS, DESTROYERS, AND SUBMARINES

To build and maintain the maximum effective tonnage in these types that accords with Treaty provisions.

AIRCRAFT

To develop Naval Aviation primarily for operations with the fleet.

(*a*) HEAVIER-THAN-AIR

To build and maintain airplanes to the full complements authorized for aircraft carriers and tenders, battleships, cruisers, and Marine Expeditionary Forces.
To determine and develop the types of airplanes and appliances best suited for:
(*a*) Increased effectiveness of naval vessels.
(*b*) Attacks on all classes of naval objectives.
(*c*) Scouting and patrol.

(*b*) LIGHTER-THAN-AIR

To maintain as necessary the rigid airships now built and building to determine their usefulness for naval and other governmental purposes and their commercial value.
To build only such nonrigid airships as may be necessary for training purposes.

PATROL VESSELS

To build and maintain such patrol vessels as are required for special services.

MINE VESSELS

To maintain an adequate mine force prepared for immediate service.

AUXILIARIES

Colliers, oilers, supply ships, transports, cargo vessels, tenders, repair ships, hospital ships, survey ships, ammunition ships, ocean-going tugs

To maintain the minimum number needed for training and mobility of the fleet.

SUBMARINE RESCUE SHIPS

To provide and maintain as necessary.

DISTRICT CRAFT

To maintain the minimum number to meet shore station requirements.

CONVERSION

To maintain detailed plans for rapid acquisition and conversion of merchant vessels to naval use in time of emergency.

FLEET OPERATING POLICY

To organize forces afloat so as to obtain maximum administrative efficiency, tactical and strategical flexibility and mobility, decentralization and unity of commond.
To operate forces afloat under balanced schedules designed to secure proficiency, discipline, and contentment of personnel, and general excellence as to condition of material, administration, and technical, tactical, and strategical performances.
To assemble the United States Fleet for a period of not less than two months at least once a year.
To keep in commission, fully manned, and in active training, a maximum number of fighting ships.
To maintain vessels assigned to reserve in condition for active service.
To operate a naval train sufficient for the upkeep of fighting ships and expeditionary forces.
To exercise economy in expenditures compatible with efficiency.
To assign suitable vessels for training Naval Reserves.
To operate the Asiatic Fleet and such other independent forces as may be required, all organized and trained so that in case of necessity they can readily become a part of the United States Fleet.
To operate survey vessels necessary for the survey of strategical and commercial areas outside the coastal limits of the United Stotes and its possessions.

SHORE ESTABLISHMENT POLICY

A system of outlying naval and commercial bases suitably distributed, developed, and defended, is one of the most important elements of national strength.

To maintain a shore establishment sufficient to sustain the forces afloat in peace and capable of expansion to meet their needs in emergency.
To maintain a system of naval districts whose administrative organizations are distinct from those of component activities.
To retain only those shore stations that would be of use in war.
To maintain shore activities in such operative status as is necessary to support the Navy in time of peace.
To further the development of outlying bases in the Hawaiian Islands and the Canal Zone.
To further the development of two Main Home Bases on each coast.
To maintain and operate hydrographic and astronomical facilities necessary for the preparation and dissemination of information of value to the Navy and to other governmental and commercial interests.

PERSONNEL POLICY

To maintain the personnel at the highest standard and in sufficient numbers to meet the requirements of naval policies.
To develop and coordinate systematic courses of instruction and training for officers, petty officers, and enlised men.
To assign officers to duty in foreign countries to broaden and perfect their professional education.
To retain a reasonable excess of petty officers over those necessary for peacetime operation of the Navy.
To avoid frequent shifting of personnel.
To build up, train, and maintain Naval and Marine Corps Reserves to provide for mobilization.
To cultivate close association of officers of the Navy and Marine Corps with the Reserves, and to assign officers to duty with the Reserves and to educational institutions.

COMMUNICATIONS POLICY

To maintain and operate a naval communication system based on war requirements.
To provide and operate direction finder stations as required.
To continue the use of naval communication facilities to enhance safety on the sea and in the air.
To cooperate with American commercial communication activities so as to enhance their military value in time of national emergency and to safeguard the communication interests of the United States.
To provide and operate a system of radio stations adequate for communication with the fleet and merchant marine and direct with overseas possessions.

INFORMATION POLICY

To acquire through naval and other agencies accurate information concerning the political, military, naval, economic, and industrial policies and activities of all countries.
To select, analyze, and preserve information for ready reference and for historical purposes.
To acquire and to disseminate expeditiously appropriate information in time of war.
To disseminate appropriate information systematically throughout the Naval Service.
To provide protection against espionage and propaganda.
To keep the public informed of the activities of the Navy, compatible with military secrecy.

Approved May 10, 1933.

CLAUDE A. SWANSON,
Secretary of the Navy.

Mr. LODGE. The policy which I am proposing contains six new departures from the usual practice. There are at least six of these new departures which I think are sufficiently significant to single out.

First. It defines the base area which as a minimum we shall be able to protect. That is that area outlined in red.

Second. It sets up a Regular Army which is able to make a major effort immediately. That is not true today.

Third. It makes the National Guard a first-line force in certain fields of antiaircraft activity.

Fourth. It outlines a new personnel policy.

Fifth. It concentrates the Army into large units.

Sixth. It sets up one-man control of industrial mobilization instead of having it done through a committee.

The Navy has such a statement of policy. Taken together these form a comprehensive national-defense doctrine.

The military establishment which I have here outlined embodies the fruits of the 50,000 plane-production program in that it allows for an air force of 11,000 planes and a personnel for the air force of 176,000 men. That is the number of men that will be required to operate 11,000 planes. It covers an increase of mechanization to the number of units which will be made possible by an expansion of our tanks from the present number of 400 to a proposed number of 2,400. It provides for a Regular Army, embracing all these categories, of 750,000 men.

If it is assumed that this army has been set up, and the equipment for it has all been acquired, it is possible to estimate what such an army would cost. On that basis, allowing for a 10-percent annual replacement charge on matériel, the force here described, supplied, and trained as herein set forth, would cost in the neighborhood of $1,086,000,000 a year.

Mr. President, that is the outline of the situation. I certainly hope that Senators will study this policy, and if they can improve it and correct it, no one will be happier than will I.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. LODGE. I yield.

Mr. VANDENBERG. I am not quite clear in my mind as to the distinction the Senator makes between the area outlined in red, which stops, on the south with the Panama Canal, and which I understood him is the base area which we are to be prepared to defend—I do not understand how he discriminates between that and the blue area, which, as he states, includes the entire area comprehended within the Monroe Doctrine. What is the Senator's discrimination between the two areas?

Mr. LODGE. I feel that the base area outlined in red is a minimum. It is something we simply cannot go below. To the protection of the Monroe Doctrine area we are committed morally and in every other way, and we should make every effort to protect it. But to give really complete protection to an area of that size is a far greater undertaking. At the present moment we are not within reach of protecting the base area. I set the base area as a first objective. In the present condition of the world the course I have outlined would undoubtedly be adequate to protect the base area; and, of course, we could make efforts beyond that.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. LODGE. I yield.

Mr. CHANDLER. Does the Senator's plan contemplate the use of the National Guard within the limits set out in red on the Senator's map?

Mr. LODGE. Under my plan, in case of war the National Guard would be available, as it now is, 30 days after mobilization. That is the present situation. In addition, I would train the National Guard as a first-line force insofar as antiaircraft artillery is concerned. The stationary type of antiaircraft artillery is something in which the National Guard can drill and achieve proficiency without going far from their homes.

Mr. CHANDLER. Does the Senator's plan contemplate the use of the National Guard in case of an emergency at points such as Bermuda and the outlying possessions shown on the map?

Mr. LODGE. Of course, if we were at war, we should use the National Guard for the same purposes for which we use the Regular Army. So, if we were at war, the answer would be "Yes; after 30 days."

Mr. CHANDLER. Does not the Senator think that there should be included in his plan a blue line over on the Atlantic side similar to the one he has drawn east of Pearl Harbor? Should he not have a line on the other side?

Mr. LODGE. I have a blue line at the thirtieth meridian of west longitude.

Mr. CHANDLER. It is a straight line instead of a curved line.

Mr. LODGE. I have taken that line for purposes of discussion. An argument could be made for running that line between Iceland and Greenland instead of through a part of Greenland. I have taken that line for purposes of discussion. I have purposely omitted Iceland and the Azores and have purposely included Greenland and the easternmost end of Brazil.

Mr. McNARY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Donahey	La Follette	Schwartz
Andrews	Downey	Lee	Schwellenbach
Ashurst	Ellender	Lodge	Sheppard
Austin	George	Lucas	Shipstead
Bankhead	Gerry	Lundeen	Slattery
Barbour	Gibson	McCarran	Smathers
Barkley	Gillette	McKellar	Smith
Bilbo	Green	McNary	Stewart
Bone	Guffey	Mead	Taft
Brown	Gurney	Miller	Thomas, Idaho
Bulow	Hale	Minton	Thomas, Okla.
Burke	Harrison	Neely	Thomas, Utah
Byrd	Hatch	Norris	Townsend
Byrnes	Hayden	Nye	Truman
Capper	Herring	O'Mahoney	Tydings
Caraway	Hill	Overton	Vandenberg
Chandler	Holman	Pepper	Van Nuys
Chavez	Holt	Pittman	Wagner
Clark, Mo.	Hughes	Radcliffe	Walsh
Connally	Johnson, Calif.	Reed	Wheeler
Danaher	Johnson, Colo.	Reynolds	White
Davis	King	Russell	Wiley

The PRESIDING OFFICER. Eighty-eight Senators have answered to their names. A quorum is present.

MAJ. L. P. WORRALL—RECONSIDERATION

Mr. HILL. Mr. President, last Thursday the Senate passed a private bill, House bill 8429, for the relief of Maj. L. P. Worrall. There was an error made in the bill. The date "1939" was inserted where the date "1938" should have been inserted. On behalf of my colleague the senior Senator from Alabama [Mr. BANKHEAD] I enter a motion to reconsider the vote by which the bill was passed, and pending action on that motion I move that the House be requested to return the bill (H. R. 8429) to the Senate.

The PRESIDING OFFICER (Mr. MINTON in the chair). The motion to reconsider will be entered, and the question is on agreeing to the last motion of the Senator from Alabama. [Putting the question.]

The motion was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Megill, one of its clerks, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 5827) to authorize the cancelation of deportation proceedings in the case of John L. Harder and children, Paul William Harder, Irvin W. Harder, Edna Justina Harder, Elsie Anna Harder, and Elizabeth Harder.

The message also announced that the House had agreed to the amendments of the Senate to the joint resolution (H. J. Res. 551) providing for the taking effect of Reorganization Plan No. V.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the President pro tempore:

S. 186. An act to amend sections 798 and 800 of the Code of Law for the District of Columbia, relating to murder in the first degree;

S. 2132. An act for the relief of Katherine Scott, Mrs. J. H. Scott, Jettie Stewart, and Ruth Mincemeyer; and

H. J. Res. 551. Joint resolution providing for the taking effect of Reorganization Plan No. V.

NAVAL EXPANSION PROGRAM

The Senate resumed the consideration of the bill (H. R. 8026) to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes.

Mr. PEPPER. Mr. President, last week I introduced in the Senate a joint resolution, Senate Joint Resolution 263, the full language of which is as follows:

Joint resolution authorizing limited aid short of war to foreign governments resisting the unprovoked military aggression of Germany.

Whereas the German Government in violation of the General Treaty for Renunciation of War concluded at Paris on August 27, 1928, commonly known as the Kellogg Pact or Pact of Paris, to which treaty both the United States and Germany are parties, has deliberately adopted war as an instrument of national policy, and in defiance of all rules of international law has deliberately violated the territories of neutral countries; and

Whereas such unlawful aggressions threaten the peace and security of the United States; and

Whereas by such unlawful aggressions Hitler and Germany have forfeited their right to claim the protection of international law: Therefore be it

Resolved, etc., That the President be authorized to give aid short of war to the recognized Governments of Great Britain, France, Austria, Czechoslovakia, Poland, Norway, Denmark, Holland, and Belgium, and such other countries as may be subject to unprovoked military aggression by Germany in violation of the Kellogg Pact or of the rules of international law, by selling and delivering within the United States to any or all such countries, upon payment of such purchase price as the President may fix, such aircraft, ships, artillery pieces, and other war supplies, materials, and equipment as in his judgment can be spared without imperiling the safety of the United States: *Provided*, That the governments to which such aircraft, ships, artillery pieces, and other war supplies, materials, or equipment are sold and delivered agree to assign if, as, and when requested by the President, any and all contracts that they may have with manufacturers in the United States for such aircraft, ships, artillery pieces, and other war supplies, materials, or equipment.

Since that resolution was introduced, Mr. President, the world condition has grown incalculably more dangerous to the security of the United States than it then was, ominous as it then was. Since that time the people of the United States, from the North and South, the East and the West, have come to appreciate that the best way to defend America, the best way to defend the American Hemisphere, the best way to defend the things for which America stands, is for the United States of America to do something affirmative in our defense. The thing upon which the public mind has largely centered is for the United States Government to make available to the Allies, now, particularly, as many airplanes and as much armament and equipment as can be spared without imperiling the security of the United States and the national defense.

Mr. President, I have before me an editorial from the Washington News of this issue, the caption of which is:

Leading from the rear.

The first sentence reads:

An astonishing phenomenon of the national-defense crisis is the sluggishness with which Washington is following in the wake of public opinion.

I have in front of me the New York Times of yesterday in which is depicted the result of the Gallup and Princeton polls of public sentiment. The graph indicating that poll shows that while in September last year less than 10 percent of the American people wanted the United States to do anything to help the Allies win the present war, when the tiger's claws gripped Norway in March the American people became conscious not only of the great moral issue involved but of how closely the claws of that tiger were reaching toward the interests and the security of the United States of America. From that day the graph of public opinion mounted sharply upward from less than 20 percent favoring aid short of war to the Allies to over 71 percent favoring aid short of war to the Allies now.

Mr. President, this is one of those peculiar instances in which the people of the United States are in the front imploring the Congress to catch up with them. This is one of those times when the judgment of the people of the United States is more disturbed and the conscience of the country more alarmed than is the Congress of the United States. Since last week I have received several thousand letters from every part of this great country and from every stratum of our society. I have been impressed by the number of women who have called over the telephone and implored to know what they could do to stimulate action by our Government in this moment of crisis. I have been immeasurably impressed by the prominence as well as the humility of the people manifesting an interest in this subject, men such as Elihu Root, Jr., calling from New York; men such as Colonel Breckenridge, attorney for Charles Lindbergh; and ladies such as Mrs. Dwight Morrow, who is the widow of a former Member of this body and of an Ambassador of this Government, and the mother by marriage of Col. Charles Lindbergh; and likewise have I been impressed by what has come from the humble walks of our country, for well does the heart of the people know that the things they live by are in jeopardy in this mad world today.

Mr. President, I can imagine what must be the sentiment in the hearts of the Gold Star Mothers of America to see the graves of their sons in France desecrated without even a protest from a timid government or a remonstrance from the Congress that sent their sons to their dissolution in that soil. I know if the people of the United States sat here in the positions of power which we occupy at a time when the headlines blazon the news that the Nazis in their insatiate and animal-like bestiality are showering bombs upon the civilian population of Paris, that they would not be indifferent to ravages of that character upon civilization and civilization's code.

I am grateful beyond measure, Mr. President, that such an eminent Senator on the other side as the very able Senator from Vermont [Mr. AUSTIN] made in the newspapers yesterday an unequivolcal, brave, and courageous statement that he favored the principle which is embodied in the resolution of the junior Senator from Florida.

I have been immensely heartened this morning to have the very able Senator from Utah [Mr. KING], whose career has been like a meteor in this body, in expressing the fear that this horrible thing was coming to pass and imploring his colleagues to be ready to do what they could to prevent its hideous arrival, tell me he favored my resolution.

I have been greatly encouraged to have the able Senator from Kansas [Mr. REED] approach me in the restaurant a few moments ago and say, "I am with you in your resolution and want to see it passed."

It is not a question now of haggling over details or technicalities; it is a question of action now to save our own security and to save the things which the traditions of America have kept sacred for our generation.

I venture to say, Mr. President, that when the Foreign Relations Committee of the Senate meets day after tomorrow there will not be only one vote in the committee for the joint resolution but there will be other votes, because Senators have come to appreciate the gravity of the situation and the necessity of some action now.

What I say, Mr. President, I say in behalf of the defense of America; I say it in behalf of the defense of the territorial integrity of continental United States; I say it in behalf of the territorial integrity of the Western Hemisphere and in defense of the Monroe Doctrine. I say it because I desire to keep American boys out of war. I do not want to see the soldiers even of the American Regular Army, dedicated to

war by voluntary act, have to oppose the "blitzkrieg" of the German dictatorship that has had nothing but war and conquest for an objective for at least the last 7 years. I do not want to see a single boy who belongs to the National Guard have to leave his employment, forsake the sacred precincts of his home and hearthstone, and go out to bare his breast against the Frankenstein monsters that have been conceived and generated out of the immense monstrosity of the German military machine. I speak for those boys, and I speak for the mothers who want to keep them at home, no less than for the mothers who want to protect them by keeping the war over there in Europe and not letting it profane our peaceful shores.

Senators who are satisfied to think of nothing except drawing a little ring of steel around continental United States, or even around the Western Hemisphere, see, as the Bible says some see, "as through a glass darkly." I was impressed by the eloquent and patriotic address on the national defense made a few days ago by the very able Senator from Illinois [Mr. LUCAS], and I know that our people everywhere want our defense program to proceed to its zenith of possibility; but, Mr. President, how long is it going to take for the airplanes which we propose to have manufactured up to the number of 50,000 to be actually upon our air fields? How long is it going to take for the battleships we have authorized to be in the water, so that their guns can blaze back America's answer to the challenge of the dictatorships of the Orient and of Europe? How long is it going to take for the munitions and the artillery pieces and all the things for which we are now appropriating money to be effective in America's defense?

I am thinking, Mr. President, about our national defense in terms of next week, in terms of next month, in terms of the next 3 months, when the issue of civilization probably will be determined.

Fifty planes now—modern American planes, built in the genius of American factories, put upon the western front protecting Paris, aiding at the Somme, saving the south of France, preserving the things we came from in the British Isles—might turn the tide. This is one of those crucial periods comparable to days of the past when great battles determined whether Europe was to be pagan or Christian. In those crucial hours, patriots were not only patriots of a sacred soil; they were martyrs for a faith. I am ashamed to have posterity read the history of these days and find us relatively indifferent to civilization's collapse and to civilization's values.

Mr. President, the issues which are involved in this contest are not territorial. If it were I should be the last of the citizenry of my country to raise a finger for either side in a war which was a typical European bickering for territory. It is not a question of commercial activity and a commercial future for the countries involved. It is that, but it is a thousand times more than that.

Mr. President, the German dictator, the man who is the spearhead of the philosophy of Nietzsche, the philosophy of force; the man whose one criterion is success, insensible to all human sentiments; the man whose policy has been to bomb, with his iniquitous machines, maternity hospitals and humble families, to drive them into the highways so that their destitute journey would be an impediment to the movement of men and war materials—that man has emblazoned to the world what he professes to believe. And his first declaration meets no other issue than the doctrine of the first commandment.

For by his whole philosophy he has tried to dethrone from His heaven humanity's Christian God.

In his second doctrine, Mr. President, he has attacked nothing less sacred than the second of the commandments, which preaches the principle of the dignity of man.

So by a demeaned God and a disparaged man doth he hope to reach, by his mad career, the realization of his dream.

While we have profited from the culture of the ages and the delicate sentiments of civilization—we who are peculiarly the heir to all the sacrifices of the past—when those things that are the nourishment of our spiritual life are in jeopardy, we sit here and twiddle our thumbs and speak about some misconception of the local character of our national defense.

Mr. President, if there is any danger to our great country now, it is not even the serious economic dilemma in which we find ourselves, great as it is. If there is any danger to our country, it is not in the fast-disappearing richness of our eroded soil or the diminution in the storehouses of our voluminous resources. Therein lies not our danger, but in the disintegration of the character and the immortal soul of the American people.

If the pioneers of an earlier day had thought only of comfort, if they had thought only of their individual security or happiness, they would not have carried the flag of this country across rough and crude and bloody frontiers, one after another, until they let it wave finally intermingled with the laving waters of the Pacific on the western coast. I suppose some think that our citizenry should say what Pope has the citizen saying in the immortal poem of Homer when he says:

> What cause have I to war at thy decree?
> The distant Trojans never injur'd me.

I hope there is no American citizen so deluded as to believe that Hitler has not done anything to him, and that Hitler threatens nothing to him.

The other day, thinking about the larger aspect of our national defense, I sent an inquiry to the Hydrographic Survey of our Government to know how far it is from the northeastern corner of the Western Hemisphere around below the point of South America, back again to Alaska. They sent me back the startling information that it was over 48,000 miles. I said, "Surely there must be a mistake," and I sent back for a confirmation of the inquiry; and finally I said, "Just tell me how far it is from the Arctic Circle just south of Iceland and over the southern part of Greenland around the coast of the United States of America, of Central America and South America, back to Alaska," which is our possession of the west coast; and what figure do you think they sent back? Forty-three thousand miles.

Mr. President, your Senate here has already appropriated, in the past 10 days, the unimaginable sum of three and a half billion dollars. The President has just sent down to us a request for another billion, which I know the Senate will accede to as soon as it has opportunity to do so. That is four and a half billion dollars, and we have only begun the establishment of a defense that would give any measure of security to this country and to this hemisphere.

General Arnold, testifying before a committee, said it would cost $7,000,000,000 to build us an air fleet of 50,000 planes; and that, Mr. President, is first cost, and not upkeep or replenishment. Ask the Navy how much it would cost to build another navy for the other ocean, and they will tell you from three to four billion dollars. Ask them how much it would cost to put a million men—even a million—under arms, and to give them modern equipment, and they will tell you, including an air force of 10,000 planes, another $5,000,000,000; and that, too, is only first cost, Mr. President.

Senators talk about our fiscal condition. Our people who have been concerned about the debt limit throw up their hands in holy horror about the undermining of our fiscal structure. Mr. President, they have not even seen the early stages of what we are going to do here in the next few months, or in the next 2 or 3 years, if Hitler is not crushed in Europe, from which he seeks to leap like an angry, bloodthirsty animal upon the rest of the world.

Our citizens are just waking up to what is involved, and the significance of it to us. They are just begining to appreciate the problem which would present itself to us if Hitler should win this war. They know that Germany and the countries of which he would be in possession would be without food, and without the means of producing food in any early period. They know that in Denmark already the

livestock are being killed—the livestock which have been the economic contribution of that country—because the Danes have not the foodstuffs upon which to sustain their livestock.

They know that Hitler, in order to feed a hungered and impoverished Europe, would have to turn to the bursting storehouses of the Western Hemisphere.

He would approach in one of two places. He would either say to little Uruguay, or to Argentina, or to some other country in South America, "I offer you manufactured goods, which you do not have, at a premium, for the raw materials you do possess." Then behind that appeal would be the mailed fist of the dominant Hitler, who, in the course of less than a month, has almost trampled the Old World under his feet. With hardly any navy, with scarcely an air fleet, with barely an army, what would little Uruguay be able to say to the demands of such a conqueror?

Suppose they did begin to trade with him, and therefore to bolster up his totalitarian world? What would we say if he extended the same appeal to another country and they acceded to his demands, just as has Rumania, as the terror of the German armies has become more obvious to the intimidated Balkans, as the invincible character of the military machine has become more evident, capitulated? We find that Carol, who has bravely held out to maintain his country's integrity as a nation, has had to yield, and appoint as his own foreign minister a known Nazi official. So the "fifth column" grows bolder and their infiltration yet braver, assuring that their power is an unconquerable one.

Suppose, instead of that happening, Hitler should say to the United States of America, "Let bygones be bygones. I offer you exchange of goods and services. Let us sit down around a council table and divide up the economic world. I shall satisfy my lust—temporarily," he will say aside, "with what I have already in the Old World. You have rich resources which I need, and I can open to you the doors of international trade which you need, for, Mr. United States of America, the day of free trade has passed." He would say, "The situation demands an immediate answer, and not equivocation, Uncle Sam."

Then what would brave and troubled Uncle Sam say? Hitler's proffer would amount in substance to an ultimatum. "Are you our friend, or are you against us? He who is not for me is against me." Then what should we say? Should we shut down our factories, should we further reduce the acreage of our farms, should we further restrict the output of our economic machine, with the consequent loss to our own economy, or should we, at the sacrifice of every principle we hold dear, clasp the bloody hand of Hitler in order to live economically?

Some would say, "Let us wait until next month, Mr. Hitler, and talk about it. Would not you postpone it for a year, until we are stronger?" I do not suppose grown men would expect Hitler to accede to any such hope as that.

Our people are also beginning to appreciate another dilemma. Let us suppose that the "fifth column" should finally seize, according to local ritualism and law, the government of one of the South American countries. Is there anyone who would doubt that if that government took its orders from Berlin, orders issuing only from the foul mouthings of Hitler, that that would be any less a violation of the Monroe Doctrine than if a German fleet and soldiery appeared off the coast of that unhappy country? Of course it would not be different in principle. There would be a collapse of the Monroe Doctrine unless the United States chose to fight.

Ah, but some of our friends, some of our conscientious friends, who have been characterized as "isolationists" in the past, say, "Oh, no; let us not go outside the United States of America. Let us build a great fleet, create an air force, enlarge our Army, strengthen our fiscal structure, perhaps arouse the concern of our people for their own safety, but let us not go an inch beyond territorial United States, because that would be affirmative action, and to interfere in another country with respect to its government would constitute a breach of international law."

By "international law" they refer to a code which civilization created out of the sacrifices of decent men of the past, which was preserved by the sacrifices and the blood of our heroic dead. But since Hitler by "international law" they refer, I say, to a system which is the refuse of the ages, something that is dead, dead by the hand of Hitler.

But what should we do, in the case I put, Mr. President? Would we say, "Very well. They have elected those officials in X country or Y country, and it would be a breach of international law if we interfered. Therefore we will not interfere." Such government or governments with what they could get from their own subjects, and the subsidies they would receive from their master abroad, would begin to build up their own army, to strengthen their own navy, and, furthermore, to place their economy absolutely at the mercy of the conquering Hitler and his hosts.

When that practice proceeded to country after country and, perhaps, eventually approached the Rio Grande, at what point would the United States consider that its national defense demanded affirmative action? I cannot believe that any Senator would see that thing occur anywhere without voting for affirmative action. Yet that involves taking our boys thousands of miles to the south of us, and marshaling our energies and resources in war upon foreign soil.

Where is it better to defend the United States? I say there is one place for defending the United States, and that is where its danger lies. That danger is in one place and one cause—in Europe, and the cause of Adolf Hitler.

For the last few days all eyes have been turned upon the leader of the Italian people. What a paradox there would be in scenery to one who could look from the other world, across the Styx, at the great seat of a great church, the great seat of a great government, at a great leader of a great people, and see him haggling and bargaining, like villains dividing their spoil, as to which side he should join in this war.

Mussolini! Well, I am sure that Mussolini has been addressed by the President of this country in sentiments he should not have misunderstood. As one humble member of a legislative body—something that is dead in his country, but, thank God, still lives yet awhile here—I speak to him as a representative of the people always speaks, with that force and dignity which comes from expressing the sentiments of a free people.

But I say as one citizen of the United States, and one Senator, that Benito Mussolini will rue the day that he casts his lot with one who viciously attacks everything which civilization holds dear in the world today. He knows he is looked upon with no confidence by Hitler, whose bloody hand he would grasp. He should know he will be but a vassal in the Hitler state. He must know that every civilized sentiment of his country calls out to him and implores him not to take this fatal step. He knows that the flowering culture of Roman civilization, which he has tried to bring back to consciousness and to life, to throb through the civilized world—he knows that every one of the fine sentiments he cherishes will be crushed in the iron fist of Hitlerism as soon as Hitler's nasty job is partially finished.

He must know that all the beauty, and the music, and the art, and the culture, and the refined sentiments of his people, would revolt, if they were left free from the operations of a vicious propaganda machine, at the Frankenstein which Hitler has created out of the German people.

Mr. President, if Mussolini has any doubt about what the sentiment of the people of this country is, tell him to send his envoy into the humble homes of the United States; tell him to read letters I have received from men who fought in the other war, and who hold the Distinguished Service Cross; tell him to read the communications which have come from women's clubs and from men of every walk of life. When he sees what the sentiment of the United States is, he will know that the dastardly power which would try to assassinate a

civilization when it is fighting with its back to the wall, will eventually and inevitably be overturned by the moral indignation of decent men and by retributive justice the world over.

In the name of the people of America I challenge Mussolini to look into the face of America and see what America thinks about the cowardly blow he is about to strike. Although I cannot speak for the Senate today, I will venture to prophesy to Mussolini, Mr. President: Let him do it if he will; let him think he will strike down civilization when it is prostrate, and I tell him that there will be a time when he will feel the sting of America's lash upon his body, and he will crawl like a scourged slave to an ignoble dungeon and spend eternity in penance for what he has done to destroy a spiritual body.

So, Mr. President, let him go his mad way, and he will do more to provoke America to action than even his insensible soul can feel—than even his dull conscience can perceive.

I speak not about war, for God forbid that war should ever come to let its foul breath strike down the greatness of our country or the flower of our youth. But there are forces which we can use and use in a perfectly permissible way. We can sell airplanes, we can sell certain guns, if need be we can sell certain vessels that will be needed so badly in the next few days. More than that; we can stand up like men, like Americans, Mr. President, and looking him in his own shifting eyes, already looking with lust upon the loot that he thinks he is going to get, we can tell him that the first commandment, recalling the sovereignty of a supreme God, shall yet live as it has lived through the eons of the past against dictators as sordid as he; we can tell him that the second commandment, upholding the brotherhood and the dignity of man, has survived other scourges and will survive his; we can tell him that the sentiments of democracy, which have been purchased by the lifeblood of Americans and their predecessors—they, too, shall live, because they are embodied in foundations as secure as are the sentiments of Christianity, the dignity of God, and the decency of man.

So, Mr. President, I call upon the Senate, I call upon the Foreign Relations Committee members on Wednesday next, to be present at that meeting and to speak up and out like men, men of America, men of America's past, and say "America will not stand indifferently or blindly by while her own security is undermined inch by inch, while her civilization is destroyed by one who comes with the flames of hell to devour the beauty, the orderliness, and the righteousness of the world."

Mr. LUCAS. Mr. President, will the Senator yield to me before he resumes his seat?

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair). Does the Senator from Florida yield to the Senator from Illinois?

Mr. PEPPER. I yield.

Mr. LUCAS. What I ask may be a matter of repetition. It may be that the able Senator explained the contents of the joint resolution either today or at some other time while he has occupied the floor. But in view of the impassioned plea that he has made for recognition of this important joint resolution by the Foreign Relations Committee, I respectfully request the able Senator to give me briefly the points contained in the joint resolution, and how far he thinks America ought to go in her aid to the Allies at this particular time.

Mr. PEPPER. Mr. President, I am very much indebted to the able Senator from Illinois for that inquiry. The joint resolution to which the Senator refers is Senate Joint Resolution 263. After the recital part, it provides that all that we shall do shall be short of war, and that all we do shall be to defend countries which are parties to the Kellogg Pact in resisting unprovoked aggression from another signer of the Kellogg Pact, to which we are a party.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. PEPPER. In a moment. The resolving part of the joint resolution provides that the President is "authorized to give aid short of war" to the Allies, naming them, "Great Britain, France, Austria, Czechoslovakia, Poland, Norway, Denmark, Holland, and Belgium, and such other countries as may be subject to unprovoked military aggression by Germany in violation of the Kellogg Pact or of the rules of international law."

The joint resolution proposes to help the Allies short of war—how?

By selling and delivering within the United States to any or all such countries, upon payment of such purchase price as the President may fix, such aircraft, ships, artillery pieces, and other war supplies, materials, and equipment as in his judgment can be spared without imperiling the safety of the United States.

And it provides further, Mr. President, that the governments who are the recipients of this favor shall agree with our country that the President may replace from any goods being manufactured here for their account any materials that he sells them.

Does that explain to the Senator what I had in mind?

Mr. LUCAS. It explains it to me very fully, Mr. President. I simply wish to ask one more question. I think I appreciate the entire force of the joint resolution, and if I understand it correctly from the explanation of the eminent Senator, it merely places into the hands of the President of the United States full power and authority and discretion to make disposition of any munitions of war that we might have on hand, to the countries named in the joint resolution, so long as the President believes that in making such disposition our own national defense is in no wise imperiled.

Mr. PEPPER. That is exactly right.

Mr. LUCAS. In other words, if the President of the United States ultimately, after a careful examination, decided to make disposition of 24 destroyers, he would be able to do that under this joint resolution, assuming that he believed that the sale of those destroyers would in no way impair the defense of the United States.

Mr. PEPPER. Yes.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. CLARK of Missouri. Does the Senator undertake to tell the Senate that the sale of our Navy, or any material part of it, or the sale of our air force, or any material part of it, or the sale of our coast-defense guns, or any material part of them, would not be an act of war? Does the Senator think that those would be acts short of war?

Mr. PEPPER. I certainly do.

Mr. CLARK of Missouri. I will answer the Senator then in my own time, because that shows an abysmal ignorance that I did not suppose anybody would ever exhibit upon the floor of the United States Senate.

Mr. PEPPER. And the remark of the Senator from Missouri exhibits an abysmal ignorance of the realities of the present situation that I wish no Senator on the floor of the United States Senate would present.

Mr. CLARK of Missouri. Mr. President, will the Senator yield further?

Mr. PEPPER. I gladly yield.

The PRESIDING OFFICER. The Chair wishes to admonish Senators with regard to rule XIX.

Mr. CLARK of Missouri. Mr. President, I assume it will not be a violation of rule XIX for me to suggest to the Senator from Florida, if he is thirsting so much for gore, that trains run regularly to Canada, and he might form up in the United States the "fifth column for intervention" and take them all on the train and enlist tomorrow in Canada for overseas service.

Mr. PEPPER. Mr. President, I am willing to let posterity compare the patriotism of the eminent Senator from Missouri with the patriotism of the junior Senator from Florida. And I do not have any preconceived prejudice on the subject either, I will say to the Senator from Missouri, other than the preconceived prejudice that grew out of very deep and sorrowful regret when the United States of America failed to do a long time ago what it could and should have

done to prevent the occurrence of the wretched scene which horrifies the world today.

Mr. President, I do not know whether the able Senator from Missouri meant to imply that my patriotism was to be subject to question, and that I might join the "fifth columnists" or not. At least the junior Senator from Florida has not been one of the Senators of this body who every time an appeal from the Allies has been presented has declared it vicious propaganda. And I thank God that I have not tried to throw obstructions in the way of those who have tried to bring to the consciousness of America the heinousness of what was going on.

Now a word about international law, about which my friend has indirectly commented. The Senator implies that it would be a breach of international law for us——

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. CLARK of Missouri. I do not think the Senator ought to suggest that I ever implied anything in any debate with him. I made very explicit statements; and when the Senator concludes I shall be very glad to express my position very explicitly, and not by implication.

Mr. PEPPER. I appreciate the fact that the Senator approaches the matter in that way, because it is unbecoming in any of us to approach matters by implication. What the Senator said about the "fifth column" was perhaps an unintentional implication which he would far more properly have stated directly.

Mr. CLARK of Missouri. Mr. President, I referred to the columnists' "fifth column" for intervention, which is one of the great controlling factors in working up the hysteria which, in my opinion, the Senator from Florida is also trying to work up at the present time, for involving the United States in war.

Mr. PEPPER. In the first place, I am not trying to work up any hysteria. I am trying to tell the people of my country, as I deem it my duty to do, the danger which I see hovering upon my country's horizon; and instead of wanting to do nothing about it, I want us to do what we can about it.

Mr. BONE. Mr. President, will the Senator yield?

Mr. PEPPER. I shall be glad to yield in a moment, if the Senator will withhold his request.

Mr. President, in the second place, the Senator from Florida has been speaking about a resolution which is set down in the American language, in black and white. The Senator from Florida, in every utterance he has made, has spoken about aid, short of war, which this country might give the Allies. Furthermore, his resolution, in the American language, says that we propose to do nothing except to remove the shackles from the constitutional Commander in Chief of the armed forces of the United States, who, under the Constitution and in the opinion of the country, is presumed to do his duty. I propose to do nothing except to put it within the power of the President of the United States, in whose integrity and wisdom the people of the country have confidence, to do what can be done, short of war, to let the Allies in this crucial hour have some materials of war the title to which might happen to be in the United States of America, as well as instruments of war the title to which might happen to be in some manufacturer over in Baltimore.

Talk about international law. I want to know what distinction Hitler makes in his mind between a bomber which is taken from Langley Field and sold to a factory, and then sold by the factory to the Allies, and a bomber from Langley Field which is sold directly to the Allies, or a bomber which is made by the Glenn Martin Co. in Baltimore and sold to the Allies. If I am not mistaken, the able Senator from Missouri [Mr. CLARK] was one of those who opposed the Neutrality Act. Or am I in error?

Mr. CLARK of Missouri. Mr. President, I was one of the authors of the original Neutrality Act. I opposed striking out the embargo against sales to belligerents. I was one of the two Senators who originally introduced the series of resolutions upon which the whole neutrality structure of the United States was founded. The Senator from North Dakota [Mr. NYE] and I introduced a series of resolutions. We introduced the resolutions jointly, not as individuals, but on behalf of the Munitions Committee, which had been considering the matter; and the Munitions Committee originally entered upon the course of drawing up those resolutions upon the suggestion of the President of the United States.

Mr. PEPPER. Very well, Mr. President.

Mr. CLARK of Missouri. If the Senator from Florida wishes to make anything out of that, he is welcome to make anything he can out of it.

Mr. PEPPER. I gladly acquit the able Senator from Missouri——

Mr. CLARK of Missouri. The Senator does not need to acquit me. I am very proud that I was one of the Senators who introduced the series of resolutions which became the fundamental basis for the present neutrality policy of the United States.

Mr. PEPPER. Very well, Mr. President. I am glad that the Senator now seems to express his approval of the Neutrality Act which we passed at the last special session. But I ask, What difference is there in principle between passing a neutrality act which permits our factories to make implements of war and sell them to the Allies, and the United States of America selling an old war plane, or one slightly outmoded, with the prospect of getting a new one for it next week or next month?

Aside from that distinction, I wish to mention another matter. The only argument which can be made is that such action might constitute a technical violation of international law. International law as to whom? Has Hitler any right to claim the benefit and protection of international law while he rapes Europe? Has a murderer, while he is looting his victim, any right to insist that an officer shall not restrain his bestial greed unless he has a search warrant? Hitler has violated every law of God and man. If he has any standing before the bar of international justice or conscience then no perfidy can take the cloak of such a right away from a human being.

Mr. President, little Belgium, with Germans massing on her frontiers, knew that the only hope of defense she had was Allied arms. In spite of Hitler's villainous lies, in my opinion, not one Allied tank or soldier ever crossed the Belgian frontier until after Hitler, following his own solemn assurance that he would not violate the Belgian frontier, sent his armed minions across her relatively defenseless boundaries. Yet the Allies were held back upon the other frontier. What was the sad effect? Belgium said, "If we scrupulously observe international law, if our neutrality cannot possibly be questioned, if we show no favoritism, perhaps the vows of Hitler, the sentiments of civilization, the rules of international law, and civilization's code of decency will protect us, in spite of the fact that such things did no good in 1914."

Who originated the phrase "A scrap of paper"? That is not a recent German doctrine. The able Senator from Missouri fought bravely and valiantly in the last war; and while he may have one opinion, I cherish another, about the high quality of that sacrifice, what it did, and how long it staved off what we now have. But I shall not debate that question now. Who was it in 1914 who gave currency to the odious phrase "A scrap of paper"? What was that scrap of paper? It was a solemn treaty entered into by the sovereign and imperial Government of Germany with the King of the Belgians and his people, that Belgian territory would not be violated. Yet what happened? International law did not save the Belgians then or recently. It did not save the Dutch. It did not save the Danes. It did not save the Norwegians. It did not save Poland. It did not save Czechoslovakia, and it did not save little Luxemburg.

Luxemburg, a little country with a total army of only a few hundred men—hardly more than a police force—depended upon nothing except the decent regard of its neighbors for its own boundaries. What happened? Did Hitler hesitate about international law? I think perhaps some of my friends are expecting to see Hitler hailed before a police

court over there and fined by some Dutch magistrate or Belgian officer of the law for having committed a legal trespass.

Mr. President, Hitler has gone so far beyond the code of humanity that his wrongs are indescribable in the languages of man. It is ridiculous to say that that man, upon his mad mission, may claim that we should not let the Allies have a few ships, because to do so would be to violate international law.

Mr. President, what is the one hope of international law ever coming back to the world? It is in Hitler being crushed. Whatever we do to crush Hitler will help to restore international law to mankind.

A little while ago many eminent jurists gathered here from the four corners of the earth. What has happened to jurisprudence with Hitler loose? All the noble temples of the law have been desecrated. Their musty volumes have been thrown into the rubbish heap.

In 1938 I had the privilege—if it be a privilege—of visiting the Nazi party congress at Nuremburg, which gave me the first ghastly view of what I have come to see in the German military machine. We happened to be in attendance one day when one of the law officers next to Hitler was speaking. Of course we could not understand what he said, but others around us could understand enough so that we picked up the threads of it. I noticed that the audience was laughing. The speaker would go along and say another sentence or two, and then the audience would burst into laughter. Finally I asked one of the American representatives what the speaker was saying. He replied, "He is making fun of our system of law." He was belittling it, speaking of it as one of the old, outworn vestiges of an old, outworn day.

Must we, the defenders of the law, be hamstrung by the technicians who say, "No; we must not do that because it constitutes a technical violation of a dead code."

So, Mr. President, my analogy is of firemen rushing to put out the flames that are about to engulf a dear edifice. In that emergency, I would not have them stopped by signs which read, "Keep off the grass." I am perfectly willing to have the American people answer this question. Here is an answer in the Gallup poll, which shows that 71 percent think the United States is not giving enough help to the Allies.

The American people have seen through the pretense of this thing. They see the sham of Hitler's claim and they are disturbed in their hearts. I say, my fellow Senators, that this is what America is saying:

Leading from the rear.

Says an editorial from the Washington Daily News of this date:

An astonishing phenomenon of the national-defense crisis is the sluggishness with which Washington is following in the wake of public opinion.

So, Mr. President, I do want to defend America.

Mr. HOLT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from West Virginia?

Mr. PEPPER. I yield.

Mr. HOLT. Will the Senator read the remainder of the editorial? If so, he will see that it is not about war preparation but about taxation. The Senator merely read the first sentence of the editorial.

Mr. PEPPER. The Senator and all those who observe the future policy of the Government of the United States under whatever administration may have possession of it will learn more about taxation in the next 2 or 3 years than they have ever learned in all their lives, if we are really going to give the American people any substantial assurance of the territorial safety and integrity of their country.

Mr. HOLT. Mr. President, will the Senator yield again?

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from West Virginia?

Mr. PEPPER. I gladly yield.

Mr. HOLT. The Senator says he wants to supply arms and ammunition, ships, and all other things necessary to enable the Allies to win. Suppose they do not win; suppose that is not enough to win against Hitler; does the Senator want to go the rest of the way?

Mr. PEPPER. When that situation presents itself for decision, then I will decide it, and I will directly decide it. At the present time I should say "No." What I would say at some future time would be for me to decide when presented with the importance of the question whether, if I have to fight a war, I would rather fight it upon American soil or fight it upon foreign soil, remembering that since 1815 Germany has not fought one war upon German soil.

Mr. HOLT. Then the Senator has considered the possibility of fighting a war across the sea.

Mr. PEPPER. I feel that there is a very great certainty of our fighting a war eventually here upon this continent, if it is not kept abroad, and I do not want to see it come here.

Mr. HOLT. So the Senator wants to go abroad instead of fighting it here?

Mr. PEPPER. Just a moment. Now by furnishing aid that is seasonable, that is in the discretion of the President of the United States, whom the people trust, and that will not endanger our own security and safety, in his opinion, I believe we can keep war from ever coming here and make it unnecessary for a single American boy ever to go to war either here or abroad.

Mr. HOLT. But the Senator will not say that he will not vote to send the boys across the seas if, in his opinion, it is necessary?

Mr. PEPPER. It all depends upon what is meant by "necessary." Now, I would say "No."

Mr. HOLT. But tomorrow what would the Senator say?

Mr. PEPPER. It would depend upon circumstances.

Mr. HOLT. That is, the American boys are going to pay with their lives according to circumstances?

Mr. PEPPER. I wish we might be permitted, if we could behold such a ghastly thing without recoiling before it, to look down the lane of the future and say what policy will save most of America's boys from experiencing the carnage of war.

Mr. HOLT. Would the Senator enlist to go over when he sends American boys over?

Mr. PEPPER. Well, I suspect that the junior Senator from Florida would exhibit about as much patriotism as would his associates here. [Laughter.]

Mr. HOLT. I am glad to hear the Senator will enlist.

Mr. PEPPER. I, at least, was technically subject to the jurisdiction of the United States during the previous war.

Mr. HOLT. How long did the Senator serve?

Mr. PEPPER. From October 7, 1918, until December 12, as is attested by an honorable discharge. Has the Senator one?

Mr. HOLT. No; I was only 12 years old at that time; but on which side of the Atlantic did the Senator serve?

Mr. PEPPER. Are there any honorable discharges in the Senator's family?

Mr. HOLT. No; but I want to ask the Senator on which side of the Atlantic he served?

Mr. PEPPER. On this side. I hope to God no American boy shall ever have to go abroad; and that is the reason why I want to assure that he will not have to fight anywhere, here or elsewhere.

Mr. BONE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Washington?

Mr. PEPPER. I yield.

Mr. BONE. Some 3 or 4 years ago I introduced into the Senate a measure to authorize the Federal Government to manufacture munitions of war and giving it what amounted to a monopoly within certain very restricted areas of operation. It was suggested to me at that time by a number of Senators that that would not be a desirable situation, and they based their objection upon the ground, if the Government made munitions and was the sole producer that it could not sell munitions of war to any other Government without thereby possibly violating international law; in other words, that would be regarded as in the nature of an overt act; it

would be providing the other governments munitions of war by the Federal Government itself.

So I should like to ask the Senator does he know of any precedent in modern times of a government supplying a warring nation with arms and ammunition? Is there such a precedent, and if so was that an overt act or regarded in effect as being a possible casus belli? I know of no such precedent.

Mr. PEPPER. Very well. Let me see if I can answer the Senator's question. First, I should say Spain; second, I should say Finland; third, I should say every other country which has been ravaged by the German Government without a declaration of war; for, mind you, Mr. President, Hitler has not declared war on any of these countries; Mussolini will not declare war. They merely begin action, and that is all there is to it.

Mr. BONE. Mr. President, will the Senator yield further?

Mr. PEPPER. I yield.

Mr. BONE. I desire to call the attention of my friend from Florida to the fact that we invaded Nicaragua without a declaration of war; that the United States of America sent ships down and bombarded the port of Vera Cruz, landed troops there, and shot Mexicans and Nicaraguans to death without a declaration of war. We ourselves were guilty of undeclared wars. So we cannot be too holy about undeclared wars when we killed so many Nicaraguans that if the Japanese had killed proportionately as many Chinese they would have had to have shot to death 2,000,000 Chinese to kill as many proportionately as we killed Nicaraguans in an undeclared war. The Senator knows that to be true.

Mr. PEPPER. Mr. President, I did not rise to defend any act of our Government or our country. It is the country of my friend, the able Senator from Washington, as it is my country. We will have to share the obloquy of its wrong as we glory in the dignity of its greatness. But, Mr. President, that is not the issue that is present here. The question is whether we will act now, whether we will act helpfully, or whether we will refuse to do anything that will protect our country against the spread of war to our shores from the carnage of Europe.

Mr. McKELLAR. Mr. President, it is not my purpose to make a war speech, though I will refer to the war indirectly. But I am going to do the rather unusual thing of making a peaceful political speech. [Laughter.] I think I can assure the Senate, as I shall speak from notes, that the speech will not take over 12 minutes to deliver, and then I will relinquish the floor to someone else who may want to get into a row.

Mr. President, in these unusual days the front pages of all our newspapers and the greater part of all radio programs are quite naturally taken up with the European war now going on, and today it seems to have spread to the Senate of the United States. The war is the topic of conversation on every tongue.

The country at large seems to be giving little attention to domestic political questions which ordinarily at this quadrennial period are devoted to Presidential politics. Notwithstanding the alarming and almost terrifying news which we are daily receiving with reference to the progress of the European war, I am one of those who still hope that when it is over and its settlements are effected, the United States will have retained her neutrality, that she will not be the loser by the results of the war, and that peace will continue to be our portion.

Mr. President, we have not sent our boys to Europe to take part in that war, nor have we given any nations engaged therein any financial credits, and I believe that our action in these two matters is approved by almost every right-thinking American citizen; indeed, I believe that our whole course of conduct during the period since the war started has been approved by the American people.

It will be recalled that about a year ago, before the war began, the President recommended that our neutrality laws be changed and amended, and the Congress at first refused to change these neutrality laws. Then President Roosevelt called an extra session of the Congress for the purpose of repealing the old neutrality laws and establishing a new one. Those opposed to the change of the neutrality laws declared that the change would involve us in the war. Indeed, before that, when we increased our naval and military appropriations last year, many opposed the increases on the ground that those increases would put us in the European war. Nearly a year has passed, and these dire predictions have not come true, and I sincerely hope they will not come true. We are not in the European war, and we do not intend to get in the war.

Mr. President, who is responsible for the successful course pursued by the United States in this crisis? My answer is, and I believe it is the answer of every fair-minded and intelligent American citizen, it is Franklin D. Roosevelt. He has taken the lead. He has successfully managed our foreign affairs up to this good hour in this crisis. It is true that he has had an able assistant in a great Secretary of State, Cordell Hull; and let me say in passing that I do not believe the United States ever had a greater Secretary of State than Mr. Hull. But the responsibility of keeping us out of this war was that of President Roosevelt, and up to this good hour he has in every way successfully exercised that responsibility.

It was President Roosevelt who earnestly, and time and again, recommended the repeal of the old Neutrality Act and the substitution of the new one. Immediately upon the passage of the present Neutrality Act, the great body of our people realized that it was the only right and proper thing to do; and today there is scarcely a suggestion of criticism of it.

President Roosevelt did not recommend the passage of the Johnson Act, introduced by my distinguished friend, our beloved brother Senator from California, Hiram Johnson, prohibiting the extension of credits to European nations which were indebted to us, but he approved that act. He approved that policy, and up to date it has worked well under his direction and guidance.

When Austria was overrun and later when Czechoslovakia and Poland were overrun by Hitler, our people in America were greatly incensed at these unjustifiable and unwarranted invasions and occupations of small democratic States by the great German power.

Later on, our people were again greatly outraged by the ruthless and unjustifiable invasion of Finland by Russia. These invasions incensed President Roosevelt also, but they did not throw him off his guard. While fervently urging peace and protesting against these unjustifiable invasions, yet every question that arose concerning them he and his wise Secretary of State considered with care and frankness, and with an eye on what was best for America, and kept us from being involved in any of those crises.

More recently, when Norway, Denmark, Luxemburg, Holland, and Belgium were overrun by the Hitlerized Germany, in violation of every known rule of international law and morality and justice, again our people became greatly enraged and incensed; but through these several crises our foreign policy, under our great President, has successfully weathered the storm.

Mr. President, what the end of this general European war and strife will be, no one can say. No one can predict the future in such matters. No one can predict even for a day what the European war may bring forth.

No one can predict whether France will win or succumb.

No one can even predict whether Great Britain will win or succumb.

No one can predict whether Germany will finally win or succumb.

If France and Great Britain lose, who can prophesy what the future would hold in store for the European world, or even for the Western Hemisphere?

If Germany should win and become possessed of the British and French navies, who can predict what she might do or attempt to do with them?

If Germany should win, what would she undertake to do with Canada, or the British or French islands in the West Indies?

Who can predict what Germany's attitude toward the nations of South or Central America would be?

Who can predict what her attitude would be toward our next-door neighbor, Mexico?

Great Britain had certain rights in the Hay-Pauncefote Treaty, under which the Panama Canal was built. Who can tell what Hitler's attitude toward that great canal might be if he should control Great Britain?

Who can predict what his attitude toward Canada would be, or what Canada's attitude might be?

Who can predict what would become of the West India islands?

All of these questions gravely affect the welfare, interests, and policies of the United States.

The Monroe Doctrine, established in 1825, by which it was declared and ever since has been maintained that the United States would not stand by and see European powers obtaining territory in the Western Hemisphere, is a doctrine very dear to the hearts of all American citizens. Naturally we would not willingly give up that doctrine.

If the British Isles should fall a prey to Germany, Canada might wish to come under our protection at once, or the British or French West Indies might want to come under our protection at once.

Who, then, Mr. President, can predict the result of these questions and others like unto them?

In my opinion, the President of the United States and his administration have dealt and are dealing with these several vital questions to our country in a way satisfactory to every right-thinking American. Our Nation's course in this world crisis has been wise, has been far-seeing, and has been just and right according to all proper concepts of international justice.

Just recently Mr. Roosevelt has recommended a vast increase in national defense. He has recommended enormous additions to our Army, to our Navy, and to our Air Corps. He has recommended a survey of our industrial and economic resources which may be used for preparedness. He has recommended that every step be taken to prepare our country for any emergency.

In all these things he has the backing of the American people and he has the backing of our Congress, as is shown by the fact that the bills he has recommended carrying out these policies have passed with absolute unanimity in the Senate, and with almost absolute unanimity in the House of Representatives.

Mr. President, it is in this situation that the national conventions of our two great national parties are fast approaching—one the Republican, on June 24, and the other the Democratic, on July 15. The delegates to the Republican Convention have been well-nigh all chosen. The delegates to the Democratic Convention have not yet all been chosen, but a great majority of them have been. The Republican Convention is divided among a number of reactionary candidates. The delegates to the Democratic Convention are far more unanimous; and it is apparent that the great body of them desire to renominate and reelect Franklin Roosevelt as President of the United States.

Mr. President, under this state of facts, under conditions as they now exist in our country, under conditions as they now exist in the war-torn world, I unhesitatingly say that Franklin Roosevelt should be renominated and reelected President of the United States. It is no time for us to swap horses in the middle of the stream. It is no time for us to take chances on a new and untried man. It is no time for us to be restrained by precedents, or to divide on policies or on facts staring us in the face. It is no time for us to gamble on our leadership.

One of the outstanding difficulties in the way of Allied success in this war is that they have no outstanding leader either in their governments or in their war machines. I devoutly hope one may arise. In this country, whether we like him or not, we all know we have a great leader—not a despot, not a dictator, but an honest and real democratic leader.

President Roosevelt has been the head of this Nation for more than 7 years. He is familiar with every relationship between this Nation and other nations. He is acquainted with the attitude of the leading statesmen of the world, and they are acquainted with his attitude. He has been tried with domestic questions probably weightier than any which have heretofore come before our Government. He has managed those questions with remarkable skill and ability. He is now being tried with even weightier foreign questions. In these he has met every test. He has made a good fight. He has kept the faith. He has been true in every detail. He has kept our Nation on an even keel. His leadership has been wise and patriotic, statesmanlike, able, vigorous, high-minded, and in every way in keeping with the highest and best American traditions and American principles.

Again, Mr. President, it has been urged that if the war speedily ends there will not be any necessity of renominating Mr. Roosevelt. This is not true, for several outstanding reasons. If the war should soon terminate, as everyone knows, the questions arising from it could not possibly be settled by January 1, 1941. Again, our domestic questions must not be settled either by an isolationist or by a reactionary. They must be settled along progressive lines. Mr. Roosevelt is in the midst of the job, and he is the best man to complete it. Again, he is the strongest man the Democrats can nominate, and we should take no chances. Under no circumstances should we return to the policies and tragedies which existed in our Government and in our country prior to the year 1933. At this time, Mr. Roosevelt's reelection is just as necessary from a domestic, democratic, and national standpoint as from the standpoint of our foreign affairs.

Mr. President, the Democratic Convention at Chicago must renominate Mr. Roosevelt. I hope he may be renominated without a dissenting voice. The candidates for the nomination on the Democratic side are all able and worthy men. With the President's active help, perhaps any one of them could be elected. I believe Mr. Hull could be elected, or Vice President Garner could be elected, or Mr. Farley could be elected, or Mr. Clark of Missouri could be elected, or Mr. Wheeler could be elected, or Mr. Tydings could be elected, or Mr. Speaker Bankhead could be elected, or Mr. Leader Barkley could be elected, or Mr. McNutt could be elected, for they are all patriots, splendidly equipped, able, and worthy men; but, Mr. President, I think it is clear to every thinking Democrat that no one of our candidates has the availability and esteem of the American people to the extent that Mr. Roosevelt has, or has the certainty of election that Mr. Roosevelt has. For these reasons, in this crisis, I sincerely hope that before the convention meets in Chicago all candidates will themselves withdraw except our President, and that his name may be the only one placed before the convention, and that he may be drafted to run, and that he may be renominated by acclamation.

Some say he does not want the nomination, and that may be true. I believe it is true. But in our present situation—both our domestic situation and our foreign situation—the country needs Mr. Roosevelt at the helm. He should be renominated without dissent, and then he could not refuse; and I am sure that he would be overwhelmingly elected in November. There might be a slight doubt about Maine or Vermont [laughter] but there would be no doubt about the rest of the country.

Mr. President, in conclusion, let me say that in my judgment it is high time not only that all Democrats should present a solid front for November, but that all citizens of the United States who believe in free government and are opposed to tyranny, and who wish to preserve their freedom, should stand solidly behind Mr. Roosevelt, and thus present a solid front to the world. Democracy must live, and America must see that it lives.

Mr. DANAHER obtained the floor.

Mr. WALSH. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. WALSH. Now that we have been considering the questions of who should be the next President, and have discussed a partial entrance by our country into the World War, I should like to have the attention of the Senate to the pending bill relating to our national defense, so that we

may be ready for future eventualities. The Senator from Connecticut will not speak at length. I hope.

Mr. DANAHER. I shall not.

Mr. McKELLAR. Mr. President, the Senator from Massachusetts flatters me very much——

Mr. WALSH. Let me suggest, if the Senator will permit, that there are two distinct types of naval vessel, over-age and under-age vessels. I wish to serve notice on Senators who are not included among those who are to be reelected, that they are either in the under-age or the over-age category. [Laughter.]

Mr. AUSTIN. Mr. President, will the Senator from Connecticut yield to me to suggest the absence of a quorum?

Mr. DANAHER. I yield for that purpose.

Mr. AUSTIN. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Donahey	La Follette	Schwartz
Andrews	Downey	Lee	Schwellenbach
Ashurst	Ellender	Lodge	Sheppard
Austin	George	Lucas	Shipstead
Bankhead	Gerry	Lundeen	Slattery
Barbour	Gibson	McCarran	Smathers
Barkley	Gillette	McKellar	Smith
Bilbo	Green	McNary	Stewart
Bone	Guffey	Mead	Taft
Brown	Gurney	Miller	Thomas, Idaho
Bulow	Hale	Minton	Thomas, Okla.
Burke	Harrison	Neely	Thomas, Utah
Byrd	Hatch	Norris	Townsend
Byrnes	Hayden	Nye	Truman
Capper	Herring	O'Mahoney	Tydings
Caraway	Hill	Overton	Vandenberg
Chandler	Holman	Pepper	Van Nuys
Chavez	Holt	Pittman	Wagner
Clark, Mo.	Hughes	Radcliffe	Walsh
Connally	Johnson, Calif.	Reed	Wheeler
Danaher	Johnson, Colo.	Reynolds	White
Davis	King	Russell	Wiley

The PRESIDING OFFICER. Eighty-eight Senators having answered to their names, there is a quorum present.

The Senator from Connecticut [Mr. DANAHER] is recognized.

Mr. DANAHER. Mr. President, over a period of more than 3 centuries, through hardship and perseverance, out of the vicissitudes of war, and from the blessings of peace, the people of Connecticut have been engaged in the development of a political philosophy of whose very essence the form of our National Government partakes. It has been based, above all other factors, on the premise of the inherent sovereignty of the individual, whose self-respect was born of the fact that man is made in the image and likeness of God. From that basic principle there was evolved the sovereignty of a whole people, from which our great Government has drawn its strength. We in Connecticut particularly have always proudly borne aloft the light which illuminated the road to freedom and to the ultimate triumph of a representative republic as superior to the authoritarian and totalitarian philosophy. Notwithstanding that here in the United States we have held forth to the peoples of the world a living, moving, and forceful example of the successful operation of our Government and the principles upon which it is predicated, our model over these many years has been rejected by the peoples of other countries. That there should be a clash between the conflicting viewpoints of true Americans and peoples not holding to our views is inevitable.

Our people, with hearts so great and minds so full of understanding, with quick sympathy and the deepest of emotions, have always viewed with concern—indeed, with alarm—the distress of the suffering peoples of other countries. The tragic events of the past few months in the war now raging overseas have stirred our people to the very fiber of their souls. They do not now stop to think that a year ago there were 13 political parties in France vying with one another to accomplish aims and objectives concerning which our American people had no knowledge. We even overlook the fact that in Great Britain political parties, as always, represented interests and debated issues in which the American people had no voice, nor should they have. Americans little knew whether the pound should be pegged, or the tin and rubber markets contracted to insure better prices, or whether trade should be conducted on a barter basis with participation by peoples of other nations, or the thousand and one other issues constantly raised by interested partisans.

In the years since the last war those in charge of the formulation of the policies of France and Great Britain have undoubtedly made many mistakes, and out of it all there was evolved a monstrous war—brutal, degrading, death dealing, horrible. It differs from other wars chiefly in that death itself is mechanized.

In times past there were the ravages of the Goths and of the Visigoths; there were the sacrileges of the Huns; there were the Angles and Saxons; and then the Normans. The devastation and loss through civil wars, the wars of conquest in the nineteenth century, finally culminated in a war to save democracy in 1914–18.

That man has lived and died by the sword is no comfort now, to be sure, but that America should join that war being waged in Europe is unthinkable. That we have already broken almost every rule of international law is undoubted. With Canada, our nearest neighbor, already a belligerent, that retribution to us is possible is an almost inevitable concomitant of the policy which has been followed by this Nation. Among other things, the fear of consequences now engages our attention, and each new day sees some new form of preparedness for our defense. Billions upon billions of dollars produced through the labor and the effort of American citizens will be devoted to the forces of destruction. The American people, with the end of this year not yet in sight, will face a lowered standard of living. If we can hold fast to that which we have found so good, such result will follow only from a transcendent common sense and a judgment which must be permitted to supersede the hysteria and emotions which are being incited by people in high places.

The responsibility of the Congress, itself the outgrowth and the epitome of our political philosophy, is enormous. If we have rights as Americans there is imposed upon us equally a duty to our people and to our Nation. In the Congress are those Senators and Representatives who, in their executive sessions, hear the testimony of our officers from the Army and the Navy. We know from them that we cannot adequately prepare our Nation for our own defense in a period less than from 2 to 3 years. We know from them that our antiaircraft guns are obsolete, that our Army is inadequate and ill-equipped, that our aircraft are so few that, despite everything we have done, it will be October of this year before all the aircraft manufacturers in the United States can achieve a total production of as many as 800 aircraft of all types in any one month.

In our committeees we hear the fiscal agents of our Government seeking power, ever more power, over the structure of our national life.

There are those who say, "Send immediate aid to our former Allies." With what? A man who makes pins does not know how to bore a gun barrel, a man who has been making crockery lacks the skill to grind an engine cylinder, a factory producing jewelry lacks machinery to produce gages and jigs and fixtures necessary for the manufacture of a rifle.

There are those who say, "Repeal the Johnson Act." It is not credit our former Allies lack. They have over $5,000,000,000 of cash available in this country, and it is estimated that they possess a total in excess of double that figure through credits. And even if we gave them all the funds available to finance the war, what more can they buy than they are now getting? Since September 1939 down to May 1, 1940, for example, Great Britain sought and procured from us licenses for the export of arms to the total of $29,821,521.88. Over the same period she actually exported arms and implements of war to the total value of only $17,240,771.90. No; it is not credit they lack, repeal of the Johnson Act is not the answer, the plain fact is that in the conflict and the clash of the concepts of civilization it remains our plain duty so to legislate that, first, we will

determine the needs of the American people; second, that there will be submitted to the Congress a plan of action designed to meet those needs; and, third, that the Congress, in the light of all of the facts, in the exercise of its best and concerted judgment as the representatives of the American people, shall then act for their best interests.

There are so many factors involved in the whole general situation that time will not now admit of their full discussion. But one phenomenon current today is the response dictated largely by fear, either created or inspired by people who necessarily are busy every day with their own affairs, who can glean as the basis for their attitudes only such statements, often not the facts, as appear as news. Obviously such information is limited to the sources available to the men who write the articles and, naturally, even they cannot get complete facts. The wonder is that they do as well as they do, and they are entitled to our highest appreciation for their daily efforts to keep our public informed. Inferences must be drawn from the facts, and conclusions must be tested in the light of them. Those who will coolly and studiously consider the dire reaches of our dilemma are performing a public service of the highest order. An example of such service, undoubtedly written by the able editor, Maurice S. Sherman, appeared in the Hartford Daily Courant for Friday, May 31. There is little more that needs be said at this particular time; indeed there is nothing more that can be said. In that thought, I commend to the attention of the Congress and, for that purpose, now ask unanimous consent that there be included as part of my remarks the editorial to which I referred, entitled "President Conant's Appeal."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Hartford (Conn.) Courant of May 31, 1940]

PRESIDENT CONANT'S APPEAL

President Conant, of Harvard University, in a Nation-wide broadcast Wednesday night, urged that we do everything possible to aid the cause of the Allies short of sending them troops. Our actual entry into the war, he said, is neither necessary nor wise, although he regards Great Britain and France as our first line of defense against all that Hitlerism represents. Long ago we as a nation ceased to be neutral in this conflict; actually we are now playing the role of a nonbelligerent on the side of the Allies, a role not dissimilar to that which Italy is playing on the side of the Nazis. But in this role there is precious little that we can do that we are not doing already.

Specifically, Dr. Conant urges our citizens to petition Congress to stay in session to consider "emergency legislation" for Allied aid and to speed up our own rearmaments. But the only emergency legislation that is being talked of is to repeal the Johnson Act, which forbids loans to any belligerent in arrears to us, and to extend credit to the Allies should their cash for purchases here run out. Since the Allies already have assets here of fully $11,000,000,000 which could be easily converted into dollars, the emergency that Dr. Conant visualizes is still a long way off. A new Congress will be elected before it arises. And when it comes to pushing the defense program, Congress is more of a hindrance than a help.

As for the suggestion that we immediately release to the Allies such planes and implements of war as we can spare "without impairing our own security," it has already been considered by a committee of the Senate which flatly rejected a resolution to the same effect offered by Senator PEPPER, of Florida. There was no lack of sympathy for the Allies in taking this action. It was dictated solely by the realities of the situation.

Our Army now has only 2,422 planes; of which but 863 are combat types, and few of these are strictly modern. It is plain from this, as the Senate committee saw, that we sadly lack planes necessary to our own security. And this applies to all other implements of war. We have not even enough semiautomatic rifles to supply the needs of the Army, which requires 241,000. Only 38,000 are on hand. The 105,000 on order at the Springfield Arsenal will not be produced until September 1941, while the 65,000 ordered from the Winchester Arms Co. will not be ready until June 1942. As for tanks, we have none of the heavy type and only a ridiculously small number of modern light tanks. Aside from the Navy we are almost wholly unprepared to defend ourselves, as a break-down of our military equipment lamentably discloses. The President in his "fireside chat" the other night, in which he tried to explain what has been done with the six or seven billion dollars appropriated during his administration for defense purposes, lumped together the things ordered with the things we actually have. There is a vast and embarrassing difference between the two categories.

Dr. Conant thinks we might repeal laws preventing our citizens from volunteering to serve in foreign armies, but if that were done and if a large number responded, the Allies would not be materially helped. It is not men they need but all those implements of modern warfare which Germany has in abundance and which we ourselves are as yet unable to supply. And as a final suggestion, Dr. Conant says we ought not only to give priority to Great Britain and France with respect to our exports, but we ought to exercise a more stringent control over all exports so as to prevent Germany's getting hold of them. But under our so-called Neutrality Act Great Britain and France, through their control of the seas, already have priority, and it is difficult to see what more we can do than we are already doing to keep our goods and products out of Germany. Despite the efficiency of the British blockade there are bound to be some leaks unless we cease trading entirely with all nonbelligerent countries.

So when it all simmers down it appears that deep as our sympathies are, hopeful as we are that the democracies of Europe will triumph over the forces of totalitarianism, we are already giving the Allies all possible assistance that our own state of unpreparedness admits. Not a single responsible person, so far as we know, who wants us to do more for the hard-pressed Allies than we are doing, has proposed that we send an expeditionary force to help them. If public sentiment sanctioned it, which it definitely does not, we have no troops to send and no mechanized equipment to accompany them such as modern warfare requires.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. DANAHER. I yield to the Senator from Texas.

Mr. CONNALLY. The Senator made reference to the President's statement about the expenditure of $7,000,000,000 for national defense and criticized the President for lumping, as the Senator said, what we have with what we have on order. In all fairness, does not the Senator from Connecticut realize that a large part of the $7,000,000,000 expenditure for national defense went for maintenance, for pay of officers and men, for food, clothing, and so forth; and that all the expenditure was not promised for equipment and mobile mechanized forces? Does not the Senator realize that?

Mr. DANAHER. There is no question about it, Mr. President. Let me say to the Senator from Texas that a large part of any appropriation for the Army or Navy necessarily would go to maintenance. But certainly we may very properly criticize any effort to make the American people think that we have 1,700 antiaircraft guns when the fact is that we have 450 on hand and the remainder on order.

Mr. CONNALLY. Let me say to the Senator from Connecticut that I do not think it is very helpful to national defense for Senators and Representatives, presumably speaking with authority, to be constantly telling the world that we are not prepared in any way. Of course, we are not prepared on a war footing, but our Navy is stronger today than it has been in its history in time of peace. Today the Navy is better equipped, has more men, and is better prepared for offensive or defensive action than at any time in peacetime in the history of the United States.

The Senator from Texas will vote with the Senator from Massachusetts [Mr. WALSH] to authorize increased strength and increased armament for the Navy. I do not think we are serving our country or the Allies—if that is what the Senator has in mind—by constantly telling the world that we have nothing to fight with and will not fight if necessary.

Mr. DANAHER. Let me ask the Senator a question. Does the Senator recall that a year ago in March we voted $300,000,000 to buy airplanes?

Mr. CONNALLY. Yes; I remember it. I do not know how the Senator voted, but the Senator from Texas voted for it.

Mr. DANAHER. Has the Senator seen any of the planes which came from that appropriation?

Mr. CONNALLY. Certainly I have not seen the planes. I assume, however, that planes are being manufactured. I do not know of any rule of mechanics by which we can push a button and have a plane jump out. There are no automatic devices of that kind.

Mr. DANAHER. Would not the Senator reasonably expect that the $300,000,000 appropriated to procure airplanes would go for that purpose?

Mr. CONNALLY. Certainly.

Mr. DANAHER. If the Senator will read the hearings and the testimony of General Arnold on that subject, he will find that $182,000,000 of the $300,000,000 went to build hospitals, went into plant and maintenance, forts, and the like, throughout the United States. That is what happened

to $182,000,000 of the $300,000,000, and still no airplanes from that appropriation.

Mr. CONNALLY. There is still an authorization for the $300,000,000, and if $182,000,000 was not spent for that purpose, it is still on the books, and could be expended tomorrow. I assume that the Army and Navy are going ahead with the program.

The Senator makes a great cry about our inability to send airplanes and equipment to the Allies. If I correctly remember the record, last fall the Senator voted against the Neutrality Act, and voted against sending any equipment of any kind to the Allies or anybody.

Mr. DANAHER. The Senator has not heard me make a cry on the subject in the words used by him. What he has been hearing me complain about is the constant delusion of the American public, lulling them into a false sense of security, and telling them that we have something "on hand and on order," implying that something ordered yesterday is available for our defense.

If the arms embargo had not been repealed, I believe that a negotiated peace would have followed. Furthermore, having repealed it, there should have been a concomitant program of arming and equipping ourselves and the Allies, if that was the purpose. The fact remains that in April Britain obtained from us 23 planes and 12 engines. Canada got 4 planes from us in April. The people were led to think that the United States was to be the arsenal for those who are now at the mercy of aggressors who are waging relentless and total war.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. CONNALLY. I admire the Senator's industry and ability; but more commanding of my admiration are his optimism and his feeling that if we had not repealed the embargo on arms we should already have had a negotiated peace. I cannot understand how such a conception can be generated out of the fantasies of imagination. I suppose that by our edict, refusing to send any arms, the war would have been brought to a sudden end and everything would have been harmonious and peaceful. I cannot understand such an argument. I do not see why the Senator did not urge that argument in his debate on the Neutrality Act when he was fighting repeal of the arms embargo and telling the American people that we should not send a single airplane or a single item of armament to violate our neutrality and that to do so would plunge the Nation into war.

On the other hand, the Neutrality Act has kept us out of war, and we hope it will continue to keep us out of war. I do not think that the Senator from Connecticut is serving the country. What are we on this side doing and what is the President doing? What are most of the Members on the other side of the aisle doing? The President is not deceiving anybody. The President is urging a program of national defense. He wants more battleships, more airplanes, and more mechanized equipment. He wants all the instrumentalities and panoply of war. He is not deceiving the country. He is not trying to lull the country into any false sense of security. The Senator from Connecticut believes that if we had not repealed the arms embargo but had stuck our heads into the sand and imagined all these peaceful emotions there would have been a negotiated peace. Where would such peaceful emotions have arisen in Europe had we not repealed the arms embargo? In the breast of what dictator would such peaceful emotions have fructified so as to bring the fruits of peace on earth?

Mr. DANAHER. Mr. President, I decline further to yield. If the Senator wants to make a speech, he may do so on his own time.

The PRESIDING OFFICER. The Senator from Connecticut declines further to yield.

Mr. CONNALLY. Mr. President, I am perfectly willing to retire, but I had assumed that I had the consent of the Senator. I asked him to permit me to make a statement, and he yielded.

The PRESIDING OFFICER. The Senator from Connecticut declines further to yield.

Mr. CONNALLY. I shall speak in my own time.

Mr. DANAHER. Mr. President, I shall be very glad to have the Senator speak in his own time, and I want to thank him for his helpfulness at this time.

I will say further, though, Mr. President, that we told the Senator from Texas last fall that the repeal of the arms embargo would be a first step toward war, and the Senator from Texas and others asked how. The course of conduct which was thoroughly and conclusively predicted on the floor of the Senate in October and November 1939 has been borne out and corroborated by events. There was the effort on the part of the administration gradually to take a course to help Russia. All through the winter from September to December, inclusive, Russia became the largest, the No. 1 customer of the United States for aluminum and tin and crude rubber, supplies of which we lack today and of which we face a shortage.

Consider how we increased the capitalization of the Export-Import Bank. For more than a year the President had been trying to double the capital of the Export-Import Bank, and he seized upon a moment when the people were all for the aid of Finland. We came here and discovered in January that there was a bill on our desks to aid the Republic of Finland—that was the title of it—but when the administration got through with it, every word about aid to Finland was stricken out, even from the title, and, quite the contrary, there was substituted in lieu thereof a plan to double the capital of the Export-Import Bank. That is what happened; and, as a result, there was no aid rendered to Finland in the things she needed, but, quite the contrary, what really happened was that not only mention of Finland was stricken from the bill but the President sent us a message saying:

> Do not under any circumstances vote arms, munitions of war, or implements of war to Finland.

There was the same sort of performance, the same model and pattern were set before the country with reference to freezing credits of Denmark and Norway. Of course, everybody wanted to freeze the credits of Denmark and Norway so that no aggressor could take advantage of his conquest and realize on available balances in this country as a result. That was said to us to be the motive back of the bill which was sent to us. Did we get a bill that mentioned Denmark and Norway? We did not. We got a bill under the terms of which we found that the President of the United States was being given power to sequester the assets and certificates of ownership of property and certificates of evidences of indebtedness of all the countries in the world, including the interests of American citizens therein.

We find in furtherance of the same policy one program set out before the country, told to the press in conferences, on the air and everywhere else, and another program on the floor. We find here at this very minute before the Banking and Currency Committee a bill ostensibly to assist in the development and expansion of American industries. Wait, Mr. President, until the Congress sees the bill that is coming up. It is a bill under the terms of which the President of the United States at his sole discretion, or rather, the R. F. C., under the direction of the President and by his approval, can set up any kind of a plant and produce any kind of equipment and supplies that may be desired without limitation of any kind whatever, under the guise of national defense. That is the sort of thing that is happening.

I am not "crying out," let me say further, to the Senator from Texas, against the deficiency in the production rate of American arms and munitions factories; quite the contrary. I have always believed in peace. I have been disabused by the course of conduct which has followed from the first step toward war last November; and now we find committees being formed to get Americans into war, to get American volunteers over there. "Do not send American troops," we are told, to be sure, but for what reason were four ships of the American Navy sent last Thursday to European waters?

They were sent there, we were told, "to protect American interests abroad." If the Senator from Texas is right, what interests have we over there in European belligerent waters, in the zone which was defined a combat zone under the Neutrality Act? But there are our naval ships going overseas, possible victims of a bomb attack from which an incident may arise.

We see instance after instance of that sort of thing going on. Step by step American sentiment is being aroused, even under the direction of a Senator on this floor, who in the moving-picture theater speaks to every movie audience in the United States, and in the news, in radio broadcasts on the air, all day by day in a concerted effort, emanating, as everybody in this Chamber knows, from the desire and with the incitation back of it, to stimulate the American people to believe that their interests lie overseas.

I submit to you, Mr. President, that the first step toward war has been taken. I sincerely, earnestly, and honestly hope that it is the last, but I am fearful. I know that, at the best, the United States can take nothing but misery and loss, and, at the worst, we can lose our form of government; we can lose everything that has been dear to and honored by us; we can lose the lives of millions of our boys; we can lose everything we have made and everything we have hoped for our people in years to come.

With those thoughts, Mr. President, I yield the floor to the Senator from Texas or to any other Senator.

Mr. BONE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Donahey	La Follette	Schwartz
Andrews	Downey	Lee	Schwellenbach
Ashurst	Ellender	Lodge	Sheppard
Austin	George	Lucas	Shipstead
Bankhead	Gerry	Lundeen	Slattery
Barbour	Gibson	McCarran	Smathers
Barkley	Gillette	McKellar	Smith
Bilbo	Green	McNary	Stewart
Bone	Guffey	Mead	Taft
Brown	Gurney	Miller	Thomas, Idaho
Bulow	Hale	Minton	Thomas, Okla.
Burke	Harrison	Neely	Thomas, Utah
Byrd	Hatch	Norris	Townsend
Byrnes	Hayden	Nye	Truman
Capper	Herring	O'Mahoney	Tydings
Caraway	Hill	Overton	Vandenberg
Chandler	Holman	Pepper	Van Nuys
Chavez	Holt	Pittman	Wagner
Clark, Mo.	Hughes	Radcliffe	Walsh
Connally	Johnson, Calif.	Reed	Wheeler
Danaher	Johnson, Colo.	Reynolds	White
Davis	King	Russell	Wiley

The PRESIDING OFFICER. Eighty-eight Senators have answered to their names. A quorum is present. The question is on the first committee amendment.

Mr. CLARK of Missouri. Mr. President, I must apologize to the Senator from Massachusetts [Mr. WALSH], the able and distinguished chairman of the Committee on Naval Affairs, whose recent report is one of the greatest documents on national defense which has ever been presented to the Congress since the foundation of the Government; I must apologize to the Senate and to the American people for contributing, by the few brief remarks I shall make, to the delay in the consideration of this great measure designed for national defense. I regret, Mr. President, that, owing to the remarks of the Senator from Florida [Mr. PEPPER] this debate has been changed from a debate upon the subject of national defense, and upon measures to be taken for national defense, into a debate upon the subject which, to my mind, involves a declaration of war.

Those of us who have been willing, backed by some opinions of our own, to proceed in the interest of national unity and national defense, have been shocked by the recurrent efforts at propaganda in this country to force a discussion in this Chamber and outside this Chamber which might be fairly taken in any nation on any side abroad as being the prelude to our entry into the European struggle.

Far be it from me, Mr. President—I am sorry the Senator from Florida [Mr. PEPPER] is not present——

Mr. PEPPER. He is here.

Mr. CLARK of Missouri. Far be it from me, with my feeble voice, to try to interfere with the efforts of the Senator from Florida to damn himself to everlasting fame as the man who brought about the entrance of the United States into the present struggle. If the Senator from Florida wishes to do that, he has a right under the Constitution to introduce any resolution he sees fit, and to discuss it upon this floor. Let me say, however, that a few days ago the Foreign Relations Committee of the United States Senate—a committee embodying every school of thought, I think, upon our international affairs, including the Senator from Florida himself, certainly a fair cross-section of the opinion of the Senate, which is ordinarily a fair cross-section of the opinion of the United States—by a vote of 21 to 1, upon the day after its introduction, laid upon the table a much milder, less-explicit declaration of war than that contained in the Senator's Joint Resolution No. 263, now pending before the Senate Committee on Foreign Relations.

I hope that the vote upon the latest resolution will be no less conclusive.

Mr. President, leaving aside the somewhat flamboyant and grandiloquent preamble of the joint resolution, the resolution itself in its very first sentence involves an entire contradiction in terms.

The resolution starts out:

That the President be authorized to give aid short of war to the recognized governments of—

Certain countries, some of which are not now in existence, all of which are, or have been at one time or another, belligerents—

and such other countries—

To be determined in a manner not prescribed in the resotion—what?—

upon payment of such purchase price as the President may fix, such aircraft, ships, artillery pieces, and other war supplies, materials, and equipment as in his judgment can be spared without imperiling the safety of the United States.

Mr. President, no one questions the wisdom of the President of the United States, when charged with high authority, as to his patriotism or his high purposes; but an authorization to the President to give aid short of war by the sale of the air-defense forces of the United States, by the sale of our Navy, by the sale of our coast-defense guns, by the sale of whatever mechanized equipment we have—and it is not sufficient; we all agree on that—is not a measure short of war. It is war itself. It cannot be taken in any other way. It is an act of war. I am not assuming that the President of the United States would act upon this joint resolution if it were passed. I hope and believe he would not; but the passage of such a joint resolution necessarily signed by the President would in itself amount to a declaration of war.

The Senator from Florida likes to talk about international law and to claim that those who are opposed to his resolution of intervention are hiding behind international law. I exculpate myself from any such suggestion. I was in favor of the Neutrality Act, and I have repeatedly stated on this floor and in many other places that I was in favor of the Neutrality Act and in favor of the United States taking measures to keep out of war, because there is no such thing as international law except the right of the strongest power to enforce international law and to put its own construction upon it. I say, though, that as a matter of ordinary common sense this joint resolution as it is drawn amounts to a declaration of war, because certainly any nation against which we leveled such measures as are proposed in the joint resolution of the Senator from Florida would be entitled to, and inevitably would, treat it as an act of war.

Suppose we were engaged in a war with a foreign power, and some other foreign power proceeded to sell to the power with which we were engaged in war their army, their fleet, their air forces, their mechanized equipment, their coast-defense guns: Does anybody doubt for a minute that we would

regard and treat that as an act of war, both during the war and at the conclusion of the war?

Why, Mr. President, it was suggested today in an Associated Press dispatch published in the first edition of the Evening Star of today, that the United States has a thousand planes which could fly the Atlantic within the next 3 weeks—the most powerful front-line defense planes of the Army and Navy of the United States—and it is suggested that the fact that we have a thousand planes that can fly across the sea exemplifies the tremendous power of those planes. It is further suggested that those planes are armed with the greatest military secret of the United States, the airplane bomb-sight, and that those planes, armed with our greatest military secret, might possibly turn the tide of war abroad. But, Mr. President, suppose they did not turn the tide of war abroad: Suppose that some of those planes were shot down, and that a foreign nation became possessed—as it would become possessed when those planes were shot down—of the secret of our bomb-sight: The United States itself might conceivably be left denuded of any adequate aeronautical defense in this country.

It has been suggested in this country, in rumors which have been repeated in an increasing degree in the past week or 10 days—rumors which I am persuaded have been put out as propaganda by the Ambassador of His Brittanic Majesty to the United States himself, and such other very potent influences in the United States as Sir Wilmott Lewis of the London Times—that unless we intervene in the war the British might surrender their Navy. Mr. President, if the British under any conditions were prepared to surrender their own Navy, they would be equally prepared in the event of defeat to surrender our Navy or any part of it that we sold to them.

It has been suggested that the British might be disposed to surrender their own Navy unless we went over and agreed to defend Singapore, 7,000 miles from our western shore. Mr. President, if there is any danger of the British Navy being surrendered, there is all the more reason for keeping our own Navy—every vessel of it, obsolete, active, or on the ways—as close to our own shores as it is possible to do. It should be kept as close to our great naval base at Pearl Harbor, in Hawaii; it should be kept as close to our means of access to the Atlantic, the Panama Canal, as it is possible to do. If the suggestion is made that the British may be compelled to surrender their Navy, there is all the greater reason against such hysterical arguments as those put forth by the Senator from Florida against the sale or the gift or any other transfer of a single ship of our Navy to the British or the French or the Germans or anybody else.

Mr. President, as I have said, I regard the joint resolution of the Senator from Florida as nothing more or less than a declaration of war; perhaps not as honorable as a forthright declaration of war, certainly not as candid to the American people, who would ultimately be called upon to endure the sacrifice and the agony which such a war, particularly a war abroad, would involve, but none the less an effective involvement in this war. More than that, Mr. President, it is a declaration of war without the concomitant that ought to go with a declaration of war—a declaration as to the sacrifice to be made by the American people, the setting-up of a scheme of industrial, financial, and military mobilization which ought to accompany a declaration of war. Therefore I say that, in my opinion, such a discussion as we have been forced to indulge in this afternoon upon such a resolution as the Senator from Florida has introduced is not in the best interests of this country, although I fully recognize the right of the Senator from Florida to introduce any resolution he pleases, and to speak on it whenever he wants to do so.

Mr. President, something was said here a while ago about some of us who were opposed to the repeal of the arms embargo. The Senator from Florida suggested that I had been opposed to the original Neutrality Act. I undertook to point out that I was one of the authors of the original Neutrality Act; that the authorship of that measure, in all reality, came from the Committee on Munitions, and that the original inspiration came from the President of the United States.

I was glad to have had a part in the passage of the original Neutrality Act. I was opposed to the repeal of the arms embargo, which I discussed at length at the last extraordinary session of the Congress on several occasions. But so far as the repeal of the arms embargo is concerned, that is water over the dam with me. I opposed it. I still think that the repeal was a mistake. But the Congress of the United States, by an overwhelming vote, decided to repeal the arms embargo, and that apparently has been approved by a majority of the American people. As part of the Congress and part of the American people, I accept that as res judicata, and water over the dam.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. PEPPER. Did the able Senator from Missouri oppose the repeal of the arms embargo?

Mr. CLARK of Missouri. I did; with every power at my command. If the Senator was here he heard me make at least three or four speeches at considerable length upon that subject, and for that I have no regret whatever. I am still of the same opinion.

Mr. PEPPER. Did the Senator vote for what we call the Neutrality Act as it passed?

Mr. CLARK of Missouri. I voted several times for the passage of the several bills making up the original Neutrality Act. I voted against the act which modified the Neutrality Act then in existence on the statute books.

Mr. PEPPER. In other words, the Senator did oppose the repeal of the arms embargo?

Mr. CLARK of Missouri. I did oppose the repeal of the arms embargo, with every power at my command, and everyone in the United States who took the trouble to pay any attention to the proceedings in Congress and to what I was doing knows that to be a fact.

Mr. SCHWELLENBACH. Mr. President, will the Senator from Missouri yield?

Mr. CLARK of Missouri. I gladly yield.

Mr. SCHWELLENBACH. The Senator knows that I have had here for some time a resolution which would prohibit our citizens from shipping war materials to Japan, under the theory, which I hold to be a sound one, that we have a treaty obligation not to ship war materials which Japan could use to destroy the territorial administrative integrity of China. I have not been able to get very far with that resolution, have not been able even to get a hearing before the Committee on Foreign Relations.

Mr. CLARK of Missouri. I do not think the Senator has made the request since I have been a member of the committee, though I have not been a member of that committee very long. Let me say that any time the Senator asks for a hearing on any matter he desires to press I shall be glad to vote for it.

Mr. SCHWELLENBACH. I think the Senator will agree that the opposition to my resolution comes from a fear that withholding of material by our people from one belligerent to be used against another belligerent might be considered an act of war. When we have a treaty obligation not to destroy the territorial and administrative integrity of China, if the Congress of the United States is afraid to stop furnishing war materials to Japan which she could use for the purpose of destroying the territorial and administrative integrity of China, is it not about twice as much of an act of war for us deliberately to take materials which our Government owns and furnish them to one belligerent to use as against another?

Mr. CLARK of Missouri. Mr. President, I do not think there can be any question whatever as to the correctness of the views stated by the Senator from Washington. The Senator from Washington presented one resolution, the Senator from Nevada, the distinguished chairman of the Committee on Foreign Relations, presented another resolution, and various other resolutions have been proposed, authorizing the withholding of the shipment of munitions to one or another country because it was alleged it would be a violation of some treaty with the United States, and the discussion in each case has gone upon the question whether

or not it was the proper procedure under a particular treaty for us to take the enforcement of the treaty upon our own shoulders, or whether we should proceed under the processes set down by the treaty itself. But until the Senator from Florida presented his resolution a few days ago, it has never been suggested that the sale of American warships, American military and naval aircraft, of our coast-defense guns, of our antiaircraft guns, of our mechanized equipment, of our small arms, of the other myriad items entering into the defense of the Nation, would not be an act of war.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. PEPPER. Is it the opinion of the able Senator that Japan, while in the course of a breach of an international pact, and committing unprovoked aggression upon China, could complain of the Government of the United States not sending to her arms and munitions with which to continue that breach of a treaty, just because she had a commercial treaty with the United States?

Mr. CLARK of Missouri. Mr. President, I made no such suggestion. As a matter of fact, the whole question of an embargo against Japan is a question entirely apart from the question involved in the resolution of the Senator from Florida. His resolution is a declaration of war. But let me say to the Senator from Florida—and he must have heard, if he was present in the Committee on Foreign Relations—that a suggestion was made with regard to the resolution of the Senator from Washington, and the companion resolution of the Senator from Nevada, that the Kellogg Pact itself set up certain methods of procedure in the event of a violation of the treaty, which procedure was consultation between the signatory powers.

Mr. SCHWELLENBACH. It was not the Kellogg Pact; it was the Nine Power Treaty.

Mr. CLARK of Missouri. I thank the Senator for his correction; it was the Nine Power Pact.

Mr. President, that is a question entirely beside the point in the consideration of the resolution offered by the Senator from Florida and certainly beside the point in the consideration of the pending national-defense bill. Let me say again—and I apologize to the Senator from Massachusetts for delaying even this long consideration of the important national-defense measure under his charge—this is a declaration of war. It is not an authorization for measures short of war. It is a provision for a declaration of war without giving any consideration whatever to the necessity for national defense and for national preparation involved in a declaration of war.

Mr. President, I hope that if the time ever comes when the Congress of the United States shall determine to wage a war overseas, to wage any war except in defense of the United States—against which I shall vote, if and whenever the question arises—I hope that whenever that time comes, the Congress will at the same time take adequate steps for the defense of the United States, as regards civil, industrial, financial, and military responsibility.

I think that even the consideration and the discussion of such a resolution as this, as I stated a moment ago, is contrary to the vital interests of the United States.

Mr. CONNALLY. Mr. President, the Senate is now considering the naval expansion bill.

The PRESIDING OFFICER. The question is on the first amendment of the committee.

Mr. CONNALLY. The Senator from Massachusetts has had this bill brought before the Senate, and I wish to say that I am heartily in favor of it. I have always advocated for the United States the best navy in the world. Some Senators may recall that as long ago as February 1929 I made a rather extended speech on the subject of increasing the Navy, in favor of making it an unconquerable and an invincible Navy. I stand today where I stood then.

The Senate is a great forum, an unexampled place for free speech. I respect the views of every Senator upon every question. In the interchange between the Senator from Connecticut [Mr. DANAHER] and me earlier in the day I made some reference to his having voted against the repeal of the arms embargo. I meant no reflection upon him, as I mean no reflection on any Senator for the views he entertains when I comment on any statement he may make. If Senators cannot stand on this floor and express their views and vote their honest convictions, they have no business here. But that does not mean that other Senators cannot express their views, cannot take issue with their colleagues.

The world today is being influenced by forces and powers which may in their eventuality profoundly affect not alone the safety and the security of the United States but our entire governmental and social and economic system.

I congratulate the Senators on the other side of the Chamber for having voted unanimously some days ago in support of the naval appropriation bill. As I now recall, they also voted unanimously in favor of the Army expansion bill requested by the President of the United States.

This is the time when we should have unity, and I congratulate Senators on both sides of the Chamber for the fine spirit of unity in national defense in this very critical hour of the world's history.

What the Senator from Texas complained about in respect to the Senator from Connecticut—and I regret he is not in the Chamber, and I hope someone will tell him that I propose to discuss his remarks for a time—was that the Senator from Connecticut, while voting for all these appropriations for national defense, was extremely critical and seemed to be making political point of the fact that there had not been as many planes produced as he thought should have been produced from the appropriations which had been voted, and that the Navy had not secured as much building and equipment as he thought it should have received. When the Senator from Connecticut returns I will give some references to some of his votes on this subject.

Mr. President, this is no time for partisanship. If Senators are for the program of national defense, let them be for it, but let them not, while pretending to be for it, criticize and impede and harass those agencies which are undertaking to secure the arms and the equipment with which to protect the safety and the security of the United States.

I am not one of those who believe that the strength of naval power has disappeared. The airplane, of course, is a formidable offensive as well as defensive weapon. But the answer to airplanes is airplanes and defensive equipment in the form of antiaircraft guns. These being equal, the supremacy of the Navy on the seas still remains. Of course, we must have airplanes, but we must also maintain a navy. Flanked as we are by oceans on either side, we would be criminally negligent of our own interests if we failed to provide the strongest and the best Navy that floats the seven seas.

The Senator from Connecticut complains that a couple of warships or armed vessels have been sent to Europe, and he wanted to know why they had been sent there. They were sent there to look after and protect the interests of the United States. What is the Navy for? Do we want to tie up our Navy at our own docks and yards and never let it go to sea? Of course, the very essence of a navy is its mobility, its ability to go anywhere, where the seven seas extend their long arms, to look after the interests of the people of the United States.

Mr. President, what is wrong with that? If there are "fifth columns," and if there is infiltration in Central and South America, and if the United States in its benevolence has made a pledge to defend those territories, why should we not send armed vessels down there to look after the interests of the United States of America? What is the Navy for? It is to go wherever our national interests require that it be sent.

I am sorry the Senator from Connecticut has not yet returned to the Senate Chamber. I thought he understood that I was going to speak as soon as he completed his remarks.

Mr. BANKHEAD. Mr. President, will the Senator yield for the purpose of letting me suggest the absence of a quorum?

Mr. CONNALLY. No, Mr. President. If Senators do not wish to hear me speak and answer them, I do not wish to compel them to come.

The Senator from Connecticut is disturbed about those matters. I wish to say that in 1939, when the last Navy bill was before the Senate, the Senator from Connecticut voted against it. He did not want an appropriation for the Navy in 1939. But now, under the stress of public sentiment and rising interest, the Senator from Connecticut votes for naval appropriations. He voted for the naval bill the other day, and I assume he will vote for similar bills in the future. He votes for them, and then he stands upon the floor of the Senate and seeks to attack the President and all the President has done, and to attack the President for what he has not done.

The President of the United States has not been derelict with regard to national preparation. I have in my hand a number of messages which the President has sent to the Congress. Here is one he sent in September 1939, only a few months after the Senator from Connecticut voted against the naval appropriation bill. This is what the President said in that message on the neutrality issue:

To those who say that this program would involve a step toward war on our part, I reply that it offers far greater safeguards than we now possess or have ever possessed to protect American lives and property from danger. It is a positive program for giving safety. This means less likelihood of incidents and controversies which tend to draw us into conflict, as they did in the last World War.

What did he mean? He meant that by our restrictions on American shipping we would avoid incidents similar to those which after abusing our patience and violating our rights over a long period of months finally involved us in the World War.

The Senator from Connecticut insinuates that the President is undertaking to take us into war. Here is what the President said in 1939. I continue to quote from his address—

There lies the road to peace.

Is that the voice of one who is trying to take the Nation into the war? He was pointing out then to Senators such as the Senator from Connecticut, who would not listen, and who would not hear, that that was the road to peace. He wanted peace.

What else did the President say?

The position of the executive branch of the Government is that the age-old and time-honored doctrine of internal law, coupled with these positive safeguards, is better calculated than any other man to—

Do what? To get us into war? Not at all.

To keep us out of this war.

That was in September 1939. On May 16, 1940, the President addressed a joint session of the Congress. I observe that the Senator from Connecticut is still absent.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. AUSTIN. I have ascertained that the Senator from Connecticut is necessarily engaged, but will be here as soon as it is possible for him to be here.

Mr. CONNALLY. I thank the Senator from Vermont for his industry in looking after his duties as assistant leader of the minority party. But if I had as small a minority as the Senator from Vermont has I would keep some of the members here. [Laughter.]

This is what the President said, and this is what the Senator from Connecticut is challenging. He said the President and others have deceived us and are continuing to deceive us about the condition of our national defense. The President said in his address to the joint session of the Congress, and he told the truth:

The Navy is stronger today than at any time in the Nation's history.

Where is the Senator who challenges that statement? Here is the Senator from Massachusetts [Mr. WALSH], the chairman of the Naval Affairs Committee, who bears witness to the fact that the President spoke the truth when on May 16 he said the Navy today is in the best condition it has ever been in during time of peace in the history of the Republic. It is better today in time of peace than at any time since Connecticut joined the Union. [Laughter.]

Mr. WALSH. Mr. President, the Senator from Texas has made a correct statement. I may add, in order to be specific, that since 1934 we have built 102 combatant naval vessels.

Mr. CONNALLY. Since when?

Mr. WALSH. Since 1934; and we are now building 56 more. That represents over 150 naval vessels in the last 5 years.

Mr. CONNALLY. One hundred and fifty naval vessels in the last 5 years. Does that look as if anyone is deceiving the country? We are preparing, and we have been preparing. Not on a war-strength basis, of course. We cannot in time of peace maintain an Army adequate to meet the shock of war. Even European countries do not undertake to do that. They wait for general mobilization. I congratulate the Senate on the return of the Senator from Connecticut. I repeat the President's words:

The Navy is stronger today than at any time in the Nation's history.

That is what the President said on the 16th of May. Does the Senator from Connecticut dispute that statement? The Navy is stronger today, notwithstanding the vote of the Senator from Connecticut a year ago against naval appropriations. He did not want any appropriations for the Navy a year ago. He voted the other day—and I congratulate him for it—for naval appropriations. He has learned something since he has been in the Senate. [Laughter.]

Today also—

This is the President speaking. It is not the Senator from Connecticut, but it is the President from whom I am quoting. The Senator from Connecticut could not have said what he did in a burst of passion, because I hold in my hand his prepared speech, and I see the stains of midnight oil all over it. He labored over that prepared address, so he could not have said what he did in a burst of sudden passion.

The President speaking:

Today, also a large program of new construction is well under way. Ship for ship, ours are equal to, or better than, the vessels of any foreign power.

Is that true, I ask the Senator from Massachusetts?

Mr. WALSH. That is true.

Mr. CONNALLY. I carry my witnesses with me, Mr. President. [Laughter.] The Navy is stronger today than ever in time of peace. Is that deception? Is that misleading anyone? Notwithstanding that it is stronger than at any time, in time of peace, I want to go on and make it the best Navy that rides the oceans.

The argument of military dictators cannot be answered by sewing circles. The arguments of artillery and tanks and swarms of airplanes cannot be overwhelmed by resolutions. The answer to that kind of voice is to have greater armament, stronger armament than the enemy. Then he may be challenged and defied. Therefore, I want the best navy on the ocean; better than the British Navy, or the Japanese Navy, or the German Navy, or the navy of any other country. That is why I shall vote for the pending bill.

So the President has not deceived us in that respect. Now let us see if the President has deceived us in relation to the Army. The President said:

The Army likewise is at its greatest peacetime strength. Its equipment, in quality and quantity, has been greatly increased and improved.

That is all true. But it is not sufficient. I want the Army increased still further.

I want its cannon to be bigger and better, and of longer range. I want its antiaircraft forces to be expanded. I want the armor on its tanks thickened and strengthened to meet the shock of any attacking force which may have the hardihood to attack them. We cannot win wars with our mouths. We must have armament.

What else did the President say in his address? The Senator from Connecticut insinuates and intimates that the President is scheming in some fashion to wiggle us into war. I shall quote what the President says about that; and I really believe the President is as good a witness as to what is in his heart and mind as is the Senator from Connecticut. I do not know that the Senator from Connecticut possesses any psychic X-ray which peers into the hearts of men and analyzes their motives and their beliefs, to contradict what they say with their mouths and brains. If the Senator from Connecticut possesses any such mystic, ineffable, clairvoyant qualities, he has failed to disclose them on the floor of the Senate.

This is the President speaking:

These perilous days demand cooperation between us without trace of partisanship.

That is what the President is saying to the Senator from Connecticut. The President says, "These days demand cooperation between us without trace of partisanship." If the Senator heard that, he did not heed it.

The President said further:

Our acts must be guided by one single, hard-headed thought—

What is that thought? The Senator from Connecticut imagines that it is to drag America into war. I do not think he believes it, but he imagines it.

The President says—

Keeping American out of this war.

That is what the President says.

These perilous days demand cooperation between us without trace of partisanship. Our acts—

Not only the President's acts, but the acts of Senators, Representatives, and other citizens. The President is not responsible for everything. The Senate is responsible for its function.

Mr. McKELLAR. Mr. President, what is the date of that expression of the President?

Mr. CONNALLY. September 21, 1939, away back yonder. The President was talking. That is what the President said.

In that spirit—

The spirit to keep us out of this war—

I am asking the leaders of the two major parties in the Senate and in the House of Representatives to remain in Washington between the close of this extraordinary session and the beginning of the regular session on January 3. They have assured me that they will do so, and I expect to consult with them at frequent intervals on the course of events in foreign affairs and on the need for future action in this field, whether it be Executive or legislative action.

Does that sound as though the President were trying to wiggle us into war?

On the 17th of May the President asked the Congress for large appropriations, and the Senator from Connecticut voted for them. If the Senator from Connecticut believed that in asking for funds for preparation and defense the President was seeking to drag us into this war, why did he vote for them? If he had been courageous he would have said, "No, Mr. President; you are seeking these arms, tanks, and airplanes, and this increase in the Naval Establishment in order to drag us into war. Speaking for the grand old State of Connecticut, I shall vote against them, because I do not want to be dragged into the war."

But he voted for them, when he knew, or thought he knew, that the President intended to use them to drag us into war. Under his responsibility and oath as a Senator, he voted "aye." I cannot believe that he was right both times. Either he is right with his vote, or he is wrong with his mouth.

That request was on May 17, 1940. We have the Budget estimates. The Senator from Connecticut—and I congratulate him; I think it was fine of him—voted for the Army appropriations, although he did not vote for the naval bill in 1939. He voted against it.

On the 31st of May, a few days ago, the President sent to Congress another Budget message. What did the President say?

In the national effort for defense upon which we are now engaged, it is imperative that we make full and effective use of the mighty capacities that lie in our population. Here as yet undeveloped lie the ability and the strength needed in the building up of our armaments to provide a sure industrial foundation for the meeting of any and all defense requirements. Without the full development of these skills, our national defense will be less than it must be in the critical days which lie ahead. Without the full contribution of our people, our defense cannot attain the invulnerability which the Nation demands and which we are all determined it shall have.

I conjure the Senator from Connecticut to heed those words, because this is a time when we need unity of purpose, unity of sentiment, and unity of action.

Mr. President, I have before me the prepared speech of the Senator from Connecticut. It is a splendid essay on historical events. But we are living today. I like history. I like to read about the campaigns of conquerors and others in the far-off ages, the evolution of peoples, the migrations and settlements, the pioneering, the making of new boundary lines, and the establishment of new empires. All such matters are interesting to the contemplative, reflective, and scholarly research investigator. But today we are living in a period when these things are breaking all about us; and it behooves us to wake up to the terrors and dangers of our position, and to our own transcendent responsibility.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. HATCH. I thought the Senator would like to have a minute or two to look at the speech which he holds in his hand. I have before me an editorial which I should like to put into the RECORD. It will take about 2 minutes. Will the Senator yield for that purpose?

Mr. CONNALLY. I shall be glad to yield.

Mr. HATCH. Mr. President, another angle of the war has not been stressed. My attention has just been called to an editorial which appeared in the New York Times of yesterday. I should like to read it:

CASUALTIES

Rembrandt was killed at Rotterdam in the bombing that took place after the surrender. Shakespeare fell at Dunkerque, trying to get the wounded off. Goethe got the bullet with his number on it at the crossing of the Albert Canal, and Beethoven fell at the moment of victory in front of Lille. A dive bomber took the life and genius of Pasteur when the Ninth Army broke. Victor Hugo was killed in action over the German lines. Dumas and Anatole France hold perilously a ditch on the bank of the Somme. Newton and Faraday, Semmelweise and Koch, Curie and Ehrlich are wounded, missing.

Is this only an unhappy fancy, compounded of bad news and uneasy dreams? We shall never know. We shall never know what men of genius took their quietus in the Battle of Flanders, or will perish in battles yet to come. We shall never know what gifts meant for all mankind forever were sacrificed, or will be, on the altar of an unholy ambition. The dive bombers and the flame throwers do not discriminate. A Darwin, a Dante, a Columbus, a Kepler, an Ibsen, a Grotius, an Erasmus, a Thomas Aquinas, a Marconi, a Keats, a Cézanne, a saint or a sinner, a wise man or a fool—it is all one to them.

They who strike at the flower of European culture strike also at the young men who might have cultivated it. The singers will be silent; the artists' paints dry up in their pots; spiders will weave their webs in the laboratories where men were to have been made wiser and happier; statesmen who might have led their countries toward peace and freedom 20 years hence will lie in unmarked graves. Some will survive, but never shall we know what infinite human riches have been lost.

Let these things also be written beneath Adolf Hitler's name in the book of his damnation.

Mr. CONNALLY. Mr. President, the Senator from Connecticut in his prepared speech made this statement:

That we have already broken almost every rule of international law is undoubted.

I do not know the basis for that statement; but the Senator from Connecticut accuses his own country—the United States—of having broken almost every rule of international law. It is not a very good attitude in which to place ourselves before the other nations of the world. But what I am complaining about is the statement of the Senator as to the total inadequacy of our defense, and his intimations that the Government has not been doing what it could do in the way

of securing equipment with the money which Congress heretofore has appropriated.

I quote the Senator from Connecticut, speaking about hearing witnesses in committees:

We know from them that our antiaircraft guns are obsolete, that our Army is inadequate and ill-equipped, that our aircraft are so few that despite everything we have done it will be October of this year—

I should like to have the attention of the Senator from Massachusetts to this statement—

that our aircraft are so few that, despite everything we have done, it will be October of this year before all the aircraft manufacturers in the United States can achieve a total production of as many as 800 aircraft of all types in any 1 month.

I am not prepared to dispute the last statement, because I do not know; but 800 aircraft a month would be about 10,000 a year, and that probably is as many as any nation in the world possesses today.

Mr. President, in conclusion allow me to say that I very much deplore statements that go out to the country and frighten the people into the view that Congress has been derelict, that we have no Navy and we have no Army and we have no airplanes and no aircraft defenses. That is not helping the morale of the American people, and it is not helping the program of preparedness and national defense in which we are now engaged.

The Senator from Connecticut reaches his climax in inserting in the RECORD an editorial from the Hartford Daily Courant—I believe Hartford is in Connecticut—and he mentions the editor by name. He says the editorial undoubtedly was written by the able editor, Maurice S. Sherman, and appeared in the Hartford Daily Courant for Friday, May 31. I assume that all that went ahead in the speech was merely the exordium to work up interest in the peroration for the purpose of permanently embalming in the RECORD an editorial from one of the Senator's probably most influential constituents.

Mr. President, I am for the pending naval bill. It will not put the Navy where the Navy will have to be in the years to come. It will only carry on, as I understand, a program which, in the long view, will in due course of time, after a while, give us a Navy that we believe is adequate to our national needs. In voting for the largest navy and the best navy in the world we have to remember that we are flanked on both sides by the oceans. We cannot transfer our Navy from the Atlantic to the Pacific with great speed, even with the Panama Canal in working condition; and there is always a possibility of sabotage or something else wrecking the Canal. We have possible enemies on the west and possible enemies on the east.

I believe that the United States, out of our resources, out of our manpower, and out of our willingness to sacrifice some of our comforts and perhaps some of our necessities, should provide an absolutely unconquerable and invulnerable Navy. We should not stop there. We should have, of course, airplane carriers to go with the Navy. It should have an adequate force of airplanes to combat the enemy and, if need be, to attack the enemy. The Army, on the other hand, must have mechanized equipment.

Mr. President, I propose—and I shall introduce a bill to that effect—that we provide for a great national research laboratory for both the Navy and the Army; that we not confine it to military men; that we bring into the laboratory scientists and the best minds in the field of invention and mechanics to study arms and equipment during the years, and to be ahead of the other nations of the world; that we not wait until some other nation invents a new weapon and then ourselves be unprepared, but that we ourselves have these inventions ahead of other nations of the earth. Some of the Army officers probably are planning to fight the next war on the same principles and along the same lines of strategy as the World War. We cannot fight in this modern time as George Washington fought, with a few old muskets and flintlocks. We must fight with all the modern equipment of war; and, if possible, we should outstrip the rest of the world in invention and in protection and in devising weapons to secure the national safety.

I am confident that such a research laboratory to serve both the Army and the Navy, staffed with some military and naval officers but also having within it civilians and experts and scientists, would go a long way toward providing for the equipment of the Army and the Navy, not after the start of a war, not after an attack upon us by some enemy armed with a new weapon that we did not know about, but ahead of the other nations, so that we ourselves might be ready to employ new instrumentalities of war.

Mr. President, I want no war. God knows I want this great Nation to remain at peace. But, considering the manner in which militaristic powers are now sweeping over the fair face of some of the greatest regions of the earth, and having in mind the ambitions of dictators and military masters, democracy and the people on this hemisphere must realize the facts and face them. It is our manifest duty to our people, and to ourselves, and to all the generations that we hope to come after us on this continent, to prepare a navy so superb as to be able to defend us on both of the oceans, and an army so well equipped and so officered and so increased in personnel that if a foreign invader ever lands upon these shores we may overwhelm him and send him down into the wreckage and the ruin of defeat.

The PRESIDING OFFICER. The question is on agreeing to the first committee amendment, which will be stated for the information of the Senate.

The amendment was, in section 1, page 2, line 8, after the word "by", to strike out "16,700" and insert "33,400", so as to read:

(c) Submarines, 21,000 tons, making a total authorized underage tonnage of 102,956 tons: *Provided*, That the foregoing total tonnage for aircraft carriers, cruisers, and submarines may be varied by 33,400 tons in the aggregate so long as the sum of the total tonnages of these classes as authorized herein is not exceeded: *Provided further*, That the terms used in this or any other act to describe vessels of designated classes shall not be understood as limited or controlled by definitions contained in any treaty which is not now in force.

The amendment was agreed to.

The next amendment was, in section 3, page 3, line 2, after the word "useful", to insert "nonrigid"; in line 3, after the word "not", to strike out "less" and insert "more"; and in the same line, after the word "than", to strike out "twelve" and insert "eighteen", so as to make the section read:

SEC. 3. The President of the United States is hereby authorized to acquire or construct naval airplanes, and lighter-than-air craft, and spare parts and equipment, as may be necessary to provide and maintain the number of useful naval airplanes at a total of not more than 4,500, including 500 airplanes for the Naval Reserve; and the number of useful nonrigid lighter-than-air craft at a total of not more than 18.

The amendment was agreed to.

The next amendment was, in section 5, page 3, line 13, after the word "act", to strike out "which purposes shall include, in addition to shipbuilding ways and shipbuilding docks at the navy yards at Portsmouth, N. H., Philadelphia, Pa., and Norfolk, Va., essential equipment and facilities at naval establishments for building and equipping any ship or ships herein or heretofore authorized" and insert "including not to exceed $35,000,000 for shipbuilding ways, shipbuilding docks, and essential equipment and facilities at naval establishments for building or equipping any ship, herein or heretofore authorized, and, in addition, not to exceed $6,000,000 for essential equipment and facilities at either private or naval establishments for the production of armor or armaments: *Provided*, That equipment and facilities procured for the production of armor or armament pursuant to the authority contained herein may be leased, sold, or otherwise disposed of, in the discretion of the Secretary of the Navy, when no longer required for use under naval contract.", so as to make the section read:

SEC. 5. There is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, such sums as may be necessary to effectuate the purposes of this act, including not to exceed $35,000,000 for shipbuilding ways, shipbuilding docks, and essential equipment and

facilities at naval establishments for building or equipping any ship, herein or heretofore authorized, and, in addition, not to exceed $6,000,000 for essential equipment and facilities at either private or naval establishments for the production of armor or armaments: *Provided*, That equipment and facilities procured for the production of armor or armament pursuant to the authority contained herein may be leased, sold, or otherwise disposed of, in the discretion of the Secretary of the Navy, when no longer required for use under naval contract.

The amendment was agreed to.

The next amendment was, on page 5, after line 2, to insert a new section, as follows:

SEC. 9. For the purpose of modernizing the United States ships *New York*, *Texas*, and *Arkansas*, alterations and repairs to such vessels are hereby authorized at a total cost not to exceed the sum of $6,000,000. This sum shall be in addition to the total appropriation expenditures for repairs and changes to each of these vessels as limited by the Act of July 18, 1935 (49 Stat. 482; U. S. C., title 5, sec. 468a).

The amendment was agreed to.

The next amendment was, on page 5, after line 10, to insert a new section, as follows:

SEC. 10. The provisions of section 4 of the act approved April 25, 1939 (53 Stat. 590, 592), shall, during the period of any national emergency declared by the President to exist, be applicable to naval public works and naval public utilities projects in the fourteenth naval district for which appropriations are made or authorized: *Provided*, That the fixed fee to be paid the contractor as a result of any contract entered into under the authority contained herein, or any contract hereafter entered into under the authority contained in said act of April 25, 1939, shall not exceed 6 percent of the estimated cost of the contract, exclusive of the fee, as determined by the Secretary of the Navy.

The amendment was agreed to.

The next amendment was, on page 5, after line 22, to insert a new section, as follows:

SEC. 11. There is hereby authorized and established a Naval Consulting Board of seven members to be appointed by the President, by and with the advice and consent of the Senate, from among eminent civilians in the fields of industry, science, and research, to serve during the pleasure of the President. This Board is hereby authorized to make recommendations to the Secretary of the Navy in any matter concerning the Naval Establishment and the national defense. The members thereof shall serve without compensation, but shall be reimbursed for all expenses incurred incident to their travel and employment as members of the Board. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, not to exceed $25,000 to effectuate the purposes of this section.

The amendment was agreed to.

The PRESIDING OFFICER. That completes the committee amendments.

The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 8026) was read the third time and passed.

NAVAL AIRCRAFT EXPANSION

Mr. WALSH. Mr. President, I move that the Senate proceed to the consideration of Senate bill 4024.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 4024) to authorize the construction or acquisition of naval aircraft, the construction of certain public works, and for other purposes.

The PRESIDING OFFICER. The question is on the motion of the Senator from Massachusetts.

Mr. McNARY. Mr. President, does the Senator desire to go forward with the bill tonight?

Mr. WALSH. I do not think it is necessary.

The PRESIDING OFFICER. May the Chair call the attention of the Senator from Massachusetts to the fact, which the Chair is sure he realizes, that House bill 9848, Calendar No. 1809, is identical with the Senate bill.

Mr. WALSH. Yes, Mr. President; I was about to ask that House bill 9848 be substituted for the Senate bill, and move that it be considered instead of the Senate bill. I so move.

The PRESIDING OFFICER. The question is on the motion of the Senator from Massachusetts that the Senate proceed to the consideration of House bill 9848, Calendar No. 1809, which will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 9848) to authorize the construction or acquisition of naval aircraft, the construction of certain public works, and for other purposes.

Mr. McNARY. Mr. President, no notice was given of the intention to consider either of these bills today. I think the able Senator would be willing, perhaps, that the Senate take a recess at this time and consider the bill tomorrow at 12 o'clock.

Mr. WALSH. I shall be pleased to do that.

Mr. McNARY. I prefer that that course be taken. I have no objection to the bill being made the unfinished business.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Massachusetts.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Naval Affairs with amendments.

Mr. WALSH. Mr. President, I ask unanimous consent that I may be recognized on the convening of the Senate tomorrow so that I may speak on the bill which is now the unfinished business.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

FIRST, SECOND, AND THIRD NATIONAL STEAMSHIP COS.

Mr. BURKE. Mr. President, I ask unanimous consent that I may submit a resolution, and then I shall ask that it be immediately considered.

The PRESIDING OFFICER. Without objection, the resolution will be received, and will be read for the information of the Senate.

The resolution (S. Res. 275) was read, as follows:

Resolved, That the bill (S. 2609, 75th Cong., 1st sess.) for the relief of the First, Second, and Third National Steamship Cos., together with all accompanying papers, referred to the Court of Claims by Senate Resolution 147, Seventy-fifth Congress, first session, be, and the same is hereby, recalled, and that Senate Resolution 147 be, and is hereby, repealed.

Mr. McNARY. Mr. President, will the Senator state briefly what he desires to accomplish by the resolution?

Mr. BURKE. Yes; and then I shall ask unanimous consent for the immediate consideration of the resolution.

At the first session of the Seventy-fifth Congress a measure was reported from the Committees on Claims of both Houses, and passed, sending to the Court of Claims a certain claim. The measure was vetoed by the Chief Executive, one of the grounds being that, in the opinion of the Chief Executive, the Government would be denied certain defenses if the measure were enacted in that form.

A little later in the Seventy-fifth Congress there was introduced Senate bill 2609, by the then Senator from New Jersey, Mr. Moore, an ordinary claim bill, which was referred to the Committee on Claims. Following that the late Senator Logan, from the Committee on Claims, reported Senate Resolution 147, which was agreed to on June 28, 1937, first session of the Seventy-fifth Congress.

Mr. McNARY. Mr. President, if the Senator will yield, I have no objection.

Mr. BURKE. Then I will conclude in one sentence. Last week the junior Senator from Michigan [Mr. BROWN], at the request of the Committee on Claims, offered the substance of this proposal as an amendment to a bill which was passed. But the matter is a little confused now, because the former reference to the Court of Claims still stands, and all I propose by the resolution I have just offered is that the matter be recalled from the Court of Claims.

I ask unanimous consent for the present consideration of the resolution.

The PRESIDING OFFICER. Is there objection?

There being no objection, the resolution was considered and agreed to.

EXECUTIVE SESSION

Mr. WALSH. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations (and withdrawing the nomination of a postmaster), which were referred to the appropriate committees.

(For nominations this day received and nomination withdrawn, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

Mr. ADAMS, from the Committee on Public Lands and Surveys, reported favorably the following nominations:

Mrs. Carrie H. Malone, of Nevada, to be register of the land office at Carson City, Nev., vice Mrs. Gladys Huyck;

George Finley, of Oregon, to be register of the land office at Roseburg, Oreg. (reappointment);

William Riddell, of Montana, to be register of the land office at Billings, Mont. (reappointment); and

Mrs. Belle D. Byrne, of North Dakota, to be register of the land office at Bismarck, N. Dak. (reappointment).

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask unanimous consent that the nominations of postmaster be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc. That completes the Executive Calendar.

RECESS

Mr. WALSH. As in legislative session, I move that the Senate take a recess until tomorrow at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 15 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, June 4, 1940, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate June 3 (legislative day of May 28), 1940

FOREIGN AND DIPLOMATIC SERVICE

Troy L. Perkins, of Kentucky, now a Foreign Service officer of class 8 and a secretary in the Diplomatic Service, to be also a consul of the United States of America.

APPOINTMENTS TO TEMPORARY RANK IN THE AIR CORPS IN THE REGULAR ARMY

TO BE COLONEL

Lt. Col. Hubert Vincent Hopkins, Air Corps, from May 27, 1940.

TO BE LIEUTENANT COLONEL

Maj. Dache McClain Reeves, Air Corps, vice Lt. Col. Hubert V. Hopkins, Air Corps, nominated for appointment as temporary colonel, Air Corps.

TO BE MAJOR

Capt. Russell Edward Randall, Air Corps, vice Maj. Dache McC. Reeves, Air Corps, nominated for appointment as temporary lieutenant colonel, Air Corps.

APPOINTMENT IN THE REGULAR ARMY

Second Lt. William Frederick Stewart, Air Corps Reserve, to be second lieutenant in the Air Corps with rank from date of appointment.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

TO CORPS OF ENGINEERS

Second Lt. Philip Yeager Browning, Field Artillery, with rank from June 14, 1938, effective November 15, 1940.

TO FINANCE DEPARTMENT

Maj. Joseph Charles Kovarik, Infantry, with rank from April 30, 1940.

PROMOTIONS IN THE REGULAR ARMY

To be lieutenant colonel

Maj. Harold Albert Nisley, Ordnance Department, from May 27, 1940.

To be major

Capt. Joseph Franklin Battley, Chemical Warfare Service, from May 27, 1940.

MEDICAL CORPS

To be majors

Capt. Norman Hyde Wiley, Medical Corps, from July 2, 1940.

Capt. Paul Irwin Robinson, Medical Corps, from July 27, 1940.

Capt. Silas Beach Hays, Medical Corps, from July 27, 1940.

Capt. Henry William Daine, Medical Corps, from July 27, 1940.

Capt. Earl Maxwell, Medical Corps, from July 27, 1940.

Capt. Wilford F. Hall, Medical Corps, from July 27, 1940.

To be captains

First Lt. Byron Edward Pollock, Medical Corps, from July 1, 1940.

First Lt. William Donald Preston, Medical Corps, from July 1, 1940.

First Lt. Winston Hunter Vaughan, Jr., Medical Corps, from July 1, 1940.

First Lt. Richard Patrick Mason, Medical Corps, from July 1, 1940.

First Lt. Daniel Joseph Sheehan, Medical Corps, from July 1, 1940.

First Lt. Joseph Edward Cannon, Medical Corps, from July 1, 1940.

First Lt. Donald Edgar Carle, Medical Corps, from July 1, 1940.

First Lt. Thomas Donald McCarthy, Medical Corps, from July 1, 1940.

First Lt. James Bernard Seaman, Medical Corps, from July 1, 1940.

First Lt. Henry McClellan Greenleaf, Medical Corps, from July 1, 1940.

First Lt. Clark Batchelder Williams, Medical Corps, from July 1, 1940.

First Lt. Michael Louis Sheppeck, Medical Corps, from July 1, 1940.

First Lt. Merrill Clark Davenport, Medical Corps, from July 1, 1940.

First Lt. John Washington Simpson, Medical Corps, from July 1, 1940.

First Lt. Harold Robert Carter, Medical Corps, from July 5, 1940.

First Lt. Melvin Frederic Eyerman, Medical Corps, from July 12, 1940.

First Lt. Frederick James Knoblauch, Medical Corps, from July 15, 1940.

First Lt. Eugene Richard Inwood, Medical Corps, from July 23, 1940.

DENTAL CORPS

To be majors

Capt. James Simon Cathree, Dental Corps, from July 5, 1940.

Capt. Ingolf Bernhardt Hauge, Dental Corps, from July 5, 1940.

Capt. John LeRoy Carter, Dental Corps, from July 5, 1940.

To be captain

First Lt. Clare Thomas Budge, Dental Corps, from July 8, 1940.

VETERINARY CORPS

To be major

Capt. Maurice Wendell Hale, Veterinary Corps, from July 25, 1940.

Chaplain

To be chaplain with the rank of lieutenant colonel

Chaplain Frank Lewis Miller (major), United States Army, from July 16, 1940.

APPOINTMENTS IN THE REGULAR ARMY

TO BE SECOND LIEUTENANTS WITH RANK FROM JUNE 11, 1940

Corps of Engineers

1. Harold Clifton Brown.
2. Alan Edward Gee.
3. John Finzer Presnell, Jr.
4. John William Burfening.
5. John Anthony Graf, Jr.
6. Winston Cureton Fowler.
10. Leo Erway Dunham, Jr.
11. Alton Parker Donnell.
12. George Francis Dixon, Jr.
13. Ashod Michael Ahmajan.
14. Lawrence Joseph Fuller.
15. Paul Francis O'Neil.
17. Samuel Richard Peterson.
18. Eugene Joseph Carr.
19. Austin James Russell.
20. David Stuart Parker.
21. Harry Albright French.
22. Earl McFarland, Jr.
25. Edward Aiken Flanders.
26. Edward Thomas Podufaly.
28. Marvin Leroy Jacobs.
29. Clayton Allen Rust.
30. Howard Wilson Penney.
32. Thomas Duvall Quaid.
33. Raymond Maurice Clock.
34. Robert Carter Pfeil.
35. Louis Aloysius Thommen.
36. Francis Richard Sullivan.
37. James Arthur Plant.
38. Leonard Landon Haseman.
39. Richard Henry Free.
40. Edward Gaylord Cook.
48. Robert Edward Applegate.
49. Thaddeus Michael Nosek.
50. Ivan Sattem.
53. Oval Hale Robinson.
55. Charles Harvey Banks.
57. Charles Carmin Noto.
64. John Edward Minahan.
67. Robert Irving Dice.

Signal Corps

8. Lawrence Cutright Sheetz.
16. Lawrence Gordon Forbes.
23. Joseph Vincent Iacobucci.
24. Raymond Harold Goodrich.
45. Nathan Louis Krisberg.
68. Charles Edmund Harrison, Jr.
71. Jack Stewart DeWitt.
76. David Roger Guy.
80. Edward Patrick Wynne.
82. Bernard Ambrose Ferry.
83. Lawrence Ronald Klar.
90. Edward Verner.
99. Charles Richard Fairlamb.

Cavalry

9. Charles Bellows Hazeltine, Jr.
43. Milford Franklin Stablein.
44. Montgomery Cunningham Meigs.
58. Ralph Morris Rogers.
100. Dean Titus Vanderhoef.
108. Edward Joseph Walker.
110. John Zachariah Endress.
125. John Paul Gerald.
126. Robert John Fate.
165. Dennis Ladislaus Barton.
177. James Lavern Smiley.
190. James Ralph Taylor.
191. George Joseph LaBreche.
192. Thomas Bowman Hargis, Jr.
195. James Elroy Tyler.
197. Edwin Carroll Haggard.
212. James Frederick Kreitzer.
216. James Harold Pitman.
218. Gilbert Hume Woodward.
219. George Columbus Hines.
236. Herbert Mead Bowlby, Jr.
237. Scott Montgomery Case.
239. Rowland Herman Renwanz.
254. James Scott Greene, Jr.
262. Thomas Corwin Chamberlain.
268. Robert Edwin Maxwell.
281. Robert Russell Dodderidge.
284. Wallace Leo Clement.
286. Dan Porter Briggs.
294. Samuel McClure Goodwin.
303. Joseph Lee McCroskey.
307. Henry Patrick Heid, Jr.
308. Rush Spencer Wells, Jr.
329. John Ross East, Jr.
332. Robert William Strong, Jr.
338. Milton Carlton Barnard 2d.
340. John William Norvell.
341. James Frederick Williams, Jr.
342. Edward Deming Lucas, Jr.
343. George Washington England, Jr.
344. Allan Ashley Crockett.

Field Artillery

41. Walter Eugene Gunster, Jr.
51. Carey Law O'Bryan, Jr.
54. Paul David Phillips.
59. John Bunyan Corbly, Jr.
61. Luther Dixon Arnold.
62. Cuyler Llewellyn Clark, Jr.
65. William Regis Shanahan.
66. James Pershing Strauss.
69. Urey Woodson Alexander.
70. William Payne Francisco.
72. Delano Edgell.
73. Elbert Dotterer Hoffman.
74. Alan Greene Rorick.
75. Woodrow Maurice Smith.
77. Robert Ray Williams.
79. Wendell John Coats.
85. George Mayo, Jr.
86. Raymond Renola.
87. Clarence William Clapsaddle, Jr.
91. Robert Moore Brewer.
92. Kenneth McRae Lemley.
94. Raymond Leroy Shoemaker, Jr.
97. Edward Hamilton Kyle.
104. John Joseph Murphy, Jr.
107. Dean Marti Benson.
111. James Robert Wendt, Jr.
116. Raymond Weir Millican.
117. Donald Vivian Bennett.
121. Richard Josiah Kent.
122. James Willard Walters, Jr.
124. Samuel Merrick Patten.
127. James Kirkbride Taylor.
131. William Henry Harrison Mullin.
132. Burdett Eugene Haessly.
138. Richard Sargent Abbey.

141. John Jacob Beiser.
142. William Henry Birrell.
143. Bradley Foote Prann.
144. Donald Boyle Stewart.
145. Charles Simonton Brice, Jr.
155. Joseph Richard Couch.
157. Jerry Spears Addington.
158. James Garland Dubuisson.
161. Joseph Patrick Donohue.
172. Paul Schroeder Deems.
174. Robert Campbell Cassibry.
186. Robert Lamar Williams.
187. Davison Dalziel, Jr.
198. Melvin Herbert Rosen.
199. Donovan Paul Yeuell, Jr.
202. Bertil Andrew Johnson.
208. Jordan Joseph Wilderman.
214. James Lawson Orr.
220. Robert Thorne Tuck.
226. George Alexander Aubrey.
227. Paul S. Cullen.
230. John Joseph Kenney.
233. Michael Francis Bavaro.
235. Olin Lee Bell.
238. Francis Edward Kramer.
240. James Wilbourne Milner.
245. Sanford Patrick England.
247. Jack Pershing Thompson.
252. Philip John Moore 3d.
256. Salvo Rizza.
257. John Robert McLean.
263. Cornelius Arthur Murphy.
267. Israel Wald.
272. Reginald James Clizbe.
275. Roderick Wetherill.
285. William Benjamin Wright 3d.
287. Ford Prioleau Fuller, Jr.
288. Robert Phineas Knapp, Jr.
293. John Thomas O'Keefe.
296. Wallace James Hackett.
297. Ralph Anderson Osborn, Jr.
298. David Barbour Byrne.
299. Lester Frank Schockner.
300. John Dibble, Jr.
302. Harry Ami Stella.
304. Harry Bert Lane.
305. William Eugene Farthing, Jr.

Coast Artillery Corps

7. Robert Gibson Cooper.
27. Herbert Edward Pace, Jr.
31. Robert Ila Wheat.
56. William Harvey Roedy.
63. Gerhard Evans Brown.
78. James Montgomery Moore.
88. Morris Loeb Shoss.
93. John Thomas Harvey Spengler.
96. Anthony Benvenuto.
98. Homer Barron Chandler, Jr.
101. Stephen Silvasy.
102. Charles Webster Bagstad.
105. Robert Hamilton Warren.
109. Henry Augustine Miley, Jr.
112. Clarence Talmage Marsh, Jr.
113. Rolland Woodrow Hamelin.
114. Clarence Edward Gushurst.
115. Clyde Henry Webb, Jr.
118. William Clark Craig.
119. Henry Allen Cunningham, Jr.
123. George Daniel Carnahan.
128. Edwin Fahey Black.
130. Robinson Riley Norris.
134. William Elliott Heinemann.
135. Hobart Burnside Pillsbury.
139. Theodore Louis Hoffmann, Jr.
149. Everett De Witt Light.
153. John Andrew O'Brien.
156. Joseph Michael Cole, Jr.
159. Sydney Gilbert Fisher.
160. Solomon Theodore Willis, Jr.
162. Leonard Milton Orman.
164. Edward Henry Hendrickson.
166. Philip Courtney Loofbourrow.
170. Harry Thompson Simpson, Jr.
173. John MacNair Wright, Jr.
175. William Loring Clay.
178. Arthur Austin McCartan.
180. Harry Lee Wilson, Jr.
183. Robert Jerome Delaney.
184. William Roscoe Kintner.
185. Wendell Burley Sell.
188. William Edward Buck, Jr.
189. Frank Armand de Latour, Jr.
193. Charles Langworthy Beaudry.
194. Chester Kieser Britt.
196. Richard Hobbs Fraser.
200. Stewart Lawrence McKenney.
201. Edison Albert Lynn, Jr.
205. John Joseph Pidgeon.
210. John Stevens Harnett.
211. Robert Leonard Colligan, Jr.
213. John Edward Aber.
221. Harry Frank Bunze.
224. Howard Thomas Wright.
225. James Lotozo.
228. Thomas Frederick Gordon.
229. Joe Wilbur Leedom, Jr.
234. William Frederick Horton.
243. Jules David Yates.
249. Dill Baynard Ellis.
251. Everett Houston Ware.
253. Ronald Maurice Kolda.
255. Hugh Jefferson Turner, Jr.
265. James Thomas Hennessy.
271. Joseph William Ruebel.
274. James Holland Stephen Rasmussen.
279. Augustus John Cullen.
280. Ernest Bryant Jones.
282. Thomas Franklin Mansfield.
283. Maurice Earle Parker.
301. Raymond Henry Bates.
306. Martin Bell Chandler.
309. George John Bayerle, Jr.
311. Albert Park Richards.
314. James McLaurin Ridgell, Jr.
318. Thomas Henry Muller.
321. Harmon Porter Rimmer.
325. Leonard Edward Symroski.
326. Andre Ringgold Brousseau.
327. William Meyers Kasper.
330. Richard Thomas Cassidy.
336. Franklin Stapf Shawn.
347. Warren Curtis Stirling.
348. Gilford Dalton Green.
353. Archie Joyce Knight.
354. Arthur Gordon Malone.
355. Roy Willard Nelson, Jr.
362. Charles Theodore Biswanger, Jr.
363. Arthur Theodore Frontczak.
366. Thaddeus Philip Floryan.
367. Albert Dale Epley.
377. Robert Neville Mackin, 3d.
378. Richard Alexander Shagrin.
380. James Byington McAfee.
381. William Joseph Gildart.
382. Joseph Jackson Eaton, Jr.
388. Julius Boswell Summers, Jr.
390. Mark Clair Baugher Klunk.
392. John Patrick Dwyer.
394. Leon Luther Clarke.

397. William Francis Coleman.
402. Ralph Edward Miner.
403. Edward Aloysius Murphy, Jr.
404. Robert Charles Raleigh.
406. Burton Elmo McKenzie.
409. Irvine Harrison Shearer.
411. Page Egerton Smith.
413. William White Saunders.
414. Aquilla Ballard Hughes, Jr.
415. Frank Benjamin Wagner.
416. Henry Harley Arnold, Jr.
418. Marvin Hatfield Merchant.
425. Raymond John LaRose.
426. Philip Robert Cibotti, Jr.
427. Marshall Cloke.
428. Henry Randolph Brewerton.
430. Harlan Benton Ferrill.
432. Ralph Newlin Ross.
434. Landon Albert Witt.
436. John Bertram Coontz.
438. Milton David Lederman.
440. William Lyon Porte.
441. Graham Charles Sanford.
442. Albert Henry Bethune.
443. Percy Charles Stoddart, Jr.
444. Frederick Grinnell White.
445. Thomas Klauder Spencer.
446. Alfred Jennings Floyd.
448. Michael Kuziv, Jr.
449. William John Bennett.

Infantry

47. Paul Hobart Krauss.
52. Lawrence Joseph Legere, Jr.
81. Walter Ferrell Winton, Jr.
84. Frederick Jacob Yeager.
95. Nils Martin Bengtson.
103. Donald Haldeman Baumer.
106. Manford Jay Wetzel.
129. Willis Franklin Lewis.
133. Thomas Huntington Monroe, Jr.
136. William Wilbur Wilcox.
137. Virgil Alvin Schwab.
147. Francis Joseph Crown.
150. Francis Clare Gideon.
154. Victor Woodfin Hobson, Jr.
168. Orloff Lake Bowen, Jr.
169. Richard Levin Belt.
171. Walter Joseph Fellenz.
176. Michael Paulick.
181. Jerry Geza Toth.
182. Victor Stanislaw Zienowicz.
206. Frederic Watson Oseth.
215. Alan Martin Strock.
222. Osmund Alfred Leahy.
223. James Butler Bonham.
231. John Joseph Smith, Jr.
241. James Fant Berry.
244. Glenwood Gordon Stephenson.
258. John Deber Townsend.
259. John Harold Wohner.
260. Charles Henry Colwell.
261. Wing Fook Jung.
264. Francis Michael Rooney.
269. Robert Anthony O'Brien, Jr.
270. John Christie Emery.
273. Delbert Earle Munson.
276. Craig Lowe Moore.
277. Arthur Robert Barry.
278. Bryce Frederic Denno.
289. James Francis Downing.
290. Arthur Dudley Maxwell.
291. Frank Colacicco.
295. Robert Carroll Cameron.
310. Fred Hughes Coleman, Jr.
312. John Kerr Roberts, Jr.
313. George Hans Mueller.
315. Neri Philip Cangelosi.
316. Charles Edward Balthis, Jr.
317. Leland George Cagwin.
319. William Parham Kevan, Jr.
320. Silvio Emil Gasperini, Jr.
322. James David Loewus.
323. William Fielding Lewis.
324. David Rockwell Crocker.
328. Frank Meszar.
331. Lester Cicil Hess.
333. Henry Hudson Norman, Jr.
334. Lee Watson Fritter.
335. Eugene Orville McDonald.
337. Morrill Elwood Marston.
339. Sanford Harvey Webster.
345. Robert Francis O'Donnell.
349. Mercer Patton Davis.
350. Raymond John Downey.
351. Frank Chittenden Mandell.
352. Emory Sherwood Adams, Jr.
356. Howard Lewis Peter.
357. Carter Burdeau Johnson.
358. Richard Ware Mabee.
359. Florian John Erspamer.
360. Andrew D'Elia.
361. Charles Eugene Oglesby.
364. Ralph Adair Colby.
365. Bidwell Moore.
369. Anthony Lewis Paul Wermuth.
370. Andrew Donald Budz, Jr.
372. Durward Henry Galbreath.
373. Jodie Gibson Stewart, Jr.
374. James Edward McGinity.
375. Eben French Swift.
379. Louis Gonzaga Mendez, Jr.
383. Stanton Thomas Smith, Jr.
384. Melville Offers.
385. Mark Ransom Hudson, Jr.
386. Sidney Vincent Bingham, Jr.
387. Stephen Bernard Morrissey.
391. Edward Franklin Hoover, Jr.
393. Victor George Conley.
395. Roland Merrill Gleszer.
399. William Norman Holm.
400. Franklin Wolfram Horton.
401. Paul Sorg Reinecke, Jr.
405. Edward Dunphy Fitzpatrick.
407. Julian Aaron Cook.
410. George Thomas Larkin.
412. Henry Force Daniels.
417. William Powell Litton.
419. Alvan Cullom Gillem, 2d.
420. Chester Moffet Freudendorf.
421. Russell Joseph Manzolillo.
422. Benjamin Franklin Delamater, 3d.
423. Jack Borden.
424. Theodore Ross Milton.
429. Albert Eger Brown, Jr.
431. Francis Thomas Devlin.
433. Frederick Leif Andrews.
435. Kermit Robert Dyke.
439. John Richard Knight.

Quartermaster Corps

60. Philip Lovell Elliott.
120. Woodrow Wilson Vaughan.
140. Manley Calbraith Perry.
146. Thomas Henderson Scott, Jr.
148. Walter Wellman Lavell.
151. William Everett Marling.
152. Charles Alexander Shaunesey, Jr.
163. Otis Maxwell Ulm.
167. Alan Griffith Baker.

179. Charles Gillies Esau.
203. Alan Phillip Thayer.
204. Raymond Starrat Sleeper.
207. John Robert Wilbraham.
209. Arthur Harold Nelson.
217. William Beverly Campbell.
232. John Edmund Collins.
242. Joseph Schuyler Hardin.
246. William Goodnow Stoddard, Jr.
248. James Richard Maedler.
266. Ralph Edward Zahrobsky.
292. Donald Lionel Bierman.
346. Frederick Anthony Schmaltz.
368. Lloyd Webster Hough.
371. Frank Talman, Watrous, Jr.
376. Theodore Weisman Davis.
389. Karl Tweeten Rauk.
396. Joseph Lee Mastran.
398. Walter Drummond Swank.
408. James Mason Smelley.
447. Lyman Oscar Heidtke.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 3 (legislative day of May 28), 1940

POSTMASTERS

ALABAMA

Maude A. Bosarge, Bayou Labatre.
Thomas Maxwell Karrh, Berry.
Hugh H. Dale, Camden.
Maunsell Gabbett, Camp Hill.
Clyde H. West, Centre.
Violet A. Yeend, Chickasaw.
John P. Cox, Collinsville.
Leslie D. Stallworth, Cordova.
James Claude Golden, Dora.
James Davis Hilyer, East Tallassee.
Clellon L. Wager, Heflin.
James E. Summerour, Henagar.
Annie M. Campbell, Lexington.
Ruth K. Bullard, Lockhart.
Ora B. Wann, Madison.
Grover C. Warrick, Millry.
Robert A. Reid, Montevallo.
Harry E. Marshall, Orrville.
Jennings B. Key, Parrish.
Albert C. Blacklidge, Phil Campbell.
Harold C. Sharpe, Piedmont.
Oscar Sheffield, Pine Hill.
Stella K. Martin, Plantersville.
Madge B. Bankhead, Sulligent.
Cora A. Lee, Town Creek.
Minnie L. Garrett, Uriah.
Frank Poole, Wetumpka.
Velma F. Murdock, Wilson Dam.
Maggie Winningham, York.

CALIFORNIA

Louis H. Hoskins, Anaheim.
Jeremiah P. Shields, Bakersfield.
Carl C. McClellan, Barstow.
Walter I. Ricketts, Biggs.
A. Dewey Newburn, Carlsbad.
Fred M. Snider, Colton.
Clark Wallace, Compton.
Samuel E. Burum, Dinuba.
John H. Dodson, El Cajon.
Walter A. Filer, Fellows.
John W. Winton, Fowler.
Dwight E. Knapp, Garberville.
W. Sinclair Head, Garden Grove.
Corinne Dolcini, Guadalupe.
Sidney C. Moon, Hemet.
Edgar M. Bandy, Lindsay.
Reuben C. Yarger, Loleta.
Albert J. Frutchey, Los Nietos.
Cortez B. Combs, McFarland.
Frank J. Bole, Monrovia.
Olive W. Bush, Monte Rio.
Clarence N. Hamblet, Oildale.
John N. Tibessart, Orland.
John I. Fiscus, Rio Vista.
Noah A. Stump, Rosemead.
Lawrence C. Murphy, San Gabriel.
Joseph Galewsky, St. Helena.
Carl A. Romer, San Juan Capistrano.
Mary G. Newby, San Quentin.
Alva M. Smith, Shasta Dam.
Irene C. Witmer, Solana Beach.
Walter L. Murphy, Sonoma.
George H. Banning, South Pasadena.
Clarence G. Carratt, Templeton.
J. Howard Clark, Tulare.
Milburn M. Brame, Turlock.
Sam H. Long, Tustin.
Frank E. Chambers, Victorville.
Ellwyn R. Connelly, Visalia.
Gertrude M. Cox, Walkermine.
Edward Marion Sehorn, Willows.

MONTANA

Robert S. Nicholson, Darby.
Winifred C. Jeffers, Ennis.
Lewis H. Rutter, Hinsdale.
Thomas Butler, Miles City.

WITHDRAWAL

Executive nomination withdrawn from the Senate June 3 (legislative day of May 28), 1940

POSTMASTER

NORTH DAKOTA

Ole A. Larson to be postmaster at Killdeer, in the State of North Dakota.

HOUSE OF REPRESENTATIVES

MONDAY, JUNE 3, 1940

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our gracious Master, breathe into our hearts the peace and rest of Thy saving name; speak to us in the mystery of Thy waiting. Teach us to walk among men as Thou didst with patience, with faithful rebuking of evil, in discernment of speaking of the truth, and in the spirit of brotherhood. When the world is given to penury, when the heart aches and doubt hangs low; when so many things contest us and the beautiful teachings of our mothers are violated, O may we not lose ourselves between Calvary and Olivet. Make us strong to brighten the desert wastes of care, anxiety, and disappointment. When spiritual enthusiasms are being threatened, ideals being shattered, and hate is in a wild delirium of human wreckage, O Lord God, set Thy joy before us to seek and to save that which was lost. Thou art in the storm when the ship is tossing and in the vale when the heart is weeping. We thank Thee, that no matter what veiling fogs may shut out the stars, how often we may drop the anchor and wish for the day-dawn, nor how perilous the journey, O Thou Christ, the hope of the world, art with us. O hear us as we pray for our President, our Speaker, and the Congress assembled. May our entire country support and sustain them in their wise and patriotic decisions. In our dear Redeemer's name. Amen.

The Journal of the proceedings of Friday, May 31, 1940, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment a bill and a joint resolution of the House of the following titles:

H. R. 6158. An act authorizing the selection of a site in the District of Columbia and the erection thereon of a statue of George Washington; and

H. J. Res. 260. Joint resolution authorizing the removal of the statue of John Marshall from its present site on the Capitol Grounds to a new site in proximity to the Supreme Court Building.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a joint resolution of the House of the following title:

H. J. Res. 551. Joint resolution providing for the taking effect of Reorganization Plan No. V.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 2132. An act for the relief of Katherine Scott, Mrs. J. H. Scott, Jettie Stewart, and Ruth Mincemeyer.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 186) entitled "An act to amend section 798 of the Code of Law for the District of Columbia, relating to murder in the first degree."

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries.

PERMISSION TO ADDRESS THE HOUSE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that on tomorrow, after disposition on the Speaker's table and any other special orders of the day, I may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, and I am not going to object, I hope that no Member will ask permission to speak today, because we hope to have a conference on this side after the legislative program of the day.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

ATTENDANCE OF MARINE BAND AT CONVENTION OF G. A. R., SPRINGFIELD, ILL.

Mr. FRIES. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 9296) to authorize the attendance of the Marine Band at the convention of the Grand Army of the Republic to be held at Springfield, Ill., September 8 to 13, inclusive, 1940.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, I understand this bill is on the Consent Calendar. The Consent Calendar will be called today. Surely there is no necessity for taking this bill up out of order. I have no objection to the bill, however.

Mr. FRIES. It is not on the Consent Calendar.

Mr. RAYBURN. I understand it is not on the calendar. I do not know.

The SPEAKER. Is there objection?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the President is authorized to permit the band of the United States Marine Corps to attend and give concerts at the convention of the Grand Army of the Republic to be held at Springfield, Ill., from September 8 to 13, inclusive, 1940.

SEC. 2. For the purpose of defraying the expenses of such band in attending and giving concerts at such convention, there is authorized to be appropriated the sum of $7,655.25, or so much thereof as may be necessary, to carry out the provisions of the act: *Provided*, That in addition to transportation and Pullman accommodations the leaders and members of the Marine Band be allowed not to exceed $5 per day each for additional living expenses while on duty, and that the payment of such expenses shall be in addition to the pay and allowances to which they would be entitled while serving at their permanent station.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. RANDOLPH. Mr. Speaker, I have two unanimous-consent requests: First, I ask unanimous consent to extend my own remarks in the RECORD and to include therewith certain short excerpts from a very splendid article in the Sunday Star by Roger L. Stokes on aviation development in this country; and, second, to extend my remarks and to include certain excerpts from a speech delivered by a friend of mine who substituted for me at a meeting in West Virginia.

The SPEAKER. Without objection, it is so ordered.

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to extend my own remarks by including a radio speech I made on June 1 over the National Broadcasting System.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent that on Wednesday of this week I may have 20 minutes in which to address the House, after disposition of business on the Speaker's table and any other business of the day.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. BYRNS of Tennessee. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include an address by my colleague the gentleman from Connecticut, Hon. THOMAS R. BALL.

The SPEAKER. Is there objection?

There was no objection.

REORGANIZATION PLAN NO. V

Mr. COCHRAN. Mr. Speaker, by direction of the Select Committee on Organization, I ask unanimous consent to take from the Speaker's table the joint resolution (H. J. Res. 551) providing for the taking effect of Reorganization Plan No. V, with a Senate amendment, and agree to the Senate amendment.

The Clerk read the title of the House joint resolution.

The Clerk read the Senate amendment as follows:

Page 2, after line 17, insert:

"SEC. 4. The provisions of Reorganization Plan No. III, submitted to the Congress on April 2, 1940, and the provisions of Reorganization Plan No. IV, submitted to the Congress on April 11, 1940, shall take effect on June 30, 1940, notwithstanding the provisions of the Reorganization Act of 1939."

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. ANDERSON of Missouri. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and also to extend my remarks and include an editorial from the St. Louis Post Dispatch.

The SPEAKER. Is there objection?

There was no objection.

DISTRICT OF COLUMBIA APPROPRIATION BILL, 1941—CONFERENCE REPORT

Mr. CALDWELL. Mr. Speaker, I ask unanimous consent that I may have until midnight tonight within which to file a conference report on the bill (H. R. 9109) making appropria-

tions for the District of Columbia for the fiscal year ending June 30, 1941, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

EXTENSION OF REMARKS

Mr. MAY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a statement made up by the Congressional Library of the Members and Delegates who have been members of the House Military Affairs Committee from the Seventeenth to the Seventy-sixth Congresses, inclusive.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HENNINGS. Mr. Speaker, I ask unanimous consent that on Wednesday next, after the disposition of the legislative business of the day and any other special orders, that I may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. MURDOCK of Utah. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein certain editorials with reference to the National Labor Relations Board and the Smith investigating committee; and also to extend my remarks and include therein certain excerpts from a speech made by J. Warren Madden, of the Labor Board.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GATHINGS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a radio address delivered by me on last Saturday.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DELEGATION OF POWER TO THE PRESIDENT

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, a few years ago we were requested to grant unlimited funds to the Chief Executive. This the Congress did, but I question whether it has not been detrimental to the Chief Executive, to the party in power, and I am sure it has to the country generally. We have been requested lately to extend greater power to the Chief Executive because of a national emergency. I wonder what that national emergency is. I wonder whether the Members of Congress know exactly what is in the making by the national emergency. We should be informed. Let the President take Congress into his confidence. Why should he keep the Congress in the dark?

If we turn over to the Chief Executive the power he now requests, what becomes of States' rights? Where do they begin and end? Should we turn over the State militia to the Chief Executive? I am for State rights; I do not believe we want a dictator in the White House. I am positive I do not want a dictator as our ruler. I warn you, if you do not stop turning power over to the Chief Executive a dictator will be here. Dictatorship is just about here now. It is time to halt. Congress must remain in session during the national emergency and not turn over all its power to the President. What were you elected for? When you were elected by your constituents to serve as a Member of Congress they had confidence you would assume your responsibility as a Congressman. Now, in the name of our country, serve your people and do the thing you think best, but do not give a blank check to the President to use as he sees fit. Do not let it be said that you delegate the authority that the Constitution gives to you to any President, regardless of who he may be.

[Here the gavel fell.]

RADIO BROADCASTING NEEDS INVESTIGATING

Mr. COX. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. COX. Mr. Speaker, on yesterday the broadcasters announced that they were compelled by law to broadcast the proceedings of the Communist convention. I happen to hold in my hand the law. It compelled no such thing.

Mr. Speaker, in view of the fact that Mr. Sarnoff, who heads the R. C. A., inspired the editorial Public Enemy No. 1, carried in a recent issue of Colliers, and in view of the further fact that he is the close associate of the brother-in-law of Mr. Molotov, Premier of Russia, and in consideration of the further fact that it has been said for a long while that subversive activities were freely carried on in this organization, I want to make the observation that we have about reached the point where we should investigate the broadcasting business. It is too late in the session to undertake such an investigation now, but we can get to it early in the next Congress.

[Here the gavel fell.]

JEFFERSON DAVIS' BIRTHDAY

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House of 1 minute, and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RANKIN. Mr. Speaker, this is a holiday in Mississippi and in many of the other Southern States. It is the birthday of the greatest of all Mississippians and one of the greatest of all Americans, Jefferson Davis, the great white chieftain of the Confederacy of whom it was said by Hon. Caleb Cushing that he was wise among the wisest in counsel, eloquent among the most eloquent in debate, and brave among the bravest on the battlefield.

I cannot express it better than in the words of Bishop Galloway, who said:

> Marvelous, many-sided, masterful man, his virtues will grow brighter and his name be writ larger with each passing century. When another hundred years have passed away no intelligent voice will fail to praise him, no patriotic hand will refuse to place a laurel wreath upon his radiant brow.
>
> God give us more of such men.

[Applause.]

[Here the gavel fell.]

CONGRESS MUST NOT ADJOURN

Mr. GEARHART. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GEARHART. Mr. Speaker, half of the world is in flames. Aggressors, drunk with dreams of power yet to be achieved, spread death and destruction in western Europe and eastern Asia. This mad orgy of blood letting may any moment expand into a veritable holocaust, a slaughter of world-wide proportions.

Ten nations have already been overrun, their peoples murdered, mutilated, maimed. And their only offense has been their love of their fatherland, the land of their birth, the scenes of their childhood's happy hours.

The thought of adjournment in the face of a developing situation such as the one which is now taking form should not find hospitality in the mind of any thinking American. If there ever were a time when the necessities of a moment required a Congress to remain in session that time is now.

Because the wild dogs of war run unleashed, it is imperative that our country prepare itself against any eventuality.

Ordinary prudence dictates that we bring our defenses to the point where we—Americans—can if needs be face a war-mad world alone. To place our dependence upon others in times such as these would be but to invite destruction, to court disaster, trifle with fate.

The problem which is ours is not difficult to define. The path that we should follow is not hard to discern. Our objective is a prepared America—a Nation equipped to successfully defend itself against any nation or combination of nations that might intrude upon our shores, attack our people, insult our flag.

With the President we are in hearty agreement when he says, "Our defenses must be made invulnerable, our security absolute." Though this is no easy task, nothing short of this is compatible with common sense.

As clearly as our national-defense objectives now appear to us, their attainment will be no easy matter. The bringing of our national-defense establishment to a high state of efficiency will require the best thought of which this country is capable.

To accomplish an adequate preparedness the Congress and the Chief Executive must work in the closest cooperation, as "a team," not alone in the first inning, but throughout the entire play. How ridiculous would our performance be with the captain in Washington and the players scattered throughout the vast territorial expanse of this far-flung Nation. No; the Congress must not adjourn.

The proper preparedness of our country does not contemplate merely the multiplication of weapons, mechanizations, the authorization of new equipment, airships and the mustering of men, the appropriation of funds. A thorough-going build-up of the national defense will require many, many other activities, nearly all of which will require legislative enactment, committee-room studies, floor debate.

The problems which are under study at this moment—the problems which are within our contemplation at this time—are few indeed compared with those which the morrow will bring forth, problems which are today undreamed of. Congress must be here, remain in Washington, to meet each situation—to address itself to each problem—as it arises.

Congress need not sit idly by twiddling its thumbs. There is plenty to do right at this moment.

Prominent among the problems of the moment is that of war profiteering—a scandalous practice which again threatens to raise its ugly head in this fair land.

If we are to make good our vow so often repeated since the close of the first World War that never again shall there be erected in these United States a new marble palace for a new-made, war-profiteering millionaire for every white cross that is raised to mark the hallowed resting place of a soldier, sailor, or marine who died upon the field of honor in defense of his country's cause, then this Congress must remain in session.

A way to end this cruel practice must be found. Only a Congress in session can find it.

Then there is the problem of the "enemy within our gates." From every side we hear of the pernicious activities of those who would destroy our institutions, overthrow our Government, seize power. Fascists, Communists, bunders infest our land. To this motley crew of destructionists we must now categorically add vast numbers of spies, saboteurs, yea, even traitors—all intent upon the common purpose of rendering this country naked and helpless in the face of its enemies.

Eternal vigilance is still the price of liberty. A lack of vigilance at this time might result in the destruction of all of that which we hold dear, the overturning in a day of the Government it has taken us 150 years to build.

To successfully combat these subversive elements will require the ever alert attention which only a Congress in session, a Congress aroused to the dangers with which we are beset, can supply. With this threat from within ever present, who can, who will suggest that the Congress do now adjourn? Such a course would be folly indeed.

The fiscal affairs of our country are in a critical condition. We contemplate collosal demands upon the Treasury at a time when the country is already overburdened with the largest national debt in the history of the nations of the world.

As we face this vexing situation new tax legislation must be written to supply a part, if not all, of the funds which the world crisis will require us to expend to "make our defenses invulnerable, our security absolute." This is not a subject that can be disposed of overnight. Days, weeks, even a month, could well be devoted to the solving of the intricate problems with which taxes have to do.

In order to improve the precarious financial position of the Nation, a sound fiscal policy should be worked out to replace the willy-nilly psuedo policies that have guided administrative activity during the recent spending years. Order must be brought out of chaos. Only Congress can accomplish that.

Even in this world of crises there is no reason why we should rush to hysterical, ill-considered decisions which, hastily arrived at, may produce results more harmful than the evils they were designed to cure.

If the Congress would put out of its mind all thoughts of home—and of the personal politics that may be involved—and settle down to the business of legislation, the answers to all of these problems could be found and the tension arising out of the uncertainties of the moment relieved.

In the face of the demand for a solution of our fiscal problems how can Congressmen talk of adjournment?

Though war now rages in Europe and Asia, there will come a time when peace will again reign throughout the world, a peace which will usher in conditions quite different from any we have experienced heretofore. When that time comes America must be prepared for that peace as she now prepares for the contingencies of war.

Tariff laws will have to be revised and reciprocal-trade agreements will have to be restudied in the light of the new conditions which the war will impose on victor and vanquished alike.

The dislocations in trade and commerce which the war which rages "over there" is bound to bring about will have to be adjusted and the causes eliminated lest greater dislocations completely disrupt the free flow of goods in the trade between the nations. If America is caught in a new world of peace completely unprepared, she might suffer economic defeats in the marts of the world comparable to major disasters in war.

So Congress should remain in session to prepare for the peace that will some day return to the world as well as to prepare against the possibility of involvement in war.

There is plenty for Congress to do, to do right now.

Congress should not adjourn.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—THE FOREIGN SERVICE

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Affairs:

To the Congress of the United States:

I commend to the favorable consideration of the Congress the enclosed draft of proposed legislation designed to clarify and simplify the existing laws governing the disposition by American consular officers of the personal estates of American citizens who die abroad and to remove therefrom certain ambiguities. The draft also authorizes diplomatic officers, in the absence of consular officers, to dispose of such estates.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *June 3, 1940.*

EXTENSION OF REMARKS

Mr. ROUTZOHN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein some remarks by the Honorable James A. Reed, of Missouri, on the National Labor Relations Act.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. ROUTZOHN]?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the New York Tribune.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

Mr. KEEFE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an aditorial from a Chilton, Wis., newspaper.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. KEEFE]?

There was no objection.

AGRICULTURE AND WISCONSIN

Mr. KEEFE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. KEEFE]?

There was no objection.

Mr. KEEFE. Mr. Speaker, on May 14, 1940, the Milwaukee Journal published a news story covering an address delivered at a luncheon meeting of the Women's International League for Peace and Freedom by Mr. Grover B. Hill, who described himself in this address as the No. 2 man in the Department of Agriculture at Washington.

In this address, as reported in this news item, the gentleman, who referred to himself as a "Texas cattle rancher," attempted to tell the people of Wisconsin of the wonders and glories of the New Deal agricultural policy.

The address should attract the attention of thoughtful citizens for what was left out rather than for what was stated, and in order that the omissions may be cataloged and the record kept straight, my colleague from Wisconsin, the Honorable REID MURRAY, a member of the House Agriculture Committee, who has rendered outstanding service to the people of this country as a member of this great committee, propounds the following questions to the gentleman from Texas in the hope that the people of Wisconsin and the Nation may have the benefit of direct and categorical answers thereto:

1. Why didn't you tell them that Texas had increased its cheese production 500 percent while it was receiving $365,000,000 out of the United States Treasury for not growing cotton and other crops?

2. Why didn't you tell them that 20 percent of the farm income in Texas is in the form of subsidies from the United States Treasury and that the Wisconsin farm income from this source is insignificant in comparison?

3. Why didn't you tell the good Wisconsin people that your State, Texas, and four others had received 40 percent of the parity money, and that in 1 year your State had received over 27 percent of the parity money?

4. Why didn't you tell them that your State, Texas, had obtained over $365,000,000 in subsidies out of the United States Treasury while Wisconsin was obtaining a mere $47,000,000? Why didn't you tell them that your State had received over one-eighth of all the agricultural subsidies that had been distributed so generously by the New Deal?

5. Why didn't you tell them that many of your Southern States have had agricultural subsidies representing 25 to 30 percent of the assessed valuation of your farms, while many Northern States have been having subsidies which represented only 1 to 3 percent of the assessed value of their farms?

6. Why didn't you tell them that the public debt has increased $21,000,000,000 and that the farmers will have their share to pay, or $6,000,000,000, even though they have received only $3,000,000,000 in subsidies from the Public Treasury? Why didn't you tell them about Mr. Morgenthau coming out to Wisconsin and loading the farmers with enormous mortgages and then you turned around and lowered the tariff by 42 percent on their cheese so that they were unable to pay their mortgages? Why didn't you call their attention to the fact that at many places over 50 percent of the Federal loans are delinquent and that if these were foreclosed, Wisconsin would be much worse off than in 1932, which year is so dear to the new dealer's heart?

7. Why didn't you tell the Wisconsin people about the 84,000 farms on which the New Deal has foreclosed the last 6 years? Why didn't you tell them that President Roosevelt twice vetoed the bill providing for lower interest rates for farmers and that these lower rates were obtained over the President's veto and that Republican votes were necessary to accomplish this?

8. Why didn't you tell them about these new farmers who have been started up, largely in the South, where the new farmer doesn't pay a cent down on the farm and where the total purchase price is furnished from the United States Treasury? Why didn't you tell these Wisconsin people that your Department has been buying $8,000 to $13,000 farms for people who had never owned a farm and set them up in business in competition to the men whose farms you were taking away from them? Why didn't you tell the Wisconsin people that your Department had paid up to $650 an acre for farms to start beginners on farms while you were taking away, by the thousands, the average-price farms from the average farmers who were already living on their farms?

9. Why didn't you tell the Wisconsin people that your Department has obtained, and is obtaining, millions of dollars from Congress under the name of rural rehabilitation when you have, in fact, been using this money to start canning factories and all other such schemes instead of spending the money for the rural people who are really on the farms? Why didn't you tell them about these 20 canning factories that have been promoted, largely in the South, so that the Wisconsin canning factories will really know why it is difficult for them to make a success of their factories?

10. As an expert on trade treaties, why didn't you tell them that in 1937, with the reduced New Deal tariffs in effect, you imported $868,000,000 worth of competitive products, or 10 percent of our national production, and at the same time you used millions of dollars out of the United States Treasury to buy surpluses in a futile effort to improve prices? Who but a new dealer would ever even think of trying to stabilize any market by adding 10 times as many products to a market as he removed from the same market? Why didn't you tell them that cheese, during the 7 pre-New Deal years, averaged 17.5 cents per pound and in the 7 New Deal years averaged only 13.2 cents per pound? This represents a loss of at least $100,000,000 to the cheese farmers of Wisconsin and represents twice as much as all the subsidies you have given to the State of Wisconsin. Why didn't you tell them that even though cheese did average 10 cents per pound in the year 1932 it really averaged 14.7 cents per pound the last 4 Republican years and it has averaged only 12.7 cents per pound the last 2 years of the "more abundant life"? Cheese averaged only 11.7 cents per pound the first 6 months of 1939, after 7 years of the "more abundant life," so 10-cent cheese for 1 Republican year is not so disturbing as you would like to picture it. Why didn't you tell them that the imports of this American cheese amounted to 7 or 8 percent of the national production instead of trying to say that the Americans had 99.4 percent of the American market when everyone knows that a large percentage of this market is supplied by fluid milk? Why didn't you tell them that the imports of American cheese represent 7 or 8 percent of the national production and that the import of the Swiss cheese represents from 20 to 25 percent of the national production? Why didn't you tell them that, in 1938, when cheese averaged only 12.6 cents per pound, which is about two-thirds of the cost of production, the second Canadian treaty reduced the tariff by another 20 percent? I doubt if you can answer this one because there is none here in Washington who has been able to answer it up to this time. As Monroe, Wis., is headquarters for Swiss cheese in this country, why didn't you tell them that during the 6 pre-New Deal years Swiss cheese averaged 24.8 cents per pound and that during the first 6 years of the New Deal it averaged only 18.7 cents per pound?

11. Why didn't you tell them that under the trade treaties 60 percent more agricultural products were imported than were exported? Why didn't you tell them that in 1939, after 7 years of the "more abundant life," of the total exports of this country agricultural products represented only 21.7 percent of the total exports, the smallest percentage of agricultural products exported in the history of our country?

12. Why didn't you tell them that on December 31, 1932, only 45 percent of the Federal loans were delinquent and now, in many places, over 50 percent are delinquent? Why didn't you tell them that as a part of your foreign-trade policy you bought gold at $35 an ounce when it was worth only $20.67 an ounce and that up to this time you have lost $4,500,000,000 on these transactions? Why didn't you tell them that you had lost half the world's cotton market by your New Deal schemes? Why didn't you tell them that you pay an export bounty in order to bolster up your agricultural exports and that millions of dollars from the Treasury have been used to pay this export subsidy of 25 cents a bushel on wheat and $7.50 a bale on cotton?

13. Why didn't you tell them that your Department boasts of the fact that they doubled the production of poultry and hogs in their promotional program of the Farm Security Administration and that they also increased the cattle production by 75 percent in this program? These men were set up in business against the regular farmer already on their farms.

14. Why didn't you tell them that though cheese was only 10 cents a pound in 1932, this price compares favorably with 4½-cent hogs and 12-cent eggs and the 6-month average of 11.7 cents per pound for cheese in 1939 which the New Deal has been giving the farmers?

15. Why tell them about the potatoes that weren't dug in the days before the "more abundant life," when in 1935 and 1937 thousands of acres were not dug in Wisconsin under these New Deal years? Why didn't you tell them about the potatoes that were shipped from Idaho to Antigo, Wis., for distribution to people on relief, while Antigo is one of the leading potato centers in the country? And tell them why if you can.

16. Why boast of the $3,000,000 worth of agricultural products purchased in Wisconsin for free distribution when Wisconsin is the eighth leading agricultural State of the Nation, and when you have

purchased hundreds of millions of dollars' worth of these products from other States for distribution? Why didn't you tell them why you sent oranges by the truckload into Wisconsin for distribution when the apples were rotting on the ground in the orchards of the State? Why didn't you tell the Wisconsin farmers why you have not bought 1 pound of Wisconsin cheese as cheap as the New Deal has made it the past 2 fiscal years? Why didn't you tell them about the $1,000,000 worth of surplus fish that you bought instead of buying the 11-cent and 12-cent cheese or other farm crops? Why didn't you tell them about the $1,900,000 worth of fluid milk that was distributed in Boston, none being distributed in Wisconsin or any other State with the exception of a small amount in New York City? Wasn't this milk purchased in New York City to stabilize the whole milk market, and wasn't this milk exchanged for powdered skim milk and this distributed to the people of this country on relief?

17. Why didn't you tell them about the large soil checks that were sent to the South? Why didn't you tell them about the $122,000 one ranch alone in Texas received this year and the $112,000 check this same ranch received last year? Why didn't you tell them that this is more than some entire counties in Wisconsin get under this conservation program? Why didn't you tell them about the $200,000 soil checks you gave the large insurance companies? The New Deal seems to have more interest in conserving the New Deal than in conserving the soil of our country.

18. Why didn't you tell them who was paying the expenses of all these speakers who are trying to defend and justify the enormous waste of all New Deal programs? Why didn't you tell them that the State Department cannot send them out any more, telling how the trade treaties were going to have such an influence on world peace because it doesn't seem to have worked out that way?

There are many other agricultural facts which the gentleman could have told the people of Wisconsin and the Nation and I am certain that if he had spent more time in studying the agricultural situation in this country than he has apparently spent in promoting New Deal propaganda, the people of the Nation would have a better and clearer picture of the utter and complete failure of the present Department of Agriculture to solve the farm problem. Agricultural experts from the State of Texas have no hesitancy in declaring that despite the outpouring of $365,000,000 in farm subsidies into the State of Texas during the last 7 years, agriculture in that State is perhaps in the worst shape it has been in the history of the State. It seems almost conclusive that the talents and energies of the No. 2 man in the Department of Agriculture can be used to better advantage here in Washington in endeavoring to work out a program that will give a fair wage to the American farmer and insure to him at least his cost of production, rather than gadding about the Nation spreading New Deal agricultural propaganda.

EXTENSION OF REMARKS

Mr. BARTON of New York asked and was given permission to revise and extend his own remarks in the RECORD.

WORLD CONDITIONS

Mr. GIFFORD. Mr. Speaker, I ask unanimous consent to proceed for one-half minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. GIFFORD]?

There was no objection.

Mr. GIFFORD. Mr. Speaker, prolific statements from columnists and writers during the past few days present an urge that we proceed with cautious deliberation. Let us not be stampeded toward hasty action. We have great and sudden responsibility thrust upon us.

A little actual experience wipes out a great many theories. Hitler has awakened the world to the menace to civilization itself. Millions of humans are to be slaughtered. New engines of destruction are to determine who may survive. The doctrine of good will among nations now seems only a mockery.

Our own Secretary of State, in his high position among nations and with his sincere desire and his great efforts for peace, must suffer pangs of great disappointment in his apparently futile results. His immediate duties seemingly would force him to mobilize our neighbors for war purposes rather than those of peace. Inventive genius and its accomplishments are now used for the destruction of mankind. Suddenly it dawns on peace-loving peoples that a higher education leads to a proportionate danger in diplomacy. The religious and the good may survive only as they are protected by the mightiest of armaments. This great Nation suddenly awakens to its own danger. Its citizens are puzzled and even dumfounded. Their representatives are groping to determine a policy of action. Shall we assist others now in resistance to the invader? And to what extent? Is that method our own first line of defense? Shall we arm ourselves only for our own immediate safety? Or shall we now guarantee protection to the whole hemisphere? Gradually the seriousness of the Monroe Doctrine casts its shadow upon us. Seemingly nearly all who venture to express opinions advise assuming protectorate over all foreign possessions in this hemisphere. With our eyes open and only with full realization of its fateful results must this step be taken.

Does not the conquerer, armed with deeds from the vanquished, intend to assume possession? Will any doctrine declared by us deter him? Let no hasty assurances by our military authorities be too convincing. Our people must be fully aware of the great responsibility and determine whether we are prepared for such a sacrifice of substance and lives as might follow such decision. Let diplomacy first make the attempt for peaceable negotiation. Another great nation in the other hemisphere awaits our action to make claim to a similar doctrine.

We may attempt to reassure ourselves that we would then be only in a defensive position and the enemy would be obliged to take the offensive. Recent results of war operations prove that offense tactics are now the more successful. The defense suffers damage and often disaster in its own territory while the land of the invader remains unscathed.

At the moment no wave of hysteria is to be noted in our legislative chambers. Acts of the Executive are closely observed, and the brakes of caution will be applied if necessary. However, the Executive is charged with diplomatic action. His pronouncements may cause serious trouble. His every movement in the direction of foreign policy should be made only with the advice and approval of our leaders in the Congress. Temperamental outbursts must be avoided.

Fireside chats of assurance "that we have on hand or ordered," to be followed with direful warnings and frightening demands for billions, are most upsetting. Calmness is now desired. The Congress is more than willing to vote the billions without arousing their constituents to immediate apprehension for their safety.

The really great fear of our citizens may well be whether our leader will clothe with real authority those capable of providing for our defense. Window dressing his present Cabinet officials now having full power of action will not suffice. The "yes" men surrounding him for many years should be entitled to a long vacation from their continued experiments and raids on the Public Treasury.

Important personages outside legislative halls are now making definite statements as to their own opinions of action. A stream of letters follows in agreement or disagreement with those opinions. We must be most careful in hasty decision. Only after mature judgment should we make a declaration, which, once made, is not easy to retract, if or when we may be forced to do so.

This is no criticism of the expressed opinions of prominent persons. We need to know their views. However, these opinions so conflict with each other that the Members of this body must weigh them carefully and act only when convinced of the right course of action.

PERMISSION TO ADDRESS THE HOUSE

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my own remarks in the RECORD, and to include two newspaper clippings dealing with five sabotage attempts on our air plants and the National Labor Relations Board hearing in Los Angeles.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. LELAND M. FORD]?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I want to direct the attention of the Members of the House to two newspaper articles that I am including in my remarks, one dealing with five sabotage attempts in the last 10 days to interfere with water and power supplies to three large aircraft plants engaged in making planes for our Government. These are actualities, not suggestions.

The other article has to do with the unfair, un-American way that the National Labor Relations Board is conducting its hearing in Los Angeles County.

The newspaper articles referred to follow:

[From the Santa Monica (Calif.) Outlook of May 30, 1940]

FIVE SABOTAGE ATTEMPTS REVEALED—APPARENT PLOT AIMS AT AIRPLANE FACTORIES

LOS ANGELES.—County and Federal authorities were probing today five attempts in the last 10 days to interfere with water and power supplies to three large aircraft plants engaged in making planes for the Government and the Allies. They were seeking to find out whether these were part of an organized sabotage plot.

The most recent act was early today, when the power line to the Hawthorne city water plant was cut, stilling for 5 hours pumps supplying the new Northrop airplane factory and the city of Hawthorne. A wooden control bar was sawed in two, breaking the water company's power switch.

SWITCH DAMAGED

Early Sunday morning, authorities disclosed today, the El Segundo substation of the Southern California Edison Co. was entered and a switch damaged at the same time that a switch on a pole at El Segundo and Sepulveda Boulevards was thrown. These controlled power lines to the El Segundo Northrop plant, as well as the substation signal system, showing trouble on any lines from the station.

Another power line was cut parallel to that leading to the North American and Douglas plants, throwing a minor circuit out of commission. Investigators believe the intent was to cut the other line.

A fifth incident was said by investigators to have been an attempt to cut the water supply of the North American plant.

DOUGLAS URGES GREATEST PRECAUTIONS

Donald W. Douglas, president of the Nation's largest airplane manufacturing company, warned his 18,000 employees today to guard against the possibility of sabotage by "interests or elements opposed to the security of this Nation."

"Under conditions resulting in the new defense program it is possible that alien interests or elements opposed to the security of this Nation may attempt to hinder our production and sabotage activities or products of our plants," Douglas said in a letter to employees.

"It is the duty of every loyal American and every employee of this company to report accurately and promptly any and all such attempts and to exercise increased vigilance in his work * * *."

Douglas did not mention if attempts had been made to sabotage the huge plant, policed by private officers, but urged caution. The factory now is turning out large orders of military planes for the Allied Powers and the United States Army.

DEFENSE LAWYER QUITS AWNING CASE HEARING—ATTORNEY WATKINS WALKS OUT IN PROTEST AGAINST ASSERTED INJUSTICES IN PROCEEDINGS

The National Labor Relations Board's highly controversial tent and awning hearing, costliest and longest in the Board's local regime, took an abrupt turn at its 8-month milepost yesterday, and Paul R. Watkins, a principal among respondent counsel, picked up his brief case and hat and walked out of the hearing in protest against what he termed "injustices."

Watkins, attorney for Southern Californians, Inc., the Neutral Thousands, and Employees' Advisory Service, unsuccessfully protested time after time to Board Trial Examiner Howard Myers against the latitude allowed by Myers to Board Attorney David Sokol when, after a previous warning that he was considering withdrawal, he arose and said:

"SITUATION IMPOSSIBLE

"We are going to be up against an impossible situation. I'm going to leave the room, and I'll not be back again unless my clients so instruct me."

Sokol called on Watkins to reconsider and return as Watkins was leaving the room, saying, "Be sensible," and drawing from Watkins the reply, "I am."

Myers then adjourned the session for 2 hours, which included the usual lunch period.

When Myers reopened the hearing he reversed one of his rulings to which Watkins had so strenuously objected, stating that he was trying "to preserve the peace and harmony" among participants. Watkins was not present, and Myers recessed the hearing until 11 a. m. today to give Watkins time to reconsider his action in view of the reversal. Meanwhile Watkins issued a public statement explaining his attitude.

BACKED IN PROTEST

Joining with Watkins in protests against Myers allowing Sokol to do what they declared was far outside fair and regular procedure were Attorneys C. R. Leslie for the Merchants' & Manufacturers' Association, Harry K. Wolff and Guy T. Graves for the tent and awning companies in the case.

Wolff charged Sokol with "a travesty on justice." Graves termed the Myers-Sokol positions at times as "imposition," "gross injustice," and "unfair."

"We've wandered from hell to breakfast during the 8 months of this hearing," Watkins exclaimed on one occasion.

COURSE DEFENDED

Both Myers and Sokol, with little or no explanation, held that they were proceeding according to proper board practice as defense counsel made their various and repeatedly unsuccessful objections and were overruled or not sustained.

Paula Hotchkin, former T. N. T. employee, was on the witness stand when the "last straw" fell on Watkins' back. She had been called by Watkins as a hostile witness, and Sokol had her on cross-examination—"purported cross-examination" Watkins called it—when defense counsel all charged that Sokol was taking her far outside the proper procedure and issues in order to go after the defendants.

Before the situation had become grave over the "injustice" protests, it reached one of its most hilarious moments during the long period that it has been running since last October 16.

SOKOL QUERIES SELF

Sokol put himself on the witness stand and cross-examined himself in such stirring manner that Graves called out in mock gravity:

"Stop badgering the witness!"

The substance of Sokol's tussle with himself was that when he first began quietly working up the Board's case against respondents he had a hard time trying to get Rittenhouse's aid.

Defense evidence was to the effect that before the case went to hearing Sokol and Rittenhouse were working together.

WARNING TO PUBLIC

An open statement, containing a warning to the public about civil liberties and framed in severely critical language, was issued later by Attorney Watkins explaining why he walked out of the hearing:

"I withdrew from further participation because I have become sick and weary of the treatment the respondents have received in that case. We have been in trial since November of 1939 on a case that could and should have been tried in 30 days at the outside. There are over 400 exhibits and more than 8,000 pages of testimony, at least 90 percent of which has no bearing on any issue which could properly be tried as a Board case.

"CLOSED CASE WEEKS AGO

"The Board closed its case several weeks ago after having been permitted a latitude which is impossible to conceive. Repeated objections were made by all counsel for the respondents during the Board's presentation of immaterial and scandalous matters which the trial examiner permitted in the record. The objections were brushed aside. The respondents whom I represent proceeded to put in their defense. A hostile witness was called by me and asked a limited number of questions.

"Despite the fact that this witness sat for days in the early part of the hearing as an observer, she was not called by the Board. The Board took her this morning on what purported to be cross-examination, and embarked upon an examination of matters which were immaterial, hearsay, conclusions, and outside of the issues in the case, and which were in no sense of the word proper cross-examination. I made repeated objections to this type of procedure and endeavored to explain to the trial examiner on the record that it had been almost impossible to prepare a defense in this case due to the latitude permitted to the Board in presenting its case, and that it became an impossibility, if after preparing for defense, every type of new matter was going to be permitted to be brought in on what purported to be cross-examination.

"EXPLANATIONS WITHHELD

"Though I repeatedly asked the examiner for his reasons for such rulings and for a definition of the limits as to which this could go, no explanation was given and my objections were overruled. I stated to the examiner that if such tactics were continued I would withdraw from the hearing. They did continue and I did withdraw.

"Throughout this whole case almost everyone connected with the respondents, either as officials, directors, or counsel, has been submitted to unjustified inference, innuendo, and slander. Many of the individuals are and have been for many years leading citizens in this community. They have been treated as criminals in this case, despite the fact that the whole legitimate issue before this Board is whether or not some of these organizations fostered independent unionism as against the American Federation of Labor or the Congress of Industrial Organizations.

"THROUGH WITH IT

"I have tried quite a number of cases before the Board and have never had any difficulty there. This present case has been the most astounding thing in my experience. Its conduct and the things permitted there are of real concern to everybody in this community and to everybody in this country.

"They go to the very heart of the protection of our constitutional rights of fair trial and due process. Civil liberties of the whole people have been utterly disregarded by the very people who are

screaming for the protection of the civil liberties of labor unions. The whole case has been an effort to smear everybody in town that has had any connection with the open-shop organizations. So far as I am concerned, I am through with it and the Board can take whatever action it wants to."

EXTENSION OF REMARKS

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. ARENDS]?

There was no objection.

Mr. SECCOMBE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include two articles.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. SECCOMBE]?

There was no objection.

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent to insert in the Appendix of the RECORD an article appearing in the paper this morning.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. COLE]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. VREELAND. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey [Mr. VREELAND]?

There was no objection.

Mr. VREELAND. Mr. Speaker, on Thursday night last, at midnight, operations ceased at what was once the world's busiest airport, namely, Newark Airport, situated at Port of Newark in New Jersey, and then closed an epoch in the history of the development of aviation and wrote a final chapter in the thankless expenditure of millions of dollars of the taxpayers' money.

Might we, for a minute, dwell on the history of aviation as it affected northern New Jersey and the metropolitan area of New York?

In 1919, shortly after the World War, aviation, still in its infancy, had become an important factor in our everyday life, the public slowly coming to the realization that the speed of air travel is a great facility for business and the development of modern civilization. In that year, because of the size of the city of Newark, N. J., and the proximity to New York City, a field was established on property belonging to the Forest Hill Golf Club and known as Heller Field, from which the air mail of the Federal Government serving Newark was flown. Unfortunately, because of the small size and its hazard, followed by many serious and fatal accidents, in 1920 the field was abandoned with the air-mail terminus being transferred to Hadley Field in New Brunswick.

With the increase in air-mail business, and the necessity of larger planes, Hadley Field was found to be not only inadequate in size but too great a distance from New York City to be of any value. It was then, and particularly after Colonel Lindbergh's dramatic flight across the Atlantic Ocean in May 1927, the far-sighted officials of the city of Newark visioned the transforming of the then valueless Newark meadowland into an airport to service northern New Jersey and metropolitan New York.

Plans were prepared and submitted to the Federal Government, and by authority thereof the construction of Newark Airport on 420 acres of meadowland began in 1928. A twofold benefit was derived by such construction. The fill, necessary to surface the swampland of the meadows was pumped from the channel, which later became Port Newark, so that not only did it deepen and widen the channel to allow oceangoing vessels to dock at Port Newark, but it also filled in the marshland with silt, which hardened to clay, forming an excellent hard base for the surface of the air field.

The first commercial flight from Newark Airport was August 1, 1928, and the field was officially opened for service on October 1 of that year. The first transport company to operate from that field was Colonial Western Airways, later American Airlines, and in February of 1929 it was designated as the eastern terminus for air-mail service, followed the next year by the leasing of ground by Eastern, United, and T. W. A. A post office was erected, and in 1931 it was known all over the world and became the world's busiest airport. In 1937 it shipped a large percentage of the country's air mail, 34.8 percent of the express, and 27.1 percent of the passenger traffic.

Newark Airport, through the expenditure of funds of the city of Newark and the taxpayers of the city, who willingly allowed the city officials to make such expenditures as a public service to the rest of the country, expanded. At the beginning of 1940 we find that exclusive of the purchase of land necessary for the building of the airport, the taxpayers of the city of Newark had spent $5,700,000, from which the city itself derived no benefit and was given as a public service for the development of aviation.

The Government in 1931, through C. W. A. granted $1,000,000 for an administration building and field improvements. The administration building has not yet been placed into operation or use. In August of 1935 the W. P. A. made a grant of $4,000,000 which project has not yet been completed and, in all probability, will not be.

While there are 220 acres in actual use, the city has title to 63 additional acres with a possibility of 1,100 yet to be purchased and used if necessary. To date there has been spent in the development of Newark airport by Government agencies and the city of Newark $11,430,000. There has been also some private expenditure on the field aggregating $700,000.

After I have given you this brief outline of the development from the infancy of air travel to the largest and busiest airport in the world, which in 1939, the last year of operation, handled 481,056 passengers, 5,755,369 pounds of mail, and 3,050,162 pounds of express, let us now consider what was going on in the meantime. Mayor LaGuardia, a former Member of this House, became obsessed with the idea that he should stand out in history as an advocate of aviation and must of necessity be the leader in that field. However, the main obstacle was the city of Newark had the grant of the air-mail terminus, so he proceeded to make every effort to seize by one method or another the air-mail contracts and to force the major airlines to leave Newark for some field in metropolitan New York. The first attempt was the attempted removal thereof to Floyd Bennett Field, considerably removed from the city than was Newark Airport, and, to make it attractive, he expended large sums of money for the development of that field but it was finally rejected by the Federal Government.

His next move was to attempt to place an airport on Governors Island, the headquarters of the second corps area, United States Army. This met with a protest from every pilot in the country because of the danger of operation.

Again being thwarted, Mr. LaGuardia, using the world's fair as a springboard and excuse, sought and received from the Federal Government a W. P. A. grant of $27,430,000 up to March 31, 1940, and with $500,000 or $600,000 still needed to complete the project for the development of the airport at North Beach adjacent to the world's fair grounds. Inasmuch as the construction did not proceed with sufficient speed, W. P. A. funds were used for the payment of union labor at union scale to hasten the opening of the field in time for the world's fair.

In December of 1939, after a hearing before the Civil Aeronautics Authority and much controversy together with many tales, whether founded or unfounded, I do not know, of the manipulations and methods used, the major airlines moved to LaGuardia Airport and subleased from American Airlines the hangars which that company had many months before leased from the city of New York. Newark Airport began to dwindle in traffic, after having had 246 planes land there daily, and finally on May 31, of 1940, by order of the Civil Aeronautics Authority, the once world's busiest airport ceased operations.

It is strange, however, to note that this great LaGuardia Airport, which is the last word in airport construction, is bounded on three sides by water, blocked effectively for a comfortable landing by high buildings of the city on the south, and blocked for safety in emergency landings on one side by congested areas of Long Island is further hampered by something that neither the Government nor the mayor can control, and that is the elements.

Let us look at the record since the moving of the major air lines to LaGuardia Field, abandoning Newark Airport, and we find that since December of 1939, when such air lines moved, it was impossible to land at LaGuardia Field because of fog or low ceiling and necessary to land at the abandoned Newark Airport with the following surprising facts: During the month of December 1939, 10 days; during the month of January 1940, 10 days; February 1940, 10 days; March 1940, 6 days; April 1940, 16 days; and May 1940, 16 days. As fate would have it, with Newark Airport closing on May 31, even for emergency landings, June 1 the planes were grounded at LaGuardia Field, a dramatic finis to the world's busiest airport and an expenditure of $11,430,000 of the taxpayers' money.

What is the future of Newark Airport? With the proposed expenditure of millions of dollars for the construction and development of new airports for the national defense, would it not be wise economy and good sense for the Federal Government to take over the Newark Airport as one of the defending air bases for the Port of New York, and thereby save the purchase of additional airports in that vicinity and make use of the millions expended in its development? It is ideally located, sufficiently far from the coast defense to be out of reach of attacking forces, and yet sufficiently close for defense aviation to reach its objective within reasonable time. I urge the War Department to give this its every consideration and immediate attention, not only for the benefit of our country but to at least show the taxpayers of the city of Newark that the Federal Government is not blind to their sacrifice over the years for aviation.

EXTENSION OF REMARKS

Mr. MAGNUSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address on national defense delivered by the president of the International Teamsters Association.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. NELSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include therein a brief editorial from the Jefferson City Daily Capital News.

The SPEAKER. If there objection to the request of the gentleman from Missouri?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. BOLLES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BOLLES. Mr. Speaker, I have just returned from Wisconsin, where 3,000 delegates sat in a Republican convention, making a new record. I heard up there a good story about an old lumberman who settled with his men, and he told them when he paid them:

> Now, there is a dollar you have and a dollar you didn't have. That is $2. There is a plug of tobacco you had and a plug of tobacco you didn't have. That is 50 cents. There is a shirt you had and another shirt that you didn't have, and that is another dollar.

In that way he settled with his men. These shirts and plugs of tobacco they didn't have were the things which evidently were "on order." [Laughter and applause.]

Mr. TABER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TABER. Mr. Speaker, I hold in my hand a photostatic copy of a letter written by C. A. Hathaway, editor of the Daily Worker, a Communist paper in New York. It states this:

> I could predict this with confidence: That in the event that the Smith committee makes recommendations to Congress which in any way curtails the N. L. R. B. policies, it will be followed by the sharpest class upheavals, comparable only to the sit-down strikes in auto, steel, and other industries at the beginning of the C. I. O.

I call your attention to the fact that as the necessity for immediate development of national defense comes along we are welcomed with a big strike in the Kearney shipyard near Trenton.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mr. CLUETT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address by the Bishop of Albany, N. Y.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. THILL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an oration entitled "The Gods of Valhalla."

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SCHIFFLER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HAWKS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a table on rural electrification.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a Memorial Day editorial.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. FISH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FISH. Mr. Speaker, America faces the greatest crisis since the dark days of the Civil War. Is the Congress to desert its post of duty in this national emergency? Does the Democratic leadership believe the only function of Congress is to delegate, without precedent, more and more discretionary power and money to President Roosevelt and encourage him to set up a dictatorial government in the United States?

The future destiny of our country and its free institutions are at stake, yet the Congress is about to adjourn in order to go fishing or to mend political fences. Members of Congress are paid an annual salary, and should not run out on the job during the war hysteria and existing emergency.

Legislation to thwart the purposes and objectives of the "fifth column" should be passed to make America safe for Americans. The Communist Party should be outlawed from the ballot as an agency of the Communist International at Moscow. Alien agitators and foreign propagandists should be deported. My bill to prohibit the arming, drilling, and uniforming of un-American groups, such as Communists, Nazis, and Fascists, should be enacted into law.

The Congress should provide for immediate national defense, but its war powers should not in any manner be delegated to the President. Ninety percent of the American people are in favor of the Allies, preparedness, and keeping America out of foreign wars. The Congress owes it to the American people to stay in Washington to protect and safeguard their rights and the interests of the Nation. [Applause.]

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

WAPETO SCHOOL DISTRICT NO. 54, YAKIMA COUNTY, WASH.

The Clerk called the first bill on the Consent Calendar, H. R. 3824, to provide funds for cooperation with Wapeto School District No. 54, Yakima County, Wash., for extension of public-school buildings to be available for Indian children of the Yakima Reservation.

Mr. WOLCOTT, Mr. CHURCH, and Mr. KEAN objected.

PASSAMAQUODDY BAY TIDAL POWER

The Clerk called the joint resolution (S. J. Res. 57) authorizing the Secretary of War to cause a completion of surveys, test borings, and foundation investigations to be made to determine the advisability and cost of putting in a small experimental plant for development of tidal power in the waters in and about Passamaquoddy Bay, the cost thereof to be paid from appropriations heretofore or hereafter made for such examinations.

Mr. CHURCH. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

OSAGE TRIBE OF INDIANS

The Clerk called the next bill, H. R. 6314, authorizing an appropriation for payment to the Osage Tribe of Indians on account of their lands sold by the United States.

Mr. COCHRAN, Mr. RICH, Mr. WOLCOTT, and Mr. CHURCH objected.

ESTABLISHING A NATIONAL LAND POLICY

The Clerk called the next bill, H. R. 1675, to establish a national land policy, and to provide homesteads free of debt for actual farm families.

Mr. DEROUEN. Mr. Speaker, I ask unanimous consent to lay this bill on the table.

The SPEAKER. Is the request agreeable to the gentleman from Georgia?

Mr. DEROUEN. It is, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

KIOWA, COMANCHE, AND APACHE TRIBES, JURISDICTIONAL ACT

The Clerk called the next business, House Joint Resolution 290, referring the claims of the Kiowa, Comanche, and Apache Tribes of Indians in Oklahoma to the Court of Claims for finding of fact and report to Congress.

Mr. COCHRAN, Mr. RICH, and Mr. WOLCOTT objected.

BRIDGE ACROSS MISSOURI RIVER IN THE CITY OF OMAHA

The Clerk called the next bill, H. R. 7069, authorizing Douglas County, Nebr., to construct, maintain, and operate a toll bridge across the Missouri River at or near Florence Station, in the city of Omaha, Nebr.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

AMENDMENT OF CROP-LOAN LAW

The Clerk called the next bill, H. R. 7878, to amend the crop-loan law relating to the lien imposed thereunder, and for other purposes.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

DELAWARE TRIBE OF INDIANS

The Clerk called the next bill, H. R. 6535, authorizing an appropriation for payment to the Delaware Tribe of Indians on account of permanent annuities under treaty provision.

Mr. COCHRAN, Mr. RICH, and Mr. WOLCOTT objected.

COMPENSATION OF SPECIAL COUNSEL FOR UNITED STATES

The Clerk called the next bill, H. R. 4366, to authorize the payment of additional compensation to special assistants to the Attorney General in the case of United States against Doheny Executors.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

RELIEF OF NEEDY INDIANS

The Clerk called the next bill, H. R. 8937, to authorize an appropriation for the relief of ill-clothed, ill-fed, and ill-housed needy American Indians through the utilization of surplus American agricultural and other commodities.

Mr. WOLCOTT, Mr. CHURCH, and Mr. KEAN objected.

APPOINTMENT OF PRESIDENTIAL ELECTORS AND ELECTION OF SENATORS AND REPRESENTATIVES IN CONGRESS

The Clerk called the next bill, H. R. 8700, to change the time of the appointment of Presidential electors and the election of Senators and Representatives in Congress.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

PROCUREMENT WITHOUT ADVERTISING

The Clerk called the next bill, H. R. 8152, providing for procurements without advertising.

Mr. COSTELLO. Mr. Speaker, I object.

Mr. BLAND. I object, Mr. Speaker.

Mr. COCHRAN. Mr. Speaker, as the author of the bill I am going to object myself, because I realize that the bill is not in proper form in view of the emergency that now confronts us.

The SPEAKER. Three objections having been heard, the bill is ordered stricken from the calendar.

ASSISTANT POSTMASTERS, FIRST- AND SECOND-CLASS POST OFFICES

The Clerk called the bill (H. R. 8171) to require the filling of all vacancies in the position of assistant postmaster in first- and second-class post offices.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That paragraph 1, section 3, of the act of Congress approved February 28, 1925 (43 Stat. 1056; U. S. C., 1934 ed., title 39, sec. 88), is hereby amended by changing the period at the end thereof to a colon and adding the following proviso: *"Provided*, That in all post offices of the first and second classes where vacancies in the position of assistant postmaster exist, such vacancies shall be filled within 60 days after the approval of this act, and thereafter vacancies occurring in the position of assistant postmaster in any office of the first or second classes shall be filled by appointment in the regular manner within 60 days after the vacancy occurs."

With the following committee amendments:

Page 2, line 1, strike out "60" and insert "120."
Line 5, strike out "60" and insert "120."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PUBLIC-SCHOOL FACILITIES, M'CURTAIN, OKLA.

The Clerk called the bill (S. 2523) to provide for the construction, extension, equipment, and improvement of public-school facilities at McCurtain, Okla., Haskell County.

Mr. WOLCOTT, Mr. CHURCH, and Mr. COSTELLO objected, and the bill was stricken from the calendar.

UNIFORMITY IN PAY, CIVILIAN EMPLOYEES, NAVY DEPARTMENT

The Clerk called the bill (S. 3014) to amend the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1903, and for other purposes", approved July 1, 1902 (32 Stat. 662), so as to provide uniformity in the pay of all civilian employees of the Navy Department appointed for duty beyond the continental limits of the United States and in Alaska.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1903, and for other purposes," approved July 1, 1902 (32 Stat. 662), insofar as the provisions thereof are embodied in section 506 of title 34 of the United States Code, is hereby amended to read as follows:

"The Secretary of the Navy, in his discretion, is authorized to pay all civilian employees appointed for duty beyond the continental limits of the United States, and in Alaska, from the date of their sailing from the United States until they report for duty to the officer under whom they are to serve, and while returning to the United States by the most direct route and with due expedition, compensation at a rate corresponding to their rate of pay while actually employed."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SALE OF FUEL, ELECTRIC CURRENT, ETC., AT NAVAL STATIONS

The Clerk called the bill (S. 3065), authorizing the sale of fuel, electric current, ice, and water at isolated naval stations.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy is authorized to sell, under such regulations as he may prescribe, and at such prices as he may deem reasonable, to private concerns or individuals doing business or residing at or in the immediate vicinity of isolated naval stations, such supplies of fuel, water, ice, and electric current as may be required to meet the necessities of, and as may not otherwise be locally obtainable by, such concerns or individuals.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SPEECHES AND WRITINGS OF EDMUND BURKE

The Clerk called House Joint Resolution 307, to provide for the printing of the speeches and writings of Edmund Burke as a House document.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

SLUM CLEARANCE IN ALASKA

The Clerk called the bill (H. R. 8884) to authorize the Legislature of the Territory of Alaska to create a public corporate authority to undertake slum clearance and projects to provide dwelling accommodations for families of low income, and to issue bonds and other obligations of the authority for such purpose, and for other purposes.

The SPEAKER. Is there objection?

Mr. TABER. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

ADDITIONAL LEAVE OF ABSENCE, EMPLOYEES, GOVERNMENT PRINTING OFFICE

The Clerk called Senate Joint Resolution 71, relating to pay to certain employees of the Government Printing Office for uncompensated leave earned during the fiscal year 1932.

The SPEAKER. Is there objection?

Mr. RICH. Mr. Speaker, I ask unanimous consent that the resolution be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

PRINTING OF BIOGRAPHICAL DIRECTORY OF CONGRESS

The Clerk called House Concurrent Resolution 54, for the printing of revised edition of the Biographical Directory of the Congress.

The SPEAKER. Is there objection?

Mr. KEAN. Mr. Speaker, I ask unanimous consent that the resolution be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

J. L. SAVAGE

The Clerk called the bill (H. R. 7254) authorizing the temporary detail of J. L. Savage, an employee of the United States, to service under the Government of the State of New South Wales, Australia.

The SPEAKER. Is there objection?

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

ROME UNIVERSAL EXHIBITION, 1942

The Clerk called House Joint Resolution 486, authorizing the acceptance of the invitation of the Government of Italy to participate in the Rome Universal Exhibition to be held at Rome, Italy, in 1942.

The SPEAKER. Is there objection?

Mr. BLOOM. Mr. Speaker, I ask unanimous consent that the resolution be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

TWO MOUNTS FOR OFFICERS, REGULAR ARMY

The Clerk called the bill (H. R. 5478) to provide for the maintenance, at public expense, of two mounts for officers of the Regular Army who are designated as mounted officers.

The SPEAKER. Is there objection?

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

RETARDATION IN PROMOTION AND PAY AND ALLOWANCES OF PERMANENT PROFESSORS OF UNITED STATES MILITARY ACADEMY

The Clerk called the next bill, S. 3496, to prevent retardation in promotion and in pay and allowances of permanent professors of the United States Military Academy appointed by the President from the commissioned officers of the Regular Army.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the permanent professors of the United States Military Academy who have been or may hereafter be appointed by the President from the commissioned officers of the Regular Army shall have the rank, pay, and allowances of colonel from the date now provided by law or from the date each would have been entitled to such rank, pay, and allowances had he not accepted such appointment, whichever date is the earlier: *Provided*, That no back pay or allowances shall accrue hereunder.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOCAL DELIVERY RATE ON CERTAIN FIRST-CLASS MAIL MATTER

The Clerk called the next bill, S. 3667, to provide for the local delivery rate on certain first-class mail matter.

The SPEAKER. Is there objection?

Mr. CHURCH. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. BARRY. Mr. Speaker, reserving the right to object, does the gentleman know that this bill has passed the House on two different occasions and has been reported out unanimously by the Committee on the Post Office and Post Roads? We have had lengthy hearings on the matter.

Mr. MASON. And I will vouch for it.

Mr. CHURCH. I am obliged to ask that the bill go over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. BARRY. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CHURCH. Mr. Speaker, I am obliged to object.

DESIGNATING THE PERSON WHO SHALL ACT AS PRESIDENT

The Clerk called the next bill, H. R. 9462, designating the person who shall act as President if a President shall not have been chosen before the time fixed for the beginning of his term, or when neither a President-elect nor a Vice-President-elect shall have qualified.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

UTE INDIANS

The Clerk called the next bill, S. 72, to amend the act entitled "An act conferring jurisdiction upon the United States Court of Claims to hear, examine, adjudicate, and render judgment on any and all claims which the Ute Indians or any tribe or band thereof may have against the United States, and for other purposes," approved June 28, 1938.

The SPEAKER. Is there objection?

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent that at this point in the RECORD I may be permitted to insert a letter received from the Attorney General with reference to the bill (S. 72).

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The letter is as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., May 24, 1940.

Hon. JOHN J. COCHRAN,
Chairman, Committee on Expenditures in the Executive Departments, House of Representatives, Washington, D. C.

MY DEAR MR. CONGRESSMAN: Your letter of May 20, 1940, requesting my views regarding a bill to amend the Ute Indians jurisdictional bill (S. 72), as reported by the Committee on Indian Affairs of the House, has been received.

The bill, as originally introduced, proposed three unobjectionable amendments to the Ute Jurisdictional Act (52 Stat. 1209). In its present form, however, the bill contains some far-reaching provisions.

1. Section 3 proposes "* * *, That there shall not be offset in any suit (1) expenditures made prior to the time the cause of action sued upon arose * * *." The existing law provides that "* * * expenditures made prior to the date of the law, treaty, agreement, or Executive order under which the claims arise shall not be offset * * *." The proposed relaxation of the present law in favor of the Ute Indians has not been accorded to any other tribe. The extent to which it would affect the claim cannot be determined in the absence of an accounting, but the report of the committee asserts (p. 11) that the main claim of the Indians is for land taken in 1938. Consequently the sums gratuitously expended before that time could not be offset under the proposed amendment.

2. Section 3 proposes to preclude the United States from offsetting expenditures made for education. This also would be a relaxation of the present law which is not accorded to any other tribe. The expense of education usually is one of the large items of gratuities.

3. Section 3 also provides that there shall not be offset "expenditures made for the construction and maintenance of public highways or other improvements available for use by the general public, as well as Indians." The law with reference to offsetting gratuities specifically requires that the expenditures must have been for the benefit of the Indians, and, where an expenditure has been for the joint benefit of a tribe and others, the Court of Claims has uniformly refused to offset against the tribal claim more than the tribe's proportionate share of benefit. The proposed amendment would change this practice and free the Ute Tribe from the offset of any portion of the cost of maintenance and construction of a highway, no matter to what extent the members of the tribe might be directly benefited.

4. Section 4 proposes that the Indians, in addition to being compensated for the taking of lands formerly belonging to them, should also be compensated for land formerly "possessed" by them. This appears to be intended as the creation of liability for the taking of lands which may have been merely occupied by the tribe, but which occupancy was never recognized by the United States. The kind of possession is not defined; it is not limited to exclusive and immemorial possession, but might include a transitory possession. Thus, not only would the bill create a liability not existing before but the meaning of "possession" would lead to confusion in the conduct of litigation.

5. Section 4 provides that the United States shall be liable to the Indians for land which they occupied and concerning which treaties were negotiated for its surrender, but the Senate refused to ratify the treaties. The further provision that the relinquishment of such lands in itself should be sufficient grounds for equitable relief, and that compensation should be paid as though it were disposed of under the public-land laws of the United States, presumably is intended to fix the price at $1.25 per acre, without regard to the actual value of the land; not only therefore does the section create liability against the United States which otherwise does not exist but, in effect, it provides for the payment of $1.25 per acre, which may be greater than the actual value of the land.

6. Section 4 would extend to Utah the following provisions in the original jurisdictional act:

"* * * anything in any other acts of Congress to the contrary notwithstanding, no lands in Colorado north of and including range 35, formerly owned or claimed by the Ute Indians or any band thereof shall be restored to tribal ownership under the provisions of section 3 of the act of June 18, 1934 (48 Stat. 984), and said lands to the extent that they have not been disposed of by the United States are hereby declared to be the absolute property of the United States."

The act of June 18, 1934 (the Wheeler-Howard Act), provides that where there are any remaining surplus lands of any Indian reservation previously opened for sale or other form of disposal, the Secretary of the Interior may restore such lands to tribal ownership. The following language appears on page 11 of the committee's report:

"The main claim of these lands, however, is for land taken in 1938, so there will not be any long period during which the United States will be compelled to pay interest. In that respect this bill is different from many other Indian bills, and it is greatly in the interest of the Government that this bill be passed so that suit may be instituted immediately in order to avoid any large payments of interest, as has happened in other Indian cases."

Obviously, this means that the Ute Indians intend to assert that the jurisdictional act of June 28, 1938, by its terms appropriated unsold surplus Ute lands in Colorado under the power of eminent domain. It is understood that about 3,700,000 acres of such surplus lands remain unsold. At $1.25 per acre, as is contemplated by the amendment discussed in paragraph 5 above, the value would amount to $4,625,000 as of June 28, 1938, with interest at the rate of 5 percent per annum. The amendments propose to create a similar liability for all unsold Ute surplus lands in Utah. It may be pointed out that neither the bill itself nor the committee report indicates the purpose for which the appropriation of these lands is to be made. Whether they are needed for public purposes and whether they might be obtained by direct purchase, thus avoiding the payment of interest, also does not appear. Therefore it may be questioned whether the creation of liability in this instance is justified or not.

7. Section 4 also provides generally *"Provided further,* That any lands formerly belonging to any Indian reservation in said State [Utah] to the extent they have not been disposed of by the United States are hereby declared to be absolute property of the United States." This no doubt is intended to include any lands not covered by the amendment described in paragraph 6 above. There is likewise in this instance no indication in the bill itself, or in the report, of the purpose for which the appropriation is being made.

In view of the foregoing considerations, I am unable to recommend the passage of the bill in its present form.

With kind regards,

Sincerely,

ROBERT H. JACKSON,
Attorney General.

CLASSIFICATION OF SUBSTITUTE DRIVER-MECHANICS IN POSTAL SERVICE

The Clerk called the next bill, H. R. 8422, relating to the classification of substitute driver-mechanics in the Postal Service.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That effective 60 days after the date of enactment of this act no substitute position in the motor-vehicle service of the Postal Service, the duties of which consist in the operation of a Government-owned United States mail truck during a greater portion of the time of employment, shall be filled by an employee other than an employee classified and compensated as a substitute driver-mechanic.

SEC. 2. Any position in the motor-vehicle service of the Postal Service made vacant by the provisions of section 1 shall be filled insofar as possible by the promotion to such position of persons now employed in the Postal Service as substitute garagemen-drivers upon taking and passing a noncompetitive examination for the position of substitute driver-mechanic.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISPOSITION OF FINES FOR FAILURE TO PAY LICENSE TAXES IN ALASKA

The Clerk called the next bill, H. R. 7634, to provide that fines for failure to pay license taxes in Alaska shall be disposed of as provided for the disposition of such taxes.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that the bill, S. 3491, be substituted for the House bill.

The SPEAKER. Is there objection?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That section 7 of the act of June 6, 1900 (ch. 786, 31 Stat. 324, as amended; 35 Stat. 840; U. S. C., title 48, sec. 106), be, and it is hereby, amended to read as follows:

"SEC. 7. That four clerks shall be appointed for the court, one of whom shall be assigned to each division thereof, and during his term of office shall reside at such place in the division as the Attorney General may direct. Each clerk shall in his division of the district perform the duties required or authorized by law to be performed by clerks of United States courts in other districts, and such other duties as may be prescribed by the laws of the United States relating to the district of Alaska. He shall preserve copies of all laws applicable to the district and shall preserve all records and record all proceedings and official acts of his division of the court. He shall also collect and receive all moneys arising from the fees of his office, from licenses, fines, forfeitures, judgments, or on any other account authorized by law to be paid to or collected by him, and shall apply the same, except the money derived from licenses and fines imposed for failure to pay license taxes, to the incidental expenses of the proper division of the district court and the allowance thereof as directed in written orders, duly made and signed by the judge, and shall account for the same in detail, and for any balances on account thereof, under oath, quarterly, or more frequently if required, to the court, the Attorney General, and the Secretary of the Treasury: *Provided*, That fines imposed and collected for failure to pay license taxes shall be disposed of as provided by law for the disposition of such license taxes; and moneys accruing from violations of the customs laws, civil customs cases, or internal-revenue cases, moneys, not including costs, accruing from civil post-office suits, fines in criminal cases for violations of the postal laws, the net proceeds of sales of public property under section 3618, Revised Statutes, as amended, and any other moneys the disposition of which is otherwise specially provided for by law, shall not be available for the expenses of the court, but shall be paid over or deposited as provided by law for other districts. And after all payments ordered by the judge shall have been made, any balances remaining in the hands of the clerk shall be by him deposited to the credit of the United States at such times and under such rules and regulations as the Secretary of the Treasury may prescribe. The clerk shall be ex officio recorder of instruments as hereinafter provided and also register of wills for the division, and shall establish secure offices for the safekeeping of his official record where terms of his division of the court are held. He may appoint necessary deputies and employ other necessary clerical assistance to aid him in the expeditious discharge of the duties of his office, with the approval and at compensation to be fixed by the court or judge, subject to the approval of the Attorney General. Any person so appointed or employed shall be paid by the clerk on the order of the judge, as other court expenses are paid."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A House bill (H. R. 7634) was laid on the table.

AMENDING SECTION 201 OF THE A. A. A. OF 1938

The Clerk called the next bill, H. R. 8354, to provide for complaint, assistance to farmers, and intervention by the Secretary of Agriculture in proceedings before the United States Maritime Commission relating to the transportation of farm products.

The SPEAKER. Is there objection?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 201 of the Agricultural Adjustment Act of 1938, as amended, is amended by inserting at the end thereof the following new subsection:

"(e) This section shall apply with respect to the United States Maritime Commission in the same manner and with the same effect as it applies to the Interstate Commerce Commission."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FARM CREDIT BILL OF 1940

The Clerk called the next bill, H. R. 9843, to provide for loans to Federal land banks, for refinancing certain farm-loan bonds by the Farm Mortgage Corporation, and changing the method of fixing interest rates on land-bank mortgages.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KEAN. Mr. Speaker, reserving the right to object, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

Mr. JONES of Texas. Mr. Speaker, reserving the right to object, this particular measure is the result of a unanimous report of the committee after going into the subject very thoroughly and I believe would save the Government considerable money. The second phase of it, that is, the rediscount privilege, has the endorsement of the Federal Reserve Board. I have a letter from them saying that there is no objection to that particular provision.

Mr. KEAN. I will say that we did not get a copy of that bill. Some mistake was made and no copy of that bill was given us and I have not been able to study it sufficiently up to this time.

Mr. JONES of Texas. It does two things: It permits the Farm Mortgage Corporation to purchase land-bank bonds at not more than one-quarter of 1 percent above the price of Government obligations and then it authorizes the land banks to have the same rediscount privileges that regular commercial banks have at the Federal Reserve Board, that is subject to the rules and regulations of the Federal Reserve Board.

Mr. KEAN. I will say that a mistake was made and another bill was given to us. I only discovered it this morning. I tried to get it before 12 o'clock, but I have not had time to look over the bill sufficiently up to this time.

Mr. JONES of Texas. It is a unanimous report of the committee members who were present and it is very important. As a matter of fact, it will save the Government considerable money and enable this program to run along and practically assure a reasonable rate of interest without the present Government subsidy. I think the gentleman will find that it is a very desirable bill. The committee after thorough hearings and consideration of other bills reported this measure. I hope the gentleman will not object.

Mr. HOPE. Mr. Speaker, will the gentleman yield?

Mr. KEAN. I yield.

Mr. HOPE. I may say to the gentleman that this bill was reported to the House unanimously by the committee after it had given very careful consideration to the bill and the farm-credit situation. The gentleman is perhaps thinking about another bill which was introduced at an earlier date, but I will say to the gentleman from New Jersey that there is no connection between this bill and the other bill. There is not a feature in the other bill which was controversial which was included in this bill.

Mr. KEAN. Does the bill have the unanimous approval of all the Republican members of the committee?

Mr. HOPE. As far as I know there was no vote against it in the committee, and I know of no Republican who is opposed to it.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That this act may be cited as the Farm Credit Act of 1940.

PURCHASE AND EXCHANGE BY FARM MORTGAGE CORPORATION OF LAND-BANK BONDS

SEC. 2. The first paragraph of section 4 (b) of the Federal Farm Mortgage Corporation Act, as amended, is amended by adding at the end thereof the following: "In the case of consolidated farm-loan bonds acquired under this subsection from land banks after the date of the enactment of the Farm Credit Act of 1940, the yield to maturity of the bonds acquired shall not exceed, by more than one-fourth of 1 percent per annum, the yield to maturity, as estimated by the Secretary of the Treasury, which bonds of the Corporation of similar terms and maturities would return if issued and sold in the open market at the time of such acquisition. The Corporation shall, as soon as practicable after the date of the enactment of the Farm Credit Act of 1940, surrender to the Land Bank Commissioner for cancelation all farm-loan bonds (including consolidated land-bank bonds) held by it on such date and shall receive in exchange therefor consolidated farm loan bonds of an equal face amount having such maturities and call dates as shall be determined upon by the bond committee of the Federal land banks and approved by the Governor of the Farm Credit Administration, and the yield to maturity of the farm-loan bonds so received shall not exceed, by more than one-fourth of 1 percent per annum, the yield to maturity, as estimated by the Secretary of the Treasury, which bonds of the Corporation of similar terms and maturities would return if issued and sold in the open market at the time of the exchange."

INTEREST RATES ON MORTGAGES

SEC. 3. (a) Paragraph "Second" of section 12 of the Federal Farm Loan Act, as amended, is amended by striking out "a charge on the loan at a rate not exceeding the interest rate in the last series of farm-loan bonds issued by the land bank making the loan" and inserting in lieu thereof "a charge on the loan at a rate approved by the Governor of the Farm Credit Administration which shall not exceed the average interest rate borne by all farm-loan bonds outstanding during the preceding quarter on which the land bank making the loan was obligated."

(b) The amendment made by subsection (a) shall be effective only with respect to loans made after 30 days after the date of the enactment of this act.

LOANS BY FEDERAL RESERVE BANKS TO LAND BANKS

SEC. 4. Section 13a of the Federal Reserve Act, as amended, is amended by inserting at the end thereof the following new paragraph:

"Any Federal Reserve bank may, subject to regulations and limitations to be prescribed by the Board of Governors of the Federal Reserve System, make advances, for periods not exceeding 1 year, to any Federal land bank operating in its district on promissory notes of such bank secured by the deposit or pledge of notes given by borrowers from such bank under the Federal Farm Loan Act, as amended, and mortgages given to secure such notes. Each such advance shall bear interest at the rate applicable to discounts for member banks under the provisions of the second paragraph of section 13 in effect at such Federal Reserve bank when such advance is made."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVISION FOR HOLDING COURT AT WINCHESTER, TENN.

The Clerk called the next bill, S. 3828, to amend section 107 of the Judicial Code, as amended, to eliminate the requirement that suitable accommodations for holding the court at Winchester, Tenn., be provided by the local authorities.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 107 of the Judicial Code, as amended (U. S. C., 1934 ed., title 28, sec. 188), is amended by striking out "*Provided*, That suitable accommodations for holding the courts at Winchester, Columbia, and Cookeville shall be provided by the local authorities without expense to the United States until, subject to the recommendation of the Attorney General of the United States with respect to providing such rooms and accommodations for holding court at Columbia, a public building shall have been erected or other Federal space provided for court purposes in said city", and inserting in lieu thereof the following: "*Provided*, That suitable accommodations for holding the court at Cookeville shall be provided by the local authorities without expense to the United States: *Provided further*, That suitable accommodations for holding the courts at Winchester and Columbia shall be provided by the local authorities, but only until such time as, in the case of each of such cities, such accommodations shall have been provided, upon recommendation of the Attorney General, in a public building or in other quarters provided by the Federal Government for such purpose."

With the following committee amendment:

Page 2, lines 12 and 13, strike out the words "Attorney General" and insert in lieu thereof "Director of the administrative office of the United States courts."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FORT PECK RAILROAD, STATE OF MONTANA

The Clerk called the next bill, S. 2639, relating to the hours of service of persons employed upon the Government-owned Wiota-Fort Peck Railroad in the State of Montana.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the provisions of the act entitled "An act relating to the limitation of the hours of daily service of laborers and mechanics employed upon the public works of the United States and of the District of Columbia," approved August 1, 1892, as amended, shall not be applicable with respect to the service and employment of persons employed in connection with the operation or maintenance of the Government-owned Wiota-Fort Peck Railroad in the State of Montana; but the hours of labor or service of such persons shall be limited to the same extent that such hours of labor or service would be limited if the United States in the operation of such railroad were a common carrier subject to the provisions of the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907, as amended.

SEC. 2. Any officer or agent of the United States whose duty it shall be to employ, direct, or control any person employed in connection with the operation or maintenance of such railroad who shall intentionally require or permit such person to be employed for hours of labor or service in violation of this act shall be deemed guilty of a misdemeanor, and for each and every such offense shall, upon conviction, be punished by a fine of not to exceed $1,000 or by imprisonment for not more than 6 months, or by both such fine and imprisonment, in the discretion of the court having jurisdiction thereof.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CIVILIAN CONSERVATION CORPS

The Clerk called the next bill, S. 3042, to amend the act entitled "An act to establish a Civilian Conservation Corps, and for other purposes," approved June 28, 1937, as amended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 5 of the act entitled "An act to establish a Civilian Conservation Corps, and for other purposes," approved June 28, 1937 (50 Stat. 319), as amended, is amended by adding to the end of said section the following: "*Provided further*, That such officers, agents, or employees paid from funds appropriated for or allocated to the Civilian Conservation Corps, as may be designated or approved for the purpose by the Director shall have the general powers of notaries public in the administration of oaths, the execution and acknowledgment of legal instruments, the attestation of documents, and all other forms of notarial acts determined to be necessary by the Director to prosecute effectively the operations of the Civilian Conservation Corps."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SEATTLE TOTEM POLE

The Clerk called the next bill, H. R. 9113, to donate to the city of Seattle a totem pole carved by the Alaskan native Civilian Conservation Corps.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent to substitute a similar Senate bill, S. 3677, for the House bill.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Director of the Civilian Conservation Corps, through the regional forester, United States Forest Service, Juneau, Alaska, is hereby authorized to donate to the city of

Seattle, Wash., the duplicate of the pioneer place totem pole which has been carved by Alaskan native Civilian Conservation Corps enrollees.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A House bill (H. R. 9113) was laid on the table.

WAGE RATE ON FEDERAL PUBLIC WORKS IN ALASKA AND HAWAII

The Clerk called the next bill, H. R. 9021, to require the payment of prevailing rates of wages on Federal public works in Alaska and Hawaii.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent to substitute a similar Senate bill, S. 3650, for the House bill.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That section 1 of the act entitled "An act relating to the rate of wages for laborers and mechanics employed on public buildings of the United States and the District of Columbia by contractors and subcontractors, and for other purposes," approved March 3, 1931 (46 Stat. 1494), as amended, is further amended by striking out the words "States of the Union or the District of Columbia" and inserting in lieu thereof "States of the Union, the Territory of Alaska, the Territory of Hawaii, or the District of Columbia"; and by striking out the words "or other civil subdivision of the State" and inserting in lieu thereof "or other civil subdivision of the State, or the Territory of Alaska, or the Territory of Hawaii."

SEC. 2. The amendments made by this act shall take effect on the thirtieth day after the date of enactment of this act, but shall not affect any contract in existence on such effective date or made thereafter pursuant to invitations for bids outstanding on the date of enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A House bill (H. R. 9021) was laid on the table.

Mr. DIMOND. Mr. Speaker, I ask unanimous consent to extend my own remarks on the bill just passed in the RECORD at this point.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DIMOND. Mr. Speaker, the bill just passed, S. 3650, to require the payment of prevailing rates of wages on Federal public works in Alaska and Hawaii, is simply the extension to those two Territories of the provisions of the Davis-Bacon Act, approved August 30, 1935, as amended. The act as originally passed was limited in its application to the several States and to the District of Columbia. For reasons undisclosed the act did not embrace the Territory of Hawaii or the Territory of Alaska.

The able Delegate from Hawaii, Hon. SAMUEL W. KING, first introduced a bill, H. R. 7345, to extend the provisions of the Davis-Bacon Act to Hawaii only. That bill was introduced on July 4, 1939.

It was not until March 21, 1940, that I introduced the bill now on the calendar, H. R. 9021, to extend the provisions of the act in question to both Alaska and Hawaii. The Delegate from Hawaii [Mr. KING] very generously acquiesced in having H. R. 9021 considered rather than his own bill, H. R. 7345, because H. R. 9021 covers both Territories, whereas his bill would apply to Hawaii only. On March 22, 1940, at my request in which the Delegate from Hawaii [Mr. KING] joined, Senator SCHWELLENBACH introduced the companion Senate bill, S. 3650, in the Senate, the same being identical with H. R. 9021 so as to cover both Alaska and Hawaii. Under the parliamentary procedure it was found possible to have the Senate bill considered first, and, accordingly, S. 3650 passed the Senate on May 28 and has been held in the House on the Speaker's table in order that it might be substituted, as it just has been substituted, for the House bill, H. R. 9021, when that bill was called for consideration.

The labor organizations in both Alaska and Hawaii favor this legislation and urge that its enactment would prevent the possibility of wage disputes between contractors and employees on public works of various types and thereby avoid possible cessation of work which might otherwise occur if the contractors should insist upon paying less than the prevailing wages. The enactment of the bill will deter the exploitation of labor by any possible unscrupulous contractor who may have been successful in obtaining a Government contract. The bill safeguards existing and pending contracts by providing that the effective date thereof shall be 30 days after enactment, and that it shall not affect contracts made pursuant to invitations for bids outstanding on the date of enactment.

My principal purpose in making these remarks is to give to the distinguished gentleman from Hawaii [Mr. KING] the credit which he deserves for having originally initiated this legislation and for having actively supported it in all of its several stages of enactment. He is the real father of the bill, and I am happy to be associated with him in its passage.

FEED AND SEED LOANS

The Clerk called the next bill, H. R. 9859, to provide a time limit for collection of feed and seed loans.

Mr. KEAN. Mr. Speaker, reserving the right to object, may I ask the gentleman from Texas why there is a provision in this bill for release of a lien on a loan if it cannot be collected?

Mr. JONES of Texas. The gentleman may not perhaps understand that these loans are made only on current crops as security. While there is an obligation, probably even though the crop is disposed of, they feel that to pursue these loans and try to collect them, especially after a number of years' time has lapsed, involves greater expense in collecting than the amount of the collections themselves. This would give them 6 years in which to collect a loan. Most of these loans are for $50, $75, or $100. They average around $75. They are current crop loans.

Mr. STEFAN. Mr. Speaker, will the gentleman yield?

Mr. KEAN. I yield.

Mr. STEFAN. This applies particularly in drought areas where they have suffered from drought and where in some cases there is no possibility of feed and seed loans being paid back.

Members should know that this bill was written around the principles embraced in a similar bill introduced by the gentleman from Minnesota [Mr. H. CARL ANDERSEN], February 19, 1940. It appears that the House Committee on Agriculture took the Andersen bill as the basis of this bill, and, although the latter does not go as far as the former, it does move toward the objective of the Andersen bill, an objective in which so many of us from drought farm districts have been interested. The original Andersen bill proposed to cancel all outstanding indebtedness and release all liens in connection with emergency crop and feed loans. On April 29, 1940, Grover B. Hill, Acting Secretary of Agriculture, sent a letter to the chairman of the House Committee on Agriculture, stating that the bill proposed by my colleague the gentleman from Minnesota [Mr. H. CARL ANDERSEN], would not be in accord with the program of the President.

So we have this modified bill. It should not be objected to by any Member who believes in keeping the farmer on his farm. While in my opinion the bill is not sufficiently liberal, it gives us some relief. I wish I could amend it by incorporation of part of my own bill, which proposes the repayment of these feed and seed loans, bushel for bushel, in kind. That is not possible at this time, and, although I have asked for a report on my bill, I wish to support this particular bill because of the many letters I have received from farmers in my district who tell me that they cannot pay their feed and seed loans because they have suffered consecutive droughts and have not had any revenue crops to enable them to repay their crop-production loans. In fact I have heard that in some States farmers were required to

part with some of the proceeds of their parity payments in order to apply same on their feed and seed loans, when they needed the cash for the living expenses of their families.

In some of my counties we have had 7 consecutive years of droughts. Farmers in those counties who borrowed money for feed and seed some years ago certainly have no money right now with which to pay. They have not had cash for some years. If they get a crop this year they may be able to pay something, but it would suit them better to be allowed to pay back, bushel for bushel, in kind. That is not possible now, because my bill has not been passed. So we have here the Jones bill. It provides what amounts to a statute of limitations on the collection of the so-called seed and feed loans. If you will read the report of the committee you will find that since 1918 Congress has at various times authorized the Secretary of Agriculture or the Governor of the Farm Credit Administration to make loans to farmers for production and harvesting of crops and for feed of livestock. Generally these loans have been made in areas afflicted with catastrophe. You will recall that recently we stipulated drought as a major catastrophe, calling for emergency relief. Loans have been made to farmers only who have been unable to obtain credit elsewhere. These loans have met an urgent need in situations where but for them the farmers would be forced to go on relief. Notwithstanding the emergency character of the loans, the payments on principal and interest have been very high. Only where annually recurring drought has made repayment impossible have delinquencies existed in substantial number. This bill recognizes that some of these loans cannot be repaid. It certainly is wiser to avoid the expense to the Government to continually try to collect and to remove from the farmer the burden of debt which he cannot meet. This bill does this by providing a statute of limitation comparable to the statute of limitation on ordinary loan contracts between private persons. It prohibits demand for payment on any such loan after 6 years from the last payment and also prohibits legal proceedings after the 6-year period. A period of 1 year after enactment of the act is allowed during which demand and suit may be had in the case of loans where the 6-year period had expired or will expire within the year in order to afford a last opportunity to attempt collection. One section requires the Governor of the Farm Credit Administration to cancel liability and release the lien if the loan may not be collected and if the borrower applies for cancelation and release.

I hope this explanation of the bill will satisfy those who feel constrained to object and they will allow this bill to pass, because it will give the farmers who are barely hanging on in the drought sections the encouragement that they need at this particular time. If we get a good crop again, I am sure there will be no demands for loan cancelations, and I hope that eventually we will get a favorable report on my bill to allow the farmers to repay their loans, bushel for bushel, in kind.

Mr. KEAN. The one thing I wanted to know was why we should release any lien held by or on behalf of the United States.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. KEAN. I yield.

Mr. CASE of South Dakota. Is it not true, as a matter of fact, that under the laws in many States provision for a crop lien is practically meaningless after a year anyway? In many States the laws permit a lien of this kind for only a year.

I appreciate the gentleman's conscientious inquiry into matters of this kind. He is one of the members of a most thankless committee—the unofficial committee which each party has to examine and question the bills that come up on the Consent Calendar. He knows, of course, that bills of this kind are important to many Members and to various sections of the country. He is always courteous but he does not let his consideration for individual Members deter him from his conscientious inquiry into these bills. I admire him for it.

As the gentleman from Nebraska [Mr. STEFAN] has indicated, bills to handle the old seed and feed loans have been the object of many endeavors by Members who come from districts where these loans were made. In the first session of which I was a Member, I introduced a bill to permit the borrowers to work out their old accounts by road work and the building of dams. In the next session, the special session of 1937, I introduced a bill (H. R. 8561) for refunding these old debts on a 10-year-installment basis, with cancelation of the interest on each payment as it was made. That particular bill was reintroduced in the Seventy-sixth Congress as H. R. 955, and I have received many letters in favor of it from farmers, farm leaders, and individuals who are familiar with or identified with the crop-loan program.

A better record in repayment of these crop loans has been made than many people think. In 1937, for example, Mr. S. P. Lindsey, Jr., then Director of the Emergency Crop and Feed Loan Section of the Farm Credit Administration, demurred to my installment, interest-waiver bill, on the ground that it would be distasteful to those farmers who had paid their accounts in full. He stated that as of December 31, 1931, out of a total of 189,575 loans, 105,613 had been paid in full. We had had some experience in South Dakota, however, with an installment interest-waiving plan for payment of old taxes. We found that it collected a lot of taxes and encouraged property owners to start paying again. The other taxpayers were not angry to see the interest waived; they were glad to see the property on the taxpaying list again.

Mr. Speaker, these crop loans have carried from 4½ to 6 percent interest. In 6 years the interest alone will equal from one-fourth to one-third the original amount borrowed. Imagine, if you can, the discouragement of putting in a crop on borrowed money and not getting your seed back. And then to see it happen again another year and possibly still another. And then, possibly, to get a fair crop and see the price such that it will take 4 or 5 bushels of the yield to get enough money to pay back the money borrowed to buy 1 bushel of seed. That is the reason why so many of us have supported the proposal mentioned by the gentleman from Nebraska, repayment in kind, bushel for bushel.

So there have been many approaches to this problem—the problem of making it possible for the drought-hit farmer to get his debts in such shape that he could live with them.

The bill under consideration, following a suggestion by the gentleman from Minnesota [Mr. H. CARL ANDERSEN], as I understand it, will create what amounts to a statute of limitations. If 6 years have elapsed since a borrower was able to make any payment on his loan, and if within a year the F. C. A. has made a formal demand for payment and found the borrower still unable to pay, this bill would permit the account to be wiped off the books and any claim for lien surrendered. It does not go as far as I would like to have it go, but I am told it was the only bill on which agreement could be reached in the committee, and I hope it may be passed today. Surely, small-crop loans on which the Government has been unable to make a collection for 6 years have little collection value and would cost more than they are worth to collect. Their cancelation will enable the farmer to wipe that part of his slate clean and to work on his more recent obligations where interest charges do not make his problem appear hopeless. I hope the gentleman will not object.

Mr. STEFAN. I hope the gentleman will not object to this bill. Farmers in my State need this legislation in view of renewed drought threats.

Mr. KEAN. I do not intend to object, but I want to know about it.

Mr. STEFAN. This means a great deal in the way of relief to hundreds of farmers in the drought area who are again facing a drought in the Middle West. We want to keep them on the farms. This will help.

The SPEAKER. Is there objection?

Mr. SCHAFER of Wisconsin. Mr. Speaker, reserving the right to object, I want to obtain some information. The gentleman has been talking about these poor farmers who

owe this money but I am thinking about the poor people who have to pay the money into the Federal Treasury. How much money is involved in this bill?

Mr. STEFAN. The Government is not going to collect a lot of this money anyway for the reason a lot of these farmers come from the drought areas where they have not raised a crop and it is costing more to try to collect some of this than the Government is going to get out of it.

Mr. H. CARL ANDERSEN. If the gentleman will examine the bill he will find first of all that before anybody can make application to have these old seed and feed loans set aside, that is canceled, there must not have been any payments upon that particular loan for a period of 6 years. Then following that the Commissioner has the right for 1 year to enter suit if he considers it to the benefit of the United States to go to that extent.

Mr. SCHAFER of Wisconsin. What if some of these people who made these loans and owe this money to the Treasury are financially able to pay?

Mr. H. CARL ANDERSEN. There would be no such case, as the commissioner is amply protected in that 1-year period during which he can enter suit.

Mr. Speaker, I sincerely hope that the gentleman from Wisconsin will not object to the present consideration of this much-needed legislation. I am sure that if the Members of this House could look into my files and see the hundreds of letters received by me entreating that something be done to remove this millstone from around the necks of farmers that there would be no objection.

When our fellow colleagues, such as the gentleman from Nebraska [Mr. STEFAN], and the gentlemen from South Dakota [Mr. CASE and Mr. MUNDT], stand up and fight for the passage of any bill, that in itself is a guaranty that the legislation is sound and needed.

My only regret is that more liberal legislation looking toward earlier cancelation of these loans that should have been considered emergency relief in the first place cannot be had at this session of Congress. I do, however, want to express my appreciation to the House Committee on Agriculture for reporting the present bill as they have, at the insistence of my colleague, the gentleman from Minnesota [Mr. ANDRESEN].

Surely, Members of the House, it would be poor business for our great United States of America to grind into the dust the farmer who is barely holding his own by enforcing collections of old seed and feed loans that cannot be repaid without causing suffering to those farmers.

I wonder how many of you here today know what discouragement it is to a family who are depending on a wheat, corn, hay, or any other crop for their bread and butter and clothes, to suddenly see the hot winds destroy and shrivel up these crops and leave this family practically destitute. The drought of 1934 did this to thousands of the best farmers in America throughout the Middle West. They were forced to ask for aid.

Do you, ladies and gentlemen of the House, think for one minute that these farmers enjoyed asking our Government for aid following this drought that they might keep their livestock alive? No more so than do the millions of people today who are now out of work, who formerly could find work, but now because of the economic distress facing our Nation, are forced to ask for relief so as to keep their children and themselves from want.

So, Mr. Speaker, I want to plead with this House today to permit consideration of the bill under unanimous consent. Far better to help keep these farmers on their farms by relieving them of burdens such as these than to enforce payment and help to swell the ranks of the unemployed waiting their turn to get on to the W. P. A. rolls.

Mr. SCHAFER of Wisconsin. The New Deal farm relief gets into the racket stage when people who own 6,000 acres of land in Mississippi obtain as high as $87,000 in one check for not raising a full crop. Are some of these 6,000-acre farmers going to obtain some more relief under this bill?

Mr. STEFAN. If the gentleman wants to save money so far as the Government is concerned he will not object to this bill. Collectors cost more than some of these loans.

Mr. SCHAFER of Wisconsin. I am interested in saving the taxpayers' money. I will take the gentleman at his word, and I will withdraw my objection to the consideration of this bill in view of the information given by the gentleman from Nebraska [Mr. STEFAN] and the gentleman from Minnesota [Mr. H. CARL ANDERSEN].

Mr. GIFFORD. Mr. Speaker, reserving the right to object, I want to recall to the gentleman's mind that often I have objected to the Treasury bookkeeping when they carried these loans at full value. I did that back in 1921. Now, can the gentleman assure me that they will be marked off after 6 years?

Mr. JONES of Texas. At the end of 6 years, naturally, they will be marked off, because the man has the right to cancelation. As soon as they are canceled, they will be checked off.

Mr. GIFFORD. Then we can expect honest bookkeeping?

The SPEAKER. Is there objection?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That (a) after 6 years after the date of the last payment of any sum due under any loan to a farmer made under the acts enumerated in subsection (c)—

(1) no demand shall be made for the payment of any sum due under such loan; and

(2) no suit or proceeding shall be instituted on account of such loan to collect any sum due under it or to realize on the security given to secure the loan.

In any case where the 6-year period provided for in this subsection expired on or before the date of the enactment of this act, or will expire within 1 year after such date, the period shall be held to expire on the date 1 year after such date of enactment.

(b) On application of the borrower under any loan, payment on which may not be required by reason of subsection (a), the Governor is authorized and directed to cancel all liability to the United States under such loan and to release any lien or other encumbrance held by or on behalf of the United States arising out of such loan.

(c) The provisions of this section shall apply to any loans to farmers pursuant to the act of January 29, 1937 (50 Stat. 5), and prior and subsequent acts of the same character.

With the following committee amendment:

Page 2, line 7, after the word "Governor", insert "of the Farm Credit Administration."

The committee amendment was agreed to.

Mr. JONES of Texas. Mr. Speaker, I offer an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Page 1, line 5, after "(c)", insert a comma and the following: "or after 6 years after the date of maturity of any such loan, whichever is later."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. H. CARL ANDERSEN. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made upon this bill at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota [Mr. H. CARL ANDERSEN]?

There was no objection.

Mr. STEFAN. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska [Mr. STEFAN]?

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota [Mr. CASE]?

There was no objection.

OBLIGATIONS TO CERTAIN ENROLLED INDIANS

The Clerk called the next bill, H. R. 5944, to carry out certain obligations to certain enrolled Indians under tribal agreement.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. WOLCOTT]?

There was no objection.

LEASE OF MISSION INDIANS OF CALIFORNIA

The Clerk called the next bill, H. R. 7738, to ratify a lease entered into by certain Mission Indians of California.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That a lease bearing date of December 8, 1939, between the Agua Caliente or Palm Springs Band of Mission Indians of California and the city of Palm Springs, Calif., in the following words, is hereby ratified and confirmed:

"This indenture of lease executed at Palm Springs, Calif., as of the 4th day of December 1939, by and between the Agua Caliente or Palm Springs Band of Mission Indians of California, the party of the first part hereinafter referred to as lessor and the city of Palm Springs, a municipal corporation of the State of California, the party of the second part, hereinafter referred to as lessee, both of said parties being within the county of Riverside, State of California,

"Witnesseth, that the lessor hereby leases to the lessee the land and premises in the city of Palm Springs, county of Riverside, State of California, described as section 18, township 4 south, range 5 east of the San Bernardino base and meridian, for a term of 25 years beginning on the 1st day of January 1941 and ending on the 31st day of December 1965, for the rental for said premises for said term which the lessee agrees to pay to the lessor which shall be 10 percent of the gross receipts of the lessee for the use of said premises during said term, it being agreed, however, that the minimum rental which the lessee shall pay the lessor shall be the sum of $640 per annum, payable in advance on or before the 31st day of January of each year of the term of this lease, and that during the month of January 1942, and the month of January of each year thereafter of said term, the lessee shall furnish to the lessor a sworn statement of the gross receipts received by the lessee for the use of said premises for the preceding year, and on or before the 31st day of said month of January in each said year of the term of this lease the lessee shall pay to the lessor in addition to said sum of $640 an amount equal to 10 percent of the excess, if any, of said gross receipts over and above the sum of $6,400.

"The term gross receipts as used herein for the purpose of calculating the amount of said rental is herein defined as being all sums of money received by the lessee for the use of said premises for the purposes herein specified during each annual period of the term of this lease.

"Said demised premises shall be used by the lessee and its sublessees for public airport and other uses and purposes.

"Upon the termination of this lease by surrender by the lessee or by dispossession of the lessee by the lessor or by any authority superior to the lessor, all rent and liabilities of the lessee accruing thereafter shall cease and the lessee may within a period of 60 days remove any and all improvements placed upon said premises during the term of said lease save and except buildings permanently affixed to the land, but, upon failure to remove same within that period, any improvements remaining thereon shall become the property of the Agua Caliente Band of Indians.

"It is expressly understood and agreed by and between the parties hereto that the lessor does not assume any responsibility for damage caused, either directly or indirectly, by any operations of the lessee under this contract, and the lessee hereby agrees to hold the lessor harmless for any damage which may result from the operations of the lessee, or of its employees or agents under this lease, whether the acts causing such damage be negligent or otherwise.

"The lessee must comply with all State, sanitary, health, and housing regulations.

"The lessee agrees that it will not use, or permit to be used any part of the premises for the manufacture, sale, gift, storage, or drinking of intoxicating liquor or beverages, so long as these are prohibited by law upon the demised premises.

"This lease may be canceled by the lessor at the discretion of and with the approval of the Secretary of the Interior for failure of the lessee to comply with any of the terms thereof.

"The rental herein required to be paid by the lessee to the lessor for the use of said premises during said term shall be paid to the legally authorized agent of the lessor entitled by law to receive the same and receipt therefor, and such payment shall be a full discharge of the lessee therefor.

"It is agreed that the lessee may enter upon said premises immediately upon the lawful ratification and approval hereof, and prior to the beginning of said term for the purpose of improving and preparing said premises for use as an airport.

"In witness whereof the parties hereunto have subscribed their names and affixed their seals as of the day first hereinabove mentioned. (Executed in quintuplicate—five copies.)

"Aqua Caliente or Palm Springs Band of Mission Indians of California, (By) Willie Marcus Belardo, chairman; Lee Arenas, vice chairman; Lena C. Welmas, secretary; Juana S. Hatchitt, member of council; Clemente Segundo, member of council; Carrie Pierce Casero; Francisco Patencio; Viola J. Hatchitt; Frank Morro; John Joseph Andreas; John Joseph Patencio; John Anthony Andreas; Moreno Patencio; Ramon Manuel; Santos Albert Patencio; Eleteria Arenas Nicholson; Marcus J. Pete; Florida Patencio Roxey; Anna J. Pierce; Cecelia Patencio Roxey; Baristo Sol Santiago; Genevieve P. St. Marie; Virginia Patencio Siva; Ramalda Lugo Taylor; Augusta Patencio Torro; Matild Patencio Welmas; Frank Segundo.

"City of Palm Springs, Calif., by Philip L. Boyd, mayor; Guy Pinney, city clerk.

"I, Clemente Segundo, hereby certify, that all the persons named as signers on the lease of the Agua Caliente or Palm Springs Band of Mission Indians for section 18, township 4 south, range 5 east, Riverside County, Calif., are all duly enrolled and qualified members of said band; that they have read or had read to them and interpreted to them said lease, made to the city of Palm Springs, Calif.; that they have expressed their understanding of the same and desire to have the same approved and put into effect for the mutual benefit of all, both the Indians and white residents of the said city. That the terms were explained and approved by all signers.

"Witness my hand this 6th day of December, 1939.

"CLEMENTE SEGUNDO.

"I, Lena Welmas, hereby certify that I am the acting secretary for the Agua Caliente or Palm Springs Band of Mission Indians of California, and secretary of the acting council. That I certify that all the persons named as signers of the foregoing described lease are Indians qualified to sign the same, and that the said lease has been thoroughly discussed and read, and explained, particularly to those who could not read or understand the English language. Particular care has been exercised to give a thorough explanation to those not understanding the English language. That I have personally seen to giving full explanations as to the same.

"Witness my hand and seal this 6th day of December 1939, at Palm Springs, Calif.

"LENA C. WELMAS.

"Approved.

"WILLIE MARCUS BELARDO,
"Chairman."

With the following committee amendment:

Strike out all after the enacting clause and insert the following:

"That the act approved August 25, 1937 (50 Stat. 811), is hereby amended to provide that the lease or sale therein authorized to be made by the Secretary of the Interior to the Board of Supervisors, Riverside County, Calif., may, in the discretion of the said Secretary of the Interior, be made to the incorporated city of Palm Springs, Calif."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill to amend the act entitled 'An act to authorize the Secretary of the Interior to lease or sell certain lands of the Agua Caliente or Palm Springs Reservation, Calif., for public airport use, and for other purposes.'"

COOPERATION WITH SCHOOL DISTRICTS—MINNESOTA

The Clerk called the next bill, H. R. 8124, to provide funds for cooperation with public-school districts (organized and unorganized) in Mahnomen, Itasca, Pine, St. Louis, Clearwater, Koochiching, and Becker Counties, Minn., in the construction, improvement, and extension of school facilities to be available to both Indian and white children.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Reserving the right to object, Mr. Speaker, this bill appropriates $120,500. In order to pass this bill by unanimous consent the House must be assured that the expenditure of this $120,000 is justified. I have studied the bill very carefully. I have on former occasions consistently objected to these bills wherein the Federal Government takes over the construction and maintenance of schools on the supposition that it is justified in doing so by the fact that Indian children go to these schools.

I should like the gentleman from Minnesota to explain what this bill does and the need for it. As I view it, there are some nine school districts involved. I should like to know how many white children are involved and how many Indian children are involved, and in what manner the Federal Goverment recoups the amount which it advances for the construction and maintenance of these schools.

Mr. BUCKLER of Minnesota. Mr. Speaker, I am very glad the gentleman has given me the opportunity to try to explain this bill.

This bill provides that these districts should borrow this $120,000 and that the money should be paid back in 30 years

by tuition that is paid for the Indian schools. I might say that the twenty-ninth district is in my congressional district. The report states that there are 203 children in this district, and 68 of them must go to school outside the district for lack of facilities at home. There are 2 old buildings which are not really fit for the children to go into, according to the report. This particular district has $15,411.78 of its own money. The bill provides $19,000 for it, so they can put up the sponsor's share. This has already been laid out and agreed to by the W. P. A. If they get this $19,000 they can go ahead and build the school and take care of the 203 pupils. All of these pupils are Indian children but 6. There are only 6 white children out of the 203 pupils in this district.

School district No. 92 has an old building built to accommodate 20 Indian children, and now there are 42 who go to that school. They are all Indians. That is not in my district; I believe it is in the district of the gentleman from Minnesota [Mr. PITTENGER]. And so on all down the line. There are only a few white children that go to this school.

Mr. PITTENGER. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Minnesota.

Mr. PITTENGER. May I say to the gentleman from Michigan that the Government already has some school buildings which are just worn out. Nine different places are affected by this bill. If the bill passes and these appropriations are available, they will amount to the sponsor's share on these different projects so they can put up some habitable schools for the benefit of the Indians. As I understand, the white children can go there, too.

Mr. BUCKLER of Minnesota. There are only a few white children, however. The Bureau of the Budget has sanctioned this bill, as well as the Interior Department.

Mr. SCHAFER of Wisconsin. If the gentleman will yield, may I say that I happen to be a member of the Committee on Indian Affairs, which reported this bill. This money is not a hand-out, because the provisions of the bill on page 6 require that over a 30-year period the Government shall recoup the amount of money expended, by reductions in the tuitions paid for Indian children, or under arrangements whereby these public schools will take in the Indian children without tuition.

Mr. BUCKLER of Minnesota. Certainly.

Mr. SCHAFER of Wisconsin. Furthermore, provisions of the bill restrict the payment of this money for educational purposes until the districts agree to educate all of the Indian children in the districts. Hundreds of Indian children now have no opportunity to go to school. This is a very fine bill, in the interest of the taxpayers and the Indian children.

Mr. BUCKLER of Minnesota. I hope the gentleman will not object, because the Government is guaranteed a return on its expenditure for these Indian children. There are no school facilities there now. They farm the pupils out over the country. These schools are certainly needed. I hope we can build them under the W. P. A. with this little grant. It will be saving everybody money.

Mr. WOLCOTT. May I ask the gentleman if this same condition does not apply to certain children of the Menominee Tribe?

Mr. PITTENGER. If the gentleman is going to object, may I say that this bill comes out of the Committee on Indian Affairs with a favorable report.

Mr. WOLCOTT. I am merely asking a question. Does not this same condition prevail in the Menominee Tribe?

Mr. SCHAFER of Wisconsin. I will answer it. We have a number of similar bills in the Commitee on Indian Affairs. In fact, we unanimously killed a bill in the committee today which would appropriate $150,000 and give it to a school district which has only 69 Indian children. That bill passed the Senate with a unanimous vote. The bill under consideration was carefully considered on its merits. This bill is fair to the taxpayers and fair to the Indian children. It will not cost the Federal Treasury one penny, in the final analysis.

Mr. PITTENGER. If the gentleman will yield, I would like to call attention to the report of the Department. A careful consideration of this report will enable this bill to pass by unanimous consent. If the gentleman will read what the Department says and read about its program, he cannot have any real objection to this bill. After all, these Indian children are wards of the Government.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. The gentleman has convinced me, Mr. Speaker, and I shall have no further objection to the bill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $120,500 for the purpose of cooperating with the following public-school districts (both organized and unorganized) in the State of Minnesota, such appropriation to be apportioned as follows: Naytahwaush, Independent School District No. 9, Mahnomen County, $19,000; Inger District No. 6 (Deer River), Itasca County, $7,000; Lake Lena District No. 2, Pine County, $12,500; Vermillion Lake, Tower-Soudan District, St. Louis County, $7,000; Beaulieu, unorganized district, Mahnomen County, $12,500; Jack Pine, unorganized district, Clearwater County, $7,000; Nett Lake, unorganized district, St. Louis-Koochiching Counties, $37,500; Pine Point, unorganized district, Becker County, $3,000; Squaw Point, unorganized district, Cass County, $15,000; for the construction, extension, equipment, and improvement of public-school facilities: *Provided*, That the expenditure of any money so authorized shall be subject to the express conditions that the schools maintained by these said districts in the said buildings shall be available to all Indian children of the districts, on the same terms, except as to payment of tuition, as other children of said school districts: *Provided further*, That plans and specifications for construction, extension, or improvement of structures shall be furnished by local or State authorities without cost to the United States Government, and, upon approval thereof by the Commissioner of Indian Affairs, actual work shall proceed under the direction of such local or State officials. Payment for work in place shall be made monthly on vouchers properly certified by local officials of the Indian Service: *Provided further*, That funds thus appropriated may be used as sponsors' contribution for the construction, extension, equipment, and improvement of the said public-school facilities approved and carried on under funds of the Work Projects Administration: *Provided further*, That any amount expended on any project hereunder shall be recouped by the United States within a period of 30 years, commencing with the date of occupancy of the project, through reducing the annual Federal payments for the education of Indian pupils enrolled in public or high schools of the district involved, or by the acceptance of Indian pupils in such schools without cost to the United States, and in computing the amount of recoupment for each project interest at 3 percent per annum shall be included on unrecouped balances: *And provided further*, That not to exceed 10 percent of the amount allocable to any of the several above-named districts may be transferred, in the discretion of the Commissioner of Indian Affairs, to the amount of any other of the above-mentioned projects, but no project shall be increased more than 10 percent by any such transfer.

With the following committee amendment:

Page 1, line 3, strike out all after the enacting clause and insert the following:

"That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $120,500 for the purpose of cooperating with the following public-school districts (both organized and unorganized) in the State of Minnesota, such appropriation to be apportioned as follows: Naytahwaush, Independent School District No. 29, Mahnomen County, $19,000; Inger District No. 6 (Deer River), Itasca County, $7,000; Lake Lena District No. 2, Pine County, $12,500; Vermillion Lake, Tower-Soudan District, St. Louis County, $7,000; Beaulieu, unorganized district, Mahnomen County, $12,500; Jack Pine, unorganized district, Clearwater County, $7,000; Nett Lake, unorganized district, St. Louis-Koochiching Counties, $37,500; Pine Point, unorganized district, Becker County, $3,000; Squaw Point, unorganized district, Cass County, $15,000; for the construction, extension, equipment, and improvement of public-school facilities: *Provided*, That the expenditure of any money so authorized shall be subject to the express conditions that the schools maintained by these said districts in any buildings constructed or improved with such money shall be available to all Indian children of the districts, on the same terms, except as to payment of tuition, as other children of said school districts: *Provided further*, That plans and specifications for construction, extension, or improvement of structures shall be furnished by local or State authorities without cost to the United States Government, and, upon approval thereof by the Commissioner of Indian Affairs, actual work shall proceed under the direction of such local or State officials. Payment for work in place shall be made monthly on vouchers properly certified by local officials of the Indian Service: *Provided further*, That funds appropriated pursuant to this act may be used as sponsors' contributions for the construction, extension, equipment, and improvement of the said public-school facilities approved and carried on under funds of the Work Projects Administration: *Provided, further*, That no funds available under this act shall be expended for improvements to existing buildings which belong to a school district and which are on tribal land or for construction of new buildings on tribal land until the tribe shall have issued to the

school district a permit approved by the Commissioner of Indian Affairs authorizing the use of the tracts required as school sites for so long as the land shall be used for school purposes by the school district and agreeing that the improvements and buildings shall be and remain the property of the school district. Title to improvements and to new buildings shall remain in the United States until recoupment of expenditures by the United States as provided in this act. Upon recoupment, improvements made and new buildings constructed shall become the property of the school district: *Provided further*, That any amount expended for improvements to existing buildings belonging to the school district or for the construction of new buildings shall be recouped by the United States within a period of 30 years, commencing with the date of occupancy of the project, through reducing the annual Federal payments for the education of Indian pupils enrolled in public or high schools of the district involved, or by the acceptance of Indian pupils in such schools without cost to the United States, and in computing the amount of recoupment for each project interest at 3 percent per annum shall be included on unrecouped balances: *And provided further*, That not to exceed 10 percent of the amount allocated to any one of the above-named districts may be transferred, in the discretion of the Commissioner of Indian Affairs, to the allocation for any other district, but no project shall be increased more than 10 percent by any such transfer."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

EASEMENT TO THE TEXAS PIPE LINE CO.

The Clerk called the next bill, H. R. 9192, to authorize the Secretary of War to grant permission for pipe lines.

Mr. PITTENGER. Mr. Speaker, reserving the right to object, I would like to have this bill explained.

Mr. FERNANDEZ. It is purely a local bill.

Mr. PITTENGER. What section does it affect?

Mr. FERNANDEZ. It authorizes the Secretary of War to grant permission to an oil company to construct a pipe line over some Government lands at the mouth of the Mississippi River.

Mr. PITTENGER. I have no objection, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. FERNANDEZ. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 3693) be substituted for the House bill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and empowered to grant, under such terms and conditions as are deemed advisable by him, to the Texas Pipe Line Co., its successors, and/or assigns, an easement for a period not exceeding 50 years for a right-of-way for pipe lines for the transportation of oil and/or gas over, across, in, and upon certain lands owned by the United States of America, situated in the State of Louisiana and in the parish of Plaquemines, described as follows: Sections 30, 31, 32, 36, and 39, township 21 south, range 19 east; and sections 2, 4, 6, 8, and 9, township 22 south, range 19 east, including any accretions thereto; and such portion of section 29, township 22 south, range 32 east as remains, and to cross the channels of Cheniere and Pass a Loutre with said pipe lines: *Provided*, That such easement for right-of-way shall be granted only upon a finding by the Secretary of War that the same will be in the public interest and will not substantially injure the interest of the United States of America and the property affected thereby: *Provided further*, That all or any part of such easement for right-of-way may be annulled and forfeited by the Secretary of War for failure to comply with the terms and conditions of any grant hereunder, or for nonuse or for abandonment of rights granted under authority hereof.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A House bill (H. R. 9192) was laid on the table.

REVENUES FROM NATIONAL PARKS AND NATIONAL MONUMENTS

The Clerk called the next bill, H. R. 9535, to authorize the participation of States in certain revenues from national parks, national monuments, and other areas under the administrative jurisdiction of the National Park Service, and for other purposes.

Mr. RICH. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

LIMITATIONS ON PROFITS OF CERTAIN CONTRACTORS

The Clerk called the next bill, S. 2464, to amend the act of March 27, 1934 (48 Stat. 505), as amended (49 Stat. 1926; 34 U. S. C., Supp. IV, 496; sec. 14 of Public, No. 18, 76th Cong.), to adjust the limitations on the profits of certain contractors with the United States.

Mr. SCHAFER of Wisconsin. Reserving the right to object, Mr. Speaker, I believe we should have some information on this bill.

Mr. VOORHIS of California. Mr. Speaker, reserving the right to object, I would like to find out what this bill provides.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SCHAFER of Wisconsin. Mr. Speaker, I object, in the absence of an explanation.

EASEMENT OVER COAST GUARD PROPERTY, FORT LAUDERDALE, FLA.

The Clerk called the next bill, H. R. 9349, authorizing the Secretary of the Treasury to grant to the city of Fort Lauderdale, Fla., an easement or easements authorizing such city to construct and maintain a highway and utility facilities over the United States Coast Guard Reservation known as base six at Fort Lauderdale, Fla.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 3959) may be considered in lieu of the House bill.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to grant to the city of Fort Lauderdale, Fla., an easement or easements authorizing such city to construct and maintain across such of the lands constituting a part of the United States Coast Guard Reservation known as base six at Fort Lauderdale, Fla., as the Secretary may designate, a highway, sewer lines, water mains, electric-distribution lines, and other utility facilities.

SEC. 2. Such easement or easements shall be granted subject to the condition that the Secretary may at any time require the removal of the highway and the utility facilities, or either of them, at the expense of the city of Fort Lauderdale, and shall be subject to such other reasonable conditions as the Secretary may deem desirable to include in the grant to protect the interests of the United States and to enable the Government to use such lands in such manner as the public interests may require. In addition, the city of Fort Lauderdale shall furnish bond with good and adequate securities, or such other security in lieu of such bond, in such reasonable amount and in such form as the Secretary may require, to assure the fulfillment of any or all the conditions and stipulations of such easement or easements.

SEC. 3. In the event the United States disposes of its interests in the Coast Guard Reservation known as base six, such easement or easements shall cease to be subject to such conditions, unless the Secretary shall find that the discontinuance of any or all of such conditions would adversely affect the sale value of such lands, in which case the conditions with respect to which the Secretary shall have made such a finding shall run with the land.

Mr. COSTELLO. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COSTELLO: Strike out all after the enacting clause and insert:

"That the Secretary of the Treasury is authorized and directed to grant to the city of Fort Lauderdale, Fla., a permanent easement or easements authorizing such city to construct and maintain across such of the lands constituting a part of the United States Coast Guard Reservation known as Base Six at Fort Lauderdale, Fla., as the Secretary may designate, a highway, sewer lines, water mains, electric distribution lines, and other utility facilities.

"SEC. 2. Such easement or easements shall be granted subject to the condition that the Secretary may at any time require the removal of the highway and the utility facilities, or either of them, to any other location or locations on said property, without expense to the United States, and shall be subject to such other reasonable conditions as the Secretary may deem desirable to include in the grant to protect the interests of the United States and to enable the Government to use such lands in such manner as the public interests may require. In addition, the city of Fort Lauderdale shall furnish bond with good and adequate sureties, or such other security in lieu of such bond, in such reasonable

amount and in such form, as the Secretary may require, to assure the fulfillment of any or all the conditions and stipulations of such easement or easements.

"SEC. 3. In the event the United States disposes of its interests in the Coast Guard Reservation known as Base Six, such easement or easements shall cease to be subject to such conditions, unless the Secretary shall find that the discontinuance of any or all of such conditions would adversely affect the sales value of such lands, in which case the conditions with respect to which the Secretary shall have made such a finding shall run with the land."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGES ACROSS STRAITS OF MACKINAC

The Clerk called the bill (S. 1379) granting the consent of Congress to the Mackinac Straits Bridge Authority to construct, maintain, and operate a toll bridge or series of bridges, causeways, and approaches thereto, across the Straits of Mackinac at or near a point between St. Ignace, Mich., and the Lower Peninsula of Michigan.

The SPEAKER. Is there objection?

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

BRIDGE ACROSS MISSISSIPPI RIVER, KEOKUK, IOWA

The Clerk called the bill (H. R. 5382) authorizing the city of Keokuk, Iowa, to purchase, construct, maintain, and operate a toll bridge across the Mississippi River at or near Keokuk, Iowa.

The SPEAKER. Is there objection?

Mr. FADDIS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

BRIDGE ACROSS KETTLE RIVER, KETTLE FALLS, WASH.

The Clerk called the bill (H. R. 9039) granting the consent of Congress to the Secretary of the Interior and Stevens County, State of Washington, to construct, maintain, and operate a highway bridge across the Kettle River, near Kettle Falls, Wash.

The SPEAKER. Is there objection?

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that Senate bill 3643 be substituted for the House bill.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Secretary of the Interior and Stevens County, State of Washington, jointly or separately, to construct, maintain, and operate a toll-free highway bridge across the Kettle River at a point suitable to the interests of navigation, near Marcus, and between Ferry County and Stevens County, Wash., in accordance with the provisions of the act entitled "An act to regulate the construcion of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A House bill (H. R. 9039) was ordered to lie on the table.

BRIDGE ACROSS SPOKANE RIVER, LINCOLN COUNTY, WASH.

The Clerk called the bill (H. R. 9050) granting the consent of Congress to the Secretary of the Interior and the State of Washington to construct, maintain, and operate a highway bridge across the Spokane River, Wash.

The SPEAKER. Is there objection?

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that Senate 3642 be substituted for the House bill.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Secretary of the Interior and the State of Washington, jointly or separately, to construct, maintain, and operate a toll-free highway bridge across the Spokane River at a point suitable to the interests of navigation, between Stevens County and Lincoln County, Wash., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A House bill (H. R. 9050) was ordered to lie on the table.

RAILROAD BRIDGES ACROSS KETTLE RIVER, WASH.

The Clerk called the bill (H. R. 9051) granting the consent of Congress to the Secretary of the Interior and the Great Northern Railway Co. to construct, maintain, and operate two railroad bridges across the Kettle River near Kettle Falls, Wash.

The SPEAKER. Is there objection?

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent to substitute Senate bill 3644.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Secretary of the Interior and the Great Northern Railway Co., a corporation organized and existing under the laws of the State of Minnesota, and their successors and assigns, jointly or separately, to construct, maintain, and operate two railroad bridges across the Kettle River at points suitable to the interests of navigation, near Marcus, and between Ferry County and Stevens County, Wash., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations of this act.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A House bill (H. R. 9051) was ordered to lie on the table.

PRESERVING CANAL ZONE FOR SCIENTIFIC STUDY

The Clerk called the bill (H. R. 8919) to authorize the setting aside of an area within the Canal Zone to preserve and conserve its natural features for scientific study, for providing and maintaining facilities for such study, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War, with the advice of the Governor of the Panama Canal and the Board of Directors of the Canal Zone Biological Area hereinafter provided, is authorized and directed to set aside within the Canal Zone an area in Gatun Lake known as Barro Colorado Island, in which the natural features shall, except in event of declared national emergency, be left in their natural state for scientific observation and investigation.

SEC. 2. The purpose of setting aside such an area is to preserve and conserve its natural features, including existing flora and fauna, in as nearly a natural condition as possible, thus providing a place where duly qualified students can make observations and scientific investigations for increase of knowledge, under such conditions and regulations as may be prescribed by the Board of Directors of the Canal Zone Biological Area.

SEC. 3. The Secretary of War, the Secretary of Agriculture, the Secretary of the Interior, the Secretary of the Smithsonian Institution, the President of the National Academy of Sciences, and three distinguished biologists of the United States of America, appointed by the President of the National Academy of Sciences with the approval of the Secretaries of War, Agriculture, Interior, and the Smithsonian Institution, shall constitute the Board of Directors of the Canal Zone Biological Area. The President of the National Academy of Sciences shall be the chairman of the Board and the Secretary of the Smithsonian Institution the vice chairman. The biologists of distinction appointed by the President of the National Academy of Sciences shall each serve for a term of 3 years: *Provided*, That of the three first appointed, one shall be designated to serve for 1 year, one for 2 years, and one for 3 years. Vacancies in appointed membership occurring from any cause shall be filled in the same manner as the appointment and for the same period. The members of the Board of Directors of the Canal Zone Biological Area shall serve without compensation, but subsistence and travel expenses incident to attendance of called meetings of the Board may, on appropriate action of the Board, be paid from funds available to it.

SEC. 4. The Board of Directors of the Canal Zone Biological Area shall (a) meet in Washington, D. C., at least once in each calendar year to consider policies and procedures for carrying out the purpose of this act; (b) determine the policy, prescribe conditions under which studies may be pursued within the area, and promulgate regulations for carrying out the purposes of this act; (c) be responsible for the construction and maintenance of laboratory and other facilities on the area provided for the use of students authorized to carry on studies within the confines of the area; (d) deposit into the Treasury of the United States sums donated or subscribed or collected to be expended for carrying out the purposes of this act; (e) in its discretion, fixed charges that may be made for use of laboratory or other facilities provided students authorized to make observations and investigations within the prescribed area and provide for the collection of such sums for deposit into the Treasury of the United States; (f) make such disposal of any moneys donated, subscribed, collected, or otherwise provided as in their judgment is to the best interest in carrying out the purpose of this act: *Provided*, That sums contributed or appropriated for specific purposes shall be used for such purpose only; and (g) through its chairman submit to the Congress of the United States not later than the 15th day of each January a report of activities and operations during the preceding year.

SEC. 5. At each annual meeting, or at special meetings should occasion so demand, the Board of Directors of the Canal Zone Biological Area shall appoint an executive officer whom they may authorize to carry out functions of the Board. With the approval of the Board the executive officer may select and designate a resident manager to assist in carrying out the policy, conditions, and regulations approved by the Board of Directors of the Canal Zone Biological Area in compliance with the purposes of this act. The executive officer and the resident manager shall receive such compensation for their services as may be allowed by the Board of Directors of the Canal Zone Biological Area.

SEC. 6. All moneys received by donation, subscription, fees, or otherwise, except the moneys appropriated pursuant to section 7, for carrying out the purposes of this act shall be deposited into the Treasury as trust funds and are hereby appropriated for such purposes. Disbursements of such funds shall be made by the Secretary of the Treasury through the Division of Disbursement on requisitions or vouchers signed by or on authority of the executive officer of the Board of Directors of the Canal Zone Biological Area.

SEC. 7. There is authorized to be appropriated annually, from money in the Treasury of the United States not otherwise appropriated, not to exceed $10,000 for expenses necessary in the administration of this act and for the maintenance of laboratory or other facilities provided for carrying out the purposes of this act.

With the following committee amendment:

Page 1, beginning in line 3, strike out the remainder of the page and insert "That the President is authorized and directed to set aside within the Canal Zone an area in Gatun Lake known as Barro Colorado Island in."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

MASSACRE OF SIOUX INDIAN MEN, ETC.

The Clerk called the bill (H. R. 953) to liquidate the liability of the United States for the massacre of Sioux Indian men, women, and children, at Wounded Knee on December 29, 1890.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

COMPACT OF MONTANA, NORTH DAKOTA, SOUTH DAKOTA, AND WYOMING, DIVISION OF WATERS OF LITTLE MISSOURI RIVER

The Clerk called the bill (S. 1777) granting the consent of Congress to the States of Montana, North Dakota, South Dakota, and Wyoming to negotiate and enter into a compact or agreement for division of the waters of the Little Missouri River.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That consent of Congress is hereby given to the States of Montana, North Dakota, South Dakota, and Wyoming to negotiate and enter into a compact or agreement not later than January 1, 1943, providing for an equitable division and apportionment among the States of the water supply of the Little Missouri River and of the streams tributary thereto, upon conditions that one suitable person, who shall be appointed by the President of the United States, shall participate in said negotiations as the representative of the United States and shall make report to Congress of the proceedings and of any compact or agreement entered into: *Provided*, That any such compact or agreement shall not be binding or obligatory upon any of the parties thereto unless and until the same shall have been approved by the legislature of each of said States and by the Congress of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GRANTING OF CERTAIN LAND IN MONTANA FOR SCHOOL OF MINES

The Clerk called the bill (S. 2191) to authorize the Secretary of the Interior to grant to the State of Montana for the use and benefit of the Montana School of Mines a patent to a certain tract of land.

The SPEAKER. Is there objection?

Mr. SCHAFER of Wisconsin. Mr. Speaker, reserving the right to object, what is the value of this land?

Mr. O'CONNOR. It is problematical, but the situation is covered by the report of the Interior Department, which is as follows:

In response to your request for report on S. 2191, titled, etc., the tract has an area of approximately twelve one-hundredths of an acre and is surrounded by mining claims patented many, many years ago. Being public land it is subject to location under the mining laws upon the making of discovery within its boundaries. It is undoubtedly in the interests of the State to secure title to the tract and may be of interest to the Federal Government by making more secure the loan to the State.

In view of the circumstances, I desire to withdraw my recommendation of July 16 and now recommend that the bill be enacted.

Mr. SCHAFER of Wisconsin. In view of the gentleman's objection, I will withdraw my objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to grant, subject to vested existing rights, to the State of Montana for the use and benefit of the Montana School of Mines a patent to the tract of land (including all mineral rights therein) known as the WPA Quartz Lode Mining Claim, located in Summit Valley Mining District, Mont., and designated on the official plat of the United States General Land Office as lot 19, section 14, township 3 north, range 8 west, Montana principal meridian. Such claim is more particularly described as follows:

Beginning at the south corner of the tract herein described, a point on the east end line of survey numbered 1688, Occidental Lode, lot 441, and which is also corner numbered 10 of survey numbered 2942, Arkansaw Lode Mining Claim, and corner numbered 4 of survey numbered 1218, Great Western Lode, lot 339; thence, first course north eight degrees west along the east end line of survey numbered 1688, Occidental Lode, two hundred and thirty-eight feet to the northwest corner of the tract herein described and which is also corner numbered 2 of survey numbered 1688, Occidental Lode, and a point in the south side line of survey numbered 1687, Bummer Lode, lot 440; thence, second course, north eighty-one degrees east along the south side line of survey numbered 1687, Bummer Lode, forty-four feet to the northeast corner of the tract herein described, which is also the point of intersection of line 4–3 of survey numbered 1687, Bummer Lode, at south eighty-one degrees west, two hundred and three feet from its corner numbered 3, with line 3–4 of survey numbered 1218, Great Western Lode. at south two degrees thirty-four minutes west, one hundred and thirty-six feet from its corner numbered 3; thence, third course, south two degrees thirty-four minutes west along line 3–4, the west end line of survey numbered 1218, Great Western Lode, two hundred and forty-four feet, to the place of beginning, containing an area of one hundred and twenty one-thousandths acre, more or less. Such trace being entirely within the boundaries of the location corners set for the said WPA Quartz Lode Mining Claim.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TIME FOR HOLDING COURT AT ROCK HILL AND SPARTANBURG, S. C.

The Clerk called the next bill, S. 2262, to provide for a change in the time for holding court at Rock Hill and Spartanburg, S. C.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 105 of the Judicial Code, as amended (U. S. C., title 28, sec. 186), be, and the same is hereby, amended to read as follows:

"SEC. 105. The State of South Carolina is divided into two districts to be known as the eastern and western districts of South Carolina.

"The western district shall include the territory embraced on the 1st day of July 1910 in the counties of Abbeville, Anderson, Cherokee, Chester, Edgefield, Fairfield, Greenville, Greenwood, Lancaster, Laurens, Newberry, Oconee, Pickens, Saluda, Spartanburg, Union, and York.

"The western district of South Carolina is divided into five divisions, to be known as the Anderson, Greenville, Greenwood, Rock Hill, and Spartanburg divisions. The Anderson division shall include the territory embraced in the counties of Anderson, Oconee, and Pickens. The Greenville division shall include the territory embraced in the counties of Greenville and Laurens. The Greenwood division shall include the territory embraced in the counties

of Abbeville, Edgefield, Greenwood, McCormick, Newberry, and Saluda. The Rock Hill division shall include the territory embraced in the counties of Chester, Fairfield, Lancaster, and York. The Spartanburg division shall include the territory embraced in the counties of Cherokee, Spartanburg, and Union. The terms of the district court for the Anderson division shall be held at Anderson, for the Greenville division at Greenville, for the Greenwood division at Greenwood, for the Rock Hill division at Rock Hill, and for the Spartanburg division at Spartanburg. Terms of the district court for the western district shall be held at Greenville on the first Mondays in April and October; at Rock Hill the second Monday in March and the first Monday in September; at Greenwood the first Mondays in February and November; at Anderson the fourth Mondays in May and November; and at Spartanburg on the third Monday in February and the second Monday in September.

"The eastern district shall include the territory embraced on the 1st day of July 1910 in the counties of Aiken, Bamberg, Barnwell, Beaufort, Berkeley, Calhoun, Charleston, Chesterfield, Clarendon, Colleton, Darlington, Dillon, Dorchester, Florence, Georgetown Hampton, Horry, Kershaw, Lee, Lexington, Marion, Marlboro, Orangeburg, Richland, Sumter, and Williamsburg.

"The eastern district of South Carolina is divided into five divisions, to be known as the Aiken, Charleston, Columbia, Florence, and Orangeburg divisions. The Aiken division shall include the territory embraced in the counties of Aiken, Allendale, Barnwell, and Hampton. The Charleston division shall include the territory embraced in the counties of Beaufort, Berkeley, Charleston, Clarendon, Colleton, Dorchester, and Jasper. The Columbia division shall include the territory embraced in the counties of Kershaw, Lee, Lexington, Richland, and Sumter. The Florence division shall include the territory embraced in the counties of Chesterfield, Darlington, Dillon, Florence, Georgetown, Horry, Marion, Marlboro, and Williamsburg. The Orangeburg division shall include the territory embraced in the counties of Calhoun, Bamberg, and Orangeburg. The terms of the district court for the Aiken division shall be held at Aiken, for the Charleston division at Charleston, for the Columbia division at Columbia, for the Florence division at Florence, and the Orangeburg division at Orangeburg.

"Terms of the district court for the eastern district shall be held at Charleston on the second Monday in October, the third Monday in January, and the fourth Monday in May; at Columbia on the first Monday in November and the third Monday in March; at Florence on the first Monday in December and the Fourth Monday in April; at Aiken on the fourth Monday in September and the second Monday in February; and at Orangeburg on the third Monday in November and the second Monday in April: *Provided*, That facilities for holding court at Orangeburg are furnished free of expense to the United States. The office of the clerk of the district court for the western district shall be at Greenville and the office of the clerk of the district court for the eastern district shall be at Charleston.

"All criminal cases shall be tried in the division in which the offense was committed, unless upon proper showing the venue would be changed by the judge from one division to another, and this change be made only upon affidavits and motion made in open court after 4 days' notice to the adverse party."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REORGANIZATION OF NAVY DEPARTMENT

The Clerk called the next bill, H. R. 9266, providing for the reorganization of the Navy Department, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. DARDEN of Virginia. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, it seems to me we should give a little more consideration to this reorganization bill than that which can be done under unanimous consent. If the gentleman puts me in the position of being forced to object, in order that the House may give consideration to it, then I will have to object, but I do not think we should pass by unanimous consent a bill having to do with the Navy and Army policy and abolishing bureaus, consolidating bureaus, and so forth. I think the House would like a little time to look this bill over.

Mr. DARDEN of Virginia. It is not my purpose to go further into it. It is legislation that is needed for the expeditious functioning of the Navy.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I object.

PROMOTION OF RETIRED OFFICERS TO RANK RECOMMENDED DURING WORLD WAR

The Clerk called the next bill, S. 2328, to promote on the retired list officers who were decorated and recommended for promotion for distinguished service during the World War and who have not attained the rank to which recommended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That any commissioned officer of the Army below the grade of brigadier general, now retired or hereafter retired, except those retired under the provisions of section 24b of the act of June 4, 1920, who for services rendered during the World War was officially recommended in writing for promotion to increased rank by a division commander or coordinate or higher authority or by the chief of a staff corps or department, and who has not attained said rank, and who as evidenced by bestowal of Medal of Honor or Distinguished Service Cross or Distinguished Service Medal rendered exceptionally meritorious services or demonstrated gallantry in action beyond the call of duty shall, upon application, be advanced one grade on the retired list: *Provided*, That any such officer on the active or retired list who died or may die prior to the approval of this act, or on the active list who may hereafter die before retirement, shall upon application in his behalf be advanced one grade as of date of death: *Provided further*, That such promotion shall not carry with it any increase of pay or allowances.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRANSFER OF CERTAIN PROPERTY IN SAN FRANCISCO TO CITY AND COUNTY OF SAN FRANCISCO

The Clerk called the next bill, H. R. 9063, authorizing the Secretary of the Treasury to transfer certain property in San Francisco, Calif., to the city and county of San Francisco for street purposes.

The SPEAKER. Is there objection?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to transfer to the city and county of San Francisco, Calif., all the right, title, and interest of the United States in and to that portion of the Mint property in the city of San Francisco which is now used for street purposes, particularly described as follows:

Commencing at a point on the northwesterly line of Mission Street, distant thereon two hundred and seventy-five feet southwesterly from the southwesterly line of Fifth Street, and running thence at right angles northwesterly two hundred and seventy-five feet; thence at right angles northeasterly two hundred and seventy-five feet to a point on the southwesterly line of Fifth Street, distant thereon two hundred and seventy-five feet northwesterly from the northwesterly line of Mission Street; thence at right angles southeasterly, along said southwesterly line of Fifth Street, fifty-four feet; thence at right angles southwesterly two hundred and fifteen feet; thence at right angles southeasterly two hundred and twenty-one feet to the northwesterly line of Mission Street; thence at right angles southwesterly, along said northwesterly line, sixty feet to the point of commencement; being a portion of 100 Vara Block 380.

With the following committee amendments:

Page 1, line 3, strike out the words "Secretary of the Treasury" and insert "Administrator of the Federal Works Agency";

At the end of line 5, after the word "California", insert "by the usual quitclaim deed."

The committee amendments were agreed to.

The Clerk reported the following committee amendment:

Page 2, line 15, after the word "Vara", strike out "Block 380" and insert "Lot 198."

Mr. COSTELLO. Mr. Speaker, I offer a substitute amendment for the last committee amendment.

The SPEAKER. The Clerk will report the substitute amendment.

The Clerk read as follows:

Amendment offered by Mr. COSTELLO as a substitute for the committee amendment: Page 2, line 15, after the word "Vara", strike out "Block 380" and insert in lieu thereof "Lot 198, Block 380."

The amendment to the committee amendment was agreed to.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill authorizing the Administrator of the Federal Works Agency to transfer certain property in San Francisco, Calif., to the city and county of San Francisco for street purposes."

APPROPRIATION FOR CONSTRUCTION AT MILITARY POSTS

The Clerk called the next bill, H. R. 9896, to authorize appropriations for construction at military posts, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I think if this bill were brought to the floor by a rule or in some other manner so that we might have time to consider it, I might vote for it. The bill appears to be necessary, but I am going to ask unanimous consent that it go over without prejudice, in order to keep faith with the policy which was announced about 18 months ago that we would hesitate to let bills pass by unanimous consent, carrying authorized appropriations of more than a million dollars. I have not succumbed to war hysteria to the point that I want to accept the responsibility of this House passing by unanimous consent a bill authorizing $15,000,000 for any purpose. It is only for that purpose that I ask unanimous consent that the bill be passed over without prejudice.

The same reason applies, of course, to the next, bill, which authorizes an appropriation of $3,500,000.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

ACQUISITION OF LAND FOR MILITARY PURPOSES

The Clerk called the next bill, H. R. 9897, to authorize the acquisition of additional land for military purposes.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

STATUS OF RETIRED OFFICERS OF THE ARMY, NAVY, MARINE CORPS, AND COAST GUARD OF THE UNITED STATES

The Clerk called the next bill, H. R. 9024, relating to the status of retired officers of the Army, Navy, Marine Corps, and Coast Guard of the United States, and to amend section 113 of the Criminal Code.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

COOPERATION BETWEEN BUREAU OF RECLAMATION AND FARM SECURITY ADMINISTRATION

The Clerk called the next bill, H. R. 9087, to remove the time limit for cooperation between the Bureau of Reclamation and the Farm Security Administration in the development of farm units on public lands under Federal reclamation projects.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SCHAFER of Wisconsin. Mr. Speaker, I object.

Mr. O'CONNOR. Mr. Speaker, will the gentleman withhold his objection to permit me to make a statement?

Mr. SCHAFER of Wisconsin. Mr. Speaker, I will withhold my objection for the time being to permit the gentleman to make a statement. We are, however, spending hundreds of millions of dollars to take alleged surplus land out of production, yet at the same time we are spending hundreds of millions of dollars to bring more land into production through irrigation projects, including those covered in this bill.

Mr. O'CONNOR. Mr. Speaker, I have an amendment to propose to the bill.

The SPEAKER. Consent has not yet been granted for its consideration.

Mr. O'CONNOR. Mr. Speaker, I may state to the gentleman from Wisconsin that this bill permits cooperation between the Farm Security Administration and the Reclamation Bureau. The Farm Security Administration has extended financial help to a large number of farmers from the Great Plains area in establishing themselves on farms in Colorado, Wyoming, and Montana. A total of 23,384 families have been aided by the Farm Security Administration in Montana from the summer of 1935 to March 1, 1940.

The act approved August 7, 1939, authorized the Farm Security Administration to assist homestead entrymen on Federal reclamation projects by making loans for the development of public land farm units, but limited such assistance to the fiscal year 1940. Under this act there were 45 entrymen granted loans of approximately $230,000 on the Sun River project, Montana, in connection with an opening of lands in the fall of 1939. There were 141 farms opened to entry April 22, 1940, and 792 applications have been submitted. Of this number 466 were not possessed of sufficient capital and will not be able to make entry unless assistance can be granted by the Farm Security Administration. In view of the number of applications that have been received and appeals that have been submitted to the Secretary of the Interior on account of rejections of applications it will not be possible to pass upon all of the pending cases prior to June 30, 1940. Because of this it is highly essential that the provisions of the act of August 7, 1939, be extended as provided in H. R. 9087.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. SCHAFER of Wisconsin. Why should the Government lend $2,000 to each of these fellows and bring new land into production at a time when the Government is foreclosing and taking possession of the farms of many thousand American farmers and sending them to the bread lines?

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. TABER. Because they could not get anybody to go on these irrigation projects if they did not subsidize them.

Mr. O'CONNOR. The idea is that the Government has already spent millions and millions of dollars on these irrigation projects. Just as the gentleman from New York pointed out, people who have the cash available to buy cows, horses, and implements as a rule will not move into such territories.

Mr. SCHAFER of Wisconsin. Is the Government of the United States prepared to put everybody on the land and set him up in business? That is pure, unadulterated socialism. I shall object to this socialistic bill.

Mr. O'CONNOR. I hope the gentleman will withdraw his objection. There are no delinquents arising out of these loans.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SCHAFER of Wisconsin. Mr. Speaker, I object to this socialistic bill.

PROVIDE FOR HOLDING TERMS OF COURT OF THE UNITED STATES COURT FOR THE EASTERN DISTRICT OF ARKANSAS

Mr. GATHINGS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 9531) to provide for the holding of the terms of court of the United States Court for the Eastern Division of the Eastern District of Arkansas at Forrest City, St. Francis County, Ark.; to transfer Desha County from the eastern division to the western division of the eastern district of Arkansas; and to transfer Crittenden County from the Jonesboro division to the eastern division of the eastern district of Arkansas.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There being no objection, the Clerk read the bill, as follows:

Be it enacted etc., That paragraph (e) of section 71 of the Judicial Code (U. S. C., 1934 ed., title 28, sec. 144) is amended to read as follows:

"(e) The eastern district shall include four divisions, constituted as follows: The eastern division, which shall include the territory embraced on July 1, 1920, in the counties of Crittenden, Lee, Phillips, St. Francis, Cross, Monroe, and Woodruff; the northern division, which shall include the territory embraced on such date in the counties of Fulton, Independence, Cleburne, Stone, Izard, Sharp,

and Jackson; the Jonesboro division, which shall include the territory embraced on such date in the counties of Clay, Craighead, Greene, Mississippi, Poinsett, Randolph, and Lawrence; and the western division, which shall include the territory embraced on such date in the counties of Arkansas, Chicot, Clark, Cleveland, Conway, Dallas, Desha, Drew, Faulkner, Garland, Grant, Hot Springs, Jefferson, Lincoln, Lonoke, Montgomery, Perry, Pope, Prairie, Pulaski, Saline, Van Buren, White, and Yell."

SEC. 2. Paragraph (f) of section 71 of the Judicial Code (U. S. C., 1934 ed., title 28, sec. 144) is amended to read as follows:

"(f) Terms of the district court for the eastern division shall be held at Forrest City on the second Monday in March and the first Monday in October; for the northern division, at Batesville on the fourth Monday in May and the second Monday in December; for the Jonesboro division, at Jonesboro on the first Monday in May and the fourth Monday in November; and for the western division, at Little Rock on the first Monday in April and the third Monday in October: *Provided*, That suitable rooms and accommodations for holding court at Forrest City are furnished without expense to the United States: *Provided further*, That nothing in this section shall be construed to prevent the provision of quarters for the officers of said court and appropriate courtrooms for the holding of the terms of said court in any new Federal building which may be constructed in Forrest City."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ACQUISITION OF LANDS FOR GRAND COULEE DAM AND RESERVOIR

Mr. LEAVY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 9445) for the acquisition of Indian lands for the Grand Coulee Dam and Reservoir, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in aid of the construction of the Grand Coulee Dam project, authorized by the act of August 30, 1935 (49 Stat. 1028), there is hereby granted to the United States, subject to the provisions of this act, (a) all the right, title, and interest of the Indians in and to the tribal and allotted lands within the Spokane and Colville Reservations, including sites of agency and school buildings and related structures and unsold lands in Klaxta town site, as may be designated therefor by the Secretary of the Interior from time to time: *Provided*, That no lands shall be taken for reservoir purposes above the elevation of 1,310 feet above sea level as shown by General Land Office surveys, except in Klaxta town site; and (b) such other interests in or to any of such lands and property within these reservations as may be required and as may be designated by the Secretary of the Interior from time to time for the construction of pipe lines, highways, railroads, telegraph, telephone, and electric-transmission lines in connection with the project, or for the relocation or reconstruction of such facilities made necessary by the construction of the project.

The Secretary of the Interior, in lieu of reserving rights of hunting, fishing, and boating to the Indians in the areas granted under this act, shall set aside approximately one-quarter of the entire reservoir area for the paramount use of the Indians of the Spokane and Colville Reservations for hunting, fishing, and boating purposes, which rights shall be subject only to such reasonable regulations as the Secretary may prescribe for the protection and conservation of fish and wildlife: *Provided*, That the exercise of the Indians' rights shall not interfere with project operations. The Secretary shall also, where necessary, grant to the Indians reasonable rights of access to such area or areas across any project lands.

SEC. 2. As lands or interests in lands are designated from time to time under this act, the Secretary of the Interior shall determine the amount of money to be paid to the Indians as just and equitable compensation therefor. As to the tribal lands, the amounts so determined shall be transferred in the Treasury of the United States from the funds now or hereafter made available for the construction of the Grand Coulee Dam project to the credit of the appropriate tribe and, in the case of allotted lands, to the credit of the allottees or their heirs. These amounts while remaining to the credit of the Indians in the Territory shall bear interest at the rate of 4 percent per annum from the time of the transfer.

SEC. 3. Funds held to the credit of allottees or heirs hereunder shall be handled in the like manner as moneys received from the sale of land under section 1 of the act of May 29, 1908 (35 Stat. 444): *Provided*, That such funds may be used in the discretion of the Secretary of the Interior, for the acquisition of other lands and improvements, or the relocation of existing improvements or construction of new improvements on the lands so acquired for the allottees or heirs whose lands and improvements are acquired under the provisions of this act. Lands so acquired shall be held in the same status as those from which the funds were derived and shall be nontaxable until otherwise provided by Congress.

SEC. 4. As to any Indian cemetery lands required for the project, the Secretary of the Interior is authorized, in his discretion, in lieu of requiring payment therefor, to establish cemeteries on other lands that he may select and acquire for the purpose, and to remove bodies, markers, and other appurtenances to the new sites. All costs incurred in connection with any such relocation shall be paid from moneys appropriated for the project. All right, title, and interest of the Indians in the lands within any cemetery so relocated shall terminate and the grant of title under this act take effect as of the date the Secretary of the Interior authorizes the relocation. Sites of the relocated cemeteries shall be held in trust by the United States for the Spokane or Colville Tribe, as the case may be, and shall be nontaxable.

SEC. 5. The Secretary of the Interior is hereby authorized to perform any and all acts and to prescribe such regulations as he may deem appropriate to carry out the provisions of this act.

With the following committee amendments:

On page 3, line 9, insert a comma after the word "tribe", strike the remainder of the section, and insert in lieu thereof the following: "pusuant to the provisions of the Act of May 17, 1926 (44 Stat. 560). The amounts due individual landowners or their heirs or devisees shall be paid from funds now or hereafter made available for the construction of said project to the superintendent of the Colville Indian Agency or such other officer as shall be designated by the Secretary of the Interior for credit on the books of said agency to the accounts of the individuals concerned."

On page 3, line 14, following "Sec. 3", strike the remainder of the line and all of lines 15, 16, and 17 and insert in lieu thereof the following: "Funds deposited to the credit of allottees, their heirs, or devisees."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CREATION OF UNITED STATES DE SOTO EXPOSITION COMMISSION

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9751) for the creation of the United States De Soto Exposition Commission, to provide for the commemoration of the four hundredth anniversary of the discovery of the Mississippi River by Hernando De Soto, the commemoration of De Soto's visit to the Chickasaw Territory in northern Mississippi, and other points covered by his expedition, and the two hundred and fifth anniversary of the Battle of Ackia, and for other purposes. It is No. 802 on the calendar.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN]?

Mr. TABER. Mr. Speaker, reserving the right to object, this bill is on the calendar but was not called, because it has not been on the calendar long enough. There are Members who would be interested in being here, and I think I shall have to ask the gentleman to withhold his request for the time being.

Mr. RANKIN. May I say to the gentleman from New York that before the Budget would approve this measure we had eliminated the provision providing for an authorization. The only other Member who is particularly interested in it is the gentleman from Arkansas [Mr. NORRELL]. He and I have agreed on an amendment which I propose to offer.

Mr. TABER. Does the gentleman mean there will be no expenditure connected with the proposition?

Mr. RANKIN. There is no authorization here for any appropriation. The Department of the Interior is authorized to pay only the traveling expenses of these Commissioners in connection with it. It is not a question of appropriation. This is the four hundredth anniversary of De Soto's expedition. He landed in 1537, and crossed the Mississippi River in 1541. Arrangements have already been begun for these celebrations at various points, and for this reason we want to get the measure passed now in order that the arrangements may go forward. I hope the gentleman will not object. A similar bill has passed the Senate, and my amendment will clarify it and make it conform to the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That (a) a Commission is hereby established, to be known as the United States De Soto Exposition Commission (hereinafter referred to as the "Commission"), to be composed of five members who shall be appointed, upon the recommendation of the Secretary of the Interior, by the President, to serve at his pleasure. The Commission shall elect its own officers.

(b) The Commission shall assume all functions of the Ackia Battle Memorial Commission, established pursuant to the act of August 27, 1935 (49 Stat. 897), which is hereby abolished.

(c) The members of the Commission shall serve without compensation for their services as members, but shall be entitled to reimbursement for such necessary travel and other expenses as may be authorized or approved by the Secretary of the Interior: *Provided*, That nothing in this section shall prohibit the payment to any member of the Commission who may be elected secretary or treasurer of the Commission of such compensation for the performance of his duties as secretary or treasurer, as may be determined by the Commission and the Secretary of the Interior.

SEC. 2. The Commission shall prepare plans and programs, subject to the approval of the Secretary of the Interior, and shall supervise the commemoration, in the year 1941, of—

(1) the four hundredth anniversary of the first crossing of the Mississippi River, by Hernando De Soto, to be held at Memphis, Tenn., the largest city on the river near the point of discovery, as indicated in the final report of the United States De Soto Expedition Commission (H. Doc. No. 71, 76th Cong.);

(2) the four hundredth anniversary of De Soto's expedition and visit to the Chickasaw Territory in northern Mississippi and the two hundred and fifth anniversary of the Battle of Ackia, to be held at such place as the Commission shall determine; and

(3) other features of De Soto's expedition to North America, to be held at such places as the Commission shall determine. In preparing plans and programs under this subsection consideration shall be given to the recommendations contained in the final report of the United States De Soto Expedition Commission.

SEC. 3. (a) The Commission is authorized to utilize voluntary and uncompensated services and to receive funds from any State, municipal, or private source for the purposes of this act. Any such funds received by the Commission shall be deposited with the United States Treasury and shall be kept in a separate account. Such funds, as well as any funds appropriated for the purposes of this act, shall be disbursed upon vouchers approved by the Chairman of the Commission or by such person as he shall designate.

(b) The heads of the departments and establishments of the Government are authorized to detail personnel to assist the Commission and to cooperate with the Commission in the procurement, installation, and display of exhibits; to lend to the Commission for exhibit purposes such articles, documents, specimens, or other exhibit materials in the possession of the Government.

(c) The Commission is authorized to enter into contracts with private publishers for such printing and binding as may be deemed advisable in carrying out the purposes of this act. The Commission is authorized to purchase without competitive bidding in quantities not to exceed $100 in cost.

(d) The Commission is authorized to employ, without regard to civil-service laws and the Classification Act, such persons as may be deemed necessary for the purposes of this act.

SEC. 4. The Commission shall cease to exist when its functions and duties, as herein provided, have been executed in a manner satisfactory to the President of the United States, who shall notify the Congress accordingly.

SEC. 5. (a) The Ackia Battle Ground National Monument, in the State of Mississippi, shall hereafter be known as the "Chickasaw National Monument," and there shall be available for the said national monument all moneys heretofore or hereafter appropriated under its previous designation.

(b) The Secretary of the Interior, in his discretion, may erect a memorial within said national monument of such type as he may deem appropriate to commemorate the history and accomplishments of the Chickasaw Indians.

SEC. 6. There is hereby authorized to be appropriated such sums as the Congress shall determine, for expenditure in such manner as the Secretary of the Interior shall deem to be advisable in carrying out the purposes of this act and such sums, when appropriated, shall remain available until expended or until the expiration of the Commission. The unexpended balance of any funds appropriated pursuant to the aforesaid act of August 27, 1935 (49 Stat. 897), shall also be available for the purposes of this act.

Mr. RANKIN. Mr. Speaker, I offer an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. RANKIN: On page 3, change subsection (B) to subsection (C), and insert a new subsection after line 24, to read as follows:

"Any exposition or celebration to be held pursuant to this act may, if deemed advisable by the Commission and the Secretary of the Interior, take the form of a conservation exposition for the purpose of dramatizing all conservation activities of the Federal and State Governments and, for the purposes of this subsection, expositions may be held at such places in the Mississippi Valley as the said Commission shall determine."

On page 4, line 7, change the subsection (C) to subsection (D); and, in line 13, change subsection (D) to subsection (E).

Mr. TABER. Mr. Speaker, I make the point of order the amendment is not germane. Putting on shows is not germane to holding a commemorative exposition.

Mr. RANKIN. I may say to the gentleman that this is a provision which appears in the Senate bill that has already passed that body. It was recommended by the Department of the Interior and does not add any expense to the bill.

M. TABER. It means putting on shows.

Mr. RANKIN. No.

Mr. TABER. It says so.

Mr. RANKIN. By the local authorities. The local people do that.

Mr. TABER. They can do it without such a thing in the bill. The local people can do that if they want to.

Mr. RANKIN. Mr. Speaker, does the Chair desire to hear me on the point of order?

Mr. TABER. Mr. Speaker, I insist on the point of order.

Mr. RANKIN. What is the point of order?

The SPEAKER. The point of order is that the amendment is not germane to the bill.

Mr. RANKIN. Mr. Speaker, I submit that the amendment is germane to the bill. It merely carries out the provisions of the Senate bill that has already passed the Senate. It enables the authorities to hold these conservation celebrations along the Mississippi River. That provision is in the bill introduced in the Senate by Senator LUNDEEN and in the House by the gentleman from Arkansas [Mr. NORRELL]. When the question arose of reconciling the two bills, the matter was taken up with the Department of the Interior, and it agreed to this amendment.

I submit the amendment is germane to the bill; it merely carries out the purposes of it, and the gentleman's point of order is not well taken.

The SPEAKER. The Chair has very hurriedly compared the amendment with the original text of the bill, not anticipating a point of order would be made.

Subsection (b) of section 3, page 3, provides that the heads of the departments and establishments of the Government are authorized to detail personnel to assist the commission and to cooperate with the commission in the procurement, installation, and display of exhibits. The Chair is of the opinion, however, that the amendment goes considerably further than the provisions of the original bill. It enters upon the subject of the dramatization, and so forth, of all conservation activities of the State and Federal Governments.

The Chair is of the opinion that the amendment goes beyond the scope of the bill and therefore sustains the point of order.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DEVELOPMENT OF FARM UNITS ON PUBLIC LANDS

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to return to Calendar No. 791, and for the consideration of the bill H. R. 9087, to remove the time limit for cooperation between the Bureau of Reclamation and the Farm Security Administration in the development of farm units on public lands under Federal reclamation projects.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Montana [Mr. O'CONNOR]?

Mr. SCHAFER of Wisconsin. Mr. Speaker, reserving the right to object, does the gentleman propose to offer an amendment?

Mr. O'CONNOR. I may say to the gentleman I have an amendment on the Clerk's desk, limiting the operation of the bill to the fiscal year 1941.

Mr. SCHAFER of Wisconsin. I am glad the gentleman has seen the light, and I will not object.

Mr. TABER. Mr. Speaker, reserving the right to object, will the gentleman insist on that amendment as between the two Houses of Congress?

Mr. O'CONNOR. I will.

The SPEAKER. Is there objection to the request of the gentleman from Montana [Mr. O'CONNOR]?

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that the bill S. 3683, to remove the time limit for cooperation between the Bureau of Reclamation and the Farm

Security Administration in the development of farm units on public lands under Federal reclamation projects be substituted for the House bill.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. COSTELLO]?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the act of August 7, 1939 (Public, No. 307, 76th Cong., 1st sess.), is hereby amended by striking out "during the fiscal year 1940,".

Mr. O'CONNOR. Mr. Speaker, I offer an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. O'CONNOR: Page 1, line 5, after the word "year", strike out "1940" and insert "1941."

The amendment was agreed to.

Mr. COSTELLO. Mr. Speaker, I offer an amendment to the title striking out the word "remove" and to insert the word "extend."

The Clerk read as follows:

Amendment offered by Mr. COSTELLO to the title of the bill S. 3683: In the first line of the title strike out the word "remove" and insert the word "extend."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A House bill (H. R. 9087) was laid on the table.

JOHN L. HARDER AND CHILDREN

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5827) to authorize the cancelation of deportation proceedings in the case of John L. Harder and children, Paul William Harder, Irvin W. Harder, Edna Justina Harder, Elsie Anna Harder, and Elizabeth Harder, with a Senate amendment thereto, and concur in the Senate amendment.

I may say for the benefit of the House that this is a clarifying amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Line 12, after "rest" insert "and shall be deemed to be lawful residents of the United States."

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

Mr. SCHAFER of Wisconsin. I reserve the right to object, Mr. Speaker, to obtain some information. Why should the Congress pass a special act to legalize an illegal entry, and permit aliens to continue to reside legally in the United States, when we have 11,000,000 unemployed now?

Mr. REES of Kansas. I agree with the gentleman from Wisconsin in his general view on this question, but I may say that this man was born in the United States, went to Canada and took up a claim there, and thereby lost his citizenship. He did not enter illegally. He has been here for a number of years, having come in on a visitor's visa. He is now a sick man. He has been ill for 10 years. He is American born. This is nothing but a technicality.

Mr. SCHAFER of Wisconsin. I shall not object, Mr. Speaker.

Mr. HANCOCK. Reserving the right to object, Mr. Speaker, was this bill on the Private Calendar of the House?

Mr. REES of Kansas. Yes; this bill passed the House by unanimous consent a number of months ago.

Mr. HANCOCK. It went to the Senate, and the gentleman now wishes the House to concur in the Senate amendment?

Mr. REES of Kansas. To concur in the Senate amendment. This is only a clarifying amendment.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

FEDERAL HIGHWAY ACT OF 1940

Mr. CARTWRIGHT. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 9575) to amend the Federal Aid Act, approved July 11, 1916, as amended and supplemented, and for other purposes, as amended.

The Clerk read the bill as amended, as follows:

Be it enacted, etc., That for the purpose of carrying out the provisions of the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916 (39 Stat. 355), and all acts amendatory thereof and supplementary thereto, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the following sums, to be expended according to the provisions of such act as amended and supplemented: The sum of $93,750,000 for the fiscal year ending June 30, 1942, and the sum of $93,750,000 for the fiscal year ending June 30, 1943.

SEC. 2. For the purpose of continuing the provisions of section 7 of the act of June 16, 1936 (49 Stat. 1521), there is hereby authorized to be appropriated the sum of $18,750,000 for the fiscal year ending June 30, 1942, and the sum of $18,750,000 for the fiscal year ending June 30, 1943; said sums to be expended on secondary or feeder roads, including farm-to-market roads, rural-free-delivery mail roads, and public-school bus routes.

SEC. 3. If within the fiscal years 1942 and 1943 the Federal Works Administrator shall find with respect to any State (1) that the proceeds of all special taxes on motor-vehicle transportation, as referred to in section 12 of the act of June 18, 1934 (48 Stat. 995), as amended, are applied to highway purposes as defined in said section; (2) that at least 90 percent of such proceeds are applied to the administrative and operating expenses of the State highway department, the maintenance of the State and Federal-aid highway systems, and the payment of interest on, and the amortization of, bond obligations of the State for the payment of which such revenues have heretofore been pledged; and (3) that the portion of the proceeds of all such special taxes then available for construction and reconstruction, together with funds available to the State from any other sources for highway purposes, will be insufficient to match all, or any part, of the regular and secondary Federal-aid road funds apportioned to such State for such fiscal years in accordance with the provisions of the Federal Highway Act (42 Stat. 212), as amended and supplemented, then such portion of such apportionment as the Federal Works Administrator shall find the State is unable to match shall be made available for expenditure in such State in accordance with said Federal Highway Act without being matched by the State: *Provided*, That any such funds made available to any State without being matched by the State shall be expended by the State on the system of Federal-aid highways and on secondary roads in the construction of projects desirable from the standpoint of national defense.

SEC. 4. Any balances of the regular and secondary Federal-aid road funds apportioned for the fiscal years 1939 and 1940 to the Territory of Hawaii which may remain unexpended at the close of the period of their availability shall be available thereafter for expenditure in such Territory by the Public Roads Administration in the construction of projects desirable from the standpoint of the national defense, and the Commissioner of Public Roads is hereby empowered to enter into any agreements which he may deem necessary with the Territory of Hawaii setting forth the method by which such construction work shall be performed and the conditions which shall apply thereto, and he is further authorized, at his discretion, to pay all or any part of the costs incurred after approval of any such project, including the cost of surveys, the preparation of plans, specifications and estimates, and of necessary new or additional rights-of-way, and to make advances to such Territory under appropriate safeguards to enable it to make prompt payments to contractors on projects that may be agreed shall be constructed under contracts to be let and supervised by the Territory.

SEC. 5. For the elimination of hazards to life at railroad grade crossings, including the separation or protection of grades at crossings, the reconstruction of existing railroad-grade-crossing structures, and the relocation of highways to eliminate grade crossings, there is hereby authorized to be appropriated, to be apportioned on or before the 1st day of January of each year preceding the fiscal year for which it is authorized among the several States in accordance with the provisions of the Federal Highway Act (42 Stat. 212), as amended and supplemented, except that such apportionment shall be one-half on population as shown by the latest decennial census, one-fourth on the mileage of the Federal-aid highway system as determined by the Federal Works Administrator, and one-fourth on the railroad mileage as determined by the Interstate Commerce Commission, and to be expended in accordance with said Federal Highway Act, as amended and supplemented, except that no part of such funds apportioned to any State need be matched by the State: The sum of $37,500,000 for the fiscal year ending June 30, 1942, and the sum of $37,500,000 for the fiscal year ending June 30, 1943.

SEC. 6. For the purpose of carrying out the provisions of section 23 of the Federal Highway Act of 1921 (42 Stat. 218), there is hereby authorized to be appropriated for forest highways, roads, and trails the following sums, to be available until expended in accordance with the provisions of said section 23: The sum of $10,500,000 for the fiscal year ending June 30, 1942; the sum of $10,500,000 for the fiscal year ending June 30, 1943: *Provided*, That

one-third, but not less than $3,000,000, of the appropriation made for any fiscal year for carrying out the provisions of said section 23 may hereafter be expended for the purposes enumerated in the first paragraph of clause (a) of said section 23: *And provided further*, That the apportionment for forest highways in Alaska shall be for each of the fiscal years $500,000 and that such additional amount as otherwise would have been apportioned to Alaska for each of said fiscal years shall be apportioned by the Secretary of Agriculture among those States, including Puerto Rico, whose forest-highway apportionment for such fiscal year otherwise would be less than 1 percent of the entire apportionment for forest highways for that fiscal year.

SEC. 7. For the purpose of carrying out the provisions of section 3 of the Federal Highway Act (42 Stat. 212), as amended by the act of June 24, 1930 (46 Stat. 805), there is hereby authorized to be appropriated for the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations other than the forest reservations the sum of $1,875,000 for the fiscal year ending June 30, 1942, and the sum of $1,875,000 for the fiscal year ending June 30, 1943, to remain available until expended.

SEC. 8. For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in the national parks, monuments, and other areas administered by the National Park Service, including areas authorized to be established as national parks and monuments, and national park and monument approach roads authorized by the Act of January 31, 1931 (46 Stat. 1053), as amended, there is hereby authorized to be appropriated the sum of $5,625,000 for the fiscal year ending June 30, 1942, and the sum of $5,625,000 for the fiscal year ending June 30, 1943.

SEC. 9. For the construction and maintenance of parkways, to give access to national parks and national monuments, or to become connecting sections of a national parkway plan, over lands to which title has been transferred to the United States by the States or by private individuals, there is hereby authorized to be appropriated the sum of $7,500,000 for the fiscal year ending June 30, 1942, and the sum of $7,500,000 for the fiscal year ending June 30, 1943: *Provided*, That hereafter the location of such parkways upon public lands, national forests, or other Federal reservations shall be determined by agreement between the department having jurisdiction over such lands and the National Park Service.

SEC. 10. For construction and improvement of Indian reservation roads under the provisions of the act approved May 26, 1928 (45 Stat. 750), there is hereby authorized to be appropriated the sum of $3,000,000 for the fiscal year ending June 30, 1942, and the sum of $3,000,000 for the fiscal year ending June 30, 1943: *Provided*, That hereafter the location, type, and design of all roads constructed under the provisions of said act of May 26, 1928, shall be approved by the Public Roads Administration before any expenditures are made thereon, and all such construction done by contract shall be under the general supervision of the Public Roads Administration.

SEC. 11. Subsection (c) of section 1 of the Federal Aid Highway Act of 1938 (52 Stat. 633) is hereby amended to read as follows:

"Hereafter the construction of highways by the States with the aid of Federal funds may include such roadside and landscape development, including such sanitary and other facilities as may be deemed reasonably necessary to provide for the suitable accommodation of the public, all within the highway right-of-way and adjacent publicly owned or controlled recreational areas of limited size and with provision for convenient and safe access thereto by pedestrian and vehicular traffic, and the purchase of such adjacent strips of land of limited width and primary importance for the preservation of the natural beauty through which highways are constructed, as may be approved by the Public Roads Administration; and not to exceed 5 percent of the Federal-aid funds apportioned to and matched by any State under this act may be used for the purchase of such adjacent strips of land without being matched by the States."

SEC. 12. (a) The Reconstruction Finance Corporation, pursuant to its authority under existing law and subject to all the terms and conditions thereof, is authorized to cooperate with States to finance, or to aid in financing, the acquisition of real property or interests in property (any such acquisition being herein called a "right-of-way") necessary or desirable for road projects eligible for Federal aid under the Federal Highway Act (42 Stat. 212), as amended and supplemented.

(b) Every loan or purchase of securities by Reconstruction Finance Corporation to Finance or to aid in financing the acquisition of a right-of-way, as defined in this section, shall hereafter be made only after approval of the project (including the plans, administration, and financing thereof) by the highway department of the State and by the Public Roads Administration of the Federal Works Agency. In order to furnish additional assurance of the regular amortization or retirement of State securities which are sold to, or pledged with, Reconstruction Finance Corporation in connection with any financing of the acquisition of a right-of-way as provided herein, and which are secured by a pledge of revenue from State gasoline taxes or from other special taxes on motor vehicles or on motor-vehicle operators, the Federal Works Administrator is authorized and directed, from time to time, upon the happening of any default in the payment by a State on account of any of its securities so held by Reconstruction Finance Corporation, to deduct, or cause to be deducted, from the then unexpended Federal funds apportioned to such States as Federal Aid for highway construction, pursuant to the Federal Highway Act, as amended and supplemented, the total amount certified by Reconstruction Finance Corporation as being then due and payable on account of such securities, and to issue, or cause to be issued, a warrant in favor of Reconstruction Finance Corporation for such amount, whereupon the Secretary of the Treasury upon the presentation thereof shall pay to Reconstruction Finance Corporation the amount of such warrant for application on account of the State's defaulted payments.

SEC. 13. The Commissioner of Public Roads is hereby authorized upon the request of any State to perform engineering services and furnish technical aid and advice in connection with the location and development of "flight strips" adjacent to public highways or roadside development areas, for the landing and take-off of aircraft, when not in conflict with the Civil Aeronautics Act of 1938.

SEC. 14. This act may be cited as the "Federal Highway Act of 1940."

The SPEAKER. Is a second demanded?

Mr. WOLCOTT. Mr. Speaker, I demand a second.

Mr. CARTWRIGHT. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The SPEAKER. The gentleman from Oklahoma [Mr. CARTWRIGHT] is recognized for 20 minutes and the gentleman from Michigan [Mr. WOLCOTT] for 20 minutes.

Mr. CARTWRIGHT. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include some tables.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. CARTWRIGHT. Mr. Speaker, I yield myself 10 minutes.

Mr. WOLCOTT. Mr. Speaker, will the gentleman yield for a parliamentary inquiry?

Mr. CARTWRIGHT. I yield for a parliamentary inquiry.

The SPEAKER. The gentleman from Michigan will state his parliamentary inquiry.

Mr. WOLCOTT. Was there included in the motion to suspend the rules and pass the bill that the bill be passed with an amendment?

The SPEAKER. That was included in the motion.

Mr. CARTWRIGHT. Mr. Speaker, I think every Member of the Congress is familiar, at least in a general way, with the provisions of this highway authorization bill and realizes the importance of passing it at this session, so that the vital road improvement programs of the Nation will not be interrupted.

If there is any opposition, on either side of the aisle or in any party, to the principles and policies which this bill will continue, I do not know about it.

This bill is very similar to the Hayden-Cartwright Acts of 1934, 1936, and 1938 and makes the customary authorizations of appropriations for the eight regular Federal road programs for the fiscal years 1942 and 1943. It is based on bills which the junior Senator from Arizona [Mr. HAYDEN] and I introduced early in January.

EXTENSIVE HEARINGS HELD

The House Roads Committee began hearings on January 22 on H. R. 7891, for which H. R. 9575 is a substitute. Because of much concern over traffic problems as they now exist, the hearings were exhaustive, extending until March 15. In view of the voluminous testimony which was taken, the committee feeling that everyone who desired to be heard should have an opportunity, it was not possible for the committee to report the bill, in amended form, until April 29, after careful consideration had been given to all proposals in executive sessions.

UNANIMOUS REPORT BY COMMITTEE

As usual, the committee was able to present you a unanimous report. Highway legislation has always been considered

on a nonpartisan basis, and it is my understanding that there has never been a minority report submitted from the Roads Committee since it was established in 1913, 27 years ago.

As reported, the bill provided total authorizations for each fiscal year of $238,000,000, with the largest item, $125,000,000, for Federal aid to the States in improving and modernizing the main roads included in the Federal-aid highway system.

ALL AMOUNTS REDUCED 25 PERCENT

It was and is the considered judgment of the Roads Committee that the amounts first proposed—which are exactly the same as those authorized for the fiscal years 1938 and 1939 and the same as approved by the House for 1940 and 1941—were reasonable and fully justified in view of the great need for continued highway work in all the States.

However, at a special meeting last Wednesday the committee agreed to amendments to the bill reducing all items 25 percent, with the understanding that the House leadership would cooperate in arranging for the bill to be considered and passed today under suspension of the rules.

It is understood that with these reductions the bill will not be in conflict with the program of the President.

In other words, the committee felt that three-fourths of a loaf was better than no loaf at all.

This bill and these amounts will continue all the regular Federal road-improvement programs through 1942 and 1943 at about the same rate of progress as that made in the fiscal years 1940 and 1941.

The amounts now carried in the bill total $178,500,000 for each fiscal year, or $357,000,000 for the biennium. This is $7,500,000 more than was authorized in the Federal Aid Highway Act of 1938. It is a total reduction of $59,500,000 for each year under the amounts the committee recommended in its report submitted on May 1.

The amounts for each program as originally recommended and the reduced amounts in the bill, as amended, are as follows:

Program	Originally recommended	With 25-percent reduction
Regular Federal aid	$125,000,000	$93,750,000
Federal aid for secondary or feeder roads	25,000,000	18,750,000
Elimination and protection of grade crossings	50,000,000	37,500,000
Forest highways, roads, and trails	14,000,000	10,500,000
Public-lands highways	2,500,000	1,875,000
National-park roads and trails	7,500,000	5,625,000
National parkways	10,000,000	7,500,000
Indian reservation roads	4,000,000	3,000,000
Total	238,000,000	178,500,000

For purposes of comparison I submit for the RECORD the amounts authorized by the Federal Aid Highway Act of 1938 for the fiscal years 1940 and 1941:

Program	1940	1941
Regular Federal aid	$100,000,000	$115,000,000
Secondary or feeder roads	15,000,000	15,000,000
Eliminaton of grade crossings	20,000,000	30,000,000
Forest highways, roads, and trails	10,000,000	13,000,000
Public-lands highways	1,000,000	2,000,000
National-park roads and trails	4,000,000	5,000,000
National parkways	6,000,000	8,000,000
Indian reservation roads	2,500,000	3,000,000
Total	158,500,000	191,000,000

AN AUTHORIZATION—NOT AN APPROPRIATION

This bill merely authorizes appropriations for the next 2 fiscal years. No actual appropriations for the major items of the bill will be required before the fiscal year 1943. But apportionments of Federal aid to the several States would be made by the Federal Works Administrator on January 1, 1941, and January 1, 1942, permitting the State highway departments to submit projects and proceed with construction work. Payments to the States are made after the work is actually completed.

ADVANCE PLANNING NECESSARY

This procedure is in accordance with a long-established policy and enables the States to know in advance what Federal cooperation may be expected and to make their plans accordingly. The legislatures of 44 of the 48 States will meet in regular session next January to pass on State budgets for the next 2 years and provide State funds to match the Federal aid for highway construction. So the importance of determining now the Federal aid to be available during that period is apparent. It is absolutely necessary in order that the Federal-aid program in cooperation with the States may be continued without interruption.

STABLE PROGRAM IS AIM

The importance of adequate highways to all the people and the need for not only extending existing highway facilities but for modernizing the main routes in the interest of traffic safety and economy would justify much larger Federal authorizations and appropriations than have ever been proposed. The aim of the Roads Committee has been to provide a stable and orderly program and maintain a steady, reasonable rate of progress.

The American Association of State Highway Officials submitted data to the committee showing that more than 100,000 miles of the principal highways should be rebuilt, widened, or relocated. They also presented evidence that thousands of bridges on the main highways need widening or rebuilding in order to be made safe and suitable for modern traffic and adequate for Army transport requirements.

I offer for the RECORD a table showing these estimated needs in each State, which would require an estimated total expenditure of nearly $4,000,000,000.

Needed reconstruction on main or principal highways

State	Should be rebuilt		Should be widened		Should be relocated		Total miles	Total estimated cost	Bridges to be widened or rebuilt		Estimated grand total cost, roads and bridges
	Miles	Estimated cost	Miles	Estimated cost	Miles	Estmated cost			Number	Estimated cost	
Alabama	300	$9,000,000	500	$8,000,000	500	$20,000,000	1,300	$37,000,000	150	$8,000,000	$45,000,000
Arizona	230	3,950,000	482	4,980,000	233	9,110,000	945	18,040,000	13	1,430,000	19,470,000
Arkansas	600	20,000,000	800	12,000,000	200	7,000,000	1,600	39,000,000	----------	6,500,000	45,500,000
California	7,800	209,000,000	1,200	120,000,000	1,700	105,000,000	10,700	434,000,000	2,300	70,000,000	504,000,000
Colorado	450	18,000,000	500	30,000,000	450	18,000,000	1,400	66,000,000	600	15,000,000	81,000,000
Connecticut	400	20,000,000	300	30,000,000	300	30,000,000	1,000	80,000,000	90	5,000,000	85,000,000
Delaware	56	2,800,000	119	1,600,000	8	400,000	183	4,800,000	----------	350,000	5,150,000
Florida	2,097	73,395,000	1,586	47,580,000	200	8,000,000	3,883	128,975,000	75	11,250,000	140,225,000
Georgia	416	8,300,000	572	9,150,000	112	4,500,000	1,100	21,950,000	242	2,050,000	24,000,000
Idaho	240	4,000,000	354	3,100,000	412	8,400,000	1,006	15,500,000	45	1,400,000	16,900,000
Illinois	198	9,371,000	105	5,252,000	139	6,147,000	442	20,770,000	170	2,765,000	23,535,000
Indiana	231	6,930,000	573	19,955,000	68	3,650,000	872	30,535,000	527	9,300,000	39,835,000
Iowa	50	2,000,000	700	18,000,000	250	10,000,000	1,000	30,000,000	100	4,000,000	34,000,000
Kansas	1,120	49,900,000	45	2,200,000	1,030	48,600,000	2,195	100,700,000	1,315	7,300,000	108,000,000
Kentucky	1,189	22,168,000	4,010	31,217,000	1,985	59,720,000	7,184	112,105,000	1,797	19,325,000	132,430,000
Louisiana	54	2,040,000	633	15,810,000	318	20,614,000	1,005	38,164,000	----------	12,921,000	51,085,000
Maine	472	20,000,000	57	2,500,000	162	9,000,000	691	31,500,000	60	2,200,000	33,700,000
Maryland	370	11,600,000	310	9,000,000	430	22,700,000	1,110	43,300,000	50	4,700,000	48,000,000
Massachusetts	160	12,200,000	210	22,800,000	460	84,400,000	830	119,400,000	(1)	(1)	119,400,000
Michigan	3,331	101,712,000	564	24,860,000	709	27,982,000	4,604	154,554,000	218	9,784,000	164,338,000
Minnesota	1,144	22,880,000	207	12,420,000	464	9,270,000	1,815	44,570,000	90	6,000,000	50,570,000
Mississippi	49	2,305,000	----------	----------	185	6,280,000	234	8,585,000	4	1,050,000	9,635,000

[1] Included under roads.

Needed reconstruction on main or principal highways—Continued

State	Should be rebuilt		Should be widened		Should be relocated		Total miles	Total estimated cost	Bridges to be widened or rebuilt		Estimated grand total cost, roads and bridges
	Miles	Estimated cost	Miles	Estimated cost	Miles	Estimated cost			Number	Estimated cost	
Missouri	3,625	$66,642,000	200	$4,000,000	360	$14,400,000	4,185	$85,042,000	(1)	(1)	$85,042,000
Montana	1,700	42,500,000	----	(2)	----	(2)	1,700	42,500,000	100	$4,000,000	46,500,000
Nebraska	1,050	15,750,000	(1)	(1)	700	10,500,000	1,750	26,250,000	400	5,000,000	31,250,000
Nevada	450	11,250,000	100	2,000,000	25	750,000	575	14,000,000	20	600,000	14,600,000
New Hampshire	600	15,000,000	900	4,000,000	----	----	1,500	19,000,000	200	8,000,000	27,000,000
New Jersey	125	12,000,000	275	33,000,000	290	70,000,000	690	115,000,000	450	44,000,000	159,000,000
New Mexico	44	450,000	822	4,150,000	146	5,000,000	1,012	9,600,000	880	4,500,000	14,100,000
New York	2,582	129,520,000	(2)	----	(2)	----	2,582	129,520,000	124	5,504,000	135,024,000
North Carolina	425	8,500,000	690	5,520,000	405	12,150,000	1,520	26,170,000	1,250	17,000,000	43,170,000
North Dakota	4,423	61,922,000	(2)	(2)	(2)	(2)	4,423	61,922,000	180	2,700,000	64,622,000
Ohio	5,863	330,023,000	(2)	----	(2)	(2)	5,863	330,023,000	1,495	17,378,000	347,401,000
Oklahoma	47	2,350,000	124	620,000	847	42,350,000	1,018	45,320,000	760	18,200,000	63,520,000
Oregon	934	27,900,000	294	7,050,000	580	51,750,000	1,808	86,700,000	881	9,000,000	95,700,000
Pennsylvania	1,120	73,600,000	1,550	99,975,000	1,060	69,425,000	3,730	243,000,000	780	15,000,000	258,000,000
Rhode Island	127	7,910,000	19	1,250,000	28	1,430,000	174	10,590,000	8	450,000	11,040,000
South Carolina	295	5,675,000	1,048	16,375,000	200	7,100,000	1,543	29,150,000	181	6,100,000	35,250,000
South Dakota	1,400	16,000,000	(2)	----	100	2,000,000	1,500	18,000,000	60	2,000,000	20,000,000
Tennessee	600	15,000,000	400	8,000,000	600	21,000,000	1,600	44,000,000	275	15,000,000	59,000,000
Texas	850	17,000,000	1,600	24,000,000	3,800	133,000,000	6,250	174,000,000	354	10,200,000	184,200,000
Utah	43	2,070,000	591	7,050,000	71	2,380,000	705	11,500,000	30	1,500,000	13,000,000
Vermont	777	28,488,000	511	7,406,000	100	4,000,000	1,388	39,894,000	58	1,519,000	41,413,000
Virginia	1,000	25,000,000	2,000	50,000,000	1,000	30,000,000	4,000	105,000,000	3,000	30,000,000	135,000,000
Washington	890	48,000,000	(2)	(2)	(2)	(2)	890	48,000,000	(1)	(1)	48,000,000
West Virginia	400	20,000,000	300	4,500,000	----	----	700	24,500,000	100	4,000,000	28,500,000
Wisconsin	8,300	119,000,000	1,000	28,000,000	500	25,000,000	9,800	172,000,000	2,170	22,000,000	194,000,000
Wyoming	230	4,000,000	75	500,000	250	5,000,000	555	9,500,000	80	500,000	10,000,000
Total	58,857	1,737,101,000	26,326	737,520,000	21,377	1,026,008,000	106,560	3,500,629,000	21,682	444,476,000	3,945,105,000

[1] Included under roads.
[2] Included in column 1.

Minimum mileage involved for immediate improvement because of traffic and safety conditions (prepared by the American Association of State Highway Officials, Jan. 1, 1940).

SECONDARY OR FEEDER ROADS

Many Members of the House, I know, are specially interested, as I am, in the improvement of secondary, feeder, and farm-to-market roads. Four years ago the Congress made the first authorization to aid the States in improving a system of secondary roads. The amount of money provided was not large in proportion to the amount needed, but it was very important in establishing a policy which I hope will be continued through the years to come until all our important rural roads are adequately improved.

And, as in the case of Federal aid for primary roads, started 20 years earlier, in 1916, I believe that Federal assistance in building good country roads will also result in each State establishing more adequate and efficient administrative machinery to deal with local road problems. It was not expected that this would come about overnight, and it has not. But unquestionably more serious attention is being given to secondary roads now than ever before in our Nation's history. And greater efforts are being made to properly coordinate the work of Federal, State, and local officials who have responsibilities in connection with local road improvements.

One reason that the regular authorization for secondary roads is not larger now is that large sums of emergency work-relief funds are being expended on farm-to-market road projects of the Work Projects Administration, and the Federal Government is making a very substantial contribution in that way to the solution of this problem.

GRADE CROSSINGS

The bill provides for continuation of the program of eliminating hazards to life at railroad grade crossings. Last year over 14,000 grade crossings were eliminated or protected with Federal funds, for which State matching funds were not required. But there still remain about 230,000 dangerous grade crossings.

RIGHTS-OF-WAY

In many parts of the country the difficulty in acquiring adequate rights-of-way in the proper locations is the greatest obstacle to highway progress at this time. This is a particularly pressing problem in and near the large centers of population.

There is an urgent need for new methods to speed up and simplify land-acquisition procedure and to provide easier financing of the initial cash outlay which must be made when expensive rights-of-way are acquired.

A variety of proposals for Federal Government assistance with this problem has been carefully studied by the Roads Committee, and section 12 of the pending bill contains the only provision which could be agreed upon. It specially authorizes the Reconstruction Finance Corporation to make loans to the States for right-of-way purchases, pursuant to its authority under existing law, and provides that in case of default on such a loan by any State the amount in default may be deducted from that State's Federal aid highway apportionment. This provision applies only to projects eligible for Federal aid and approved by the State highway department and the Public Roads Administration.

PRESERVING NATURAL BEAUTY

Another new provision in the bill would permit limited use of Federal-aid funds for purchase of adjacent strips of land for the preservation of the natural beauty through which highways are built, when approved by the Public Roads Administration.

FLIGHT STRIPS

Another section would authorize the Commissioner of Public Roads to cooperate with any State in rendering engineering and technical aid in connection with the development of strips along public highways for landing and taking off of aircraft. Such services and advice would be furnished only upon request from the State. This does not give any authority to use any highway funds for air-field construction or right-of-way costs. Only technical aid and advice by highway engineers, in connection with proper development of emergency landing areas, an activity which has an important relationship to preparations for national defense.

ROAD USER REVENUES

When it is considered that the Federal Government collects each year about $350,000,000 in special excise taxes on gasoline, lubricating oils, tires, tubes, automobiles, and so forth, which are paid by American motorists, in addition to all regular taxes, it certainly cannot be reasonably contended that the expenditures, or investments, of less than $200,000,000 a year in the regular Federal road programs are excessive.

However, I do not think we should emphasize this point to the extent of making road-user taxes the sole justification for Federal participation in road construction. We had Federal aid for highways for 16 years before we had any Federal taxes of this kind, and it was fully justified on the grounds

of national defense, post roads, interstate commerce, and the general welfare.

I submit for the RECORD tables showing the taxes paid by motor vehicle users during the last 7 years, and expenditures on the State highway systems for the same period.

Taxes paid by motor-vehicle users, 1933–39

[Prepared by the American Association of State Highway Officials]

Year	State taxes	Federal taxes	Total
1933	$815,107,000	$167,068,000	$982,175,000
1934	883,717,000	288,179,000	1,171,896,000
1935	940,436,000	255,189,000	1,195,625,000
1936	1,057,995,000	287,334,000	1,345,329,000
1937	1,195,132,000	339,604,000	1,534,736,000
1938	1,175,205,000	311,194,000	1,486,399,000
1939	[1] 1,200,000,000	315,825,000	1,515,825,000
Total	7,267,592,000	1,964,393,000	9,231,985,000

[1] Estimated.

Disbursements of motor-vehicle-users' taxes, 1933–39

[Prepared by the American Association of State Highway Officials]

Year	Total motor-vehicle users' taxes	On State highway system		For purposes other than State highways
		From State collections	From Federal collections	
1933	$982,175,000	$606,762,000	$175,244,000	$200,169,000
1934	1,171,896,000	673,959,000	317,815,000	180,122,000
1935	1,195,625,000	633,116,000	215,239,000	347,270,000
1936	1,345,329,000	802,513,000	328,638,000	214,178,000
1937	1,534,736,000	900,431,000	266,275,000	368,030,000
1938	1,486,399,000	936,056,000	199,066,000	351,277,000
1939	1,515,825,000	960,000,000	180,000,000	375,825,000
Total	9,231,985,000	5,512,837,000	1,682,277,000	2,036,871,000

NOTE.—"For other purposes" includes State funds paid to counties and cities for highways.

THIRTY MILLION AUTOMOBILES

Mr. Speaker, with 30,000,000 automobiles in the United States traveling over highways with speed undreamed of a few years ago, and conveying passengers and commerce in numbers and quantities almost beyond calculation, the transportation program has become very much of a national concern.

The development of roads has been fast, but the development of traffic has been much faster. Perhaps you have heard of the fast driver who said to the guest rider, "That's an attractive village we're coming to, wasn't it?"

BALANCED ROAD-IMPROVEMENT PROGRAM NECESSARY

Good roads are necessary for the general welfare, and for the postal service, national defense, and interstate commerce. It is, therefore, our patriotic duty to have a plan of free highway development, and a balanced improvement program of interregional, primary, and secondary roads to satisfy commercial and military requirements.

NO FAVORITISM OR "PORK"

There is no opportunity for favoritism in the apportionment of Federal-aid highway funds. The amount that goes to your State and to mine is not determined by high-pressure tactics, political or otherwise. The Congress has established a fair formula for apportionments on a basis of the area, population, and road mileage of each State. And each year, without fear or favor, there is measured out to each State its pro rata share. This is not in any sense "pork barrel" legislation.

TRAFFIC SAFETY

Safety is an important factor in any consideration of highway legislation. Safety is one of the primary reasons why each year the Congress appropriates Federal funds to aid in building better and safer roads.

Although new cars and new roads are designed for the greatest possible safety, there is still an appalling death toll in traffic accidents of almost 4 lives every hour, 90 every single day, 2,700 a month, and 32,000 a year.

NATIONAL DEFENSE

Finally, concerned as we all are with plans to build up our national defense, let us keep in mind that without good roads, under conditions of modern warfare, the United States would be seriously crippled in dealing with any enemy attack.

The roads, first of all, will serve our every-day commercial needs, but no Army and no Navy can move without food and supplies.

It is generally agreed that roads are as necessary a part of national defense as guns and ammunition. We need roads to the farms where the food is produced. We need roads to the factories where munitions and supplies are made. We need roads so our defense forces can be transported wherever and whenever needed.

CONCLUSION

In conclusion, it is a matter of interest to all to realize that the funds expended for roads and bridges, in addition to giving employment in virtually every county in the United States, add to the permanent wealth of each community, each State, and the Nation. Our highway improvement programs are being supervised with economy and integrity, which should be a source of great satisfaction to all highway-minded citizens.

Roads have continuously played stellar roles in the dramatic history of the world. Once the trails of buffalo and pioneers, roads are now the channels through which pass the energies and progress of great nations. As they serve our America in its forward drive to greater progress, peace and prosperity, so also will they serve us, if we are forced to stop and defend what we have built. [Applause.]

Mr. WOLCOTT. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, we are told that all legislation is a matter of compromise, and so it is with this bill. This bill, in its purpose, is not any different than the bills we have passed every 2 years since about 1921. We have missed only once passing a Federal highway bill. It is a bill which is very popular among the Members of Congress because of the job that is done under it.

The reason the bill is brought up at this particular time under a suspension of the rules is that there is no organized opposition to it, and it is necessary to pass the bill at this time in order that the State legislatures may set up their programs. The legislatures of almost all the States meet in January. I believe there are only four or five legislatures which do not meet this coming January. Unless this bill is passed at this session of Congress, it is doubtful whether the States can take full advantage of the Federal highway program.

In the report is a list of allocations which will give the Members information concerning the amount each State will get. I have said that all legislation is a matter of compromise. We have reasonable assurance that with the amendment as adopted by the committee, the bill will become law at this session of Congress, because all objections which might otherwise be made to the bill will be withdrawn. So in computing the amount which your State will receive as an allocation under this bill, of course it will be necessary to reduce the amount by 25 percent, because the committee has agreed to make a horizontal cut of 25 percent in all the authorizations in this bill.

I have said this bill is a very popular bill, and it is. The chairman has reviewed the bill, and, as usual, has given you all information necessary to a full understanding of it. It might be called a bill to relieve unemployment, because it is rightfully said that over 90 cents of every dollar which is spent for highway construction gives employment.

Every cent of money in this bill is earmarked for a particular purpose. If there is any question about this authorization not being in keeping with any present program, I might say that this authorization is for the fiscal years 1942 and 1943. We are always 2 years ahead on this program due to the fact that the State legislatures have to lay out their programs in accordance with the authorizations which are in our highway bill.

There is only one important new feature in highway construction which we include in this bill differing from prevous highways acts, and that is section 12 of the bill. Heretofore the States have had to acqure right-of-way without any assistance from the Federal Government, and under this bill they will still have to acquire the right-of-way, but we

reannunciate a policy in respect to loans to the States by the Reconstruction Finance Corporation for that purpose.

[Here the gavel fell.]

Mr. WOLCOTT. Mr. Speaker, I yield myself 3 additional minutes.

The Reconstruction Finance Corporation for a good many years has had authority to make loans for acquiring right-of-way. There was some question about this, however, and so we reannunciated in this bill a policy by which the Reconstruction Finance Corporation is authorized—not directed, but authorized—to make loans to States and municipalities for acquiring right-of-way. These loans may be secured in almost any manner that the Reconstruction Finance Corporation demands. They may be secured against revenue, against taxes collected from weight of vehicles, license taxes, and gasoline taxes, or in any other manner that the Reconstruction Finance Corporation sees fit. We think that this provision in the law will so broaden the program that each and every State will be enabled to take up its allocation.

Mr. JENKINS of Ohio. Mr. Speaker, will the gentleman yield for a question about the system of the Reconstruction Finance Corporation in lending money?

Mr. WOLCOTT. I yield to the gentleman.

Mr. JENKINS of Ohio. The gentleman stated that they lend to the States and municipalities. Does that mean that every loan must have the State back of it or will some of them be made direct to municipalities?

Mr. WOLCOTT. These allotments are made to the States and the States distribute them, with the approval of the Federal Bureau of Public Roads, and the Federal Bureau of Public Roads does no business whatsoever directly with a municipality. It does business through the State highway commission or whatever other body is set up for superintending the construction of highways within the State.

Mr. JENKINS of Ohio. In other words, we could meet any such objection by the statement that we are not going to make any loan to any municipality.

Mr. WOLCOTT. That is right. We make them to the State in accordance with agreements which are entered into between the municipalities and the State or any other set-up which they agree upon within the State.

Mr. JENKINS of Ohio. If the gentleman will yield for one further question, how are you going to make the 25-percent reduction?

Mr. WOLCOTT. Horizontally.

Mr. JENKINS of Ohio. Is that language included in the bill?

Mr. WOLCOTT. Yes. On page 7 of the report there is set forth the different things for which this money is authorized aggregating $238,000,000. If you take each one of those figures and subtract 25 percent, that will be the figure that will be authorized if the committee amendment is adopted.

Mr. JENKINS of Ohio. I notice in section 2 there is an appropriation made for farm-to-market roads or country roads. Is that in keeping with the usual amount appropriated heretofore?

Mr. WOLCOTT. Yes; as a matter of fact, it will be $3,750,000 more than we provided for 1940–41, even after the 25-percent deduction is made.

[Here the gavel fell.]

Mr. WOLCOTT. Mr. Speaker, I yield myself 2 additional minutes.

Mr. ROBSION of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. I wish to compliment the gentleman and his committee for bringing in this splendid bill. I would like to inquire what reason was assigned for making the horizontal cut of 25 percent in this appropriation or authorization.

Mr. WOLCOTT. Well, a compromise between the majority and the minority, with the understanding, or my understanding at least, that if 25 percent was cut from the bill it would be enacted into law at this session, and if it was not cut by 25 percent there was grave doubt that the President would sign the bill.

Mr. GILCHRIST. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. GILCHRIST. Does the 25 percent apply to the apportionment shown on page 4 of the report or only the figures on page 7?

Mr. WOLCOTT. You must take the apportionments shown on pages 3 and 4 and cut 25 percent from all of them and then you will have the figure that your particular State will be allotted under this bill. Of course, it would apply to that because this allocation is based upon the original figure of $125,000,000. So, by cutting 25 percent off the total allocation, it will be seen that the allocations to the several States will be cut proportionately.

[Here the gavel fell.]

Mr. WOLCOTT. Mr. Speaker, I yield 5 minutes to the gentleman from Oregon [Mr. MOTT].

Mr. MOTT. Mr. Speaker, every 2 years for more than 20 years the Members of the House of Representatives have heard a discussion of a Federal-aid road authorization bill, and every 2 years for more than 20 years the House and the Senate have passed such a bill and it has become law. This system of road building in the United States is so well established, so thoroughly approved both by the Congress and the country that I am sure at this time no argument is needed for the advancement of the bill now before us—H. R. 9575, the Federal Highway Act of 1940.

The building and maintenance of roads in the United States is no longer a local matter. It is no longer even a State matter. It has long since become a national matter and it is rapidly becoming an international matter.

No money appropriated by the Congress serves a more useful purpose than that which the Federal Government spends upon the building and maintenance of roads. And the building and maintenance of roads is not only one of the most useful of all governmental activities, but it is the only activity of the Federal Government which pays its own way. For years road building has been and is now carried on through a special tax. Roads are built and maintained from gasoline and other automotive sales and excise taxes, so that the road users of the country pay the entire expense of road building and maintenance, and they pay for it in direct proportion to the actual use they make of the roads.

As a member of the Committee on Roads, it has always been my contention that the Federal Government should expend for road building, in the several States, every year, at least as much as it collects from the road users of the country through the gasoline and other automotive sales taxes which the Federal Government imposes. I think that would be fair and proper. The fact is, however, that while the Federal Government spends less than $200,000,000 a year for roads, it collects in gasoline and automotive sales taxes from the road users more than $350,000,000 a year. The Government thus derives a net profit from the Federal sales taxes paid by the road users of $150,000,000 per year.

A question has been asked why the committee saw fit to reduce the bill this year by 25 percent. Originally, as it was reported out of our committee, it carried an authorization of $238,000,000 a year for the next 2 years. Let me say in the first place that I was opposed and still am opposed to any reduction whatever in the 1940 bill, because I think that $238,000,000 is the minimum which ought to be authorized. There are a number of reasons, however, why a majority of the committee came to the decision that some reduction in that amount should be made. One reason was that we are at present in a national emergency which is requiring huge expenditures for national defense, and that a majority of the committee were convinced that if the 1940 authorization carried as much as $238,000,000, the President would not sign this bill. In fact he did threaten to veto the bill if it carried more than $100,000,000. My own opinion is that a $238,000,000 road bill could have been passed over the President's veto. The trouble is, however, that if we had waited

to bring up the bill in the regular manner it would have been so close to the time of adjournment that the President could have given it a pocket veto after adjournment, thus depriving us of the opportunity of undertaking to pass it over the veto.

The committee decided, therefore, to do the most practical thing in the circumstances. We reached an agreement with those who control the procedure on the majority side that if the original authorization were reduced by 25 percent the bill would be called up immediately under suspension of the rules, and they also undertook to give us reasonable assurance that if this bill were passed that it would become law. That is the reason the bill comes before the House under suspension. I think the strategy of the committee was the proper and practical strategy, and in the circumstances I think the compromise was justified.

I do not say the President will not veto this bill, which, in its amended form, carries an authorization of approximately $200,000,000 per year, because the President has never withdrawn his threat to veto any road bill which carried more than $100,000,000. But I do say that this bill, under our agreement, will be passed in time to compel the President, if he does veto it, to do so while the Congress is still in session. It will prevent him from giving it a pocket veto. And I say, further, that if the President does veto this bill we can pass it over his veto.

For the Congress to refuse to pass a Federal-aid highway authorization bill this year would be one of the most serious mistakes that could possibly be made. It would disrupt and throw out of gear the highway program of every State in the Union. Directly it would throw tens of thousands of men out of employment and put them on the relief rolls. In some States it would bring road building to a virtual stop at a time when not only the economic welfare but the national defense demands that the road-building program of every State be carried out in a proper, orderly manner, such as for years has obtained under our well-established Federal-aid highway policy.

Mr. Speaker, the 1940 road bill, like those of 1938 and 1936, not only provides Federal aid for the regular State highway systems, but it also includes large authorizations of Federal money to secondary roads, farm-to-market roads, rural-free-delivery mail roads, and public-school bus routes, which are indispensable to the farmers of the country and without which the farmers could hardly exist in this modern age. Without this Federal aid, all of which is financed by the taxes paid by the road users themselves, it would be impossible for any but the most wealthy States to build the farm-to-market roads and the school-bus roads which we now have.

This bill also includes Federal funds for forest roads, for roads in national parks and over the public domain, and Federal funds for roads of this class are not required to be matched by the States. Some objection has been heard to this, but I think the objection is not well taken. The reason matching by the States is not required for building roads through our national forests and parks and on the public domain is that these areas are the property of the Federal Government and not of the States, and, obviously, the Government should pay the entire expense of constructing roads upon its own property.

I am particularly happy that in the 1940 bill the Roads Committee, of which I am very proud to be a member, adopted an amendment which I have advocated for a long time. The amendment which I offered in committee permits the States to use Federal-aid highway funds to purchase strips of land along the roadside for the purpose of preserving the natural beauty of the country through which the highways are constructed, and it allows the use of not exceeding 5 percent of the State's apportionment without the necessity of matching it with State funds. This provision will enable the States for the first time to undertake a program of preserving the magnificent stands of virgin timber which line many of the highways in States like my own State of Oregon. These forests which border the highways are an inspiration not only to ourselves but to all those from other States who visit us. Every State has its own peculiar kind of roadside scenic beauty. All of it should be preserved. This amendment will enable us, with Federal aid, to keep that beauty and grandeur for all time. I am very grateful, indeed, to my colleagues of the Roads Committee for adopting the amendment, which I am sure will meet with the approval of the Congress and the country.

While this road bill benefits every State alike, it is of particular value to the land-grant States. Those are the 11 western States in which the Federal Government owns such a large percentage of the total area. In my own State of Oregon the Government owns 54 percent of all the land. We are not allowed to tax that Federal land, and so we are obliged to see to it that the Government reimburses us in some measure for our tax loss. The building of roads through our national forests and public domain by the Government is one method of reimbursement. Without it we could not build the roads we need—roads that are used constantly not only by us but by the thousands of people from other States who visit us every year. Our population is small, our road mileage is necessarily great, and, of course, we have a huge area which must be served by roads.

In the report of the committee which lies before you you will find a table showing what each State will receive from this 1940 road bill for the next 2 fiscal years. I think you will be interested in that, and I think you will realize that without this money your own State could never have built the roads it now has. Please remember also that the amount of money appearing opposite the name of your State is not money which the general taxpayer is giving you. It is your share of the money which all the road users of the country have contributed through their payment of Federal gasoline and other automotive sales taxes.

My own State will receive from this bill, even with the compromise reduction I mentioned at the beginning, about $4,000,000 per year, which is approximately the same amount, or a little more, than the amount authorized by the last road bill in 1938. The entire amount authorized by the bill for the 48 States is just under $200,000,000, which slightly exceeds the amounts actually appropriated for the years 1939 and 1940. It will enable each of your States to carry on the same amount of road work that was undertaken in the past 2 years, and, what is more important, it will keep the highway program of your State intact for the next 2 years and will insure the continuous employment of thousands of men who otherwise would have to be laid off.

Now, in conclusion, may I say this for the Roads Committee: Having brought in a road bill under the most difficult circumstances, having overcome all objections so far as the House is concerned, and having won for all of you and for your States a strategic victory in bringing up the bill under suspension of the rules so as to preclude the possibility of a pocket veto from the President, I trust that every one of you will stand by the committee. The amount authorized by this bill can be justified from the angle of national defense alone, for in national defense there is nothing more important than good roads in the United States. Since this bill is now up for your consideration under suspension of the rules, it will require a two-thirds vote to pass it. I believe that this bill will pass the House by a great deal more than a two-thirds majority. I even venture to hope that there will not be one single vote cast against it. [Applause.]

Mr. CARTWRIGHT. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina [Mr. WARREN].

Mr. WARREN. Mr. Speaker, most of us agree that this is the most popular form of Federal aid and I certainly think it is the best money along that line that we appropriate. In 1936 we reported out the highest Federal aid road building bill in history, carrying $238,000,000 a year. In 1938 we brought out a much lower bill. As has been stated by the preceding speakers, the committee at first brought out this bill on the basis of the 1936 bill. As strong as I am for roads, as strongly as I have supported this measure in the past, I fully agree with the subsequent action of the committee in reducing the bill and putting it

practically on a par with our 1938 bill. That action was by unanimous vote. I think it is imperative that we pass this bill at this session. With the present unsettled state of things, if we should let this bill go over for another session it might be that the whole Federal-aid system will finally be destroyed. We would then see all of the States driven to W. P. A. and making a 25 percent contribution for something we must admit is very inferior to the present type of roads we are getting, and I voice the opinion of the gentleman from Oregon [Mr. MOTT] that this bill ought to go through without a single vote being cast against it. [Applause.]

Mr. WOLCOTT. Mr. Speaker, I yield 2 minutes to the gentleman from South Dakota [Mr. CASE].

NATIONAL-DEFENSE HIGHWAYS

Mr. CASE of South Dakota. Mr. Speaker, as has well been said, it is important that this bill be passed at this time in order that the State legislatures may take appropriate action. It is also important that the bill be passed at this time that the Budget may give consideration to the authorizations herein proposed for the next fiscal year in order that the Appropriations Subcommittee for Independent Offices may have the estimates and justifications when it prepares the regular supply bill next winter. The bill for the independent agencies which now appropriates for the Federal Works Agency, in which the Public Roads Administration is now incorporated, generally brings on its bill early in the session. It was first of the regular supply bills at the present session. So, for that reason also, it is important that the bill be passed at this time.

Mention has been made of the value of good roads to national defense. It should be pointed out that this bill makes a special effort in that direction. I refer to the provision which makes it possible for a State's unmatched allotments of primary and secondary Federal-aid moneys to be used on primary and secondary roads that have special values for national defense.

The requirements, as set forth in the bill, include that a State must have used all of the proceeds from its special taxes on motor-vehicle users for highway purposes. Not only must all of the proceeds go for this purpose, but the State itself must control the expenditure of at least 90 percent of such revenues. If these conditions are met, and the State is still unable to match its full allotments, the unmatched balances may be expended without matching on highways approved for their defense values.

It will be recognized, of course, that this provision will benefit all of the road demands within a State. The roads approved for their military values will doubtless be roads that would have a high priority on any building program. Until they are completed, the demand for them is bound to delay completion of road systems in other parts of the States. With them taken care of under the terms of this bill, money that would have been used on them will be used on other parts of a State's system.

It was my privilege to discuss the need of such a provision with Mr. Thomas H. MacDonald, Commissioner of the Public Roads Administration, several weeks ago, and subsequently to appear before the Committee on Roads in support of such a section in the bill. I am glad to see it here today.

Mr. Speaker, the Commissioner and the House Committee on Roads have developed a constructive philosophy for the building of highways in America. You cannot discuss these matters with them and escape that conviction. I predict that when the history of the twenties and the thirties—and I trust, the forties—is written, high credit in the making of America will be given to these people who put good roads above pressure and partisanship and speculation, and saw in a national system of highways unity, defense, and national progress.

Mr. WOLCOTT. Mr. Speaker, I yield the balance of my time, 3½ minutes, to the gentleman from Nebraska [Mr. STEFAN].

Mr. STEFAN. Mr. Speaker, the other day when we had before us the naval bill I took the floor and discussed the matter of farm-to-market roads and highways generally as a No. 1 item for national defense. To that I wish to add that in my State the building of farm-to-market roads and highways provides the greatest source of employment for our unemployed people. Further than this I shall not discuss the merits of road building as a national-defense measure for the reason that I want to preserve my time to say something about our procedure here.

I feel that this bill should be passed by a unanimous vote of this House because or the necessity of its speedy enactment into law in order to keep up the orderly method of road construction as has been done these many years and because it will fit into our plan for a mechanized and motorized defense army.

We are told here by other speakers that the committee reached a compromise by reducing the amount for Federal aid for highways 25 percent in all items because there was a threat that this bill would be vetoed if such a reduction was not made. Intimations are made that there is some assurance that the veto will not come if the reductions are made. No one knows now what will be done with the bill when it reaches the other end of the Capitol. It will require a two-thirds vote to pass this bill under the open rule under which we have it here now. We cannot amend this bill under the rule. We have to vote for or against it, and in order to save what the committee has brought to us I am ready for a record vote if the House so desires in order to put the administration on notice that so far as this House is concerned, we are for the continuation of the orderly method of highway construction.

I cannot let this opportunity pass without thanking the members of the committee for giving an increased amount of consideration to the item for secondary or farm-to-market roads. Even with the 25-percent cut, we have an authorization here of over $18,000,000 for secondary roads which is over $3,000,000 more for farm-to-market roads than we had in the previous bill. This, with what the Work Projects Administration will allot for the farm-to-market road work, should give us a continuance of work on roads which must be made all-weather roads in order that eventually there will be no avoidable delay between the sources of raw materials and food supplies and our markets and the consuming sections of our country. I hope Mr. Speaker, when the vote is taken on this bill, it will be a unanimous vote and that the legislation will meet with the approval of the Senate and the Chief Executive. [Applause.]

[Here the gavel fell.]

Mr. CARTWRIGHT. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. ELLIOTT].

FEDERAL AID FOR HIGHWAYS

Mr. ELLIOTT. Mr. Speaker, this year there has been a strong demand that Congress increase the amounts authorized to adequately finance the growing traffic needs of the country. The House Committee on Roads, of which I am a member, has had this matter under consideration since January and on April 29 favorably reported H. R. 9575, a new 2-year Federal-aid highway authorization bill. The new measure reported at that time restored the authorizations to the 1938–39 level of $238,000,000. However, the Road Committee was called in special session on May 29 and at that meeting recommended that the above-named amount be reduced 25 percent. At that meeting I opposed the reduction of 25 percent and believe that the amount to be authorized should be $238,000,000 as previously approved.

As stated, for the fiscal years 1938–39 Congress authorized Federal aid for highways to the extent of $238,000,000 for each year. For the fiscal years 1940–41 the authorizations were reduced to approximately $175,000,000 for each year and now we propose a total of $178,500,000 for each year.

In considering the bill we should not get the impression that Congress is generous in the matter, for we must keep in mind the fact that the Federal Government collects over $350,000,000 a year in highway-user taxes, such as the Federal gasoline tax of 1 cent a gallon. It is only logical for the highway user to receive a return on his investment. It is only

reasonable that the money he pays be used to keep the highways modern and safe.

Another reason for not curtailing our highway program is unemployment. We know that 1 out of every 7 persons in this country are employed in the business and industry of highway transportation. Also, many large industries and many small businesses depend, directly or indirectly, upon road building.

Legislation is now being drafted proposing a taxation program. It is known that in that measure there will be provision for an additional tax on gasoline of one-half cent per gallon. It has been said, "Roads rank in importance with the soldier and his weapons as elements in the national defense." Adequate preparedness lies in swift mobility and rapid concentration of fire power. The Army is more and more mechanized and motorized. The importance of good roads to the success of national defense is obvious. Highways built for peacetime purposes will serve the needs of national defense. We cannot expect our various States to go ahead with needed highway improvements without Federal aid, and the States have a right to expect that in this national emergency the Federal Government should continue the highway-aid program even to a greater extent than in an ordinary peacetime program.

The 1-cent gasoline tax which the Federal Government collects in California puts into the National Treasury from $17,000,000 to $18,000,000 every year. There is still a wide discrepancy between the amount of Federal gasoline taxes paid by California motorists and the sum authorized for Federal aid to California highways.

Forty and seven-tenths percent of the total area of California consists of public lands, national forests, or other reservations wholly under jurisdiction of the Federal Government. Of the 99,560 miles of rural roads, 10,723 miles are under exclusive control of the Federal Government and 9,220 miles are Federal-aid or forest-highway and developed roads which the Federal Government controls jointly with State or local authority.

There were 2,807,573 motor vehicles registered in California in 1939. It is estimated this number will approximate 3,750,000 by 1950. An average of 3,015 persons have been killed and 50,942 injured per year from 1936 to 1938 in motor-vehicle accidents.

There are approximately 15,000 crossings of railroad and highways in the State; only 600 of these are grade separations. There are 5,361 grade crossings which have an accident record. An average of 181 persons are killed and 777 injured in accidents at these crossings each year. It is estimated the cost of grade separation for the 262 crossings having the highest record for accidents, deaths, and injury, will be $50,000,000.

Over 3,000 miles of the State highway system is below safe standard as to sight distance and some 2,500 miles has grades which restrict the normal movement of heavy outfits. There are 6,500 miles of road and 725 bridges with a traveled way width of less than 20 feet. The safety of 28 percent of traffic on these rural State highways is effected thereby; 368 of the bridges are posted for restricted loadings. These restrictions effect the full use of 1,500 miles of road. Many of these bridges are on routes of particular value, in case of military need.

Similar conditions exist in other States and this Congress should recognize this important problem and appropriate at least the $238,000,000 as originally proposed in this measure. [Applause.]

Mr. CARTWRIGHT. Mr. Speaker, I yield such time as he may desire to the gentleman from West Virginia [Mr. RANDOLPH].

Mr. RANDOLPH. Mr. Speaker, we are agreed on the importance of continuing our Federal-highway program. As we consider this bill Members recall the war preparations of European nations over the past several years. We were informed of these developments through our daily press and nationally circulated periodicals. We constantly read of extensive mechanized divisions, large navies, and great air forces. We hourly hear about preparations in all phases of warefare, except the roads which ultimately lead a great bulk of these forces into battle.

HITLER USED ROADWAYS

In Hitler's rush to the French coast, roads have been his pathways of conquest. In like manner the Allies have found good highways a major asset in concentrating mobile units for combat with the Nazi legions. We, therefore, are led to conclude that, hand in hand with armed preparedness, roads must be considered and built from a military viewpoint. No longer are the so-called invulnerable fortifications the devices on which to hang national security. France's recent experience has proved this.

General Weygand's recent elevation to commander in chief of the Allied forces has changed the tactics of the combined armies. A brilliant strategist and a soldier of quick daring, General Weygand has sent his armies to meet the invaders in the open terrain. He got his cue from Winston Churchill's recent speech—

> The armies must cast away the idea of resisting attack behind concrete lines or natural obstacles and must realize that mastery can only be regained by furious and unrelenting assault.

Thus the warfare of Europe today evolves from highways running in all directions. Tank divisions, tractor-drawn artillery units, and infantry mobilized into truck brigades are rapidly transported over wide areas of warring activity to meet the onslaughts. A little over a week ago it was reported, in the Belgian crisis, three of the seven highways connecting Belgium and France were reserved for Allied troop movements to the north.

SWIFT ADVANCE POSSIBLE

All the pictures of this present conflict that reach our newspapers and magazines show mechanized units moving over highways in the open country. Such a swift advance on wheels is formidable, unless it is met at the point of invasion with tank for tank, armed car for armed car, and man for man.

We have this modern war strategy before us and we know what part good highways play in its success or failure. We have seen destruction ride across Europe on rubber tires and set new records in military achievement. What has been wrought by the gods of war, in the way of crushing nations, we must look upon as a poignant lesson to be heeded now in our peacetime preparations.

Our national defense can never be considered complete until we have ironed out our Nation-wide roadway problems. In our haste to bridge the gaps in equipment necessities, we must not forget that what we are building in mechanized units must depend on first-class highways for their swiftness and effectiveness. To carry the weight of this thundering equipment, moving at high speed, many of our existing highways throughout the country must be either materially improved or rebuilt and rerouted to provide the greatest service in time of national distress.

TEXAS IS EXAMPLE

In our deliberations on H. R. 9575 today we can very well keep in mind the recent report made by the Texas Highway Commission and sent to the chairmen of the Senate and House Committees on Military Affairs, and also to the chairman of the Senate Committee on Post Offices and Post Roads, and to our own fine House Roads Committee chairman, the gentleman from Oklahoma, the Honorable WILBURN CARTWRIGHT. That report was made by Robert Lee Bobbitts on the Army maneuvers in east Texas and Louisiana, as they concerned highways and roads. Certain very definite conclusions were reached. I quote from that report briefly:

> The recent Army maneuvers in Texas and Louisiana and the transportation situation in Europe in recent weeks have emphasized the necessity and caused all of us to give a lot of thought and attention to the adequacy of our highways from the standpoint of national defense.
>
> 1. The roads used in connection with the maneuvers, which were of a standard comparable to those set by the War Department for military roads, have stood up reasonably well. However, these roads comprised only about 25 percent of the roads used.

2. The roads of lower-type construction were inadequate to carry the traffic, even of the very light type of motorized equipment used. We understand that the heaviest tank was only 10 tons and that the heaviest gun was a 155 howitzer, which is light equipment when compared with that now being utilized in modern warfare.

3. Many of the bridges and culverts were inadequate and the Highway Department built detours around them, which became impassable, however, during rains.

4. There was considerable disturbance to normal traffic, which would indeed have been critical under actual war conditions where civilian population is fleeing while troops and supplies are being moved. Normal traffic in the area of the maneuvers was very light, probably averaging less than 200 vehicles per day on the roads involved so that the traffic friction between military and civilian vehicles was much lighter than would be found on any of the designated military highways in our State.

5. Prior and in preparation for the maneuvers the State highway department spent considerable money resurfacing certain paved roads in the area which were deemed to have sufficient base, and during the maneuvers the maintenance division of the highway department kept crews constantly maintaining and patching the roads.

While this information is not complete it is obvious that the conclusion must be reached that thousands of miles of our highways, which are reasonably satisfactory for present normal civilian traffic, are totally inadequate for military purposes.

Just as soon as the additional definite data is available, it will be forwarded to you for your consideration. As is generally known, extensive Army maneuvers have been held in different portions of the State from time to time and we have had the experience in such matters that we feel should be brought to the attention of the Congress for their consideration. It should be distinctly understood that this information and report is submitted from the facts and experience through which we have passed, and because of our interest in adequate national defense and all that goes with it. As a matter of fact, we have made these recommendations, suggestions, and requests before the present unprecedented critical situation arose.

It is now academic that the reason the German Army has been able to crush the opposition with such devastation and rapidity is the fact that it planned ahead of time and not only had the equipment but, at least in its own country, the road facilities over which to move the equipment and manpower as well as supplies.

It is our desire, in all possible and proper ways, without any desire or thought of doing anything other than trying to be helpful on the proper basis, to submit the facts and experiences which we have had and to do anything in our power that might be considered to be helpful to the Congress in these tremendously important matters.

NO LESSENING OF PROGRAM

I trust there will be no opposition to this measure today. The members of the Roads Committee, and the House membership generally, recognize the need for a continuance of our Federal road-building program. We are conscious of the defense implications, especially this year, as we bring this bill to the floor. There can be no lessening of the work being carried on at the present time.

Mr. CARTWRIGHT. Mr. Speaker, I yield such time as he may desire to the gentleman from Utah [Mr. ROBINSON].

Mr. ROBINSON of Utah. Mr. Speaker, the bill before us was given very careful and conscientious consideration by your committee over a period of several weeks, and during that time men from every part of the United States appeared and gave evidence. The unanimous testimony of these witnesses was to the effect that all of the money authorized in this bill as originally proposed by the committee could be and would be economically used. Many of the witnesses thought that larger authorizations should be made. None of the witnesses, so far as I know, believed that the authorizations should be for a less amount.

There was conclusive evidence adduced at these hearings to prove that no money appropriated by the Federal Government has a greater value so far as putting men to work is concerned than the money authorized under this bill. All of the testimony shows that this money is expended through regularly organized and constituted agencies whose duty it is to handle a particular kind of work; namely, the building of roads. Therefore, so long as roads are to be built and so long as we have men unemployed it has always seemed to me that we should appropriate such money as this organization can use rather than having highway construction done by organizations that are not particularly set up for this kind of work. It was, therefore, my thought that we should, as a Committee on Roads, insist on retaining the amounts of authorization set up in this bill as originally drawn; and which represented the considered judgment of a large majority of the members of the Roads Committee. However, due to conditions that have arisen, it was considered necessary in order to obtain an authorization bill, which, of course, is absolutely essential because the State legislatures will meet next year before Congress would have time to enact legislation, to reduce the amounts authorized by 25 percent. I, for one, am very reluctant to agree to such a reduction. I am doing it wholly and only because I feel reasonably certain that we must do it in order to obtain an authorization bill for roads during the present session of Congress. I am satisfied that a large majority of the Members of Congress feel the same as I do about this legislation, but rather than take any chances of being left without an authorization bill for the next 2 years, they have felt, as I do, that we had better pass a bill with a 25-percent reduction than not pass any bill at all. It seems to me, however, so long as we are spending vast sums of money on public highways through W. P. A., that it is a mistake to curtail in any manner whatsoever the regular Federal highway program. This is especially true in view of the fact that the road user is paying in taxes approximately $100,000,000 more than is authorized in the bill as drawn by the committee. The total authorization of this bill as originally drawn was $238,000,000. Conservative estimates of road-user taxes, including the gasoline tax, are $350,000,000 per annum. It seems to me, therefore, only a matter of fair dealing to these road users that this money be spent under contract and in a manner where it will give the public the most for the money expended.

Of course, this program is of vital concern to my own State. On its present Federal-aid highway system Utah has 345 miles of two-lane road which has been improved with Federal-aid funds and which, due to the demands of increased traffic, is now obsolete. It is estimated that $10,500,000 will be required to bring this mileage of road to a standard satisfactory for present-day traffic.

Utah has 184 miles of unimproved Federal-aid road. An expenditure of $4,300,000 will be required to bring this mileage to a satisfactory standard.

The most important mileage on the Federal-aid road system in Utah is comprised of 152 miles of road urgently in need of widening. To accomplish this, approximately $7,500,000 will be required.

Utah has on its Federal-aid system 265 inadequate bridges. To bring these structures to satisfactory standard, a $2,000,000 expenditure would be necessary.

Utah has 1,020 grade crossings which should be eliminated or protected. This work would require an expenditure of approximately $3,300,000.

Utah's secondary—farm-to-market—road system is comprised of nearly 2,000 miles. Much of this mileage is in great need of improvement and at least 200 miles are in urgent need of construction, at an estimated cost of $1,500,000.

Under the provisions of this bill Utah will receive approximately the following amounts for each of the fiscal years:

Regular Federal aid	$1,410,802
Secondary	282,160
Grade crossing	321,103
Forest highways	313,486
Public lands	255,244

It is, therefore, very easy to see that even under the proposed authorizations it will be a number of years before my State will be able to bring its road program up to a proper standard of road construction, and, yet, I feel reasonably certain that the roads in Utah are equal to the roads of most any State in the Union, and far superior to those in many States.

In view of these conditions, I am very sorry that it is necessary for us to decrease the authorizations proposed in the bill now before us by 25 percent of each item.

Mr. CARTWRIGHT. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi [Mr. WHITTINGTON].

FEDERAL HIGHWAY ACT OF 1940

Mr. WHITTINGTON. Mr. Speaker, for more than 20 years it has been customary every 2 years for Congress to pass a Federal-aid Highway Authorization Act. The first act was for authorizations for the fiscal years 1917 and 1918. The amount of the first authorization was $5,000,000. The amount of the authorization for the fiscal year 1941 is $160,000,000. There were no authorization bills for the fiscal years 1934 and 1935 inasmuch as there were provisions in the Emergency and Public Works Acts for appropriations of $400,000,000 for the year 1934 and $200,000,000 for the year 1935.

Existing authorizations provide for appropriations for the fiscal years 1940 and 1941. Authorizations for 1942 and 1943 are necessary to provide for the continuance of the Federal-aid program.

LEGISLATURES

The legislatures of 40 States meet in odd years. There are legislative sessions in 4 States in even years. There are annual sessions in 4 States. The State legislatures make their plans under Federal legislation. It is necessary, therefore, for the authorization act to be passed during the present session in order that the States may make provisions for matching Federal aid.

AMENDMENTS

The bill H. R. 9575, as reported and as shown by page 7 of the report of the committee, carried authorizations for the fiscal years 1942 and 1943 aggregating $238,000,000. Authorizations and appropriations have been reduced during the present session because of increased expenditures for national defense. Such expenditures have been materially increased in the past 2 weeks. There was a unanimous report and with the ranking members of both the majority and minority I supported the chairman of the committee in his request for a rule. We were successful in obtaining a rule but the situation in the House was such that although repeated efforts had been made to obtain consideration, there was a probability of adjournment without the passage of an authorization bill. Following repeated conferences with the majority leader, it was suggested that if the committee would reduce the authorizations by 25 percent, provision would be made for considering the authorization under a suspension of the rules.

The bill is before you with amendments that provide for horizontal reduction of 25 percent. These reductions were not satisfactory to the members of the committee. We were face to face with the probability of no authorizations whatsoever. It is fair to say that the average of the two authorizations for 1940 and 1941 was $174,750,000. The authorization for each of the two fiscal years in the pending bill is $179,500,000, or $4,750,000 in excess of existing authorizatons. Personally I wou'd like to have seen the authorization for regular Federal aid at least $100,000,000 instead of $93,750,000.

The average for each of the 2 years, 1940 and 1941, for Federal-aid highways, for regular Federal aid, secondary Federal aid, and grade crossings was $147,500,000, whereas the average under the bill as amended and as it will be passed, I trust, under suspension, is $15,000,000. Personally I have supported secondary roads from the beginning and promoted the passage of the first authorizations in the Federal Aid Highway Act of 1936. There is great need for completing our main highways and for reconditioning these highways in many cases. This is especially true in our plans for national defense. It would be agreeable with me to increase the total authorizations for Federal-aid highways $7,250,000 annually and reduce the authorizations for secondary or grade crossings by this amount. At all events, the bill now under consideration makes reasonable provision for Federal-aid highways, secondary Federal-aid roads, the elimination of grade crossings, the first two being matched and the second not being matched, as is the case under existing law, and also makes provision for forest roads, public-land roads, national-park roads, parkways, and Indian lands.

URGENT NEEDS

I extend by saying that the total road mileage in the United States, as prepared by the American Association of State Highway Officials as of June 30, 1939, aggregated 2,936,228 miles. The Federal-aid system amounted to 225,091 miles, while the States system, which also includes the Federal-aid system, aggregated 425,858 miles.

Of the State roads, 156,305 miles are of a high type, 94,688 are of a medium type, 111,745 are of a low type, 21,560 are earth improved, while 41,560 miles are not improved. It will be kept in mind that the Federal-aid system is generally 7 percent of the total mileage of the country.

The Federal-aid highway system was designated as a result of the Federal Aid Highway Act of 1921. The original system was limited to 7 percent of the rural-road mileage within each State. When provision has been made for the improvement of 90 percent, an additional 1 percent is permitted, and further additions are permitted on the same basis.

The Public Roads Administration has completed an exhaustive study of the national-highway situation during the past year. There has been cooperation with the State highway departments. A report was prepared entitled "Toll Roads and Free Roads." This report recommended against toll roads. Attention is called to the fact that there is need for express highways into and through the center of big cities rather than around the cities. It is worthy of note that 90 percent of the traffic on main highways near the large cities is bound to or from points in the cities themselves, and this traffic cannot be bypassed. The report, however, recommended continued elimination of railroad grade crossings, the improvement of secondary and feeder roads so they will be properly integrated with the land-use programs, the modernization of the Federal-aid highway system, and an interregional highway system.

The recommendations are helpful and constructive. They confirm the necessity for careful and adequate planning. Main thoroughfares should be available not only for agriculture and industry but for national defense. Railroad grade crossings should be eliminated where there is most danger. Secondary roads should be located where they will be accessible to the homes, farms, and markets of the rural population.

The recommendations mentioned will strengthen the Federal-aid program. Nothing has done so much to stabilize highway construction, promote economical highway building, aid in highway safety, provide roadside improvements, and reduce the costs of highway construction as the Public Roads Administration. A laboratory has been constructed in the District of Columbia where safety devices are studied, soils and types of material are examined, and where statistical research is made that contributes to safety and to reduced construction and maintenance costs. The investigations in the laboratory are economic and statistical. The work of the laboratory is of great aid to the States.

COSTS OF CONSTRUCTION REDUCED

The Public Roads Administration has not only stabilized highway construction, but there has been coordination of highway work. The States select the roads to be constructed, but they have to be approved by the Administration. Excessive overhead costs are examined and excessive bids can be rejected. The very best material and type of construction can be utilized. While the costs of labor have increased with the increasing costs of living, because of labor-saving machinery and the information made available to all of the States through the Public Roads Administration, the costs of concrete and other permanent highways are now less than the costs of highway construction of 10 or 15 years ago. The type of construction has improved, but the costs of construction in the aggregate are less than some 10 or 15 years ago by 10 percent and more in many cases.

IMPROVEMENTS

Exhaustive hearings were conducted by the Committee on Roads. Official reports indicated that over 100,000 miles of

highways on the main routes of our State highway system should be rebuilt, widened, or relocated, at an estimated cost of more than three and a half billion dollars. These reports showed that about 21,000 bridges on important highways need to be widened or rebuilt, at an estimated cost of more than $400,000,000. The official estimates of the 48 State highway departments indicated that there is need for highway improvements aggregating a total of nearly $4,000,000,000.

Many of the highways constructed 20 years ago have deteriorated. Traffic has increased; roads are too narrow; grades are too steep; there are too many curves. The roads must be straightened; they must be widened. Narrow roads and bridges and crooked roads contribute to accidents. They must be eliminated to provide for safety.

As I have indicated there must be system in the construction. Interregional roads are needed. Farm-to-market roads should fit into an integrated system. There are 31,000,000 motor vehicles today. Road improvements are imperative. The mileage must be increased and the type of roads improved for the benefit of the traveling public, as well as in the interest of national defense. Many roads will have to be rebuilt; others will have to be widened and still others will have to be relocated.

LABOR

About 90 percent of every highway dollar goes into salaries or wages whether the amount is expended on the job or in the mines or factories, or along the transportation lines. Highway improvements are not confined to limited sections. They are widespread; they reach every State, county, city, town, and hamlet in the Nation. Highway work takes the job to the laborer. No other industry affords as many benefits to labor as highway construction. For every $100,000,000 spent in highway improvements there is initiated a movement which eventually involves a total business transacted of approximately $315,000,000.

NATIONAL DEFENSE

Good roads are needed in modern welfare. Mechanical and mechanized units in modern warfare necessitates good highways. Methods are changing, and there are always problems of military transportation to solve. There has been coordination between the Public Roads Administration and the War Department. Generally speaking, the highways that serve industrial, commercial, and agricultural demands will satisfy the military requirements.

As was pointed out recently by an Army official, there has been progress in traveling along roads from the oxcart at 2 miles per hour to the staff car at 70 miles per hour. There has been progress from a division marching 20 miles per day to a division with more than 1,300 vehicles traveling 320 miles in 14 hours. The Army is being streamlined. Supply trains and cavalry on wheels move faster and faster. Adequate roads are necessary to increase mobility and make possible greater speed in war and in national defense.

FEDERAL AID

There are many reasons for Federal aid. Highways are no longer used alone by the people of the State in which they are located. They are used by the people of the whole country. Federal aid for highway construction is necessary not only for peace, but imperative in war. Federal aid is the only way that all of the people of the country can contribute to the building of the roads and highways that are used by all of the people of the country.

TAXES

A gas tax obtains in all of the States and in the District of Columbia. The weighted average rate is 3.96 cents. The lowest rate is 2 cents a gallon in the District of Columbia and 7 cents a gallon in Florida and Louisiana is the highest rate.

TOLL ROADS AND BRIDGES

Toll roads are being eliminated wherever possible. So are toll bridges. Highways are being used. They promote travel. The continuance of Federal aid will promote the program to eliminate tolls not only on highways but on bridges. There must be no tolls on Federal-aid highways and bridges.

DIVERSION

In the Federal Highway Act of 1934 Congress undertook to deal with the diversion of gasoline taxes. Section 12 of that act penalized the States that diverted taxes on gasoline from highways to other purposes. The justification for gasoline and motor taxes is highways. When the taxes are diverted to other purposes, the public suffers. The sponsors and advocates of better highways should insist that there be no diversion of gasoline and motor taxes from highways to other purposes.

SELF-LIQUIDATING

For the calendar year 1939 the road users of the United States paid Federal taxes on gasoline, oils, tubes, motorcycles, trucks, and accessories aggregating $353,350,178. Less than half of that amount was appropriated for highway construction.

SECONDARY ROADS

I was among those who urged the incorporation of provisions for secondary roads in Federal highway legislation. I would like to see the authorizations increased. I dislike to see them reduced, but it is fair to say that large amounts of relief and emergency funds have been utilized in the construction of feeder, farm-to-market, rural, and secondary roads. For the fiscal year 1939, $881,448,000 was expended by the Works Progress Administration for highways, roads, and street projects. It is estimated that for highways and rural roads during the fiscal year 1939, $203,840,000 was expended. It is a source of satisfaction to me that during the past 7 years more money has been spent for highway, road, and street construction by the Federal Government than in all of the previous history of the United States.

RIGHTS-OF-WAY

There are immaterial amendments with respect to the distribution of funds for forest roads, and there is an amendment which I think is unwise that authorizes not to exceed 5 percent of the Federal-aid funds to be used for the purchase of strips of land to preserve natural beauty. I am for beautifying the highways. I believe the States where the beautifying is done should contribute to such beautification. Federal-aid funds should be devoted to needed construction.

There is an amendment that the Commissioner of Public Roads will furnish aid in the development of flight strips in the aid of safety for aircraft when not in conflict with the Civil Aeronautics Act of 1938.

The important amendment in the pending bill is section 12, which authorizes the Reconstruction Finance Corporation to make loans to States to finance or aid in financing the acquisition of rights-of-way. This should be of benefit to cities and municipalities where through highways are to be constructed. This provision was prepared under the supervision of the Reconstruction Finance Corporation. It really strengthens the security of the Reconstruction Finance Corporation in making such loans, and at the same time will aid the jurisdictions where funds are needed to acquire rights-of-way.

I might say in this connection that as originally introduced the Federal-aid highway bill embraced the provisions of the lending and spending bill of 1939, with no limitation as to the amounts that might be borrowed for rights-of-way and for the purchase of adjoining lands. The committee felt that section 12, authorizing loans for the purchase of rights-of-way, was as far as the committee was warranted in going at the present time.

The passage of the pending bill is imperative, if Federal aid for highway construction is to be continued. I know of no more satisfactory provision for public works in all of the 48 States of the Union than the continuance of Federal-aid highway authorizations and appropriations. [Applause.]

[Here the gavel fell.]

Mr. CARTWRIGHT. Mr. Speaker, I yield such time as he may desire to the gentleman from Oklahoma [Mr. JOHNSON].

BETTER ROADS MEAN BETTER NATIONAL DEFENSE

Mr. JOHNSON of Oklahoma. Mr. Speaker, I am glad to join several other Members of this House in urging the passage of the pending bill providing for the authorization of appropriations for the entire Federal-road program for the fiscal years of 1942 and 1943.

I agree with the able gentleman from Mississippi, who has just preceded me, that the building of a system of highways throughout the country constitutes real, practical national defense. [Applause.]

In the years of 1935 and 1937, between sessions of Congress, I had the honor and privilege of attending important peace conference in Paris and Geneva, as one of the representatives of the Congress of the United States. During that trip I spent several days in Germany, at which time I went from one end of that country to the other. I was in Berlin during the famous love feast of Adolf Hitler and Mussolini. One of the many things that impressed me about Germany was the fact that they were building great air-line highways, most of which radiated from their capital city of Berlin. One of those highways went toward the wheatfields of Russia, another toward Czechoslovakia. Others toward Belgium, Holland, and Alsace-Lorraine. No one knows better than Germany that the ability to move troops, materials, ammunition, and supplies quickly and directly over the highways is an important cog in any national-defense program.

Those of us who were in France during the late World War have not forgotten that one of the most serious handicaps to the Allies in that terrible death struggle was the lack of straight and properly constructed highways and bridges in France.

In our own defense program which we are now undertaking on land, water, and in the air, and which we should have, of course, begun more seriously many years ago, we must not overlook the construction of a real system of highways throughout the length and breadth of this land. It is also important, as is contemplated at least in part by the pending bill, to construct many additional feeder-roads, improve our rural mail routes and farm-to-market roads.

Mr. Speaker, my main reason for speaking for a few moments at this late hour is not to discuss primarily the pending bill or the need for highways in this country. Our people are finally becoming conscious of the necessity for improving and building more and better roads and highways. The fact that there appears to be little or no opposition to the pending measure is sufficient evidence that at last the country is sold on the necessity for a real highway system throughout the Nation.

PRAISES CHAIRMAN

My purpose for asking the indulgence of Members of the House at this late hour is to offer my sincere congratulations to my colleague, the gentleman from Oklahoma [Mr. CARTWRIGHT], chairman of the Roads Committee, as well as the members of his committee, upon bringing this—another important road bill—to the floor of the House during this session. Especially is the chairman of this committee entitled to great credit, not only in the preparation of the pending measure, but in the splendid skillful manner in which he has presented the bill and handled it during this rather extensive debate. [Applause.]

I have known the chairman of the Roads Committee for the past quarter of a century. He and I came to Congress the same year. I have watched him grow and develop during his seven terms in Congress, until he is today recognized as the greatest authority in America on the subject of highways and highway legislation. [Applause.]

May I say that it is not a mere accident, but because of long hours of study, work, and perseverance that he has reached a place of power and influence in the Congress, especially in the matter of road legislation. Since the day that the gentleman from Oklahoma, WILBURN CARTWRIGHT, became a member of the Roads Committee, back in the spring of 1927, he has been diligently seeking first-hand information about American highways, and the great distressing need for more, better, and safer highways of the Nation.

When my colleague from Oklahoma became chairman of the Roads Committee in 1934 he was therefore well equipped by study, work, and first-hand information for the stupendous task before him.

The gentleman from Oklahoma, Chairman CARTWRIGHT, has visited practically every section of the United States, attending road meetings, delivering addresses, and contributing much toward making Americans road conscious.

It is largely due to his leadership, energy, and foresight that greater progress has been made in the United States in building good roads under this administration than in any similar period by any nation in all history. [Applause.]

Legislation which bears his name, and of which he has been the author and sponsor, has made available more than $2,000,000,000 for building better, broader, and safer roads.

It is now reasonably certain that this bill which he has presented to us today, after careful preparation, and with the unanimous support of his committee, will be passed within the next few minutes without a dissenting vote. It will authorize an additional $357,000,000 for more improvements to the Nation's highway facilities.

Recently I obtained a report of Federal road expenditures for the 7 fiscal years, 1933 to 1939, inclusive, and I should like to give other Members of the House these impressive totals:

Public Roads Administration	$1,767,415,519
Forest Service	36,398,079
National Park Service	56,981,457
Indian Service	19,977,747
Public Works Administration	220,844,886
Work Projects Administration	2,921,180,000

Mr. JOHNSON of Oklahoma asked and was given permission to revise and extend his remarks.

Mr. CARTWRIGHT. Mr. Speaker, I yield such time as he may desire to the gentleman from Michigan [Mr. RABAUT].

Mr. RABAUT. Mr. Speaker, there is a great necessity for the continuation of Federal aid for highways. And, coming as I do from Michigan, the home of automobile transportation, I intend to support my colleague the gentleman from Oklahoma [Mr. CARTWRIGHT] and his committee.

SECTION 12 AN ADVANTAGE

Loans for right-of-way acquisitions as contained in section 12 of the bill provide that the Reconstruction Finance Corporation may cooperate with States to finance or to aid in financing the acquisition of real estate deemed necessary for road projects. This section of the bill is of vital importance to the city of Detroit and will prove of tremendous assistance to many municipalities. Rightfully it has been said concerning the road program, "We have been able to take people to the country, but with bottleneck conditions in the cities it is becoming more difficult to get them out of town."

Mr. Speaker, the distinguished State highway commissioner of Michigan, also the president of the American Road Builders' Association, Mr. Murray D. Van Wagoner, addressed the committee and dealt most intimately with the subject under discussion. Because of his thorough knowledge of the highway problem, I include herewith his timely statement made before the Committee on Roads and recorded in the hearings.

STATEMENT OF MURRAY D. VAN WAGONER, STATE HIGHWAY COMMISSIONER OF MICHIGAN, AND PRESIDENT AMERICAN ROAD BUILDERS' ASSOCIATION, LANSING, MICH.

Mr. VAN WAGONER. Mr. Chairman and members of the Roads Committee.

The CHAIRMAN. Mr. Van Wagoner.

Mr. VAN WAGONER. In order to save time, and I know time is essential to this committee, I have tried to put the many phases of what I have to say in printed form and if you will bear with me I will read this as quickly as possible and get those points over to you.

In the first place we deeply appreciate the courtesy of your committee in granting us time to testify concerning the bill under your consideration.

I am speaking as State highway commissioner of Michigan, and as president of the American Road Builders' Association.

It is my understanding that representatives of other States, of counties, of cities, and of organizations interested in an adequate, efficient highway system will testify here.

I believe this committee is thoroughly convinced of the need for an adequate Federal-aid program for the continued improvement and expansion of Federal-aid routes. You will find highway administrators everywhere convinced generous Federal aid to our highway system is an economic investment close to the general welfare of our people.

I strongly urge the continuance of the present Federal-aid program financed by the authorization of at least such amounts as were appropriated for the 1938 and 1939 fiscal years.

Mr. Henry F. Cabell, chairman of the Highway Commission of Oregon, and president of the American Association of State Highway Officials, has given you a most convincing picture of our needs in that respect.

Results of the highway planning surveys are becoming available in many States. These surveys are the basis for long-term planning. Only a continued system of financing, such as that offered under the Federal-aid program, will fit into this new conception of highway building for the future. This planned building, with the plans based on scientific determination of needs, is the greatest advance in highway building since the advent of the concrete road. It demands planned financing.

We need also the advance in our road building and financing program embodied in the proposal for Federal aid to finance the purchase of rights-of-way by local communities and States.

For decades we have seen emphasis placed on rural construction. In a few short years, we have built up a great national highway system. The expansion in improved mileage is almost unbelievable.

Today those identified with highway development are faced not with taking the motorist out of the mud but of lifting him out of the traffic congestion which is blanketing the arterial highways of our great metropolitan areas. This congestion is threatening not only a system of rapid passenger-car movement, but it is threatening our industrial expansion.

One of the basic difficulties involved in the solution of this pressing and urgent problem of urban traffic congestion is the relatively high cost of needed rights-of-way. Like many other social and economic problems which have taken on national proportions, this problem also will need, if it is to be solved, Federal assistance.

I have made some study of the national situation. I am most familiar with the Michigan problem, so I will confine myself to my own State—a typically industrial State.

Michigan is the automotive empire of our country. Detroit is the capital of that empire. You will recall that a recent Commerce Department report said the automotive industry was leading the way to recovery. I believe it is, but it is carrying the "Old man of the sea" on its back; the burden of inadequate traffic facilities in the city of Detroit which hampers even the movement of raw materials to and of finished products from, the industrial plants.

Let me recite for you a few facts gathered in a recent study. They are given for the benefit of those who mistakenly say the State and the municipality should finance themselves toward a modernized traffic system.

Michigan has approximately 9,000 miles of trunk-line highways. For the improvement and extension of this system it has, inclusive of State and Federal funds, about $8,000,000 a year for actual construction.

During the current administration of the highway department, the widening of a bottleneck on Woodward Avenue, just 2⁹⁄₁₀ miles long, was undertaken. Construction on that job cost us $1,537,000. But right-of-way cost us $12,479,000. The courts determined that the price was fair.

If we had applied all available State construction money for 1 year to the completion of that job, we still would have been more than $6,000,000 short.

That should show you how slow is going to be the process of lifting the blanket of dangerous congestion from our metropolitan areas if we cannot borrow money, if we cannot establish Federal credit.

Our engineers, in preparing the material for these hearings, investigated cost sheets on nine separate metropolitan projects. They learned actual physical construction on those projects, mostly street widenings, averaged $232,600 a mile, but right-of-way on which to lay these improvements averaged $1,142,000 a mile.

The 9 projects totaled 27.6 miles. The total cost of physical construction was $6,433,000. The cost of right-of-way—and these were already existing streets—was $31,586,000.

Michigan has sufficient motor vehicles to carry at one time every man, woman, and child in the State. More than 70 percent of our entire population rides in a motor vehicle once each day.

Our highway-planning survey, in an exhaustive report, said our traffic will double by 1960. It has estimated that to care for the traffic of 1965 a total of $850,000,000 should be spent in the next 25 years on the State trunk-line system.

One of the factors which has contributed most heavily to the cost of right-of-way in the Detroit area has been piecemeal buying. We had to dicker for each foot, for each lot, with no promise of a completed program.

We have under way in Detroit today a study of a proposed cross-town highway route, 13½ miles long, the physical structure to be of the limited access, depressed, or elevated type. The engineer in charge of the study—and he is here today—has estimated we could purchase the needed right-of-way for $11,500,000. But he estimates the cost may be several times that in a few years from now.

That estimate is based on the supposition that money could be made available for the purchase of the entire strip at one stroke—a supposition that is an empty one unless we can establish Federal credit.

Compare that figure to the $12,000,000 spent for 2⁹⁄₁₀ miles of right-of-way on Woodward Avenue.

In Michigan we have a pressing need for two limited access, express motorways, one reaching from Detroit toward Toledo and the second from Detroit toward Chicago.

The raw materials for heavy industry, the finished products of Detroit factories, move over these roads. The traffic band from Detroit to Toledo is, I believe, the second heaviest of any route east of the Mississippi River.

Let us look at the increase in traffic here. From 1930 to 1936 tractor-trailer traffic increased 304 percent; truck and bus traffic increased 11 percent; passenger-car traffic, 25 percent; and all traffic, 38 percent.

On the Chicago to Detroit route, passenger-car traffic increased 21 percent in the same period, 1930 through 1936; truck and bus traffic, 14 percent; tractors and trucks with trailers, 570 percent; and all traffic, 31 percent.

This traffic was reflected in the death and injury reports. It was reflected in smashed property, delayed traffic and in direct loss to industry. Yet, such traffic must continue to travel just such highways for years to come unless we can perform a major operation on these two trunk lines.

The time for first-aid treatment is past. Temporary measures will only lose us money.

From Chicago to Detroit is 287 miles. We must have new right-of-way and widened right-of-way if we are to perform the major operation necessary. With State resources what they are, I cannot visualize purchase of the needed land for years to come. Meanwhile its value is skyrocketing through developing.

From Detroit to Toledo is 57 miles. The route lies through a highly developed region. Land costs are high there. I see no immediate possibility for acquisition of the right-of-way we need by purchase through the usual channels.

Yet there are two obstructions in the easy flow of traffic which impede the orderly progress of our commercial life. I question whether the Federal Government will consider it good business to permit such conditions to prevail.

I am a firm believer in the Government's investment in the welfare of its people, at least in such instances where these investments will be paid back over a period of years.

Right-of-way costs are not decreasing. Once purchased the right-of-way cannot be carried off. It serves as solid collateral for an investment at the same time it serves national enterprise.

I am now going to submit to the committee evidence of the need of our State for additional Federal assistance as is proposed in title II of the bill under consideration.

It is my understanding that able testimony already has been submitted in support of title II of the bill under consideration.

As president of the American Road Builders' Association, I heartily endorse the testimony on the necessity for continuance of an unrestricted Federal highway program as submitted by Mr. Henry F. Cabell, chairman of the Highway Commission of Oregon, and president of the American Association of State Highway Officials.

The system of Federal aid to States established by Congress and administered by the Public Roads Administration is the foundation of Federal and State financial participation in an economic structure vital to the social progress of our country. Any limitation imposed on Federal participation in expansion of our integrated highway system is a direct constriction of the articles of our Nation's commerce.

Members of the House Roads Committee and the Senate Committee on Post Offices and Post Roads necessarily are the best informed Members of Congress on the problems of our national road system. Most of them, I believe, are in agreement that we are not overspending under the provisions of title I.

As in all other lines of construction, road builders constantly are faced with the necessity for repair and expansion. Roads, even concrete ones, wear out. It is their peculiar nature to wear out more swiftly where they are most needed because that is where they are most used. Road building is not a static thing. As we build and improve new routes, we constantly must be repairing and replacing established routes. Road building and improvement programs, in their very nature, must be continuing programs, increasing in scope as traffic and commerce increases.

The problem of raising money for right-of-way, dealt with in title II of this bill, has, we might say, suddenly come upon us as one of the most perplexing problems of the road-building industry.

It was not of particular import when we were building to get back-country motorists out of the mud. It flashed upon the consciousness of the American public when in recent years we turned to the problem of getting tremendous traffic flow through the gateways of our modern cities and distributing it to its orderly destinations. Since the first automobiles made their appearance we have concentrated on building continuous through highways in our country. The bulk of our construction was rural construc-

tion and interurban construction. In the early days right-of-way was contributed or bought cheaply.

In those days we boasted of our miles of roadway without clear realization that cheaply built roads would wear out; that narrow and dangerous highways must be widened and replaced; that cars approximating speeds of 100 miles an hour would be built and that there would be no place to utilize their speed.

It was a great day when we could boast of driving to Florida or to Washington or St. Louis without leaving a concrete surface. We had no conception then of the gigantic enterprise we were undertaking. That was an era of overcoming natural physical hazards. We built bridges and cut into the mountain sides. Right-of-way cost little for those enterprises.

Now we are beginning to realize our task is only half started.

Try and visualize a metropolitan area as the hub of a system of outspreading trunk lines. These trunk lines are like great funnels spread with their tips toward the center of the city. Into these funnels the outlying origins of traffic pour their traffic volumes.

The funnels constrict at the approaches to the cities. Their capacity for passage is made less. The traffic pressures become greater. Vehicles are crowded wheel to wheel and hub to hub. The sides of the constructions in these funnels can be visualized as costly property, property needed to relieve pressure on traffic streams.

As the funnels reach more deeply into the congested traffic areas surrounding cities, they suddenly release their burdens. Constricted traffic streams, with no direct passage available, break against a network of old-fashioned unplanned city streets. There is a terrific back pressure as these inadequate thoroughfares, wandering aimlessly from a lack of planning, attempt to take up the burden of modern traffic flow.

Vehicles cannot proceed directly to their destination. They must wind and flow, intersecting with other traffic streams, twisting their way by devious routes and through unnecessary dangers before reaching their destinations.

There you have a picture of what has occurred in the urban areas while we have been developing trunk-line mileage in rural areas.

A through traveler enters one of these figurative funnels, passes the city limits, and then must filter his way across the heavily populated area on winding streets before he can reach the tip of a funnel on the opposite side of the city which will carry him approximately in the direction he is traveling.

The driver of a tractor-trailer must jump off into this maelstrom of traffic and wind his way through narrow and dangerous side streets, maneuvering tons of commercial cargo around short corners for miles, before he can deliver his consignment of raw materials at an industrial plant.

Huge drive-away trucks, loaded with the finished products of factories, lose hours, and often new orders, filtering their way across cities to reach trunk-line routes to their destinations. They repeat the process at each industrial and residential center.

The factory and office commuter, living miles from his job in the industrial center, must start for work before daylight and reach his home again after nightfall because of these bottlenecks in our cities. This same commuter is the backbone of our country, striving to own his own home in a community where he can meet taxes and have independence for himself and his family.

And I believe we are safe in saying that the major reason for this constriction of traffic, this delay, these traffic dangers, is lack of facilities for widening and through-city construction. The tremendous cost of right-of-way through the obstacles that stand in the way of improving our city traffic arteries has paralyzed local governmental action by mere contemplation.

The automotive industry is an impatient giant. It was born approximately 40 years ago. By 1930 it was contributing 10,000,000,000 vehicle-miles of travel to our State and local roads. That figure is for Michigan alone.

Transportation systems are the blood streams of the automotive industry. If we restrict them, we stifle the industry and make it ill. Economic troubles follow.

I can best speak with authority of Michigan's problem. Our State is the center of the automobile industry and Detroit is its metropolis. We can match our highway system with that of any other State—provided we eliminate those urban areas where the stupendous potential cost of right-of-way has limited our activities.

We have a trunk-line system of 9,000 miles. Of that, only 3,000 miles remains to be hard-surfaced. For many miles of our recent construction, we have 400-foot right-of-way in rural areas. We have incorporated curves that can be driven safely at 80 or more miles an hour. We have provided new alinements with long-sight distances. We have cut the hills to fill the hollows and gone through instead of over or around physical obstacles. Our people are enthusiastic pluggers for good roads which bring an estimated $400,000,000 tourist business to our State each year.

This year we anticipate a motor-vehicle registration of 1,500,000 vehicles. We could, if proper arrangements were made, load the entire population of our State into these vehicles. Our highway planning survey reported more than 70 percent of Michigan's population is in and out of a motor vehicle once each day.

Cars have become necessary economic units of our workers as well as pleasure vehicles. Thousands of our workers live in rural communities to maintain their independence and drive 20 to 50 miles to their work in industrial areas. No matter how modern the goal when we attempted to plan our present highway system, we have outgrown it.

The present system practically was replaced in the last few years. Our planning survey, financed by the State and the Public Roads Administration, has taken this inventory of our road system into the laboratory for miscroscopic examination. These laboratory workers have come out of their years of study with some astounding facts.

I refer you to a table of present and future needs of our highway system prepared by this highly valuable division of our department, and request it be made a part of the record in this hearing.

The CHAIRMAN. Without objection, it will be made part of the record.

The table referred to by Mr. Van Wagoner is as follows:

TABLE 1.—*State of Michigan State Highway Department, present and future needs*

[State trunk-line widening to divided roadways of 4 or more lanes]

Item	Length in miles	Estimated cost [1]
Present need for widening:		
Rural State trunk lines	472	$63,712,000
Urban State trunk lines	134	30,671,000
Total	606	94,383,000
Future need for widening:		
Rural State trunk lines	1,028	121,786,000
Urban State trunk lines	298	59,537,000
Total	1,326	181,323,000
Present and future widening needs: [2]		
Rural State trunk lines	1,500	185,498,000
Urban State trunk lines	432	90,208,000
Total	1,932	275,706,000
When the estimated cost of widening is added to these costs the total estimated cost of higher capacity and new type facilities amounts to		453,426,000
To this should be added the estimated cost of constructing 2-lane pavement on present gravel-surface routes, on routes at present surfaced with old or inadequate 2-lane pavement, and on new or relocated routes	7,618	400,000,000
Total, estimated present and future needs	10,121	853,426,000

[1] Includes cost of planning, engineering, and right-of-way.

[2] These estimates do not take into account the need for additional belt lines around cities or limited-access express ways in rural and urban areas. The accompanying estimate might be used:

Item	Length in miles	Estimated cost
Additional belt lines—4 to 6 lanes	251	$56,970,000
Limited-access express ways	320	120,750,000
Total	571	177,720,000

Mr. VAN WAGONER. This proposal to aid local governmental units in purchase of right-of-way for highway construction applies directly to three typical problems faced by industrial States.

The first is to provide swift and safe transportation across our industrial cities for purely city-traffic movements. This movement is of both commercial and pleasure vehicles, and much of its bulk is made up of workers going to or coming from their jobs.

The second problem is to permit unrestricted, high-speed flow on limited-access highways between industrial centers such as Detroit and Chicago and Detroit and Toledo. Here is a constant flow of raw materials and finished products, of food and the necessities of life, of travel units operating on schedules, and of pleasure drivers.

The third is to get our visiting tourists through the industrial centers which straddle our trunk lines and delay swift arrival at the recreation areas to the north. A large portion of our State relies on tourist business for a livelihood.

These three problems require the acquisition of new and wider right-of-way. In the first instance, we must acquire that right-of-way; we must acquire that right-of-way at tremendous cost in highly developed industrial centers.

In the second, we must acquire right-of-way, and in some instances control additional right-of-way through southern Michigan territory which lies in the most valuable districts of the State.

In the third, we must acquire right-of-way, either through industrial centers or around them where developments are proceeding rapidly and real-estate prices pyramiding.

The three phases of construction in which right-of-way costs are most closely involved are belt line, urban, and interurban. Discussion of these costs will be limited to actual figures taken from past experience and surveys completed or nearly completed on a cross-town project for Detroit. We can speak only in general terms when we refer to proposed limited-access highways linking Detroit and Chicago and Detroit and Toledo.

The State Highway Department of Michigan has put its superhighway problem study in the hands of a competent engineer. He has divided it, at our suggestion, into three phases:

Project I, a study of the feasibility and cost of a Detroit cross-town motorway, from 13½ to 19 miles in length, crossing the city and providing inlets and outlets to three centralized industrial areas now isolated by inadequate transportation facilities.

Project II, a study of a proposal for a limited-access express highway from Detroit toward Toledo, a route showing the second heaviest traffic band east of the Mississippi River.

Project III, a study of a similar project from Detroit toward Chicago.

Previous experience warned us that right-of-way costs for such projects would be tremendous for highways of adequate width in the metropolitan area. Our State highway department not so long ago assigned itself the task of widening U S 10, Woodward Avenue, for 2.6 miles in the downtown district of Detroit.

Actual physical construction on that 2.6 miles cost us $1,537,026.91. Right-of-way cost us $12,479,782.86.

The State highway department, inclusive of Federal-aid and State money, has only about $8,000,000 a year for construction on our 9,000-mile system. Had we applied this entire amount for 1 year to the 2.6 miles we would have been between six and seven million short of paying for it.

Our engineering division recently computed right-of-way costs on nine major metropolitan projects. Construction costs averaged $232,619 a mile for 27 miles. Right-of-way averaged $1,142,114.

But a survey of the cross-town route, based on valuation figures and on the assumption that we could go in and buy the property in entirety for the development, surprised us. Our engineer reported, after a check of 2,779 individual parcels and conversations with valuation authorities, that the necessary property and buildings possibly could be bought for $11,549,700, if we confined ourselves to 13½ miles. Those purchases were predicated on a 250-foot right-of-way.

It would be the height of presumption to believe the highway department ever could step in and buy that property at one swoop. We need the aid of long-term loans from the Federal Government if we are to build that cross-town route on an economical, mass-purchase basis. It is interesting to compare the figure quoted for the 13½-mile stretch required for the cross-town highway with the amount paid for 2.6 miles of right-of-way on Woodward Avenue.

To illustrate the part that actual construction costs play in the building of modern thoroughfares in comparison to right-of-way costs, the following table is submitted.

The CHAIRMAN. Without objection it will be made a part of the record.

The table referred to by Mr. Van Wagoner is as follows:

TABLE 2.—*Summary of comparative right-of-way and physical construction costs of 9 metropolitan projects*

	Miles	Construction	Right-of-way	Total cost
U S 131, Grand Rapids (Wealthy to Hall.)	1.012	$126,036.04	$467,202.47	$593,238.51
U S 131, Grand Rapids (Michigan to Coldbrook.)	.817	125,209.12	33,393.48	461,602.60
U S 25, Mount Clemens (Cass to Market.)	.234	76,071.83	328,871.32	404,943.15
8 Mile Road, Detroit area (Greenfield to John R.)	4.995	478,199.45	2,553,736.42	3,031,935.87
8 Mile Road, Detroit area (John R to Gratiot.)	3.984	416,210.00	1,687,623.14	2,103,833.14
8 Mile Road, Detroit area (Gratiot to Jefferson.)	6.102	528,903.20	1,163,740.16	1,692,643.36
U S 10, Detroit (West Grand Boulevard to Witherell.)	2.636	1,537,026.91	12,479,782.86	14,016,809.77
U S 25, Detroit (Randolph to Harper.)	4.824	1,590,855.31	9,249,488.92	10,840,344.23
U S 112, Detroit (Livernois to Sixth.)	3.052	1,554,815.74	3,319,467.04	4,874,272.78
Total	27.656	6,433,327.60	31,586,295.81	38,019,623.41

Average construction cost per mile for 9 typical metropolitan projects..... $232,619
Average right-of-way cost per mile for 9 typical metropolitan projects..... 1,142,114

Average total cost per mile for 9 typical metropolitan projects..... 1,374,733

Mr. VAN WAGONER. We believe a right-of-way of 250 feet will be required for the Detroit cross-town project. The 13½-mile proposed route crosses the city in an approximately east-and-west direction and cuts through many different types of developments.

On the west it crosses a more recently developed residential section of industrial workers. The central portion crosses an old and blighted residential area of Detroit which has been changing in character from a residential to a strictly commercial and industrial area. A portion of the eastern end of the proposed motorway crosses a new residential development of good character, in portions of which there is considerable vacant property available at the present time.

Because the proposed motorway crosses the entire city, it touches practically every type of development that a large industrial center presents. This wide variety of development is reflected in the spread of unit land-cost figures, which we find to be as low as 12 cents a square foot and as high as $4.50 a square foot.

Our original survey leads us to believe that of the 2,779 parcels of property needed, most of them would be acquired only by condemnation. Approximately 1,983 of these parcels, or 71½ percent, carry a building development of some nature. In other words, only 28½ percent of the property needed is vacant.

A portion of the proposed right-of-way located between Connors Avenue on the west and Morang Drive on the east presents a much more favorable ratio of vacant to built-up properties.

Within this portion there are approximately 970 parcels of property of which 374 are improved with buildings, representing 38½ percent of the total. The balance of the properties is vacant, and steps should be taken in the immediate future to acquire this available right-of-way within the city before it is completely developed and valuations raised accordingly.

Detroit experienced a rapid growth during the last quarter century. It was in keeping with the development of the automobile industry—an industry recently credited by the Department of Commerce with leading the way to recovery.

This rapid growth brought with it the immediate need for such basic municipal services as water lines, sewer lines, paving, and other necessities. In order to furnish these services within a short time, it was necessary to resort to the floating of bond issues. When the economic structure collapsed 10 years ago, it lowered very drastically realty values and changed altogether the ratio of assessed valuations to bonded indebtedness.

The city of Detroit finds itself bonded beyond its permissible legal limit. The possibility of pledging the faith and credit of the community for additional bond issues to acquire right-of-way for needed highway improvements within the city limits is entirely out of the question.

The development of low-cost housing projects in Detroit would be impossible without Federal assistance. The same is true of the immediate start of the cross-town highway project.

This problem of caring for the swiftly increasing flow of traffic is not confined to our greatest city. It involves every municipality sitting astride of a State trunk line. The traffic system of these cities must be either modernized now or at much greater expense in the years to come.

Wherever possible, we must avoid the situation which befell Detroit. We must avoid clogged highways and distressed traffic conditions.

It is advisable, wherever possible, to route a large portion of through traffic around cities by construction of wide belt lines which will carry automobiles swiftly and safely. We must provide feeder roads from cities to limited access, express superhighways which span States and regions and which may span our country with the swift increase of motor traffic.

It has been proposed that such roads of limited access be built between Detroit and Toledo and Detroit and Chicago. Chicago already has planned an entrance for such a highway from Detroit. The Detroit end of the express way would reach to the proposed cross-town highway. We consider that, in fact, step No. 1 in the construction of either of the two routes.

Traffic on both of these arterial highways is of a mixed nature. The swift pleasure cars are speeding by the trailer trucks and the busses. There is a constant shuttling in and out of traffic. This is reflected in our fatal-accident figures shown at the end of this statement.

Surveys showed traffic on the Detroit to Toledo route, most of which is over Telegraph Road, increased 38 percent between 1930 and 1936. Traffic over the Detroit-Chicago route increased 31 percent in the same period. At that time average daily traffic was 8,462 cars on the Detroit-Toledo route and 7,450 cars on the Detroit-Chicago route.

The State Highway Department has realized that alleviation of traffic conditions on these two routes, the partial relocation of both routes, is too great a financial problem to tackle with the present limited resources at our disposal. A patchwork of repair sections can be considered only temporary. Much of the Chicago route is winding, curved right-of-way. This must be straightened, widened, and relocated.

The distance between Detroit and Chicago is 287 miles. To purchase an adequate right-of-way for a limited access, high-speed, express way between these two cities, with the financial condition of the State such as it is, is impossible. The route, if it were laid out directly, would traverse a wealthy section of the State. It would split farms, cross streams, require purchase of municipal property, and divide estates.

Yet, if we could borrow money on long-term arrangement with an agency of the Federal Government, buy right-of-way other than in piecemeal lots, and get our construction started, I am firmly convinced the investment would give new impetus to our industries and soon repay the loans.

What I have said of the Detroit to Chicago route applies to the Detroit to Toledo route. I am convinced, too, that the investment in right-of-way along these routes, which the Government might sponsor, would be returned in no small measure by improvement of its so-called military road system.

A glance at a list of War Department material requirements will emphasize the need of keeping transportation routes to our major industrial city unclogged in time of war.

Despite every possible precaution, more than 1,500 people in Michigan died as a result of traffic accidents last year. I believe that appalling loss could have been greatly reduced by widened streets and straightened, limited access highways, by the use of some of that costly property which jams traffic together at city gateways and overcrowds it on mixed pleasure and commercial highways.

To support that statement, there are attached some tabulations of accident percentages on highways where Federal assistance in obtaining room for new construction could save the lives of our motorists.

The CHAIRMAN. Without objection, they will be made a part of the record.

The tables referred to by Mr. Van Wagoner are as follows:

TABLE 3.—*Motor vehicle traffic in 1930 and 1936 on rural State trunk lines that connect Detroit and Toledo, and Detroit and Chicago*

	Average daily traffic volume				
	1930		1936		Percent of increase 1930 to 1936 [1]
	Number	Percent	Number	Percent	
Detroit and Toledo:					
Passenger cars	5,257	86	6,583	78	25
Trucks and busses	550	9	609	7	11
Tractors and trucks with trailers	306	5	1,235	15	304
All vehicles	6,113	100	8,426	100	38
Detroit and Chicago:					
Passenger cars	4,931	87	5,984	80	21
Tractors and busses	624	11	709	10	14
Tractors and trucks with trailers	113	2	757	10	570
All vehicles	5,668	100	7,450	100	31

[1] All traffic in the State increased 18 percent from 1930.

The pressure on these two important industrial trunk lines is greater than is indicated by the percentages of traffic increase. The growth of their traffic at a rate nearly twice that in the State as a whole points to a still greater need for added capacity, but the fact that the heaviest, slowest, and largest-dimensioned components of their traffic have increased more than three and five fold, respectively, emphasizes the necessity for providing facilities of a special type.

The presence of large, slow-moving commercial vehicles on a general-use pavement means that the faster traffic units must make more overtaking and passing maneuvers. When these conditions exist on a single pavement carrying traffic moving in opposite directions, traffic is slowed down and subjected to unusual hazards. Under these circumstances divided roadways for directional traffic are required if motor-vehicle transportation needs are to be served efficiently and safely.

ACCIDENTS AND HIGHWAY TRAFFIC AND ADEQUACY

Traffic-accident occurrence is accepted as one of the indexes of highway adequacy. The following tables show the distribution of accidents on different classes of roadways in Michigan and their concentration on certain strategic trunk-line routes and sections of routes. The figures and percentages in all cases relate to fatal accidents, the records of which are accepted as accurate and therefore suitable for statistical analysis.

FATAL TRAFFIC ACCIDENTS, 1934–37, INCLUSIVE

Distribution to system of occurrence in percentages of State-wide 4-year total

SYSTEM	
Urban streets	47.86
Detroit streets	240.83
Other urban streets	23.03
Rural roads	52.14
State trunk lines	34.41
Other rural roads	17.73
State total	100.00

These percentages indicate that the urban-accident problem is centered in Detroit and that most rural accidents occur on trunk-line highways.

FATAL RURAL TRUNK-LINE ACCIDENTS, 1934 TO 1937, INCLUSIVE

On selected heavy-traffic routes, in percentages of rural State trunk-line 4-year total

Route:	
U S 24 and 25, State line to junction	4.5
U S 24, junction to Pontiac	2.1
U S 25, junction to Detroit	.5
U S. 25, Detroit to Port Huron	1.5
Total for U S 24 and 25	8.6
U S 12, Detroit to State line	6.4
U S 112, Detroit to New Buffalo	6.6
M–60, Jackson to Niles	.8
Total U S 12 and 112 and M–60	12.8
Total 5 routes	21.4

These five routes comprise about 7 percent of the total rural State trunk-line mileage.

Seven percent of trunk-line mileage accounts for 21.4 percent of total rural trunk-line accidents.

Ninety-three percent of trunk-line mileage accounts for 78.6 percent of total trunk-line accidents.

FATAL ACCIDENT OCCURRENCE IN ZONES ABOUT CITIES, 1934 TO 1937, INCLUSIVE

Types of fatal accidents occurring in 1-, 3-, and 5-mile zones about cities in percentages of total rural State trunk-line fatal accidents of each type

	1-mile zone—12.3 percent system mileage	3-mile zone—32.9 percent system mileage	5-mile zone—48.6 percent system mileage
All fatal accidents	28.1	52.3	68.6
Pedestrian accidents	34.4	57.3	72.4
Intersection accidents	26.5	49.6	67.5
Between intersections	25.6	50.2	66.7

These percentages point clearly to sections of trunk line in the vicinity of cities as the places where fatal accident occurrence is concentrated. This is due to the suburban development along these sections, which causes higher traffic volumes and a mixture of local and through travel on the same pavements. Isolating through traffic on a limited-access express way in metropolitan districts would cut down most of these types of accidents, particularly those in which pedestrians are involved and those at intersections.

FATAL ACCIDENT OCCURRENCE IN ZONES ABOUT DETROIT AND OTHER CITIES, 1934–37

Fatal trunk-line accidents per mile of trunk line

	0- to 1-mile zone		2- to 3-mile zone		4- to 5-mile zone	
	Detroit	All cities	Detroit	All cities	Detroit	All cities
All types	1.37	0.50	0.64	0.24	0.67	0.21
Pedestrian	.75	.16	.09	.06	.11	.05
Intersection	.33	.07	.36	.04	.33	.03
Between intersections	.29	.26	.18	.14	.22	.14

Concentration of the suburban fatal accident problem in the Detroit area is shown by these figures. Unquestionably an explanation of the preponderance in the metropolitan area is that suburban development and traffic volumes on suburban trunk lines are greater there. The fact that the contrast is less pronounced in the case of "between intersection" accidents is probably due to the considerable mileage of divided roadways entering Detroit.

DETROIT FATAL TRAFFIC ACCIDENTS, 1935

A study of street accidents in Detroit made by the Detroit traffic survey indicates that 22.6 percent of all fatal accidents in that year occurred on the route of U S 25 through the city, the route of U S 12 and 112 into the city, and one of the projected routes of the proposed cross-town artery. The conditions which caused these accidents, so far as they had to do with street design and adequacy, would be relieved by the construction of the latter route.

Mr. VAN WAGONER. It is not for me to suggest technical changes in the form of the bill. Final draft of this measure is a task for you legislators, and I have confidence in your judgment and ability.

Thank you for your attention. I will be glad to answer, if I can, any questions you may ask.

The CHAIRMAN. We thank you, Mr. Van Wagoner, for your very fine statement and for the information you have given us.

Mr. VAN WAGONER. Thank you.

Mr. CARTWRIGHT. Mr. Speaker, I yield such time as he may desire to the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK of Arizona. Mr. Speaker, I favor this bill authorizing appropriations for highway building for a 2-year period. As might be expected, I have received numerous telegrams from authorities in Arizona urging the passage of this legislation. It may seem that Congressmen from the Western States are very insistent with regard to highway legislation and appropriation, but I assure you that it is exceedingly vital to us out into the great open spaces.

With seventy-odd percent of the entire area of the State of Arizona owned and controlled by the United States Government, it must be plainly evident that Federal aid for that State in highway building is imperative. It is impossible for us to have a scientific highway system traversing my State in any direction without crossing Government lands. So largely true is this that the United States Government

ought to pay for all the cost of construction throughout most of that State.

All of our appropriations in these trying times are judged with relation to national defense. From that standpoint, we ought to regard highways as a part of our preparedness program. Military experts have suggested defense highways extending from the Mexican to the Canadian border. In fact, we ought to have several such defense highways. Some of them should be through the interior part of our country beyond the reach of a foe attacking our seacoast. Such a highway should extend through the more accessible part of our Rocky Mountain area, traversing such States as Arizona, Utah, Idaho, and others.

Existing highways, by improvement, could be made to serve as defense highways, and I believe that it would be good strategy and a proper expenditure of defense funds to complete such military highways along strategic routes both for defense and commerce. It is wise national economy to combine these better-class highways for military and commercial purposes, useful in war or peace. I favor the bill before us as a continuation of a wise program initiated some years ago.

Mr. ROBSION of Kentucky. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ROBSION of Kentucky. Mr. Speaker, it is a pleasure to me to rise in support of this measure authorizing approximately $180,000,000 for Federal aid for the Federal-aid highway system, secondary or feeder roads, to aid in the elimination of railroad-grade crossings, to build highways in our national parks and Indian reservations, and so forth, and to aid the counties and cities to secure loans to provide for rights-of-way.

About 20 years ago it was my pleasure to introduce and have charge of the first great Federal-aid road bill in the House. The measure to which I refer became the Federal Road Act of November 9, 1921. This policy of Federal aid for highways once adopted has been carried through for a period of 20 years and we have developed a great system of unified and coordinated highways embracing hundreds of thousands of miles, connecting every county seat and the industrial and populous communities of every part of the Nation. A person getting on any part of this great system of highways in any part of our Nation may now travel to all parts of our great country.

It is needless to say that there is no legislation in which I have been more interested than in providing Federal aid for our highways. This is known as the great farm-to-market system of highways.

Nothing has contributed or will contribute more to our preparedness and our national defense than this great unified system of highways. This system has greatly enriched and benefited agriculture, labor, industry, and commerce. It has made possible the employment annually of millions of workers throughout the Nation. It has brought a good road to more than 90 percent of the population of our country. It has contributed in the building up of our farms, our schools, churches, and homes. It has brought comfort and happiness to our entire population. No money spent has meant more to the peace, happiness, and prosperity of the American people than the money that has been appropriated and expended in developing this great highway system; and I am happy to be present on today and vote to add to the further development and improvement of the greatest, finest, and best highway system of any country of the world.

The SPEAKER. All time has expired.

The question is, Shall the rules be suspended and the bill as amended pass?

The question was taken; and two-thirds having voted in the affirmative, the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

Mr. CARTWRIGHT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to extend their own remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

RIVER AND HARBOR APPROPRIATION BILL

Mr. DEROUEN. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 9972) authorizing the improvement of certain rivers and harbors in the interest of the national defense, and for other purposes.

The Clerk read as follows:

Be it enacted, etc., That the following works of improvement of rivers, harbors, and other waterways are hereby adopted and authorized, to be prosecuted in the interest of the national defense under the direction of the Secretary of War and supervision of the Chief of Engineers, in accordance with the plans recommended in the respective reports hereinafter designated and subject to conditions set forth therein:

Kennebec River, Maine; improvement in accordance with the report on file in the Office, Chief of Engineers;

Boston Harbor, Mass.; House Documents Nos. 225 and 362, Seventy-sixth Congress;

Nantasket (Hull) Gut and Weymouth Fore River, Mass.; House Document No. 568, Seventy-sixth Congress;

Thames River, Conn.; House Document No. 367, Seventy-sixth Congress;

Raritan River, N. J.; channel to the Raritan Arsenal in accordance with the report on file in the Office, Chief of Engineers;

Baltimore Harbor, Md.; channel in Curtis Creek in accordance with the report on file in the Office, Chief of Engineers;

Middle River and Dark Head Creek, Md.; House Document No. 556, Seventy-sixth Congress;

Portsmouth Harbor, Va.; channel to Nansemond Ordnance Depot in accordance with the report on file in the Office, Chief of Engineers;

Channel from Manteo to Oregon Inlet, N. C.; House Document No. 313, Seventy-sixth Congress;

Silver Lake Harbor, N. C.; House Document No. 325, Seventy-sixth Congress;

Charleston Harbor, S. C.; House Document No. 259, Seventy-sixth Congress;

Charleston Harbor, S. C.; channel to the ordnance depot in accordance with the report on file in the Office, Chief of Engineers;

Mobile Harbor, Ala.; House Documents Nos. 221 and 282, Seventy-sixth Congress;

Corpus Christi, Tex.; channel to and including a turning basin at Navy seaplane base, Encinal Peninsula, in accordance with the report on file in the Office, Chief of Engineers;

Oswego Harbor, N. Y.; House Document No. 96, Seventy-sixth Congress;

San Diego Harbor, Calif.; seaplane basin and related works in accordance with the plan recommended in the report on file in the Office, Chief of Engineers;

Los Angeles and Long Beach Harbors, Calif.; improvement in accordance with the plan recommended in the report on file in the Office, Chief of Engineers;

Sitka Harbor, Alaska; House Document No. 331, Seventy-sixth Congress;

Kodiak Harbor, Alaska; House Document No. 332, Seventy-sixth Congress;

Keehi Lagoon, Oahu, T. H.; House Document No. 329, Seventy-sixth Congress; and

San Juan Harbor, P. R.; House Document No. 364, Seventy-sixth Congress.

SEC. 2. The following modifications of projects, involving no cost to the United States, in addition to that heretofore authorized, are hereby adopted and authorized to be prosecuted:

Wilmington Harbor, Del., in accordance with the provisions of House Document No. 658, Seventy-sixth Congress;

Cleveland Harbor, Ohio; the existing project set forth in House Document No. 84, Seventy-fourth Congress, and authorized by Public Law No. 392, Seventy-fifth Congress, is hereby modified to provide that cuts or partial cuts may be made before the related railroad bridges are modified or rebuilt when in the opinion of the Chief of Engineers such procedure will be advantageous to navigation;

The second proviso in section 2 of the act of August 26, 1937 (50 Stat. 844, 850), authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, is hereby amended to read as follows: "*Provided further*, That the entire Central Valley project, California, heretofore authorized and established under the provisions of the Emergency Relief Appropriation Act of 1935 (49 Stat. 115) and the First Deficiency Appropriation Act, fiscal year 1936 (49 Stat. 1622), is hereby reauthorized and declared to be for the purposes of improving navigation, regulating the flow of the San Joaquin River and the Sacramento River, controlling floods, providing for storage and for the delivery of the stored waters thereof, for construction under the provisions of the Federal reclamation laws of such

distribution systems as the Secretary of the Interior deems necessary in connection with lands for which said stored waters are to be delivered, for the reclamation of arid and semiarid lands and lands of Indian reservations, and other beneficial uses, and for the generation and sale of electric energy as a means of financially aiding and assisting such undertakings, and in order to permit the full utilization of the works constructed to accomplish the aforesaid purposes."

SEC. 3. That the paragraph in section 1 of the River and Harbor Act, approved July 25, 1912, authorizing the removal of temporary obstructions from tributaries of waterways under Federal improvement (37 Stat. L. 722), as amended in section 3 of the act entitled "An act authorizing the construction, repair, and preservation of certain public work on rivers and harbors, and for other purposes", approved July 3, 1930, is hereby amended to read as follows:

"The Chief of Engineers, in his discretion, and after approval by the Secretary of War, is hereby authorized to make preliminary examinations and minor surveys preliminary thereto and to remove snags and other temporary or readily removable obstructions from tributaries of waterways already under Federal improvement or in general use by navigation, or to make such minor improvements in any of the navigable waters of the United States as he may deem advisable in the interest of national defense, the cost thereof to be paid from funds appropriated for the maintenance and improvement of rivers and harbors: *Provided*, That the cost of such work in any single year shall not exceed $3,000 per tributary."

SEC. 4. The project for the Denison Reservoir on Red River in Texas and Oklahoma, authorized by the Flood Control Act approved June 28, 1938, is hereby declared to be for the purpose of improving navigation, regulating the flow of the Red River, controlling floods, and for other beneficial uses.

The SPEAKER. Is a second demanded? [After a pause.] If not, the Chair will put the question.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GOVERNMENT FOR THE TERRITORY OF HAWAII

Mr. GREEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9185) to amend section 73 of an act entitled "An act to provide a government for the Territory of Hawaii," with Senate amendments, and agree to the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 6, strike out "paragraph" and insert "paragraphs."

Page 1, line 9, after "paragraph", insert "excluding those homesteads under the control of the Hawaiian Homes Commission as provided in section 203 of the Hawaiian Homes Commission Act, 1920."

Page 3, lines 22 and 23, after "modified", insert "whereupon liability for payment of any balance then due under such special homestead agreement shall terminate."

The SPEAKER. Is there objection to the request of the gentleman from Florida?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman explain the legislation?

Mr. KING. Mr. Speaker, I may say this bill passed the House, went to the Senate, and has been returned with two minor clarifying amendments.

Mr. MARTIN of Massachusetts. What are the amendments?

Mr. KING. The purpose of the bill itself is to permit the local government to make certain refunds to homesteaders. No Federal funds are involved. The only reason this is before the Congress at all is that we have no authority to amend the organic act.

Mr. MARTIN of Massachusetts. This is simply an Hawaiian bill?

Mr. KING. That is right.

Mr. MARTIN of Massachusetts. There is no objection by any member of the committee to it?

Mr. KING. No.

The SPEAKER. Is there objection to the request of the gentleman from Florida [Mr. GREEN]?

There was no objection.

The Senate amendments were agreed to and a motion to reconsider was laid on the table.

CONTINUOUS SESSION

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. EBERHARTER]?

There was no objection.

Mr. EBERHARTER. Mr. Speaker, on November 3, 1939, the extraordinary session adjourned. At that time, I voted against the adjournment resolution, because I felt the Congress should remain in session to consider grave matters involving the world situation.

At the present time, I believe that the country is faced with an emergency infinitely more grave, and it seems to me that it is our plain duty to remain in session, so that we can be ready at a moment's notice to properly take care of any situation.

World changing events are happening with lightning-like and appalling rapidity. Should we now adjourn, we would only be called upon to reassemble under extraordinary circumstances, and probably would be required to act speedily and hurriedly on measures of the greatest import. It is almost impossible to get the legislative machinery in motion in less than 2 or 3 weeks. Surely it would be better to remain in order that we may continue to give the needed and unhurried consideration to those matters which are arising almost daily, and which will, without a doubt, vitally affect the future history of this Nation. Furthermore, by remaining in session, it would give notice to all nations, belligerent and neutral alike, that this great democracy is prepared to function speedily and to meet any emergency.

At the same time, it seems to me that it would be well for the leaders of both parties to come to an agreement that purely domestic matters of a partisan or controversial character should not be taken up. Such matters can well remain in abeyance until the next regular session in January at which time we will have the benefit of the expression of the will of the people at the polls in November.

EXTENSION OF REMARKS

Mr. WOODRUFF of Michigan and Mr. BREWSTER asked and were given permission to extend their own remarks in the RECORD.

PASSAGE OF FEDERAL-AID HIGHWAY BILL

Mr. MOTT. Mr. Speaker, I ask unanimous consent to proceed for one-half minute.

The SPEAKER. Is there objection to the request of the gentleman from Oregon [Mr. MOTT]?

There was no objection.

Mr. MOTT. Mr. Speaker, the Federal-aid highway bill, H. R. 9575, passed the House a few minutes ago, and there was not a roll call vote; however, I think it should be noted in the RECORD that this bill passed unanimously. All of those present and voting, voted in favor of the road bill. No Member of the House voted against it.

EXTENSION OF REMARKS

Mr. JARRETT. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. JARRETT]?

There was no objection.

Mr. LANDIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include reports from the Department of Commerce.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. LANDIS]?

There was no objection.

EXAMINATION OF CIVILIAN NAUTICAL SCHOOLS

Mr. BLAND. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9262) to provide for the examination of civilian nautical schools and for the inspection of vessels used in connection therewith, and for other purposes, with a Senate amendment thereto, and agree to the Senate amendment. I may say the committee met the other day, and there is no objection to this amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 3, after line 20, insert:
"SEC. 4. The provisions of section 3 of this act shall not apply to vessels of the Navy or the Coast Guard used by or in connection with civilian nautical schools."

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. BLAND]?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman explain the amendment?

Mr. BLAND. All the amendment does is to specifically provide that it shall not apply to Coast Guard and Navy vessels. We thought it impliedly did that when we passed the bill. I took this up in committee Saturday and the committee agreed to the amendment.

Mr. MARTIN of Massachusetts. It has the unanimous approval of the committee?

Mr. BLAND. Yes.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. BLAND]?

There was no objection.

The Senate amendment was agreed to and a motion to reconsider was laid on the table.

ENROLLED JOINT RESOLUTION AND BILLS SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H. J. Res. 551. Joint resolution providing for the taking effect of Reorganization Plan No. V.

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 186. An act to amend sections 798 and 800 of the Code of Law for the District of Columbia, relating to murder in the first degree;

S. 920. An act conferring jurisdiction upon the United States District Court for the District of Montana to hear, determine, and render judgment upon the claim of the estate of Joseph Mihelich;

S. 1649. An act for the relief of Alan C. Winter, Jr., and Elizabeth Winter;

S. 2083. An act conferring jurisdiction upon the United States District Court for the District of New Jersey to hear, determine, and render judgment upon the claims of Parker McKee, Sr., and Louise McKee; and

S. 2132. An act for the relief of Katherine Scott, Mrs. J. H. Scott, Jettie Stewart, and Ruth Mincemeyer.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 30 minutes p. m.) the House adjourned until tomorrow, Tuesday, June 4, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce on Tuesday, June 4, 1940, at 10 a. m.

Business to be considered: To continue hearings on S. 280 and H. R. 145, motion pictures. The opposition will continue.

COMMITTEE ON MINES AND MINING

The subcommittee on Mines and Mining that was appointed to consider S. 2420 will continue hearings on Tuesday, June 4, Thursday, June 6, and Friday, June 7, 1940, at 10 a. m. each morning, in the committee rooms in the New House Office Building.

COMMITTEE ON FOREIGN AFFAIRS

There will be a meeting of the Committee on Foreign Affairs at 10 a. m., Tuesday morning, June 4, 1940.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization in room 445, old House Office Building, at 10:30 a. m., on Wednesday, June 5, 1940, for the consideration of private bills.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold a public hearing on Thursday, June 6, 1940, at 10 a. m., on the following bill:

H. R. 9913, relating to citizenship requirements for manning of vessels, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1712. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the District of Columbia for the fiscal year 1940 in the amount of $8,800 (H. Doc. No. 800); to the Committee on Appropriations and ordered to be printed.

1713. A communication from the President of the United States, transmitting supplemental estimates of appropriations and draft of a proposed provision pertaining to existing appropriations for the Department of Commerce for the fiscal year 1941, amounting to $236,000 (H. Doc. No. 801); to the Committee on Appropriations and ordered to be printed.

1714. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1941 for the Department of Agriculture in the sum of $380,000 (H. Doc. No. 802); to the Committee on Appropriations and ordered to be printed.

1715. A letter from the Administrator, Federal Works Agency, transmitting draft of a proposed bill authorizing a reduction in the rate of interest to be paid on certain loans and advances to the District of Columbia by the United States of America through the Public Works Administration; to the Committee on the District of Columbia.

1716. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Treasury Department for the fiscal year 1941, amounting to $2,518,900 (H. Doc. No. 803); to the Committee on Appropriations and ordered to be printed.

1717. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the legislative establishment, Architect of the Capitol, for the fiscal year 1941 in the amount of $585,000 (H. Doc. No. 804); to the Committee on Appropriations and ordered to be printed.

1718. A communication from the President of the United States, transmitting an estimate of appropriation for the American Negro Exposition, amounting to $75,000, to be immediately available until December 31, 1940 (H. Doc. No. 895); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. STEAGALL: Committee on Banking and Currency. H. R. 9958. A bill to authorize the purchase by the Reconstruction Finance Corporation of stock of Federal home-loan banks; to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes; without amendment (Rept. No. 2363). Referred to the Committee of the Whole House on the state of the Union.

Mr. RAMSPECK: Committee on the Civil Service. H. R. 9041. A bill to provide that assistant or deputy heads of certain bureaus in the Department of the Interior shall be appointed under the civil-service laws, and for other purposes; with amendment (Rept. No. 2364). Referred to the Committee of the Whole House on the state of the Union.

Mr. CALDWELL: Committee of conference on the disagreeing votes of the two Houses. H. R. 9109. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year

ending June 30, 1941, and for other purposes. (Rept. No. 2368.) Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. MASON: Committee on Immigration and Naturalization. H. R. 8432. A bill for the relief of Florence Chumley; without amendment (Rept. No. 2365). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 9027. A bill for the relief of Dr. Gustav Weil, Irma Weil, and Marion Weil; without amendment (Rept. No. 2366). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 9589. A bill granting a pension to Frances Folsom Cleveland Preston; without amendment (Rept. No. 2367). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DICKSTEIN:

H. R. 9980. A bill to revise and codify the nationality laws of the United States into a comprehensive nationality code; to the Committee on Immigration and Naturalization.

By Mr. MAY:

H. R. 9981. A bill to authorize the construction of certain facilities in Marjorie Park, Davis Island, Tampa, Fla., and for other purposes; to the Committee on Military Affairs.

By Mr. BLAND:

H. R. 9982. A bill to require, during an emergency, the shipment and discharge of seamen on certain vessels of the United States before shipping commissioners, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. LAMBERTSON:

H. R. 9983. A bill to confer jurisdiction on the United States Court for the Eastern District of Missouri to render judgment on claims for damages resulting from the development and building of the Jefferson National Expansion Memorial project in St. Louis, Mo.; to the Committee on Claims.

By Mr. TOLAN:

H. R. 9984. A bill removing the $3,000 limitation on the amount of naturalization fees permitted to be retained by clerks of courts exercising naturalization jurisdiction; to the Committee on Immigration and Naturalization.

By Mr. MAY:

H. J. Res. 555. Joint resolution to provide for the observance, safeguarding, and enforcement of neutrality, and the strengthening of the national defense, and the promotion of peace; to the Committee on Military Affairs.

By Mr. BLOOM:

H. J. Res. 556. Joint resolution approving nonrecognition of the transfer of any geographic region in the Western Hemisphere from one non-American power to another non-American power, and providing for consultation with other American republics in the event that such transfer should appear likely; to the Committee on Foreign Affairs.

By Mr. JONES of Texas:

H. Res. 507. Resolution providing additional compensation to the stenographer in the office of the Sergeant at Arms; to the Committee on Accounts.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to consider their Senate Joint Resolutions No. 1 and No. 2, with reference to flood control; to the Committee on Flood Control.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DEMPSEY:

H. R. 9985. A bill for the relief of Antonio Armijo; to the Committee on Claims.

By Mr. EVANS:

H. R. 9986. A bill for the relief of Ernst August Meyer; to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8546. By Mr. KEOGH: Petition of the Building and Construction Trades Council of Greater New York, Long Island, and vicinity, favoring the passage of Senate bill 591; to the Committee on Banking and Currency.

8547. Also, petition of the Greater New York Federal Credit Union, favoring the passage of House bill 9886; to the Committee on Banking and Currency.

8548. Also, petition of the American Guild of Variety Artists, Philadelphia, Pa., concerning the Neely bill; to the Committee on Interstate and Foreign Commerce.

8549. Also, petition of the International Association of Machinists, Brooklyn, N. Y., opposing any amendments to the Walsh-Healey Act; to the Committee on Labor.

8550. By Mr. ROMJUE: Resolution of the Association of Sheriffs and Chiefs of Police of Missouri at their annual convention, held at St. Joseph, Mo., May 27 to 29, 1940, commending the Director of the Federal Bureau of Investigation, Hon. John Edgar Hoover, and the members of his staff for their excellent cooperation, their splendid, fair investigative work, and their excellent cooperation in the fields of fingerprinting, training, technical, and statistical service, and further valuable aid as a clearing house for law enforcement; to the Committee on the Judiciary.

8551. By Mr. TREADWAY: Petition of sundry citizens of Athol and Orange, Mass., urging the enactment of House bill 9485, to provide domiciliary and hospital care and medical treatment to World War veterans of the United States merchant marine; to the Committee on World War Veterans' Legislation.

8552. By Mr. WELCH: California Senate Joint Resolution No. 2, relative to damage by earthquake in Imperial Valley; to the Committee on the Public Lands.

8553. Also, California Senate Joint Resolution No. 1, relative to memorializing the President and Congress with reference to the authorization of flood-control projects in California; to the Committee on Flood Control.

8554. By the SPEAKER: Petition of the United Electrical, Radio, and Machine Workers of America, Brooklyn, N. Y., petitioning consideration of their resolution with reference to the National Labor Relations Act; to the Committee on Labor.

8555. Also, petition of the Workers' Alliance of San Francisco, San Francisco, Calif., petitioning consideration of their resolution with reference to deportation of Harry Bridges; to the Committee on Immigration and Naturalization.

8556. Also, petition of the Jewish Peoples Committee, New York, N. Y., petitioning consideration of their resolution with reference to House bill 9858, concerning quota immigration; to the Committee on Immigration and Naturalization.

8557. Also, petition of the United Automobile Workers of America, Local 230, Huntington Park, Calif., petitioning consideration of their resolution with reference to deportation of Harry Bridges; to the Committee on Immigration and Naturalization.

8558. Also, petition of the Minneapolis Junior Association of Commerce, petitioning consideration of their resolution with reference to aeronautics; to the Committee on Interstate and Foreign Commerce.

8559. Also, petition of the United Automobile Workers of America, Local 455, Saginaw, Mich., petitioning consideration of their resolution with reference to Senate bill 591, United

States Housing Authority program; to the Committee on Banking and Currency.

8560. Also, petition of the San Joaquin County Industrial Union Council, Stockton, Calif., petitioning consideration of their resolution with reference to deportation of Harry Bridges; to the Committee on Immigration and Naturalization.

8561. Also, petition of Local No. 103, International Union of Mine, Mill, and Smelter Workers, Bessemer, Ala., petitioning consideration of their resolution with reference to the present defense program; to the Committee on Military Affairs.

8562. Also, petition of the International Union of Mine, Mill, and Smelter Workers, Local 157, Bessemer, Ala., petitioning consideration of their resolution with reference to the present defense program; to the Committee on Military Affairs.

8563. Also, petition of the Women's International League for Peace and Freedom, Massachusetts Branch, Boston, Mass., petitioning consideration of their resolution with reference to the time Congress shall remain in session; to the Committee on Ways and Means.

8564. Also, petition of Local 1-4, International Longshoremen and Warehousemen's Union, Vancouver, Wash., petitioning consideration of their resolution with reference to deportation of Harry Bridges; to the Committee on Immigration and Naturalization.

8565. Also, petition of Santa Clara and San Benito Counties Industrial Union Council, California, petitioning consideration of their resolution with reference to deportation of Harry Bridges; to the Committee on Immigration and Naturalization.

8566. Also, petition of the Lithuanian Literature Association, Branch 52, Detroit, Mich., petitioning consideration of their resolution with reference to antialien bills; to the Committee on Immigration and Naturalization.

8567. Also, petition of State, County, and Municipal Workers of America, Local 246, Los Angeles, Calif., petitioning consideration of their resolution with reference to deportation of Harry Bridges; to the Committee on Immigration and Naturalization.

8568. Also, petition of the American Cotton Shippers Association, Memphis, Tenn., petitioning consideration of their resolution with reference to regaining and retaining foreign markets for American cotton; to the Committee on Ways and Means.

8569. Also, petition of the Mining and Metallurgical Society of America, New York, petitioning consideration of their resolution with reference to selecting a new Director of the Bureau of Mines; to the Committee on Mines and Mining.

SENATE

TUESDAY, JUNE 4, 1940

(Legislative day of Tuesday, May 28, 1940)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty God, our Heavenly Father, in whom we live and move and have our being, prepare us for what this day may have to offer of new impressions of the truth, of new duties and responsibilities, and, as we lift up our hearts to Thee, we pray that they may gather calm as Thou fillest them with high and holy aspirations. If they are heavy and dull, reanimate them; if they are blurred with the stains of the flesh and the world, do Thou cleanse them. Increase unto us our faith, that we may see not a world wherein crime is crowned and virtue scourged, with liberty in chains, but a world emerging from the night of darkness into blessed day. Deliver us and all the nations of the earth from this agony of war, that the will to peace may not only prevail but lead Thy children once more to where they may find the rippling river of joy, flowing fresh and free from the heart of God, whose every wayward wave may drown each smallest fretful care. We ask it in the name of Jesus Christ, our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Monday, June 3, 1940, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Donahey	Lodge	Sheppard
Andrews	Downey	Lucas	Shipstead
Ashurst	George	Lundeen	Slattery
Austin	Gerry	McCarran	Smathers
Bankhead	Gibson	McKellar	Stewart
Barbour	Gillette	McNary	Taft
Barkley	Green	Mead	Thomas, Idaho
Bilbo	Gurney	Miller	Thomas, Okla.
Bone	Hale	Minton	Thomas, Utah
Brown	Harrison	Neely	Tobey
Bulow	Hatch	Norris	Townsend
Burke	Hayden	Nye	Truman
Byrd	Herring	O'Mahoney	Tydings
Byrnes	Hill	Overton	Vandenberg
Capper	Holman	Pepper	Van Nuys
Caraway	Holt	Pittman	Wagner
Chandler	Hughes	Radcliffe	Walsh
Chavez	Johnson, Calif.	Reed	Wheeler
Clark, Mo.	Johnson, Colo.	Reynolds	White
Connally	King	Russell	Wiley
Danaher	La Follette	Schwartz	
Davis	Lee	Schwellenbach	

Mr. MINTON. I announce that the Senator from North Carolina [Mr. BAILEY], the Senator from Idaho [Mr. CLARK], the Senator from Louisiana [Mr. ELLENDER], the Senator from Virginia [Mr. GLASS], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from Connecticut [Mr. MALONEY], the Senator from Montana [Mr. MURRAY], and the Senator from South Carolina [Mr. SMITH] are necessarily absent from the Senate.

Mr. AUSTIN. I announce that the Senator from North Dakota [Mr. FRAZIER] is necessarily absent.

The VICE PRESIDENT. Eighty-six Senators have answered to their names. A quorum is present.

EXTENSION OF THE CIVIL SERVICE TO INCLUDE POSTMASTERS

The VICE PRESIDENT laid before the Senate a letter from the Acting Postmaster General, transmitting a draft of proposed legislation amending the act of June 25, 1938, extending the classified civil service to include postmasters of the first, second, and third classes, and for other purposes, which, with the accompanying paper, was referred to the Committee on Civil Service.

PETITION

The VICE PRESIDENT laid before the Senate a resolution adopted by the executive board and membership of Silverton Miners' Union, No. 26, International Union of Mine, Mill, and Smelter Workers, of Silverton, Colo., requesting that a thorough investigation be made as to the alleged "mysterious disappearance" of certain confidential files or documents of the National Labor Relations Board in connection with an investigation conducted by a committee of the House of Representatives relative to the case of the American Potash and Chemical Corporation, the original charges having been filed more than 4 years ago and the Board having ruled against the corporation and in favor of the union, and such ruling having been sustained by the courts, which was referred to the Committee on Education and Labor.

REPORTS OF COMMITTEES

Mr. CONNALLY, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 8076) to authorize the furnishing of steam from the central heating plant to the National Academy of Sciences, and for other purposes, reported it without amendment.

Mr. BROWN, from the Committee on Claims, to which was referred the bill (S. 3437) for the relief of the Franco-Ameri-

can Construction Co., reported it with amendments and submitted a report (No. 1753) thereon.

ENROLLED BILLS PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that that committee presented to the President of the United States the following enrolled bills:

On May 31, 1940:

S. 1239. An act for the relief of Priscilla M. Noland;

S. 1289. An act for the relief of the city of Leavenworth, Kans.;

S. 1445. An act for the relief of Bruno Arena;

S. 1474. An act for the relief of Thomas G. Abbitt;

S. 1839. An act for the relief of Le Roy Breithaupt;

S. 1942. An act for the relief of the legal representatives of Anna Barbara Kosick, deceased;

S. 2199. An act for the relief of Isadore J. Friedman;

S. 2234. An act for the relief of Walter R. Maguire;

S. 2268. An act for the relief of Roxie Richardson;

S. 2419. An act for the relief of Walter J. Hogan and W. R. Larkin, in connection with the construction, operation, and maintenance of the Fort Hall Indian irrigation project, Idaho;

S. 2572. An act for the relief of Anna M. Shea;

S. 2667. An act for the relief of Mr. and Mrs. John W. Finley;

S. 2798. An act for the relief of Charles H. Parr;

S. 3071. An act for the relief of Luther Devoe;

S. 3073. An act for the relief of Verle S. Ward;

S. 3091. An act for the relief of Barnet Warren;

S. 3092. An act for the relief of Maj. John R. Holt;

S. 3233. An act for the relief of C. T. Jensen;

S. 3304. An act for the relief of J. Frank Kuner, private, uniformed force, United States Secret Service;

S. 3307. An act to amend an act entitled "An act for the relief of Mrs. A. R. Barnard, Charles A. Stephens, Donald W. Prairie, and dependents of Vern A. Needles," approved July 15, 1939;

S. 3328. An act for the relief of Dorothy Crossing;

S. 3487. An act for the relief of the heirs of Lt. William Lee Clemmer, Coast Guard; and

S. 3789. An act for the relief of the Eberhart Steel Products Co., Inc.

On June 3, 1940:

S. 920. An act conferring jurisdiction upon the United States District Court for the District of Montana to hear, determine, and render judgment upon the claim of the estate of Joseph Mihelich;

S. 1649. An act for the relief of Alan C. Winter, Jr., and Elizabeth Winter; and

S. 2083. An act conferring jurisdiction upon the United States District Court for the District of New Jersey to hear, determine, and render judgment upon the claims of Parker McKee, Sr., and Louise McKee.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NEELY:

S. 4087. A bill authorizing the Big Creek Bridge Co., Consolidated, its successors and assigns, to construct, maintain, and operate a bridge across the Tug Fork of the Big Sandy River at or near Nolan, W. Va.; to the Committee on Commerce.

By Mr. JOHNSON of California:

S. 4088. A bill to grant retirement benefits to Chinese, Japanese, and Hindu interpreters in the United States Immigration and Naturalization Service; to the Committee on Civil Service.

S. 4089. A bill to authorize percentage increases in computing the retired pay of certain retired officers of the Navy and Marine Corps for active duty performed subsequent to retirement; to the Committee on Naval Affairs.

By Mr. BARKLEY:

S. 4090. A bill to authorize the Attorney General to donate on behalf of the United States to H. S. Scott, D. W. Collins, Fred M. Gross, trustees, Ashland District Council, Boy Scouts of America, the log house known as the John Secrest home, located on the site of the Federal Correctional Institution near Ashland, Ky.; to the Committee on the Judiciary.

By Mr. DONAHEY:

S. 4091 (by request). A bill authorizing the county of Lawrence, Ohio, to acquire and operate as a unit certain privately owned toll bridges across the Ohio River adjoining such county; to the Committee on Commerce.

By Mr. HERRING:

S. 4092. A bill for the relief of the K-M Construction Co.; to the Committee on Claims.

By Mr. MEAD:

S. 4093. A bill to exempt certain State-owned-and-operated carriers and employees of carriers from the provisions of the Railroad Retirement Act of 1937; to the Committee on Finance.

By Mr. McKELLAR:

S. 4094. A bill authorizing the Administrator of Veterans' Affairs to transfer certain land to the city of Memphis, Tenn., for street-widening purposes; to the Committee on Finance.

By Mr. WAGNER:

S. 4095. A bill to amend the Federal Home Loan Bank Act, Home Owners' Loan Act of 1933, title IV of the National Housing Act, and for other purposes; to the Committee on Banking and Currency.

By Mr. WHITE:

S. 4096. A bill to amend part II of the Interstate Commerce Act (the Motor Carrier Act, 1935), as amended, so as to make certain provisions thereof applicable to freight forwarders; to the Committee on Interstate Commerce.

By Mr. PITTMAN:

S. 4097. A bill to provide for the disposition of estates of American citizens who die abroad; to the Committee on Foreign Relations.

By Mr. BANKHEAD:

S. 4098. A bill relating to claims for refund of processing and related taxes; to the Committee on Agriculture and Forestry.

S. 4099. A bill for the relief of James P. Bruce, Jr.; to the Committee on Claims.

(Mr. VANDENBERG introduced Senate Joint Resolution 272, which was referred to the Committee on Finance, and appears under a separate heading.)

STRENGTHENING OF THE NATIONAL DEFENSE—AMENDMENT

Mr. LA FOLLETTE submitted an amendment intended to be proposed by him to the bill (S. 4025) to expedite the strengthening of the national defense, which was ordered to lie on the table and to be printed.

RIVER AND HARBOR DEFENSE IMPROVEMENTS—AMENDMENT AS TO INTRACOASTAL WATERWAY, SHARK AND HACKENSACK RIVERS, N. J.

Mr. BARBOUR submitted an amendment intended to be proposed by him to the bill (H. R. 9972) authorizing the improvement of certain rivers and harbors in the interest of the national defense, and for other purposes, which was referred to the Committee on Commerce and ordered to be printed.

ADDRESS BY SENATOR SCHWELLENBACH ON "FIFTH COLUMN" AND CIVIL LIBERTIES

[Mr. SMATHERS asked and obtained leave to have printed in the RECORD an address on the subject "Fifth Column" and Civil Liberties delivered by Senator SCHWELLENBACH before the forty-second annual meeting of the New Jersey State Bar Association at Atlantic City, N. J., on June 1, 1940, which appears in the Appendix.]

AMERICA, PREPARE—ADDRESS BY SENATOR HILL AT CONFEDERATE MEMORIAL EXERCISES

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD an address by Senator HILL delivered at the Confederate memorial exercises, Arlington National Cemetery, June 2, 1940, which appears in the Appendix.]

ADDRESS BY SENATOR MEAD AT SEVENTH REGIMENT ARMORY, N. Y.

[Mr. MEAD asked and obtained leave to have printed in the RECORD a radio address delivered by him on June 2, 1940, at the Seventh Regiment Armory in New York City, which appears in the Appendix.]

ADDRESS BY POSTMASTER GENERAL FARLEY ON THE AIRPLANE IN PEACE AND WAR

[Mr. MEAD asked and obtained leave to have printed in the RECORD an address on the subject The Airplane in Peace and War delivered by Hon. James A. Farley, Postmaster General, at the National Aviation Forum Banquet in Washington, D. C., on May 29, 1940, which appears in the Appendix.]

MEMORIAL DAY ADDRESS BY HON. PAUL V. M'NUTT

[Mr. MINTON asked and obtained leave to have printed in the RECORD a Memorial Day address delivered by Hon. Paul V. McNutt, Federal Security Administrator, at Arlington Cemetery, May 30, 1940, which appears in the Appendix.]

THE LIBRARIAN'S PROFESSION—ARTICLE BY ARCHIBALD M'LEISH

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD an article entitled "The Librarian's Profession," by Archibald MacLeish, published in the Atlantic Monthly of June 1940, which appears in the Appendix.]

ADDRESS BY HON. JAMES P. POPE ON CONSERVATION AND DEVELOPMENT OF OUR NATIONAL RESOURCES

[Mr. BANKHEAD asked and obtained leave to have printed in the RECORD an address delivered by Hon. James P. Pope, Director, Tennessee Valley Authority, before the New School for Social Research, New York City, on May 16, 1940, on the subject of conservation and development of our national resources, which appears in the Appendix.]

ADDRESS ON RURAL ELECTRIFICATION BY HON. HARRY SLATTERY

[Mr. MCKELLAR asked and obtained leave to have printed in the RECORD an address by Rural Electrification Administrator Harry Slattery on June 3, 1940, on the subject of rural electrification, which appears in the Appendix.]

FREE SPEECH UNDER NATIONAL LABOR RELATIONS ACT

[Mr. WAGNER asked and obtained leave to have printed in the RECORD a statement by the board of directors of the American Civil Liberties Union, issued May 21, 1940, in opposition to the pending amendment to the National Labor Relations Act purporting to guarantee free speech, which appears in the Appendix.]

BROADCAST OF SPEECH OF COMMUNIST NOMINEE FOR PRESIDENT

[Mr. MEAD asked and obtained leave to have printed in the RECORD a statement issued by the Columbia Broadcasting System and an Associated Press dispatch of May 31, in relation to the broadcast of the speech of the nominee for President of the Communist Party, which appear in the Appendix.]

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 1777. An act granting the consent of Congress to the States of Montana, North Dakota, South Dakota, and Wyoming to negotiate and enter into a compact or agreement for division of the waters of the Little Missouri River;

S. 2191. An act authorizing the Secretary of the Interior to grant to the State of Montana for the use and benefit of the Montana School of Mines a patent to a certain tract of land;

S. 2262. An act to provide for a change in the time for holding court at Rock Hill and Spartanburg, S. C.;

S. 2328. An act to promote on the retired list officers who were decorated and recommended for promotion for distinguished service during the World War and who have not attained the rank to which recommended;

S. 2639. An act relating to the hours of service of persons employed upon the Government-owned Wiota-Fort Peck Railroad in the State of Montana;

S. 3014. An act to amend the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1903, and for other purposes," approved July 1, 1902 (32 Stat. 662), so as to provide uniformity in the pay of all civilian employees of the Navy Department appointed for duty beyond the continental limits of the United States and in Alaska;

S. 3042. An act to amend the act entitled "An act to establish a Civilian Conservation Corps, and for other purposes," approved June 28, 1937, as amended;

S. 3065. An act authorizing the sale of fuel, electric current, ice, and water at isolated naval stations;

S. 3491. An act to provide that fines for failure to pay license taxes in Alaska shall be disposed of as provided for the disposition of such taxes;

S. 3496. An act to prevent retardation in promotion and in pay and allowances of permanent professors of the United States Military Academy appointed by the President from the commissioned officers of the Regular Army;

S. 3642. An act granting the consent of Congress to the Secretary of the Interior and the State of Washington to construct, maintain, and operate a highway bridge across the Spokane River, Wash.;

S. 3643. An act granting the consent of Congress to the Secretary of the Interior and Stevens County, State of Washington, to construct, maintain, and operate a highway bridge across the Kettle River, near Marcus, Wash.;

S. 3644. An act granting the consent of Congress to the Secretary of the Interior and the Great Northern Railway Co. to construct, maintain, and operate two railroad bridges across the Kettle River near Marcus, Wash.;

S. 3650. An act to require the payment of prevailing rates of wages on Federal public works in Alaska and Hawaii;

S. 3677. An act to donate to the city of Seattle a totem pole carved by the Alaskan native Civilian Conservation Corps; and

S. 3693. An act to authorize the Secretary of War to grant an easement for pipe lines across public lands reserved for military purposes in the parish of Plaquemines, La.

The message also announced that the House had passed the bill (S. 3683) to remove the time limit for cooperation between the Bureau of Reclamation and the Farm Security Administration in the development of farm units on public lands under Federal reclamation projects, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 3828. An act to amend section 107 of the Judicial Code, as amended, to eliminate the requirement that suitable accommodations for holding the court at Winchester, Tenn., be provided by the local authorities; and

S. 3959. An act authorizing the Secretary of the Treasury to grant to the city of Fort Lauderdale, Fla., an easement or easements authorizing such city to construct and maintain a highway and utility facilities over the United States Coast Guard Reservation known as Base 6, at Fort Lauderdale, Fla.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 9185) to amend section 73 of an act entitled "An act to provide a government of the Territory of Hawaii," approved April 30, 1900, as amended.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H. R. 9262) to provide for the examination of civilian nautical schools and for the inspection of vessels used in connection therewith, and for other purposes.

The message also announced that the House has passed the following bills, in which it requested the concurrence of the Senate:

H. R. 7738. An act to amend the act entitled "An act to authorize the Secretary of the Interior to lease or sell certain lands of the Agua Caliente or Palm Springs Reservation, Calif., for public-airport use, and for other purposes;

H. R. 8124. An act to provide funds for cooperation with public-school districts (organized and unorganized) in Mahnomen, Itasca, Pine, St. Louis, Clearwater, Koochiching, and Becker Counties, Minn., in the construction, improvement, and extension of school facilities to be available to both Indian and white children;

H. R. 8171. An act to require the filling of all vacancies in the position of assistant postmaster in first- and second-class post offices;

H. R. 8354. An act to provide for complaint, assistance to farmers, and intervention by the Secretary of Agriculture in proceedings before the United States Maritime Commission relating to the transportation of farm products;

H. R. 8422. An act relating to the classification of substitute driver-mechanics in the Postal Service;

H. R. 8919. An act to authorize the setting aside of an area within the Canal Zone to preserve and conserve its natural features for scientific study, for providing and maintaining facilities for such study, and for other purposes;

H. R. 9063. An act authorizing the Administrator of the Federal Works Agency to transfer certain property in San Francisco, Calif., to the city and county of San Francisco for street purposes;

H. R. 9296. An act to authorize the attendance of the Marine Band at the convention of the Grand Army of the Republic to be held at Springfield, Ill., September 8 to 13, inclusive, 1940;

H. R. 9445. An act for the acquisition of Indian lands for the Grand Coulee Dam and Reservoir, and for other purposes;

H. R. 9531. An act to provide for the holding of the terms of court of the United States Court for the Eastern Division of the Eastern District of Arkansas at Forrest City, St. Francis County, Ark.; to transfer Desha County from the eastern division to the western division of the eastern district of Arkansas; and to transfer Crittenden County from the Jonesboro division to the eastern division of the eastern district of Arkansas;

H. R. 9575. An act to amend the Federal Aid Act, approved July 11, 1916, as amended and supplemented, and for other purposes;

H. R. 9751. An act for the creation of the United States De Soto Exposition Commission, to provide for the commemoration of the four hundredth anniversary of the discovery of the Mississippi River by Hernando De Soto, the commemoration of De Soto's visit to the Chickasaw Territory in northern Mississippi, and other points covered by his expedition, and the two hundred and fifth anniversary of the Battle of Ackia, and for other purposes;

H. R. 9843. An act to provide for loans to Federal land banks, for refinancing certain farm-loan bonds by the Farm Mortgage Corporation, and changing the method of fixing interest rates on land-bank mortgages;

H. R. 9859. An act providing a time limit for collection of feed and seed loans; and

H. R. 9972. An act authorizing the improvement of certain rivers and harbors in the interest of the national defense, and for other purposes.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the President pro tempore:

H. R. 5827. An act to authorize the cancelation of deportation proceedings in the case of John L. Harder and children, Paul William Harder, Irvin W. Harder, Edna Justina Harder, Elsie Anna Harder, and Elizabeth Harder;

H. R. 6158. An act authorizing the selection of a site in the District of Columbia and the erection thereon of a statue of George Washington;

H. R. 6668. An act to authorize the Secretary of the Interior to convey to the State of North Carolina for use in connection with the Blue Ridge Parkway certain land within the Cherokee Indian Reservation in the State of North Carolina;

H. R. 7811. An act to establish the Hot Springs division of the western judicial district of Arkansas;

H. R. 9185. An act to amend section 73 of an act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended;

H. R. 9262. An act to provide for the examination of civilian nautical schools and for the inspection of vessels used in connection therewith, and for other purposes; and

H. J. Res. 260. Joint resolution authorizing the removal of the statue of John Marshall from its present site on the Capitol Grounds to a new site in proximity to the Supreme Court Building.

HOUSE BILLS REFERRED OR PLACED ON CALENDAR

The following bills were severally read twice by their titles and referred, or ordered to be placed on the calendar, as indicated below:

H. R. 7738. An act to amend the act entitled "An act to authorize the Secretary of the Interior to lease or sell certain lands of the Agua Caliente or Palm Springs Reservation, Calif., for public airport use, and for other purposes"; and

H. R. 8124. An act to provide funds for cooperation with public-school districts (organized and unorganized) in Mahnomen, Itasca, Pine, St. Louis, Clearwater, Koochiching, and Becker Counties, Minn., in the construction, improvement, and extension of school facilities to be available to both Indian and white children; to the Committee on Indian Affairs.

H. R. 8171. An act to require the filling of all vacancies in the position of assistant postmaster in first- and second-class post offices;

H. R. 8422. An act relating to the classification of substitute driver-mechanics in the Postal Service; and

H. R. 9575. An act to amend the Federal Aid Act, approved July 11, 1916, as amended and supplemented, and for other purposes; to the Committee on Post Offices and Post Roads.

H. R. 8354. An act to provide for complaint, assistance to farmers, and intervention by the Secretary of Agriculture in proceedings before the United States Maritime Commission relating to the transportation of farm products; and

H. R. 9859. An act providing a time limit for collection of feed and seed loans; to the Committee on Agriculture and Forestry.

H. R. 8919. An act to authorize the setting aside of an area within the Canal Zone to preserve and conserve its natural features for scientific study, for providing and maintaining facilities for such study, and for other purposes; to the Committee on Interoceanic Canals.

H. R. 9063. An act authorizing the Administrator of the Federal Works Agency to transfer certain property in San Francisco, Calif., to the city and county of San Francisco for street purposes; to the Committee on Public Buildings and Grounds.

H. R. 9296. An act to authorize the attendance of the Marine Band at the convention of the Grand Army of the Republic, to be held at Springfield, Ill., September 8 to 13, inclusive, 1940; to the Committee on Naval Affairs.

H. R. 9445. An act for the acquisition of Indian lands for the Grand Coulee Dam and Reservoir, and for other purposes; to the calendar.

H. R. 9531. An act to provide for the holding of the terms of court of the United States Court for the Eastern Division of the Eastern District of Arkansas at Forrest City, St. Francis County, Ark.; to transfer Desha County from the eastern division to the western division of the eastern district of Arkansas; and to transfer Crittenden County from the Jonesboro division to the eastern division of the eastern district of Arkansas; to the Committee on the Judiciary.

H. R. 9751. An act for the creation of the United States De Soto Exposition Commission, to provide for the commemoration of the four hundredth anniversary of the discovery of the Mississippi River by Hernando De Soto, the commemoration of De Soto's visit to the Chickasaw Territory in northern Mississippi, and other points covered by his expedition, and

the two hundred and fifth anniversary of the Battle of Ackia, and for other purposes; to the Committee on the Library.

H. R. 9843. An act to provide for loans to Federal land banks, for refinancing certain farm-loan bonds by the Farm Mortgage Corporation, and changing the method of fixing interest rates on land-bank mortgages; to the Committee on Banking and Currency.

H. R. 9972. An act authorizing the improvement of certain rivers and harbors in the interest of the national defense, and for other purposes; to the Committee on Commerce.

NAVAL VESSEL AND AIRCRAFT EXPANSION

The Senate resumed the consideration of the bill (H. R. 9848) to authorize the construction or acquisition of naval aircraft, the construction of certain public works, and for other purposes.

Mr. WALSH. Mr. President, I think a statement for the RECORD on House bill 8026, which passed the Senate yesterday, would be informative and would make the RECORD clear as to what we are undertaking to do, step by step, in the development of our Navy.

House bill 8026, a bill for the construction of certain naval vessels, is the first of four bills before the Senate at this time.

The next bill, House bill 9848, is a bill to authorize the construction or acquisition of naval aircraft, the construction of public works, and for other purposes. This measure is now pending before the Senate, and I shall discuss it shortly.

The third bill, Senate bill 4026, authorizes and provides for the reorganization of the Navy Department by consolidating the Bureau of Construction and Repair and the Bureau of Engineering into one bureau to be known as the Bureau of Ships.

A companion bill, Senate bill 4027, provides for the transfer of the active list of the Construction Corps to the line of the Navy.

THE NAVAL VESSEL EXPANSION BILL

Turning now to House bill 8026, which passed the Senate yesterday, first of all I present a brief statement in chronological order of naval events since the Washington limitation of arms treaty in 1922.

At the time of the Washington Treaty in 1922, the Navy of the United States, in ships completed, and in process of building, was very much superior to any other navy. As a result of that treaty we scrapped many fine vessels that were nearing completion and adopted the policy of limitations of naval armaments.

While this treaty was in operation we passed the Vinson-Trammell Act which authorized the building up of our Navy to the 5–5–3 ratio originally fixed in the Washington Treaty and reenacted in the London Treaty of 1930.

In 1938 Congress again increased the strength of our Navy by authorizing the construction of approximately 46 additional combatant vessels having a total tonnage of 295,412; the construction of 26 auxiliary vessels and by increasing the number of useful naval airplanes to a total of not less than 3,000.

In 1938 it was believed that the Navy authorized to be built by the Congress would afford an adequate defense to America provided foreign nations did not expand their navies beyond what we believed they were doing. The Navy authorized at that time was not sufficiently strong to make certain our success in case of foreign attack but was believed to be sufficient to provide reasonable assurance that we would not be attacked.

While we were building up our Navy in an orderly manner, war broke out in both Europe and the Far East; other nations expanded their navies and air forces with the result that today we are below the comparative strength deemed necessary for our security. The ratios in under-age combatant ships, built, building, and appropriated for, from the most reliable sources, as of March 20, 1940, were as follows:

Great Britain	6.22
United States	5.00
Japan	3.46

We have definite information as to the extent of the British expansion program. In the case of Japan we have practically no reliable information. Japan has successfully concealed the extent of her naval building program since 1936. She appears to feel that this concealment, even though it may stimulate United States and British building, serves her interest better than would nonconcealment.

In view of world conditions the Navy Department made a resurvey of our naval needs and recommended that the Congress at this session authorize an increase in our Navy of about 25 percent at an estimated cost of $1,596,411,277. Officials of the Department believe that the 25-percent increase would fall somewhat short of maintaining parity with England, but that it would bring us about up to the 5–3 ratio with Japan if built quickly.

Officials of the Navy Department were of the opinion that the program recommended by them:

(a) Would provide considerable added strength.

(b) Would provide some degree of protection against any probable enemy combination.

(c) Could be accomplished at a reasonable construction rate.

(d) Would not entail exorbitant costs.

(e) Could be met with existing labor markets augmented by a vigorous training program.

(f) Would not too greatly disturb the Nation's economic situation if conditions should necessitate accelerating or abandoning the program.

The committee feels that the program submitted by the Department may require revision upward in the future.

The Committee on Naval Affairs of the House of Representatives, after considering the views of the Navy Department, reported favorably and the House of Representatives passed a bill authorizing an increase of our Navy. The bill, however, limited the expansion program to the maximum tonnages that could be laid down over a period of 2 years.

There is a definite limit to the practice of deferring current building of ships and planes to accord with the pace of inventive and scientific changes in design and construction. We must have an adequate number of ships and planes at any given time, whatever the expense and whatever the chances of their early obsolescence.

All our naval experts, as well as the members of the Senate and House Committees on Naval Affairs, who investigated the needs of our Navy are convinced that unless we accelerate our naval shipbuilding program, our Navy in the near future will not be sufficiently strong to make certain our success in case of foreign attack. Many of them are convinced that our best hope of remaining at peace is to make our Navy so strong that no nation will think of attacking us.

Next, I present the conclusions reached by the Senate Committee on Naval Affairs on the needs of our Navy today:

After examining thoroughly all available facts; after considering carefully the views of our most responsible and best informed naval officers and naval experts and the views of other competent persons interested in the problem of national defense, the committee has arrived at the following conclusions:

1. Our economic problems and military situation are not similar to those of other nations, and courses of action which may be appropriate for them to follow are not necessarily appropriate for this country. Examples of basic differences may be cited as follows:

(a) The British Empire is today both a continental power since it can be attacked directly by aircraft and an insular country since the British Isles are dependent upon the sea for importation of food and vital raw materials. Our country on the other hand is, in effect, an insular nation.

(b) Germany's chief economic problem is the acquirement of raw materials. Our country is well supplied with most raw materials and our chief economic problem is that of converting these raw materials into useful products and distributing them more equitably among our peoples.

2. In the military sense the United States is an insular Nation and can be defended upon the seas.

3. An insular nation cannot be defeated if it is able to maintain command of the sea and air approaches to its shores and its vital trade routes.

4. An insular nation dependent upon the sea for the importation of food, or raw materials essential to her industries and the creation of weapons of defense, can be defeated and forced to sue for peace without invasion or military conquest by an enemy sufficiently strong to command the seas.

5. The United States at the present time is not vulnerable to direct attack by any means whatsoever save those with which a thoroughly modern Navy and air force can deal adequately.

6. Air power, due to its limited radius of action, has not yet changed the fact that in a military sense we are an insular Nation and that we are not vulnerable to direct attack if we prevent the establishment of air bases in this hemisphere.

7. Military power can always be exercised more efficiently and to much greater effect within a reasonable radius of action than it can by fighting thousands of miles away.

8. The instrumentalities of war required to make reasonably sure that we shall not be threatened or attacked are: A Navy sufficiently strong to meet and defeat any potential enemy before he reaches our shores; an Army and an air force of sufficient strength to give our Navy freedom of action; and the necessary secure bases from which our fleet and air forces can operate effectively.

9. It is not enough merely to defend ourselves. Without the means and the will to carry the fight to an enemy, in case we are attacked, there can be no alternative other than subjugation to his wishes. Without a Navy capable of controlling the sea areas against an enemy the importation could be prevented of the necessary raw materials required for our industries, our outlying possessions could be captured and used against us as advance bases, there would be nothing to prevent the establishment of bases in this hemisphere from which, as well as from aircraft carriers, repeated bombing attacks could be dispatched against our cities and our highly industrialized areas.

10. Aircraft alone cannot protect our cities and industrial areas from aircraft attack if an enemy controls the sea and maintains aircraft carriers upon the seas.

11. Nothing would be more conducive to aggression on the part of an unscrupulous and reasonably intelligent enemy outside this hemisphere than the knowledge that he could wage war upon this country while exposed only to the negligible injury of the passive defense to which we should be committed by primary reliance on shore-based aircraft and upon light surface vessels.

12. There is no evidence as yet which indicates that battleships or other surface craft are obsolete. If Germany's shore-based air force should succeed in destroying British sea power it would not follow that they would be able to defeat our Navy if our Navy operated in this hemisphere or that we should abandon our plans to build up our Navy and place our chief reliance on our own shore-based aircraft. The assumption that British sea power may be destroyed implies, however, that we should take our stand in the Western Hemisphere, where our military power can be applied effectively and efficiently; that our Navy should not be subjected to the hazards of short-range shore-based aircraft and small submarines based on the Continent of Europe. It implies that our Navy should be retained intact to prevent ship-borne aircraft from directing attacks against our cities and industrial areas and prevent an enemy from establishing naval, air, or submarine bases in this hemisphere which would threaten our security by attacking in any manner our vital sea communications or our homeland.

13. If we fail to provide ourselves with a sufficient number of battleships, we will invite that which we dread most—the bringing of war to our own shores.

14. We need not subject our Navy to the hazards of shore-based aircraft and small submarines, if we prevent, by force if necessary, the establishment of naval, air, or submarine bases in this hemisphere. It is easier to prevent an enemy from establishing bases in this hemisphere than to dislodge him after he had established himself firmly. In order to establish bases in this hemisphere, troops, munitions, and supplies must be transported across the sea in ships. Our Navy, if adequate, can destroy these forces upon the seas without risking destruction from shore-based aircraft or small submarines.

15. We should acquire, if possible, places in the Caribbean area for additional United States naval bases or to prevent these places from falling into the hands of any potential enemies.

16. We should make sure that we command the sea and air approaches to this country, the Caribbean Sea, and the Panama Canal.

17. We must not only keep abreast of the improvements made abroad in foreign vessels, airplanes, and other weapons of war and incorporate the best of these in our own defense equipment, but also we must take advantage of American ingenuity and inventive genius and provide ourselves with better and more effective weapons of war than those possessed by other nations.

18. We should acquire stock-piles of essential raw materials, not only for our military establishments but also for our industrial establishments, for a period of at least 2 years and develop the necessary facilities to use the essential raw materials available on this continent and prepare for the possible use of substitutes.

19. American efforts to preserve peace by treaties limiting naval armaments have failed. We need not abandon our efforts to maintain peace, however. Under present world conditions this seems to be the path to peace as well as the path to our own security—that our warlike efforts be limited to the defense of this hemisphere until our country or our vital interests are actually attacked and that we make our arms to be feared so that no aggressor will attack us.

20. We are more fortunately situated than any other peoples. We should take advantage of our fortunate situation and avoid entangling our peace and prosperity in the quarrels of Europe or Asia.

21. We should make every effort to preserve peace in the Far East. We can, if we have to, defeat Japan, but the effort required would be enormous. At the present time, due to lack of United States naval bases in this area, a war in the Far East could be undertaken only in conjunction with Great Britain, France, and Holland.

22. No circumstances were presented to the committee which would indicate the necessity for United States naval forces being sent to operate in European waters or United States air forces being sent to operate from bases in Europe. Our naval forces should not be subjected to the hazards of European shore-based aircraft and small submarines. Our naval and air forces should be preserved for our own defense if and when needed.

23. We should face the basic military and economic facts that we do not have the power or the means to police the world; that we cannot bring peace to a warring world, but that we do have the power and the means to prevent others from transporting their wars to this hemisphere.

24. We should cultivate friendly relations with all nations in this hemisphere, and should go to their assistance if any foreign nation attempts to establish naval or air bases in their countries from which direct attacks could be made against us.

25. When the world was at peace it was determined that a 5–5–3 naval ratio was necessary to make certain that we should not be attacked in either one of the two oceans. At the present time our Navy is below that ratio. Immediate steps should be taken to provide ourselves with a reasonable defense.

THE BILL IN DETAIL

Enactment of the present bill is the first step that must be taken at this time to insure that our sea and air power are sufficiently strong to prevent any unscrupulous aggressor outside of this hemisphere from believing that he could wage war on this country with any hope of success.

The bill as approved by the committee—

1. Increases the authorized composition of the United States Navy in under-age vessels from 1,557,480 tons to 1,724,480 tons.

This is an increase of 167,000 tons (approximately 21 vessels). The increase is in the following categories:

	Tons
(a) Aircraft carriers	79,500
(b) Cruisers	66,500
(c) Submarines	21,000

2. Authorizes the President to construct such vessels as may be necessary to provide the total under-age composition authorized in section 1 of this act and procure the necessary aircraft.

3. Increases the number of authorized useful naval airplanes from not less than 3,000 to not more than 4,500.

4. Increases the authorized number of useful lighter-than-air craft to a total of not more than 18. There are now 7 lighter-than-air craft (blimps) in service.

5. Authorizes the President to acquire and convert or to undertake the construction of 75,000 tons of auxiliary vessels (approximately 22 vessels).

6. Authorizes an appropriation of $35,000,000 for shipbuilding ways, shipbuilding docks, and essential equipment and facilities at naval establishments for building or equipping any ship authorized, and $6,000,000 for essential equipment and facilities at either private or naval establishments for the production of armor and armament.

7. Makes all contracts for the increases authorized subject to the provisions of the act of 1934. This includes the construction of ships alternately in Government and private yards, a 10-percent limitation of profit, and the requirement that 10 percent of the aircraft, including engines, must be constructed in Government factories.

8. Provides that vessels of the following categories shall be deemed under age until the number of years indicated have elapsed since completion:

	Years
Battleships	26
Aircraft carriers and cruisers	20
Other combatant surface craft	16
Submarines	13

9. Repeats the requirement contained in the 1938 act that the Walsh-Healey Act, relating to labor and wage conditions, shall apply to the construction, alteration, furnishing, or equipping of the vessels authorized unless, in the judgment of the President, such course would not be in the interests of national defense.

10. Authorizes an appropriation of $6,000,000 for modernizing the U. S. S. *New York*, *Texas*, and *Arkansas*.

11. Authorizes the construction by contract on a cost-plus-a-fixed-fee basis of authorized naval public works projects in the fourteenth naval district exclusive of dredging and restricts the fee to 6 percent of the authorized cost.

12. Authorizes the establishment of a naval consulting board of seven members to make recommendations to the Secretary of the Navy in matters concerning the Naval Establishment and the national defense.

COSTS

The estimated costs of the additional tonnages provided by this bill, as modified, are as follows:

167,000 combatant tons representing approximately 22 ships at an estimated cost of	$372,750,000
75,000 auxiliary tons representing approximately 22 ships at an estimated cost of	183,000,000
1,011 airplanes at an estimated cost of	99,152,270
Total estimated cost of	654,902,270

Requests on the Budget for funds for the combatant types in this bill would be:

1941	$6,600,000
1942	62,300,000
1943	98,000,000
1944	116,000,000
1945	60,900,000
Subsequent years	28,950,000

This will provide for approximately 22 ships.

Requests on the Budget for the auxiliary types in the bill will be as follows:

1941	
1942	$8,600,000
1943	44,400,000
1944	61,600,000
1945	45,300,000
Subsequent years	23,100,000

This will provide for approximately 22 auxiliary ships, the construction of which—75,000 tons—will follow with the building of the combatant ships.

Requests on the Budget for the increase in the planes—1,011—will be as follows:

1941	
1942	$30,398,461
1943	19,326,019
1944	17,753,411
1945	15,681,553
1946	15,992,826

TOTAL AUTHORIZED COMPOSITION OF THE UNITED STATES NAVY

The total authorized composition of the United States Navy in combatant under-age vessels is approximately 272 vessels with a total tonnage of 1,557,480 tons.

The present bill increases the composition of the Navy by 167,000 tons in the combatant class, making a total of approximately 294 vessels of a total tonnage of 1,724,480 tons.

On March 1, 1940, there were 150 under-age vessels and 151 over age, a total of 301 combatant vessels in commission. There were also 1 under-age and 71 over-age vessels not in commission.

On March 1, 1940, there were 110 vessels under construction as follows:

Battleships	8
Aircraft carriers	2
Light cruisers	6
Submarines	14
Destroyers	30
Destroyer tenders	2
Mine sweepers	2
Repair ship	1
Submarine tender	1
Fleet tugs	2
Seaplane tenders:	
Large	2
Small	4
Mine layer	1
Submarine chasers	16
Motor torpedo boats	19

Initial funds have been included in the 1941 appropriations for 24 vessels, as follows:

Battleships	2
Aircraft carrier	1
Cruisers	2
Destroyers	8
Submarines	6
Submarine tender	1
Seaplane tender, large	1
Seaplane tenders, small	2
Mine sweeper	1

At the present time there are on hand 1,780 useful naval airplanes, 952 on order, and appropriated for but not yet ordered, 171. These are exclusive of those appropriated for by the appropriation bill for the fiscal year ending June 30, 1941.

NAVAL AIRCRAFT EXPANSION

Mr. President, we have before us House bill 9848, authorizing the construction or acquisition of naval aircraft and the construction of certain public works.

The bill authorizes a threefold naval expansion program:

First. It authorizes the construction and procurement of additional shore-base facilities.

Second. It authorizes the procurement and training of additional pilots.

Third. It authorizes the procurement of additional airplanes for the Navy.

A brief history of the legislation relating to airplane expansion of the Navy would seem appropriate before we come to the present bill.

In the Vinson-Trammell Act of 1934 authorization was given to the Navy to build as many planes as were deemed necessary for a treaty Navy; that is, for a 5–5–3 Navy. This number was fixed by the Navy Department at 2,250.

The next step in the building of naval planes was in 1938. The naval expansion bill of that year authorized the number of naval planes to be not less than 3,000. The bill passed yesterday, which has been pending during the entire session, and which was prepared before the bill we now have under consideration, increased the authorization to not more than 4,500 planes.

The bill now before the Senate increases the number of authorized and useful naval airplanes to not more than 10,000, including 850 planes for the Naval Reserve, and increases the number of useful nonrigid aircraft to not more than 48. It also authorizes the President to provide facilities for training 16,000 aviators and enlisted pilots.

For the information of the Senate, I will state that there are approximately 10 different types of naval planes, varying in cost from training planes costing about $30,000 to patrol bombing planes costing about $289,000. I ask that a table showing the different planes and their cost be inserted in the RECORD at this point.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The table is as follows:

Cost of various types of naval planes

Type	Estimated cost to build (unit cost)	Estimated cost to maintain (annual cost)
Scouting (observation)	$66,000	$8,392
Fighting	76,000	6,490
Scout bombing	109,000	8,764
Torpedo bombing	141,000	10,335
Patrol (bombing)	289,000	18,892
Utility:		
Multiengine	102,000	18,520
Single engine	68,000	7,441
Transport	130,000	14,676
Advanced training	30,000	4,134
Primary training	18,000	2,000

The above figures include cost of spare parts and Government-furnished material.

Mr. WALSH. It takes about 6 months to build a training plane. It takes about a year and a half to build a bombing plane, which is the most effective and strongest military plane.

Turning from the authorizations to what we really have had on hand during these years, I call attention to the fact that in 1933 we had approximately 919 useful naval planes, whereas today we have a total of 1,813 useful planes in the Navy, Marine Corps, and Naval Reserve. One thousand three hundred and sixty-seven of the 1,813 are useful combatant planes. These combatant planes are assigned to carriers, battleships, cruisers, and the fleet marine force. Only 44 combatant planes are at the present time assigned to shore stations. We have a sufficient number of useful planes for all our fighting craft and have made provision for sufficient planes to be available when ships now building are completed. That is an

interesting fact. We have at the present time a naval plane for every place that is available on a battleship, a cruiser, or an aircraft carrier. We have passed legislation giving authority to provide the number of planes that will be necessary for the ships which are now in building, and some of which will not be completed until 1946. That is why the figure was fixed in the previous bill at 4,500 planes, being the number necessary to accompany the fleet.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. WALSH. I yield.

Mr. VANDENBERG. The Senator speaks of these planes as being useful and available for combat. Does the Senator mean that they are available for combat in the sense that they are equipped to meet the techniques that have been developed in recent weeks and months in the World War?

Mr. WALSH. No. Up to the time of the World War they were useful, and as good as were then known to be in operation. I ought to add that some of the 1,300 planes are 4 and 5 years old; and, of course, in these times of rapid advancement and development in building planes, a plane becomes obsolete in not more than 2 or 3 years; but the 1,300 planes are now with the fleet. They are being used, and they are satisfactory for peacetimes; but, in my opinion, in case of a military engagement they would not be as satisfactory as if we had some of the newer and later planes which are now being built, and which are equipped with all the known modern devices.

Mr. VANDENBERG. How many planes have we which could be considered competent to enter air combat as it is known today?

Mr. WALSH. One thousand, three hundred is the number that the naval authorities would attempt to use if we had to go to war tomorrow. I personally think, from the evidence before us, that the number of first-class planes—and I do not mean, now, the most modern and best planes—is about 1,000.

Mr. VANDENBERG. How many of these planes, for example, have self-sealing gas tanks?

Mr. WALSH. Practically none of them now.

Mr. VANDENBERG. How many of them are armored in the new fashion?

Mr. WALSH. Practically none. There are 917 planes now on order which will contain the devices to which the Senator has referred. They are beginning to be ready for delivery; but the delivery of that number of planes will not be consummated until next summer.

Mr. VANDENBERG. Then the inventory which the Senator presents really includes no planes which could be considered completely eligible for combat today?

Mr. WALSH. I think they would be considered as good as the British planes, but I do not think anybody would consider them as good as the German planes, although while the German planes have more modern facilities for attacking the enemy and for protecting themselves, it is said that they are not as strongly constructed as the planes we are now constructing; but I must frankly say to the Senator that our situation so far as modern, up-to-date, up-to-the-minute planes is concerned, does not present a very attractive picture.

Mr. VANDENBERG. That is a rather mild statement of the case, is it not?

Mr. WALSH. But it is only fair to say that up to the time of the beginning of the present war, our planes were considered of such type and of such character and of such strength and of such usefulness that the Navy continued to use them, and is using them, and would use them in the event of our country engaging in war.

We have never up to this time undertaken to expand naval airplanes to the extent of basing fighting planes on shore. All the combatant naval airplanes that we have are those used with the fleet or based upon vessels in the Navy. It is proposed in the pending bill that we begin to operate insular naval air bases, and the authority for that is set forth in this bill.

Coming now to the insular air bases which are authorized in the pending bill, 2 years ago a number of the ablest officers of the Navy made a study of our defenses, and a report was submitted, known as the Hepburn report. Admiral Hepburn is one of the ablest and most outstanding men in the Navy. He was commander in chief of the fleet for several years. In that report there are set forth all the naval air bases which the officers making the report deemed essential for the defense of our country.

The list is a long list. Many of the bases are outside the continent of the United States. One is in Cuba, and others are in Alaska and in the Pacific islands. The bill proceeds to authorize the construction of all the bases recommended in the Hepburn report except one, the one at Guam. The Navy Department and the committee did not recommend at this time the undertaking of establishing a naval base in Guam. It is not expected that all these bases will be built at once. It is merely an authorization to carry out the recommendations of the Hepburn board as to what was essential in the way of naval land bases for and as an auxiliary to our fleet. The naval planes with the fleet participate in any battle at sea. If auxiliary or additional naval airplanes are required, they leave the land bases and go out to the fleet and increase rapidly the number of airplanes and are an additional source of power and strength to the fleet in its combat with an enemy at sea. That is the purpose of the bases, and they are located up and down the Atlantic coast and up and down the Pacific coast.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. WALSH. I yield.

Mr. VANDENBERG. I notice one of the items involves an additional expenditure at Guantanamo, Cuba. What is the basis of our control over an installation in Cuba?

Mr. WALSH. The naval experts say we have a lease on land there for 100 years from the Government of Cuba.

Mr. VANDENBERG. Is it a lease which permits us complete freedom of action in the use of the station?

Mr. WALSH. Absolutely.

Mr. McNARY. Mr. President, will the Senator from Massachusetts yield?

Mr. WALSH. I yield.

Mr. McNARY. I think the Senator is reading from a list of the projects shown in the report, is he not?

Mr. WALSH. Yes.

Mr. McNARY. I observe one on the western coast near the mouth of the Columbia River, for which an appropriation was heretofore made. Is this sum in addition to that which has heretofore been appropriated by the Congress?

Mr. WALSH. It is in addition.

Mr. McNARY. Is it the purpose to follow this authorization with an appropriation in order that work may start on these various bases this year?

Mr. WALSH. I understand the President intends to submit to the Congress a request for a deficiency appropriation to commence the completing of some of the bases named in this bill, and also to commence the completing of the additional planes which are authorized in the bill.

Mr. McNARY. Is it the understanding of the able Senator that this request will be made before the adjournment of this session of Congress?

Mr. WALSH. It is my understanding that the President intends to make the recommendation before Congress adjourns or that some of the funds in the naval appropriation bill for 1941 will be used for these purposes.

Mr. McNARY. Shortly after the adoption of this authorization, then, there will be appropriations carried in an appropriation bill?

Mr. WALSH. Yes; but I am told the appropriation will not be very excessive for this year, that it will be sufficient to start the operations, and also sufficient to pay the preliminary costs of the planes which are authorized.

Mr. McNARY. Will it be for the full amount authorized, or only a portion?

Mr. WALSH. Only a portion.

Mr. McNARY. That brings me to the last page of the bill, page 5, covering a large number of projects which have been added to those already existing in the State of Florida. What is the reason for this very unusual and heavy armament at that particular point?

Mr. WALSH. I was coming to that.

Mr. McNARY. I do not wish to anticipate the Senator.

Mr. WALSH. It is a very proper time to suggest that. The bill provides for an expansion of our naval training facilities. As the Senator knows, we have now only one facility, located at Pensacola. The Navy is using in part a field at Jacksonville, and another at Miami temporarily. It is proposed to expand those two fields so that larger and greater facilities will be available for training purposes. Both of them are, as I understand, to be temporary fields only, the belief being that after the emergency is over, and if we do not engage in war, the Pensacola station will be sufficient for peacetime training. In addition to that, there is another proposal here for a naval aviation training station at Corpus Christi, Tex.

The bill provides for an increase in the number of pilots from 150 a month to about 500 a month. As the Senator knows, it takes about a year to train a pilot, and it is thought that by establishing these additional bases, the facilities at Pensacola being complete and filled, we will be able to commence the training of pilots so that within a year we will be turning out 550 a month, instead of 150 a month, as at present. Does that answer the Senator's question?

Mr. McNARY. Yes, in part; it is a very frank statement—the kind the Senator always makes.

I observe that these are all naval air stations, approximating in cost about $25,000,000, all of which the Senator says are to be temporary in character.

Mr. WALSH. No; the two to which I have referred only are to be temporary. The others are not. The two training fields are temporary in character, it being the view of the Navy that the buildings should be temporary war-time buildings, and that there should not be any obligation for permanent training schools at these points.

Mr. McNARY. Take the naval air station at Jacksonville, Fla., on the Jacksonville-Banana River, $9,500,000. Is that to be a temporary or a permanent institution?

Mr. WALSH. I understand there is a station there already—not a training station, but a naval station, and this money is additional, to make it possible to enlarge it for training facilities.

Mr. McNARY. For temporary purposes?

Mr. WALSH. That is correct.

Mr. McNARY. The others fall in the same category?

Mr. WALSH. Yes; those two—Jacksonville and Miami, Fla.

Mr. McNARY. I am not complaining about the situation.

Mr. WALSH. I understand.

Mr. McNARY. It is a little unusual to have all these located in one section of the country.

Mr. WALSH. It is on account of climate entirely.

Mr. McNARY. An aviator must protect himself in all kinds of climate. All the fighting is not going to be done in Florida. If a prospective aviator has any such notion, he had better not go to one of these stations.

Mr. WALSH. After he gets his preliminary training, it is supposed that he will be sent to one of these other stations or to the fleet.

Mr. McNARY. It would occur to me that the stations should be located geographically, because those who desire training will be selected from various parts of the country. I am just directing my questions to the policy.

Mr. WALSH. The Navy Department makes the contention that these locations are such that they can train all the year around, every day in the year, and that in other parts of the country that is impossible. That is their position.

Mr. McNARY. The Navy Department, or whoever is responsible, has never visited the delightful West, then. We can train there the year round. But aside from being provincial, it does occur to me that in a matter of this kind there should be some idea as to the geographical distribution of stations of this kind.

Mr. WALSH. There is much to be said for the contention of the Senator.

Mr. McNARY. I suppose it is too late for correction now, but I am disappointed at the vision of the naval officer who desired to locate all these training quarters in one little neck of the bottle. That fellow should be investigated himself.

Mr. WALSH. I will proceed now with the training of pilots, which is a very interesting subject.

At present there are 14 schools where pilot training is conducted. The following list contains the names of all the schools.

Naval air station, Pensacola, Fla., primary and advanced training.

Naval Reserve aviation bases for elimination flight training. The product of these schools is sent to Pensacola for primary training, followed by advanced training. There are 13 of these. These preliminary training schools are located in various parts of the country, I may say to the Senator from Oregon.

Mr. McNARY. In what part of the bill is that covered?

Mr. WALSH. It is not in any part of the bill; I am now giving an explanation of the present facilities for training.

Mr. McNARY. Oh, yes.

Mr. WALSH. The Senator will find the information in the committee report, on page 5.

The number of pilots in the Navy and Marine Corps at the present time is as follows—the estimate figures approximately one and one-half pilots for the management and operation of a plane:

Naval aviators, Regular naval officers	1,093
Naval aviators, Reserve naval officers	930
Naval aviators, retired naval officers	3
Naval aviation pilots, enlisted men	597

So that as of this day and time we have 2,623 pilots in the Navy. I think those figures indicate at once the importance of additional facilities for increasing the number of pilots and training them.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. WALSH. I yield.

Mr. WHITE. Are these training schools available only to enlisted men in the Navy, or may boys who are not yet a part of the Naval Establishment have an opportunity to study at them?

Mr. WALSH. I suppose the Senator means the preliminary schools, 13 of them, in different parts of the country?

Mr. WHITE. Yes.

Mr. WALSH. They are the first schools to which a young man who has had 2 years of college or the equivalent is sent. The minimum requirement is 2 years of college, except, of course, those who are graduates of the Naval Academy. It is possible, and it does happen, that enlisted men who show special facilities and special adaptability are sent to these schools, and sometimes become officers and sometimes become enlisted pilots. More than 900 enlisted men now are pilots.

Mr. WHITE. May young men who are not in the Naval Establishment be admitted to these schools?

Mr. WALSH. No. Such a young man must file an application like a man who enlists in the Regular Navy. He must make application to go to the school, and he must meet the minimum requirements, among them being very exceptional and extraordinary physical requirements.

Mr. WHITE. But even if he meets those requirements, unless he enlists in the Navy, he will not be permitted to go to the schools. That is what I wanted to get at.

Mr. WALSH. I do not know that I understand the Senator's question clearly. If the applicant has had 2 years of college, if he is of the right age, and if he is physically sound, he is admitted to the school.

Mr. WHITE. Whether he is in the Navy or not?

Mr. WALSH. Yes; but if he is accepted, he becomes a part of our naval forces.

Mr. WHITE. That is what I wanted to know.

Mr. WALSH. Most of them come from civil life. Let me say that we have what is known in the Navy as aviation cadets. After completing their course of instruction they are given commissions as officers in the Naval Reserve. This group of college men, many of them college graduates, made exceptionally fine officers and pilots. They compare satisfactorily with and measure up to fully as high standards as the graduates of the Naval Academy.

TOTAL PILOTS

Total pilots in Navy	2,623

The total number of pilots on active duty in the Marine Corps at present is as follows:

Naval aviators (Regular Marine Corps officers)	187
Naval aviators (Reserve Marine Corps officers)	102
Naval aviation pilots (enlisted men)	46
Total pilots in Marine Corps	335
Total pilots in Navy and Marine Corps	2,958

At present there are 383 students who have just completed or are undergoing elimination flight training at the 13 Naval Reserve aviation bases, preparatory to entering the school at Pensacola. There are 793 students in the various categories now under primary or advanced flight training at Pensacola. Total under training 383 plus 793, or 1,176 students.

FUTURE NUMBER OF PILOTS

If this bill shall pass—and the objective is to build up our defenses in the air for the fiscal year 1941—it is proposed to send 1,800 students to primary and advanced field training at Pensacola. Approximately 70 percent of these will qualify, according to estimates, during the latter part of the fiscal year 1941 and in the fiscal year 1942.

Under this bill it is estimated that the Navy will have by July 1, 1941, 3,850 pilots, the gain for 1941 being small, due to the lack of facilities for training and the building of additional planes. There is no use having pilots if we do not have planes for them to fly.

By 1942 there will be 6,800; in 1943, 13,100; and in 1944, a total of 18,500.

I may say aside that it seems to me these figures ought to lead people to pause before rushing us into war at the present time.

Mr. VANDENBERG. They ought to give us pause about giving anything away, too, should they not?

Mr. WALSH. I feel that way.

COSTS

I have covered the main features of the bill, except the costs. It is understood that it would cost approximately—and this is going to cover a long period, 5 or 6 years anyway, assuming that the authority given the President is exercised to the fullest degree—$2,250,000,000.

Broken down the figures are:

For additional planes, $1,150,000,000.

For additional shore facilities, $410,000,000.

For training of pilots $90,000,000.

For procurement or training of additional personnel, $300,000,000.

Ordnance equipment, bombs, torpedoes, ammunition, and so forth, $300,000,000.

Making a total of $2,250,000,000.

Of course, all that means a very substantial increase year by year in the maintenance of this large and increased naval air force.

Mr. President, I think I have covered all the principal features of the bill. In brief, it is the undertaking for the first time of a program which we have heretofore never thought was necessary, of establishing naval air bases on shore, and, secondly, increasing our naval planes from 4,500 to 10,000 over the next 3 or 4 years, and also the training of 500 pilots per month and providing the facilities for them, to be available about a year hence, instead of the present number of 150.

If there are no more questions, I ask that the Senate consider the bill.

Mr. PEPPER. Mr. President——

Mr. WALSH. If the Senator is willing to have the bill disposed of, I do not think there is any objection to it.

Mr. PEPPER. I merely wanted to ask a question or two. Does the Senator from Massachusetts happen to have any figures available as to how much it would cost if we were to double the present size of our naval force?

Mr. WALSH. We have provided in the appropriation bill of this year for an increase in our Navy of personnel of 25,000; from 130,000 to 155,000, and, of course, a corresponding number of officers, the officers being determined by the number of enlisted men. It would be very difficult to answer the Senator's question except in a general way. The maintenance of our Navy today, very generally speaking, which means pay for the enlisted men and the officers, food, clothing and equipment of all kinds, the vessels, and planes, and so forth, is between $300,000,000 and $400,000,000. Of course, this is true, Senator, that it is of no value to increase the number of enlisted men when you have no place to put them. Every ship we have has all the enlisted men it needs. We are increasing the number of enlisted men this year because of the 54 ships we are building and which we expect gradually to be completed, one at a time. We launched a battleship last Saturday at Philadelphia, but it will be a year before that is completed, although it is launched. Another one is being launched at New York this month.

The personnel for those vessels will not be needed until a few months before the actual launching of the vessels, when they will be given training so as to be ready. We ought to begin right away and start training our young men to be pilots. However, the trouble is that we do not have the planes for them. That is the difficulty, Senator.

Let me add that we also increased the Marines from 26,000 to 35,000 in the appropriation bill passed this year. That seemed to me very desirable, because if it became necessary for us to make an attack upon any enemy seeking to establish a base on this continent the Marines are the boys who would have to go ashore and do the fighting.

Mr. PEPPER. I merely expected to ask the able Senator, the chairman of the Naval Affairs Committee, how much money it would cost to double the size of our fleet in ships.

Mr. WALSH. Approximately $5,000,000,000.

Mr. PEPPER. Five billion dollars?

Mr. WALSH. Yes. If our existing Navy today were all wiped out, and we had to build it over again, it would cost not less than $5,000,000,000. That is the replacement cost today.

I was interested, and the Senator will be interested to know that when I was in Philadelphia Saturday at the launching of the battleship *Washington*, to learn that the last battleship we built, which was launched in 1921, cost $26,000,000. The *Washington*, just launched, which will be ready in a year, is costing $80,000,000—almost three times as much as the last previous battleship we launched.

Mr. PEPPER. Let me further make two or three inquiries. About how long would it take to reconstruct our fleet?

Mr. WALSH. That is a very interesting question. In the bill which we passed yesterday we provided for the use of every available place in the United States for the building of additional naval vessels. The bill, as originally introduced, provided for a 25 percent increase in the Navy. As Senators know, the bill provided for only 11 percent increase. We had about 20 percent increase in 1938. The reason we made it cover 2 years was because we had facilities only for a limited amount of building. It seemed of no value to make an authorization if we could not get the money and do the building.

Furthermore, none of us knows what we may learn about surface naval craft from this war. I think my committee very wisely said, "Let us limit ourselves to a 2-year program,

and perhaps in the next year or two we shall learn that submarines are of greater or less value than we thought they were. The same thing applies to battleships, and other surface naval vessels."

But if we attempted to consider such a program—we could not do it. We simply do not have the facilities. For the next 2 years every facility upon the Atlantic or Pacific coast where there is an opportunity to build a naval vessel will be in full operation.

Mr. PEPPER. In the first place, we have no additional facilities to carry on such construction.

Mr. WALSH. That is correct.

Mr. PEPPER. In the second place, I presume a minimum of 5 or 10 years would be required.

Mr. WALSH. That is true.

Mr. PEPPER. How much time is required to build a battleship?

Mr. WALSH. At least 4 years. With respect to the ship just launched, I saw an editorial rather critical of the delay. I think the money was authorized in 1936, and we began building in September 1937. We have just launched it. A year was spent in drafting the plans, 3 years in building up to date, and it will be another year before it is commissioned.

In that connection, it is only fair to say that we have not built a battleship in this country for 19 years. The last battleship was launched in 1921. We lost the art. There has been such progress and such advance in new types, new inventions, and increased resistance against modern attack, that we had to begin almost from the ground to build up our battleships. I refer to the largest battleships. The building problem is very serious. There are long delays. It is difficult to understand the problem. For example, it is difficult to understand that 2 years are required to build a destroyer and practically the same time for a submarine.

Progress is very rapid. I do not know whether or not the Senator has been on one of the new destroyers or cruisers recently. If he had not been on one of them for 5 years he would be amazed to find the whole thing transformed into a series of electric pushbuttons. In a submarine I think there are approximately 276 buttons which the operators have to press in order to get action at various times and carry out the desires of those who are navigating the boat. That problem has been very serious. Of course, it is even greater now with the situation in Europe, and what we are learning every day, or trying to learn every day, from what is happening over there.

Mr. PEPPER. Mr. President, will the Senator yield for another question?

Mr. WALSH. Certainly.

Mr. PEPPER. What is the approximate annual maintenance cost of the Navy as it is now constituted?

Mr. WALSH. I should say about $400,000,000.

Mr. PEPPER. If it were doubled in size, I presume the maintenance cost would also be doubled.

Mr. WALSH. Yes. I have been thinking about the financial problem, and I wish my colleagues would give some thought to it. Of course, we cannot stop. It is a matter of life and death. However, I am wondering how our country is going to carry the load of maintenance of a tremendous increase in our Navy and Army. We shall have to find some way to do it, but I sometimes wonder whether or not our fiscal system can stand it.

Mr. PEPPER. Does the able chairman of the committee, in making that statement, foresee a continuing necessity for enlargement of our naval forces?

Mr. WALSH. Yes. Of course, in my opinion much depends upon the treaty which may result from the European war. The situation may be such that we can go back to normalcy. But in my opinion one thing is certain. Until the domination of power is ended and the moral forces in the world are restored, there is no hope of stopping. We must go on and on, building up our defenses so as to be impregnable. As George Washington said, the best way to preserve peace is to be prepared for war; and I think the American people are learning it today more than ever, and regret that they did not learn it a little earlier.

Mr. PEPPER. Mr. President, will the Senator yield for another question?

The PRESIDING OFFICER (Mr. SCHWELLENBACH in the chair). Does the Senator from Massachusetts yield to the Senator from Florida?

Mr. WALSH. I yield.

Mr. PEPPER. Do I gain the correct impression from the Senator's answer that the necessity for the enlargement of our building program arose out of disturbed world conditions, and particularly the destruction of moral forces as the guide of world conduct, and the substitution in lieu thereof of ruthless forces of power?

Mr. WALSH. In general, the Senator is correct. When my committee met early in the year the bill submitted by the Navy Department had been prepared before the World War. Such bills are usually prepared 5 or 6 months in advance. It was the ordinary naval-expansion bill. The Navy Department was very modest in its requests for authorizations and appropriations. But as the war has gone on, and the sentiment has developed in this country that it might come to our own shores, the Navy Department and the President have felt it their obligation and duty—and my committee feels the same obligation—to leave nothing undone in our preparation to be ready for whatever eventualities may follow. We must have a navy second to none, because whatever attack is made upon us by an enemy is almost certain to come across the Pacific or the Atlantic, and we cannot wait until the enemy gets here. We must have a navy to defeat the enemy before he reaches our shores. We cannot hang around the shores and harbors of this country waiting for the enemy to come over and train his guns on our large cities. As soon as we know an enemy is on the way and our pilots discover him, we must go out and engage him in battle. We must have what we are providing today. If our fleet is lost, we must have a fleet of naval planes, which operate on the sea, to go out and continue the battle and do everything possible to prevent the enemy from reaching our shores before we call upon our Army or our forces on land. Of course, as the Senator perhaps knows, in Europe practically all the air forces are land forces, as distinguished from naval air forces.

Mr. PEPPER. I suppose one thing which makes it so necessary for the United States to have such a large naval force is that, having undertaken the defense of the whole Western Hemisphere, we have a coast line of some 43,000 miles to defend, from Iceland around the tip of South America, and back to Alaska.

Mr. WALSH. That is a difficult question to answer. My own view is that we must give consideration and close study to the question of whether or not we shall have to defend all of the Western Hemisphere. We are now giving consideration to that question. Our military authorities are preparing for that emergency. It is all premised, however, on someone establishing a base near us. We must anticipate that event, although it may never happen. We are not going to war when we hear rumors of somebody going down to Brazil or somewhere else to establish a base; but the moment there is actually an effort by any of the European or oriental powers to establish an air base or a naval base on this continent it is notice to us that our fleet is not the powerful weapon of defense we had thought, but that we can be bombarded and attacked by air from such bases as are close to our shores; and our fleet will not be as effective and as valuable in our defense as we expected, and as we have found it from the beginning of our Republic.

So the Senator is correct in stating that the establishment of bases is a very serious problem. Personally, I do not think, to take an extreme case, that the fact that Italy might obtain Bermuda as the result of a treaty would mean war for us. I am now giving my own opinion. I do not think we ought to anticipate that all the belligerents in Europe hate and despise us, and are coming over here to establish bases at once. We

ought to be prepared for it if they do it. We ought to be ready to fight them if they do it; but I do not think we ought to anticipate that they will necessarily be hostile.

Mr. PEPPER. However, I believe the Senator did express the opinion that we should be prepared to resist such an effort.

Mr. WALSH. Absolutely. For the first time in our history we are confronted with the question of whether or not we shall go to war to stop the establishment of air or naval bases on this continent. That question is staring us in the face. We must answer it. However, I distinguish between that question and the location of people from any of the European countries on an island in the Western Hemisphere, or even on the continent. We have never had trouble with the English at Bermuda. We have never had trouble with the French, who have possessions in the Caribbean area. Shall we have trouble with the Italians? Why assume it? Perhaps we can live peaceably with them. Perhaps we can live peaceably even with Russia, if she merely has a possession in the Western Hemisphere, as England and France have. But the moment she starts to establish a base and turns her guns toward us, or puts her planes over here, then we must act and move.

As I understand, the program is based entirely on that possibility. I believe it is the President's view in mapping out the program that the very thing about which I have been speaking is a possible eventuality which we cannot ignore. We cannot remain indifferent to it, and we must be ready to meet a challenge when the time comes.

Mr. PEPPER. Mr. President, the Senator has been so very kind that I am reluctant to ask him further to yield, but I should appreciate it if he will yield for one further question.

Mr. WALSH. Certainly.

Mr. PEPPER. As I understand, it is considered vitally necessary to the defense of North America that we have naval air bases and army air bases as an adjunct to the fleet.

Mr. WALSH. Unquestionably.

Mr. PEPPER. Does it follow from the Senator's statement that if we are adequately to defend Central and South America, we must do the same thing?

Mr. WALSH. That is true.

Mr. PEPPER. That would contemplate, then, the necessity, if the United States is really to undertake the defense, effectively, of South America, that, in some way or other, adequate bases, including air bases, must be established down there?

Mr. WALSH. Let us assume we are in executive session. In my opinion, the Government of the United States has that in mind now, and has arrangements and plans made to bring that about. I hope the press will not report this. I may say that what the Senator suggests is all anticipated if the eventuality should come.

Mr. PEPPER. I thank the Senator very much.

Mr. WHEELER. Mr. President, I should like to clear up something in my own mind.

Mr. WALSH. I am glad to yield.

Mr. WHEELER. As the Senator knows, I have been one of those who have felt that it was not necessary to build up a great fleet for this country, but, frankly, conditions have so changed in Europe that I think nearly everybody now realizes that we have got to prepare for eventualities.

Mr. WALSH. We have no alternative.

Mr. WHEELER. We have no alternative, no matter how peace-loving we may be or how much we may be against building up great armaments.

There has been so much hysteria abroad to the effect that bombing planes could come over here and bomb various cities in the United States that I should like a little information on that subject. I know the Senator is familiar with it, and, for my own information I should like to inquire how far can one of the big bombers operate effectively?

Mr. WALSH. To answer the Senator directly—and then I will amplify the answer later—not more than a thousand miles. No military strategist, no military authority, so far as I know, entertains any other view. By the way, leaving out whatever one may think of some features of Colonel Lindbergh's speech the other night, he expressed a military point of view exactly in accord with that of the Army and Navy, namely, that it is impossible for this country to be invaded from the air. That is why our Navy is still our first line of defense. We should always differentiate between the war in Europe and our own situation. The British fleet is forced to operate in narrow waters and close to shore-based enemy aircraft. The trouble it has been having—and how great they have been recently we do not know nor do we know to what extent her Navy has been injured—have arisen from the fact that the vessels of the British Navy have been bombed by bombing and other planes which could operate from the shore. Under present conditions airplanes operating from the shore could not affect our Navy, but if an enemy should obtain a foothold on our shores or bases nearby, the same thing could happen to the American Navy as has happened to the British Navy, or if our Navy went over to Europe and joined the British Navy and had to operate in close waters there, the same thing could happen to our Navy as has happened to the British. Our naval experts say that we would not be able to be of much service if we did go over there. That is their opinion. If we went over to Japan the Japanese air force could do the same thing to our Navy. The Navy is valuable and important, chiefly in meeting a naval fleet away from shore and away from the danger of land-based planes.

Speaking from the evidence that came before the committee, the superiority of the German air force has given Germany a very great advantage in this war in her attacks upon shipping and upon the English Navy. But the English Navy has given Great Britain an advantage, for, in my opinion, and in the opinion of experts, if it were not for the British Navy, Great Britain would probably be another Poland today. The British Navy has been able to keep away her enemy because of her naval power or impede the enemy from coming over water to her.

The difficulty the British are encountering, according to our records, is that the Germans have such superior air power, that the British are at a disadvantage not only in the air, but their Navy is at a disadvantage, for a navy is no longer impregnable or of value without an air force of the size of that of the enemy—not merely in the few planes on an air carrier or on battleships, but in total air force. So our objective is to augment or increase our fleet of movable vessels with an air force of sufficient size at least to equal that of any other naval or military power. That is the objective we have in this bill.

So the Senator is correct in the statement that it is very essential and very important that our surface craft as well as our aircraft be augmented. I do not think we really discovered that a large naval air force was essential, at least I did not discover it, and I do not think many other people did until the present war in Europe. It should be noted, however, that Germany is only operating a few hundred miles away from shore with her airplanes, out and back, and her bombers cannot go over a thousand miles and get back again. They have not yet designed a bomber of sufficient fuel capacity to reach this coast and do great damage. In my opinion, "it is to laugh" to talk about the invasion of this country by an enemy merely coming over here by air. A submarine might reach here and do some damage, but a general invasion of this country is simply impossible if we have a navy, naval vessels, and an air force of such superior power that they can stop an enemy before they near our shores.

Mr. WHEELER. I have such great confidence in the chairman of the Naval Affairs Committee that I wanted to ask him the question because we hear so many stories of people becoming hysterical thinking that a possible foe could send bombers across the ocean and bomb us or locate bases in South America and bomb us from there.

Now let me ask the Senator another question. I have been informed by people whom I regard as reliable that,

as a matter of fact, Germany cannot successfully bomb even London from Berlin if England has a sufficient number of fighting planes, because the fighting planes move so much more rapidly than the bombers that they can quite successfully drive off bombers, which, necessarily, move more slowly.

Mr. WALSH. I think that is the reason the Germans have taken the "Lowlands," because their fighting planes could not go the distance from Berlin or from the German border. To be effective, bombers must be accompanied by fighting planes to protect them.

It is interesting to note—I did not know it until the discussion took place in the committee—that formation of an air fleet is like the formation of a naval fleet. The bomber is in the middle of a fleet of other aircraft; the bomber is the destructive power, as the battleship is the long-range, hard-hitting fortress at sea. The cruisers and destroyers and submarines are massed around the battleship to protect the battleship, and the planes go out to locate the enemy and bring back messages to get ready.

In the air is where Germany has succeeded. She has a large number of planes, scout planes, and fighting planes and other planes which surround the bomber, and the bomber gets over and does the damage. It is very interesting to find that almost the same condition of warfare exists in the air as has been developed at sea with surface battleships and other naval craft.

Mr. WHEELER. I am thankful to the Senator, because that verifies the opinion which I myself have with reference to the matter; but we hear much misinformation being circulated.

Mr. WALSH. The only way we can ever get into trouble is to go over the ocean and participate in the present war or by preventing later the establishments of bases here.

Mr. WHEELER. I was informed that the reason why Germany, as a matter of fact, went into Norway was to get closer to the British Navy so that they could get at them, and they were not able to get at them until they went into Norway and established bases from which they could bomb the British Navy much more easily. Also I understand the reason they took Holland was because they wanted to be in such a position that they could get over more easily and bomb London as they could not do it from Berlin. Is not that correct in substance?

Mr. WALSH. That is my view. I want to say, in answer to the question, that the only way we can get involved in a military way is by going over there. I think that modification should be made.

Mr. WHEELER. I thank the Senator.

Mr. BARKLEY. Mr. President, I want to ask the Senator a question along the line of the range of air bombers. As I understand, it is the information imparted by naval experts or military experts or both——

Mr. WALSH. There is one excellent lay expert who, I think, is perhaps fully as good as any of our naval experts. I refer to Major Elliot. I do not know whether the Senator has read any of his books.

Mr. BARKLEY. Yes. Maj. George Fielding Elliot, a voluminous and omnivorous writer on all military subjects.

Mr. WALSH. He really appears to be exceedingly well informed, and I may add that our naval officers have the highest respect for his opinions. So our views are a mingling of both the civilian and the military views.

Mr. BARKLEY. What I wanted to ask the Senator was this: The thousand-mile range of bombers at present is as far as the plane designers have been able to develop their range up to this time.

Mr. WALSH. That is correct.

Mr. BARKLEY. There has been such a rapid increase in the effectiveness as well as the range of airplanes of all sorts that I am wondering whether the statement that a thousand miles is the maximum distance that bombers can fly and come back takes into consideration the future rapid development of aircraft, and the lengthening of the range. While a thousand miles is as far as bombers can fly now, in another year or 2 years or 5 years they may be able to fly double that distance.

Mr. WALSH. That is a very wise observation. I agree with the Senator. In my opinion, it is humanly impossible to prognosticate what further advances there will be in the way of aviation. I think our committee was wise in limiting its program to 2 years because of the very thing the Senator speaks about. There was a proposal that we write into one of our bills "not less than" so many airplanes, which, of course, would mean that the Navy could go on forever; but we wisely changed that to "not more than," so that when they have those planes they will have to come back to Congress, and we shall want to see what kind of planes they are using, and whether or not they are the proper kind.

Mr. BARKLEY. Of course, none of us can foresee whether any present belligerent, if entirely successful in the present European war, would attempt to gain footholds for bases of various kinds in the Western Hemisphere.

Mr. WALSH. That is another very good observation.

Mr. BARKLEY. That is another situation which I think we cannot afford to ignore. While we would prefer to think that no American republic would willingly accord such privileges to any European nation, we all know that sometimes things are forced on small nations which they do not themselves desire; and in that event we might have certain obligations of our own, of long standing, that would require us to take some action in regard to the matter. But if it happened that bases for European nations could be obtained anywhere in the continent of the Western Hemisphere or on any of the islands off the Western Hemisphere, then even the present thousand-mile range would bring them within a very short distance in hours of some of the most vital points in the United States.

Mr. WALSH. The Senator is absolutely correct that we must be on the alert to prevent anything happening which might possibly be conceived as happening on the part of a hostile nation.

Mr. BARKLEY. So, however much we may desire that those things shall not happen, we must take into consideration the possibility that they may happen; and we cannot afford to be caught napping with respect to any movement of that sort.

Mr. WHEELER. Mr. President, it seems to me the thing we ought to be careful about in this country is getting the people worked up into a hysteria. After all, we have lived peacefully for a long period of time with Canada, which is a possession of the British Government.

Mr. WALSH. I hope the Senator will not say that we could live peacefully with Germany, or he will be called pro-German.

Mr. WHEELER. I am not going to say that; but I say that after all we have lived peacefully with the British Government, Canada being a possession of the British Government. No nation in the world has lived as peacefully with Canada as we have, without any visible boundaries, without any forts, or anything of the kind, clear across the continent of the United States.

A number of persons in this country assume that whichever way the present war goes, at the conclusion of the war some nation will come over here and attack the United States. Why, I do not know; but they assume that that is going to happen, and some persons go so far as to assume that Russia and Italy and Germany and Japan will all get together and attack the United States.

Mr. WALSH. Does not the Senator think that assumption is more or less explainable by the fact that the public mind has been stimulated to such a pitch that it cannot think straight, and cannot differentiate between all these ramifications, and that the thought of force, force, force being dominant in the world has led to that state of mind?

Mr. WHEELER. Of course; and, as I say, it is unfortunate that that state of mind exists. It seems to me that as good American citizens, interested in the welfare of the United States, we ought to try to allay that hysteria. I

think the Senate of the United States and all public officials ought to try to tell the American people that they should be calm, rather than to try to work them up into a hysteria that is going to lead us nowhere except to make enemies out of almost every other nation in the world.

Mr. WALSH. Personally, I think the thing for us to do is to bite our lips, and go on and prepare and prepare, and think more than talk, but have guns and all other defenses ready to meet an enemy when he comes.

Mr. WHEELER. I thoroughly agree with the Senator that what we ought to do is to go ahead and be prepared. We do not know what the eventualities are going to be, but we ought to be prepared at this time for any eventuality. Let us not, however, create the impression that some other nation will come over here and attack the United States, because there is not any reason why it should come over here and attack the United States.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. WALSH. Certainly.

Mr. MINTON. I have just been informed by a representative of the Associated Press that Mr. Churchill has made the announcement that if England has to do so she will fight as long as she can on the island, but if the island must give way she will take the fleet and government to Canada. So we do not have to go to Europe to get a war; the war will come to us. "Cash and carry!" That is the last statement of Mr. Churchill.

Mr. WALSH. Does the Senator say that if the King and Queen of Great Britain should move to Canada there would be a declaration of war against us?

Mr. MINTON. No; I am just giving the Senator the information I have—that Mr. Churchill has said that if the British cannot hold the island the British Government will come over to Canada and bring the fleet with it; and the war, of course, will come with it. I give the Senator that information for whatever it may be worth.

Mr. WALSH. Such action would bring us closer to the zone of war than we now are, and would create a very delicate and a very dangerous situation.

Mr. MINTON. In other words, we do not have to go to the war. The war is going to come to us.

Mr. WALSH. To our neighborhood.

Mr. WHEELER. But we should not take the position that even if the King and Queen of Great Britain should come to Canada, that of itself would involve us either in a war with Great Britain or in a war with any other country.

Mr. BARKLEY. That might depend on whether or not Hitler followed the King and Queen to Canada.

HALF IN AND HALF OUT OF WAR

Mr. WALSH. Mr. President, I do not want to prolong the discussion, but an admirable editorial on this very subject was printed in a Philadelphia newspaper, and I should like to have it read from the desk. I do not know of anything better that has been said. It is my concept of our responsibility and duty at the present time.

The PRESIDING OFFICER. Without objection, the editorial will be read.

The legislative clerk read the editorial, as follows:

[From the Philadelphia Record of June 3, 1940]

A NATION CAN'T BE HALF IN, HALF OUT OF WAR

Great hue and cry arises. Send the Allies "everything but men."

Give them our existing air force and build another. Let them have part of our fleet. Repeal the Johnson act, to afford them unlimited loans. Repeal the neutrality act, so the coffers of our resources will be wide open—and they only will have to come and get it.

Readers of The Record scarcely need to be told of our wholehearted devotion to and sympathy for the cause of the Allies. But just as we believe in the Allied cause,—

So do we believe in being honest with the American people.

It is not being honest to them to pretend that the United States can get half into Europe's war and still stay half out.

It is not being honest to talk about sending "everything but men" without frankly admitting that doing so would be intervention in the European war.

Americans are overwhelmingly sympathetic to the Allied cause. Decent men, in our opinion, no longer can make out even a shadowy case for Germany. The old arguments about the injustices of the Versailles Treaty are reduced to zero by the monstrous horrors of this war which Hitler and his Third Reich have visited upon a world eager for peace.

Americans are, however, far from unanimous in believing that the United States should intervene in the European war. Indications are that a substantial majority of our people oppose intervention.

So, to advocate that the United States send over "everything but men" is to becloud the real issue. It is to urge that we move, crab-like, obliquely, further and further toward the precipice of war—until we have gone so far no alternative but war is left.

The Record doesn't like that way of dealing with a free people.

The Record believes the issue of intervention should be made clear-cut, faced frankly, dealt with honestly, and debated thoroughly in Congress until the final decision is made.

History tells us that once a nation gets in a war it is in to win—and that it cannot stop until it has utilized every resource for victory. If we join the belligerents by sending "everything but men"—it means only that we must send the men when doing so becomes necessary for victory.

Why fool our people?

This Nation must have the courage to stay all the way out of this war—

Or it must have the courage to go all the way in.

The notion of crawling into the war by sending "everything but men" arises, we believe, from hypocrisy or thoughtlessness.

If the United States of America is going to enter the war to aid the Allies—

Then probably the most important immediate help we could give would be the announcement of intervention itself.

The effect of such an announcement would be profound throughout the world. In England and France it would inspire the people with new hope and revived courage; in Germany, and perhaps Italy, it would have the opposite effect, by warning the peoples of those countries that the immense resources of the Western Hemisphere had been pitted against them.

By crawling into the war we soon would find ourselves in it just as deeply but with the great psychological effect of a bold decision lost—lost to ourselves as well as to the Allies.

We refuse to even estimate the disillusionment of our own people if they were to awaken one morning to find their country in the war after they had sincerely believed what they had been told—that it could plunge to the very fringe of the conflict and then halt—"short of war."

Imagine a parachute trooper trying to halt—short of terra firma.

The United States can go into the war.

The United States can stay out of the war.

It has, today, a free choice.

But there is one thing the United States cannot do:

It cannot go halfway in the war—and then expect to stay halfway out.

It cannot honestly talk about "sending everything but men."

Once engulfed in a hurricane, the power of choice is lost.

COMPARISON OF AIRPLANE STRENGTH

Mr. WALSH. Mr. President, the able senior Senator from Illinois [Mr. LUCAS], a very efficient member of the Committee on Naval Affairs, has suggested that it would be informative to the Senate to state that when the war began Great Britain had only approximately 279 naval planes on her surface naval vessels. We have 1,300; and we now think we are very weak in having only that number. I thought that was a further indication that what is happening in Europe is largely due to a complete lack of naval-air preparation.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. WALSH. Certainly.

Mr. LUCAS. It is my understanding, from the testimony before our committee, that the 1,300 naval combat planes which we have at present are sufficient, in the opinion of the experts of the Navy, to take care of our Navy at sea if a combat comes along, and our lack is in naval aircraft for shore bases.

Mr. WALSH. That is correct. The Senator from Michigan called attention to a matter, and I wonder if the Senator from Illinois agrees with me in my answer. I stated that some of these 1,300 planes were being used, and would be used, but some of them are reaching the obsolete age.

Mr. LUCAS. That is correct, and they will soon be replaced by planes which are now being completed, according to the testimony of the experts. Furthermore, as to all of the new ships which are now under construction, as I understand the testimony, there are contracts for naval airplanes which, when the ships are completed, will properly protect them. The naval airplanes will be completed about the same time.

Mr. WALSH. That is true. Mr. President, I understand the Senator from Florida desires to take the floor. Let me suggest that we pass the bill, and then I will move to take up the next bill, and the Senator can take the floor. That will be very accommodating. May we have action on the amendments?

The PRESIDING OFFICER. The clerk will state the first amendment of the committee.

The first amendment of the committee was, in section 1, page 1, line 4, after the words "airplanes and", to strike out "ligher-than-aircraft" and to insert "nonrigid lighter-than-air craft"; on line 7, after the word "not", to strike out "less" and to insert "more"; on line 10, to strike out "lighter-than-aircraft" and to insert "nonrigid lighter-than-air craft", so as to make the section read:

That the President of the United States is hereby authorized to acquire or construct naval airplanes and nonrigid lighter-than-air craft, and spare parts and equipment, as may be necessary to provide and maintain the number of useful naval airplanes at a total of not more than 10,000, including 850 airplanes for the Naval Reserve, and the number of useful nonrigid lighter-than-air craft at a total of not more than 48. He is also authorized to provide such training facilities as may, in his judgment, be necessary for 16,000 naval aviators and enlisted pilots: *Provided*, That nothing herein shall be construed to limit or affect the responsibility of the Secretary of the Navy as defined in the act of July 12, 1921 (42 Stat. 141; U. S. C., title 34, sec. 732).

The amendment was agreed to.

The next amendment was, in section 2, page 2, line 16, to strike out "Island of Oahu, Hawaii," and to insert "Hawaiian Islands"; on page 3, line 3, after the word "may", to strike out "in consultation with the Secretary of War and the Secretary of State, deem advisable, for auxiliary aviation bases," and to insert "in his discretion, deem advisable for other auxiliary air bases", so as to make the section read:

SEC. 2. The Secretary of the Navy is hereby authorized to establish, develop, or increase naval aviation facilities, with which shall be included the authority to purchase, accept by gift, or otherwise acquire land and to construct buildings and accessories, with approximate costs as indicated, at or in the vicinity of Norfolk, Va., $13,246,000; San Juan, P. R., $2,330,000; Coco Solo, C. Z., $12,690,000; Seattle, Wash., $4,670,000; Kodiak, Alaska, $2,012,000; Hawaiian Islands, $6,385,000; Midway Island, $1,870,000; Wake Island, $5,582,000; Johnston Island, $460,000; Quonset Point, R. I., $24,204,000; Quantico, Va., $2,326,000; Guantanamo, Cuba, $2,886,000; Charlotte Amalie, V. I., $1,510,000; San Diego, Calif., $5,637,000; Alameda, Calif., $6,861,000; Unalaska, Alaska, $2,963,000; Canton Island, $1,500,000; Tongue Point, Oreg., $2,000,000; Corpus Christi, Tex., $25,000,000; at such localities within the continental limits of the United States as may, in his judgment, be necessary for the Naval Reserve, which authority shall also include the acquisition of existing facilities, $10,000,000; and in such vicinities as he may, in his discretion, deem advisable for other auxiliary air bases, $10,000,000: *Provided*, That the approximate cost indicated for each project enumerated above may, in the discretion of the Secretary of the Navy, be varied upward or downward by an amount not to exceed 25 percent of the approximate cost indicated, but the total cost shall not exceed $144,132,000: *Provided further*, That this shall be in addition to all authorizations heretofore made for projects in these vicinities: *And provided further*, That the Secretary of the Navy shall report to the Congress, at the beginning of each regular session, the extent to which he has exercised the authority herein contained with respect to Naval Reserve aviation and the location of those facilities left to his discretion.

The amendment was agreed to.

The next amendment was, in section 4, page 4, to add at the end of the section "*Provided further*, That all contractors who enter into contracts authorized by this section shall be held to be agents of the United States for the purposes of such contracts", so as to make the section read:

SEC. 4. The provisions of section 4 of the act approved April 25, 1939 (53 Stat. 590, 592), shall be applicable to all facilities authorized by this act, including facilities located within the continental limits of the United States: *Provided*, That the fixed fee to be paid the contractor as a result of any contract entered into under the authority contained herein shall not exceed 6 percent of the estimated cost of the contract, exclusive of the fee, as determined by the Secretary of the Navy: *Provided further*, That all contractors who enter into contracts authorized by this section shall be held to be agents of the United States for the purposes of such contracts.

The amendment was agreed to.

The next amendment was, on page 4, after line 10, to insert a new section, as follows:

SEC. 5. The Secretary of the Navy is hereby authorized to continue the employment, in the District of Columbia and elsewhere, of such employees now carried on the rolls as will be required for the preparation of plans and specifications and administrative work in connection with the public-works and public-utilities projects authorized by this act, or heretofore otherwise authorized.

The amendment was agreed to.

The next amendment was, on page 4, after line 17, to add a new section, as follows:

SEC. 6. The Secretary of the Navy is hereby authorized to proceed with the construction of the following public-works projects at a cost not to exceed the amount stated after each item enumerated:

Navy Yard, Pearl Harbor, T. H.: Temporary storehouses and accessories, $1,000,000.

Naval Station, Guantanamo, Cuba: Defense facilities, including buildings and accessories, $1,500,000.

Net and ammunition-storage facilities: Naval net depots and ammunition storage, including buildings and accessories and the acquisition of land, $6,262,362.

Naval Air Station, Pensacola, Fla.: Development of aviation facilities for training, including buildings and accessories, and acquisition of land, $4,000,000.

Naval Air Station, Miami, Fla.: Development of aviation facilities for training, including buildings and accessories, and acquisition of land, $3,500,000.

Naval Air Station, Jacksonville-Banana River, Fla.: Development of aviation facilities for training, including buildings and accessories, and acquisition of land, $9,500,000.

Naval Air Station, Jacksonville, Fla.: Trade schools, including buildings and accessories, $3,000,000.

Temporary housing, including extension of existing structures and facilities, for Marine Corps personnel, $4,500,000.

Temporary housing for hospital facilities, $600,000.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

Mr. McNARY. Mr. President, two Senators who are absent have advised me that they desire to be present before the bill is passed. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Donahey	Lodge	Sheppard
Andrews	Downey	Lucas	Shipstead
Ashurst	George	Lundeen	Slattery
Austin	Gerry	McCarran	Smathers
Bankhead	Gibson	McKellar	Stewart
Barbour	Gillette	McNary	Taft
Barkley	Green	Mead	Thomas, Idaho
Bilbo	Gurney	Miller	Thomas, Okla.
Bone	Hale	Minton	Thomas, Utah
Brown	Harrison	Neely	Tobey
Bulow	Hatch	Norris	Townsend
Burke	Hayden	Nye	Truman
Byrd	Herring	O'Mahoney	Tydings
Byrnes	Hill	Overton	Vandenberg
Capper	Holman	Pepper	Van Nuys
Caraway	Holt	Pittman	Wagner
Chandler	Hughes	Radcliffe	Walsh
Chavez	Johnson, Calif.	Reed	Wheeler
Clark, Mo.	Johnson, Colo.	Reynolds	White
Connally	King	Russell	Wiley
Danaher	La Follette	Schwartz	
Davis	Lee	Schwellenbach	

The PRESIDING OFFICER. Eighty-six Senators having answered to their names, a quorum is present.

Mr. KING. Mr. President, I desire to inquire of the chairman of the committee the reason for carrying in the bill approximately $25,000,000 for activities in Florida. I was wondering whether all of the expected naval wars are to be fought along the coast of Florida. What is the necessity for appropriating so much for four or five new stations and plants in one State?

Mr. WALSH. Mr. President, the question is a very natural one, and the Senator from Oregon [Mr. McNARY] was prompted to make the same inquiry earlier in our deliberations. The items relating to Florida are, first, for the naval air station at Pensacola, Fla. Of course, there is an existing training station there, and the amount proposed to be appropriated is $4,000,000, to increase the facilities there for training.

I may say to the distinguished and able Senator from Utah that the bill contemplates speeding up the training of pilots from 150 a month to 500 a month. The period of

training is, roughly, 9 months to a year. We will not be able to reach the 500-a-month stage for 2 or 3 years. But it so happens that we can increase the facilities at Pensacola and we have now an air station at Miami. Let me add that the State of Florida, or the city of Miami, I have forgotten which, has granted as a gift to our Government an extension of the field at Miami, and it is proposed that we increase the training facilities there temporarily, in addition to what we have at Pensacola. The station at Pensacola cannot take more than 175 or 200 students. There is also a similar situation at Jacksonville. They are both fields which are well located and in every way desirable, and it is thought they both can be utilized for training, and that at comparatively little expense temporary facilities can be established at once.

One reason for going there is that there are already training fields located there. I wish the Senator from Utah to note that. We do not have to spend any money on building a field. All we have to spend money on is buildings to house the students and the planes and the officers.

The amount for Miami is only $3,500,000. The air station at Jacksonville-Banana River, $9,500,000. There we have to buy some land. The other air station, Jacksonville, $3,000,000. The plant at Jacksonville will also be used for a trade school, I may say to the Senator, for teaching and training mechanics for aviation. We have not only to train pilots, in connection with this big expansion, but also mechanics. The reason for going there, first of all, is that there are existing plants there. Secondly, the officers of the Navy state that the training work can be done every day in the year, and it is much more desirable for training purposes than to go to the north. After the training the men are sent to the naval bases in the North for training in the severer and harder weather, but for primary training it is the opinion of the naval officers that Corpus Christi, Pensacola, and these other locations in Florida are the most desirable.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill H. R. 9848 was read the third time and passed.

The PRESIDING OFFICER. Without objection, Senate bill 4024, which is identical with the House bill just passed, is indefinitely postponed.

REORGANIZATION OF THE NAVY DEPARTMENT

Mr. WALSH. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1749, Senate bill 4026, providing for the reorganization of the Navy Department, and for other purposes.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 4026) providing for the reorganization of the Navy Department, and for other purposes, which was read, as follows:

Be it enacted, etc., That the following changes are hereby made in the organization of the Department of the Navy:

(a) The Bureau of Construction and Repair, the Office of the Chief of the Bureau of Construction and Repair, the Bureau of Engineering, and the Office of the Chief of the Bureau of Engineering are hereby abolished.

(b) The functions of the Bureau of Construction and Repair and the functions of the Bureau of Engineering are hereby transferred to and consolidated under one bureau to be known as the Bureau of Ships, with a Chief of Bureau at the head thereof. The duties of the Bureau of Ships shall be assigned by the Secretary of the Navy and performed under his authority, and the orders of the Chief of the Bureau of Ships shall be considered as emanating from the Secretary of the Navy, and shall have full force and effect as such.

(c) The Chief of the Bureau of Ships shall be appointed by the President, by and with the advice and consent of the Senate, for a term of 4 years, from among the officers of the active list of the Navy who are specially qualified and experienced in naval engineering or naval architecture. The Chief of the Bureau of Ships shall have the same rank and shall be entitled to the same pay, allowances, and privileges of retirement as are now or may hereafter be prescribed by or in pursuance of law for other Chiefs of Bureaus in the Navy Department, and shall take precedence ahead of all other officers on duty in the Bureau of Ships.

(d) An officer on the active list of the Navy who is specially qualified and experienced in naval engineering or naval architecture shall be detailed as Assistant Chief of the Bureau of Ships. He shall, while so serving, have the rank of rear admiral and shall receive the highest pay and allowances of that rank: *Provided,* That if the Chief of the Bureau of Ships be specially qualified and experienced in naval engineering, the Assistant Chief of the Bureau of Ships shall be specially qualified and experienced in naval architecture; and if the Chief of the Bureau of Ships be specially qualified and experienced in naval architecture, the Assistant Chief of the Bureau of Ships shall be specially qualified and experienced in naval engineering: *Provided further,* That nothing herein shall operate to deprive the incumbents in office as the Chief of the Bureau of Construction and Repair and the Chief of the Bureau of Engineering on the effective date of this act of the rank, pay, allowances, or retirement privileges to which they may be entitled under existing law, nor to affect the status of any officer heretofore retired from said offices.

(e) Officers on the active list of the Navy who are specially qualified and experienced in naval engineering or naval architecture shall be detailed as heads of the major divisions in the Bureau of Ships.

(f) The Assistant Chief of the Bureau of Ships and then the heads of the major divisions of that Bureau shall succeed to the duties of the Chief of Bureau during his absence or disability, or in the event of a temporary vacancy in that office, in such order as may be directed by the Secretary of the Navy.

(g) All records and property (including office equipment) of the Bureau of Engineering and the Bureau of Construction and Repair, and all the personnel used in the administration and functions of such Bureaus are hereby transferred to the Bureau of Ships for use in the administration and functions transferred or provided by this act: *Provided,* That any civilian personnel transferred by this section found by the Secretary of the Navy to be in excess of the personnel necessary for the administration of the Bureau of Ships shall be retransferred under existing law to other positions in the Government service, or separated from the service in accordance with the applicable provisions of section 10 (a) of the Reorganization Act of 1939.

(h) The unexpended balances of appropriations, allocations, or other funds available for use in connection with the exercise of any function herein transferred to the Bureau of Ships shall be transferred to that Bureau for use in connection with the exercise of the functions so transferred. All funds available in the appropriations for the fiscal year 1941 under the headings "Salaries, Bureau of Construction and Repair" and "Salaries, Bureau of Engineering" shall be transferred and consolidated into one appropriation account to be entitled "Salaries, Bureau of Ships," and all funds available in the appropriations for the fiscal year 1941 under the headings "Engineering" and "Construction and Repair" shall be similarly transferred and consolidated into another appropriation account to be entitled "Maintenance, Bureau of Ships," and, further, such part of the funds available under the appropriations "Instruments and Supplies," "Maintenance, Supplies, and Accounts," and "Ordnance and Ordnance Stores" for the fiscal year 1941, as relate to the procurement of equipage, supplies, and services necessary to the maintenance and operation of vessels, and repairs to such equipage, but not including technical ordnance equipage and technical supplies, shall be transferred upon approval of the Bureau of the Budget to the appropriation "Maintenance, Bureau of Ships," provided the Secretary of the Navy shall authorize and direct the transfer of cognizance over such equipage, supplies, and services and repairs to equipage to the Bureau of Ships.

SEC. 2. In addition to the duties now prescribed by law the Chief of Naval Operations shall, under the direction of the Secretary of the Navy, be charged with the coordination of the functions of the Naval Establishment afloat, together with the determination of priorities relating to repair and overhaul of ships in commission or about to be commissioned.

SEC. 3. There shall be in the Department of the Navy an Under Secretary who shall be appointed by the President, from civil life, by and with the advice and consent of the Senate. The Under Secretary of the Navy shall perform such duties as may be prescribed by the Secretary of the Navy or required by law and shall be next in succession to the Secretary of the Navy during his absence or disability or in the event of a temporary vacancy in that office. The compensation of the Under Secretary of the Navy shall be at the rate of $10,000 per annum. The Assistant Secretary of the Navy, next after the Under Secretary of the Navy, shall hereafter succeed to the duties of the Secretary of the Navy during his absence or disability, or in the event of a temporary vacancy in that office.

SEC. 4. Section 4 of the act approved June 24, 1926 (44 Stat. 767; U. S. C., title 5, sec. 421a), entitled "An act to authorize the construction and procurement of aircraft and aircraft equipment in the Navy and Marine Corps, and to adjust and define the status of operating personnel in connection therewith", is hereby repealed.

SEC. 5. All laws or parts of laws so far as they are inconsistent with or in conflict with the provisions of this act are hereby repealed.

Mr. PEPPER. Mr. President——

Mr. WALSH. Mr. President, I am very happy to yield to the Senator from Florida, who very graciously withheld his speech until after the bill just passed was disposed of.

AVIATION

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. McCARRAN. Mr. President, some time ago I introduced a bill (S. 4041) to establish a Division of Aviation Education in the United States Office of Education, Federal Security Agency, and for other purposes. I find that the subject has been dealt with by authorities throughout the country in a most interesting manner.

I ask to have inserted in the RECORD at this point an article entitled "Germany's Youth in the Air," written by William R. Enyart, and published in the N. A. A. magazine of March 1937.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GERMANY'S YOUTH IN THE AIR

(By William R. Enyart)

Either the Nazis have enlightened foresight or it is a rare political wind that blows nobody good. After viewing the new Germany first hand, you incline toward the former. Certainly the great "Hitler Youth" movement, and more particularly the Luftsport Verband, the aviation offshoot of this movement, has social implications for good which would seem to overweigh the political or militaristic leanings which might be acquired thereby. Today hundreds of thousands of the young people of Germany are enrolled as "Hitler Youth" and follow out a program of training and education which makes our splendid Boy Scout organization appear small by comparison.

And front rank in the "Hitler Youth" is given to aeronautics. The Air Ministry, as in all things aviation in Germany, has planned and actively directs the integrated program for aeronautic education which starts with children in the primary schools, and this program does not end until the youth is a pilot or aviation technician or has become a voting Nazi with a proper background of the importance of aviation, both civil and military, to the new Germany.

In each German school there must be at least one teacher qualified in aeronautics. If the school faculty includes no one suitably informed on aviation, one is selected, under Air Ministry direction, which includes visits to aviation centers and a special course of study. Such teachers receive weekly throughout the school year a special publication designed to keep them posted on new aeronautic education activity. Youngsters showing special interest in aviation have the opportunity to do elementary model building during regular school hours. All are taught the fundamentals of aeronautics and imbued with the view that they are fortunate in having been born into the new aviation era.

Thus indoctrinated with the aviation idea, the youth who have demonstrated special interest in classroom work have the opportunity to become members of the Deutscher Luftsport Verband, the semigovernmental air organization in Germany which promotes aeronautic education among the German people and the development of model building and gliding and soaring on the part of the nation's youth. From the N. A. A. point of view, the operation of the D. L. V., as it is termed, is of special interest. Therefore, when at the huge new German Air Ministry building recently I was asked to name what I should like to see, one of my first requests was regarding the working of this great organization.

With typical German thoroughness a program was laid out for me which gave me a remarkably detailed view of the organization and operation of the D. L. V. Our inspection tour started with a call upon one of the division directors of the D. L. V. for Berlin. In general, the D. L. V. is made up of a national headquarters manned by officers of the German air force assigned for this purpose territorial divisions based upon the different German provinces, and subdivisions of each territorial organization for local representation. In Berlin the city was split into seven sections, or divisions, with a director in charge of each. The director of the "new" Berlin section was the one selected by the German Air Ministry for our call. We found him quartered in a residence of considerable size in a quiet residential section. We were met at the door by an orderly in the gray and green uniform of the German air force and conducted to the office of the director, on the third floor. He is a very pleasant fellow, indeed, whose English, fortunately, was very good. As with all Germans I met, he was anxious, if not eager, to tell me everything about his work and apparently withheld nothing. After reviewing generally the nation-wide organization of the D. L. V., he took us on a tour of the building where his officers were housed, explaining it was a combination headquarters offiffice for his division in Berlin and a clubhouse for his D. L. V. members.

The D. L. V. is concerned, first, with educating German youth on aeronautics through the medium of model building; second, training them in the art of flying by means of gliding and soaring. They stress the fact that member participation is all voluntary "after classroom" activity. Although D. L. V. operation is directed by officers of the Air Ministry, the operation of each section is financed by dues from members and contributions from patriotic and aviation interests. Some idea of the size of the organization is indicated by the fact that in Berlin alone there are 60,000 members. Throughout Germany an estimate of 200,000 members probably would be conservative. The membership falls in two general divisions: Active members who are engaged in model building or in glider construction or flying, and members who support the work of the organization through the medium of their membership dues. Of the 60,000 members in Berlin I was told approximately 40,000 are active, 20,000 being therefore in the patron class. Of the 60,000 it was estimated that between 2,000 and 3,000 had become experienced gliding pilots through their membership in the organization. The paying members, the active members, range from elderly women to industry executives, and it was explained that their return for their membership came through visiting the model and glider centers and acting as interested spectators at the various meets.

The new Berlin section had 16,000 of the 60,000 membership total in the Berlin area. In addition to the headquarters office and its clubroom, this new Berlin section maintains three model-building shops, five glider shops, and a number of clubrooms. In general, model activity is centered in the 10-to-16-age group, the gliding activity from 16 on. Other than the 10 officers of the Air Ministry who direct the national phases of the work, most of the activity is volunteer. Although it was stressed that the organization is civil, not military, all members wear a uniform. The organization, of course, has an insignia and publishes a very attractive monthly magazine.

In our tour of the headquarters office we were shown the thousands of membership cards, where a record of the work and activity of each member is kept; then the glider office, where on a large wall chart we could see the status of each of the 29 gliders owned by that section of the D. L. V. It was explained that about half of these had been purchased from German glider factories; the other half had been constructed by the boys themselves in the glider shops. The 29 gliders varied in type from primary trainers to the most advanced sailplanes. There was a clerical staff of approximately 20 members of the division headquarters.

It was explained that the salaries of this staff, plus the operating expenses, were financed from the memberships and contributions received in that territory. In the glider office we noted that insurance was carried on the gliders to cover them during transportation and at times other than in actual flight and were told that this insurance was obtained annually for a cost of 500 marks per glider. The wall chart showed the current condition of the glider and its camp or shop location. The glider shops were all within their section territory. Three soaring camps operated by the section were located within reasonable driving distance of Berlin; one of these at Terrin, we would visit the next day. The ground floor of the headquarters building was arranged as club rooms for the members, containing a combined lounge and library and a lecture room equipped to show motion pictures.

I was then shown two films which, it was explained, would help to visualize for me the activities of the organization. The first film showed models under construction of the soaring sites; the second, members making glider flights. Close-ups were shown of various take-offs by shock cord, automobile towing, and power winch. The film was concluded by a view of one of the advanced pilots doing a beautiful diving "8" maneuver in a large-span sailplane. In this maneuver the pilot, from an altitude of what appeared to be only several hundred feet, dove down past the spectators, then pulled his sailplane up into a climbing chandelle turn, diving again past the spectators to make a similar climbing turn at the opposite end of the field. He was able to repeat this twice at each end and concluded with a beautiful spot landing directly in front of his obviously enthusiastic gallery. I could not help but note that throughout the two films there were repeated showings of what appeared to be military inspections, as well as close-ordered drill, both by the young model builders, and the older glider members. All, of course, were attired in the uniform of the D. L. V. and there are many uniforms in Germany these days.

After I saw the films I was taken by the section leader to a typical model shop and a typical glider workshop of his section. The model shop was first. It was a one-story building approximately 75 by 40 feet in floor size, at the rear of a double flat building in a residential section. It might well have been a converted garage. Although the night was bitterly cold it was well heated and comfortable inside. Upon our arrival everyone gave the Nazi salute, the customary welcoming and leave-taking gesture in Germany. There were probably 20 boys at work around a large work table constructing models of various types. One corner of the building contained a toolroom where a simple check system was used for withdrawing and returning needed tools. At the rear of the building was a storage room where boys in other groups kept their semicompleted models. Hung from the ceiling of the workshop were apparently prize-winning models made by members. A middle-aged instructor was in charge, who, my host said, was a manual-training teacher in one of the German schools and was giving his time voluntarily as the leader-instructor of this evening class. The instructor in charge had an attendance booklet which he showed me on which the attendance of each member and the rating given for various stages of his model-building work was noted. There were a series of booklets, each containing a description of a certain type of model plane, plus a large-scale drawing of the model showing the exact size of each piece. From this instruction booklet and drawing and under

the general supervision of the leader, the boy completed his model.

In accepting boys for the model work I was told that all were, first, members of the Hitler youth movement and that those who were especially interested in flying and showed some capabilities in this direction then became members of the D. L. V. Those who had the best ratings could take flying instruction and finally those who were the most proficient in flying had the opportunity to go into the military flying schools for advanced pilot training. We should remember that in building and those who were best were recommended for the more advanced building of the D. L. V. shops.

From the model workshop we went to the glider shop, which was located apparently a mile or so away in another residential section. This shop was considerably larger. I counted 6 glider fuselages with the wings demounted apparently in storage for the winter, and approximately 5 models in various stages of repair or construction on the work floor. There were 3 automobiles which were part of their glider equipment. Two were of passenger type, with trailer attachments. One was a truck on which was mounted a large winding spool with steel-braided towing cable. There were probably 25 young men at work in the shop. I noted in particular a late-type, high-performance sailplane fuselage on which minor repairs were apparently being made while the rudder and tail assembly was being recovered. I was told that all those working in the shop were C pilots. Here again there was a leader in charge. A toolroom was well stocked with equipment of all kinds and with a check system for withdrawing and returning equipment. At the back of the shop I met a fine-looking chap, apparently 22 or 23 years of age, who was introduced as the best soaring pilot of the section. He told me, with some pride, that he held the silver C or D. His license number was 187. There are only 300 D pilots in the world. He had placed sixth at the annual Wasserkuppe meet in 1936. My host told me all the members of his section were hopeful he would be able to win first place at this year's contest for them.

Unfortunately our tour next day to Terrin to look over the glider camp at that location met with grief several miles from the camp's site, our big Mercedes Air Ministry touring car finally succumbing to the heavily drifted snow which covered the approach road. The result was that after shoveling out our car we were forced to abandon the sightseeing project until more favorable weather. From the description given me of this site, which apparently was typical of the many soaring camps throughout Germany, it was located on a natural elevation having a drop of 600 to 800 feet. Permanent buildings erected on the site included an administration and meteorological office, a hangar for the gliders and facilities for week-end camps. Captain Coppelle of the Air Ministry, my very gracious host on the projected trip to Terrin, told me these soaring camps become very jolly week-end gathering places for the people in the surrounding countryside, that each camp had its band made up of D. L. V. members, and that beer was always available. Gathered to see the gliding and to listen to band concerts, the spectators could always be counted on to add to the social cheer. It was his opinion that this interest on the part of so many nonflying persons and the friendly camp spirit of these soaring sites was an important factor in their great popularity.

Mr. McCARRAN. I also ask unanimous consent to have printed in the RECORD at this point another article by William R. Enyart entitled "The New Europe in the Air," published in the N. A. A. magazine of March 1937.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE NEW EUROPE IN THE AIR

(By William R. Enyart)

The third front on which the German Air High Command is waging its campaign for the new Germany may well prove most important of all to the success of their aeronautic plan, since it deals with public aeronautic education and youth air training. A more detailed glimpse of the operation of the D. L. V. (Deutscher Luftsport Verband), which carries on this work under air-ministry direction, is given in another article in this issue. Suffice to say here that through the work of the D. L. V. hundreds of thousands of people, young and old, in Germany have been imbued with the view that in aviation lies one of the major German hopes for future commercial and military greatness. In addition, by first-hand flight training thousands of the younger people of Germany are being initiated into the fascination of flying. This vast campaign toward an enthusiastic and forward-looking public consciousness toward aviation, both commercial and military, is already strikingly evident on all sides and among all classes.

Thus Germany's remarkable nationalistic aviation program gathers momentum. It cannot overshadow, however, except in point of size, the thoroughgoing program almost parallel in detail by which Mussolini is developing aviation in the new Italy. In Russia's amazing parachute-jumping clubs alone there is a brief glimpse of the extent of Soviet air planning in the Stalin way. In France we see the beginnings of the new National Socialist government's answer to German and Italian activity in their nationalization program for the French aircraft industry, in greatly augmented activity at Chalais-Meudon, the French air-research center, and in the nation-wide educational and youth training program of La Federation Populaire des Sports Aeronautiques, which was described briefly by R. C. Wood in last month's issue of this magazine.

Great Britain, smarting under her loss of face in the Mediterranean per Ethiopian sanctions, or rather their failure, and now realizing fully that it was Italy's stronger position as regards air power which was the major factor in her Mediterranean "paper defeat," has evolved her much discussed shadow scheme as one British answer to the nationalistic production programs of other countries. But in the important field of aeronautic education and youth training Great Britain is still depending upon individual initiative, plus only limited Government financial priming, to match the air ministry directed educational programs now well under way in Germany and Italy and starting in France. One thing is certain—the uncoordinated, and only partly financed British system is going to be sorely pressed to keep up its end. In later articles we will tell you some of the details of the Italian educational program, review the current British activity in public education and youth training, and furnish you further information on the program of the French Air Ministry's Federation Populaire.

Without any attempt to weigh the social implications of the nationalistic nature of the majority of the new aviation programs under way abroad, it is evident that they are already obtaining results. Particularly is this so in Germany and Italy, where many citizens apparently welcome regimentation. What the ultimate result of these aviation happenings in Europe will be is yet to be seen. Of one thing, however, we are sure—the aviation activity in Europe today offers a challenge of far-reaching consequence to any nation such as our own, interested from an economic as well as military reason in being first in the air.

Mr. McCARRAN. I also ask to have printed in the RECORD an article entitled "France Trains Her Youth," published in the N. A. A. magazine for February 1937.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FRANCE TRAINS HER YOUTH

A carefully planned and well coordinated movement to popularize aviation in its various forms has been organized in France. It is termed "La Federation Populaire des Sports Aeronautiques" and has the active backing of the air ministry and the aid of the ministry of national education. Special efforts are being made to familiarize the French youth, from school children up, with the possibilities offered by aviation to enable boys and young men to acquire an aeronautical education at nominal rates.

Lucien Boussotrot, well known as the former chief pilot of the Bleriot Aeroplane Co. and now chairman of the chamber of deputies aviation commission, is the president of this new association. Edmund Serre, the technical director of the Air France Air Line System, is the vice president, and George Andre, a former well known athlete, the secretary. The Federation was formed in the early part of this year and received the enthusiastic approval of Mr. Pierre Cot, the present air minister, when he took office last June.

A special department of the air ministry, headed by Lieutenant Colonel Jeannin, has been created to take charge of these activities, and Sadi Lecointe, the well known speed pilot, has been appointed inspector general to oversee and encourage them.

An interesting program has been laid out which will include:

1. Aeronautical education at the primary schools for all children between the ages of 9 to 14 years. Talks will be given on aviation subjects to the younger ones and paper models of airplanes will be constructed from sheets of thick paper, the material for 27,000 of which has been sent by the air minister to the ministry of national education. The older boys will be given instruction in shops and will construct actual working models of various planes.

Prizes will be awarded by the Air Minister to the students accomplishing the best results.

2. Boys between the ages of 14 to 21, whose attention and work justify it, will then receive certificates enabling them to take a 2-year course in a technical school and to be admitted to membership in a section of Aviation Populaire. Boys thus selected and who pass the necessary physical examination will be entitled to receive practical training in gliding and, if proficient, will be sent to the National Gliding Center at la Banne d'Ordanche, or to one of several others which will be shortly created throughout France as follows:

Beynes Thierval (near Paris), Dune de Pilots (Arcachon), Pont Saint Vincent (Nancy), Montagne Noire (Toulouse), Coteau du Layou (Angers), Pujaut (Avignon), Saint Inglevert (Nord).

3. When the gliding course has been finished and the boy has passed his examinations successfully, he will be trained to fly an airplane equipped with an engine of from 40 to 60 horsepower. From that he will pass to an airplane powered with an engine of 100 to 130 horsepower, and then finally to a regular tourist machine.

It is the intention of the air ministry to furnish the various sections of the federation who will receive their gasoline (fuel) free of the present taxes imposed and will be enabled to take out insurance policies at especially favorable rates.

The monthly dues in these sections will not exceed, it is said, 10 francs (50 cents approximately) at a maximum.

This program has met with quick responses from all parts of France, and 120 sections of the Federation Populaire have already been formed. The Federation Aeronautique de France (Associated

French Aero Clubs), of which Senator Laurent Eynac, former Air Minister, is president, and which groups 175 aero clubs and associations throughout France and the colonies, unanimously approved the immediate adoption of this new program at its meeting held October 10, 1936, in Paris. A strong nucleus is thus formed.

Over 100 light planes have already been furnished to the new federation by the Air Ministry, and in a statement made before the Chamber of Deputies' Aeronautics Commission on December 2, 1936, Mr. Pierre Cot, the Air Minister, declared that 700 light planes and 200 gliders would be supplied to the federation during 1917.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 5584) to amend the Canal Zone Code.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 9209) making appropriations for the Military Establishment for the fiscal year ending June 30, 1941, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. SNYDER, Mr. TERRY, Mr. STARNES of Alabama, Mr. COLLINS, Mr. KERR, Mr. MAHON, Mr. POWERS, Mr. ENGEL, and Mr. CASE of South Dakota were appointed managers on the part of the House at the conference.

The message returned to the Senate, in compliance with its request, the bill (H. R. 8429) for the relief of Maj. L. P. Worrall, and for other purposes.

FINLAND'S DEBT TO THE UNITED STATES

Mr. VANDENBERG. Mr. President, will the Senator yield to me?

Mr. PEPPER. I yield.

Mr. VANDENBERG. I desire to introduce a resolution, and if the Senator from Florida will permit me to take 2 minutes to explain it, I shall be grateful to him.

On June 15, 1940, the Republic of Finland will owe its next debt installment of $159,398. On May 24, 1940, I wrote to the Secretary of State regarding the status of the Finnish debt, and I wish to read one explanatory paragraph from that letter:

> I wish to present a concurrent resolution in the Senate to preserve the favorable status of the Republic of Finland in respect to her war-debt record without the necessity of any payment by Finland on her approaching June obligation and her subsequent December obligation.
>
> In other words, I want Finland to have the full benefit of her debt-paying record and of whatever American advantages may accrue therefrom without the necessity of any payment of the next two installments. In view of the plight of Finland, it seems to me that it would be as embarrassing for us to accept these next payments as it might be difficult for Finland to make them—although I have no doubt that she would still persist in this heroic sacrifice. I do not see that any precedent is involved which might subsequently affect other war debtors because, of course, the record of Finland is unique and alone.

The Secretary of State replied in a letter dated June 3, and while he does not pass upon the merits of the suggestion, he at least does not indicate any opposition. Furthermore, he calls attention to the fact that the President himself evidently had something of this character in mind. I quote from the Secretary's letter:

> Your letter of May 24 regarding payments due from Finland this year raises the same question the President had in mind last December when he directed the Secretary of the Treasury to place the December 15 payment in a separate account pending such action, if any, as the Congress might desire to take with respect to it.

This payment of last December of $234,613 is still in a suspended account in the Treasury.

Mr. President, with this brief explanation, I ask unanimous consent to introduce a joint resolution which should be referred to the Committee on Finance, which would permit the Republic of Finland to maintain her favorable debtor status without the necessity for the next two debt payments.

There being no objection, the joint resolution (S. J. Res. 272) to authorize the postponement of payment of amounts payable to the United States by the Republic of Finland on its indebtedness under agreements between that Republic and the United States dated May 1, 1923, and May 23, 1932, was received, read twice by its title, and referred to the Committee on Finance.

Mr. SCHWELLENBACH. Mr. President, will the Senator from Florida yield?

Mr. PEPPER. I yield.

Mr. SCHWELLENBACH. I should like to make a remark with reference to the statement of the Senator from Michigan. I have no inside information about the debt situation. However, I have very definite information that it is the full intention of the Finnish Government to make the payment on the 15th of June precisely in the same way as it has made it in the past. I have no objection to the resolution of the Senator from Michigan, but since the resolution has been introduced we should at this time recognize the fact that Finland intends to make the payment, regardless of whether or not Congress will agree to any resolution.

Mr. VANDENBERG. Mr. President, will the Senator yield to me to permit me to reply?

Mr. PEPPER. I yield.

Mr. VANDENBERG. Mr. President, the greater the willingness of this amazing little country, in view of her present burdens and difficulties, to continue making these payments, the greater would be my desire to prove just once in this modest way that it does pay to be a good war debtor to the United States. The money involved is less important than the principle involved. Finland needs every penny she can muster in her hard tasks of recuperation and rehabilitation, and I am simply saying that she should not be put to the added strain of debt payments to us for the time being, despite her sturdy and courageous willingness. My resolution simply testifies, in tangible form, to her deserved reputation as a superior credit risk.

Mr. SCHWELLENBACH. Mr. President, in connection with the same matter I should like to ask unanimous consent to have printed at this point in the RECORD Field Marshal Mannerheim's order of the day to the Finnish Army, issued on Thursday, March 14, 1940.

There being no objection, the order was ordered to be printed in the RECORD, as follows:

FIELD MARSHAL MANNERHEIM'S ORDER OF THE DAY TO THE FINNISH ARMY ISSUED ON THURSDAY, MARCH 14, 1940

Soldiers of Finland's glorious Army! Peace has been concluded between our country and Soviet Russia. It is a hard peace, giving Russia practically every battlefield on which you have shed your blood for all that you hold dear and sacred. You did not want war. You loved peace, work, and progress. But the fight was forced upon you, and the deeds you have performed will shine for centuries in the annals of history.

More than 15,000 of you who went out will not see your homes again, and how many are they who have not lost forever their ability to work. But you have hit back hard, and if 200,000 of the enemy now lie beneath the frozen snows or with sightless gaze contemplate our starry skies, the blame does not lie with you. You did not hate them. You wished them no harm. You merely followed the stern law of war: to kill or die.

Soldiers! I have fought on many battlefields, but never yet have I seen your equals. I am proud of you, just as if you were my own children, equally proud of him from the northern Tundras, of him from the broad plains of East Bothnia, from the Karelian woods, from Savo's villages. I am proud of those who come from the flourishing farms of Häme and Satakunta, of those from the whispering birchwoods of Uusimaa and Finland proper. * * *

Officers and men, I thank you all. But I particularly wish to draw attention to the courage and devotion to duty of the reserve officers, and the skill with which they carried out a work which normally was not theirs. Also their sacrifice was in proportion the greatest in the war, and given gladly and with unswerving loyalty.

I thank the staff officers for their ability and untiring work. Finally, I thank my nearest colleagues—the chief of the general staff, the quartermaster general, the Army commanders, the corps and divisional commanders, who in many cases made the impossible possible.

I thank all the services of the Finnish Army, who in brilliant combat achieved such fine exploits and who, from the first day of the war, went with great boldness to the attack of an enemy many times stronger and armed with untried weapons. I thank them for the tenacity with which they clung to every inch of soil of their native land. The destruction of more than 1,500 Russian tanks and over 700 airplanes bears witness to the heroic deeds frequently performed by individual men.

With joy and pride I think of Finland's women of Lotta Svärd and of their contribution to the war, their spirit of sacrifice and untiring work in all branches, thus liberating thousands of men for the

front line. With their courageous spirit they supported and spurred on the Army whose gratitude and appreciation they fully earned.

A place of honor has been filled by the thousands of workers who, during the bitterest days of the war and under air attacks, faithfully and often as volunteers, remained at their work producing the necessities of war, and also those who under enemy fire untiringly worked on the fortifications. In the name of our country I thank you all.

Despite all courage and the will to sacrifice, the Government has been forced to make a peace on hard terms. This nevertheless has its explanation.

Our Army, including reserves, was insufficient; we were not equipped for a war with a great power. While our brave soldiers were defending our frontier, it was necessary with superhuman efforts to make up the deficiencies, to create a line of defense which before did not exist, and to seek the help which did not arrive. It was a question of getting arms and equipment at a time when our country was feverishly preparing for the storm which is now sweeping over the world.

Your deeds have aroused admiration the whole world over; but after 3½ months of war we still stand alone. We did not succeed in obtaining any foreign aid, except for two battalions reinforced by some artillery and airplanes, whilst our own troops, fighting day and night, without a chance of relief, stood up to the attacks of every new enemy formation till long past physical and moral breaking point.

When at last the history of this war is written the world will see what deeds you have performed.

Without the generous help of ammunition and equipment given by Sweden and the western powers we could not have withstood for so long the innumerable guns, tanks, and airplanes which were thrown against us. Unfortunately, the splendid promise of help given us by the western powers could not be fulfilled, owing to our neighbors' concern for their own safety. They refused the right of passage to the Allied troops.

After 16 weeks of fierce struggle, without resting day or night, our army stands today unbeaten by an enemy which, in spite of enormous losses, has only grown in numbers.

Neither has our home front wavered, despite the innumerable air attacks which have spread death and terror among our women and children.

Our towns, which have been burnt down, our villages lying far behind the front, even as far back as the western frontier, are a striking witness of what our people have had to undergo during the past months.

It is a hard fate for us now that we have been obliged to give up to a race which is foreign and of a different philosophy and moral standards, land which we tilled for centuries by the sweat of our brow.

We will spare no effort to provide homes and better living conditions within the remaining territories for all those whose houses and property have been ruined.

And we will be prepared as before to defend our diminished mother country with the same determination and strength with which we fought for her undivided.

We have the proud knowledge that we have a historic mission to fulfill: to protect the western civilization which for centuries has been part of our heritage. We also know that we have paid to the last penny that debt which we have owed to the West.

MANNERHEIM.

Mr. BARKLEY. Mr. President, of course, I have no objection to the introduction of the resolution and its reference to the Committee on Finance. But along the same line as suggested by the Senator from Washington, I have information which I think is absolutely authentic that not only does Finland intend to pay the next installment but wants to do it——

Mr. CONNALLY. And is able to do it.

Mr. BARKLEY. And is able to do it. It may be that Finland will need assistance of another nature, for which provision has at least to some extent been made.

Finland is not only not asking that this payment be foregone, but I have been informed by those who are in position to speak for Finland that Finland insists most emphatically on making the payment, and can do it, and wants to do it, and will do it.

That may not have any bearing on the propriety of the friendly suggestion made by the Senator from Michigan, but it ought to be understood that the Republic of Finland has no intention or desire that this payment be omitted.

Mr. VANDENBERG. Mr. President, if the Senator from Florida will permit me further, I wish to agree with the Senator from Kentucky, as I agree with the Senator from Washington. The facts as stated by both of them are precisely the facts as I understand them to exist.

I think the Republic of Finland is preparing, in spite of everything it has suffered, still to maintain the magnificent credit record it has made. I simply repeat that the greater her desire to do it, the greater my desire to demonstrate in this very simple way that the United States has some tangible interest in proving that it does pay to pay debts owed to the United States. Finland's willingness to pay, and her intention to pay, are no reason why we should not voluntarily ease the terms under which she will ultimately pay. The fact that Finland does not solicit this consideration is all the more reason why we should pass this resolution.

REORGANIZATION OF NAVY DEPARTMENT

The Senate resumed the consideration of the bill (S. 4026) providing for the reorganization of the Navy Department, and for other purposes.

Mr. PEPPER. Mr. President, not only the Senate but the country is indebted to the able Senator from Massachusetts [Mr. WALSH], chairman of the Senate Naval Affairs Committee, for the very illuminating and comprehensive testimony which he gave the Senate and the country today about the naval forces, now and to be, of the United States of America. It seems to me that statement should convince anybody that those who speak in terms of the United States of America being insulated from what happens in Europe are not acquainted with what is going on even in their own country. Mr. President, the chairman of our Naval Affairs Committee stated—and it is within the knowledge of the Senate in greater detail—that not only have we spent colossal sums in the construction of the Navy we already have; not only are we in the process of spending even greater sums in the construction of a navy at the present time; but we face the inevitable necessity of spending yet larger sums in the further enlargement of our naval forces.

The chairman of our Naval Affairs Committee made it very clear why we are doing so. It is because moral forces, law and decency, and civilization's code, are being destroyed, and have virtually been destroyed in the world, and the world is dominated by force alone. Nations respect force alone. We therefore have had to prepare ourselves for that kind of a world; and the taxpayers of America are paying out of their already hard-pressed pocketbooks for what Hitler has already done to the world. They are not isolated from taxes imposed by the United States Government. They are not insulated from the necessity of raising revenue which the Federal Government needs to build up mighty armaments.

So the people of America are being compelled by what Hitler has already done to take money which they need to pay their own existing debts, and money which they need to improve the public health and perform other useful services, and contribute it to the national defense. Dr. Parran told us that an appropriation by the Federal Government of only $3,000,000, to be devoted to a pneumonia-control program, would save a minimum of 20,000 lives a year. But we have not the money for that purpose. Why? We must build ships. We must build airplanes. We must build air bases, Navy bases, and Army bases. Of course we must. Why? Because Hitler lives and dominates the world with the ruthless force of a ruthless conquerer.

So, Mr. President, not only are the pocketbooks of the people of America affected by what is going on in Europe, but the lives of American citizens are affected by the carnage of Europe's war and Hitlerian conquests.

Mr. President, I have not been speaking about a remote thing. I have been talking about a proximate fact. I have been speaking about the most effective way to keep the war in Europe and to avoid the necessity of the stupendous armament program in which we are now engaged. All of us admit the necessity of it, but we would not admit the necessity of it if tomorrow the Allies should win the war and Hitler and his hosts should be sent scurrying back to Potsdam and Berlin, bearing upon their backs the scars of the retributive justice of civilization.

Mr. President, a few days ago we were ready to go home. We had already made some progress toward balancing our Budget. We had not launched upon any great new programs, because we did not have the money with which to carry them on. We did not want to raise the debt limit. We

did not want to impose additional taxes. We were prepared to stint our own people because we did not have the money to serve their admitted needs. Agriculture was receiving only three-fourths of parity. Two hundred and fifty thousand persons a year were dying preventable deaths. Many children were being reared in ignorance because adequate school facilities were not available; and the Senate was about to go home, not because we were insensible to these demands, but because the Senate did not feel that we had the money with which to help the people of America.

Then what happened? The mad tiger turned his vicious claws toward Norway. He had already devoured Denmark, and he turned to strike defenseless Holland and Belgium. Then we did not go home. We were not isolationists then. We forgot about the debt limit. We were even willing to hurdle the barriers of additional taxation. We said, "America's future and America's world are jeopardized."

What has happened to the debt limit in the past few days under the impulse of this necessity? In spite of all the economic restraint which made us not want to do it, by unanimous vote in the Senate in the past 10 days we have appropriated or authorized the appropriation of more than $3,000,000,000. We have another billion-dollar request on the Vice President's desk ready for early action. That makes four and a half billion dollars. I believe there is not a Senator who does not know down in his heart, repulsive as is the ugly fact, that that is just the beginning, as the able Senator from Maryland [Mr. TYDINGS] said the other day, of the drain which is to be made upon the Treasury and the pocketbook of the people of the United States.

The essential question presented to America is whether or not that is to be an interminable and indefinite drain, whether or not the program of armament has finite limits, whether or not it is a part of our determined national policy, and whether or not we are to act, in accordance with what has always been the genius of American character, in the most direct and effective way to save our people that unhappy prospect.

As the able Senator from Maryland [Mr. TYDINGS] told us yesterday in his able address, and, as the very able chairman of our Naval Affairs Committee [Mr. WALSH] said today, we do not know where we are to get the money. If we were to adopt the proposal of the Senator from Wisconsin [Mr. LA FOLLETTE] to lower the income-tax base, and then impose a sales tax in addition, I have been told that the revenue of our Government would even then be only about equal to the present outgo before the last armament expenditures.

Where is the money coming from? Somebody will have to pay it. Poor people will have to pay it in taxes which will be imposed on the necessities of their table. Those of medium income will have to take it out of their budgets, which would have allowed them larger sums for medical care, recreation, and reasonable comfort. The wealthier classes will have the money which they would otherwise have employed in useful reproductive enterprise drained down the rat hole of armament defense.

Mr. President, that is not a very pretty picture. Even fiscally speaking, it is not a very happy prospect. I want to see if there is anything we can do in America's defense which would be cheaper.

I was not born under the shadow of war. I never thought about war as a matter of the future in my country. I thought of war as something which prevailed in Europe, but which had only slightly touched our great country. Other wars were relatively dim memories to me. I learned about them at the knees of two grandfathers, who spent 4 years in our long, tragic, fratricidal strife in this country. But it never dawned on me that I should ever become involved in a war. Any possible connection I might have with Europe in a military capacity was as remote in my mind as was my connection with the sun or the stars. Yet when I was 18 years of age I was wearing the uniform of the Army of the United States, subject to the orders of my country to go to Europe or anywhere else to which I might be sent. So were millions of other American boys. The world had changed much in that 18-year period.

Mr. President, what do I see ahead? I see a man whose philosophy has one tenet and that is success. By success he means mastery of everything that can be brought within the reach of his tenacious claws. He does not stop at the boundaries of his country, or of the Scandinavian countries, or of the low countries, or of the Balkans, or of France or Spain, or even of the Ukraine, or of the east. I suppose even the almost illimitable reaches of Africa are yet not enough to satisfy his ravenous appetite.

I know he looks hungrily upon the bursting storehouses of the Western Hemisphere. So, Mr. President, I see that almost indomitable and invincible will of Hitler casting its shadow upon my own homeland.

Am I to wait until it gets here before I act, except to try to build a ring of steel around me? Or am I to act like an intelligent human being, evincing a little courage, a little common sense, and a few of the characteristics which have made America a positive and not a negative force in the world? I say that all this armament springs from one necessity, the necessity of combating Hitler and his intimate crew. If tomorrow a destiny which seemed to be sensitive to the prayers of the world should take him from life, we should be ready to adjourn and revoke the appropriations we have made in the last few days. I am sure that with the immediate removal from Germany of Hitler and Goering, and their weaker assistant, Hess, we should be more assured than we now are that we shall not be here July 1.

Germany has grown into a world menace under that leadership and that philosophy, and, so long as that menace lasts, must last our Herculean efforts to counteract it.

So I see not merely the small appropriations we have already made, but I see what the able Senator from Massachusetts [Mr. WALSH] envisioned, that, if it is necessary to build air bases to protect North America, it is necessary to build air bases to protect South America and Central America. That involves the necessity of our going beyond our own shores and building bases in other countries and along the shores of other nations, it involves placing our fleet not only in North America but in Central and South America; it involves working out a whole comprehensive plan of defending the Western Hemisphere which, as I said yesterday, involves forty-three-thousand-odd miles along the coast line from the northern part of Iceland at the Arctic Circle to the southern point of South America, and thence along the western part of the Western Hemisphere to Alaska.

Not only that, but the able Senator from Montana this morning said we have no reason to suppose that aggressor countries will "gang up" on us. Do we not have any reason to suppose that they will gang up on us? Mr. President, the Senator has not been away on a long journey for the last few weeks, has he? Has the Senator really not noticed anything like cooperation already among the dictator powers? Does he not remember Spain? Does he not remember Finland? Has he forgotten about Poland? At the very instant when, perhaps, the Poles could have counterattacked the Germans who had rather overreached themselves with their infiltrating columns? What happened? They were stabbed in the back by a confederate—Russia.

And now what is happening? As the Germans now poise upon the Somme to strike at the heart of the French people, what are they expecting? As the French bare their breasts to the brutality of the German dictator, that they shall feel the stiletto as it goes in their backs from Mussolini's hand. Yet the Senator says there is no evidence of cooperation among the dictators.

And what about Japan to the east? When the situation becomes tense in Europe, then, they become loud and begin to talk about the East Indies and about pulling out of China. When Europe is involved they become restive. Why? So as to make a play to divert a part of the ships of the British fleet. The able Senator from Montana [Mr. WHEELER]—and I am sorry he is not here—speaks as if all that had happened

were a dream. God knows most of us are yet unable to comprehend it as a fact.

It seems yet that we have been awakened in the throes of a hideous nightmare and that when we blink our eyes and clear our heads we shall know that it is another world from which we have returned and not the world in which we fell asleep. Yet, Mr. President, we have been appropriating cold, hard American dollars here that must come out of hard-pressed American pockets. That is not a dream; it is a fact. We are here struggling with it; that is a fact. The news release says that Paris has been bombed again and children killed; that is a tragic fact, Mr. President, and not a fancy.

So what I see for my country, if we are to defend the whole Western Hemisphere is incalculable expense, the exertion of every energy of which we are capable, living under the shadow of inevitable war, regimenting our economy for war purposes only. I see an America under which we have never lived in our whole history.

Mr. President, I am speaking about the defense of America. Of course, if we want to give up the Monroe Doctrine, we may say, "Well, perhaps after all it might have been all right to have had the Monroe Doctrine in the former days when old weapons were in vogue, but nowadays the Monroe Doctrine is going to get us into trouble if we do not get out of it as quickly as we can." We can say, "In order to avoid the hazard and danger of war, we will now revoke our previous declarations before they are challenged, and we can save face; by revoking it we can restrict the territory we will have to defend. It will cost less, it will take fewer men, fewer ships, and fewer airplanes." We can say we will make the Rio Grande or perhaps the southern boundary of Colombia beyond the Panama Canal our last line of defense. We will consolidate our forces there; we will erect Maginot lines there; we will have air bases and fleet bases there, and there we will stand. That would cost less. Whether or not we would be more secure is another question, but it would assuredly restrict the area we would have to defend by many thousands of miles; it would reduce the hazard of war because South America is large enough for Hitler to chew on for several years, I suppose, even with his greedy appetite.

Yes; that would simplify our problem. Is America willing to do that? Have we become so cowardly that we would do that rather than fight? I do not believe that about my country.

So there is some place where we must say, "by the grace of God, here we stand and they shall not pass." Where is that line? We all admit that it is within the scope of the Western Hemisphere.

Why do we defend South America? It is not our country; we did not come from there; it does not generally have our traditions; it emanates in history from an area south of our ordinarily accepted place of origin. We are friends, but we do not come from identically the same stock. We do not defend South America because we love it; we defend South America because we think it is inextricably related to our own safety and security. Even our friends in South America understand that to be so. They understand that our Monroe Doctrine has become a hemisphere doctrine for the benefit of us all. So it is not charity but it is selfishness that makes us want to keep the enemy away from the Panama Canal and the Rio Grande.

I say that the same principle applies to doing something in Europe and the same justification exists—not charity but willful, intelligent self-interest.

I have heard the able Senator from Maryland indicate many times on this floor, as a military man who bravely offered himself in the World War, exhibit some consciousness of the danger which he saw in the situation in Europe for this country. His statements in this Senate are a matter of eloquent record.

I say that we can act now in Europe in an effective way short of war, and when we do so we shall act most efficiently and efficaciously in defense of our own country, and may I add, most cheaply, Mr. President, in the same cause.

But I am immediately met by the argument, "Well, what you propose to do is to declare war." Of course, I do not propose to declare war. My resolution says "short of war" in the American language. Not only that, but my resolution says that nothing will be done except the President of the United States does it, and he is an honorable man and Commander in Chief of the armies of our country. So those two safeguards exist.

A third one is imposed in the resolution. He can do nothing that would substantially imperil our own defense. There is some discretion, some leeway, but there would be, of course, a point beyond which reasonable men would not differ. So the resolution has very definite limitations.

But, Mr. President, I am not met so much with the argument that we cannot spare a few planes, that we do not have a few extra destroyers, that we cannot make available a few cannon or some ammunition. I am met primarily with a legal argument, and I raise the question, What is the tribunal that will afford redress? There is none, of course. I say a legal argument, and what is the argument? It is, You are violating international law. I ask against whom—Canada? No. I would listen to the argument if Canada was mentioned. We live by a civilized code with Canada, and she does with us. Do they say Great Britain, France, South America, the Scandinavian countries, honorable little Finland that has already met with her own feeble hand the attack of one dictatorship in collusion with another. I would say you are appealing to a tribunal of honorable, decent men, and when you say those countries protest I shall hear what they have to say.

But I say, Mr. President, do you understand me? My resolution proposes help to crush Hitler. Others still say, "But international law forbids"; so I thought it would be pertinent to let Hitler speak for himself on that subject.

I read from pages 178 and 179 of Mein Kampf, the unexpurgated edition, which came from the Library of Congress. This is what Hitler says:

> When peoples are fighting for their existence on this planet, and are faced with the fatal question, to be or not to be, all considerations of humaneness or aesthetics crumble into nothing; for these conceptions are not floating in the ether of the world, but are born of man's imagination and are bound to it. His departure from this world dissolves those concepts into nothing again, for Nature knows them not. Even so, they are peculiar to the men of but a few peoples, or rather races, and this to whatever degree they spring of themselves from these men's feelings. In fact humaneness and aesthetic feeling would disappear from the inhabited world if the races which have created and upheld these concepts were to be lost.
>
> In a people's struggle for its existence in the world, therefore, these concepts are of but minor importance; they have no part in determining the form of the struggle if the moment comes when they might cripple the force of self-preservation in a struggling people. Always that is the only visible result.
>
> So far as the question of humaneness is concerned, even Moltke pointed out that in war this always consists in the shortness of the process, which is to say that the most drastic style of fighting best achieves it.
>
> If anyone should try to advance upon us in such matters with drivel about aesthetic feelings, etc., there can be but one answer: Questions of destiny so important as a people's struggle for existence do away with any duty to be beautiful. The least beautiful thing that can exist in human life is and must be the yoke of slavery. Or do these artist's-quarter decadents find the present lot of the German nation "aesthetic"? We have truly no need to discuss the matter with the Jews, the modern inventors of this perfume of civilization. Their whole existence is protest incarnate against the aesthetics of the Lord's image.
>
> If consideration of humaneness and beauty do not count in the battle, neither can they be used as standards to judge propaganda.
>
> Propaganda in the war was a means to an end: the German people's struggle for existence; and hence the propaganda could be considered only in the light of the principles which there applied. The cruelest weapons were humane if they brought quicker victory, and only those methods were beautiful which helped assure the dignity of freedom for the Nation. This was the only possible attitude toward the question of war propaganda in such a life-and-death struggle.

Mr. President, Mr. Hitler, speaking again on page 596, says:

> It is the task of diplomacy to see to it that a nation does not perish heroically but is maintained by practical means. Every road that leads in that direction answers the purpose. Not to follow it is a neglect of duty and a crime.

And his last statement, on page 653, says this about self-defense for the German people. Let us see where they have defended themselves:

This French war goal could have been reached by the war alone, if, as they had hoped in Paris at the outset, the war had been fought on German soil. Let us suppose that the bloody battles of the World War had not been fought on the Somme, in Flanders, in the Artois, near Warsaw, Nishnij Novgorod, Kowno, Riga, and wherever else, but had, instead, been fought in Germany, on the Ruhr and on the Main, on the Elbe, near Hanover, Leipzig, Nuernberg, etc.; then one can readily realize that the possibility of a complete destruction of Germany would have been at hand. It is very doubtful whether or not our young federated state would have endured the same burdensome ordeal for 4½ years as did France, which had been rigidly centralized for centuries and looked only to the indisputable center, Paris. The fact that this huge struggle of the nations took place outside the boundaries of our Fatherland was not only to the merit of the unsurpassed old army but also the greatest piece of good fortune for the future of Germany. It is my unshakable conviction, which sometimes causes me great anguish, that in the opposite case the German Reich would long since have ceased to exist, and today nothing but "German states" would have remained. This is the only reason why the blood of our friends and brothers who have died on the battlefields has not altogether been shed in vain.

I read another statement from Hitler on page 457 of a book called I Knew Hitler, by Kurt G. W. Ludecke. This is what Hitler says about the countries which waited and let him build up his invincible power. This is just before Hitler was called into the Government by Von Hindenburg:

With that he took his seat again across the table.

That was Hitler.

"I refuse to see black," he went on.

That is Hitler.

"Of course, there are things that trouble me. Possible foreign complications give me headaches. Can I also fool those gentlemen abroad for any length of time? That's the question. What will England say, France, the United States, once I'm chancellor with Hugenberg in my cabinet? Oh, I'll set that worthy's chair outside the door fast enough—but will I be able to rearm Germany before they get on to me and strike at me with a preventive war? That depends largely, I suppose, on whether they have the leadership and guts to strike—if they can get the people to go to war again, and that I doubt."

Mr. President, that is Hitler speaking of the folly of the Baldwins and the Chamberlains, who would not strike courageously early enough to stop him in the inception of his monstrous machine. They waited, waited event by event, hoping almost against hope that waiting would avail. I heard, in this very Capitol, citizens of Great Britain in January of 1938 say, "Maybe if he has enough he will be satisfied, and maybe our error is not to have given him enough soon enough."

Mr. President, when Chamberlain, thinking that at Munich, got back to Godesburg, and found that the terms to which he had agreed were not satisfactory to Herr Hitler—that he did not want merely Czechoslovakia, he wanted Europe, and after Europe, as Mein Kampf says, the world—there for the first time the forebodings of danger, I think, entered into the optimistic heart of Prime Minister Chamberlain.

So, Mr. President, what has everybody done? They waited, waited, waited, waited, and hoped and prayed. Their waiting has simply left them defenseless, and their prayers have had no avail. Finally they stopped Hitler only with action in a way that he could understand.

So I say to the citizenry of America that this is not a remote war. It has already cost every man, woman, and child in America many dollars, and already the basis has been laid for costing many more. I remind Senators of the statement of Prime Minister Churchill, which the able Senator from Indiana [Mr. MINTON] mentioned a moment ago, that Canada was the nearest British commonwealth, that in case of defeat the British would retreat there with their fleet, and stay there until they had rehabilitated their forces in an effort to reconquer the world they lost. If that should happen, fighting would be going on to the north of us.

If the British based in Canada and defended Canada, and the Germans defeated them there as well as in the British Isles, then what? Would some of our friends then say the war was close enough for us to stop it? If a hostile fleet hammered at the door of Canada, and the roar of guns could be heard by American citizens, as they now startle the citizenry of Great Britain from across the Channel, would that be close enough? Would we act affirmatively then, or would we wait yet longer, until we saw their green-clad legions marching toward the unfortified Canadian border? Then would Senators say, "Now we must defend America, now that it is lost"?

Mr. KING. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. KING. Before the Senator concludes his very eloquent address, I hope he may have the opportunity of quoting Herman Schusnigg, who for many years was an associate of the author of Mein Kampf; that is to say, Hitler. In his book on Nihilism, and his former book descriptive of the philosophy and the ideology of Hitler, Schusnigg exposes the purpose, the ambition, the design of the government under Mr. Hitler; namely, the conquest of the world.

Herman Schusnigg, who for years was associated with Hitler, who had intimate relations with him, who relates in his book conversations that he had with Hitler, indicates most conclusively that Germany's purpose, under Hitler, as indicated a moment ago by the Senator who is addressing the Senate, was the subjugation of the world, the destruction of religion, of all of the spiritual and moral values of civilization, and the superimposition upon the people of the world of the iron rule of the Hitler regime. It seems to me that the Senator from Florida is rendering a distinct service in challenging attention to the philosophy of Hitler, which is the philosophy of the destruction of all of the moral and spiritual values which persist in all the world.

I recall, if I may be pardoned a personal allusion, when the World War was launched upon the world by the rulers of Germany, I invited attention then, in a very brief address, to the philosophy of Nietzsche, and the philosophy of those who sought the destruction of religion and the spiritual values of the world. I stated that if they should conquer, Christianity would be destroyed, the finest flowers of civilization would be obliterated, and we would be thrust into the dungeon of darkness, to be controlled by the false ideologies and philosophies of those who seek the destruction of civilization.

Mr. Hitler is a legitimate offspring of the philosophy set forth in the works of Nietzsche and Trietszche, of the philosophy which prevails among those who seek the destruction of religion, of those who believe in a Godless world, as the Communists do. He follows the philosophy of the Communists of Russia, but goes further; he would destroy religion, destroy government, destroy the great temple of liberty which has been builded through the centuries by the sufferings and the struggles of those who sought a better way of life.

Mr. PEPPER. Mr. President, I am very much indebted, and the Senate and the country are very much indebted, to the very able Senator from Utah. I have sat here and listened to his eloquent speeches on this subject many times when he has called attention to those things which he has reiterated today, and challenged attention to them. I hope the Senator will address the Senate again in the very near future, and I hope more than that that he will address the country, and tell them, as he sees it, what issues are involved in this contest.

Mr. President, it would be enough, it would seem to me, in addressing an American Senate or other audience, to say that this man, as the Senator from Utah has said, is an enemy of Christianity, not of sect nor of church, but of Christianity in the largest of concepts, that this man is an enemy of the dignity of man, that this man is an enemy of the sentiments of democracy. Surely, surely, one would not have to appeal strongly to Americans to invoke some aid from them when the issue is that holy controversy.

Mr. President, I put the matter upon a more practical basis. I have spoken about the best way to defend the United States, and this hemisphere, and save our citizens

the interminable burden of debt which will have to come from interminable armaments.

I am not speaking remotely when I speak about the defense of the United States. It has been said by competent military authority that the first point of attack upon the United States of America in the event of war would be in the area of the Caribbean and the State of Florida, which I have the honor in part to represent in this body. The air bases which have been established on the coast of Florida, the fleet which has been concentrated in the Caribbean in proximity to the Panama Canal—they would be proximate to the point of vulnerability of our country. Therefore I am not only speaking for my country, I am speaking for my State and my home, when I say I want to crush Hitler in Europe before he can attack the Panama Canal and our positions in the Caribbean, or the fair coast of Florida.

Mr. President, there are those who say we are violating international law in sending a few airplanes at a time, when the chairman of the Committee on Naval Affairs has said there are no bombers which can come and hurt us now. The able Senator from Illinois [Mr. LUCAS] lucidly caused that fact to be established. The range of the bombers is not great enough to enable them to hurt us now. Yet we are building ships, ships which will take even 4 years to build, and airplanes which it will take a year to build, and destroyers and cruisers which it will take 2 years to build. Why? Because we are thinking about the future.

So I say that at a time when our defense is relatively safe, let us make it possible for the Allies—our allies in principle and in interest—to fight our battle for us, for if they win, we will be in no possible danger.

Did not the chairman of the Committee on Naval Affairs say that this naval-expansion program in substance was coincident with the rise of Hitler, because the rise of Hitlerism meant the destruction of the moral restraints of the world? There is an unprepared and undefended boundary between us and Canada. Upon what does its integrity depend? Upon one of the intangible, human, aesthetic values which Hitler says are worth nothing in his calculation.

We have lived by the code of civilized men. We have not fortified that little imaginary boundary between the great United States and smaller Canada any more than we have fortified the boundary between any two States, because moral values still live here. We do not have to put a Maginot line along the Rio Grande or along the Canadian border because they are defended by moral forces and respect for them. So in private life every man does not have to be an armed citadel, conscious every moment that the assassin may strike under the cover of an innocent appearance.

Mr. President, if we are to let this be that kind of a world, we need not stop at one place; we will have to go to yet others in our defense. So I hope that the Senate of the United States will approach this question as an immediate and proximate one, one which has to do with our immediate safety and welfare, and that Senators will consider both sides of the dilemma, consider the extension of our present program, of course, but consider whether or not we may not with propriety do that which may make unnecessary even the continuation of that program to its conclusion.

The Senate Committee on Foreign Relations will meet tomorrow. I wish that the people of the United States could be there to speak on that occasion. I wish they could have heard what the able Senator from Massachusetts [Mr. WALSH] said this morning. I wish they could have heard what the able Senator from Oklahoma [Mr. THOMAS], who has been leading the battle for a more adequate armed force, has said on this floor. If they knew what he knows, if they knew what we know, when we face the facts, about America's safety, and what is necessary to assure its security—if they were there, women, men, ministers, educators, college presidents, workmen, ploughmen, boys and girls—I believe they would say, "We are not war mongers. We do not want to intervene in war. But we love our country, we love our country's laws, we love the civilization we have inherited from our elders, we want to preserve it in its beauty, in its elegance, in its loveliness.

We want to make this a better world instead of a worse one, and we can see no hope of it being a better world so long as the forces which Hitler has generated and propagated are loosed in their mad, destructive sweep over the world. They would say, "Let us do what we can short of war to aid the Allies over there, to crush the forces over there against which we are preparing right here now in our own Congress."

They said that in the Gallup polls. Seventy-one percent of our people said it. They say it in the letters, the telegrams, and the telephone calls which are coming into the office of every Senator on this floor, I venture to say. They say it because in their hearts they believe it. They believe it so strongly that they have not only said it once, but they will continue to say it until we respond to their entreaty, the imploring, plaintive cry of the world that we should help in this crucial hour.

Mr. CLARK of Missouri. Mr. President, earlier in the day I asked that I might be recognized to immediately follow the Senator from Florida, because I was advised that the Senator from Florida was going to answer the few feeble remarks I made yesterday, and I wanted to be in a position to answer what he might say. Let me say that there is very little the Senator has said today which I feel requires taking up the time of the Senate to answer. I have sat here faithfully all day to hear his remarks, and I might just as well have read the RECORD of yesterday, or the record of his remarks last week, or the record of some of his radio speeches, so far as any new matter being presented for discussion was concerned. I do not desire to detain the Senate, therefore, Mr. President, except to say that the fact that the Senator from Florida recites in his joint resolution that certain matters are "measures short of war" and then goes on to describe in the powers enumerated measures which are war itself can only be compared with the old story which I have told on the Senate floor before of the time when Abraham Lincoln turned around to Seward at a Cabinet meeting and said, "Seward, if you were to call a sheep's tail a leg, how many legs would the sheep have?" Seward snorted impatiently and said, "Of course, five." "No," said Lincoln; "calling a sheep's tail a leg wouldn't make it a leg."

So the descriptions by the Senator from Florida of acts short of war do not make them acts short of war.

Mr. President, let me say that I think the Senator from Florida is entirely earnest and honest in his conviction, but I think he would be very much better off and very much more consistent and candid with the American people if he said publicly what he said to me privately some time ago when I offered for the RECORD a statement from Bishop Cannon calling for America's entry into the war, and the Senator told me that he approved wholeheartedly of that. So what is the use in beating the devil around the stump with such a proposition as this?

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I gladly yield.

Mr. PEPPER. I certainly would not want to enter into any controversy as to veracity with the Senator from Missouri. I would certainly accede to the statement if the Senator said he understood me to say it. But I have never in any conscious moment made even an approximate statement of that sort to the Senator. I have never gone farther than what I said to the Senator from West Virginia yesterday, that there may be a time when we can well present this question for decision to the American people, but I have repeatedly said that I would not in any sense of the word, now or ever, favor sending American boys either in ships, airplanes, or with guns to fight in Europe.

Mr. CLARK of Missouri. Mr. President, let me say to the Senator from Florida that if we are in disagreement about a private conversation I certainly withdraw the statement, but I recall very well, indeed, that the other day when I offered for the RECORD the flat statement from Bishop Cannon, retired, of the Methodist Episcopal Church South, in

which he demanded immediate American entrance into the war, and made some remarks about the fact of a clergyman trying to bring about war, that as I passed out the Senator from Florida told me that Bishop Cannon was absolutely right. If I misunderstood the Senator I withdraw the statement and I am glad to apologize to him.

But, Mr. President, the whole argument of the Senator from Florida is to this effect: He says that we should commit acts of war. He calls them acts short of war. Every reasonable man knows that there are acts of war which are equivalent to the proposition of the old nursery rhyme we used to hear when we were children—

"Mother, may I go out to swim?
Yes, my darling daughter;
Hang your clothes on a hickory limb,
But don't go near the water."

Many people in this country, Mr. President, like to go and dabble their toes in the war with the idea of assisting without being actually belligerent. It cannot be done that easily. Every man who has ever had anything to do with studying military strategy knows that troops committed to engagement cannot be withdrawn at the will of the commanding officer.

The very heroic sacrifices of the British Expeditionary Force, their remarkable and heroic retreat, which has challenged the admiration of the world, illustrates that point to the fullest extent. You cannot go half in and half out, as the editorial read by the Senator from Massachusetts a little while ago suggested.

Mr. President, I am reminded of a matter which I heard about during the World War. It happened in a battalion in the Rainbow Division, that great National Guard outfit made up of units from half the States of the Union. It dealt with a Regular Army inspector general who afterward was evacuated for observation and treatment as to his mental condition. He came along to a front line infantry battalion commander and said, "What signals do you have to get a barrage?" The major of infantry in the front line said, "Well, sir, we have a rocket which we send up, five blue stars and three stars and two white stars, and the artillery puts down a barrage of 5 minutes on the Boche front line." This great inspector general said, "Get me a barrage." The major, being well advised, said, "Sir, we also have a signal for a practice barrage. We send up a rocket with two blue stars, and three red stars, in which case the artillery fires four shots to assure us that the communication is working." So Colonel Murphy said, "I did not ask you anything about a practice barrage. Get me a barrage." The major said, "Yes, sir." He sent up the signal to bring down a barrage. The artillery came down on the German line. The German's counter batteries replied. They got into an engagement which lasted for some 30 minutes. But as soon as it started the inspector general turned around to the infantry front line commander and said, "All right now. That is all right. Stop it." The front-line commander said, "No, sir; we have no signal for stopping it."

Mr. President, as I said, we talk about engaging in war by measures short of war. We ought to be very certain whether they are measures short of war, or acts of war.

I repeat what I said yesterday, and I apologize to the Senate for detaining it at all on a subject which is apparently going to be a subject of repetition every day. I say that this is a subject which can better be discussed in the Committee on Foreign Relations. I agree with the Senator from Florida. I wish the whole country could be present at that meeting tomorrow morning. It is obvious that the whole country cannot be present. But as one member of the Foreign Relations Committee I promise that I will be there and I will vote in favor of tabling the resolution of the Senator from Florida.

APPROPRIATIONS FOR CIVIL FUNCTIONS OF WAR DEPARTMENT—CONFERENCE REPORT

Mr. LEE obtained the floor.

Mr. THOMAS of Oklahoma. Mr. President, will the Senator yield to me for the purpose of submitting a conference report on the appropriation bill providing for the civil functions of the War Department?

Mr. LEE. I yield.

Mr. THOMAS of Oklahoma. I submit the conference report on House bill 8668, the War Department civil functions appropriation bill, and ask for its immediate consideration.

The PRESIDING OFFICER. The report will be read.

The report was read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8668) making appropriations for the fiscal year ending June 30, 1941, for civil functions administered by the War Department, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 1.

That the House recede from its disagreement to the amendments of the Senate numbered 9 and 10; and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the sum proposed insert $67,365,310; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 3, 4, 5, 6, 7, 8, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, and 22.

ELMER THOMAS,
CARL HAYDEN,
JOHN H. OVERTON,
RICHARD B. RUSSELL,
MORRIS SHEPPARD,
STYLES BRIDGES,
Managers on the part of the Senate.

J. BUELL SNYDER,
EDWARD T. TAYLOR,
DAVID D. TERRY,
ROSS A. COLLINS,
JOHN H. KERR,
D. LANE POWERS,
ALBERT J. ENGEL,
FRANCIS CASE,
Managers on the part of the House.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oklahoma for the immediate consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

Mr. KING. Mr. President, I should like the Senator from Oklahoma to make an explanation before action is taken.

Mr. THOMAS of Oklahoma. Mr. President, it will take but a moment of explanation. If my colleague will further yield, I move the adoption of the conference committee report, and, if that motion is carried, I desire to make some subsequent motions.

The PRESIDING OFFICER. The question is on agreeing to the report.

The report was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 8668, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, UNITED STATES,
May 30, 1940.

Resolved, That the House recede from its disagreement to the amendments of the Senate Nos. 13, 14, 15, 16, 17, 18, 19, and 20 to the bill (H. R. 8668) making appropriations for the fiscal year ending June 30, 1941, for civil functions administered by the War Department, and for other purposes, and concur therein;

That the House recede from its disagreement to the amendment of the Senate No. 7 to said bill and concur therein with an amendment, as follows:

After the amount named in said amendment, insert: "*Provided*, That from and after the approval of this act, the Caddoa Reservoir project for flood control and water conservation in Colorado and Kansas, authorized by the Flood Control Act approved June 22, 1936, shall be known and designated on the public records as the John Martin Reservoir Project and that the change in the name of such project shall in nowise affect the rights of the State of Colorado or the State of Kansas or any county, municipality, corporation, association, or person, and all records, surveys, maps, and public documents of the United States or of either of said States in which such project is mentioned or referred to under any other name than the John Martin Reservoir Project shall be held to refer to such project under and by the name of John Martin Reservoir Project."

That the House recede from its disagreement to the amendment of the Senate No. 12 to said bill and concur therein with an amendment, as follows:

In lieu of the matter inserted by said amendment insert:

"SURVEYS AND MAPPING

"For topographic surveys and mapping as proposed in Senate Document No. 54, Seventy-sixth Congress, first session, to be transferred to the Department of the Interior, Geological Survey, and to be applied to the same objects (but not limited to the amounts specified for such objects) authorized in the Interior Department Appropriation Act for the fiscal year ending June 30, 1941, in the first paragraph under the heading 'Geological Survey' and in the sub-item for 'Topographic Surveys,' and to the employment of personal services (not to exceed $30,400) in the District of Columbia, the purchase of office equipment for use in the District of Columbia, field and office stationery, and engraving and printing maps, $1,210,350, to remain available until June 30, 1942: *Provided*, That this appropriation shall be devoted to mapping in strategic areas, in accordance with priorities to be determined by the Secretary of War."

That the House recede from its disagreement to the amendment of the Senate No. 21 to said bill and concur therein with an amendment, as follows:

In lieu of the matter inserted by said amendment insert:

"SEC. 2. No part of any appropriation contained in this act shall be used directly or indirectly after May 1, 1941, except for temporary employment in case of emergency, for the payment of any civilian for services rendered by him on the Canal Zone while occupying a skilled, technical, clerical, administrative, executive, or supervisory position unless such person is a citizen of the United States of America or of the Republic of Panama: *Provided, however,* (1) That, notwithstanding the provisions in the act approved August 11, 1939 (53 Stat. 1409), limiting employment in the above-mentioned positions to citizens of the United States from and after the date of the approval of said act, citizens of Panama may be employed in such positions; (2) that at no time shall be number of Panamanian citizens employed in the above-mentioned positions exceed the number of citizens of the United States so employed, if United States citizens are available in continental United States or on the Canal Zone; (3) that nothing in this act shall prohibit the continued employment of any person who shall have rendered 15 or more years of faithful and honorable service on the Canal Zone; (4) that in the selection of personnel for skilled, technical, administrative, clerical, supervisory, or executive positions, the controlling factors in filling these positions shall be efficiency, experience, training, and education; (5) that all citizens of Panama and the United States rendering skilled, technical, clerical, administrative, executive, or supervisory service on the Canal Zone under the terms of this act (a) shall normally be employed not more than 40 hours per week, (b) may receive as compensation equal rates of pay based upon rates paid for similar employment in continental United States plus 25 percent."

That the House recede from its disagreement to the amendment of the Senate No. 22 to said bill and concur therein with an amendment, as follows:

In lieu of the matter inserted by said amendment, insert: "(6) this entire section shall apply only to persons employed in skilled, technical, clerical, administrative, executive, or supervisory positions on the Canal Zone, directly or indirectly, by any branch of the United States Government or by any corporation or company whose stock is owned wholly or in part by the United States Government: *Provided further,* That the President may suspend compliance with this section in time of war or national emergency if he should deem such course to be in the public interest"; and

That the House insist upon its disagreement to the amendments of the Senate Nos. 3, 4, 5, 6, 8, and 11 to said bill.

Mr. AUSTIN. Mr. President, I should like to ask several questions.

Mr. THOMAS of Oklahoma. As I make the various motions I shall explain them.

I move that the Senate concur in the amendments of the House to the amendments of the Senate Nos. 7 and 12. I shall explain those amendments.

In the case of amendment No. 7 the House of Representatives has concurred with an amendment. The amendment deals with the changing the name of a certain reservoir in Colorado, the change being from Caddoa to the John Martin Reservoir project. The Senate conferees were glad to concur in that amendment. That is amendment No. 7.

Amendment No. 12 relates to the making of topographic surveys and maps. That is the amendment submitted by the junior Senator from Arizona [Mr. HAYDEN]. The substance of the amendment presents no change, but some limitations were placed upon the amendment and the Senate conferees concurred.

So those two amendments are embraced in my motion to concur in the amendments proposed by the House.

Mr. AUSTIN. Mr. President, were there other amendments?

Mr. THOMAS of Oklahoma. There are other amendments. I will come to those in order.

Mr. AUSTIN. They will not be acted upon until we shall have information upon them?

Mr. THOMAS of Oklahoma. No.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oklahoma [Mr. THOMAS] to concur in the House amendments to Senate amendments Nos. 7 and 12.

The motion was agreed to.

Mr. THOMAS of Oklahoma. Mr. President, I move that the Senate disagree to the amendments of the House to the amendments of the Senate Nos. 21 and 22. Amendments 21 and 22 go together. They relate to our relations with the Panamanian Republic, and employees on the Canal Zone. The original House bill proposed to repeal the treaty in question. The Senate added a new section for section 2, which was so worded, in our opinion, as to permit of the things being done which we desired done, and yet not violate the treaty with Panama. So it is desired that that section embraced in amendments 21 and 22 remain in conference.

There are one or two matters which can be worked out if there is another conference.

The PRESIDING OFFICER. The question is on the motion of the Senator from Oklahoma to disagree to the amendments of the House to the amendments of the Senate Nos. 21 and 22.

The motion was agreed to.

Mr. THOMAS of Oklahoma. Mr. President, I move that the Senate further insist upon its amendments still in disagreement, request a further conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate at the further conference.

Before that motion is acted upon, I should like to call attention to the amendments.

The Senate added to the bill a number of legislative provisions. Amendment numbered 3 provides for the raising the ceiling in the Arkansas Basin, and likewise in the White River Basin of Arkansas, Oklahoma, Kansas, Colorado, and New Mexico. That amendment is still in disagreement.

Amendment numbered 4 has to do with the authorization of some flood-control works at Hartford, Conn.

Amendment numbered 5 relates to some work at Prattville, Ala.

Amendment numbered 6 relates to some work at East Hartford, Conn.

Amendment numbered 8 refers to legislation affecting the Sacramento River, Calif.

Amendment numbered 11 is the amendment submitted by the senior Senate from Georgia [Mr. GEORGE] relating to the Clark Hill Reservoir in Georgia.

Amendments numbered 13, 14, 15, 16, and 17, relate to the Panama Canal. The Senate added the sum of $15,000,000 with which to begin construction of the third set of locks in the Panama Canal. In addition to making that appropriation we provided a contract authorization in the sum of $99,000,000. The House has agreed to those provisions, but some adjustments are necessary, and the amendments still in disagreement relate to the adjustments.

Amendment numbered 18 relates to the Panama Canal locks, having to do with the amount of money.

Amendment numbered 19 is a contract authorization.

Amendment numbered 20 relates to the total.

All these legislative provisions are in disagreement, and I therefor submit the motion that the Senate insist upon its amendments still in disagreement, ask for a further conference with the House thereon, and that the Chair appoint conferees on the part of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oklahoma [Mr. THOMAS].

The motion was agreed to; and the Presiding Officer (Mr. WILEY in the chair) appointed Mr. THOMAS of Oklahoma, Mr. HAYDEN, Mr. OVERTON, Mr. RUSSELL, Mr. SHEPPARD, Mr. TOWNSEND, and Mr. BRIDGES conferees on the part of the Senate at the further conference.

Mr. KING. Mr. President, will the junior Senator from Oklahoma yield to me so that I may propound a question to his colleague?

Mr. LEE. I yield.

Mr. KING. I should like to inquire whether or not the item with respect to the acquisition of certain lands indispensable for the airport in Ogden was accepted.

Mr. THOMAS of Oklahoma. Mr. President, the bill which I have just been discussing is known as the War Department civil functions appropriation bill, relating to flood control and matters of that character. The inquiry now submitted relates to the main War Department or Military Establishment appropriation bill, which is to be taken up today in the House, and which I understand will go to conference. The conferees will consider that item at an early date.

AUTHORITY TO MOBILIZE NATIONAL GUARD

Mr. WAGNER. Mr. President, I ask unanimous consent to have printed in the RECORD a telegram which I have just received from Governor Lehman, of the State of New York, urging that Congress grant to the President the authority requested by him in his message, to call into active service such portion of the National Guard as may be deemed necessary for the national defense.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

ALBANY, N. Y., *June 3, 1940.*

Hon. ROBERT F. WAGNER,
United States Senate:

As Governor of the State of New York and as constitutional commander in chief of its National Guard, I strongly urge that the Congress grant to the President the authority requested by him in his message of May 31, to call into active service such portion of the National Guard as may be deemed necessary for the national defense. I would appreciate it if you would make my views known to the appropriate committees of the Congress.

HERBERT H. LEHMAN,
Governor of New York.

REORGANIZATION OF NAVY DEPARTMENT

The Senate resumed the consideration of the bill (S. 4026) providing for the reorganization of the Navy Department, and for other purposes.

Mr. LEE. Mr. President, we should add to our slogan "Keep America out of war" a new slogan—"Be prepared to keep war out of America." We should speed this program with redoubled effort. There was a time when I believed that if America maintained an adequate peacetime defense and did not interfere in the affairs of other nations we could enjoy peace so long as we followed such a policy; but circumstances have forced me to surrender that idealistic belief.

The decision of remaining at peace or going to war is no longer a matter of choice with the nations of the earth. The barbaric philosophy that might makes right has once again returned to the throne.

No matter what sacrifice nations may make in order to remain neutral, it profits them nothing. The only guaranty of peace today is found in strong armament. Weakness invites attack. Our good-neighbor policy is based upon the philosophy of brotherly love and good will toward all men. But such a policy can be maintained only when other nations follow the same philosophy. Today the dictator nations of Europe and Asia respect no rights except those which are defended by a superior force of arms. Therefore, in order to guarantee national security, the United States must embark upon a program of strong national defense.

The unfolding of circumstances has shown that President Roosevelt foresaw this situation from the beginning of his administration.

Mr. President, in the interest of our own security, the United States should redouble its efforts toward national defense. We hear the expression on every hand that the United States is arming as fast as it can. We hear the expression that we are doing all that can be done, but are we? Is everything being done that can be done, and as rapidly as we are capable of doing it? The answer is "No." If we should be suddenly catapulted into war, we would double our present efforts. Therefore we must double our present efforts now.

First. All factories manufacturing planes, tanks, and guns should be placed on a 24-hour schedule. There may be limitations to such a program, but those limitations can be overcome more rapidly if we demand it.

Second. We should divert as much of the W. P. A. funds as possible, consistent with good administration, to the construction of national-defense projects, such as military highways, air bases, underground depots, permanent military barracks, and so forth.

Third. We should place military training in the C. C. C. camps on a voluntary basis, which would provide a minimum of 3 hours of military training daily. Such training would consist of training in the manual of arms and close-order drill.

Fourth. We should establish a ground school for aviation, and furnish instructors to all public or private schools applying for them.

Fifth. We should increase the personnel of the F. B. I., and require the Army and Navy to increase the personnel of their intelligence departments immediately in order to combat "fifth-column" activities within the United States.

Sixth. We should purchase surplus grain and food products in the United States and give them to the Allies with which to feed the great army of refugees. This would relieve the Allies of the burden of supporting the refugees, and leave them that much more for their soldiers. Such a plan would help the American farmer as well as the Allies.

Mr. President, these are only some of the things which could be done to speed our national-defense program.

There is another phase of our national defense which is equally important. I believe the United States is interested in the success of the Allied armies in Europe.

If the Allied fleet should fall into the hands of the Nazis, the future for America's security would not be bright. We might as well face the facts. All sea power but the American fleet would then be in the hands of the dictators. In such a situation would America be able to defend the Monroe Doctrine? It is hardly likely.

Neither is it likely that Hitler would strike at the United States with a "blitzkrieg"; but it is more likely that he would strike through "fifth column" activities in some of the countries to the south of us where he already has strong support, and there establish a base.

From that day on it would be necessary for the United States to spend all we could rake and scrape for national defense, and live in a state of constant uncertainty, as the fear of attack would hang like a pall over our country.

Therefore it is imperative that the United States redouble all efforts toward national defense. We are in a race against time. It is true that the odds are against us. That is all the more reason why we should put our entire defense program on a 24-hour schedule.

By speeding up our defense, we shall be placing our factories on a mass-production basis which will make defense weapons available to the United States if and when we should need them.

Furthermore, by speeding up our defense program we can make available at an earlier date planes, tanks, and mechanized equipment, which are so desperately needed by the Allies.

Mr. President, time is of the essence. Every day and every hour is valuable to the future liberty and security of the United States. What would England give today for some of the weeks she wasted under her policy of wait and see?

The speed with which we increase our military defenses on the sea and in the air may mean the difference between being able to maintain the Monroe Doctrine and being compelled to abandon it.

Therefore it is our patriotic duty to throw our national-defense program in high gear and maintain the fastest possible tempo until we have a sea and air force capable of defending the western world.

Mr. CAPPER. Mr. President, the pending bill (S. 4026) for the reorganization of the Navy Department has my support. I am supporting the President's requests for appropriations for national defense 100 percent, but I am not for intervention in Europe's war. It is a time to keep our feet on the ground. This Nation has settled down, doggedly, determinedly, and, we all hope, intelligently to prepare speedily a national defense adequate to meet whatever may come in the future.

Our first task is to mobilize our resources to create an adequate national defense for the United States. In the next few months we probably cannot go too far nor too fast in the construction of airplanes, in the mechanization of the Army, in strengthening the Navy, in the training of airplane pilots and crews, in shifting as much as is necessary our manufacturing interests to a war basis.

We can do this while keeping in mind that the United States is not at war, and I do not believe it will be necessary for the United States to go to war. My sympathies are all with the Allies, and the sentiment of our country is overwhelmingly for the Allies, but so far as I am concerned, I am emphatically opposed to sending our boys overseas to fight other peoples' wars. We do not belong in Europe's power political game. But so far as our domestic economy is concerned, the realities of the situation demand that in building up our national defense, in several fields we must conduct ourselves as if we were at war, or might be at war within a short time.

We should have all the airplanes, battleships, tanks, and troops necessary to meet any possible attack. It is not necessary to mobilize troops by the millions.

It is necessary to mobilize our industries, our agriculture, our labor, our resources, to perfect an impregnable national defense.

It is only realistic to face the fact that a modern war is not waged by armies alone. Modern war is industrial war. It is total war. Success depends upon how well the resources of the nation back of the battle lines are organized and coordinated, as well as upon the organized military forces at the front.

That is why the organization and functioning of a national defense council is fully as important—in many respects even more important—as the appropriation by Congress of four billion or five billion dollars for the national defense program. The President has done the right thing in asking for these appropriations. He has done the right thing in creating the National Defense Commission. My one possible criticism might be that the Commission should have more responsibility and more power than so far apparently has been conferred upon it.

In view of the fast changing world picture, and its repercussions upon the United States, I feel that Congress should remain in session, prepared to act as occasion may demand.

My feeling that Congress should remain in session is heightened by the request of the President that he be given authority to call out the National Guard for service wherever needed, after the adjournment of Congress.

If need for the services of the National Guard is that imminent, I say Congress would be derelict in its duty if it should adjourn. The authority to call out the guard, beyond what authority the President now has in that respect, should be exercised by Congress and the President as a team—the team he spoke of in his recent message delivered at the joint session of the two branches of Congress.

I also feel that Congress should study the question of financing preparedness preparations with due care, and decide, very frankly, whether the tax measure now under consideration in a committee at the other end of the Capitol is adequate. It seems to me that the Federal Government should adopt more of a pay-as-you-go policy in national defense—and also in the entire field of governmental expenditures.

The sacrifices which the people of the United States will be called upon to make, should not go to the benefit of another set of "war baby" millionaires. The tax legislation enacted should contain a provision to prevent profiteering, perhaps through a stringent excess-profits tax. The defense expenditures should go for national defense, not to line the pockets of the greedy.

Mr. President, I have received hundreds, thousands of letters in the past few weeks from people in all sections of the United States. They represent all classes of American citizens, including a great many veterans of the World War.

These people are practically unanimous in support of a strong national defense program. The vast majority of them are opposed to United States intervention in foreign wars.

I find myself in entire agreement with that position.

I do not believe it is our destiny, nor do I believe it is within our power, to settle the age-long disputes of the Old World. Once we adopt such a policy, we will find ourselves fighting other people's wars for them every generation. I am not ready to adopt such a program. I ask unanimous consent that a few of the letters I have received and excerpts from some others be printed in the RECORD as a part of my remarks.

The PRESIDING OFFICER (Mr. WILEY in the chair). Without objection permission is granted.

The letters and excerpts are as follows:

PHILADELPHIA, PA., *May 19, 1940.*

United States Senator ARTHUR CAPPER,
Washington, D. C.

DEAR SENATOR CAPPER: I am a World War veteran. To foster peace, I urge that we:

1. Do not issue any blank checks.
2. Earmark all preparedness moneys for defense only.
3. Let us take over the islands of the belligerents in the west Atlantic as part payment of their just debts.
4. Investigate previous New Deal spending for the Army and Navy.
5. Keep from meddling in Europe's war.

Sincerely,

C. R. FISHER.

WASHINGTON, D. C., *May 20, 1940.*

DEAR SENATOR CAPPER: Thank God you had the courage to speak the truth. If only we had more men like you who are not afraid.

I am 1,000 percent in favor of defense—defense of America.

Do everything in your power to keep the United States out of war.

Respectfully yours,

WM. P. CAPP.

BROOKLYN, N. Y., *May 18, 1940.*

Hon. ARTHUR CAPPER,
United States Senate, Washington, D. C.

DEAR SIR: I heard you speak over the air the other night. It was a grand speech; keep up the good work. I served in the late war and believed we were fighting for freedom, but now I know we were fighting for imperialism. Let's not send our boys to die again.

Respectfully,

HAROLD THOMPSON.

UNITED STATES VETERANS' HOSPITAL,
Minneapolis, Minn.

Hon. ARTHUR CAPPER,
Senator from Kansas.

DEAR SIR: I wish to thank you and to commend you in the most sincere and heartfelt way after listening to your great and courageous radio address this evening. If your colleagues have the intelligence to see the European situation as you see it, then America has nothing to fear from any country.

Cordially yours,

J. G. LEIBOLD.

BALTIMORE, MD., *May 17, 1940.*

Hon. ARTHUR CAPPER,
United States Senate, Washington, D. C.

DEAR SENATOR CAPPER: As a veteran of the Spanish-American War and the World War (a private in the first and a colonel in the second), please allow me to congratulate you on your broadcast, to which I just listened.

I served in France before the Armistice; after that, served for several years as military attaché to our legations in Copenhagen,

Helsinki, and Riga; and traveled extensively in Poland and Germany. In all, I have spent about 10 years of my life in Europe. The lesson I learned from that experience is that we should keep out of Europe's wars.

It is my sincere hope that you will continue to pound this belief into the minds of the American people, who are being aroused to a hysterical pitch by the press, radio commentators, and even our Government. I am strongly in favor of preparedness, but absolutely against participation in war unless we are attacked, and I can see no immediate danger of attack.

Very respectfully yours,

WORTHINGTON HOLLYDAY.

CAMDEN, N. J., *May 18, 1940.*

Senator ARTHUR A. CAPPER,
Washington, D. C.

MY DEAR SENATOR: The opinions you expressed tonight over the radio I heartily agree with. I served in the last war as a lieutenant medical officer in the United States Navy from which I resigned in 1924. I certainly do agree with you that we should mind our own business and stop making faces at countries with whom we do not happen to agree.

Very sincerely yours,

CARROLL H. FRANCIS, M. D.

DETROIT, MICH., *May 17, 1940.*

Senator ARTHUR CAPPER,
Congress of the United States, Washington, D. C.

DEAR SENATOR CAPPER: As a World War veteran and the father of an 18-year-old son, I want to add my thanks and sincere appreciation to those of other thousands of fathers who heard your speech tonight. The splendid manner in which you presented America's case in relation to the war in Europe strengthens the hope of every parent who heard your broadcast that America's sons will never again be called to spend their blood in Europe's war.

With every good wish for the success of your labors in Washington, I am,

Very truly yours,

A. R. SHREEVE.

COLORADO SPRINGS, COLO., *May 18, 1940.*

Hon. ARTHUR CAPPER,
United States Senate, Washington, D. C.

DEAR SENATOR: I heard your radio address last evening on nonintervention in the European war and endorse those sentiments 100 percent. I was a machine gunner in the A. E. F. during the last war and I am ready to fight again when our country is invaded, but not until then. I am opposed to putting the lives of our boys at the disposal of the British Empire.

With sincere appreciation, I am,

Respectfully yours,

ARTHUR E. WALKER.

KANSAS CITY, MO., *May 20, 1940.*

Senator ARTHUR CAPPER:

DEAR HONORABLE SENATOR: I wish to congratulate you on your radio talk; that speech of yours should have been heard by every person in these United States. I agree with you 100 percent. If we go to war again for those foreigners we will no doubt have a dictator and more debts and lose our liberties as well.

Yours very truly,

J. L. BERNAUER,
Member of V. F. W., Louis A. Craig Post No. 18, Kansas City, Mo.

DENVER, COLO., *May 20, 1940.*

Senator ARTHUR CAPPER,
Washington, D. C.

DEAR SENATOR CAPPER: We, as real American people, certainly did appreciate your radio address Friday evening. We feel deeply grateful for such Senators as you. Am sure if enough Senators would express such views they would keep us out of war.

Would like to see you Senators send Harry Bridges, Fritz Kuhn, and other Communist aliens back to their beloved Hitler.

Also see that Congressman DIES gets some of the big money being passed around for his excellent work, defending our country within.

Again we thank you for your high ideas, and the courage to present them.

Most sincerely,

MR. AND MRS. C. G. PRICE.

CLYDE, KANS., *May 20, 1940.*

Senator CAPPER,
Washington, D. C.

DEAR SENATOR: Your radio talk yesterday was very good, and I want to thank you very much for the stand you are still taking on that war. We agree with everything that Colonel Lindbergh said in his radio talk last evening. We, of the American Legion, have always been in favor of adequate national defense, but only to be used in our land, and to protect our shores, and let the European war be their war and not ours.

Now then, Senator, let's have adequate national defense, but only to protect our own land and shores.

Very sincerely,

JOHN KOCH.

BELLROSE, LONG ISLAND, N. Y., *May 17, 1940.*

Senator ARTHUR CAPPER,
Senate Office Building, Washington, D. C.

DEAR SIR: I wish to congratulate you on your stand against American intervention in the European war. It is too bad we have not more Americans like you in the Senate, to really represent the American people. We are willing to defend our grand country of America any time, but never again to cross the ocean to save a bunch of tyrants.

More power to you, and let's hope others will follow your steps.

J. C. FLEMING.

FLEMING-JACKSON-SEEVER POST No. 6,
Atchison, Kans., May 21, 1940.

Hon. ARTHUR CAPPER,
United States Senator, Washington, D. C.

MY DEAR SENATOR CAPPER: I agree with you and Colonel Lindbergh on this war situation.

We should, under no circumstances, send troops to Europe. We have no business in these European troubles. No other country in the Western Hemisphere is trying to intermediate and neither should we.

In the World War Russia and Italy were alined with the Allies. In this war they are alined with Germany. In the World War Turkey was alined with Germany, but in this war Turkey is alined with France and England. Why should we mess in such a tangled mess of European politics as that?

I am for preparedness, but for defense against invasion of the Western Hemisphere only, but such an eventuality is not likely at least for another generation. In other words, even if Germany should conquer France and England, she will be so exhausted that it will be another generation before she could even think of invading the Western Hemisphere. I am out of patience with this hysteria mongering, which is the next thing to war mongering, coming from high places.

Yours very sincerely,

O. P. MAY,
Commander Fleming-Jackson-Seever Post.

BOULDER, COLO., *May 17, 1940.*

Hon. ARTHUR CAPPER,
United States Senate, Washington, D. C.

DEAR SENATOR CAPPER: Your radio address this evening was a sensible one. I subscribe to your ideas 100 percent. There has been too much war hysteria displayed these last few days and the people of this country need some cold reasoning.

My life was ruined by the last war and I am now living on a small pittance from the Government—I don't want any other American boys to go through the hell I went through.

While I believe in preparedness, I think it must be done with some understanding and not by a few emotionally blinded men. If this country spends $2,000,000,000 blindly, it may not be any more prepared at the end than it is now. It isn't the quantity of war materials that counts, but the quality.

I am sure the majority of the people in Colorado believe that we should stay out of Europe. Every World War veteran I know is of that opinion and most of them believe that the last war was a mistake.

Yours sincerely,

GEROLD C. WICHMANN.

TACOMA, WASH., *May 20, 1940.*

Hon. ARTHUR CAPPER,
United States Senator, Washington, D. C.

DEAR SIR: Allow me to express my deepest appreciation for your splendid and courageous radio broadcast of recent date. As a great and fearless American, keep up your brave and noble fight in behalf of our Nation and in behalf of our boys and our loved ones.

Americans will gladly fight and die for the protection of our glorious country—our good old U. S. A. for which I, too, had the honor to shed my blood upon the battlefield.

However, this time it is not a matter of saving our country, but to save foreign kings and empires.

Very respectfully,

J. H. ZEGENDER,
(Served in the One Hundred and Forty-fifth Infantry, A. E. F., wounded September 26, 1918.)

MOUNTAIN LAKES, N. J.

Hon. ARTHUR CAPPER,
Washington, D. C.

MY DEAR SENATOR CAPPER: Thank you for your very fine radio address Friday night. I am only one of many mothers whose sons are of draft age who wish all our Senators felt as you do about the present war in Europe. We have already organized as a mothers' league and hope to defeat any Presidential candidate that advocates our entrance into war abroad.

Very truly yours,

MRS. BERTHA L. COOK.

BERKELEY, CALIF., *May 20, 1940.*

Senator ARTHUR CAPPER,
Washington, D. C.

MY DEAR SENATOR: I am a member of the National Mothers Legion, a new organization which is encouraging mothers to do something about keeping their sons out of Europe's awful slaughterhouse. Our boys are already being called "reds" because they

don't want to stop bullets in a war which was none of their making and will not bring lasting peace. We look to you to hold President Roosevelt from intervention in this war. We hear that war hysteria started by German victories and augmented by President Roosevelt's defense-program speech. Please help us who see no good in American intervention, to keep us out of war.

MRS. A. A. M. RUSSELL.

LONG ISLAND, N. Y., *May 19, 1940.*

Hon. ARTHUR CAPPER,
Senate Chamber, Washington, D. C.

DEAR SENATOR CAPPER: Permit me to congratulate you on your radio speech of the other night, in which you asserted your opposition to the involvement of the United States in the European war.

This is as it should be. We must keep our resources here, so that we will be in a position to defend our institutions should we be attacked.

Will you kindly continue your opposition to any involvement of our Nation by means of military, financial, naval, or air aid to the belligerents, directly or indirectly.

May I be pardoned if I state that I am of Pennsylvania colonial ancestry, a member of the Sons of the American Revolution, and a veteran of the American forces in the World War.

Very truly yours,

GODFREY VON HOFE,
President, Allied Civics of Forest Hills and Vicinity, Forest Hills, Long Island, N. Y.

PETALUMA, CALIF.

Hon. ARTHUR CAPPER,
United States Senate, Washington, D. C.

HONORABLE SIR: Please accept my sincere appreciation for the fearless manner in which you handled your discussion on the European crisis on the radio tonight. If only we had more men like you in our Congress.

We all do want to defend our country when necessary, but why should we become involved in a war which does not concern us? We gave our brothers and other loved ones in the last war, now must we give our own precious sons. I am a widow and have raised my sons, given them good educations at a great deal of self-sacrifice; certainly I am not interested in such vague reasons as safe for democracy, etc. We had all that once before.

More power to you, and God bless you.

MRS. CLARA BLOOM.

DENVER, COLO., *May 20, 1940.*

Hon. ARTHUR CAPPER,
United States Senate Building, Washington, D. C.

DEAR SENATOR: I was delighted to hear your speech over the radio the other evening. Frankly, I think there is a lot of hysteria in the administration; it is the old proposition of guaranteeing somebody's war in Europe. As you know, I went all through that stuff in 1917 and 1918, and of course we were the goats, and we would be the goats if we got into it this time.

Any time we get into the idea of guaranteeing the Allies in their different wars or any other country over there in their different wars we are the "saps," and we get nothing out of it except hatred, contempt, and lack of respect. The fact is, anyone that knows anything at all knows that we couldn't do a single thing to help the Allies if we did go into the war now, because we are not prepared enough to do anything quickly and anything that isn't done quickly is a wasted effort. I think we have about as much as we can attend to to take care of this country of ours here and we haven't built up the business situation to stand the tax load and the debt load, to guarantee the defense preparedness, and we have to build up our internal situation economically and industrially, so that we can build up a real defense, and we have to get down to brass tacks in not throwing our money to the four winds and getting nothing for it.

We really ought to get a committee composed of the House and the Senate together with naval and war experts together with the greatest industrialists that we have, to work out just how we are going to spend the money the best way to bring about real defense. We can't go on depending solely upon those that have been responsible for the outlay of the $7,000,000,000 the past 7 years to get results. During the next several years we must have people defining what must be done and then seeing that it is done, so that we do really get something in the way of real defense.

RALPH W. SMITH.

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331 WEST EIGHTY-FIFTH STREET, NEW YORK CITY.

Senator ARTHUR CAPPER,
Senate Office Building, Washington, D. C.

MY DEAR SENATOR: I am writing this as you are speaking. I am writing as a veteran born in Washington and who naturally enlisted in the last war.

I have not found one veteran who favors our entering the war.

Should the United States enter the war, I would volunteer again as I did last time, but until that time comes I shall oppose with what little power I have every attempt to involve us in this conflict.

Can you not bring out upon the floor of the Senate the cost of the last war? The fact that only a portion of that cost spent in armament would insure us completely against any invasion less the cost of thousands of lives and heartaches.

Thousands of refugees have come to New York in the past few years. No one can count the thousands who have come in legally and illegally in the past few years. I will vouch for the fact that 2,000 refugees have passed the medical examination in New York, and I feel I am safe in saying that twice that many have passed the bar examination. If we go to war, these people, being nationals of another country, will be exempt from the draft, and our men will return from the conflict to find their jobs and practices taken over by foreigners.

My only interest is in America—in seeing it the same kind of country for my children that it was for me as a child in Washington.

Sincerely,

J. GUY JUENEMANN.

CHANUTE, KANS., *June 3, 1940.*

Senator CAPPER,
Washington, D. C.:

We, the representatives of the United Brethren Church, Earlton, Kans., do hereby object to giving the President power over our Constitution and Congress.

JIM TAYLOR, *President.*
S. T. WALKLEY, *Secretary.*

WICHITA, KANS., *May 31, 1940.*

Hon. ARTHUR CAPPER,
Washington, D. C.

DEAR SIR: I am heartily in favor of the present defense appropriation as a guard to keep us out of war.

As a mother I sincerely hope you will vote against the amending of the Johnson Act and give your wholehearted support to such legislation as will keep us out of war during adjournment of Congress.

Sincerely,

MRS. CORA DARMER,
American Mothers, Inc.

MANHATTAN, KANS., *May 9, 1940.*

Senator ARTHUR CAPPER,
Washington, D. C.

DEAR SENATOR: We wish to express our burning desire to stay out of the European conflict. Once we fought England's battles and she made no attempt to pay the debt that she owes us. This should be a lesson to the United States. Poland had no air force, and practically no navy. She was crushed in no time. The same thing happened to Denmark and Norway. Germany did not attack England or France directly because these countries were armed with defensive weapons. This should be another lesson to the United States. The United States must arm if she is to stay out of war. We want an air force that will not allow any enemy plane across our boundaries; we want a navy that will not allow any enemy ship to get within 300 miles of our coast lines. If we do this there is no reason for the United States to go to Europe to fight their battles.

Sincerely yours,

Glenn W. Taylor, Mrs. Arthur Devor, Lora Frawnfelder, Bernard Schlim, Kem Sitterley, Dean Engwall, Foster Yeager, Paul C. Dooley, Mrs. Yeager, Lester Barrett, Albert R. Hanks, Vernon Rector, Lucille McIntosh, H. H. Elliott.

KANSAS CITY, KANS., *June 1, 1940.*

Hon. ARTHUR CAPPER,
The United States Senate, Washington, D. C.

DEAR SENATOR CAPPER: Will you please use your influence to stop any legislation which would give the President of the United States the power to call out the National Guard for extended training at times when war has not been declared?

All the men in the National Guard have been told that they would not be called into Federal service unless Congress declared war. Any change in this policy would put the National Guard recruiting officers in an embarrassing position, unless the men who cared to would be allowed a discharge upon their application.

Let me urge you to stand for preparedness and national defense, but build this with men who enter the service with the intention of continued service in peace times.

Let me urge further that the power to call the National Guard into Federal service still be kept in the hands of Congress.

Yours sincerely,

L. B. GLOYNE, M. D.

TOPEKA, KANS. *May 21, 1940.*

Senator ARTHUR CAPPER,
Washington, D. C.

MY DEAR SENATOR CAPPER: I am writing you for a group of church women, to thank you for your clear thinking and speaking against our panic into war. Your radio talks the past 2 weeks have seemed to call to sanity and against the mad rush into the spending and wasting of money, and perhaps life, on ill-considered plans, or no plans at all, and we do not fail to express our gratitude.

It will take months or years to secure any appreciable results for defense from the money so voted, so time need not be lost, it seems to us in Kansas, if there is well-considered mental and industrial preparedness to secure wise use of the large sums so freely voted.

Very sincerely,

MA BELLE TRUE, M. D.

DENVER, COLO., *May 17, 1940.*

Senator ARTHUR CAPPER,
United States Senate, Washington, D. C.

DEAR SIR: My family and visiting friends were deeply gratified to hear you speak in such uncompromising terms for the continued nonintervention of the United States in the current European war. Those of us who live far from the seat of national planning and leadership, and have an increasingly more difficult time keeping up with developments in Washington, like to know that the cause of national sanity has such powerful champions as yourself. Especially is this so when there seems to be no end of voices raised in the clamor for again making the tragic mistake of 1917. On every turn are to be found impassioned appeals, using the same methods as 2 decades ago, urging us to leave our own shores and stake our lives, progress, national security, and our democratic Government itself on the century-old battlefields of Europe. Certainly, if we Americans do have a destiny for world leadership, for new ideas of justice and world cooperation, that destiny cannot be found in the recurring scraps to uphold an outmoded theory of imperial power politics in Europe.

Yet there are seemingly patriotic persons who would have us relinquish our peace and security for idealistic reasons, and others, especially national leaders, who seem to want us to go to war so that domestic pressure and unrest may be lessened. In the face of this propaganda for foreign involvement we need to hear more from you.

Please tell us how specifically we may help as citizens in the crusade for peace and security for America. Our sincere gratitude to you.

ORVILLE L. WELLER.

ELMHURST, LONG ISLAND, N. Y.,
May 18, 1940.

Hon. ARTHUR CAPPER.

DEAR SIR: I listened in on your broadcast and thank you for your stand against war. I am assured you spoke for the majority of the American people.

Defense of our Nation is necessary, but we would like to see something for those billions and billions already allotted—not only lip service; would also like to be sure that the armament we pay for is really for our defense, not Europe's.

Sincerely yours,

JOSEPHINE SMITH.

COLTON, CALIF., *May 17, 1940.*

Hon. Senator ARTHUR CAPPER.

DEAR OLD FRIEND: We want to write you a few lines to thank you for your good speech.

It is not our war and we have no business over there, neither in person nor money. If we keep our help and money on this side, we feel that is all we have to do. No nation wants to bother this country. Thank you for the good work you are doing.

Very respectfully,

MR. AND MRS. L. A. HELTON.

CLEVELAND, OHIO, *May 17, 1940.*

Senator ARTHUR CAPPER,
Washington, D. C.

DEAR SENATOR CAPPER: We heard you speak over the radio this evening and were so impressed that we want to let you know how right you are.

Thank God we have men like you in the Senate to keep us out of European wars, and we hope the majority of the Senate is fully convinced that nothing could be gained by our entrance into foreign affairs.

There should be no quibbling of issues at this time. Every true American will want the United States to stay out of Europe.

Let us stay home and restore the havoc that the last war brought on us and rebuild America the way the Lord intended it to be with such wonderful natural resources, natural boundaries—gifts from God Himself.

Very truly yours,

MR. AND MRS. CARL GLASER.

WEST HAVEN, CONN., *May 17, 1940.*

Senator ARTHUR CAPPER,
Washington, D. C.

DEAR SENATOR: Let me congratulate you from the bottom of my heart on your wonderful radio address urging and insisting on the United States staying out of the European conflict. Your most inspiring and most appealing speech is one of the finest ever heard over the radio. Three cheers for you, and may America have the good fortune to have more men of your type and ability in our Nation's Capital.

Sincerely,

F. J. SULLIVAN.

NEW YORK CITY, *May 20, 1940.*

Hon. ARTHUR CAPPER,
Washington, D. C.

DEAR SENATOR CAPPER: I wholeheartedly support your position against American participation in this European war. This war must not be brought to these shores. Our country tried once to help Europe to a better life. We must not be fooled again.

Please do your best to prevent any relaxation whatsoever of our present neutrality legislation. The Johnson Act must not be wrecked. It is an important safeguard against our involvement. You and the other clear-minded representatives of the people must speak out in Congress against propaganda.

The President, too, must be warned against any overt step that will send young men like myself to die 3,000 miles away from our land.

I want to live here, not die over there.

Sincerely yours,

M. SOLDESTER.

HILLMER LEATHER SHOP,
Topeka, Kans., May 21, 1940.

DEAR SENATOR CAPPER: This letter is to tell you that my stand on the European question is the same as before. Our first duty is to these our United States. We should build up our own defenses and our own loyalties.

Any army or navy strategist will tell that the longer the lines of communication, the longer from the home base, the more difficult it is to fight effectively. If we are to fight, let it be in these continents. We do not favor any such thing as a coalition government or anything that might give Roosevelt an excuse to run for a third term. These sentiments are expressive of those of many of my friends here. We trust you will give them your sincere consideration.

HAROLD HILLMER.

CARPINTERIA, CALIF., *May 21, 1940.*

Hon. ARTHUR CAPPER,
United States Senator.

DEAR SIR: In behalf of the citizens of Carpinteria who happened to listen in to your radio addresses last week, I want to extend to you our hearty congratulations for the manly way in which you expressed yourself on the present situation, and we truly hope that you will be able to use your influence in keeping the United States from ever declaring war on any country, except when they try to invade our own country. Personally, I had a boy ruined in the last war in France, fighting to keep us out of war in the future; therefore, I never want to see any other boy leave these United States to fight any other man's war.

Again thanking you for your splendid sentiments, I am,

Sincerely yours,

W. H. JAMES,
Secretary, Carpinteria Valley Chamber of Commerce.

PRINCETON, N. J., *May 17, 1940.*

The Honorable ARTHUR CAPPER,
Washington, D. C.

MY DEAR SENATOR CAPPER: Thank you for your timely speech made over the radio this night on nonintervention in Europe's war. You speak the views of all true Americans. Wars have never proved anything. Proper attitudes toward other nations always gain friends. May you be successful in keeping America out of war and by doing so strengthen her economically as well as morally. Save democracy in America and the lives of our American boys.

Very truly yours,

Mrs. GEORGE B. DOONE, Jr.

NEW YORK, *May 17, 1940.*

Hon. ARTHUR CAPPER,
Washington, D. C.

DEAR SENATOR CAPPER: After listening to your radio talk tonight I want to thank you for delivering my own thoughts and ideas to an audience far beyond any I could ever hope to have. Every word of that speech came from a real American heart and brain, and I believe that 90 percent of us who think like you have been ever more firmly grounded in their determination to keep out of this and all other European wars unless some nation from that continent decides to war on us in our own domain.

Sincerely,

TED MONTGOMERY.

KANSAS CITY, MO., *May 20, 1940.*

Senator ARTHUR CAPPER,
United States Senate, Washington, D. C.

HONORABLE SIR: I listened to your radio talk, and I want you to know that you expressed my views as accurately as I could have stated them myself.

It is most reassuring to have men like yourself representing the people of this area, because many thousands of us know that you will never be swept away from solid American moorings by any wave of hysteria that may result from un-American agitation. We may not be as clamorous as those whose fears and prejudices have been stirred up, but we would be just as vocal if equal publicity was available for viewpoints than run counter to current propaganda.

Frankly, I am very skeptical of this defense of American interests idea. The very wording suggests the possibility of protecting interests that might be interpreted to extend throughout the world. It is a label that could be applied to either national defense or national aggression.

Respectfully yours,

RAY S. BOWYER.

SAN FRANCISCO, CALIF., *May 22, 1940.*

Hon. Senator ARTHUR CAPPER,
Washington, D. C.

DEAR SIR: Your speech of May 17 is a classical example of true Americanism which deserves full attention of all real Americans. I have read it several times and liked it better each time.

I sincerely hope you will continue to fight all attempts to involve us in the European conflicts.

Respectfully yours,

HENRY LIPPEGAU.

RIDLEY PARK, PA., *May 17, 1940.*

Senator ARTHUR CAPPER,
Washington, D. C.

DEAR SENATOR CAPPER: Your speech was heard here and I want to say, thank God, there are still men like you to help govern our country. We are putting all our faith and hope in such men as you to keep our youth home and our home from being torn apart.

Thank you, a real American.

Mr. and Mrs. ANTHONY SPANIEO.

DENVER, COLO., *May 18, 1940.*

Senator ARTHUR CAPPER,
Washington, D. C.

DEAR SENATOR CAPPER: We agree 100 percent with you that the United States has absolutely no business to get into the war in Europe. We also agree with your suggestion on preparedness for this country.

Respectfully yours,

V. E. LANTOW.

GLENDALE, LONG ISLAND, N. Y., *May 17, 1940.*

Hon. ARTHUR CAPPER,
Washington, D. C.

DEAR SIR: Congratulations on your radio speech tonight. I am 28 years old, a husband, and father of a little girl, and positively will not fight on the other side, but will without hesitation defend this country if invaded.

CHESTER E. MAAG.

LOS ANGELES, CALIF., *May 19, 1940.*

Hon. Senator ARTHUR CAPPER,
Washington, D. C.

DEAR SIR: Please accept my congratulations on your stand on the war. Prepare America the best you know for defense. You told the truth—this is not our war. When we are invaded, I am ready to shoulder a gun. More power to you. America for America!

Dr. W. C. DRUMMOND.

EXCELSIOR SPRINGS, MO., *May 19, 1940.*

Senator ARTHUR CAPPER,
Washington, D. C.

DEAR SENATOR: I listened to your radio address and was pleased to hear you talk like you did about the war in Europe. You certainly have the right analysis of it. Please do all you can to keep us out of this tragedy. Let the warring nations settle it among themselves. It will never cease if new nations keep entering. Some men in high Government positions are taking advantage of the "crisis" to promote themselves on the tragedy of war.

Respectfully submitted.

DR. E. L. PARKER.

TOPEKA, KANS., *May 19, 1940.*

Hon. ARTHUR CAPPER,
Washington, D. C.

MY DEAR SENATOR: I have just listened to your remarkably able summation of the war and preparedness issues. I agree with you in every particular. But I ask you, Senator, why this country is not prepared for national defense.

At times such as these we need to rise above partisanship but I do not believe that a dollar should be appropriated until persons of ability and honor are put in charge of the vast sums to be expended. I know that you will do your utmost to protect the interests of the people and do all that you can to prevent the murder of American young men in the massacres of Europe.

Very truly yours,

MRS. MABLE C. FOLTZ.

NORTH NEWTON, KANS., *May 20, 1940.*

Hon. ARTHUR CAPPER,
Washington, D. C.

DEAR MR. CAPPER: We uphold your hands in your effort to keep America out of war. We regret very much this hysterical so-called defense program, and will appreciate anything you do to stem expenditures for armaments.

Sincerely,

Mr. and Mrs. GERK. FRIESEN.

WICHITA, KANS., *May 19, 1940.*

Hon. ARTHUR CAPPER,
Washington, D. C.

DEAR SIR: The Mothers of American Sons approve adequate defense appropriation but urge that you be not swayed to involve us further in the European conflict, that you do not amend the Johnson Act, and that such legislation be passed as will limit the powers of the President so that we may not be drawn into the war during the adjournment of Congress.

Sincerely,

MRS. DEAN RHODES,
Corresponding Secretary, Wichita Chapter of Mothers of American Sons.

SALINA, KANS., *May 30, 1940.*

Senator ARTHUR CAPPER,
Washington, D. C.

DEAR SENATOR CAPPER: I am writing to you because I know you are fair and honest and I ask you whether you agree with me or not. Please give my message to the Senate: That I believe America should make available to the Allies as many planes as can be spared without impairing our national defense; that we should make $100,000,000 available to refugees in the war zone; that we should stop the export of all war materials which may find their way to aggressor nations. Trusting you to do this and hoping to hear from you.

With warm regards,

MRS. E. K. MORROW.

COLUMBUS, OHIO, *May 17, 1940.*

Senator CAPPER,
Senator from Kansas, Washington, D. C.:

Your eloquent talk expresses the belief of millions of Americans.

HARVEY S. CASHATT.

SAN DIEGO, CALIF., *May 17, 1940.*

Senator ARTHUR CAPPER,
United States Senate, Washington, D. C.:

Congratulations on your broadcast. Ninety-five percent of the American people are against intervention in Europe's age-old quarrels. In my opinion, you are a red-blooded, loyal American, using common sense and loyalty to the people you so ably represent. God bless and help you.

EUGENE E. ENGEL.

FRESNO, CALIF., *May 22, 1940.*

Hon. ARTHUR CAPPER,
Senate Building, Washington, D. C.

MY DEAR MR. CAPPER: In this morning's edition of the San Francisco Examiner I noticed an excerpt from your address for the coalition of patriotic societies, and I certainly would like to congratulate you on that unbiased statement of pure facts.

As an individual and member of an organization composed of 3,000,000 women known as the National Legion of the Mothers of America, I admire your stand on nonintervention. Please continue to stand strong against repeal or modification of the Johnson Act.

We have so many hot heads in these United States who probably think they are moved by some sort of high ideals when as a matter of fact they are merely victims of propaganda and hysteria just as the Government intends them to be.

Respectfully yours,

GILDA PINKARD.

HIGHLAND PARK, MICH., *May 20, 1940.*

Senator ARTHUR CAPPER,
c/o *Senate Office Building, Washington, D. C.*

DEAR SENATOR: As the mother of five sons, three of whom are of draft age, I am putting my trust in you to do everything within your power to keep the United States out of this war.

In case of invasion my sons would be among the first to lay down their lives for their country, but they will never, never fight on foreign soil.

With best wishes,

Respectfully yours,

MRS. C. E. MILITZER.

LIVINGSTON, N. J., *May 20, 1940.*

Hon. ARTHUR CAPPER,
Senate Office Building, Washington, D. C.

HONORABLE SIR: I listened to your radio address on Friday, May 17, and wish to thank you very much. It is refreshing indeed to hear the voice of an American who has a realistic attitude and who refuses to be swept off his feet by war hysteria.

Needless to say, I believe in adequate national defense and that we should be fully prepared for all emergencies; but we should not go over there every time a war breaks out. This is not our war.

Up to this writing it seems that an overwhelming majority of the American people wishes to remain neutral—may your voice help that this sentiment will not be changed.

Yours very truly,

EMMA J. BAREISS.

TEMPLETON, CALIF., *May 17, 1940.*

Hon. ARTHUR CAPPER,
Senate Office Building, Washington, D. C.

DEAR SIR: We listened to your broadcast this evening, and wholly approve of your stand, and take this opportunity to congratulate you on your fine and patriotic determination not to be stampeded into thinking we should be drawn into a war which does not concern us.

It is hoped you will throw your full support behind our California Senator JOHNSON in his effort to balk the plan to scrap the Johnson Act, and that you will give more radio talks exposing this scheme to force us into Europe's war.

Yours very truly,

BUSINESS MEN'S CLUB OF TEMPLETON.

CUYAHOGA FALLS, OHIO, *May 18, 1940.*

Hon. ARTHUR CAPPER,
United States Senate, Washington, D. C.

DEAR SIR: I most heartily agree with your remarks for nonintervention. At the same time that we sympathize with the invaded countries, I believe that nothing is to be gained by our entering the European war. As you so ably stated, our real job is to prepare to defend ourselves and this hemisphere against any outside forces, no matter how strong they may be. Our entering the war will settle nothing, and will merely result in a tremendous loss of life and property for our own country, to be followed by tremendous internal domestic difficulties. I encourage you to continue to lead the fight against nonintervention.

Very truly yours,

ARTHUR H. KRUSE.

BAXTER SPRINGS, KANS., *May 30, 1940.*

Senator ARTHUR CAPPER,
Senate Chamber, Washington, D. C.

DEAR SIR: Most of my employees, my family, and myself think that we should do everything possible short of sending men to Europe to help the British and the French. We feel by so doing we are helping ourselves. We feel that it is high time merit and efficiency should govern promotion in our Army and Navy. It is time the bunds and the various isms are brought under control.

Respectfully,

C. Y. SEMPLE.

PHILADELPHIA, PA., *May 18, 1940.*

Senator ARTHUR CAPPER,
Senate, Washington, D. C.:

Your broadcast on defense and nonintervention should be repeated on radio every day until citizens of this country are secure from the influences which would have us enter this war. Congratulations.

PHILIP Q. ROCHE.

CLEVELAND, OHIO, *May 18, 1940.*

Mr. ARTHUR CAPPER,
Senator from Kansas, Washington, D. C.

DEAR SIR: Your radio address of May 17 was very interesting and timely.

We must stay out of this European conflict for the good of America.

Such preposterous ideas as Hitler coming over here is too infantile even for discussion, but the majority of people will believe it if it is repeated often enough. They don't stop to think that Germany will be prostrate, even if victorious, nor of the tremendous job it is to land here.

We must have strong national defense—to protect the greatest country in the world. If we want to be a great nation we must depend on no one for protection. Let's realize that at last we have grown up—don our long trousers and get to work taking our place as a first power in the world.

Yours truly,

Mrs. C. W. FOLWELL.

FOREST HILLS, N. Y., *May 17, 1940.*

MY DEAR SENATOR: I listened to your talk over the radio this evening. Your lucid statement of the situation and the part, if any, that our country should play in the European situation are entirely in accord with my own ideas.

I am a veteran of the last World War. Also for the better part of the years since then, I have been a working newspaperman, as I am today. I feel that I am in a little better position than the average man on the street to arrive at a sane conclusion, although I confess that at times the dizzy pace of events has had me shaking my head.

You said that in your opinion nine-tenths of the people of Kansas were against any entanglement in the present European war. It is my observation that even here on the Atlantic seaboard the ratio of those opposed to our taking any part is at least two to one.

I was particularly pleased to hear you say that this was one issue that transcended party politics. That it wasn't a question of being a Republican or a Democrat, but of being an American, with the welfare of ourselves and our posterity at stake.

Very sincerely,

MAX HAWKINS.

CHICAGO, *May 20, 1940.*

Hon. ARTHUR CAPPER,
United States Senate, Washington, D. C.

DEAR SENATOR: I read with great interest the report of what you said in your recent broadcast. I hope there are many Senators and Representatives with similar views. A lot of people are now trying to stampede us into war. A lot of well-meaning people are telling us we should abandon partisanship and support the President. I believe we should support the Government in providing adequate defense for the country.

Very truly,

DWIGHT S. BOBB.

SAN ANSELMO, CALIF., *May 21, 1940.*

MY DEAR SENATOR CAPPER: Just a word of appreciation for your splendid radio talk. It is time for the exercise of a little common sense, to fight if need be in defense of our rights, but to keep out of other's quarrels and quit calling names. Our business is to set an example, showing the advantages of an enlightened democracy. No need to be discouraged. May success attend your efforts for a sane United States program, not without a feeling of deepest sympathy for all the misery that we see in Europe, but which we cannot prevent. We can only help to bind up their wounds.

Respectfully,

JULIA A. HAYES.

LOS ANGELES, CALIF., *May 18, 1940.*

Hon. ARTHUR CAPPER,
United States Senator, Kansas.

DEAR SENATOR CAPPER: Your radio speech last night against intervention of America into the European war was timely and patriotic. As representative of the people, you undertook a most important job to inform the Americans against hysteria.

It is not our war, and therefore let us stay out of it and not commit the same grave mistake of 1917. Let us solve our own problems and forget the ever-recurring troubles of a war-jaded Europe which cares only in maintaining power politics.

Keep up your fight and we shall be with you always. Let us be Americans now and always and show the world that democracy can work.

Very truly yours,

C. J. CATER.

HAGERSTOWN, MD., *May 20, 1940.*

Senator ARTHUR CAPPER,
United States Senate, Washington, D. C.

MY DEAR SENATOR CAPPER: Every American should be sensible and do everything in their power to keep this country out of the European war. Our experience in the last war should be at least one great factor in helping to keep us neutral minded. We should be watching our steps as we are a peace-loving people and do not want war. Want to congratulate you on your opposition to entering this awful war and hope many other Senators will feel as you do.

Yours very truly,

(Mrs.) OPAL MUSSELMAN.

ANACOSTIA, D. C., *May 20, 1940.*

Senator CAPPER,
Washington, D. C.

HONORABLE SIR: I listened to your radio broadcast speech last Friday night and I was impressed most favorably.

I pray to our heavenly Father, that He may give you strength and His choicest blessings upon your convictions, and also grant you all the power necessary to guide our people against too hasty decisions and molded sympathies for the belligerent nations that will eventually throw us in the throes of war.

With sincerest wishes and respects, I remain,

Respectfully yours,

ANTHONY PICONE.

MERRIAM, KANS., *May 15, 1940.*

Senator ARTHUR CAPPER,
Washington, D. C.

DEAR SENATOR CAPPER: Coincidental with the international events of the last few days, propaganda for our active participation in the European conflict is becoming increasingly manifest. May I urge you to stand against any modification of the Johnson Act and instead, support the sadly needed appropriations for our own national defense. The billions of dollars which we could or would loan to the Allied cause should instead be spent to make our own shores secure against the "Mad Man" of Europe.

Yours very truly,

F. C. HUTCHISON.

NEW YORK CITY, *May 18, 1940.*

Senator ARTHUR CAPPER,
Senate Office Building:

National Maritime Union supports you in your position against participation in European war and for adequate national defense as expressed over radio Friday night.

JOSEPH CURRAN,
President, National Maritime Union.

EVERETT, WASH., *May 19, 1940.*

Senator CAPPER,
United States Senate, Washington, D. C.

DEAR SENATOR: The Everett Youth League unanimously cheers you for the radio speech you made on the evening of May 17. We are for peace. We are against war.

Sincerely,

THE EVERETT YOUTH LEAGUE,
ELGAR HOUGHTON, *Secretary.*

THE MERCHANTS NATIONAL BANK,
Topeka, Kans., June 1, 1940.

Senator ARTHUR CAPPER,
Washington, D. C.

MY DEAR SENATOR: I want to take this opportunity of commending you for the attitude you have taken on the President's defense program and particularly your approval, as reported in the press, of the proposal to increase taxes to carry this defense expenditure insofar as possible.

I think it very important that no further increases are made in our national debt except that new taxes are levied for its retirement, and certainly in this kind of a crisis all of our citizens should be willing to dig down in their pockets for the building of proper defense.

W. L. DEAN.

CANON CITY, COLO., *May 18, 1940.*

Senator ARTHUR CAPPER,
Washington, D. C.

DEAR SENATOR: I wish to thank you for your timely radio address the night of May 17. Talks on that subject supporting your view are our greatest national need at this time. Entering their war would only mean ruin for our democratic ideals. I hope that more men of prominence will join you in advocating our nonintervention in the European conflict.

I just heard on the radio that we are practically defenseless in almost every respect. Please uncover this situation so we taxpayers may have the facts. If it is a scandal, the people who support the Government are entitled to know the facts. You could render the country no greater service than digging up the facts.

Very truly yours,

MERIT K. BURROUS.

HAGERSTOWN, MD., *May 18, 1940.*

Senator ARTHUR CAPPER,
United States Senate, Washington, D. C.

MY DEAR SENATOR CAPPER: These are times when Americans should keep a cool head and stay out of this European war. By no stretch of the imagination could we possibly get into it unless we go hunting for it. The hysteria created by the administration is lamentable to say the least.

I heard your broadcast last night and only wish that there were more Senators like you. We have nothing to gain and everything to lose if we go breaking into someone else's war. We must stay out and I congratulate you on your opposition to entering this awful war.

Yours very truly,

H. L. MILLS.

PHILADELPHIA, PA., *May 17, 1940.*

Senator ARTHUR CAPPER,
Washington, D. C.

DEAR SIR: My wife and I listened to your discussion, "Against Intervention in the War."

We are 100 percent for the ideas expressed by you and wish you success in your further efforts to keep the United States out of foreign wars.

Very truly yours,

HENRY S. FLICK.

COFFEYVILLE, KANS., *May 16, 1940.*

Senator ARTHUR CAPPER,
Washington, D. C.

Forty and Eight Voiture of southeastern Kansas meeting tonight advocate appropriations for immediate augmentation of national defenses. Better spill some more red ink now than red blood later.

CLARENCE P. OAKES.

HUTCHINSON, KANS., *May 17, 1940.*

Senator ARTHUR CAPPER,
Washington, D. C.:

MY DEAR SENATOR: The people want to and will remain cool if only our leaders will keep their equanimity. Our troubles are never coming from abroad but are here, right among us. We have a big job to make our democracy work—work so well that all foreigners will want to pattern after us—that should be our task.

With best wishes, I am,

Yours very truly,

E. G. WOLESLAGEL.

CAMDEN, N. J., *May 20, 1940.*

Hon. ARTHUR CAPPER,
Washington, D. C.

HONORABLE SIR: Thank you for your recent splendid message. Please give another soon. Congress should be kept in session. Our boys are not to fight Europe's wars. Defend our United States of America; yes, and we mothers will help. We wish the Ludlow amendment passed that those who may have to fight may vote to live or die. Keep our own peace.

M. A. MALLET.

LOS ANGELES, CALIF., *May 18, 1940.*

Senator ARTHUR CAPPER,
Washington, D. C.

DEAR SIR: Please continue your fight for peace because this is not our war and we the people of the United States want peace.

Very sincerely,

R. BENNET.

GREENWICH, CONN., *May 17, 1940.*

Hon. ARTHUR CAPPER,
Washington, D. C.

SENATOR CAPPER: Congratulations to you. It is so seldom we hear a pro-American broadcast that it was refreshing to hear you. There should be more men in Washington giving their services to the United States instead of the decadent empires across the ocean. They may pass from the scene but I hope we do not get on the skids with them.

E. A. BENEDICT.

DOYLESTOWN, PA., *May 18, 1940.*

Senator ARTHUR CAPPER,
Washington, D. C.

DEAR SIR: Please keep up the fight to keep us out of foreign wars. We mothers are all very much upset over world affairs and certainly want our boys to be able to lead their own normal lives and not be compelled to be cannon fodder. Your radio address was splendid and full of meat for thought for all of us. I wish to express my appreciation. We need more men in Washington like you.

MRS. H. DARLINGTON.

KINGSTON, N. Y., *May 22, 1940.*

Hon. ARTHUR CAPPER,
Washington, D. C.

HONORABLE SENATOR: I had the pleasure of hearing your fine straight-from-the-shoulder talk. I and many thousands of our good people would like to know who is going to attack us. I think we still have some men in Washington, D. C., that have common sense and who will try and stop this madness that is now taking place.

Very truly yours,

EDWARD J. FENTON.

NIAGARA FALLS, N. Y., *May 19, 1940.*

Senator ARTHUR CAPPER,
United States Senator, Washington, D. C.:

I had the pleasure of listening to your speech Friday evening and I feel that I must tell you how much I appreciated it, and admired you as a real American. Would that every Member of Congress felt the same about national affairs.

Our boys must not be sent to Europe again. I do not know one person who favors it. We must defend our country and ours alone. Fight for this.

Very sincerely,

JANE E. SULLIVAN.

WAKE FOREST, N. C., *May 17, 1940.*

Hon. ARTHUR CAPPER,
Washington, D. C.

DEAR SENATOR CAPPER: I listened to your radio address tonight, and I want to tell you that it was not only a very great speech, but also that you spoke with tremendous wisdom. I trust that you will continue to speak to America and to Congress as you spoke tonight. While I am only a teacher of European history in a small-town college, I have very profound convictions about the international situation, and I could not have expressed my ideas better than you expressed them tonight. Believe me to be a sincere believer in your ideas on the present course of the United States in European war situation.

Very truly yours,

Prof. F. W. CLOUTS.

GRASS POINTS PARK, MICH., *May 18, 1940.*

Senator ARTHUR CAPPER,
Washington, D. C.

DEAR SIR: Your radio address May 17 truly expressed the views of the American people. Please keep the Johnson Act. Please don't modify the Neutrality Act. We don't want to send our dearly beloved sons to be cannon fodder in an economic war. You are certainly with me 100 percent.

Sincerely yours,

MRS. ALOIS PTACH.

PERU, IND., *May 17, 1940.*

Senator ARTHUR CAPPER,
Washington, D. C.

DEAR SIR: We just heard your speech against intervention in European wars. We want you to know we appreciate your efforts to keep America out of this war. We thank God for men with courage to speak their convictions at a time like this. We hope you will keep right on. Our war in 1917 and 1918 didn't settle anything.

Sincerely,

Rev. and Mrs. M. G. HUFFMAN.

PALO ALTO, CALIF., *May 17, 1940.*

Hon. ARTHUR CAPPER,
Washington, D. C.

DEAR SIR: I heartily approve of your stand on intervention. You have my support. It is time for Americans to be for America first. Let us keep this country away from Europe's wars.

Sincerely,

MARGARET WINTERS.

HOLLENBERG, KANS., *May 17, 1940.*

Hon. ARTHUR CAPPER,
Washington, D. C.

DEAR MR. CAPPER: In the name of the common people of America, for the sake of Christian culture and all that is good in creation, I implore you to do your uttermost to keep this Nation out of the madness in Europe. We have nothing to gain and everything to lose in another war.

Sincerely,

ADELAIDE F. STAPANLES.
STEPHEN STAPANLES.

TROY, KANS., *May 17, 1940.*

Hon. ARTHUR CAPPER,
Washington, D. C.

DEAR SENATOR: Northeastern Kansas wants the Allies to have all the war material they need, regardless of whether they can pay for it or not, but no manpower from this country.

Respectfully,

A. E. WILLIAMSON.

ST. PAUL, MINN., *May 18, 1940.*

Honorable Senator CAPPER,
United States Senate, Washington, D. C.

HONORABLE SIR: I wish to voice my wholehearted appreciation and congratulations for the true American talk you presented over the radio on May 17. The American people can be held in check by such truthful reasoning.

Sincerely yours,

OSCAR W. LINDON.

MINNEAPOLIS, MINN., *May 17, 1940.*

Senator ARTHUR CAPPER,
Washington, D. C.

DEAR SIR: Thank you for your wonderful talk against war and sending our boys to fight on foreign shores. We need more talks like yours.

I have a son 19 years old and I don't want to send him to fight Europe's continual battles, but I do believe in our preparedness.

Yours truly,

MRS. W. H. PATTON.

GREENWICH, CONN., *May 17, 1940.*

Senator ARTHUR CAPPER,
Washington, D. C.

DEAR SENATOR CAPPER: I was impressed and encouraged with the sincerity of your radio address this evening. I and many others agree entirely with your comments. We fear the President's emotionalism and are grateful for the few voices who make a plea for calm in this crisis. Keep up the fight to prevent extension of credit to the Allies. Defenses—yes. War—no.

Sincerely,

BARBARA GRAHAM JUNGE.

CHICAGO, *May 20, 1940.*

Hon. ARTHUR CAPPER,
United States Senator from Kansas, Washington, D. C.

DEAR SENATOR: As a native Kansan, my congratulations on your splendid radio talk. Thank God for men like yourself who have the wisdom and hardihood to point the way in these troublesome times while others are capitalizing on the hysteria induced by acts provoking the righteous indignation of our citizenry. No matter how deeply we deprecate and deplore such acts, it is sheer insanity to for one moment consider taking active sides in this imbroglio. It is still a European war—let's keep out. Likewise, let's follow a sane policy of defense or preparedness and not one of imminent hostility.

Yours very truly,

JOSEPH B. ROLLHEISER.

MAY 18, 1940.

Hon. ARTHUR CAPPER,
United States Senator, Washington, D. C.

DEAR SENATOR: I listened very attentively to your address on the radio last night. I thoroughly agree with you in the things you said.

Sincerely yours,

E. E. CLOTHIER,
Mayor of Perry, Iowa.

WICHITA, KANS., *May 15, 1940.*

Senator ARTHUR CAPPER,
Senate Building, Washington, D. C.

DEAR SIR: I am in hopes this will reach you before any action is taken regarding the pending armament program, is discussed. I don't suppose one letter will have any effect on your decision; on the other hand, I am a new voter in Kansas and, being from Kentucky, I take my position as a voter very seriously.

I am certainly not in favor of raising the present debt limit, and I am certain the voters of Kansas—at least, the ones I have talked with—are of the same opinion.

I think that Congress should stay in Washington through the war crisis, no matter what the political reasons are for going home. Last year Congress left without completing their work, and that action made our embargo an unneutral act. This time we ought to stick to our guns.

Yours truly,

G. RICHARD CHALLINOR.

TOPEKA, KANS., *May 17, 1940.*

Hon. ARTHUR CAPPER,
Senior Senator for Kansas,
Senate Offices, Washington, D. C.:

If by spending a billion dollars for national defense we can save the honor of 10,000,000 Americans and the lives of a million American boys, what are we waiting for?

U. B. Wade, Louis Gleischenhaus, Sam Gleichenhaus, H. S. Hastings, Abe Ulamperl, L. R. Benson, I. L. Keck, Charles St. Louis, Kenneth L. Duyer, Merle E. Harris, Julius Casper, Leo Pressman, Raymond Briman, Wayne Kirk, Pat M. Lucas, F. M. Wilson, H. L. Steinrauf, B. H. Lunde, H. E. Stultz, W. H. Bolin, Mrs. J. Casper, F. W. Hill, George M. Hoffman, Don Casebier, Owen A. Ridlon, Jane Hoffman, L. O. Stratmeyer, Francis L. Zeidler, J. Russell Johnson, Bill Davison, Vernon F. Abel, Wichita, Kans., Mrs. R. C. Eastman, C. Oakley McIntosh, Ray Nightingale, C. R. Burg, Mrs. Rolland, Shafer Leonard Pipkin, Jr., W. R. Williamson, Dale Wells, L. C. Hilner, J. J. Abell, Mary McIntosh, Ivan Holstrom, Abe M. Affron, Mrs. L. G. Wright, Jack Reardon, Mrs. E. W. Stogsdill, Ray R. Todd, H. W. Freeman, Harry Wenger, C. R. Greely, H. W. Norwood, Juanita Yost, Everett Brunker, Walter Nickel, W. H. Graves, Lavern Oliver, Francis Fuhr, Jack Allen, Homer R. Pelton, W. H. Woodworth, Wayne Darland.

KANSAS STATE TEACHERS COLLEGE,
Pittsburg, Kans., May 29, 1940.

Hon. ARTHUR CAPPER,
United States Senator from Kansas,
Senate Chamber, Washington, D. C.

DEAR SENATOR CAPPER: I believe I am expressing the wish of a decided majority of our people when I ask you to render every possible assistance to the Allies by way of planes and such other equipment as is necessary to assist them in the defense of our own Nation in this brutal attack. It is my judgment that nothing short of a miracle can prevent the ruthless, murderous invaders from victory. Whether we like it or not, the only sensible position for us to take is a plan for immediate defense, the same to be forthcoming as rapidly as it can be profitably expended. We are bitterly opposed to shipping a single gun or other war material to any source from or by way of which it may reach aggressor nations. We should manifest that bigger brand of Christianity for which our Nation stands by sending at least $100,000,000 to aid refugees in war zone. Urgent action is highly desirable on our part.

Thank you for your assistance.

Respectfully,

W. A. BRANDENBURG.

THE WICHITA COUNCIL OF CHURCHES,
Wichita, Kans., May 27, 1940.

The Honorable ARTHUR CAPPER,
Washington, D. C.

MY DEAR SENATOR CAPPER: I am very eager that under the stress of present conditions in Europe our own country does not become hysterically involved in large arms appropriations without careful consideration of areas which we should be prepared to defend. Many of us feel that much waste of funds has come about through Army and Navy appropriations which never seem to have up-to-date effective defense materials in spite of these large appropriations.

Respectfully,

ELSIE L. MILLER.

Mr. WALSH. Mr. President, the bill now before the Senate is explainable in a very few words. It provides for the consolidation of duties now performed in the Navy Department by the Bureau of Construction and Repair and the Bureau of Engineering in one bureau to be known as the Bureau of Ships.

It also provides for the transfer of the functions of the two bureaus to the new Bureau of Ships.

It further provides for the creation of an Undersecretary of the Navy and for the repeal of the present law, the act of June 24, 1926, which authorized the appointment of an Assistant Secretary of the Navy for Air. The office of Assistant

Secretary of the Navy for Air has not been filled for some time, as the Bureau of Aeronautics handles aviation matters and, therefore, that office is really of no practical benefit at this time.

The reason for the consolidation of the Bureau of Construction and Repair and the Bureau of Engineering is patent. Under the present system the Bureau of Engineering and the Bureau of Construction and Repair—two bureaus instead of one—handle all matters of naval construction. The Bureau of Ships would handle and have under its jurisdiction both the Bureau of Engineering and the Bureau of Construction and Repair. It is believed this would expedite the construction of naval vessels and add to the efficiency of the construction work of the Navy.

As a matter of fact, such a situation already prevails. It was thought that the President, under his executive authority, could bring about the consolidation, but the President feels that it ought to be accomplished by statutory enactment.

In addition, new duties are added to the Office of Chief of Naval Operations, so that it becomes necessary to adopt by statute this change.

In brief, that is an explanation of the bill.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 4026) was ordered to be engrossed for a third reading, read the third time, and passed.

TRANSFER OF CONSTRUCTION CORPS OFFICERS TO LINE OF THE NAVY

Mr. WALSH. I move that the Senate proceed to the consideration of Calendar No. 1750, Senate bill 4027.

The PRESIDING OFFICER. The title of the bill will be stated for the information of the Senate.

The CHIEF CLERK. The bill (S. 4027) to transfer the active list of the Construction Corps to the line of the Navy, and for other purposes.

The PRESIDING OFFICER. The question is on the motion of the Senator from Massachusetts.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 4027) to transfer the active list of the Construction Corps to the line of the Navy, and for other purposes, which was read as follows:

Be it enacted, etc., That the Construction Corps of the Navy is hereby abolished, but nothing herein shall affect the status, rights, or obligations of any officer now on the retired list of the Construction Corps.

NAVAL CONSTRUCTORS TRANSFERRED TO THE LINE: STATUS UPON TRANSFER

SEC. 2. Officers now on the active list of the Construction Corps are hereby transferred to the line of the Navy, and shall be commissioned accordingly. Each officer so transferred shall—

(a) Be designated for engineering duty only.

(b) Occupy the rank and grade corresponding to those held by him in the Construction Corps.

(c) Continue amenable to disciplinary action to the same extent in all respects as if not transferred.

(d) Be an additional number in the grade to which transferred and in any grade to which he may thereafter be promoted.

(e) Have the lineal position and precedence in the line which a board of naval officers finds that he would have had if he had remained in the line or if his original appointment had been in the line, and the finding of such board when approved by the Secretary of the Navy shall be conclusive for all purposes: *Provided*, That the existing relative rank, precedence, or seniority among themselves of officers transferred by this act shall not be altered by such transfer.

(f) Except as herein otherwise provided, be governed by the provisions of existing laws and of laws hereafter enacted relating to line officers assigned to engineering duty only.

ADJUSTMENT OF STATUS

SEC. 3. For the purpose of adjusting the status in the line of the officers transferred thereto by this act, the following shall govern with respect to such officers:

(a) Each officer shall become eligible for consideration by a line selection board as of the date the next junior line officer becomes eligible therefor, subject to the provisions of section 7 (a) of this act, and the same eligibility rule shall apply to all other officers designated for engineering duty only.

(b) Each officer who at the time of transfer has been passed over one or more times in the rank in which transferred shall be regarded as having failed of selection as best fitted once only.

(c) Each captain whose date of commission in such rank is earlier than February 2, 1932, shall, if promoted pursuant to the recommendation of the first line selection board convened for his rank after the date of this act, have the date of commission and the precedence which the Secretary of the Navy finds, that he would have had if he had remained in the line or if his original appointment had been in the line: *Provided*, That his existing relative rank, precedence, or seniority shall not be altered thereby with reference to other such officers advanced to the rank of rear admiral pursuant to the recommendation of the same or an earlier selection board.

(d) Commanders and lieutenant commanders who, while in the rank in which transferred, have been considered by staff selection boards shall, if promoted pursuant to the recommendation of the first line selection board convened for their rank after the date of approval of this act, have the date of commission and the precedence which the Secretary of the Navy finds that they would have had if such promotion had occurred prior to their transfer.

ADDITIONAL OFFICERS TO BE DESIGNATED FOR ENGINEERING DUTY ONLY—STATUS AND DUTIES

SEC. 4. (a) Officers heretofore appointed or designated for the performance of aeronautical-engineering duty only in accordance with the act of June 5, 1935 (49 Stat. 323; U. S. C., Supp. V, title 34, sec. 71a), are hereby designated for engineering duty only and no further appointments or designations shall be made under that act, which is hereby repealed.

(b) The provision of the act approved August 29, 1916 (39 Stat. 580; U. S. C., title 34, sec. 71), which authorizes the assignment of officers "not below the grade of lieutenant" to engineering duty only is hereby amended by deleting the word "lieutenant" and inserting in lieu thereof the words "lieutenant (junior grade)."

(c) Officers designated for engineering duty only shall be additional numbers in grade and shall not succeed to command except on shore and then only as authorized by the Secretary of the Navy.

SEC. 5. (a) The number of rear admirals designated for engineering duty only shall be reduced to six, as provided in this section, and thereafter that number shall be the permanent authorized number of such officers. In the meantime, only the first and each alternate succeeding separation of such officers from the active list shall be deemed to create a vacancy, and if more than one vacancy should result in any fiscal year the excess shall not be filled, but the next succeeding separation from the active list shall be regarded as the alternate succeeding separation within the meaning of this section: *Provided*, That the line selection boards convened in the fiscal years 1941 and 1942 to recommend captains for promotion to the grade of rear admiral shall be furnished by the Secretary of the Navy with an estimated number of vacancies in that grade for officers designated for engineering duty only, which number shall be four and two, respectively, regardless of the number of officers separated from the active list.

(b) Officers transferred to the line of the Navy pursuant to the provisions of section 2 of this act who, at the time of transfer, have been recommended for advancement to the rank of rear admiral, and those who may be so recommended in the report of the selection board convened next subsequent to the date of approval of this act shall be eligible for promotion on January 2, 1941, upon which date there shall be deemed to have been created a number of vacancies equal to the number of such officers recommended for promotion. Except as above provided, each captain designated for engineering duty only on the promotion list for the grade of rear admiral shall be promoted to rank from the date stated in or in due course to be stated in, the commission in that grade of the next junior officer on the promotion list who is not designated for engineering duty only.

INFORMATION TO BE FURNISHED SELECTION BOARDS

SEC. 6. (a) The estimate furnished by the Secretary of the Navy to line-selection boards convened for the consideration of captains, pursuant to section 8 (a) of the act approved June 23, 1938 (52 Stat. 946; U. S. C., supp. V, title 34, sec. 294), shall show separately the number of vacancies existing in the grade of rear admiral among officers designated for engineering duty only and among officers not so designated, and the number of such vacancies estimated to occur before the end of the next succeeding fiscal year, in excess of the number of officers of each group then on the promotion list.

(b) The statement furnished line-selection boards pursuant to section 8 (a) of the act approved June 23, 1938 (52 Stat. 946; U. S. C., supp. V, title 34, sec. 294), shall include the percentage of engineering-duty-only officers adjudged fitted for promotion which shall be continued on the active list to meet the immediate requirements of the Navy.

(c) Each line selection board convened for the consideration of captains shall be furnished with the names of all captains eligible for consideration to be designated for retention or continuance on the active list pursuant to this act, in addition to the names of captains eligible for consideration for promotion required to be furnished such board by section 8 (a) of the act approved June 23, 1938 (52 Stat. 946; U. S. C., Supp. V, title 34, sec. 294).

DUTIES OF SELECTION BOARDS

SEC. 7. (a) The recommendations of selection boards in the case of officers who are now or may hereafter be designated for engineering duty only shall be based upon their comparative fitness for the duties prescribed for them by law: *Provided*, That no captain designated for engineering duty only shall be eligible for consideration by a selection board for promotion unless the estimate of vacancies furnished that board by the Secretary of the Navy in compliance with section 6 (a) of this act shows one or more vacancies existing or estimated to occur in the grade of rear

admiral among officers designated for engineering duty only, but any such captain who is promoted pursuant to the recommendation of the first selection board by which he was considered shall be given in his new commission the same date of rank which has been or in due course will be stated in the commission in such rank of the senior officer below him who was recommended for promotion by the approved report of a selection board which did not consider him because of this proviso: *Provided further*, That no captain so promoted shall be entitled to increased pay or allowances prior to the date of the vacancy to which promoted.

(b) Officers designated for engineering duty only may be recommended by a line selection board as best fitted for promotion to grades below rear admiral, pursuant to section 9 (a) of the act of June 23, 1938 (52 Stat. 947; U. S. C., Supp. V, title 34, sec. 297a), in addition to the number of estimated vacancies certified to the board by the Secretary of the Navy.

SEC. 8. Each selection board considering captains designated for engineering duty only shall—

(a) From among such captains who have twice failed of selection as best fitted designate by name for retention on the active list in the grade of captain until not later than the end of the next succeeding fiscal year those officers whose fitness, in the opinion of at least six of the members, warrants their retention. Captains so retained shall be ineligible for consideration for recommendation for promotion by subsequent selection boards, but shall be eligible for consideration by such boards for retention on the active list. If not again designated for retention on the active list they shall be placed on the retired list as provided in section 9 of this act.

(b) When the number of involuntary retirements in any fiscal year pursuant to section 9 (c) of this act would otherwise exceed four, designate by name such excess of officers for continuance on the active list until the end of the next fiscal year: *Provided*, That such officers shall be ineligible for consideration for recommendation for promotion by subsequent selection boards, but shall be eligible for consideration for continuance on the active list. If not again designated for continuance on the active list, they shall be placed on the retired list as provided in section 9 of this act.

RETIREMENT

SEC. 9. (a) Except as provided in subsection (c) of this section, each officer in the grade of captain designated for retention on the active list pursuant to section 8 (a) of this act shall be transferred to the retired list on June 30 of the next succeeding fiscal year or on the 1st day of the month following that in which he attains the age of 61 years, whichever shall occur first.

(b) Except as provided in subsection (c) of this section, each officer described in section 8 (a) of this act who is not designated pursuant thereto for retention on the active list shall be transferred to the retired list on June 30 of the fiscal year in which he fails of such designation or on the 1st day of the month following that in which he attains the age of 61 years, whichever shall occur first.

(c) No officer transferred to the grade of captain by section 2 of this act shall be retired pursuant to subsection (a) or (b) of this section earlier than 4 years after the date of approval of this act, nor shall more than four such captains thereafter be so retired in any one fiscal year. Such officers who are considered for retention or continuance on the active list pursuant to the provisions of section 8 of this act, and are not designated therefor, shall be placed on the retired list on June 30 of the fiscal year in which they fail of such designation.

SEC. 10. Officers transferred by this act to the grade of commander of the line whose names are not placed upon the promotion list, shall be placed on the retired list on June 30 of the fiscal year in which they fail of selection as best fitted the second time or in which they complete 28 years of commissioned service computed as provided in section 3 of the act of March 3, 1931 (46 Stat. 1483; U. S. C., title 34, sec. 286a), whichever date shall be later: *Provided*, That any officer retained on the active list pursuant to this section shall be ineligible for consideration for promotion by subsequent selection boards.

SEC. 11. Officers transferred by this act to the grade of lieutenant commander or lieutenant of the line shall, at their own request, in lieu of the honorable discharge provided in section 12 (c) of the act approved June 23, 1938 (52 Stat. 948; U. S. C., title 34, sec. 404 (c)), be retired on June 30 of the fiscal year in which they fail of selection as best fitted the second time or in which they complete 21 and 14 years, respectively, of commissioned service computed as provided in section 3 of the act of March 3, 1931 (46 Stat. 1483; U. S. C., title 34, sec. 286a), whichever date shall be later: *Provided*, That any officer retained on the active list pursuant to this section shall be ineligible for consideration for promotion by subsequent selection boards.

SEC. 12. No officer transferred by this act to the grade of commander or lieutenant commander of the line shall be retired pursuant to section 12 (f) of the act of June 23, 1938 (52 Stat. 950; U. S. C., Supp. V, title 34, sec. 40 (f)), prior to June 30 of the fiscal year in which he completes 30 or 25 years, respectively, of active commissioned service in the Navy.

SEC. 13. Officers transferred to the retired list in conformity with this act shall be entitled to retired pay computed as prescribed in section 12 (b) of the act of June 23, 1938 (52 Stat. 949; U. S. C., title 34, sec. 404 (b)).

MISCELLANEOUS PROVISIONS

SEC. 14. Nothing herein shall be construed to interfere with the promotion of officers who have been recommended for advancement on the effective date of this act, except that the provisions of section 11 (b) of the act approved June 23, 1938 (52 Stat. 948; U. S. C., title 34, sec. 300 (b)) shall be applicable in the cases of such officers. When promoted, such officers shall have the date of commission and the precedence which the Secretary of the Navy finds they would have had if such promotion had occurred prior to their transfer.

SEC. 15. Nothing in this act shall operate to reduce the pay and allowances of officers hereby transferred to the line of the Navy below that now authorized for officers of the Staff Corps with corresponding rank and service.

SEC. 16. All laws or parts of laws so far as they are inconsistent with or in conflict with the provisions of this act are hereby repealed.

Mr. WALSH. Mr. President, this is a companion bill to the measure just passed. All it proposes to do is, in view of the passage of the bill just acted upon, to transfer the personnel on the active list of the Construction Corps to the line in the Navy. It puts the personnel of the Construction Corps in the same category as officers in the Engineer Corps and other officers in the line of the Navy. It is merely a transfer of the personnel; no expense is involved; and it is necessary by reason of the fact that we have, by law, now changed the powers, duties, and functions of the Bureau of Construction and Repair and the Bureau of Engineering and consolidated them into one bureau, the Bureau of Ships. So it is necessary to transfer the personnel of the Construction Corps to the line.

Mr. AUSTIN. Mr. President, will the Senator yield for a question?

Mr. WALSH. I yield.

Mr. AUSTIN. Is the Construction Corps of the Navy entirely wiped out and a new organization created?

Mr. WALSH. The Construction Corps of the Navy is not being wiped out. It is being transferred to the line of the Navy. There are now seven or eight different bureaus in the Navy Department, as the Senator knows, such as the Bureau of Navigation, the Bureau of Yards and Docks, the Bureau of Ordnance, the Bureau of Construction and Repair, the Bureau of Engineering, and the Bureau of Supplies and Accounts. Under the provisions of the bill passed a few moments ago, the Bureau of Construction and Repair and the Bureau of Engineering are united under one bureau, which is to be called the Bureau of Ships.

It is suggested that the building of naval vessels would be expedited if, instead of the plans being gone over and studied by the Bureau of Engineering and the Bureau of Construction and Repair, and then going back again to the Bureau of Engineering and returned again to the Bureau of Construction and Repair, all matters pertaining to the construction of vessels were put under one Bureau of Ships. As a matter of fact, as I have said, such a plan is already in operation.

Mr. AUSTIN. Mr. President, will the Senator yield for another question?

Mr. WALSH. I yield.

Mr. AUSTIN. Would the bill terminate present functions or do away with any functions now being performed?

Mr. WALSH. Not at all. It would retain the functions and the personnel, but would transfer the personnel of the Construction Corps to the line of the Navy, and the Bureau of Ships of the Department would carry on just the same. Instead, however, of having two bureaus, the number has now been reduced to one so far as ship construction is concerned, and that Bureau is the Bureau of Ships. So that one Bureau will be responsible for engineering and for the construction of ships, and it will be impossible for the Bureau of Engineering to claim that any delay in construction is due to the Bureau of Construction and Repair and for that Bureau to claim that delay is due to the Bureau of Engineering. The one Bureau of Ships will be responsible for engineering, the drawing of plans, and the actual construction of the ship.

Mr. AUSTIN. Is it the opinion of the Senator from Massachusetts that one of the effects of this reorganization would be reduction of personnel?

Mr. WALSH. Personally, I do not think so.

Mr. KING. Mr. President, will the Senator yield?

Mr. WALSH. Yes.

Mr. KING. Does it mean an increase in the personnel of any of the agencies or departments or bureaus that are thus created?

Mr. WALSH. No; not at all, except, of course, the salary of the Under Secretary of the Navy, $10,000; but at the same time there is abolished the position of Assistant Secretary of the Navy for Air, which is not filled and has not been filled for several years, but for which there is statutory authority, and which the President could fill tomorrow if he so desired.

Mr. KING. The observation just made by the Senator would apply to the bill which has just been passed more particularly than to the one now pending.

Mr. WALSH. That is true; the observation would apply to that bill rather than to this. This bill applies only to the personnel. It simply lifts out the personnel from the present Corps of Constructors, where it is by law, where its rights are fixed by law, and transfers it to the line of the Navy.

Mr. KING. Is there so much rigidity in the existing law that there may be no transfer, when it is obvious that it ought to be made, from one section or segment of the bureau to another?

Mr. WALSH. Some of the legal authorities of the Navy Department are of the opinion that the President can do this by Executive order. The President himself does not think he can. He thinks it is doubtful if he can, and therefore he wants the matter to be determined by statute.

I am again speaking of the previous bill. I withdraw that statement. I was speaking of the extra powers given in the bill. In other words, in the transfer of the two bureaus to the Bureau of Ships there is not only a transfer of the present powers of those bureaus but a grant of some slight additional powers.

The bill extends the authority of the Chief of Operations. Under the present law there is some question whether he has any right, for instance, to say, "These ships that need repairs shall have priority over other ships." There is some question whether that jurisdiction is not in the hands of another bureau. The bill clarifies the matter, and in the opinion of everybody it is a desirable improvement in an attempt to fix responsibility and to secure more efficient direction of the work of building and repairing ships.

Mr. KING. Let me ask the Senator if he does not believe there is too much—if I may use a common expression—compartmentism in the various departments; that is, too many watertight compartments, whereas there ought to be greater fluidity and not so much rigidity, so that activities may be moved from one agency or department to another without the necessity of coming to Congress for authority.

Mr. WALSH. I agree with the Senator. I heartily agree with him that when the head of a department, after his knowledge of the department is thorough and fixed, finds that he can consolidate activities and reduce expenses and promote the efficiency of the public service, he ought to have authority to do so without coming to Congress. I think they have such authority; but, of course, we are up against the old proposition, as the Senator knows so well, of which he has so often spoken, that they will not drop employees; they will not reduce their pay roll. Is not that true?

Mr. KING. I think the Senator is right. It seems to me that when economies may result, and transfers should be made in the interest of efficiency and economy, there ought to be authority somewhere, in the President or in the Secretary of War or the Secretary of the Navy, to make the necessary transfers to accomplish that result.

Mr. WALSH. Of course, the President has that authority under the act we passed last year, but apparently in this case he has some doubt as to whether he has full executive authority in the case of the bureaus of the Navy which already have their powers and activities clearly and definitely defined. The bill which we just passed seeks to consolidate both bureaus into one and to make one head responsible for them.

Mr. KING. Of course, I appreciate the fact that in many of the agencies and departments of the Government there are forces—and I am not too critical—which seek to enlarge their authority and to augment their powers, and which would take advantage of authority, if it were unlimited, to accomplish that result. Therefore, it occurs to me that those like the Senator from Massachusetts, who are in charge of the Army or Navy appropriation bills, should be fully advised, and should advise us, because those of us who are not upon those committees do not have time to make the investigations essential to obtain full information regarding the validity of the claims which are made for transfers and changes.

Mr. WALSH. I think through the years the Senator from Utah more than any other man on this floor has rendered a great public service in advocating just the principle he has announced. Unfortunately, his voice very often has been like that of St. John the Baptist, a voice crying in the wilderness; but I still think the Senator has been effective in calling the attention of the departments to the need of constantly improving the efficient management of their respective bureaus, and of cutting down unlimited expenses; and, of course, as the Senator and I, both members of the Finance Committee, know, something drastic will happen if some step is not taken in that direction.

Mr. KING. I thank the Senator from his compliment.

I desire to say that I was a member of the Naval Affairs Committee for a number of years. I was so dissatisfied with some of the administrative officers of the Navy, with what I regarded as their reactionary policies, their indifference to what I conceived to be important changes as a result of the World War and the lessons which it taught, that I decided to no longer serve on the committee.

Mr. WALSH. Of course, the present chairman of the Naval Affairs Committee was not its chairman at that time.

Mr. KING. That is true. If we had then had the present chairman I think I would have agreed with him, and I would not have severed my connection with the Naval Affairs Committee; but I will frankly say that I was so dissatisfied with the conduct of the committee, with the conduct of some of the naval officers, with their opposition to the establishment of a Bureau of Air Force or a Bureau of Aeronautics, to make provision for what I conceived to be the vital requirements of the Navy in view of the lessons of the World War, that I declined further service upon the committee. There was too much opposition to what I believed to be needed reforms in the plans of the Navy. The battleship and battle cruiser were given too great consideration at the expense of airplanes and submarines and more modern techniques. I urged a strong and modern air force—an Assistant Secretary of Aeronautics, a Bureau of Submarines. This plan was not approved by the Navy. I repeat there was no cordial reception to methods or policies in the Department. The views of Admiral Sims and Rear Admiral Fullam regarding the importance of submarines and airplanes were disregarded. If their recommendations had been adopted our Navy would be more effective than it is today.

Mr. WALSH. At times I have entertained somewhat the same feeling that the Senator has; but I must remind the Senator of this fact:

No naval officer or Army officer is free to say what he thinks. They must submit all their recommendations, all their requests, all their bills, to higher authority; and they are very much restricted in their freedom of action. I hope the Senator appreciates that fact.

Mr. KING. I understand that.

Mr. WALSH. It is rather painful, at times, before our committee, to find a fine officer who is free and frank within certain limitations, but when it comes to saying, "We could not do it for this reason or that reason," he just cannot say it, and does not say it. On the whole, however, I think we have a fine body of naval officers. I have been very much impressed with their intelligence. Before my committee every day this week there has appeared Captain Fisher. I do not think any lawyer has appeared before a legislative committee at this session who has shown greater astuteness, greater

ability, and greater frankness in presenting his views on a very important, very complicated bill, which will be before the Senate next week or the week after that.

I entertain a very high regard for the intellectual ability of the higher naval officers. I think there has been a great improvement since the days when the Senator from Utah was a member of the committee. I myself have seen it in more recent years. The courses of study we have in the postgraduate schools, and the specializing work many of the officers do, have redounded greatly in their favor; and, of course, those things are of supreme importance, because, as the Senator knows, after all, we do not win war with steel or with battleships. Wars are won with manpower; and therefore, if we have not a high-class personnel of officers and enlisted men, we are in a dangerous plight.

I am happy to say, however, that my observation has been one of general commendation of the naval officers. I agree with the Senator that at times there has appeared to be on their part a reluctance to move away from old practices that have become ingrained in the life of a naval officer and have become a part of his very existence.

Let me refer also to the enlisted men, though I am afraid I am perhaps unduly prolonging the discussion.

Mr. KING. I am very happy to hear the Senator.

Mr. WALSH. I cannot find words to compliment too highly the enlisted men. I have never heard a naval officer speak with reference to them who has not spoken in the very highest terms of our enlisted men. They are now nearly all high-school graduates. Many of them are college graduates. They are patriotic; they are industrious; they are proficient. On some of the ships 60 percent of them are taking correspondence courses for the purpose of improving themselves and advancing. I lost myself in talking about them on a recent occasion, when I was addressing the Daughters of the American Revolution—these dear old ladies—a week ago; and I said, "You never ought to meet an enlisted man on the street without stopping to say, 'Thank you.'" Afterward, in talking at Quantico to the enlisted men, I said, "Mind you, I made that remark to old ladies, not to young ladies." [Laughter.]

But I want to say that we could not run our Navy 24 hours without the enlisted men; and what I am saying every officer in the Navy would say to you even more enthusiastically than I do. I have a profound admiration—and I want to say it to my countrymen—of the fine type of the enlisted men of the Navy and their devotion to duty, their loyalty, their patriotism. If you find a Communist on one of our ships you can imagine what happens to him with those boys. There is a constant desire to improve. I am happy to say that, and I thank the Senator for giving me an opportunity to say it.

Mr. KING. I am very happy to associate myself with the chairman of the committee in his commendation of the seamen who man our fleet. Nevertheless, as I stated a moment ago, I have felt constrained at various times to criticize what I conceived to be the rather static policies of some of those in control of the Navy.

Mr. WALSH. As I said before, it does not do any harm for the Senator to take that position, and I think that even in that attitude, while I may not agree with him, he is again rendering a good service to the Navy.

Mr. KING. I thank the Senator. I am referring particularly to the conduct of some of the officials during and immediately after the World War. I have forgotten whether the Senator was a member of the Committee on Naval Affairs in 1920, 1921, 1922, and 1923.

Mr. WALSH. I was not.

Mr. KING. That was at a time when it seemed to me the lessons of the World War would have burned themselves into the minds of the naval officials, and that they would have attempted to formulate a plan which would more nearly meet the demands of a modern navy.

Mr. WALSH. Of course, the Senator appreciates the serious handicap that came through the limitation treaties of 1921 and 1922.

Mr. KING. I appreciate that, of course.

Mr. WALSH. That almost stopped the Navy from going forward for 17 years.

Mr. KING. In 1919 and 1920, when efforts were being made by a few persons to develop an air force and a suitable submarine policy, we were not met with proper support. As I have stated, Admiral Sims and Rear Admiral Fullam were the only naval authorities who came before the committee and testified to the importance and vital necessity of submarines, and a strong and modern and scientific airplane policy. I believed that the airplane was to be one of the most important forces of the Navy, as well as of land military activities. Naval authorities were not converted to what I believed to be a new and modern naval policy, which accorded to air forces and to subsurface craft, a more important role in national-defense plans. Now we are paying the penalty for what I believe was a rather negative or reactionary policy which was regnant during the years following the World War.

Mr. WALSH. The war in Europe has demonstrated that the Senator was sounding the right note in regard to national defense 20 years ago.

Mr. KING. I was so sure that I was right that when I could not make any headway, I felt constrained to take another committee assignment and leave to those who held different views control of the committee and its policies of the future.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill (S. 4027) was ordered to be engrossed for a third reading, read the third time, and passed.

MAJ. L. P. WORRALL—RECONSIDERATION

Mr. HILL. Mr. President, on the call of the calendar recently the Senate passed the bill (H. R. 8429) for the relief of Maj. L. P. Worrall, and for other purposes. There were two or three minor errors in the bill. For instance, the year was 1939, whereas it should have been 1938. The name of an individual was mispelled. On behalf of my colleague the Senator from Alabama [Mr. BANKHEAD] I made a motion that the Senate reconsider the vote by which the bill was agreed to. That motion is now pending. I then made a motion to request the House to return the bill to the Senate. The House has returned the bill to the Senate, and the bill is now here.

I now move that the Senate reconsider the vote by which the bill was passed.

The PRESIDING OFFICER. Without objection, the motion is agreed to.

Mr. HILL. I now ask unanimous consent that the vote ordering the bill to a third reading, be reconsidered.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HILL. I now offer an amendment, on page 1, line 5, after the words "Finance Department" to insert the words "United States Army".

The amendment was agreed to.

Mr. HILL. On page 1, line 7, I offer an amendment to strike out the name "Booser" and to insert "Boozer."

The amendment was agreed to.

Mr. HILL. On page 1, line 10, after "June 29", I offer an amendment to strike out "1939" and insert in lieu thereof "1938."

The amendment was agreed to.

Mr. HILL. On page 2, line 4, I offer an amendment to strike out "Booser" and to insert "Boozer", and in line 6, the same amendment.

The amendments were agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

A message in writing from the President of the United States submitting a nomination was communicated to the Senate, by Mr. Latta, one of his secretaries, who also an-

nounced that on May 31, 1940, the President had approved and signed the following bills:

S. 2303. An act authorizing the continuance of the Prison Industries Reorganization Administration, established by Executive Order No. 7194 of September 26, 1935, to June 30, 1941; and

S. 3013. An act to amend section 5 of the act entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved March 3, 1925 (43 Stat. 1190; 34 U. S. C. 893), so as to authorize the payment of a per diem in connection with naval aerial surveys and flight checking of aviation charts.

ARMY PROMOTION SYSTEM—CONFERENCE REPORT

Mr. SHEPPARD. Mr. President, I move that the Senate proceed to the consideration of the conference report on House bill 9243.

Mr. McKELLAR. What is the conference report about?

Mr. SHEPPARD. It is the conference report on the Army promotion bill, which was debated for a day or two about a week ago.

The PRESIDING OFFICER. The question is on the motion of the Senator from Texas.

The motion was agreed to, and the Senate proceeded to consider the report, which was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9243) to provide for the promotion of promotion-list officers of the Army after specified years of service in grade, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 3, and 4.

MORRIS SHEPPARD,
ROBT. R. REYNOLDS,
ELBERT D. THOMAS,
WARREN R. AUSTIN,
STYLES BRIDGES,
Managers on the part of the Senate.

A. J. MAY,
EWING THOMASON,
DOW W. HARTER,
L. C. ARENDS,
THOS. E. MARTIN,
CHAS. H. ELSTON,
Managers on the part of the House.

Mr. JOHNSON of Colorado. Mr. President, before this conference report is agreed to, I desire to call to the attention of the Members of the Senate a few of the grotesque absurdities contained in the proposed legislation.

Mr. ADAMS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Donahey	Lodge	Sheppard
Andrews	Downey	Lucas	Shipstead
Ashurst	George	Lundeen	Slattery
Austin	Gerry	McCarran	Smathers
Bankhead	Gibson	McKellar	Stewart
Barbour	Gillette	McNary	Taft
Barkley	Green	Mead	Thomas, Idaho
Bilbo	Gurney	Miller	Thomas, Okla.
Bone	Hale	Minton	Thomas, Utah
Brown	Harrison	Neely	Tobey
Bulow	Hatch	Norris	Townsend
Burke	Hayden	Nye	Truman
Byrd	Herring	O'Mahoney	Tydings
Byrnes	Hill	Overton	Vandenberg
Capper	Holman	Pepper	Van Nuys
Caraway	Holt	Pittman	Wagner
Chandler	Hughes	Radcliffe	Walsh
Chavez	Johnson, Calif.	Reed	Wheeler
Clark, Mo.	Johnson, Colo.	Reynolds	White
Connally	King	Russell	Wiley
Danaher	La Follette	Schwartz	
Davis	Lee	Schwellenbach	

The PRESIDING OFFICER. Eighty-six Senators have answered to their names. A quorum is present. The Chair recognizes the Senator from Colorado [Mr. JOHNSON].

Mr. JOHNSON of Colorado. Mr. President, before the Senate adopts the conference report, I desire to call attention to some of the peculiar things which are contained in the pending legislation. Under the automatic promotion system for the commissioned officers of the United States Army, as provided for under the bill, the Army will have 4,800 lieutenant colonels, and only 2,300 majors and captains together. Everyone familiar with the Army knows that there are needed about 4 majors to 1 lieutenant colonel, but under the provisions of the conference report there will be 4 lieutenant colonels to 1 major.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. MINTON. Under the old organization, during the World War, a major was in command of a battalion, and a regiment consisted, as I remember, of three battalions. Three were one lieutenant colonel and three majors to a regiment.

Mr. JOHNSON of Colorado. Yes.

Mr. MINTON. Since that time has not the organization been changed, and is not a lieutenant colonel in command of a battalion now?

Mr. JOHNSON of Colorado. No; I think not.

Mr. MINTON. I think the Senator will find upon examination that a lieutenant colonel is now in charge of a battalion, and that a major is the executive officer of the battalion. I think that is the plan.

Mr. JOHNSON of Colorado. I have received a recent plan from the War Department, and it does not show any such arrangement as that. It still shows a major in command of a streamlined battalion.

Mr. MINTON. My understanding is that the major is now the executive officer of the battalion, and the lieutenant colonel is in command of the battalion.

Mr. JOHNSON of Colorado. I do not think so. At any rate, certainly there is no need for 4 lieutenant colonels to 1 major. In the World War we had 200,000 officers and 4,000,000 men under arms. There were then 12,227 majors and only 3,151 lieutenant colonels. Yet under the pending measure we find that the Army will have 4,800 lieutenant colonels, with an enlisted strength of only 280,000, and only 1,200 captains, and 1,300 majors.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. CONNALLY. Does the Senator mean that under the provisions of the bill there would be more lieutenant colonels than there would be captains?

Mr. JOHNSON of Colorado. I say under the bill there will be 4 lieutenant colonels to each major, and 4 lieutenant colonels to each captain. In other words, there will be 4,800 lieutenant colonels.

Mr. CONNALLY. I am astounded at that statement. Surely the Committee on Military Affairs does not agree with that.

Mr. JOHNSON of Colorado. I, myself, was astounded at the figures. We had General Marshall before us, and he corroborated that statement.

Mr. CONNALLY. If they keep on at that ratio they will have four times as many generals as they would have colonels.

Mr. JOHNSON of Colorado. The Senator, of course, understands that this is only temporary. It perhaps will be true only for 10 years, while we are getting rid of the World War "hump," which is talked about so much. The officers who served in the World War now average 46 years of age. The situation to which I have referred is due to temporary promotions. Four thousand two hundred officers will move into the grade of lieutenant colonel. They will remain there until they are 60 years of age. So while this peculiar situation may not be exactly permanent, it will continue for a great many years.

In the World War, as I have said, the Army had 12,227 majors and 41,953 captains, and only 3,151 lieutenant colonels. But under this bill we will have more lieutenant colonels than we had during the World War. As a matter of fact, under the existing law, the lieutenant colonels are restricted to 9 percent of the number of commissioned officers. Not more than 9 percent of the commissioned officers can be lieutenant colonels. But under the provisions of the bill before us 40 percent of the commissioned officers in the Army will be lieutenant colonels; and there will be 705 colonels in addition. So

nearly 50 percent of all the commissioned officers in the United States Army will be in the grade of lieutenant colonel and colonel.

Those are the provisions of this bill. To General Marshall, who appeared before the conference committee, I presented these very figures and asked him if that was not so, and, if it was, what he could do about it? General Marshall bit his lip, looked toward the floor, shook his head sadly from side to side, and said, "That will be my headache." The bill will give the military chief a military headache. It can be understood how that will be when I give the figures. I presume that when Ripley gets hold of this information the United States Senate will be made the laughing stock not only of the United States but of the entire world. He will say, "Believe it or not, 40 percent of the commissioned officers in the United States Army are lieutenant colonels—more colonels than are in the Mexican Army, and more than are turned out in Kentucky."

Mr. MINTON. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. DAVIS in the chair). Does the Senator from Colorado yield to the Senator from Indiana?

Mr. JOHNSON of Colorado. I yield.

Mr. MINTON. I checked on the matter about which I interrupted the Senator a moment ago. Under the new organization it is true that a lieutenant colonel is the commander of a battalion and a major is second in command. Therefore, there is need for many more lieutenant colonels than were formerly needed under the old organization. As I stated awhile ago, a regiment is composed of three battalions. In my time a regiment had three majors, the lieutenant colonel was the executive officer of the regiment, and the colonel commanded the regiment. Now, however, the colonel commands the regiment; his senior lieutenant colonel is executive officer; a lieutenant colonel commands each battalion; and a major is second in command of a battalion. So it can be seen that under the new organization plan there is much greater need for lieutenant colonels than ever before.

Mr. JOHNSON of Colorado. I should like to submit a statement which I received from the Army the other day, which shows the number of officers in one of the streamlined divisions. At division headquarters there are a major general, 2 brigadier generals, 1 colonel, 13 lieutenant colonels, 4 captains, 5 first lieutenants, and 1 second lieutenant, or 27 officers. In the Infantry 4 companies make up a battalion. Each battalion has 4 captains and 12 second lieutenants, and each company has 129 enlisted men. According to the report, in a regiment there are 3 lieutenant colonels, 12 captains, 3 first lieutenants, and 39 first or second lieutenants. I ask unanimous consent to have the report printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

A division is made up of three infantry regiments and two field artillery regiments.

INFANTRY

4 companies=1 battalion.
- 4 captains.
- 12 second lieutenants.
- 129 enlisted men each company.

3 battalions=1 regiment.
- 3 lieutenant colonels.
- 12 captains.
- 3 first lieutenants.
- 39 first or second lieutenants.

57

3 regiments=1 division.
- 3 colonels.
- 12 lieutenant colonels.
- 3 majors.
- 3 additional majors or captains.
- 48 captains.
- 6 additional captains or first lieutenants.
- 15 first lieutenants.
- 117 first or second lieutenants.

207

FIELD ARTILLERY

2 batteries=1 battalion.
- 2 captains.
- 2 first lieutenants.
- 4 second lieutenants.
- 122 enlisted men each battery.

2 battalions=1 regiment.
- 2 lieutenant colonels.
- 2 majors.
- 10 captains.
- 10 first lieutenants.
- 10 second lieutenants.

34

2 regiments=1 division.
- 2 colonels.
- 6 lieutenant colonels.
- 6 majors.
- 30 captains.
- 22 first lieutenants.
- 22 second lieutenants.

88

DIVISION HEADQUARTERS
- 1 major general.
- 2 brigadier generals.
- 1 colonel.
- 13 lieutenant colonels.
- 4 captains.
- 5 first lieutenants.
- 1 second lieutenant.

27

A total of 437 officers in a division.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I shall be very glad to yield.

Mr. MINTON. As I understand, the statement which the Senator has submitted shows that each regiment has three lieutenant colonels. Under the old organization each regiment had only one lieutenant colonel. Each regiment has three battalions. Each battalion is now commanded by a lieutenant colonel, and the senior battalion commander is the executive officer of the regiment, directly under the colonel, who commands the regiment.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I shall be glad to yield.

Mr. CONNALLY. Assuming that to be true, and assuming that the bill provides for three lieutenant colonels instead of one, as under the old organization, and that the lieutenant colonels command battalions, what is the necessity of it? Cannot a major command a battalion now as well as he has always done? Why is it necessary to make a battalion commander a lieutenant colonel, unless it is simply the desire to have more lieutenant colonels?

Mr. JOHNSON of Colorado. I think that argument is very sound. I should like to ask the Senator from Indiana [Mr. MINTON] a question. Does he contend that we need 4,800 lieutenant colonels in the Army as compared to 1,200 majors? Certainly he does not make any such contention.

Mr. MINTON. If the Senator will yield, I know that there are positions, other than commands in the line, in which the higher ranks are required. For example, there are commands at colleges and in R. O. T. C. units. A lieutenant colonel is always preferred in such commands. Many such commands require a higher rank than that of major. So it is not only an increase in the line personnel, but also in the other commands which the Army has to fill throughout the country, which requires higher rank.

I am not advised as to why the Army has changed the organization and put a lieutenant colonel in command of a battalion. That was part of the organization plan which was conceived and adopted long before the bill was ever thought of. So the bill does not produce a great number of lieutenant colonels merely to meet that situation.

Mr. JOHNSON of Colorado. As a matter of fact, it produces many lieutenant colonels, and I do not think there is any need whatsoever for them. Nevertheless, it produces them. At the present time we have 1,048 lieutenant colonels.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. CONNALLY. So far as the tables of organization requiring a lieutenant colonel for a certain command is concerned, the War Department can make new tables of organization at any time. If we are to follow that theory, the War Department might make tables of organization which would require a brigadier general to command a company if it so desired. The War Department makes up the tables of organization. Congress has nothing to do with it.

Mr. JOHNSON of Colorado. That is correct. It is not done pursuant to a law of Congress. The organization tables are made up in the War Department.

Mr. MINTON. Of course, that brings us back to the question of whether or not we think the Army would do the ridiculous thing which the Senator from Texas suggests. I have sufficient faith in General Marshall and in the General Staff to believe that they will not set up any such ridiculous standards for the command of various units of the Army. They must have some good reason for changing the tables of organization and putting a lieutenant colonel in command of a battalion, rather than leaving it in the command of a major, as heretofore. The Army would not last very long if it did the ridiculous things suggested by the Senator from Texas.

Mr. JOHNSON of Colorado. When I asked General Marshall about it, he said it would be his headache to find places for all the lieutenant colonels.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. CLARK of Missouri. Does the Senator know the duties prescribed in the Infantry Drill Regulations or the Army Manual for a lieutenant colonel?

Mr. JOHNSON of Colorado. I do not.

Mr. CLARK of Missouri. Of course, one duty is to command the regiment if the colonel should be killed or incapacitated; but in any of the manuals with which I am familiar—they may have been changed—the only duty prescribed for a lieutenant colonel is, when the regiment is formed in line of battalions at the command of the colonel, to advance and say, "Pass in review." That is the only duty assigned to a lieutenant colonel.

Mr. President, I know that in many instances lieutenant colonels have been employed to very good use. It has always been the practice that lieutenant colonels may be assigned to command a battalion. I commanded battalions when I was a lieutenant colonel. A lieutenant colonel may be assigned as executive officer of the regiment, and may be so utilized by the colonel if the colonel so desires, but he does not have to be. A lieutenant colonel may be assigned on detached service with schools, with the staff in Washington, or on any other duty. But it seems to me that the figures which the Senator from Colorado has produced, showing the tremendous preponderance of lieutenant colonels over majors and captains, require an explanation. In an ordinary infantry regiment we formerly had 1 colonel, 1 lieutenant colonel, 3 majors, and 15 captains. I do not know what the tables of organization now are, but that used to be the plan.

Mr. JOHNSON of Colorado. There are now 12 captains.

Mr. CLARK of Missouri. It seems to me that rather than getting away from the "hump" which has been complained of, we are creating another "hump." The "hump" has been created by the fact that in the creation of general officers the World War officers have been consistently jumped over. A large number of them are entitled to promotion, so it is now proposed that we create a system under which the number of lieutenant colonels shall be entirely disproportionate to the number of officers of other grades.

Mr. JOHNSON of Colorado. Yes. That is what the bill provides.

Mr. BONE. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. BONE. I know little about the inner set-up of the Army with respect to methods of promotion. I should like to inquire whether or not the bill is the result of the normal and to-be-expected desire to secure what officers justly feel is a promotion to which they are entitled. Is the purpose merely to take care of the large group of men who are now captains or majors, and who are being pushed upward in order to give them some reasonable excuse for having stayed in the Army? Is the bill the result of pressure for promotion within the Army or from some other source?

Mr. JOHNSON of Colorado. At the present time under the existing law not more than 25 percent of the commissioned field officers may be majors, not more than 9 percent may be lieutenant colonels, and not more than 6 percent may be colonels. The bill would make promotion automatic. After having served in the Army for 17 years and having attained the rank of captain, an officer would be automatically promoted to the grade of major. After having served in the Army for 23 years and having attained the grade of major, he would be automatically promoted to the grade of lieutenant colonel. Promotion is made automatically, all the way from second lieutenant up to the grade of colonel. After serving for 3 years as a second lieutenant, 7 years as a first lieutenant, 7 years as a captain, 6 years as a major, and 5 years as a lieutenant colonel, an officer would then be entitled to be promoted to the rank of colonel.

Mr. CLARK of Missouri. Mr. President, will the Senator read again the figures as to the number of lieutenant colonels, majors, and captains provided for by the conference report?

Mr. JOHNSON of Colorado. Yes; it provides for 705 colonels, 4,800 lieutenant colonels, 1,200 majors, and 1,300 captains. It provides for four times as many lieutenant colonels as there are captains or majors. Forty percent of all the commissioned officers in the Army will be of the rank of lieutenant colonel and nearly 50 percent of all the commissioned officers in the Army will be in the grade of lieutenant colonel and colonel.

Mr. CLARK of Missouri. So far as organization is concerned, is not that exactly equivalent to trying to fire a .30-caliber shell from a 6-inch cannon or something of that kind?

Mr. JOHNSON of Colorado. It may be as bad as that. We have heard all the time that the Army needed revitalization, that it needed younger officers in charge of companies, battalions, and regiments, but, instead of that, we will have all these lieutenant colonels, and the Senator from Indiana claims that they are not going to be placed in charge of battalions.

Mr. MINTON. They will be young officers, just the same.

Mr. JOHNSON of Colorado. They will have to have 23 years' service in the Army.

Mr. MINTON. Yes.

Mr. JOHNSON of Colorado. They start in when they are 24 and will be not less than 47 years old when they are lieutenant colonels.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I am glad to yield.

Mr. CLARK of Missouri. We have often heard about the Mexican Army as an army of generals. As I understand this proposal, it is to make the American Army an army of lieutenant colonels.

Mr. JOHNSON of Colorado. Yes. As I said a moment ago, the Senate is creating more colonels than the State of Kentucky has created, and the only difference between the State of Kentucky and the Senate is that Kentucky does not pay anything to the colonels it creates, but the United States Senate proposes that the Army colonels shall be paid $5,700 a year apiece, which is more than the Governors of many of the States receive.

Mr. BONE. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. BONE. How does this bill change the present Army promotion system? Does it create many more lieutenant colonels than would normally be created in the mine run process of promotion? For instance, take the number of lieutenant colonels who will be created under this proposed act and contrast that with the number of lieutenant colonels

who would normally reach that grade by the promotion system now in effect and give us the figures as to that.

Mr. JOHNSON of Colorado. As I said a moment ago, the existing law does not permit more than 9 percent of the commissioned officers to hold the rank of lieutenant colonel but under the provisions of this bill the percentages vary; there is no fixed percentage; and when this bill is finally enacted and written into law, the number of lieutenant colonels will be 40 percent instead of 9 percent.

Mr. BONE. If there are arbitrary years of service prescribed for advancement, and an officer has served the requisite number of years, under the 9-percent barrier how does the Army select the officers who are to be advanced into that grade? Does it have a selection board?

Mr. JOHNSON of Colorado. The senior officer is promoted.

Mr. BONE. It is done by seniority.

Mr. JOHNSON of Colorado. It is done by seniority. For instance, when a class from West Point goes into the Army the cadet with the highest grade in scholarship is No. 1 and the cadet with the lowest grade in scholarship is No. 450. They now go through all the grades of promotion according to that seniority; that is, the one with the best scholarship marks is promoted first. Under this bill the 450 cadets would go ahead right through all the grades from second lieutenant up to colonel together. They would move along together. For instance, we are now about to add 4,000 additional commissioned officers to the Army because of the second world war scare. Those 4,000 will move right up to the grade in one group if they come in the same year. The change that has been made in the promotion system brings that about.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I am glad to yield.

Mr. MINTON. This bill does not create that situation. That situation has always existed.

Mr. JOHNSON of Colorado. No.

Mr. MINTON. This bill does not create that situation.

Mr. JOHNSON of Colorado. What situation?

Mr. MINTON. The situation the Senator is talking about; that if we increase the number of officers in this emergency by 4,000 they will all come in on the same day and will move along at the same rate of promotion.

Mr. JOHNSON of Colorado. Oh, no. This is the way it will work: If 4,000 additional officers should come in under existing law the Army would be entitled to have 1,000 colonels, 1,500 lieutenant colonels, and 4,179 majors, because now the number is arranged on a percentage basis, and the first officer to come in is the first officer to be promoted, and the last officer to come in is the last officer to be promoted. When the cadets from West Point graduate they are, as I have said, given grades from 1 down to 450. The cadet having the poorest scholarship marks, the one making the poorest record at the Military Academy, is at the bottom of the list, the foot of the list, and receives his promotion last.

Mr. MINTON. Under the circumstances that exist today, if we should add 4,000 officers, how would they come in?

Mr. JOHNSON of Colorado. They would not all come in the same minute. I do not know how the seniority of the new officers will be determined but it will be necessary to have some way of determining it.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. CLARK of Missouri. If we can judge the future by the past, the officers who come in as emergency officers and then are placed in the Army will get very much the worst of it in the matter of promotion when it comes to making general officers, which is what created the "hump." There will be another "hump" very much greater than the present one sometime in the future.

Mr. MINTON. But, Mr. President, what we are trying to do under this bill is to make it possible for some of the World War officers who served with the Senator from Missouri eligible to be appointed generals. This bill will permit the War Department to go down into the rank of lieutenant colonels, who are to be pushed up by this bill from the World War "hump," and promote some of them to be generals, if they are efficient.

Mr. JOHNSON of Colorado. That is the only good thing I have found in the bill.

Mr. HILL. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I am glad to yield.

Mr. HILL. The Senator has referred to the proposed increase of 4,000 officers. The increase of 4,000 officers will be over a period of 5 years, so that when the new officers enter the Army another "hump" such as we now have will not be created. They will gradually go in over a period of 5 years to avoid such a "hump" as now exists in the Army.

Mr. JOHNSON of Colorado. It is suggested that they be brought into the Army during a 10-year period, so that only 10 percent would go in each year, but there is already need of 4,000 more officers; they are needed right now, and they must be brought into the service.

Mr. HILL. They are not going to be brought in all at once, because in that event, a "hump" would be created similar to the "hump" which now exists as the result of what was done after the World War, when some 7,000 officers of about the same age were appointed to the Army at one and the same time.

Mr. JOHNSON of Colorado. Yes, but the additional officers are needed; the Army must have them, for the Army is being expanded.

Mr. BONE. Mr. President, I should like to get one thing clear in my mind. This bill does not add to the number of officers of the Army, does it?

Mr. JOHNSON of Colorado. No.

Mr. BONE. It confines itself really to the question of promotion?

Mr. JOHNSON of Colorado. That is correct.

Mr. BONE. I wanted to be sure about that.

Mr. JOHNSON of Colorado. It is a promotion bill.

Mr. BONE. A promotion bill and nothing else?

Mr. JOHNSON of Colorado. Well, there is something else in it, too.

Mr. BONE. But that is the major purpose of the bill. It merely fixes the status of promotions and does away with the restrictions the Senator has mentioned.

Mr. JOHNSON of Colorado. Now, I want to pass to another point of the bill.

Mr. HILL. Mr. President, will the Senator yield for a question?

Mr. JONHSON of Colorado. I am glad to yield.

Mr. HILL. The Senator referred to pay. I think the Senator should say that pay is based on longevity, rather than grade, so that the pay of a major and the pay of a lieutenant colonel are the same if they have had the same length of service.

Mr. JOHNSON of Colorado. They are practically the same.

Mr. HILL. The fact that an officer is made a lieutenant colonel does not mean that he will cost the taxpayers more money. I think that is very important. The statement that many officers are to be advanced to the grade of lieutenant colonel might create the impression that an additional burden will be imposed on the taxpayers. The truth is the bill, if enacted, would not cost the taxpayers one additional cent, because pay in the Army is based on length of service rather than on rank.

Mr. JOHNSON of Colorado. That is what the Senator thinks, but, of course, that is not entirely true, although it is largely true, because length of service in the Army does determine the amount of pay that an officer receives. But now I wish to refer to another feature of this measure.

I presume when we go home one of these days the senior citizens will come to us and want to know what we did about pensions. They will probably want to know, in some of the States, whether they will be able to get more than $7 or $9 or whatever the amount may be, and they will ask us what we did about the Townsend Act and about some of the other pension bills which have been before the Senate. When we

tell them, "We have not done anything about that," they will say, "Did you not do anything about pensions," and we will reply, "Certainly, we did. We passed the Army promotion bill."

We thought Dr. Townsend was a piker; he only wanted to give the senior citizens of the Nation $200 a month; and they would have to live to the age of 60 before they could get the $200 a month, but under the Army promotion bill, as passed by the Congress, we give officers whose average age is 46, a $3,500 pension. We call it retirement pay, but it is a pension nevertheless; and if that officer remains in the Army 5 more years, until he is 51 or 52 years of age, he will be given a pension of $4,350 a year. So when we go home we can explain to the senior citizen that we have done something about pensions. Certainly we have done something about pensions. He may not see the point; he may not be able to grasp the fact that he is not going to get any more pension; but, just the same, we shall have done something about pensions. Anyone who will devote any time to a study of the situation now existing among the commissioned officers of the United States Army must reach the conclusion that something is radically wrong with the system under which the commissioned officers serve. He must be absolutely convinced of that fact.

As I said a moment ago, General Marshall appeared before the conference committee; and he made the most distressing report, the most damaging indictment of the commissioned officers I have ever heard anywhere or at any time. He was charitable. He called them mediocre. He said, "I am receiving demands from colleges. They want instructors for the R. O. T. C. I am receiving demands from the National Guard. They want instructors. I am receiving demands from the Reserve officers' organizations. They want instructors." He said, "I have no men whom I can send them. I have the greatest difficulty in finding the right men to send them." I asked him, "Why?" He said, "Well, so many of the officers are mediocre." That is a very charitable term. I suppose he means that they are very inefficient.

We gather up boys all over the United States, the finest young men we can find. We hand-pick them. We send them up to the Military Academy. We pay for their education, and give them a fine opportunity. They pass into the Army; and then, when we need them to serve their country by going out as instructors to the R. O. T. C. camps, and to the colleges, and to the National Guard units, the Chief of Staff says, "I am having great difficulty in finding instructors because of the mediocrity of the commissioned officers of the Army." There is something radically wrong there.

I asked General Marshall this question: "If a commissioned officer is not morally what he should be, can you not class-B him? Can you not put him in class B?" Senators will understand that when an officer is placed in class B he is automatically retired. The general shook his head. No; he could not very well do that. He said he might do it in a few cases. I asked, "If an officer is not efficient, if he is not cooperative, if he is not able to do his work as he should do it, can you not class-B him?" The general said, "No; we cannot." He said, "As a matter of fact, class B is a dead letter in the Army today." He said, "Last year we only class-B'd 3 officers out of 12,000. Only 3 of them were put in class B." He said, "We have the greatest difficulty in putting them in class B. We classified some as class B after hearings; and then the Department gets hold of it, and we are told, 'You cannot do that to that officer. You cannot do that to this officer'; and if you get by the division, then the men up here on the Hill"—and he meant the Congress—"come down there and say, 'Oh, you cannot do that to that officer. You cannot do that to this officer. He is my friend. You will have to keep him in the Army.'" General Marshall testified that as a result of those conditions class B is dead among the commissioned officers of the Army. So when a man goes into the Army as an officer, regardless of how inefficient he may be, he passes on automatically up through the grades.

There are a number of very efficient officers among the commissioned personnel. I venture to say that 75 percent of them, perhaps a greater percentage, are the finest kind of officers. General Marshall said that many of the older colonels were splendid officers; he could not ask for anything better; and we know that many of the commissioned officers of the Army are the finest kind of officers. But there is much deadwood in the Army, and the deadwood is not removed.

Instead of the War Department coming to Congress and saying, "We want some help in getting out the deadwood among the commissioned officers of the Army," they come with an automatic promotion bill and try to promote them out of the Army, simply because the War Department have not the courage or the stamina to face their own problem and do the right thing by the citizens of the country.

France has that difficulty. France discovered what was wrong with her commissioned officers when the "blitzkrieg" was striking, and she had to stop operations when her life was at stake and revitalize the men, and remove from the Army the officers who did not deserve to be in the Army. We are going to get into the same kind of condition if our War Department do not have the courage and the stamina to face the problem before them. If they need any help, they will get it from the Congress if they will tell us what they want, instead of trying to promote the deadwood and the able officers out of the Army in order to get rid of them, and offering them large pensions in the effort to kick them out the easy way, trying to be soft.

I do not know whether or not Senators read the press reports of the recent maneuvers in Louisiana. I have here a clipping from the Evening Star of Washington of Tuesday, May 28, 1940:

WAR GAMES REVEAL TRAGIC WEAKNESS, SAYS GENERAL BREES

CAMP BEAUREGARD, LA., May 28.—In a critical review of the Army's greatest peacetime maneuvers, Maj. Gen. H. J. Brees reported to assembled officers yesterday that had the concentration been on a larger scale similar to what might be expected by general mobilization, they might have bogged down.

Mr. MINTON. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator from Colorado yield to the Senator from Indiana?

Mr. JOHNSON of Colorado. I do.

Mr. MINTON. As I remember the criticism of General Brees, it was directed at the higher officers.

Mr. JOHNSON of Colorado. It was directed at the commissioned officers.

Mr. MINTON. Oh, of course, at the commissioned officers. Every officer from a second lieutenant up is a commissioned officer in the Army, as the Senator knows; but General Brees' criticism, as I read it, was directed at the higher commissioned officers—the generals, the brigadiers, the majors, and the colonels—some of the old colonels that this bill seeks to get out of the way. They are the very officers General Brees was criticising. He had very high praise for the officers we are trying to help by this bill. He had very high praise for the captains and the majors.

Mr. JOHNSON of Colorado. If the Senator will have patience, I will read what General Brees had to say about the captains and the majors. General Brees goes on—this is his language, not mine—

If results would not have been so tragic—

He said—

some of the so-called attacks without use of supporting weapons were so absurd as to be farcical.

In praising the soldiers who took part in the war games, General Brees said:

Our noncommissioned officers are the backbone of our Army. They acted on their own—intelligently, with initiative, with a keen and complete understanding of what it was all about, and of what they were trying to do. My hat is off to our enlisted man, be he private, corporal, or sergeant.

He is referring to the enlisted man, the $21-a-month man, the $30-a-month man, the $60-a-month man.

Mr. MINTON. Of course; but will the Senator from Colorado point in General Brees' statement to any place where General Brees said that the captains and the majors did not measure up to the requirements?

Mr. JOHNSON of Colorado. No; I will not point to that, because he never said that.

Mr. MINTON. Of course he did not. Those are the officers we are trying by this bill to help get promotions—the captains and the majors who are frozen into the so-called war hump.

Mr. JOHNSON of Colorado. If the Senator will only be patient, I will read what General Brees said.

Mr. MINTON. I have read what the general said. I know what he said as well as does the Senator from Colorado.

Mr. JOHNSON of Colorado. I would not trust my memory about it. I am reading from direct quotations by the Associated Press.

The general goes on, after paying his tribute to the noncommissioned officers—the $21 and the $30 and the $60 men; the men who get very little. He takes off his hat to them. Then this is what he has to say:

I regreat to say there were reports of commanders of all grade failing to play the game.

When he said "commanders of all grade," I presume he meant from second lieutenant on up to colonel.

"There was a general striking disinclination to move across country. Because of little or no liaison there resulted instances of friendly troops firing into each other. * * *

"We seem to have forgotten entirely the effects of fire. Our Infantry seems to have a tendency to forget that maching on foot is still a necessity. You can't fight in a truck."

That is the end of the quotation from the general.

I wish to put in the RECORD at this point an editorial entitled "Lonergan's Comment," appearing on the editorial page of Labor, of June 4, 1940, commenting on the same situation.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

LONERGAN'S COMMENT—ARMY'S POOR SHOWING—GENERAL IS CRITICAL

(By Raymond Lonergan)

About 70,000 of our Regulars have been indulging in war games in the vicinity of Camp Beauregard, La. Maj. Gen. Herbert J. Brees, a 63-year-old veteran who began fighting in the Spanish-American War 42 years ago and has been at it ever since, including distinguished service in France in the World War, summarizes the results in an official report, which is calculated to embarrass the gentlemen who command our military forces.

"Some of the so-called attacks, without use of supporting weapons, were so absurd as to be farcical," says the general.

PRAISES ENLISTED MEN

"Our noncommissioned officers are the backbone of our Army. They acted on their own, intelligently, with initiative, with a keen and complete understanding of what it was all about and of what they were trying to do.

"My hat is off to the enlisted man, be he private, corporal, or sergeant."

The general compiles a long list of deficiencies. The Infantry insisted on riding in trucks instead of marching; the officers didn't know how to use aviation observation, and there was little effort to maintain contact between the various detachments.

WILL OFFER USUAL ALIBIS

The generals will probably pass the buck, saying Congress didn't give them enough money and that our Army is too small.

But Congress certainly gave them enough money to make a small Army efficient, and they had an exceptionally fine enlisted personnel.

Then who's to blame? Clearly, the West Pointers. What will be done about it? Nothing, probably, until some catastrophe forces a shake-up.

That is what has just happened in France and Britain. They had to oust the incompetents while the Nazis were raining bombs on the Allied forces.

Why not do whatever may be necessary in this country before the shooting begins?

Mr. JOHNSON of Colorado. Mr. President, we have established an aristocracy in this country. We have a democracy, but we have established an aristocracy. We place the commissioned officers of the Army on a pedestal. We give them good salaries, we give them security, and we see that they receive good retirement pay when they retire from the Army. We educate them. We need them. I think our plan is a good one; I think the Army is well worth all we put into it. But after creating that sort of a situation, we should not walk off and leave it. When dead timber appears in that aristocracy it should be dealt with as dead timber should be dealt with elsewhere, and the officers within that class should be removed from the Army.

I do not wish to take up a great deal of the time of the Senate. In the conference between the House and the Senate I tried to get one small crumb of concession out of the group. I asked them if they would not please allow the lawyers in the Army, in the Judge Advocate General's Office, and the chemical engineers in the Army, together with the other technicians, the men in the Ordnance Department, scientific men, men who were ready to devote their lives to their country—if they would not let them retire on the same basis with medical men, surgeons, dentists, chaplains, and veterinary surgeons. The members of the conference turned me down. They said it could not be done, that they were not going to make any changes whatsoever. One or two of the House conferees were quite interested in that sort of a concession, but the members of the Senate Committee on Military Affairs who were on the conference would not listen to it for a moment. So, of course, I was voted down.

Mr. GURNEY. Mr. President, I intended to speak on the Army promotion bill at the time it was under consideration, or reconsideration, on the day when the President delivered his message to the joint session of the Congress. I wish to state now that I am completely in favor of the Senate adopting the conference report. I feel that the Army promotion bill should go through at this time.

Mr. President, in connection with the new Army promotion bill, I want the Senate to know that I have spent much time on it, and am fully convinced, for a great number of reasons, that it should receive the unanimous vote of the Senate, without delay. I hesitate greatly, because I am one of the younger Members of the Senate, to take up the argument in favor of the bill. However, in this national emergency, I feel that it is obligatory on the part of someone to give to the Senate as much information as is possible, so that all Members will be as completely informed as can be.

Right at the present time I feel that the bill has been badly misrepresented by the distinguished junior Senator from Colorado [Mr. JOHNSON] who held the floor during a large part of the time the bill was under consideration. I feel Members of the Senate have not been given the correct picture.

The President, in his message to the joint session of Congress, stated that:

I know that our trained officers and men know more about fighting and the weapons and equipment needed for fighting than any of us laymen; and I have confidence in them.

That observation also pertains to the matter of handling the personnel of the United States Army.

We have listened to the distinguished junior Senator from Colorado stating his opposition. I feel that in many instances he is not completely informed, and has therefore come to the wrong conclusion. After contending that he had established facts, in many instances which were opinions of his own and not facts as established by the War Department, he stated:

I, therefore, contend that the promotion formula set up in the pending bill is not sound.

He also stated:

The President of the United States vetoed a similar bill which provided for a system of promotion and retirement for commissioned personnel of the Navy. I will read in part what the President said in his veto message in giving his reasons for his action. That bill was similar to the bill now before the Senate, but it applied to the Navy while the pending bill applies to the Army.

But the Senator did not quote all of the President's message or give the reasons why the President vetoed the Navy bill. In the first place, the Navy bill had nothing in common with the pending bill, in spite of the statement made by the distinguished Senator of Colorado. Every Member of Congress knows the Navy has a promotion system which is based on selection. In order to correct some of the deficiencies of the Selection Act of 1938, the Navy submitted a bill embodying amendments desirable from the viewpoint of the Navy Department. In his veto message the President stated:

Each of these amendments was considered desirable by the Navy Department, the most important one being for the purpose

of eliminating the doubt that existed relative to the pay of officers retired under certain conditions, a doubt which has been removed by a decision of the Comptroller General. * * * During the progress of this bill through the Congress, however, amendments in committee, on the floor, and in conference not only changed the character of the bill, but introduced a number of objectionable provisions. The effect of these provisions is such as to outweigh the few desirable features which the bill admittedly contains.

That is the reason why the President vetoed the Navy bill, and not because it was similar to the pending bill, as stated by the Senator from Colorado, who, when he made his quotation, carefully avoided the main reason why the President vetoed the Navy bill.

As a matter of fact, the President has approved the measure now pending. This was stated by the Secretary of War in the hearings before the Senate Military Affairs Committee, page 4. It not only has the approval of the President, as quoted by the Secretary of War, Mr. Woodring, but also has the complete approval of the Secretary of War himself, who testified before the committee. The Chief of Staff, Gen. George C. Marshall, urgently requests passage of this bill on behalf of himself and the entire General Staff. Maj. Gen. John Williams, Chief of the National Guard Bureau, and Brigadier General Thompson, Chief of the Organized Reserves, give their complete endorsement.

Further, without a dissenting vote in the House of Representatives, the bill came to the Senate. This was due to a complete understanding and thorough knowledge of the contents of the bill in the House. Not only did the House committee hold long hearings, but members of the Military Affairs Committee of the House worked with the War Department for 6 months in preparing the bill. During that time the War Department representatives kept members of the Military Affairs Committees of both Houses completely informed as to the progress being made.

I personally know that the bill is in complete accordance with the desires expressed by hundreds of officers who were contacted by members of the two Military Affairs Committees and the two Appropriations Committees who visited about 50 Army posts in the United States, Panama Canal, and Puerto Rico last winter. The distinguished Senator from Colorado was not a member of that party, but it did include my colleagues, the Senator from Indiana [Mr. MINTON], the Senator from Missouri [Mr. TRUMAN], the Senator from Oklahoma [Mr. THOMAS], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Wyoming [Mr. SCHWARTZ], and myself.

The Senator from Colorado read a few letters from disgruntled officers; he did not read many letters, but undoubtedly many have been received by Members of the Senate favoring the bill. He did not talk to hundreds of officers, as we did during our inspection last winter.

In the debate on May 15 the distinguished Senator from Colorado admitted—

I do not know very much about the Army * * *. (Page 6153 of the RECORD.)

And yet he concludes—

* * * the promotion formula set up in the pending bill is not sound.

I submit that at a time like this the best judgment of the Secretary of War and the Chief of Staff and the General Staff of the Army should be considered as to whether or not they should retain officers who are not outstanding at 60 years of age, or replace them with younger officers, or whether they should keep those officers on to 64 years of age.

I have, as I know every other Member of the Senate has, great confidence in the Chief of Staff, Gen. George C. Marshall. Let us see what he said in his testimony before the Committee on Military Affairs of the Senate. He stated:

Retirement at 60 years is, in my opinion, the most essential feature of this legislation. If retirement of colonels is deferred to 64, the procedure under this bill will not only involve a material increase in cost, but it will delay the advancement of a number of lieutenant colonels, and will definitely operate to the disadvantage of leadership in the officer corps.

The other factor which is of tremendous concern to me is the efficiency of the Army, and the effect that such a measure as this will have on that state of efficiency—and I am talking primarily about leadership. As the Secretary has stated, if we do not do something of this sort in a few years we will have a situation where officers in a position of comparative obscurity will be suddenly elevated to positions of great importance in command control.

Behind this hump, and included in the tail of the hump itself, are a large number of officers whose careers are being blighted and will be increasingly damaged unless something is done to permit them to advance to positions of reasonable parity with the dignity of their years and the wisdom and experience they are presumed to have accumulated with the years. This factor is of particular importance to me as Chief of Staff, because we must have a continuity of leadership in the Army.

For example, consider the classes that have graduated from West Point from 1920 up to 1930, with a few other entries from civil life or honor schools. Those men have been held to low rank and small responsibility through a long period of years. They probably average 45 years of age, the upper half of that group, and yet they are still in the grade of captain. They have spent the most active years of their lives in the grade of lieutenant, with a very limited opportunity for expressing their individuality and for the development of initiative and command responsibility. Under existing law they will face more years of limited responsibility and of increasing embarrassment, as junior officers of advanced years, with contemporaries far beyond them in positions of dignity in the Army. That group from 1920 to 1930 represents a definite period of leadership in the Army. If we chain them to the company grades until the last moment and then suddenly advance them from obscurity to commanding positions, the result will be harmful in effect. This should be avoided, and this proposal is such a method and apparently the best method that can be devised for avoiding such a situation.

I am most deeply interested in this phase of the matter because it pertains to leadership and command.

Without retirement at age of 60 for those colonels who are not outstanding, the upper grade is blocked for the advancement of junior officers. I believe that is an answer to the argument just made by the Senator from Colorado.

The Chief of Staff of the Army says that he wants these officers retired because he cannot find places for them. There are only 157 command assignments for colonels in the Regular Army. In order to give each colonel some command duty and test him to find out whether or not he is suitable to be promoted to the grade of brigadier general, the command duty is rotated, and a colonel gets about 2 years of command duty. An effort is being made by the War Department to get colonels around 50 to 53 years of age in command of regiments. At the present time there are about 15 colonels between 58 and 60 years of age, in command of regiments; but I am told that as their tours of service expire, they will be replaced by younger men. However, some of these officers have such fine records that they may be selected to the grade of brigadier general, and that is why they are being left in command. Furthermore, most of these colonels would probably be retained under the provisions of the pending bill because if they are good enough to be kept in command of a regiment, they would undoubtedly be retained in the 5 percent of officers the Secretary of War is authorized to retain.

There are only two command assignments held by officers 60 years of age or older, one in the Field Artillery and one in the Air Corps.

I again desire to quote the Chief of Staff as to why we do not have more colonels, and why it is impracticable to have colonels on the active list who are not eligible for command assignments:

It is difficult to place a man as a colonel. He does not serve at all well if he is demeaned by the character of his assignment, and he has so much rank that he is bound to command. You cannot ignore rank, because that is the basis of all military organizations, and if we are given a large number of colonels we will be very much embarrassed. Such a condition presents impossibilities for normal administration.

RETIREMENT AT AGE 60 IS THE ESSENTIAL VITALIZING FEATURE OF THE BILL

Retirement at age 64, as at present, would throw the primary objective of the bill entirely out of line insofar as lieutenant colonels and colonels are concerned. The majority of the age-60 retirements will occur in the grade of colonel. Without such retirements the World War veterans in the "hump" will stagnate in the grade of lieutenant colonel with the grade of colonel filled to its limit of 705 with increasingly older officers.

We cannot build an effective leadership throughout the grades if the grade of colonel, the regimental-command grade, is choked with older officers. Regardless of long and faithful service, a colonel or lieutenant colonel at 60 is too old to meet the physical requirements of active and efficient field leadership of regimental troops, either in peace or war.

The Army officer and the civilian are not to be compared on the basis of age. Far greater physical vigor and stamina are required of an Army officer. Even in peacetime a regimental commander should possess the physical energy and drive to supervise the training of his command and to dominate its leadership in the field under all conditions of terrain and weather without regard to hours or lack of food or sleep. A weary colonel means a disheartened regiment.

Effort has been made to confuse the subject of cost and the savings feature of the bill. The facts as presented by the War Department and which can be verified by the Bureau of the Budget, are these.

The cost of the present system, active and retired, includes retiring an officer at 64 years of age, and bringing in a new second lieutenant to replace him.

The proposed bill provides retirement at 60 years of age, that is 4 years earlier than the present law for officers who will not be promoted to the grade of brigadier general or who are not considered sufficiently efficient to be retained by the Secretary of War within the 5-percent limit.

The comparison then is between the present system, that is, retiring at 64 and the proposed system, that is, retirement at 60.

In other words, when you retire an officer at 60 years of age, instead of 64 years of age, you save the difference between his active and retired pay for 4 years, or $10,800 per officer. The maximum pay of a colonel on the active list is $600 per month; and his retired pay is $375 per month. Therefore, by retiring him 4 years earlier, you save a little over $10,000.

During the next 4 years, the commissioning of second lieutenants to make up the difference between the 64- and the 60-year retirement features must speed up. Instead of commissioning a second lieutenant 4 years from now, to take the place of a colonel retired at 64 years of age, the Army will commission a second lieutenant to take the place of a colonel retired at 60 years of age; and, therefore, the bill as written will increase costs by about $300,000 per year for the first 4 years. Thereafter, because the commissioning of second lieutenants will have caught up with the retirement at age 60, there will be an annual saving of about $2,300,000 per year. That annual saving represents the difference between active and retired pay for the number of colonels who will be retired at 60 years of age, rather than continuing on to 64 years of age and working for one-fourth of their pay.

If the retirement at 60 years of age provision is eliminated by final adoption of the Johnson amendment, it will not only wipe out all the economy which this bill has over the present system, but it will also hold up the promotion of lieutenant colonels to colonels, by clogging the authorized number of colonels, 705, with a lot of over-age officers who the War Department desires to retire.

I am informed that these figures are outside costs—that is, the predicted increased costs the first 4 years will probably be less than the figures given, and the savings indicated for the next 12 years will probably be greater. The estimating agency of the War Department plays safe when it has to estimate so far in advance.

The provision for the 60-year retirement does not go into effect for 2 years, in order to give due notice to the officers who will be retired, so no great injustice will be done when an officer is retired 2 years from now at $375 per month.

Retirements under the bill are estimated at from about 100 in 1943 to 325 in 1956. In estimating costs, of course, the savings are spread over 4 years in accordance with the attrition estimates for ages between 60 and 64, and are cumulative to the fourth year.

I believe my colleagues will agree with me that no great injustice is done by retiring an officer at age 60 with retirement pay of $375 per month. The Finance Department figures indicate an extra cost for the first year of the operation of this law, of $290,000; in 1942, $260,000; 1943, the additional cost only $197,000, and in 1944, the additional cost would be $412,000. From then on, there is an annual saving which averages close to $2,000,000. In fact, the savings in 1945 of $1,420,000 will be more than the extra cost during the entire first 4 years up until 1944. The reason for the additional cost during the first 4 years is that retirements do not start taking effect until July 1, 1942, and that the retirements will not catch up with the new enlisted second lieutenants until 1945 when the big savings start. As it figures out in dollars, there is an extra cost for the first 4 years of $1,159,000; and starting with 1945 and running up to the year 1956 the total savings are $28,000,000, or a net total saving of $26,800,000.

The distinguished Senator from Colorado [Mr. JOHNSON] made the statement last Thursday that when a colonel is retired, immediately another lieutenant colonel is brought in to fill his job, and the lieutenant colonel must be promoted in pay. That is not a fact, because the lieutenant colonel who is promoted to fill the grade of colonel and take the job of the one who has been retired under the provisions of the bill, because he already has 28 years of service, is therefore drawing the same pay as the colonel. Therefore there is no increase in pay. Furthermore, the pay schedules of the Army are based on length of service and not entirely on grade, and that is the reason why these particular periods for promotion were set. For example: A captain who has 17 years of service draws the same pay as a major, and the bill provides that a captain shall be promoted to the rank of major after 17 years of service. A major who has 23 years of service draws the same pay as a lieutenant colonel; therefore, when the major is promoted by length of service to the rank of lieutenant colonel, he draws no additional pay. A lieutenant colonel who has 28 years service draws the same pay as a colonel, and therefore the lieutenant colonel who is promoted costs the Government no more than the colonel who is drawing the same pay at time of retirement. These are facts furnished by the Finance Office of the Army, and they can be verified at the Bureau of the Budget. Misstatements indicating otherwise may be made by anyone not informed.

I wish to call attention again to the fact that the bill, as written, authorizes the Secretary of War to retain until 62 years of age 5 percent of the colonels who are outstanding or who are in key positions. Five percent of 705 colonels is about 35 colonels. At the present time the War Department has 16 colonels 58 years of age or older in command of regiments, and only 2 colonels over 60 years of age in command of regiments. Therefore those percentages are well within the 5 percent authorized by the bill.

Under the provisions of the bill, colonels who are not outstanding or who have not been selected for the grade of brigadier general will be retired at 60 years of age. If this country should unhappily get into the war, under existing law any retired officer may be brought back to active duty and placed on some job on which he is physically fit to function; but it would not be in command of troops. In the meantime, retiring officers over 60 will give the Chief of Staff of the Army the opportunity to assign young officers to command duties in order to train them properly for their wartime duties.

After all, remember that the Army is supposed to be a combat force. The active list of the Regular Army is supposed to be a fighting force of men young enough to inspire, by their leadership, success in battle.

It is true that the Army needs more officers. It needs more young combat officers. It does not need more older officers. It has too many older officers now.

The civilian components require young, vital, and vigorous leadership—interested young officers who can lead and instruct. Few places can be filled by colonels over 60 years of age who have been passed over for selection as general officers and who are not rated within the top 5 percent of colonels.

I call attention to the table on page 11 of the hearings before the Committee on Military Affairs of the Senate, which

shows that ours is the only army in the world which has retirement laws which keep officers not selected for higher command after they have passed 60 years of age. Great Britain retires her colonels at 55, France at 58, Italy at 58, and Japan at 55. Either every other army in the world is wrong and the proposed amendment is correct, or the reverse is true.

The statement has been made that Germany carries certain of its officers beyond 60 years of age for duty other than command of troops. I am informed by the War Department that that statement is correct. However, there is a big difference, because while Germany has no retirement age she has a most rigid selection system, and there is no come-back when an officer is ruthlessly passed over for command and assigned to the zone of the interior or to duties which in the United States are performed by civilians. In other words, Germany is at war and is in the same predicament with respect to over-age officers that we would be in if we were at war. Under our present regulations every officer who is not too old and who is physically fit for some kind of duty would be recalled from the retired list in case of war.

There is one other important point. Remember that Germany is a dictatorship, and that German Army officers are used on a great many duties which in this country are supervised by civilians. Furthermore, since 1933, or in the past 7 years, the German commissioned personnel has been expanded from about 4,000 to between 25,000 and 26,000, and Germany is making use of the older officers in the zone of the interior commands.

By reason of this huge expansion, Germany had to make use of every available officer on some kind of duty. Also, Germany does not have the Organized Reserves and the National Guard, as we have in the United States. Germany has only its regular Army.

However, Germany is careful not to have any older officers in places where young and aggressive leadership is necessary. The newest division which has been organized by Germany is commanded by a major general who is only 45 years of age.

The result of having young, energetic, physically active officers in command in time of battle is vividly illustrated by the recent activities of the German Army during the blitzkrieg in Poland and in the Scandinavian activities, and at present on the western front. In reply to England's Ironside, General von Brauchitsch, Chief of Staff of the German Army, when asked, "where were those British generals?" replied, "They were too weary to march and fight. * * * I stand at the head of the best young generals in the world."

How many officers over 60 may we suppose Hitler is using to smash through the Belgian and French Armies? Not many.

The amendment to retain officers over 60 years of age on duty away from troops puts a premium on duty away from troops, when the premium should be on officers who are in command of troops and who are to do the actual fighting. The ambitious officer today endeavors to obtain duty with troops in order that he may be trained with combat duty commensurate with his grade.

If the Army cannot use a larger number of officers 60 years of age and older in wartime, why should it continue them on active duty in time of peace, at heavy expense to the taxpayers, and without justification from the viewpoint of the national defense?

What the Senator from Colorado is apparently attempting to accomplish by his amendments is to convert the active list of the Army, insofar as it pertains to colonels over 60 years of age, into a pension list. The amendments are no doubt motivated by a few officers who have passed 60 years of age, or who are nearing the three-score mark, and who are fearful that they will be retired from the active list of the Army, thereby losing about $10,000 in active-duty pay, which amount represents the difference between active and retired pay for the 4 years between 60 and 64 years of age. If they retire they receive 75 percent of their pay, but by continuing on the active list they receive one-quarter more; and it is for that one-quarter pay that these few individuals would jeopardize the efficiency of our Army.

Another statement made in the argument is that the Army is short of officers, and therefore requires the services of every officer now on its active list. It is true that the Army is short of certain classes of officers. It is short of young officers. However, the Army at present is not short of officers who are 60 years of age and over. The Army now has on its rolls too many officers who are over 60 years of age.

The officers of the Army represent an insurance policy for the citizens of the United States. That insurance policy is good as long as it is kept active. It is no good when it lapses. A colonel 60 years of age who has been passed over for selection to the grade of brigadier general, and who is not so outstanding that he will be selected to be held over in the 5 percent which the Secretary of War is authorized to hold over until the age of 62, is not a part of the active insurance policy of the United States. That part of the policy has lapsed.

The Johnson amendment proposes to retain these officers on the active list until they are 64 years of age, but not to let them command troops. The Senator from Colorado admits that it is necessary to secure young and vital leadership in the regimental commands. The War Department's policy is to put into the grade of colonel officers between 50 and 53 years of age. This is necessary not only to secure young and vital leadership for our combat regiments, but also to determine the officers' qualifications for selection as general officers. If this amendment is finally adopted, within a few years the entire list of 705 authorized colonels will be made up of officers over 60 years of age. The number of colonels then will have to be raised in order to secure a sufficient number of officers under 60 years of age to command regiments, to serve on the General Staff, and to perform the other duties commensurate with the grade of colonel, which requires young and vital men, not old colonels. We must remember that the World War hump of 4,200 officers of about the same age are now entering the grade of lieutenant colonel. Therefore, when they reach the grade of colonel, they will have spent more than 8 years passing into that grade, and they will be getting older and older. Keeping them on to age 64 will result in having approximately 2,000 colonels in a few years, a situation demoralizing to that grade, and administratively unsound from the viewpoint of the Army.

The statement has been made by the Senator from Colorado that the War Department now has 16 colonels more than 58 years of age in command of troops, and he points out that in 2 years these colonels will, of course, be 60 years of age. I am informed by the War Department that this figure is correct, and I have been given by the War Department the additional statement that there are only two colonels over 60 years of age in command of regiments—1 Field Artillery colonel and 1 Air Corps colonel. The policy of the War Department is to rotate colonels in command of troops, and the best they are able to give them is about 2 years' command duty. Therefore, the colonel who is today 58 years of age and in command of troops will have completed his tour in command of troops in 2 years, or by the time he is 60 years of age.

The point has been made that colonels over 60 years of age can be used in the Corps of Engineers on such duty as river and harbor work, and that at the present time only 2 colonels are in command of regiments. I am informed by the War Department that there are 5 out of 50 colonels in command of regiments. The Engineers do not have very many regiments in peacetime. There are 21 colonels on river and harbor duty, and of this number only 3 are more than 60 years of age.

Furthermore, in time of war a great proportion of these Engineer officers who in time of peace are functioning in charge of river and harbor work would have to be replaced by their civilian assistants, and these officers would be given command of Engineer Regiments. The Engineers in time of war are part of the combat army. They build roads; they take care of antiattack defenses; they build trenches and dugouts and artillery forts, and all these things. So, the Engineers, as much as any other branch, should be active officers, and the officers under 60 now holding these jobs

would be replaced by civilians or by retired officers brought back and placed on active duty.

Let us not go against the recommendation of the Chief of Staff, Gen. George C. Marshall, who, if this Nation should be so unfortunate as to become involved in the present World War, would undoubtedly command our armies.

The Senator from Oklahoma [Mr. THOMAS], during his talk on the national defense, introduced a statement by Gen. John J. Pershing, who commanded the armies of the United States in the last World War, making an appeal for adequate defense. Let us see what he cabled from the A. E. F. to Washington on July 28, 1917:

> For the Chief of Staff: My observation of British-French Armies and most exacting arduous service conditions at the front fully convinces that only officers in full mental and physical vigor should be sent here. Contrary course means certain inefficiency in our service and possible later humiliation to officers concerned. General officers must undergo extreme efforts in personal supervision of operations in trenches. Very few British-French division commanders over 45 or brigadiers over 40. We have too much at stake to risk inefficiency through mental or physical defects. Strongly recommend conditions be fully considered in making high appointments, and suggest that no officer of whatever rank be sent here for active service who is not strong and robust in every particular. Officers selected for appointment as general officers of line should be those with experience in active command of troops. Officers not fulfilling above conditions can be usefully employed at home in training troops.
>
> (Signed) PERSHING.

In the last World War the average age of colonels in command of combat regiments was 43 years.

Colonels not assigned to command duty would obviously have to be assigned to duty with the National Guard, the Organized Reserves, the Reserve Officers' Training Corps, to recruiting duty, and to other duties which can better be performed by majors, captains, and lieutenants.

As I said before, the Chief of the National Guard Bureau stated that he does not want these old colonels. He does not want them in his office in Washington, and he does not want them as instructors for the National Guard units over the United States. An instructor for National Guard units must be young and active. In most cases, an instructor has several cities and towns in his jurisdiction. He must travel from place to place at all hours of the day and night, and he must have the youth and vigor to lead properly the officers and men whom he is instructing. Furthermore, there is no place for these old colonels on R. O. T. C. duty, where the youths of the universities are being trained. That is the place for young majors and captains and lieutenants. The Organized Reserves do not want them. The Adjutant General's Department complains that they do not make good recruiting officers.

One of the first things that Gen. Peyton C. March, Chief of Staff of the United States Army in 1917, had to do was to clean out the War Department and put younger men even in the so-called desk jobs; since, with few exceptions, the older men not only failed to visualize the magnitude of the requirements and the enormity of the tasks confronting them, but they also did not have the physical vigor and stamina to put the requirements into action.

Instead of making the argument that we should retain on the active list officers over 60 years of age because these are troublous times, exactly the opposite argument should be made, because these are troublous times. The Army must be prepared not only with material which the Congress of the United States is about to authorize, but also with a vigorous corps of young and active officers who, if the necessity arises, will have the drive necessary to teach and train and lead the American soldiers.

There are many Members of the Senate who were in the last World War and who can remember only too well the failures of fine old gentlemen attempting to command regiments and brigades and do staff duties and other functions when they were far past the prime of life.

I quote the Chief of Staff in his testimony during the hearings before the Committee on Military Affairs of the House of Representatives:

> I think you should regard this in the Army from a little different point of view from similar considerations in other activities in life. One does acquire experience and judgment with the years, but also, unfortunately, we lose the resiliency of tendons and muscles, and leadership in the field depends to an important extent on one's legs and stomach and nervous system, and on one's ability to withstand hardships and lack of sleep and still be disposed energetically and aggressively to command men, to dominate men on the battlefield. We may have the wisdom of the years, but we lack—I know I do in many respects—the physical ruggedness of more youthful days.

Every Chief of Staff of the Army since the World War has recognized this principle. It was recognized by General Craig and General MacArthur in their testimony before the Senate Military Affairs Committee recommending change in the promotion system of the Army.

The point is made that the Army used about 1,700 colonels in the World War—a total of 1,725, to be exact—and that we need more than 705 colonels, the number authorized under the proposed legislation, based on the number used in the last World War. However, do not forget that a large number of these 1,700 colonels were from the National Guard and the Organized Reserves. They were not all from the Regular Army.

The correct information is that the Regular Army furnished only 1,270 of the 1,725 men who held colonels' commissions in the World War. In fact, out of the 200,004 officers during the World War, a total of only 11,346 officers of all grades were furnished by the Regular Army. The rest of them came from the Organized Reserves at that time, the National Guard, and from the National Recruited Army. The total number of enlisted men who served in the World War United States Army was 3,816,707, including the Regular Army, the National Guard, and the Organized Reserves.

This bill is correcting the promotion system of the Regular Army. It has nothing to do with the National Guard or the Organized Reserves.

Moreover, the situation as it pertains to the United States Army has changed since the World War. If this country is to be so unfortunate as to be drawn into another conflict, we shall not be in such a sad state of unpreparedness as we were in 1917. Today we have a Reserve Officers' Corps which contains 700 colonels; the National Guard has 256 colonels; and the Regular Army, under this legislation, will have 705 colonels. That is a total of 1,661 colonels. In wartime the remaining number of colonels necessary would, of course, come from officers of all 3 of the components of the United States Army who would be promoted to colonels.

Retiring officers over 60 years of age will save the country money, lose it nothing, and give it efficient, vigorous leadership. As a matter of fact, if this country were in an emergency tomorrow, the War Department would assign officers over 60 years of age to replacement depots, training centers, recruiting stations, and various other duties which would be commensurate with their age status and their physical inactiveness. Young officers would be pushed up into the positions now held by the older officers.

Do not forget that the present legislation authorizes the War Department to recall to active duty any retired officer who is physically qualified to any extent to hold any job he is capable of holding in time of war. Therefore, these officers over 60 years of age who would be retired would be given exactly the same assignments in case of war as if they were retained on the active rolls. The essential difference is that keeping the old officers on the active list prohibits the War Department from promoting young officers to fill the jobs and train them in the duties which they will have to assume in case of war.

For years the War Department has been endeavoring to reach a solution which will do away with the so-called hump which is the result of bringing into the Army a great many officers between November 1916 and November 1918. I quote from the Secretary of War's testimony before the Committee on Military Affairs:

> The veterans of the World War have grown old without corresponding increase in rank and positions of command to which their age and war experience entitles them. A thousand or more officers commissioned after the war group have reached age and service appropriate to a lieutenant colonel while still serving, as today, in the grade of captain. The morale of the service is adversely affected

by the uncertainty of the situation of the senior group, and the future leadership of the Army is jeopardized by the hopeless plight of the officers behind the so-called war "hump."

It is a well-known fact that the National Guard and the Organized Reserves also have too many over-age officers; and as soon as this legislation is enacted undoubtedly regulations will follow which will insure that these other corps likewise improve their standards.

There is one feature of this bill which the distinguished Senator from Colorado has not even touched upon, and which is most important from the viewpoint of leadership in the Army. The bill throws open for selection to the grade of brigadier general some 3,900 officers in the grade of lieutenant colonel who, under the present law, would never be considered for selection to general officer.

Under the present law, the selection to general officer was confined to the grade of colonel. A man has to be a full colonel before he can be considered for selection to the grade of brigadier general.

At the present time the Army has 698 colonels. Last October it had 698. Under the present law, the selection to brigadier general is confined to those 698 colonels.

The bill will throw selection open to any officer who has 28 years of service, and that means all colonels and all lieutenant colonels. So, instead of limiting the selection of brigadier general to about 700 colonels, the selecting board of major generals can select from about 4,000 officers. I submit that both in peace and in war the Army and the people are entitled to the best selections that can be made for our general officers. That is the reason why some of these colonels are objecting to the provisions of this bill. They do not want to be thrown into competition with some 4,000 other officers, all of whom have approximately the same length of service, and no doubt in many cases the lieutenant colonels have better records and more experience than have some of our colonels.

Unless these officers holding the job of colonel can be retired and taken off the active list, if they are not to be selected for higher command, or if they are not outstanding, the flow of promotion into the grade of colonel and lieutenant colonel will be blocked, and the vitalizing feature of the measure will be lost.

By the time a man has reached 28 years of service he certainly should be entitled to the grade of lieutenant colonel in order that he may be eligible for selection to the grade of brigadier general.

Our system of national defense places the ultimate reliance for the defense of the country upon a citizen army, a great proportion of which must be organized, equipped, and trained after the beginning of the emergency. In the meantime the protective mobilization plan contemplates that the first mission must be accomplished by the Regular Army and the National Guard. It is the Regular Army which constitutes the military framework, the nucleus around which, in time of war, the Army of the United States must be built.

We have three components—the Regular Army, the National Guard, and the Organized Reserves. It is the Regular Army, this nucleus, which has the responsibility in peacetime of carrying on the essential preparations in organizing, in training, and the procurement of the necessary supplies and matériel.

The duties of the Regular Army may be said to include the following:

First. To furnish adequate garrisons for our overseas territory, including both mobile and harbor-defense troops.

Second. To provide a well-balanced, mobile, and modernized force in the continental United States for initial defense against a surprise attack, to hold or repel an invader at the outset of hostilities, and to serve as a covering force during mobilization.

Third. To furnish garrisons for harbor defenses in the continental United States.

Fourth. To provide instructors for training other components of the Army of the United States.

Fifth. To maintain the framework for the organization of corps, army, and higher headquarters, and for administrative and supply establishments, to meet expansion required by mobilization.

Sixth. To develop modern equipment, organization, and tactical methods and accomplish necessary indoctrination of all components.

Therefore, it is apparent that the first essential of an efficient Army of the United States is a highly qualified, physically active, and mentally alert corps of Regular Army officers.

The first concern of the Congress should be to insure the ability of the professional officer to carry out his missions. The duties of the Regular Army officer are many, and upon their satisfactory performance and accomplishment depends the effectiveness of the entire Army of the United States.

It is the Regular Army officer who is the professional leader and instructor of the whole establishment, and who is responsible for keeping all elements abreast of modern developments in doctrine, technique, and weapons. The Regular Army must set the tempo and the pace; must set the standard of leadership for the other components of the Army. The American system relies for its defense primarily upon a citizen army; and without the leadership and the unified influence of an efficient Regular Army corps the system would produce nothing more than a collection of unintegrated and isolated units of doubtful efficiency and of little value to the Federal Government.

In no other profession are the penalties for inefficiency so great. The Chief of Staff has stated several times that inefficient leadership in the World War was at most times traceable to physical inefficiency. General Pershing indicated the same thing in his final report. In no other profession are the penalties for inefficient leadership so appalling and so irrevocable as they are in the Military Establishment. Other professions can make mistakes; other professions can harbor personnel who are not at their physical peak; but the Regular Army cannot do so. These leaders bear immeasurable responsibilities, because they pay for their mistakes in human lives.

Physical training must go with mental training and experience. All the executive and mental ability in the world are without avail to the Army officer unless he has the physical capacity and endurance to set the all-inspiring example in leadership so necessary to accomplish that which his brain dictates. He cannot carry his brains to the battlefield on crutches. A leader physically tired, though mentally able, leads a tired command. A commander who never tires leads his troops to victory. In the event of an emergency human and material costs and risk of defeat are proportionate to the efficiency of the officer in command. Lack of skill in the individual soldier inevitably results in exposure of his own life to unnecessary risk; but lack of skill, lack of leadership, lack of physical endurance on the part of the officer not only endanger the lives of his followers and his comrades, as well as his own, but perhaps risk defeat of his regiment, his battalion, or his division, with incalculable results.

An Army without physically fit officers is a contradiction in terms. The fitness of officers, therefore, is a matter of serious concern to the War Department—a concern which should be of vital interest to the Members of Congress and which would be shared by the whole American people if there were a universal appreciation of these basic facts.

Four times during the nineteenth century the United States went to war, and at the beginning of each war had many of its units commanded by officers too old to command. It was not until the Civil War was well under way that the old officers were banished, and the young command officers came into being. In spite of these repeated lessons the same error was repeated in 1917, but to a lesser degree.

Let us not repeat it again. Let us pass this bill, as recommended by the President of the United States, by the Secretary of War, by the Chief of Staff, by the War Department General Staff, and passed by the House of Representatives without a single dissenting vote. Let us assure that our Regular Army is composed of officers who are mentally alert and

young enough to be physically fit to endure the rigors and withstand the sacrifices of the battlefield, so that should an emergency arise in the next few years the country will be guaranteed an effective and efficient leadership.

For these reasons and others, I hope the Senate will agree to the conference report.

Mr. HILL. Mr. President, I recognize the lateness of the hour, and, as the Senator from South Dakota [Mr. GURNEY] has very ably covered the salient points in the conference report, and has shown very strong reasons why the conference report should be adopted, I shall not detain the Senate for more than a few minutes.

The question of Army promotion has been before the Congress ever since the World War. At the time of the World War we commissioned into the Army of the United States some 7,000 officers, all of whom were about the same age, and all of whose commissions bore about the same date. More than half of the promotion-list officers of the Army were of about the same age, and all had entered the Army at the same time. This brought about what has been commonly and often referred to as a "hump," and caused stagnation in the matter of promotions.

The War Department recognized that if this "hump" continued in the promotion-list of the Army, inevitably it would bring about inefficiency and bad morale. The Congress recognized that fact; and as far back as 1926, when the Congress passed the Air Corps Act of that year, the Congress wrote into that act a provision directing the War Department to make a study of the question of promotion, and to submit to Congress recommendations for legislation which would remove the so-called "hump" and make for the efficiency and the morale of the officer personnel of the Army.

In 1929 both Houses of the Congress passed bills to this end. It happened to be a short session of the Congress. The bills went to a conference committee very late in the session, and the differences between the two Houses were not reconciled, and therefore no legislation came about. But the Congress continued to study the question of promotions, recognizing that something had to be done, that legislation had to be enacted. After several years of study on the part of the House Committee on Military Affairs and the Senate Committee on Military Affairs, the Congress in 1935 passed what was known as the Army promotion bill of that year.

When that bill was passed, it was recognized by both Houses of Congress that the bill took only half a step, that it corrected the situation only so far as the junior officers of the Army at that time were concerned, and both Houses recognized then, as was stated not once, but a number of times, on the floors of both Houses when the act of 1935 was under consideration, that at a later date, a date not in the far distant future, the Congress would have to take the other half of the step in order to correct the promotion situation in the Army.

At the last session of Congress the War Department sent to the Congress a bill undertaking to complete the step and to finish the job. That bill was not satisfactory to the House Committee on Military Affairs, and did not meet with much favor on the part of the Senate Committee on Military Affairs. The House committee, having rejected the bill, proceeded then to make another and an additional study of the subject of Army promotions. The committee spent weeks and months studying the subject. After thorough hearings and study, it appointed a subcommittee authorized to draft a bill meeting the views of the House committee. The bill we have before us today embodied in the conference report is the bill which was prepared and drafted by the committee of the House. The committee of course consulted with the experts of the War Department, but the bill is not a War Department bill, it is a bill largely of the House Committee on Military Affairs.

The House committee, with a membership of 25, reported the bill unanimously, without a single dissenting vote. The bill then came up in the House of Representatives, and it is most interesting to read the debate in the House on the bill. The House of Representatives, as we know, is composed of 435 Members, and it is very seldom that a bill comes up for consideration in the House when there is not some challenge to it, when some opposition does not develop. But when we read the discussion on the bill in the House we find that there was no opposition to it. The bill was thoroughly explained by the chairman of the House committee and by other members of the House committee, and, after being explained, it passed the House of Representatives without a dissenting vote.

Mr. President, the bill came to the Senate Committee on Military Affairs, and, after consideration, was reported without a dissenting vote, with the exception of that of the able and distinguished junior Senator from Colorado [Mr. JOHNSON]. Then it came to the floor, and certain amendments were put on the bill, as we know, the amendments not being thoroughly stated, not being thrashed out, but being accepted really in an effort to make time and to rush the bill to conference.

The bill was considered in conference, and the Senator from Colorado was a member of the conference committee, and no doubt in the deliberations of the conferees he presented his argument in behalf of his amendments and voiced his views; but the conference committee, with the exception of the Senator from Colorado, was unanimous in rejecting the amendments. So the bill, after having run the whole gamut of legislation down to the final point where it is now, pending before us in a conference report, comes here for action this afternoon.

Mr. ADAMS. Mr. President, did I understand the Senator correctly as stating that the conference committee was unanimous in rejecting the amendments which were adopted by the Senate?

Mr. HILL. It was. The conference report came out without the amendments.

Mr. ADAMS. I was inquiring as to the extent to which the Senate conferees supported the Senate in the conference.

Mr. HILL. The Senate conferees supported the Senate, but the conference report comes before us with those amendments rejected, with the signatures of all the conferees except that of the Senator from Colorado.

Mr. SHEPPARD. There was but one vote in opposition among the Senate conferees, that of the Senator from Colorado.

Mr. JOHNSON of Colorado. Mr. President, will the Senator from Alabama yield?

Mr. HILL. Certainly I yield.

Mr. JOHNSON of Colorado. The Senate conferees did not any time support the amendments which were placed in the bill by the Senate. The various members of the conference committee representing the Senate argued against the Senate amendments from the very beginning, all of them, with the exception of the Senator from Colorado.

Mr. HILL. Mr. President, I was not a member of the Conference Committee, and of course I do not know just what occurred. I do not know whether or not the action taken by a conference committee is public, but I know that the Senator from Colorado was a member of the conference, and knowing how diligent and able and faithful the Senator from Colorado is, I am sure that all the arguments on behalf of the Senate amendments were forcibly presented to the conference committee. The fact remains that, although the conference committee had in its membership the author of the amendments himself, and he was there to speak and to argue for the amendments, the conference committee rejected the amendments, and reported the bill without the amendments.

Mr. President, there are in the Army today some 4,200 officers who were World War officers. Those officers are of the average age of 46 years. They are all about the same age, they all came in at about the same time. Four hundred of those officers are lieutenant colonels, 2,900 are majors, and the other 900 are captains. Unless we take some action

about the promotion list those World War officers who are captains today will not become colonels for 12 or 15 years, although other World War officers who are now lieutenant colonels and who are of the same age as the World War captains will, within a very brief time, some of them within 2 or 3 months, become colonels.

The pending bill is not primarily predicated on the idea of doing something for any individual officer. It is predicated on the idea of increasing the efficiency of the Army. Every military expert knows that an officer in the Army should serve in a particular grade when he is of a particular age. If he is a youngster, he should be a second lieutenant. As he grows older, he becomes a first lieutenant. Then, after a certain period, he becomes a captain, then a major, then a lieutenant colonel, and a colonel, and on up the line. There should be a steady flow, a regular progression upward, of officers in the Army, if the morale of the Army is to be of the best and if the officers are to have the efficiency which they should possess.

If we do not take some action, something to step-up promotion for officers who are 45 and 46 years of age—some 4,200 of them—and who are in the heart of the promotion list, it will mean that many of them will have no opportunity to pass properly into the different grades. Some of them will be captains for many years, and then, all of a sudden, without going through the grade of major, without having an opportunity to become proficient and to know the work and the duties of the grade of major, without having had the opportunity to serve as a lieutenant colonel, to become proficient in that grade, and know the work and the duties in that grade, these captains will be catapaulted overnight, so to speak, into the grade of colonel; and, not having been properly trained in the grades of major and lieutenant colonel, they will not be competent to serve as colonels. When they are thus catapulted into the grade of colonel, they will not have had the experience and training which fits them for the higher grade.

The whole bill is predicated on the idea that officers must go into the different grades at the proper ages, and then must serve the proper time in those grades if they are to be efficient and if our Army is to be efficient. If we should have any kind of trouble within the next 1 or 2 years, or in the next 3 or 4 or 5 or even 6 or 7 or 8 years, we would have to rely upon these 4,200 officers for the important commands. They would be the officers who would have command of the regiments and the brigades and the divisions in our Army, and they have to be properly trained and prepared so as to be fit to take over such commands.

The bill is not aimed at any old officers. Under the law today the President of the United States can retire any officer in the Army at the age of 62 years. All the bill seeks to do is to pull the 62-year retirement down to a 60-year retirement, so that all officers can receive the proper training, the proper experience, and the proper preparation which they must have.

Mr. President, we could not fight a war, if it should ever become our lot to fight one, with old officers in the top grades.

The Senator from South Dakota has called attention to the urgent cablegram which General Pershing, as commander in chief of the A. E. F., sent to General March. After he had landed in France, and looked over the situation there, and had come to a realization of what was needed in the American Army if we were to win the war, General Pershing cabled to General March, the Chief of Staff in Washington, as follows:

> My observations of British and French Armies and most exacting arduous service conditions at the front fully convinces that only officers in full mental and physical vigor should be sent here. Contrary course means certain inefficiency in our service and possibly later humiliation to officers concerned. General officers must undergo extreme effort in personal supervision of operation in trenches. Very few British-French division commanders over 45 or brigadiers over 40.

Then he goes on strongly urging that young men who are physically fit be sent.

> Officers selected for appointment as general officers of line should be those with experience in active command of troops.

Mr. President, the bill seeks to give submerged captains and submerged majors an opportunity actively to command troops so that if and when we need them they will be able to meet the specifications laid down by General Pershing. All military experts know they must be met by our officers if we are to have an efficient Army.

The division commanders, the brigade commanders fighting the war in Europe today are young men. We must not only have young men, but we must pass the bill so as to give the young officers the opportunity to obtain experience in commanding troops.

General Marshall, the present Chief of Staff of the Army, when testifying before the Senate Military Affairs Committee called our attention to the fact that while on duty with the A. E. F. in France he had the opportunity intimately to observe 27 of the 29 American divisions in the A. E. F., and he said that he witnessed failure after failure by officers in high command, and that in his judgment not a single one of those failures was due to a lack of knowledge, a lack of courage, or a lack of ability. Those failures, General Marshall said, were due to the fact that the officers were too old, that they became physically tired, their minds became tired, their nervous systems became shattered, and they were not able to carry on, and therefore failed.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. MINTON. I heard our former Ambassador to Spain, Mr. Claude Bowers, make the statement that three or four outstanding generals who were developed in the Spanish Civil War were young men from 28 to 32 years of age.

Mr. HILL. That is correct, of course. I happened to see yesterday afternoon's edition of the Washington Daily News. The picture section is on page 20, and among the pictures shown on that page are those of Goering, Reichenau, Admirals Darlan and Pound, Grand Admiral Raeder, General Brauschitch, commander in chief of the German Army, General Udet and General Dill. All of them are young men. Practically all are under 55 years of age.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. JOHNSON of Colorado. The Senator realizes that under the provisions of the bill, brigadier generals are not retired until they are 62 years of age, and major generals and other generals are not retired until they are 64 years of age.

Mr. HILL. Yes, and I will tell the Senator why. Before an officer can become a general officer he must have shown that he is an exceptional officer. He must stand out among the other officers. He not only must stand out from the standpoint of mental capacity and mental ability, but he must stand out physically. He must show that he is able "to take it." All officers 60 years of age who would be retired under the provisions of the bill have been passed over in the appointment of general officers. A colonel in the Army today who has not been selected to be a brigadier general by the time he reaches the age of 60 never will be selected to be a brigadier general. We are not taking away from him any right to be selected to be a brigadier general. He knows that he will never go any higher, that he will never be a general, and he is waiting, so to speak, to be retired; and when he is retired he goes on three-fourths pay.

The Senator from South Dakota has said that, according to the figures of the War Department, the bill imposes upon the taxpayers no additional financial burden. It will save the taxpayers an average of $2,300,000 a year, bearing in mind always that officers in the Army draw their pay not entirely on the basis of their grade, but on their length of service.

When we pay officers who are 60 years of age three-quarters of their pay instead of all their pay, we make a saving.

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. ADAMS. Do I correctly understand that there is no difference between the pay of a captain and that of a lieutenant colonel, or between the pay of a major and a colonel, if they have had the same length of service?

Mr. HILL. That is true. If they have had the same length of service, the pay is the same.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. JOHNSON of Colorado. I think the Senator is mistaken in his reply. There is a difference between the pay of a captain and that of a major.

Mr. HILL. The Senator is quite right. In the lower grades there is a difference. The bill affects officers who are majors and colonels, in which ranks the pay is based upon length of service rather than on selection.

Mr. President, I do not wish to detain the Senate longer. There is in the bill a provision which will permit the Secretary of War to exempt from retirement at 60 years of age 5 percent of the number of colonels. The point has been raised that some very proficient officer might be on special duty, and that it might be desired to keep him on the active rather than to put him on the retired list. If that be the case, the bill gives the Secretary of War ample authority to keep such an officer on the active list rather than to retire him.

I realize that at least some of the officers who feel that they will have to be retired at 60 years of age, and receive three-fourths pay instead of four-fourths, are opposed to the bill. However, some of those officers have been big enough, fine enough, and patriotic enough to forget themselves and to look at the bill not in the interest of themselves but in the interest of their country. I have received a number of letters from officers telling me that the bill will perhaps work to their disadvantage—retiring them at 60 years of age when they would like to stay on full pay until the age of 64—but because they believe it is in the interest of the country and the national defense, they are for the bill.

I should like to read an excerpt from one such letter as an illustration of the kind of letters which I have received.

This officer says:

> The bill will retire me at 60 instead of at 64, and, except for earlier promotion without any substantial increase in pay, it contains little or no compensatory provisions for me. However, I consider my commission a profession, not a job, and under present conditions every Army officer should think first of the Army and then of himself. Undoubtedly something had to be done about the stagnation of promotions, especially of captains. I think that the bill is good for the Army, although bad for me, and I am, therefore, personally in favor of it in principle. * * * I hope you will support the bill.

Mr. President, I hope the spirit voiced by this officer in his letter will be the spirit of the United States Senate. The time for talking, the time for quibbling, the time for delay, has ended. We have been struggling all these years to pass a promotion bill, and the reason why we have not passed one is simply that somebody would be adversely affected. Somebody did not get all he wanted, and as a result a whole shower of propaganda fell upon the Senate. All manner of pressure was brought to bear. Letters, telegrams, and messages of every sort came to the Senate, and as a result we failed to do our duty.

Mr. President, we are confronted with a great crisis. We stand today in one of the darkest hours in the history of our country. The American people expect us to do our duty. Let us do it, and agree to the conference report.

The PRESIDING OFFICER (Mr. CHANDLER in the chair). The question is on agreeing to the conference report.

Mr. CONNALLY. Mr. President, I shall detain the Senate for only a short time. I regret the necessity for doing so. Senators supporting the bill insist on acting on the conference report tonight.

I wish the RECORD to show why I am opposed to agreeing to the conference report. It is extremely unpleasant for me to take such a position, in view of the fact that my own colleague the Senator from Texas [Mr. SHEPPARD] is chairman of the Committee on Military Affairs, and I have very great personal affection as well as high admiration for him. However, I am convinced that the report should not be agreed to, and I wish the RECORD to show my reasons.

Now, of all times, we want more officers in the Army. We want a larger Army, a better Army, and better officers. The bill announces a policy under which 2 years from now approximately three or four thousand officers, many of them West Point graduates, many of whom have been in the Army for 25 or 30 years, will be kicked out of the Army. We are to get rid of them. Why? Are they good officers? Yes. They are good officers, but some young officers down below have to be made lieutenant colonels, and so long as the places of lieutenant colonels are occupied by some old officers 60 years old, the youngsters cannot have them. Therefore, in order to obtain places for some youngsters, we are to kick out the older men.

Mr. President, I have always thought the Army was made to serve the country. Judging from the bill, it seems that the country was made to serve the Army. Army officers, educated at Government expense through a selective process, receive good pay and allowances all during their lifetime, and then when they retire they receive three-fourths pay. The position of an Army officer is a good one; but I do not think service in the Army necessarily carries with it a guaranty that some day every man must be a colonel or a brigadier general. It seems to me the bill is based upon the hypothesis that some day every officer who goes into the Army must be made a colonel. It reminds me of a show I saw years and years ago, called Hoyt's A Milk White Flag.

It depicted one of the military organizations in colonial days. Each man wore a colonial uniform, and had on his shoulders gold epaulets weighing about 4 or 5 pounds. There were captains, majors, colonels, and generals, but only one private in the whole organization. The private ran his legs off waiting on the colonels and lieutenant colonels. [Laughter.]

Mr. President, I am not a member of the Military Affairs Committee, and I may make some errors as to facts. However, the Senator from Colorado [Mr. JOHNSON], a member of the committee, today stated that under the terms of the bill there would be more lieutenant colonels than captains in the Army. If that is not true, I should like to have some member of the committee dispute it. There will be more lieutenant colonels than captains in the Army.

Mr. HILL. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. HILL. That would be only a temporary situation.

Mr. CONNALLY. Temporary or permanent——

Mr. HILL. Certainly it would be only a temporary situation.

Mr. CONNALLY. Very well. Let us see how temporary it would be.

Oh, yes; they are going to have a promotion bill. They are going to settle the whole matter by this bill.

There has been a "hump" in the Army ever since I have been in the Congress. The Army had to get rid of the "hump," and we passed promotion bills and pay bills to get rid of the "hump"; and as soon as they took the "hump" out here another "hump" popped up in another place about 2 years later, and they had to correct that.

Let us see about it. I did not intend to refer to the Senator from Alabama, but he could not resist impaling me upon the point of his remarks. Let us see how long the Army have been tinkering with this matter.

In the first place, in 1922 they had a pay bill in which they abandoned the old theory of pay according to rank, and based it on length of service. An officer of a certain grade got so much pay based on the years of service rather

than upon the rank he occupied. That was the effort to get rid of the first hump.

In 1926—

And I hope the Senator from Alabama will now give heed; he wants information, and I am trying to give him some—

In 1926 the Secretary of War was directed by the act of July 2, 1926, to report to Congress on alleged injustices—

This measure was not for any individual. Oh, no; it was not to help anybody in the Army; it was merely based on alleged injustices done to officers in the Army—

alleged injustices in the arrangement of the promotion list and on the general subjects of promotion and retirement in the Army.

Is anything stated there about the general welfare or about the national defense? The only subjects referred to are retirement and promotions. How does that affect anybody except the officers of the Army?

The report submitted recommended age-in-grade and service-in-grade mandatory retirements. Great controversy arose—

And it was not done.

That was in 1926. In 1935 another promotion bill was introduced. It passed Congress.

In 1935 the act of July 31, 1935, ended stagnation in the lieutenant grades by providing promotion to first lieutenant after 3 years' service; to captain after 10 years' service.

But it did not get the "hump" out of anybody except the lieutenants; and the "hump" on the majors and the others is still there.

It gave a temporary boost in promotion—

There is the whole cat in the bag—boost in promotion. That is what this bill means—boost in promotion. That is the basis of it.

The Senator from Alabama says this is not a War Department bill, but General Shedd says it is. I will read his statement in a moment.

Mr. HILL. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Alabama?

Mr. CONNALLY. Yes.

Mr. HILL. I happen to know that this bill was prepared by the House Committee on Military Affairs.

Mr. CONNALLY. That does not mean that it is not an Army bill.

Mr. HILL. Oh, yes; it means that the Army bill which came up at the last session was rejected by the House committee, and that committee then sat down to write its own bill, and the subcommittee did the actual drafting.

Mr. CONNALLY. It does not make any difference whose bill it is. It is just as bad whether it is an Army bill or a committee bill.

Mr. HILL. It is a bill of the Committee on Military Affairs of the House of Representatives.

Mr. CONNALLY. It is just as bad. There is no sanctity about the House. I would rather have a Senate bill than a House bill.

Mr. HILL. Will the Senator yield?

Mr. CONNALLY. In a moment. I would have preferred to have the Senator from Alabama and the Senator from Texas and the Senator from Colorado sit around the table and write a Senate bill. There is no sanctity about the measure because of its being a House bill.

Mr. HILL. Will the Senator yield?

Mr. CONNALLY. I yield.

Mr. HILL. There is no sanctity whatever about it for that reason. When I was in the House I would rather have had a House bill. Now that I am in the Senate I would rather have a Senate bill.

Mr. CONNALLY. But the Senator takes the House bill. Now let us see what General Shedd says about it.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. CONNALLY. I will yield in a moment. General Shedd was testifying before the Military Affairs Committee of the Senate. The Senator from Alabama was present. This is what he said.

First, he went on and talked about the act of June 16, 1936. The Army had to have another bill. There was a "hump" in the Air Corps, and they took out the "hump" in 1936. They took out one "hump" in 1935. They had a smaller "hump" in 1936, and they smoothed out that "hump." That act—

Granted temporary promotion to Air Corps officers. This has resulted in what is in effect branch promotion—

This shows that whenever the War Department promotes one bunch to get rid of it, the other crowd complains, "You will have to raise us up to put us on a level with the other bunch."

This has resulted in what is in effect branch promotion in the Air Corps, with a resulting disparity with other officers on the promotion list.

In other words, the War Department had us promote the Air Corps officers, and as soon as they were promoted the Department had to promote the others to put them on an equality.

Mr. HILL. Mr. President——

Mr. CONNALLY. Wait until I get to what the Senator referred to a moment ago. This is what General Shedd says:

In 1939—

This is the statement of Brig. Gen. William E. Shedd, Assistant Chief of Staff. He ought to speak with authority. He is right next to the Chief of Staff—

In 1939, last year, the War Department—

The House committee? No; the report does not say anything about the House committee. The Senate committee? No. Who? The War Department—

the War Department proposed an age-in-grade retirement measure which would have retired captains at 50—

Put them out at 50. That is what they would like to do. Why not? The Senator from South Dakota [Mr. GURNEY] said that by retiring them at 60 we save money, and if we had retired them at 50 we would have saved 10 years' pay. Why not retire them at 40 and save 20 years' pay; or at 30, and save 30 years' pay? [Laughter.]

Wait a minute, now—

majors at 55, lieutenant colonels at 58, colonels at 60, and brigadier generals at 62. There was considerable opposition to the retirement of officers below the age of 60, and the resultant compromise proposals introduced many undesirable features.

This is what General Shedd said:

After further study—

A study by whom? The House committee? No. Further study by whom? The Senate committee? He does not say so. He says:

In 1939, last year, the War Department proposed—

Then he says:

After further study an entirely different measure has been prepared.

Who prepared it? I do not mean that the War Department used the same typewriter. They did not use the same paper; but this bill is approved by the War Department, and they are urging it here.

After further study an entirely different measure has been prepared. This measure, S. 3712, now before your committee—

I suppose that is this bill, for the promotion of promotion-list officers of the Army after specified years of service in grade, and for other purposes, which was the subject of a hearing on April 8, 1940. There has not been a new bill since April—

now before your committee, reaches the desired objectives—

What desired objectives? Those he is talking about for the Army—

to a very great degree and contains none of the objectionable features of the former measure. It is based primarily on promotion by length of service up to the grade of colonel.

Mr. President, the reason why I am objecting to this bill is that it retires colonels at 60 years of age. Is there anything wrong with a colonel of that age? We are told that we must have officers whose minds are sound. Under the present law, if there is anything wrong with a colonel's mind or a lieutenant colonel's mind or a lieutenant's mind, all it is necessary to do is to bring him before a retirement board of doctors, find out what is the matter with his mind, and put him out of the Army—retire him on pay.

It is said that the service is so strenuous—riding around in automobiles and sitting at desks—that it is necessary to have young men with full vigor. If there is anything wrong with an officer, if he stubs his toe or if he skins his shins, he can now be retired for disability.

Mr. ADAMS. Mr. President—

Mr. CONNALLY. I yield to the Senator from Colorado.

Mr. ADAMS. The inquiry I desire to make goes back to the statement of the Senator from Alabama [Mr. HILL] that one of the purposes of the bill is that officers shall have training in their appropriate ranks. I am wondering whether or not there are available places to train four-thousand-odd lieutenant colonels in the Army as now constituted, if we are really going to give these officers the training of their appropriate ranks, because I understood from the argument that the purpose of the promotion was to give to the officers training in their appropriate ranks. I understand, under the new arrangement of the Army, that a lieutenant colonel is in command of a battalion. Will there be enough battalions to go around?

Mr. CONNALLY. If there are not enough battalions, the War Department will make enough battalions.

Mr. ADAMS. How many men would that require in the Army? I am asking the Senator as a military man.

Mr. CONNALLY. I am not a military man.

Mr. ADAMS. A Senator by my side, whose name I will not mention, says that some of us are interested in self-defense about persons over the age of 60. Of course, that does not apply to the Senator from Texas. I admit it.

Mr. CONNALLY. I thank the Senator. Let me say to the Senator that the War Department, without any law, has the right to change its tables of organization. I do not think it is required by law, but it has the right to change the size of divisions and brigades and regiments. During the World War a regiment contained, as I remember, about 2,800 men. If I am not correct, I should like to have the Senator from Indiana correct me. Now regiments contain only about 1,200 men, as I recall. So that if there is a colonel to every regiment we can decrease the number of men in the regiment and we will have that many more colonels.

Until very recently the officers of a regiment consisted of a colonel, a lieutenant colonel, and three majors, each major being in command of a battalion. But the Senator from Indiana pointed out earlier in the day that in order to find places for the lieutenant colonels they have switched it around, and now a lieutenant colonel is put in command of each battalion, and the major is made the executive officer for the colonel. There is an expansion of three places for one right there. It is not law, it is merely an order of the War Department.

Mr. President, I am not against the War Department. I have an affection for the Army. I admire its great traditions and its great achievements in the past. What I am complaining about is that now, when we should be preparing for the national defense, should be building up the Army, a great portion of the War Department is studying the matter of promotions, officers saying, "How can we get some more stars on our shoulders," or "How can we get some more bars on our shoulders? How can we kick out these World War officers so that we can get their places?"

It is said they do not want to put out the World War officers. The Senator from Alabama stated that if we should have a war we would have to depend on the 4,200 World War officers. What does the bill do? The bill offers them a temptation to get out, so that we can get rid of them. The bill also provides that any officer with World War service may retire at any time with three-fourths pay. He may have had only 21 years' service in the Army, yet, if he is a World War veteran, they would let him retire right now. At 60 years of age? No; at 50, or at 45, whatever his age. If he is a World War officer he can retire with three-fourths pay. That is inserted in order to bait them, to influence them to get out of the way, because they are the "hump," standing in the way of younger officers whom the Department wants to promote. What soldier is there whose body is whole, and whose mind is in good condition, who should retire after serving his country only 23 years, and then go on the pay roll at three-fourths pay for 50 years; perhaps, for the remainder of his life?

I do not stand for that, Mr. President. We cannot defeat this conference report, of course; it is already written in the stars that it will be adopted. But I want the record to show my views, and that my voice was against it.

Mr. O'MAHONEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Wyoming?

Mr. CONNALLY. I yield.

Mr. O'MAHONEY. I have been impressed with what the Senator from Texas has had to say. Not being a member of the Committee on Military Affairs, I have not had occasion to study the bill. I am prompted by the Senator's remarks to ask one or two questions.

Mr. CONNALLY. I shall be glad to answer if I can.

Mr. O'MAHONEY. When was the bill passed by the Senate?

Mr. CONNALLY. It passed about a month ago; I think.

Mr. JOHNSON of Colorado. It passed on May 16.

Mr. O'MAHONEY. When was it passed by the House?

Mr. CONNALLY. I do not know.

Mr. JOHNSON of Colorado. About 2 weeks previous to the day it passed the Senate. I should say about May 1.

Mr. O'MAHONEY. Then it must be obvious that the measure was considered by the committees of both the Senate and the House before Congress was considering the present emergency.

Mr. CONNALLY. Exactly.

Mr. O'MAHONEY. There is every indication of a desire on the part of Congress to expand the Army. I am impressed with the thought that the original purpose of the bill was to provide an opportunity for the promotion of officers in a small military establishment, in which young men would not have an opportunity to rise to higher commands unless the older officers were retired at an earlier age than formerly.

Mr. CONNALLY. That is correct.

Mr. O'MAHONEY. However, we have had very striking evidence in the past 2 weeks of the valuable service which can be rendered in time of war by officers of much greater age than that named in the bill as the retirement age, if I understand correctly what has been said.

Mr. CONNALLY. The Senator is correct.

Mr. O'MAHONEY. The Republic of France has found it necessary to recall a retired officer, General Weygand, and put him in complete command of the armed forces of France. I am impressed with the thought that it may not be advisable to adopt now the conference report upon a bill which obviously was passed before we were considering the present emergency.

Mr. CONNALLY. The Senator's conclusion is sound.

Mr. O'MAHONEY. So I am prompted to ask the Senator from Texas, since he apparently has given great study to this question, Why should he be content to let this measure pass at a time like this, if he believes it should not pass?

Mr. CONNALLY. I am not content to let it pass, but it passed the Senate a few days ago by practically an overwhelming vote, and the conference committee has rejected the Senate amendments. I am against the bill, that is why I am speaking. I want the RECORD to show that I am against it. I should like to defeat the conference report. If the Senator from Wyoming and other Senators will stand by me, we will do it.

Mr. O'MAHONEY. I have risen now for the first time to discuss the bill, and I have been brought into the debate by my attention being called to the remarks of the Senator from Texas, which have impressed me rather forcefully.

Mr. CONNALLY. I thank the Senator.

Mr. O'MAHONEY. I have not heard from the chairman of the Committee on Military Affairs, and I came into the chamber while the Senator from Alabama [Mr. HILL] was concluding what was apparently a studied explanation of the bill, in favor of the bill.

Mr. SHEPPARD. Mr. President, will my colleague yield?

Mr. CONNALLY. I yield.

Mr. SHEPPARD. General Marshall appeared before the conferees only a few days ago and stated that the bill was necessary because of the present emergency. He said he felt he could not properly function unless he had the assistance of a measure of this kind.

Mr. CONNALLY. Mr. President, of course, when my colleague says General Marshall made that statement I know he did so, but while I have always had a high respect for General Marshall, I do not believe a word of what he said.

Mr. SHEPPARD. The Senator from Wyoming said the bill was not passed with reference to the present emergency, and I merely desired to give him the information we received from General Marshall.

Mr. CONNALLY. I stated I accepted what my colleague said as to General Marshall's statement, but I do not care if General Marshall did say that, I do not believe it.

Mr. McKELLAR. Mr. President, will the junior Senator from Texas yield to me so that I may ask his colleague a question?

Mr. CONNALLY. I yield.

Mr. McKELLAR. How many officers under 64 years of age will be retired under the terms of the bill?

Mr. CONNALLY. I can give the Senator the information. They will not begin to retire the officers at 60 years of age until 1942. In 1942, 292 colonels will be retired, 85 lieutenant colonels, 69 majors, and no captains—a total of 446 officers. Then the next year there will be another allotment, right on down the line.

Mr. McKELLAR. In view of the emergency, is not this a very poor time to be retiring officers before they reach retirement age? I am very much impressed by what has been said here this afternoon. I do not think this is the time to retire officers whom we have educated very thoroughly. I desire to register my opposition to the measure.

Mr. O'MAHONEY. Mr. President——

Mr. CONNALLY. Let me say a word in response to what the Senator from Tennessee has said. Though the retirement at 60 begins only in 1942, if this is a real crisis, it is not going to be over by 1942. I mean by that, that with developments in Europe such as they are, the preparations we are making now for defense are going to be stretched over a period of 5 or 10 years. We do not know what may happen.

But it is proposed that we put out of the Army officers who were educated at West Point and who have spent their lives in the Army, merely because they are 60 years old. They are husky; they are well; they are strong; their minds are alert; but because there is a desire that places be made for others, we are asked to put them out of the Army.

Furthermore, there is a great body of about 4,000 officers who are World War veterans, who were trained abroad. They have seen the battlefields. They know actual service. Some of them even are West Pointers, but if they were in the Army during the World War, we are badgering them and enticing them to retire from the Army.

Listen to this. If a World War soldier has 23 to 28 years' service and has not reached the grade of colonel, he can be retired with the grade and pay of a colonel. Why should he retire with the grade and pay of a colonel if he has never been a colonel? That is done to induce these majors and lieutenant colonels to get out, because they will receive the retired pay of colonel. That is the "hump." The "hump" is composed of the 4,200 World War officers.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. O'MAHONEY. The question I was going to ask was this: Why would it not be desirable to allow this matter to go over until tomorrow? Personally I should like very much to read the debate. I should like to read what has been said in support of the bill, because I am frank to say, from what the Senator from Texas has said, I would be persuaded to vote against the conference report, and I feel that if there had been a larger attendance here this afternoon while the Senator from Texas was speaking, others might have been influenced in their opinion by what he has said, as I have been influenced.

I inquire of the chairman of the Military Affairs Committee whether there will be any objection on his part, or will there be any on the part of the Senator from Kentucky [Mr. BARKLEY], to letting the conference report go over until tomorrow.

Mr. BARKLEY. I have not only no objection, but I have repeatedly suggested during the last hour that it should go over.

Mr. O'MAHONEY. Obviously it would only be necessary to suggest the absence of a quorum and the conference report would not be agreed to today.

Mr. SHEPPARD. Mr. President, I have no disposition to insist on continuing the debate when even one Senator asks that the report go over.

Mr. McKELLAR. Mr. President, will the Senator yield to me?

Mr. CONNALLY. I wish to say, before yielding, that if the report is to go over until tomorrow, I will yield the floor now, because I know Senators are anxious to have the Senate take a recess. However, it will take me only a few minutes to conclude what I have to say, and I will finish my few remarks if Senators prefer that I do so.

Mr. McKELLAR. Mr. President, the only suggestion I wish to make now, while the matter is before the Senate, is that as for the "hump" in the Army, the tremendous enlargement of our Army growing out of the present emergency will remove the "hump," and there will be ample opportunity for promotion.

Mr. CONNALLY. Yes; there will be ample opportunity for promotion. My idea is that perhaps we should double the strength of the Army right now so that instead of 240,000 we would have an Army of half a million men.

Mr. BARKLEY. Mr. President, in view of the fact that the report is to go over, anyway, I think it would be better to suspend the discussion now.

EASEMENTS OVER LANDS AT FORT LAUDERDALE, FLA.—BASE 6, COAST GUARD RESERVATION

The PRESIDING OFFICER (Mr. CHANDLER in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 3959) authorizing the Secretary of the Treasury to grant to the city of Fort Lauderdale, Fla., an easement or easements authorizing such city to construct and maintain a highway and utility facilities over the United States Coast Guard Reservation known as Base 6 at Fort Lauderdale, Fla., which was, to strike out all after the enacting clause and insert:

That the Secretary of the Treasury is authorized and directed to grant to the city of Fort Lauderdale, Fla., a permanent easement or easements authorizing such city to construct and maintain across such of the lands constituting a part of the United States Coast Guard Reservation known as Base 6 at Fort Lauderdale, Fla., as the Secretary may designate, a highway, sewer lines, water mains, electric distribution lines, and other utility facilities.

SEC. 2. Such easement or easements shall be granted subject to the condition that the Secretary may at any time require the removal of the highway and the utility facilities, or either of them, to any other location or locations on said property, without expense to the United States, and shall be subject to such other reasonable conditions as the Secretary may deem desirable to include in the grant to protect the interests of the United States and to enable the Government to use such lands in such manner as the public interests may require. In addition, the city of Fort Lauderdale shall furnish bond with good and adequate sureties, or such other security in lieu of such bond, in such reasonable

amount and in such form, as the Secretary may require, to assure the fulfillment of any or all the conditions and stipulations of such easement or easements.

SEC. 3. In the event the United States disposes of its interests in the Coast Guard Reservation known as Base 6, such easement or easements shall cease to be subject to such conditions, unless the Secretary shall find that the discontinuance of any or all of such conditions would adversely affect the sales value of such lands, in which case the conditions with respect to which the Secretary shall have made such a finding shall run with the land.

Mr. PEPPER. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

AMENDMENT OF JUDICIAL CODE—ACCOMMODATIONS FOR HOLDING COURT AT WINCHESTER, TENN.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3828) to amend section 107 of the Judicial Code, as amended, to eliminate the requirement that suitable accommodations for holding the court at Winchester, Tenn., be provided by the local authorities, which was, on page 2, lines 11 and 12, to strike out "Attorney General" and insert "Director of the Administrative Office of the United States Courts."

Mr. STEWART. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceed to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The PRESIDING OFFICER (Mr. CHANDLER in the chair) laid before the Senate a message from the President of the United States submitting the nomination of Wilford S. Alexander, of Connecticut, to be Administrator of the Federal Alcohol Administration (reappointment), which was referred to the Committee on Finance.

EXECUTIVE REPORTS OF A COMMITTEE

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nomination of Walter Myers, of Indiana, to be Fourth Assistant Postmaster General, Post Office Department, vice Smith W. Purdum.

He also, from the same committee, reported favorably the nominations of sundry postmasters.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

REGISTERS OF LAND OFFICES

The legislative clerk read the nomination of Mrs. Carrie H. Malone to be register of the land office at Carson City, Nev.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of George Finley to be register of the land office at Roseburg, Oreg.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of William Riddell to be register of the land office at Billings, Mont.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Mrs. Belle D. Byrne to be register of the land office at Bismarck, N. Dak.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc. That completes the calendar.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 5 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, June 5, 1940, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate June 4 (legislative day of May 28), 1940

FEDERAL ALCOHOL ADMINISTRATION

Wilford S. Alexander, of Connecticut, to be Administrator of the Federal Alcohol Administration (reappointment).

CONFIRMATIONS

Executive nominations confirmed by the Senate June 4 (legislative day of May 28), 1940

REGISTERS OF LAND OFFICES

Mrs. Carrie H. Malone to be register of the land office at Carson City, Nev.

George Finley to be register of the land office at Roseburg, Oreg.

William Riddell to be register of the land office at Billings, Mont.

Mrs. Belle D. Byrne to be register of the land office at Bismarck, N. Dak.

POSTMASTERS

ALABAMA

Leon H. Hinds, Arab.

ARIZONA

Winnie M. Johnson, Gilbert.
Josie B. Fenwick, Litchfield Park.
Fred B. Moore, Morenci.
Edward M. Schmidt, Tolleson.

CONNECTICUT

Leo A. Legros, Baltic.
Lillian N. Snow, Milldale.
Francis T. Green, Naugatuck.
James T. Kelley, New Canaan.
Michael P. Spezzano, Riverside.
John J. O'Keefe, Southington.
Cornelius P. McGuinness, Stamford.

ILLINOIS

Arthur McKinney, Alto Pass.
Virginia F. Dodge, Arlington Heights.
Effie B. Mueller, De Soto.
Ellis S. Sharp, Eureka.
Robert R. Newton, Goreville.
William H. Cato, Homewood.
Clyde Hardbarger, Illiopolis.
J. Walter Lowrey, Joliet.
Francis J. Keigher, Manteno.
Mary R. Wilson, Milan.
Edith Brain, Orient.
John S. Kaler, Rantoul.
Edward P. Devine, Somonauk.
Rudolph L. Lightfoot, Stonefort.
George E. Kull, Strasburg.
George Lyons, Tilden.
Frank E. Binkley, Warrensburg.
George M. Mader, Waverly.

IOWA

Sydney B. Dailey, Allison.
Arthur R. Otto, Bettendorf.
Rex O. Mayhew, Blairstown.
Otto T. Lamansky, Brighton.
Estelle Coon, Brooklyn.
Raymond W. Baxter, Burlington.
Ellen B. Neff, Calamus.
Alice E. Owens, Carlisle.
Charles H. Ward, Castana.

Leslie H. Hughes, Cedar Falls.
Dee C. Batten, Chariton.
Carl E. Jones, Cincinnati.
Clarence L. Herren, Clarinda.
William T. Oakes, Clinton.
Ruth A. Hynes, Coggon.
Boyd L. Yance, Coin.
J. Gerald Christy, Coon Rapids.
Frank Howard Garrett, Council Bluffs.
Donald D. Mead, Cresco.
Edith M. Reed, Delta.
Lemuel S. Hill, Des Moines.
Herbert L. Smith, DeWitt.
Herman F. Volberding, Dike.
John J. Langenfeld, Earling.
Pauline K. Kraschel, Farragut.
Daisy V. Farrell, Fonda.
William R. Flemming, Forest City.
Anna T. Wieland, Gladbrook.
Rose M. Fischbach, Granville.
John Vanderwicken, Grundy Center.
John L. McLaughlin, Guthrie Center.
George R. Sawyer, Hawarden.
Ralph V. Johnson, Hudson.
Walter J. Barrow, Iowa City.
Oscar K. Dick, Iowa Falls.
Louis A. Hasselbrink, Kellogg.
Walter J. Leslie, Lakota.
Wallace H. Blair, Lamoni.
Frederick E. Mulholland, Malvern.
Kathryn D. Eden, Manning.
William Harry Thompson, Mapleton.
Frank G. Ferguson, Mechanicsville.
Glen Vauthrin, Melbourne.
Mae K. Wilson, Monroe.
James D. Minnes, Moravia.
Peter J. McGrath, Mount Ayr.
Byrd S. Clark, Mount Vernon.
Harold E. Maffett, Murray.
Stacia E. Hartley, New Albin.
Clifford P. Shane, New Virginia.
William H. Lucas, Nora Springs.
Hans C. Johnson, Northwood.
John L. O'Neill, Oakland.
Earle F. Rex, Odebolt.
Esther M. Olson, Pacific Junction.
Boies Capper, Postville.
Harold J. Long, Rock Valley.
Marcella E. Roeder, Rockwell.
George J. Mettlin, Russell.
Carl L. Anderson, Sac City.
Henry J. Kelley, Shannon City.
Anthony J. Salland, Sibley.
Glenn C. Bowdish, Springville.
Robert Edwin Liston, State Center.
Peter Peterson, Story City.
Peter T. Belgard, Tipton.
Collis E. Moore, Villisca.
Otto Germar, Volga.
Bernice Herrick, Wapello.
George T. Shanley, Webster City.
Jimmie N. Hopkins, Whiting.
Lester P. Sauser, Worthington.

KENTUCKY

John D. McDonogh, Jeffersontown.

MASSACHUSETTS

Richard E. O'Brien, Ballard Vale.
Thornton S. Swift, Bourne.
Joseph J. Durkin, Brookfield.
Alphonse E. Roberts, Chicopee Falls.
Leon H. Thorner, Clifton.
Evelyn B. Merritt, Egypt.
Marguerite H. Mallahy, Fiskdale.
Osgood L. Small, Sagamore.
Lester J. Murphy, Wrentham.

MICHIGAN

Joseph L. Winslow, Alma.
Anne C. Parsal, Benton Harbor.
Roy W. Maddock, Benzonia.
Mildred C. Smead, Blanchard.
Cecil Plum, Bloomingdale.
Gustav H. Knaak, Jr., Bridgman.
Benjamin J. Beasley, Britton.
Mabel E. Sbonek, Cedar.
Francis Jackson, Clare.
George T. Deline, Columbiaville.
Floyd Harrison, Conklin.
Joseph J. Voice, Fife Lake.
Clara Woodruff, Freeland.
Robert H. Edsall, Greenville.
William C. Radue, Hermansville.
Mabel L. McCallum, Hesperia.
Harry E. Penninger, Lake Linden.
Guy D. Thompson, Lapeer.
Irwell Brody, Lawton.
Hazel B. Erickson, Le Roy.
Frederick J. Hosley, Lowell.
Bert Lowery, Manchester.
Ross W. Gilliom, McBain.
Clifford A. Gardner, Middleville.
George Rundle, Olivet.
Charles J. Schmidlin, Rockland.
Norman C. Reindel, Roseville.
Jarvis C. Chamberlin, St. Clair.
Jake D. Bowers, Sodus.
Lydia T. Bing, Tawas City.
Franc S. Gillespie, Tecumseh.
Georgia I. Holdship, Ubly.
Wilbur E. Davis, Vandalia.
John R. Crumb, Watervliet.
Charles J. McCauley, Wells.

MINNESOTA

Palmer M. Swenson, Dawson.
Kalervo O. Finnila, Floodwood.
Henry L. Peters, Glencoe.
Calvin R. Bouvette, Hallock.
Alfred Erickson, Lake Bronson.
Henry Hillesheim, Madelia.
Ross Andrews, Meadowlands.
Rudolph S. Viitala, Mountain Iron.
William J. Crook, Pipestone.
Arthur F. Hernlem, Red Wing.
John C. Christensen, Ruthton.
Harry C. Mertz, Shakopee.
George W. Phares, Sturgeon Lake.
Joseph Trojohn, Woodlake.

MONTANA

Lee Biggerstaff, Charlo.
Charles Gibson Monkman, Choteau.
John E. Brennan, Harlem.
William G. Kelly, Kalispell.
George T. O'Brien, Sidney.
Reginald W. Spangler, Superior.
Richard B. Vickers, Virginia City.

NEVADA

Gladys E. Huyck, Sparks.

NORTH DAKOTA

Claude L. Arildson, Alexander.
Harvey W. Emanuel, Berthold.
Roald B. Halvorson, Buxton.
Arthur C. Pagenkopf, Dickinson.
Arthur E. Bean, Donnybrook.
Francis Higgins, Dunseith.
Florence M. Law, Halliday.
Harold J. Rock, Hamilton.

Elmer Knorr, Hunter.
Herman E. Moyes, Oberon.
James M. Thomson, Turtle Lake.

PENNSYLVANIA

Mary K. Roach, Bala-Cynwyd.
Edward B. Walker, Berlin.
Howard P. Schaeffer, Bernharts.
Blair L. Nagle, Birdsboro.
John Brady Murrin, Butler.
Isaac A. Hiorth, Chester.
Ruth R. Dufford, Clintonville.
James A. Modey, Creighton.
Elijah E. Hall, Elizabeth.
Charles H. Schloss, Erie.
Chester R. Wahl, Evans City.
Cletus L. Goodling, Farms School.
Willis C. Jack, Freedom.
Mildred E. Wagner, Freemansburg.
Harvey P. Hartman, Fullerton.
John Johnston, Library.
John Seibert Barclay, Loysville.
Marie E. Logan, Ludlow.
Daniel F. Guinan, Jr., Mahanoy City.
Enoch W. Filer, Mercer.
Brian W. Kauffman, Middleburg.
Genevieve C. McMahon, Mildred.
R. D. Hiram Hagenbuch, Montgomery.
Ellis Walter, New Enterprise.
Clinton H. Hoffman, Pennsburg.
Maurice E. Sassaman, Sr., Pottstown.
John W. Connelly, Prospect Park.
William F. Halligan, Jr., Radnor.
Paul W. Marshall, Rochester.
Marlin W. Workman, Six-Mile Run.
Emma S. Happel, Tatamy.
Jeane C. Lewis, Weedville.
Florence J. McMahon, Wesleyville.
Edward J. Quinn, Wilkes-Barre.
Frank E. Plankenhorn, Williamsport.
Henrietta T. McEvoy, Willow Grove.
Ruth A. McKenna, Yardley.

PUERTO RICO

Adela Delpin, Fajardo.

VIRGINIA

Charles P. Graham, Bridgewater.
Mae R. Bostick, Burkeville.
Garland W. Spratley, Dendron.
Walter S. Wilson, Raphine.
Lawrence Hottle, Toms Brook.
Lillian C. Ruff, Vienna.

HOUSE OF REPRESENTATIVES

TUESDAY, JUNE 4, 1940

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou who wert the Word in the beginning and that Word was with God and God was the Word, O come from behind chaos and death; breathe upon our hopes, our ideals, and cause them to live anew. Depressingly shocked by the moral and religious impoverishment of this world, Almighty One, flow through its veins and arteries and stay the brutality which is filling the lands with injustice and staining the sea with blood. We pray that the work of restoration and spiritual enrichment in the sunless places of all the earth may soon give liberty to the captives and set the prisoners free. Let Thy word, O God, be our staff and our comfort. The Lord is good unto them that wait for Him and to the souls that seeketh Him. It is good that a man should both quietly wait and hope for the salvation of the Lord. He doth not afflict willingly nor grieve the children of men. Judge me, O God, and plead my cause against an ungodly nation; O deliver me from the deceitful and unjust man; Thou art the God of our strength. O send out Thy light and truth and bring them to Thy holy hill and to Thy tabernacles. The unsearchable riches of Christ are all-sufficient; they will be our glory in time and our surprises in eternity. In our dear Redeemer's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 8026. An act to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes.

The message also announced that the Senate had ordered that the Secretary be directed to request the House of Representatives to return to the Senate the bill (H. R. 8429) entitled "An act for the relief of Maj. L. P. Worrall, and for other purposes."

MILITARY ESTABLISHMENT APPROPRIATION BILL, 1941

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 9209, the Military Establishment appropriation bill, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

Pending that request, Mr. Speaker, if I may have recognition, perhaps I should make a brief statement touching the pending bill. Owing to the magnitude and scope of the changes effected by the Senate in the military appropriations bill, it was deemed prudent that the House Committee on Appropriations should conduct hearings on those amendments of the Senate relating to matters which had received no consideration on this side. We have conducted such hearings, and they are available today in printed form. Of course, we had available to us the rather voluminous hearings conducted by the Senate Committee on Appropriations and much detailed data supplied to us by the War Department.

The Senate had before it for consideration supplemental propositions, presented after the bill had passed the House, calling for additional appropriations of $624,770,364 and additional contractual authority of $257,229,636. In addition, the Senate considered an informal estimate of $55,172,546 for further increasing the enlisted strength of the Regular Army. The Senate approved in toto all of these additional sums except the one for additional men, for which purpose it allowed a round $50,000,000.

Under the Senate increases the enlisted strength of the Regular Army will be brought to its full authorized peace strength of 280,000 men, and provision is made for supplying completely and expeditiously all critical items of equipment for the whole force embraced by the protective mobilization plan. These, and the further enlargement of the aviation-training program and provision for a number of additional large bombing planes constitute, I should say, the outstanding features of the Senate changes.

You will find, on page 19 of the hearings, we have conducted a rather comprehensive table allocating the entire amount of the supplemental estimate presented following the President's recent national-defense message to appropriations and general objects.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. POWERS. Reserving the right to object, Mr. Speaker, will the gentleman tell me if we can arrive at some agreement as to time for debate when this bill comes out of conference?

Mr. SNYDER. I suggest that we have 2 or 3 hours of debate. Will that satisfy the gentleman from New Jersey?

Mr. POWERS. If the gentleman from Pennsylvania would agree to 3 hours of debate, the time to be equally divided, there would be no objection on my part, Mr. Speaker.

Mr. SNYDER. I am glad to agree to that, Mr. Speaker, and may I include that in my request?

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to take from the Speaker's table the bill H. R. 9209, disagree to the Senate amendments, and agree to the conference requested by the Senate. The gentleman includes in his request that when the conference report comes back to the House there may be 3 hours of debate upon it, to be equally divided between the gentleman from Pennsylvania [Mr. SNYDER] and the gentleman from New Jersey [Mr. POWERS].

Mr. RAYBURN. Reserving the right to object, Mr. Speaker, it is understood that the 3 hours comprehends all of the debate that will be had on all of the disagreeing votes of the two Houses?

Mr. POWERS. That is right.

Mr. RICH. Reserving the right to object, how many amendments are in disagreement; and are we going to have only 3 hours of debate?

Mr. RAYBURN. We made the same arrangement with reference to the naval appropriation bill, which is now out of conference.

Mr. RICH. How many amendments are going to be in disagreement?

Mr. RAYBURN. Nobody knows.

Mr. RICH. Ordinarily if you had five or six amendments in disagreement you would have 5 or 6 hours of debate on them. There may be some very large sums to be considered in this bill, and we are not going to tie ourselves down now to 3 hours when there may be seven or eight items in disagreement.

Mr. RAYBURN. The members of the subcommittee, I may say to the gentleman, are all agreeable to this arrangement, as they were with reference to the naval appropriation bill. Of course, you can bring in a conference report and adopt it in an hour, if you want to, without allowing 3 hours for debate. That is not entirely necessary.

Mr. RICH. It seems to me we ought to have sufficient time.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. RICH. I yield to the gentleman from New York.

Mr. TABER. I believe if we have 3 hours of debate that ought to be fair and give everybody who has a legitimate view to air an opportunity to do so.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. SNYDER, TERRY, STARNES of Alabama, COLLINS, KERR, MAHON, POWERS, ENGEL, and CASE of South Dakota.

PERMISSION TO ADDRESS THE HOUSE

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to address the House and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

[Mr. LUDLOW addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a brief editorial from the Washington News.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. ALLEN of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a message to his soldiers from Baron Mannerheim.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

MEXICAN CLAIMS BILL

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent to address the House for one-half minute, and to revise and extend my remarks and include therein three letters.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LUTHER A. JOHNSON. Mr. Speaker, in the recent debate in the House on the Mexican claims bill, I stated as one of the reasons why the Government should pay the claimants who had awards made in their favor by the General Claims Commission, that one of the claimants, the Illinois Central Railroad, had an offer of settlement after the Commission had been set up under the treaty with Mexico, and that the representative of the railroad, together with a representative of the Mexican Government came to Washington to ascertain whether or not our Government would permit the railroad to settle its claim directly with Mexico, or whether it would be prohibited from doing so under the treaty and the Commission set up thereunder, and that when the matter was taken up in Washington, that our own State Department refused to permit the railroad company to settle its claim with Mexico.

In corroboration of the statement so made by me, I submit herewith the following letters which are self-explanatory: (1) Letter to me from the State Department dated June 3, 1940, verifying the authenticity of the other two letters; (2) letter dated March 17, 1926, from James R. Sloan, assistant agent of the General Claims Commission of the United States, to Mr. Robert V. Fletcher, at that time attorney for the Illinois Central Railroad; (3) letter dated March 17, 1926, from Henry W. Anderson, agent of the United States under the General Claims Commission, to Hon. Benito Flores, agent for the Mexican Government under the General Claims Commission, and which letters speak for themselves in clearly establishing that the Illinois Central Railroad was denied the right by our Government to settle its claim with the Mexican Government.

DEPARTMENT OF STATE,
Washington, June 3, 1940.

The Honorable LUTHER A. JOHNSON,
House of Representatives.

MY DEAR MR. JOHNSON: In accordance with your request by telephone I compared the attached copies of a letter dated March 17, 1926, from Mr. James R. Sloane to Robert V. Fletcher, Esq., and a letter dated March 17, 1926, from Mr. Henry W. Anderson to the Honorable Benito Flores, with the copies in the records of the General Claims Commission, United States and Mexico, and found them to be full and exact copies thereof.

Sincerely yours,

S. HUBBARD.
Assistant to the Legal Adviser, Department of State.

AGENCY OF THE UNITED STATES,
GENERAL AND SPECIAL CLAIMS COMMISSIONS,
UNITED STATES AND MEXICO,
Washington, D. C., March 17, 1926.

ROBERT V. FLETCHER, Esq.
Washington Hotel, Washington, D. C.

DEAR MR. FLETCHER: I enclose a copy of a letter which Colonel Anderson was obliged to send to the Mexican agent after a conference with the Secretary of State.

In view of the circumstances, it seems probable that the case which is set for hearing tomorrow will be heard at that time.

Very truly yours,

JAMES R. SLOAN,
Assistant Agent.

MARCH 17, 1926.

Hon. BENITO FLORES,
Agent for the United Mexican States, General Claims Commission, United States and Mexico, Washington, D. C.

DEAR SIR: Referring to the conversation of yesterday between Señor Carbajal y Rosas and myself in regard to a possible settlement of the case of the United States on behalf of the Illinois Central Railroad Co. against Mexico, I beg to advise that I have today conferred with the Secretary of State in regard to this matter, and he informs me that it is the view of the Government of the United States that when claims have once been espoused by the Government and filed before the General Claims Commission they become claims of the United States and must be disposed of in accordance with the provisions of the General Claims Convention. In view of the fact that this convention provides that the awards in favor of the respective governments shall be offset against each other, the Department does not feel that it is authorized under the terms of the treaty to make a settlement providing for immediate disposition of the amount of the claim or

any part thereof, or of any payment direct to any individual who may have been concerned in the claim.

In these circumstances it would not seem practicable to make an adjustment of a claim by agreement other than to stipulate the amount of an award in favor of either Government to be submitted to the Commission for its action thereon in accordance with its rules and the terms of the Convention.

I regret, therefore, that it does not seem practicable under this view of the Department to dispose of the claim in the manner discussed by Señor Carbajal y Rosas and myself on yesterday.

I have the honor to be, sir,

Your obedient servant,

HENRY W. ANDERSON,
Agent of the United States.

COST OF NATIONAL DEFENSE

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, the question of the financial strength of the United States, to my mind, is spoken about all too much by people who do not stop to analyze what that strength really is. It all depends upon the kind of monetary system that one has.

The recent Gallup poll shows that 76 percent of the people are in favor of paying the cost of national defense as we go. That is, three-quarters of the people say they are ready now to pay the taxes which may be necessary. I am afraid that many of them have received the impression that if Congress increases the national debt limit by $3,000,000,000 or $4,000,000,000 in order to obtain funds for national defense expenditures and then provides new taxes to raise some $600,000,000 or $800,000,000 annually we will be meeting the situation. It ought to be made clear that this is not a pay-as-you-go proposition at all. This plan contemplates paying for 1 year's national defense costs over a 5-year period. But the costs of national defense will probably be as great next year and the next and the next as they are this year. What will we do about that? Are we to increase the national debt limit step by step each year, gradually adding enough taxes to care for this multiplying debt burden? The straightforward thing to do would be to meet the thing head-on and to meet it now, particularly since that is what the people say they want. I believe the people of the country would prefer to know just where they stand on this matter. I believe further that the levying of certain taxes is most important as a matter of justice. We are anxious, we say, to avoid the creation of a crop of war millionaires. There is one way to prevent such a crop from sprouting and that is by an excess war-profits tax. But it should be levied now, not later after the seedlings have grown into stout plants. And this is the only tax that will equalize the burden as between industries greatly benefited by war trade and those severely hurt—like agriculture—as a result of loss of export markets. Moreover, I see no reason for increasing the debt limit and selling tax-exempt, interest-bearing bonds to banks for figures on their books in order to obtain these funds. The Constitution gives Congress the right and duty to create the money of the Nation. If it exercised this right to a necessary extent, the value of every dollar of that money would be sustained by the inevitable expansion of production and trade in real goods, which is the only thing that gives either national money or bankers' fiat credit any value at all. Under these circumstances we would not be in debt either for interest or principal, and there is nothing as important for true national defense as an answer to this debt problem. Moreover, the Treasury holds outright gold and silver in an amount in excess of $3,000,000,000, and a simple act of Congress calling in gold certificates and replacing them with 40-percent gold-backed currency would not only leave bank reserves intact but would make some $27,000,000,000 of 40-percent gold-backed money available to the Nation. Finally, authority has been granted the President to issue $3,000,000,000 of United States currency tomorrow if he decides to do so. We have spoken of sacrifice in the interest of the Nation. I think it will do us all good to sacrifice for our country provided only the burden of sacrifice is equally borne. And I can see no reason why the opportunity for sacrifice should not be extended to those financial institutions which now usurp the power of money and credit creation and which will wax fat by collecting interest on the Nation's own credit and manipulate the values of every type of real wealth in America unless Congress acts in a sensible manner about these things. There can be no inflation as long as money creation is matched either by increasing production or by compensatory taxation. There are vastly better ways to finance the national defense effort than by raising the debt limit.

EXTENSION OF REMARKS

Mr. DISNEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include two statements, one by Fayette B. Dow and one by Assistant Secretary of Commerce Noble.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. COX asked and was given permission to revise and extend his own remarks in the RECORD.

AMENDMENT OF CANAL ZONE CODE

Mr. BLAND. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5584) to amend the Canal Zone Code, with a Senate amendment, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 5, strike out lines 9 to 24, inclusive, and lines 1 and 2, on page 6, and insert:

"271. Maintenance and operation of the Canal Zone Postal Service: The Postal Service of the Canal Zone shall be governed, except as otherwise provided in the Canal Zone Code, by such of the laws, rules, regulations, and conventions of the Postal Service of the United States as by their terms apply in the Canal Zone and by such additional laws, rules, and regulations of the Postal Service of the United States as the Governor of the Panama Canal shall by regulation determine to be applicable to conditions existing in the Canal Zone. The Governor may prescribe such additional rules and regulations as are necessary for the maintenance and operation of the Canal Zone Postal Service.

"The Governor of the Panama Canal is authorized—

"a. To maintain and operate a postal service in the Canal Zone, including a money-order system, a parcel-post system, a postal-savings system, and such other services as may be necessary or convenient in connection with the postal service;

"b. To establish and discontinue post offices;

"c. To prescribe the postage rates: *Provided, however,* That the United States domestic postage rates shall be applicable to regular mail exchanged with the United States; and

"d. To prescribe the postage stamps and other stamped paper which shall be used in such service."

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman explain this amendment?

Mr. BLAND. The sole question was one between the Post Office Department and the Canal Zone authorities as to the extent of the power given to regulate postage, not only the rates but other things, and the provision of the House bill was thought to go beyond the matters that the postal authorities were consenting to. The postal authorities and the Canal Zone authorities agree on this amendment.

Mr. MARTIN of Massachusetts. This is simply a matter of postage in the Canal Zone?

Mr. BLAND. It is a clarifying amendment.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

THE WHEAT SITUATION, 1940

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. PIERCE. Mr. Speaker, delivering a speech before the Eastern Oregon Wheat League at Condon, Oreg., on December 9, 1939, I asked my farmer friends there assembled to picture to themselves what would have been their own financial condition and the general business situation in the section of the State in which they lived had there been no wheat program for the last 7 years, during which this administration has been in power. For more than a half century I have been well acquainted with wheat-farming conditions in the Pacific Northwest. This intimate acquaintance commenced when I became a farm hand in Umatilla County in 1883, and my wheat education continued during the time that I was county school superintendent, county clerk, member of the State senate, Governor, Member of Congress—most of the time a farmer and wheat raiser. I have set forth the results of my experience and observation in a speech called Wheat, published in the CONGRESSIONAL RECORD of December 1937.

During this period which I knew so well as a farmer, and up to my days as a Congressman, in the past 7 years the price of eastern Oregon wheat was always fixed in Liverpool. The farmer could ascertain the Liverpool price, take out the transportation charges to tidewater and the ocean freight, and approximate the price he would receive for his wheat. It was different during the World War period, when our wheat was sold at a fixed price. It has been different under our farm program of the last 7 years, when the farmer has certainly been coming into his own.

CITIES DEMAND CHEAP FOOD

I am sincerely hoping that the city folks who depend upon farm buyers for their manufactured wares are beginning to realize that the farmer is entitled to a decent living wage and that he should not be allowed to drift to peasantry, as he was unquestionably drifting until the inauguration of our New Deal farm program. It is true that the industrial East wants cheap food, even if it is imported food. This demand for cheap food is destructive to farmers' prosperity, and, if it persists, will surely ruin our boasted high living standards of American farmers. Nevertheless, the thinking workingman of the city must realize that if there is to be a satisfactory market for the products of his factory, the farmer who raises his food must also receive cost of production, with a reasonable profit added thereto. The farmers are entitled to an equitable share of the national income. They must get a larger share than they have received if they are to be saved from peasantry. It is gross injustice to expect them to feed our city people without adequate return.

HISTORY REPEATS OLD PATTERNS

In the Beards' Rise of American Civilization they use these words in opening their chapter on The Triumph of Business Enterprise:

> In the development of every great civilization in the past there had come to the top groups of rich and enterprising businessmen devoted to commerce, industry, and finance. The sources of their fortunes varied and their modes of acquisition differed from age to age, but they formed a dynamic element in every ancient society that passed beyond the primitive stage of culture, and everywhere they advanced with deadly precision on the classes which derived their sustenance from agriculture.

During the last 7 years the present administration has been making, as it still is making, a desperate effort to reverse the trend of history and save that group which derives its sustenance from agriculture from the oppression of groups engaged in transportation, industry, and finance.

In our frequent motor trips from the Atlantic border to the Pacific I have made close study and observation of farming conditions, and I find that farmers can readily be divided into three groups:

First, those who enjoy the pleasure of managing farms but have independent incomes from some other business. Their farms are universally run with financial loss. They are true agriculturists, gentlemen farmers.

The second class includes those who farm lands handed down from father to son. Some of these farms are free from mortgage and are generally run at a small profit, enough to pay for living expenses and education of children.

Then I find a third class of farmers who are not drifting into peasantry but are already peasants. Many of them are tenant farmers and sharecroppers. Peasantry for many of them is an actuality. The children of this class generally show the cruel marks of undernourishment and near starvation. They are ill-clad, ill-fed, and ill-housed.

The importance of this human problem has not yet been grasped by the rulers of America. It will shortly become seriously threatening to our form of government unless something is really done about it. I know of no curative legislation under consideration, though there have been many experiments.

TRIPLE A ACT OF 1933

When Congress met in March 1933 events in agricultural legislation marked a new era in the history of wheat production in America. The Government of the United States reached out its strong arm to uphold and assist the wheat farmer and to relieve him from his bondage to the wholesale price of wheat in Liverpool, England. In March 1933 corn at country stations was 20 cents a bushel; wheat was 34 cents—in my home town, La Grande, Oreg., it brought 25 cents—oats sold for 13 cents; cotton had been less than 5 cents a pound. The total cash income in 1932 for the farmers of America was $4,606,000,000—the lowest year on record. I remember distinctly when President Roosevelt spoke at Gresham, Oreg., in 1932, he made mention of this point, and it impressed me deeply. Of course, we did not then have the complete figures for 1932 but we did have them for prior years, and he said that this constant downward trend of the farm income must be stayed. We have gone a long, long way since then; we have made great progress.

In general, I believe the agricultural program growing out of the emergency in 1933 is the best ever devised at any time by any nation in the world. It is working so well that more than 6,000,000 farmers who farm over 80 percent of the crop land in the United States are participating in it beneficially. I am delighted to report that the farmers of my district, one of the largest agricultural districts in the United States, are not only under the program, but most of them are enthusiastically supporting it. I am intensely interested in prosperity for all lines of farming in our country, but, without being narrowly sectional in my interests, I naturally concern myself with the success of the farm activities of eastern Oregon, a wheat and stock producing section. Never can we of the Northwest consume the amount of wheat we produce; we fully realize the problems created by a surplus crop and distance from markets.

WHAT MIGHT HAVE HAPPENED

What would have happened to the farmers of America if we had not had a farm program during these changing and revolutionary years? Note the average price of a bushel of wheat received by farmers for each year since 1931:

Crop grown in—	*Cents*
1931	39.0
1932	38.2
1933	74.4
1934	84.8
1935	83.2
1936	102.6
1937	96.3
1938	56.1
1939	67.6

These figures do not include the payments to wheat farmers under the program. Had it not been for the farm program of the present administration, the farming world would have faced disaster and bankruptcy. The old A. A. A. program, which was worked out by the Committee on Agriculture of the House, in cooperation with the Department, during the spring of 1933, was unquestionably the fairest and best agricultural program ever devised by a legislative body. If it had not been for that program American farmers would have taken the world price for wheat, less cost of transportation, which would have been in the neighborhood of 25 cents a bushel throughout eastern Oregon—yes; 25 cents a bushel through nearly every month since March 1933, except for the

crop of 1937. Thanks to the Congress of the United States and the leadership which worked out the A. A. A., under a sympathetic President in the White House, the American farmer did not have to take the world price for his wheat.

This year, with the conservation payment of 17 cents, and the price-adjustment payment of 11 cents, and an average price throughout the country of 70 cents, the farmer realized nearly a dollar a bushel for his wheat. Unquestionably this price followed as the result of legislation. The farmers have been given this half-bright day by reason of the farmers' tariff, which has kept the sheriff from foreclosing many a mortgage and kept many a farm home intact.

WHEAT CONSUMPTION DECREASES

We know that the consumption of wheat has not anywhere increased with the population. In other words, we are consuming less wheat per capita because food habits have changed, owing to poverty and also to the fickleness of consumer ideas and habits following radio and press propaganda. I remember listening about 10 years ago to a speech before wheat growers in Pendleton, Oreg., made by Alexander Legge, formerly President of the Farm Board, in which he stated the consumption of wheat in the United States had dropped almost 1 bushel per capita in a period of 20 years. He declared that farmers must adjust themselves to these world-changed conditions.

Domestic consumption of wheat varies little from year to year, except when low prices cause more to be used for feed. It ranges from 650,000,000 to 700,000,000 bushels under normal conditions—roughly, 500,000,000 for food, 80,000,000 for seed, and 80,000,000 for feed.

BIG SURPLUS OF WHEAT

Farmers, being only partially organized in their few loosely bound associations, have not been able to act as a unit to meet these changed conditions. Being widely scattered and unorganized, they have not been able to do what industry has always done, namely, to adjust their production to the demand. The result was that we had, at the close of the 1939 harvest season, the largest world supply of wheat on hand ever known, 5,458,000,000 bushels, compared with 4,630,000,000 for the 5 years 1933–37. In August 1939, with this tremendous surplus of wheat in sight, the price of wheat in Liverpool went down to 48 cents a bushel, the lowest price since 1592, 350 years ago. Remember, that lowest price was recorded 15 years before Jamestown was settled; 28 years before the Pilgrims landed at Plymouth. It is estimated that on the 1st day of July 1940 there will be a world surplus of more than 1,000,000,000 bushels of wheat and no place to sell it for money.

WHEAT AND THE TARIFF

We know full well that before the World War, when we were a debtor nation owing large sums of money to Europe, the market for our wheat was far better than it has been since we became a creditor nation. Other nations today owe us money. The foreigner who needs our wheat does not have the dollar exchange he had when Americans owed large sums of money in his country; therefore, he is not able to buy our products.

Unquestionably, the Smoot-Hawley tariff was a potent factor in bringing economic disaster to the farmers of our entire country. The wheat purchasing countries formerly demanded from the wheat exporting countries a little over 900,000,000 bushels of wheat annually. Today they take less than 600,000,000 bushels, many of them having increased their own production. This year Germany is subsidizing their production of wheat at the rate of $40 per acre for each acre of sod and pasture land put into wheat. Great Britain is paying $10 subsidy to all who will plow up their large estates and plant them into wheat. Before the last World War, American farmers furnished about 16 percent of the wheat sold abroad, but the total export trade was then 60 percent greater than it is today. Only 10 years ago wheat exporting countries sold as much as 950,000,000 bushels to wheat-consuming countries. Last year these wheat-consuming countries took only 535,000,000 bushels. We have held our place in the exporting market because we have had a wheat program. This would not be possible if it were not for the laws passed by Congress in the interest of the wheat producers.

SUBSIDY FOR EXPORTS OF WHEAT

In the 10 years from 1913 to 1922, inclusive, the United States exported a total of 2,455,000,000 bushels of wheat and flour. The year-by-year exportation, with average price of wheat for each year is as follows:

Year	Production (million bushels)	Average United States farm price (cents per bushel)	Net exports (million bushels)
1913	751	79.4	146
1914	897	97.4	335
1915	1,000	96.1	240
1916	635	143.0	181
1917	620	205.0	103
1918	904	205.0	277
1919	952	216.0	217
1920	843	183.0	313
1921	818	103.0	266
1922	847	96.6	205
1923	759	92.6	132
1924	842	124.7	255
1925	669	143.7	93
1926	832	121.7	206
1927	875	119.0	191
1928	914	99.8	142
1929	823	103.6	140
1930	886	67.1	112
1931	942	39.0	124
1932	757	38.2	32
1933	552	74.4	26
1934	526	84.8	[1] 4
1935	626	83.2	[1] 31
1936	627	102.6	[1] 26
1937	876	96.3	104
1938	932	56.1	106
1939	755	67.6	[2] 50

[1] Net import. [2] Preliminary estimate.

IMPORTATIONS CONTROLLED

In addition to direct payments for the subsidizing of wheat for export the last Congress also passed H. R. 7171. This bill limited the importation of any commodity which would have a detrimental effect upon domestic prices. It gave the Tariff Commission authority to call hearings at any time a commodity was being imported or was threatened to be imported. In the case of wheat, nearly 140,000,000 bushels were lying at ports just across the border in position to move into the United States. There was an excess of 40,000,000 bushels already entered the United States under bond. If this bill nad not been passed, there is every reason to believe that much of this wheat would have been thrown upon the American market, with the resulting bad effect upon prices. Remember, this act gives the President, after recommendation by the Tariff Commission, the authority to embargo, establish a quota, or to raise the tariff duties at least 50 percent, which, in the case of wheat, would mean raising the tariff from 42 cents a bushel to 63 cents a bushel.

THE PACIFIC NORTHWEST WHEAT SUBSIDY

During the marketing year 1938 and 1939 we marketed abroad 118,000,000 bushels of wheat and wheat products, 107,000,000 of this being actual wheat. We of the Pacific Northwest know full well that this was done by paying an export subsidy. Out of the 118,000,000 bushels exported, 43 percent, or more than two-fifths, went from the Pacific Northwest. Programs to assist flour exports from the Pacific Northwest to the Philippine Islands have been in continuous operation since March 1936. This program is being continued, in spite of the fact of the suspension of the general wheat and flour export program as announced by the Department of Agriculture on December 29, 1939. The Pacific Northwest is the only area of the United States that is so favored.

I am informed that the Department will continue to offer export subsidy payments for wheat shipments from the Pacific Northwest area to the Philippine Islands, and on wheat and flour to China. These subsidies from the United States Treasury for the benefit of the growers of soft wheat have cost the Treasury over $22,000,000. The farmers of the Pacific Northwest should not forget this. This large export

program, together with the ever-normal granary, has kept the domestic price of wheat more than 30 cents higher than the world's market levels. This is absolutely true. Let no man nor organization tell you to the contrary. With our domestic consumption, and our exports under the subsidy plan, we can dispose of something like 750,000,000 bushels annually.

The soft, white wheat grown in the Pacific Northwest raises some problems that are quite different and peculiar when compared with hard winter or soft red wheat. Since the first settler plowed these western fields and planted them into wheat there has been more wheat produced in the Northwest than we were able to use, and we had to depend upon shipping the surplus either to the East and South in the shape of soft, white wheat flour or export it abroad.

It is possible to sell flour made from this soft white wheat in the South only if we take a much lower price than is paid wheat raisers in other areas of the United States. This is because of the enormous distance of our outlets from the source of production. The farmers who raise soft red wheat in Kentucky, Ohio, and Indiana are only a few miles from their consumers, while we have to pay freight on this Pacific Northwest flour often for more than 3,000 miles to get it in the hands of the ultimate consumer.

During the period 1920–28, when more than $18,000,000,000 was loaned to European nations, much of the Pacific Northwest wheat was exported to Europe, to Ireland, and to Great Britain. When the United States ceased to loan money, the Pacific Northwest lost this favorable market, which will probably never be regained in our time. What, then, is the answer for wheat growers in the Northwest, with their large export markets closed, with their high freight rates to the East and the deep South? It seems to me that Pacific Northwest wheat growers should limit their production to what they can sell at a profit, plus a small amount that they might be able to export under subsidy, plus a reasonable amount to be stored in the "ever-normal granaries" to be used in case of emergency.

WHEAT ACREAGE

A disposition of something like 750,000,000 bushels annually, translated into acreage, means a total of something between sixty and sixty-five million acres of wheat annually. In 1939 the wheat-acreage allotment was less than that, because we had in 1938 one of the largest domestic wheat crops ever grown, and consequently a tremendous surplus hold-over. In the year just closed production was lower, and under the act total national wheat-acreage allotment for 1940 was increased to 62,000,000 acres, with the same amount for 1941. This is a clear demonstration of the flexibility of the new farm program. The acreage of any commodity may be increased in order to make the supply meet the demand. This is a perfect example of "agricultural adjustment," precisely what industry has been doing through many long years, and what agriculture must hold to if farmers are to enjoy the comforts afforded by our civilization.

ADJUSTING ACREAGE TO DEMAND

Adjusting the supply to the potential market is the secret of agricultural success the same as in industry. Never in the world could farmers have done this individually any more than one factory could have set the pace in the industrial world. It is because we have the A. A. A. program, given us by Congress, and a favorable Administration in the Presidency and Department of Agriculture, that the Government, States, and counties in cooperation are enabled to carry out this program. Oregon has furnished leadership of ability and high character.

In allotting acreage, provision is made, first, for all the wheat that can be consumed by the domestic market, then for the demand by the export market, plus 30 percent to be held in reserve in the ever-normal granary. This surely is a conclusive answer to the critics who have called the present farm program one of scarcity. It is indeed a program of abundance.

CHANGED WORLD CONDITIONS

The present dreadful war in Europe will make more necessary than ever an established wheat program in America, and after this war is over the warring nations, which means practically all of Europe, will be in no financial condition to buy our surplus agricultural products—including wheat. They will have little gold, for today we have nearly 70 percent of the monetary gold of the world. They will have no commodities that we want or could use. It is obvious that a program must be worked out with American agriculture, depending very little on export trade.

As I discuss this question of disposal of our wheat supply, I realize that we may soon enter upon a new era so far as our surplus crops are concerned. The great war among trading nations has closed ports, exhausted purchasing power formerly used for foodstuffs, and forced us to face abnormal conditions now, and probably for a long period in the future. Just what will result from the European situation no one is wise enough to forecast. Starving populations, living in countries subjected to mechanized warfare, cannot at once till fields which have been desecrated by tanks. Factories which have been bombed will not produce manufactured exports which can again start trade relations between nations.

Here, in the United States, the unprecedented situation has been met by unprecedented action. On May 18, 1940, Secretary Wallace sent the following telegram to all grain exchanges:

> As a temporary protective measure against further price disturbance from current war developments, it is requested that the governing board of your exchange, effective Monday, May 20, prohibit trading in grain futures until further notice at prices below closing prices on Saturday, May 18.

Wheat prices had dropped 32 cents on the Chicago market in the course of a few days of war panic. Again I ask my farmer and business friends to consider the conditions which would have prevailed in our wheat sections under the old regime.

There was a great outcry in the eastern press after the speculative bubble was pricked, and the collapse in the grain market came because of the effort to increase, through congressional legislation, the borrowing power of the Commodity Credit Corporation. This increase was thought by farm friends in Congress essential to provide price-stabilizing loans on various farm products, in order to meet the emergency due to decreased agricultural exports occasioned by the war. It was felt by some in Washington, D. C., that additional price-fixing legislation might be necessary, and that its constitutionality would surely have to be tested in the courts. No one yet knows what readjustment may be forced upon us.

THE LOAN PROVISION

The very heart of the wheat program, especially in the Pacific Northwest, is the loan provision. Under this provision, the wheat producer is allowed to borrow from the Government a certain percentage of the parity price of wheat. That loan has, approximately, 7 months before maturity, if made early after harvest. With it is the right of repossessing the wheat and repaying the loan with addition of carrying charges and 3-percent interest. The wheat producer may, should he so desire, consider the matter closed, in which event the Government takes the wheat at the amount loaned. We know this form of transaction as the nonrecourse note. The Government takes the risk; the wheat producer gets the advantage of a possible rising market during the life of the note, or until the following harvest.

The farmer is not obliged to sell his wheat immediately after harvest. He is allowed several months to consider the market, and mind you, during this time, he is taking no great risk if he has taken the loan. I am informed by the Department of Agriculture that 168,000,000 bushels of wheat were stored under the loan in 1939. This was the first time in all history that a producer has been allowed to borrow money on his crop at 3 percent, enjoying the protective advantages he has under the wheat loans.

Nothing like this loan program has ever before been known anywhere, anytime, in the history of agriculture. Can the wheat farmers, particularly those of eastern Oregon, who are so dependent upon the Government for their prosperity, ever forget the effective work of this Congress and the present administration? Had our farmers been obliged to sell their wheat in the usual manner, under the whip and spur of speculators and at the mercy of the market manipulators, they would have been ruined. Financiers and business interests, including banks and merchants, would have joined the farmers on a sad trail to the bankruptcy courts.

This loan has enabled the farmer to hold his wheat off the market until the Government backing has stabilized the price. The benefits are more far reaching than the amounts actually loaned to the farmers. Many times wheat is higher than the loan value, and still the farmer prefers to take the loan. During harvest, the price of wheat on the market is generally lower than the loan value, but when the farmers begin to take their loans, the market quickly recovers, and often runs higher than loan value.

As a matter of fact the farmer's present price of wheat is a fictitious price maintained by Government regulation. In the fall of 1939, when 700,000,000 bushels were cleared for an average loan value of 64 cents the cash price of wheat was 48 cents. The result was that farmers, by withholding supplies, actually had, for the first time in history, a corner on the market. The sustaining influence of the loan value kept wheat in the Pacific Northwest from plunging downward in price to 18 cents.

I feel much personal pride in the loan feature of the wheat program, for it was upon my motion that this provision was inserted into the program, and carried by a very close vote in the Committee on Agriculture of the House.

CROP INSURANCE

I have been a member of the Committee on Agriculture of the House since March 1933, and the only member from either party on that committee from the Pacific coast. I have listened to arguments for many and diverse panaceas for the troubles which affect agriculture. Several years ago a proposition was made to insure the farmer against adverse world conditions as well as against such calamities of nature as drought and insect pests, against lean years as well as abundant years—in other words, crop insurance on wheat. When this was first presented to the committee, I quite vigorously opposed the idea on the ground that wheat insurance would encourage the growing of wheat on submarginal land, when the whole program affecting wheat should be one of reduction and control. I contended that nothing should be done by law to encourage the planting of wheat on submarginal lands. Owing to determined opposition in the committee, the wheat-insurance program was delayed from year to year.

After the Supreme Court had, on January 6, 1936, declared the processing tax unconstitutional, and the present conservation program was devised, the pressure for wheat insurance became much stronger. Finally, I and other opponents, found it necessary to change our attitude toward the plan, and it is now incorporated as a part of the wheat program. I still believe the plan has encouraged the planting of wheat on submarginal lands and has increased the production of wheat many millions of bushels.

The farmer sows his crop knowing that, under the insurance plan, he will be assured so many bushels per acre, if he gives the required attention to the growing of the crop. If the guaranteed yield is not produced, the grower will receive from the Federal Crop Insurance Corporation, out of its reserve, the necessary number of bushels to equal such guaranteed yield; then, under the guaranteed yield, together with its loan value, the banker knows just what will be the minimum value of the wheat produced on the farm acreage. It is a perfect set-up for the bankers or other money lenders, and for the large, mechanized, commercial farm operators. It is simply impossible for the Government to observe all the farming operations on these lands, and careless farming, if not properly appraised, may result in the payment of unjustified indemnities. The administration of the insurance program will have to be carried on with great caution in the future, if premiums are to cover losses over a period of years as was intended by those responsible for the passage of the act. When we have learned properly to adjust crop insurance on wheat, it will probably help to stabilize the ever-normal granary. About 380,000 have applied for 1940 crop insurance, and over 167,000 took advantage of it in 1939. About one-fourth of these farmers lost all or a part of their income from one cause or another. Under the insurance, they were enabled to collect from one-half to three-fourths of the normal production. Possibly wheat insurance will work out in the future, but it will require very careful administration.

SOIL CONSERVATION

I now come to a feature of the program that, probably, through the years, is the most important of all—the soil conservation program. It is right and proper that the Secretary of Agriculture should place conservation first in his program. This good earth has got to sustain lives forever. Those peoples whose families live on the same lands through countless generations have learned to value and conserve the soil. The Chinese were called by a great American conservationist, who studied their methods, "farmers of 30 centuries." The English, moved by their law and custom of primogeniture, make it a point of honor to hand down improved lands. Their tenants are allowed credit for soil-improving practices through many years, even if they move from the land they have farmed so intelligently and at a sacrifice. We have mined our lands, driven by high taxes, high interest rates, and greed. Now that our free lands are gone and our whole economy is changed and changing with amazing rapidity, we must adapt ourselves to more civilized farming methods.

I like very much what Secretary Wallace said recently in an address before a meeting of the Association of Land Grant Colleges:

> What other nations fight for we have. We must, as a Nation, guard these precious and irreplacable assets. Not only for posterity, but for ourselves and our own immediate welfare, we must fight the battle with all the vigor we possess. We must combat erosion and destruction just as we would combat any insidious enemy lurking within our gates. That's an indispensable part of our American patriotism today.

I wonder how many of our people really know what a vital problem soil conservation presents. Farmers know better than city people, but I doubt if farmers themselves fully understood, until the coming of the A. A. A., how tremendously important it is to take care of their soil. Perhaps if it had not been for the World War we should not even now realize it. We did not know much about dust storms until a few years ago. But we now know that dust storms are caused by wholesale erosion of land, much of which never should have been plowed. We know that millions of acres of once precious soil have been destroyed. It has been estimated that we have lost in the United States one-fourth of our total topsoil. Some experts estimate that we would lose one-half of it within 30 years if nothing were done to save it; and other authorities believe that within 100 years this country would cease to be a world power if we kept on farming in the old exploitative way. We have had to learn our lesson in a costly manner forced by drought in a depression era.

Fifty-eight years ago I traveled by covered wagon across most of Kansas, Wyoming, and Colorado. Some buffalo were still on the plains, though the great herds had been broken up a few years before. We journeyed across miles and miles of low, curly grass known as buffalo grass, which is the most nutritious grass grown from the soil. It had the peculiar quality of curing itself, and whether green or brown it was nutritious to stock. This is the same land that since has been known as the Dust Bowl, which has brought sorrow to so many farms and villages. In reading the story of the Mongols, by Harold Lamb, we learn how, through the centuries, the deserts of central Asia have increased and many

former grassy lands have disappeared and been replaced by the dust bowls of central Asia.

It is fortunate that this administration has taken steps to prevent the repetition of the disaster that came to those people who for centuries followed grass. I know that farmers' incomes are still below parity; farmers are in debt and need farm and home improvements; unaided they could not afford to sacrifice immediate cash interest for the long-time welfare of the Nation's resources. Without the program and Government help the average farmer might be strongly tempted to repeat the soil exploitation of the last World War period. Indeed, hard times would drive him to it for self-protection.

Conservation costs money. Farmers themselves, scattered and without Government aid, could not undertake to solve this great problem of conservation. They must have financial and organization assistance and protection, and this, thanks to a far-seeing Congress and providential leadership in the Government, has been given them under the soil-conservation features of the A. A. A.

Soil conservation necessarily means acreage adjustment from soil-depleting to soil-building crops and soil-building practices. All these are conservation measures. The Nation cannot afford to sell its soil fertility at 10 cents a bushel for corn and 25 cents a bushel for wheat or 5 cents a pound for cotton. Acreage reduction of soil-depleting crops must therefore be greater in the future than now if we are to win the conservation fight. The ever-normal granary is a conservation program which stores soil fertility in the granary in fat years for use in lean years instead of spilling it out in a great flood to be wasted at ruinous prices in years of abundance and permitting starvation to prevail during lean years.

ADMINISTRATORS OF THE PROGRAM

The farmers of this Nation—indeed, all of its people—should be grateful that we have at the head of the Department of Agriculture a man schooled in agricultural history and practice, Secretary Henry A. Wallace. Wheat producers have confidence in R. M. Evans, the competent head of the Agricultural Adjustment Administration. The wheat farmers of the Pacific Northwest take particular pride in the fact that N. E. Dodd, of Baker County, Oreg., is director of the western division, having the wheat program under his direct supervision. Our wheat farmers applaud Mr. Dodd for his energetic, far-sighted activity and cooperative attitude. This group is recording the greatest accomplishment for agriculture this Nation has ever enjoyed. They are performing a work of education not only for the farmer but for the public as a whole. Today, largely through their efforts, we know that soil conservation is among the Nation's chief problems, and that the expenditure of millions and millions of dollars of Federal money to help the farmers save their soil is not a bounty, it is not a subsidy, but it is a sound investment which will return many, many times what it has cost. The benefits will reach far into other generations.

PARITY PAYMENTS

On Thursday, May 9, 1940, the House approved the Senate amendment to the appropriation bill for $212,000,000 for partial parity payments on basic agricultural commodities—wheat, cotton, corn, tobacco, and rice. This appropriation was made after a carefully organized campaign by a House majority of only 31. It provides the money to make partial parity payments in 1941. The money to make partial parity payments in 1940 was approved the previous year. It is my opinion that this is probably the last direct appropriation from the Federal Treasury to pay to the producers partial parity on basic farm commodities. It is my belief that a plan must be now found to give the farmers cost of production or parity payments without resorting to direct appropriation. "Cost of production" is a very indefinite term. It may range on wheat from 50 cents a bushel in Oregon, under favorable conditions, to $1.80 a bushel in Maine. We have testimony to that effect on record in Washington.

The Secretary of Agriculture has stated that he does not know of any method by which an average can be found to estimate the cost of production on basic farm commodities. The Department has, however, made careful studies of what is known as parity. By the term "parity price" we mean a price which will give the farmers each year for their agricultural commodities an amount which will enable them to purchase in the market the same quantity of manufactured commodities they could buy in the basic period.

Briefly, parity legislation is intended to raise farm-purchasing power to the level which it reached in prosperous times, and to put it on a parity, or equality, or par with the income of other groups, especially industrial groups, which buy farm foods and sell manufactured material to the farmers. The farm producers are constantly getting less in buying power than they had before the World War, while other groups have been protected and stabilized. The farmer must be enabled, through legislation, to secure some of the benefits which industrial organization and protective tariffs have given manufacturers, and which organized labor has secured through unionization. The millions of widely scattered farmers, raising crops under totally different climatic and marketing conditions, can never be welded into a compact organization. They are forced to secure remedies through legislative action.

The base period selected for estimating prices was 1909 to 1914, inclusive. This period was decided upon as a basis of calculation because students of agriculture are generally agreed that the relationship between industry, labor, finance, transportation, and farming activities in those years was the most favorable and equitable for all activities concerned. During this base period, a relationship existed in prices for industrial products, transportation costs, cost of government, and cost of farming which we would like very much to emulate today. Since 1914, industrial commodities which farmers must purchase, such as farm machinery, have advanced rapidly in price. Some articles have doubled in price. Taxes have materially increased. We must have today for the farmer the same ratio between what he buys and sells in farming activity that existed in the base period. He must possess the same buying power today that he had in that vanished period of well-balanced prosperity from 1909 to 1914. Parity would vary, of course, from year to year, as prices of farm machinery advance—and these prices seldom fall—and the farmers' cost of doing business increases—these costs seldom decrease. Using these factors, statisticians of the Department of Agriculture have found that wheat should sell today at $1.13 per bushel to give the farmers parity.

Another factor involved is that parity prices depend materially on whether the commodities in question have an exportable surplus, or whether it is necessary to import them to fill domestic needs. This discussion considers only those basic commodities of which we have an exportable surplus. At the present time we have such an exportable surplus of cotton, rice, peanuts, tobacco, and wheat. We need to import wool.

After very careful study, it is my belief that for such surplus basic commodities, parity prices may be secured for the producer by asking domestic consumers of these commodities to pay sufficient for them so that farmers will have parity. Because I am very familiar with wheat farming, my discussion has been confined to wheat production. As a Member of the Congress, I am interested in other commodities, and I believe the same arguments used here for wheat will apply to all basic commodities, except corn.

The able editor of the East Oregonian, a paper published in the center of a great wheat-producing section at Pendleton, Oreg., watches wheat legislation very closely and comments upon it very cogently. No one has better expressed the justification of parity price legislation. I quote:

> The parity money is not relief money and should not be so considered. The purpose is to correct a plain injustice worked upon surplus crop farmers by the Tariff Act and by present world conditions. This policy can be defended, yet in the minds of many people all expenditures not for regular operations of the Government are placed in the relief category, hence farm adjustment suffers. If we had parity prices there would be less need of the W. P. A. There would be no recession, but metropolitan people seem unable to see the connection between the surplus and general prosperity.

COST OF PRODUCTION

Last winter the Committee on Agriculture of the House held long and extensive hearings on a cost of production bill for domestic commodities, introduced by several Members of Congress. However, a majority of the committee voted an unfavorable report on this bill. I voted favorably and recommended that it be amended so as to provide for strong control of production. The bill then considered has now been changed from cost of production to a parity payment bill, which is now pending before the committee. That bill includes all farm commodities that have a total cash sale value of $10,000,000 or more annually. Hearings have not been held on that parity payment bill. There is a grave question whether the Government of the United States can fix prices on farm commodities without providing for the money necessary to buy up, at the fixed price, all the commodities offered. This would take an immense sum of money. It is a debatable question whether the Government can so fix prices of farm commodities. Advocates of the plan say, "Surely the Government has fixed the minimum wage; has fixed basic farm interest rates; it can surely fix the price of wheat." It is my belief that the Government must firmly control production in any agricultural program which includes guarantees.

THE CERTIFICATE PLAN

On April 8, 1940, I introduced H. R. 9273, a bill to amend the present Agricultural Adjustment Act so as to provide a certificate plan for wheat, cotton, rice, tobacco, and peanuts. Corn was not included, because it was not believed that the plan would work with corn, for the major portion of that commodity is "processed" by hogs and cattle. It would be very difficult to make paymasters out of these "processors." It is my hope that this legislation will be enacted, as it will fix a permanent farm price for that portion of these commodities domestically consumed. The bill is not one for a new law, but it offers a series of amendments to the A. A. Act of 1938. This bill would provide for requiring the processors or millers of wheat to purchase certificates previously issued, in an amount sufficient to cover the flour produced for domestic consumption. There would be no certificate required for flour or wheat exported by the United States, but certificates would be required for all importations of these products. My bill would absolutely and automatically prevent the importation of wheat or flour, as the cost of these certificates would be an addition to the present protective-tariff duties. The Secretary of Agriculture would be required to set the price on wheat certificates at not less than 10 cents a bushel, and not to exceed 25 cents a bushel. The certificates would be distributed to the farmers by the Secretary, immediately after planting, for the allotment granted to each farmer by the county committee. The bill provides that a pool be organized, funds to be supplied by the Surplus Commodities Credit Corporation to provide for the purchase and sale of these wheat certificates. The money paid by the millers for these certificates would go into the Treasury of the United States and be held in a special fund to pay for the certificates previously distributed to the producers of wheat. The certificates for each farm would be divided between the landlord and tenants on the same basis as payments are now divided under the present program. No wheat farmer will receive certificates nor be allowed to sell them unless he fully complies with the wheat allotment of the agricultural-adjustment program.

CONSTITUTIONALITY OF THE CERTIFICATE PLAN

It has been argued that this is but another processor's tax, which the Supreme Court of the United States, in its decision of January 6, 1936, in the famous Hoosac Mills case, *United States* v. *Butler* (297 U. S., p. 1) declared unconstitutional. It should not be forgotten, however, that three judges of the nine—Stone, Brandeis, and Cardozo—signed the strong dissenting opinion, and had there been two more, the act would have been declared constitutional. Since that decision was given by the High Court, three members of that body who voted "unconstitutional" have been retired, and there are now three new judges in their places, with conditions everywhere changed. The trend indicates they might take a more liberal view than the extremely conservative decision rendered in 1936. Then, too, this plan differs in its detail very materially from the old processing tax. Competent lawyers have expressed the opinion that there is no question about its constitutionality.

COST OF PARITY TO CONSUMERS

A bushel of wheat will make 62 loaves of bread. An addition of 1 cent on the price of a loaf of bread would give the farmers an additional 62 cents a bushel for their wheat, if there were no chiselers. The highest possible additional wheat cost to the baker or miller, under my bill, would be 25 cents a bushel, or less than one-half cent per loaf. The lowest price fixed in my bill would be one-sixth of a cent on a loaf of bread. That is about the amount of partial parity payment that the farmer will receive in 1940 and 1941.

I propose that it shall be required by law that every bread wrapper shall contain thereon a statement as to what part of the cost of the loaf of bread was due to the price of wheat contained in the loaf, also the fraction of a cent caused by the certificate plan. Processors who were out of sympathy with the program, as well as the inevitable chiselers who are always a menace, took advantage of the consumers and producers as well as of the Government, when the processing tax was being collected under the A. A. A. Act. They tacked onto the term "processing tax" every possible cost of doing business, such as wages, profits, and so forth, and the poor old farmer in overalls got blamed for it all. The farmer got less than one-half cent per loaf benefit under the old processing tax which the chiselers claimed bore down so heavily on the consumer. This bill I have introduced could not under any circumstances increase the cost of bread more than five-twelfths of a cent per loaf.

I find the following pertinent information in the record of hearings in June and July 1939 before a subcommittee of the Committee on Agriculture of the United States Senate. This is in the testimony of Mr. M. W. Thatcher of St. Paul, Minn., representing the National Farmers' Union:

I recall that in 1931, when wheat prices went tumbling, Senator CAPPER introduced a resolution that was approved by the Senate for inquiry as to why there was a great decline in wheat prices when there was not a comparable decline in bread prices, and at the hearings on that resolution Mr. Sidney Anderson, formerly a Member of the House, then and now vice president of General Mills, testified before your Senate Committee on Agriculture that the evolution of milling, selling to the big bakeries and their distribution had brought about such changes that in putting in the ingredients, sugar, butter, and other things, wrapping the loaf, slicing the loaf, delivering it, and so forth, the wheat cost in the delivered loaf of bread was so inconsequential that you could hardly reflect it in the price of the loaf of bread, even though the wheat farmer got nothing for it. That is testimony of record here in Congress before your Senate committee in contrast to the statement that you have just read by the gentleman representing the millers.

My interest led me to read the hearings of February 10, 1931, to which Mr. Thatcher referred. I am sure that the actual words in the discussion will prove exceedingly interesting to wheat farmers:

Senator CAPPER. Haven't the people, certainly, a good reason to expect a decided reduction in the price of bread as a result of the economic situation disclosed by these graphs?

Mr. ANDERSON. But you must take into consideration there that as bread is made today, and has been made for several years, flour is a relatively small factor of cost in the total cost of the loaf of bread * * * flour is not the governing factor in the price of bread. * * * The governing factors very largely are other ingredients, labor costs, distribution costs, and costs of that sort. If the flour cost the baker nothing, you still have difficulty in reflecting that difference in cost into a loaf of bread.

Senator CAPPER then read from statements released by General Mills to newspapers on August 13, 1930.

The price of flour is not the governing factor in the price of bread. For the decrease of every dollar in the price of every barrel of flour, the decrease in the cost of the flour to the baker is only 0.33 cent per pound loaf. If the farmer had his wheat for nothing, if the miller milled his flour for nothing, if the railroad hauled the flour for nothing, then it would cost the baker 4.2 cents per pound loaf, which might be fairly summed up in the statement that value for value, there is nothing as cheap or as good as bread.

MEANING OF PARITY TO THE WHEAT FARMERS

When I introduced my bill on the certificate plan for parity payments on basic commodities, I explained it in a speech in the House on April 8, 1940. At the end of that speech I presented a tabular illustration of the operation of the certificate plan for the wheat farmer. I know of no better way to illustrate the matter and to show the benefit of the certificate plan than to reprint that section:

ON NATIONAL BASIS (Assume this situation)		ON BASIS OF INDIVIDUAL FARMER (Assume this situation)	
Normal production of allotment (bushels), 750,000,000.		Wheat-acreage allotment for farm (acres), 100.	
Part of production consumed domestically for food (bushels), 500,000,000.		Normal production per acre on farm's allotment (bushels), 12.	
The remainder of the production is exported or used for feed and seed.			
Market price of wheat per bushel	$0.75	Wheat - conservation payment, 10 cents.	
Parity price of wheat per bushel	1.13		
On basis of this assumed situation, the price is 38 cents below parity. In order to increase the income from the production consumed domestically, the 38 cents is applied to the 500,000,000 bushels. This would amount to $190,000,000, and would be the amount which the certificates would have to raise.		Since the normal production from the farmer's allotment is 1,200 bushels, he would receive 1,200 certificates, each worth 25 cents. He would receive these as soon as it was established that he had seeded within his acreage allotment.	
Since the certificates would be issued on basis of the 750,000,000-bushel normal production (assuming 1 certificate for each bushel), the value of each certificate would be determined by dividing $190,000,000 by 750,000,000. This would be 25 cents—the value of the certificate received by the farmer.		On basis of figures used in this example, domestic consumption (excluding feed and seed) is two-thirds of the Nation's normal production. Likewise, the part of the farmer's crop going for domestic consumption as food is two-thirds of his normal production, or, in this case, 800 bushels.	
Since manufacturers and importers must buy 750,000,000 certificates in connection with the sale or importation of articles manufactured from 500,000,000 bushels of wheat, this means they will buy 1½ certificates for every bushel sold. Thus, the total cost per bushel of wheat for domestic consumption would be:		Under the certificate plan, this is what he would receive:	
Market price	$0.75	Sale in market (1,200 bushels at 75 cents)	$900
1½ certificates at 25 cents	.37½	1,200 certificates at 25 cents	300
Total	1.12½	Conservation payment at 10 cents	120
This is approximately the parity price.		In other words, on his entire production, the farmer would receive $1,320, or $1.10 a bushel, which is 97 percent of parity. On just the portion of his crop consumed domestically as food, he would receive, in addition to his conservation payment, a total of $900, or $1.13 a bushel, which is parity.	

Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at this point and to include therein certain quotations.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

SUBVERSIVE ACTIVITIES IN THE UNITED STATES

Mr. NICHOLS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. NICHOLS. Mr. Speaker, on the 26th of May I made a statement on the floor wherein I pointed out the necessity of increasing the force in the F. B. I. for the searching out of subversive activities in the United States.

On the 27th I sent a telegram to the Attorney General requesting certain information concerning the ability of the F. B. I. to cope with this situation and the number of men in that Bureau who were assigned to this duty. The information was requested by the Attorney General from J. Edgar Hoover, and on May 29 Mr. Hoover made a report to the Attorney General which, in turn, was sent to me, containing that information. I hope later on during the day to get enough time to discuss this very important matter, but until I do, Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a telegram that I sent the Attorney General and his reply, together with a memorandum sent to him by J. Edgar Hoover.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The matter referred to follows:

MAY 27, 1940.

ROBERT H. JACKSON,
Attorney General, Washington, D. C.:

Will you kindly supply me immediately with the following information and any other pertinent to the subject: How many men are there now available in the F. B. I. whose duties are to investigate "fifth column" activities in the United States? How much money was available for this purpose in the fiscal year ending 1940, and how much is available for fiscal year ending 1941? Advise number of requests for the services of these men and whether or not force is sufficient to expeditiously investigate all information and requests received. If the information is not considered too confidential I would appreciate knowing the approximate distribution of the men assigned to these duties throughout the United States. I respectfully request that this information be furnished me not later than 5 o'clock Wednesday evening.

JACK NICHOLS,
Member of Congress.

OFFICE OF THE SOLICITOR GENERAL,
Washington, D. C., May 30, 1940.

HON. JACK NICHOLS,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: In reply to your telegram of May 27, 1940, addressed to the Attorney General, concerning the national-defense work devolving upon the Federal Bureau of Investigation of this Department in connection with the national emergency, I am attaching hereto a memorandum addressed to me on May 29, 1940, by Mr. J. Edgar Hoover, Director of the Federal Bureau of Investigation, which I believe fully answers your inquiry.

Sincerely yours,

FRANCIS BIDDLE,
Solicitor General.

FEDERAL BUREAU OF INVESTIGATION,
UNITED STATES DEPARTMENT OF JUSTICE,
Washington, D. C., May 29, 1940.

MEMORANDUM FOR THE SOLICITOR GENERAL

I am returning herewith the telegram addressed to the Attorney General on May 27 by Congressman JACK NICHOLS requesting certain information relative to the national-defense work of this Bureau.

As you will recall, the President on September 6, 1939, in declaring a limited national emergency directed that the Federal Bureau of Investigation of the Department of Justice "take charge of investigative work in matters relating to espionage, sabotage, and violations of the neutrality regulations." The President stated on September 6, 1939, "* * * I request all police officials, sheriffs, and all other law-enforcement officers in the United States promptly to turn over to the nearest representative of the Federal Bureau of Investigation any information obtained by them relating to espionage, counter espionage, sabotage, subversive activities, and violations of the neutrality laws."

In September 1939 the President authorized an increase of 150 special agents in the field staff of the Federal Bureau of Investigation to handle the national-defense work. Congress, subsequently, appropriated $1,475,000 to permit the employment of these additional field special agents and to defray incidental clerical and operating expenses for the remainder of the fiscal year, which ends June 30, 1940. Congress appropriated $2,488,000 for the national-defense work of the Federal Bureau of Investigation for the fiscal year beginning July 1, 1940. This sum provides for 100 special agents for this work in addition to the 150 authorized for the fiscal year 1940. The appropriation for the next fiscal year, therefore, will provide a total of 250 field special agents for national defense work.

During the 5 years prior to 1938, an average of 35 complaints in national defense-matters was received by the F. B. I. During the fiscal year 1938 the Bureau received a total of 250 complaints of this nature for investigation. During the fiscal year 1939 there were 1,651 national-defense complaints.

Since September 1939 there has been a tremendous increase in complaints of this nature. At the beginning of May 1940 a total

of 3,800 complaints in national-defense matters was pending in the Bureau field offices for investigation. Of this number, 2,508 complaints were assigned to special agents for investigative attention and 1,292 complaints, or 34 percent, were in an unassigned status because special agents were not available to investigate them.

Recent events have again materially increased the volume of complaints pertaining to the national defense. On Monday, May 27, 1940, the F. B. I. received a total of 2,871 such complaints at its 50 field offices located throughout the United States and territorial possessions and at Washington, D. C.

The Bureau has been endeavoring to handle the emergency work with the 150 special agents provided for that purpose. However, recent events have necessitated taking additional personnel from the regular work of the Bureau for assignment to national-defense investigations. The regular work of the Bureau is also quite delinquent. On May 1, 1940, there was pending in connection with the Bureau's regular activities a total of 17,422 complaints which required investigation. Of this number, 12,310 were assigned for investigative attention and 5,112, or 29.2 percent, were unassigned due to lack of personnel to handle them. The assignment of more than 150 special agents to the national-defense work means that the regular work of the Bureau will become even more delinquent and further delays occurring in handling the regular work will make it more difficult and more costly to take care of this work at a later date.

Obviously, the present personnel of the Bureau is not adequate to properly cope with the present demands. All annual leave for the entire field service of the F. B. I. has been canceled and the special agents are presently working from 4 to 6 hours' overtime each day.

Incidental to the national-defense work of the Bureau and at the request of the War and Navy Departments, special agents have been engaged in surveys of protective facilities at plants throughout the United States which are engaged in manufacturing materials for the armed services. At the present time, there is a priority list of 612 such plants which require surveys as soon as investigative personnel is available. It is understood that there are some 12,000 plants in the United States which ultimately will have to be surveyed by special agents. These surveys are conducted for the purpose of offering suggestions for the protection of the plants so that confidential documents and materials may be safeguarded to avoid acts of sabotage or thefts. Of the 612 plants on the priority list of the Army and Navy for inspection and survey, 236 plant surveys have been completed to date and 26 industrial plants are now under survey. It is obvious, in view of the present emergency situation, that it would be most desirable to be able to expedite surveys of additional plants very promptly.

I believe it highly undesirable to indicate the distribution of the investigative personnel assigned to national-defense work. The jurisdiction of the Bureau in these matters covers not only the United States but also its Territorial possessions, including Alaska, Puerto Rico, Hawaii, and the Panama Canal Zone.

Very truly yours,

J. EDGAR HOOVER, *Director.*

EXTENSION OF REMARKS

Mr. DEMPSEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article by Albert Warner appearing in Broadcast magazine.

The SPEAKER. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein some correspondence that I received from Montana respecting our duties in relation to the war.

Mr. RICH. Mr. Speaker, reserving the right to object, how much of the RECORD will the correspondence that comes from Montana require?

Mr. O'CONNOR. I imagine it will require about one-third of a column. The correspondence is very short and it is in relation to our duties concerning what is going on in Europe as expressed by my people in Montana.

Mr. RICH. It is a petition?

Mr. O'CONNOR. No; it is not a petition. It is signed by many people and they say what they think we ought to do.

Mr. RAYBURN. Mr. Speaker, we have a heavy program for today, and I demand the regular order.

Mr. RICH. Mr. Speaker, if we permit all these things to go into the RECORD, it will not be the record of Congress, but the record of the people back home.

The SPEAKER. The regular order is demanded. Is there objection to the request of the gentleman from Montana?

There was no objection.

THE RECORD

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. RICH. Mr. Speaker, the majority leader demands the regular order when it comes time for a Republican to call the attention of the House to the fact that Members are putting everything into the RECORD. They have been permitted to do that all of this session. The Public Printer, Mr. Giegengack, came to the Appropriations Committee the other day and asked for $450,000 to continue the RECORD for this session. Who is responsible for that?

Mr. RAYBURN. The gentleman from Pennsylvania [Mr. RICH] is responsible, because all these things go into the RECORD by unanimous consent, and he is a Member of the House and could exercise his privilege of objecting if he wished to do so.

Mr. RICH. Yes; but I get no help from the Democratic side of the House, not a bit from the majority leader, not a bit from the Members on the Democratic side of the House, and you are responsible, not the gentleman from Pennsylvania, and I want the gentleman to know it.

Mr. RAYBURN. I accept my responsibility, but I do not do as much talking about it as the gentleman from Pennsylvania.

Mr. RICH. Four hundred and fifty thousand dollars increase is demanded by the Public Printer. Its horrible, terrible, and indefensible!

The majority party must assume that responsibility.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

EXTENSION OF REMARKS

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a table from the Federal land bank showing loans of the United States.

The SPEAKER. Is there objection?

There was no objection.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein a brief editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. REECE of Tennessee. Mr. Speaker, I ask unanimous consent to extend my remarks and to include a copy of an address I delivered at the commencement of the Sevier County High School and also to extend my remarks on T. V. A. tax replacement.

The SPEAKER. Is there objection?

There was no objection.

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF DEBT LIMIT AND NEW TAXES

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to proceed for half a minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. REED of New York. Mr. Speaker, I call attention at this time to the admissions made by the administration before the Committee on Ways and Means in its request for an extension of the debt limit and the necessity for higher taxes to cover expenditures during 7 years and to meet a new emergency:

NATIONAL DEBT

National debt, May 25, 1940, was $42,782,000,000.

Present working balance in the Treasury, $1,300,000,000.

Financing required during calendar year: $353,000,000 Treasury bonds maturing June 15, 1940; $737,000,000 Treasury notes maturing on December 15, 1940.

Borrowing power of Treasury, May 25, 1940, was $1,973,000,000.

Borrowing power, January 1, 1941, will be $734,000,000.

Working balance on January 1, 1941, will be down to $850,000,000.

On February 28, 1941, the borrowing power will be exhausted.

The balance would be down to $600,000,000 on February 28, 1941; this is assuming $700,000,000 from the return of capital from the corporations and credit agencies.

The $3,000,000,000 now requested by extending the debt limit to be met by authorizing taxes is to carry not alone the emergency defense program but also the defense provisions carried in the regular Budget.

About seven or eight hundred millions to be used for emergency defense.

The $3,000,000,000 extension in debt limit is to provide for both the defense expenditure in the President's Budget and those recommended in the President's emergency defense message of May 16, 1940.

Proposed tax bill will yield, during the period from July 1, 1940, to January 1, 1941, the sum of $215,900,000.

It will yield during the fiscal year 1941 $525,200,000.

Estimated in subsequent years $651,800,000.

Taxes to be earmarked to pay off the $3,000,000,000 defense bonds during 5 years.

No provision made for additional request by the President for $1,200,000,000.

While not within the debt limit of $45,000,000,000, nevertheless there must be added to the debt as potential liabilities the bonds or debentures issued by corporations and credit agencies now guaranteed by the United States, which are as follows:

Corporation and credit agencies having authority to issue their bonds or debentures, which are guaranteed by the United States as of Apr. 30, 1940

[In millions of dollars]

	Outstanding bonds or debentures		
	Held by the Treasury	Held by the public	Total
Reconstruction Finance Corporation		1,096.2	1,096.2
Home Owners' Loan Corporation	10.0	2,763.7	2,773.7
Federal Farm Mortgage Corporation		1,269.7	1,269.7
United States Housing Authority	25.0	114.2	139.2
Tennessee Valley Authority	50.3	8.3	58.6
Federal Housing Administration		6.6	6.6
Commodity Credit Corporation		406.8	406.8
United States Maritime Commission			
Total	85.3	5,665.5	5,750.8

Of this $5,750,800,000 the public holds $5,665,500,000.

If debt limit is extended, as requested, to $48,000,000,000, and to this is added the guaranteed bonds and debentures the national debt will amount to $53,750,800,000; and to this must be added, if granted, $1,200,000,000 more, or a total debt of $54,950,800,000.

There will be another deficit in 1941 of $3,703,000,000, which will be increased by whatever amount of the $1,200,000,000 is expended and not reduced by an increase of revenue.

The total receipts of the Government for 1941 are $5,652,000,000, which does not include the social-security taxes now set aside in a trust fund amounting to $2,195,000,000.

The total appropriations that have been made—and of the bills now pending, including Post Office, the District of Columbia, and the trust account—total $12,284,000,000. This does not include the $1,200,000,000 which the President has just requested.

Mr. Speaker, it must not be assumed that these admissions by the administration touching the deplorable debt situation includes all of the existing obligations which must be met by further taxes and borrowings—far from it.

The present proposed tax bill, H. R. 9966, if enacted without change, especially if no cuts are made in Government expenditures, will not forestall the imposition of more drastic taxes within a few months to come.

I believe hysteria should not be permitted to dethrone reason in our approach to the problem of financial preparedness. The eyes of the citizens of our Nation must not be blinded to the dangers which lurk in the continued wild and reckless expenditure and waste of Federal revenue and of the steady impairment of our national credit.

The admissions made by the administration calls for a frank and full accounting to the public for the $8,000,000,000 appropriated during the last 7 years by Congress for the national defense. Those who must bear the burden of national defense are entitled to know the facts.

EXTENSION OF REMARKS

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and also to extend in the Appendix of the RECORD my own remarks with reference to the exports and imports of farm products, including a table. And a further request, Mr. Speaker, to include an article and a short editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. LEWIS of Ohio. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein a communication received from a number of my constituents.

The SPEAKER. Is there objection?

There was no objection.

Mr. SECCOMBE. Mr. Speaker, I ask unanimous consent to extend my remarks and to include a letter from a constituent.

The SPEAKER. Is there objection?

There was no objection.

Mr. JOHNS. Mr. Speaker, I ask unanimous consent to extend my remarks and to include a short editorial from the American Fur Breeder.

The SPEAKER. Is there objection?

There was no objection.

By unanimous consent, Mr. BENDER was granted permission to extend his own remarks in the RECORD.

Mr. MILLER. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and to include a radio address.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

UN-AMERICAN ACTIVITIES

Mr. MILLER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. MILLER. Mr. Speaker, no matter how much we may disagree as to the probability of any attack on continental United States, I am sure we all agree that we have a problem within the United States, dealing with those who are spreading un-American doctrines throughout the country. With that thought in mind, I have addressed a letter to the Americanism chairman of the American Legion, pointing out that that organization is peculiarly equipped to offer its services to the F. B. I. at this time.

Throughout their more than 11,000 posts they have many members who served with G–2 during the war, who serve in police departments throughout the country, and we need have no fear of that organization bringing about a red scare. I believe they can render a very real service to the country at this time. [Applause.]

The letter I have referred to is as follows:

JUNE 4, 1940.

Mr. LESLIE P. KEPGEN,
Chairman, Americanism Committee, the American Legion, 508 North Van Buren Street, Bay City, Mich.

DEAR LES: Knowing the efficiency and effectiveness of the American Legion when once it undertakes to do a job, the thought has occurred to me that there is a real man-size job in the offing for some national organization in the United States.

At the outset, I think we can agree that, regardless of how we feel about the possibility of an attack on the United States from without, we face a very real danger of trouble from within. I believe that if the American Legion, as a national organization, offered its

services to Mr. J. Edgar Hoover, Chief of the F. B. I., such services would be accepted.

If the national organization could set up a national committee to deal with the so-called "fifth column" activities and perfect that organization down through the departments and into the more than 11,000 posts, a very effective organization could be developed. In my own department of Connecticut, for example, I know of several members who served with G–2 during the war and who have done police and detective work since their return from service. In fact, our commissioner of State police—a good Legionnaire—is considered one of the outstanding detectives in the country. In practically every city in the United States we have members who are on the detective forces in such cities.

While I don't believe we should stir up any "red" scare, I do believe that with the type of men who would be attracted to this type of volunteer service they could and would work quietly and effectively.

It seems that it might at least be the kernel for an idea which could be developed at a minimum of expense. I am sending copies of this letter to National Commander Kelly and Homer Chailleaux in the hopes that I might receive their reaction as well as yours.

Hoping to see you again soon—at least at the Boston convention—and with kindest personal regards, I am,

Sincerely,

WILLIAM J. MILLER.

EXTENSION OF REMARKS

Mr. KUNKEL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and to include an article by Walter Lippmann which appeared in the Washington Post last Saturday.

The SPEAKER. Is there objection?

There was no objection.

FARM MARKETS

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

By unanimous consent, Mr. GROSS was granted permission to revise and extend his remarks and include therein an address delivered by Governor James at Gettysburg.

Mr. GROSS. Mr. Speaker, the present strikes we have in our great industries are without a doubt the direct result of the recent fireside chat. In that same chat the President assured labor that costs of living shall not advance during our industrial boom created by our armament program. In view of the present low prices of farm products, I am wondering what consolation the farmers of the country are getting? The price of wheat has dropped 30 cents a bushel in the last 30 days. And we are about ready to start harvesting. A year ago when we threshed our wheat and it was 60 cents a bushel, farmers were wondering whether they should hold it or sell it, and a great many decided they would hold their wheat. Secretary Wallace issued a statement that appeared in all of the newspapers saying there was too much wheat, farmers will have to sow less, and the administration was willing to pay them to sow less. This broke their confidence in the market. Farmers sold their wheat for around 60 cents, just about one-half of the cost of production, and before the end of the year wheat was $1 a bushel. If the Department of Agriculture cannot direct the farmers better than this it might be well for those in authority there to hand the job over to someone else. The relation between feed prices and livestock prices continues to be most unfavorable. The present low price of hogs is most discouraging to the hog growers of the country. And now Wallace is trying to console them by saying that he expects Americans to eat more pork this summer than they did last summer. I wonder on what basis he makes this assertion.

I notice by the newspapers that Mrs. Roosevelt is going to address a meeting tonight here in the Capital in the interest of the rural youth. This is her idea. I hope if the rural youths are to be herded together they will have better leadership than a number of youth groups that I know of. At any rate, I am wondering just what Mrs. Roosevelt's interests are in the farm youths of this country. Young people of the farms will be a contented and happy lot if their parents have decent markets so that they can maintain a standard of living that will encourage these young people to remain on the farms and live honorable lives.

ADDRESS BY HON. ARTHUR H. JAMES, GOVERNOR OF PENNSYLVANIA, AT THE ANNUAL MEMORIAL DAY EXERCISES AT THE NATIONAL CEMETERY, GETTYSBURG, PA., THURSDAY, MAY 30, 1940

Fellow Americans, you have just heard the immortal words of Abraham Lincoln spoken on this very scene four-score years less three ago. No eloquence will ever add to or replace those words. No ceremonies on these hallowed fields and sacred hills of Gettysburg will ever be complete without them.

This year and this day those words of Lincoln have a deeper and graver significance than perhaps at any time since he uttered them.

When Lincoln spoke, he was pleading for unity in finishing a War between the States which already was well advanced.

Today those same words constitute a plea for national clear-sightedness in a time of crisis, a supplication for unity and cooperation in the great task before us of national defense, and a summons for courage and steadfastness during the threat of possible wars to come.

On this Memorial Day, the world that we have always known is in a death struggle. The civilization and the traditions which are the pride of generations of history are at death grips with a monster from the darkest dark ages that has armed itself with science and marches in the name of expediency and brute force.

There is little new in the philosophy of government which is behind the armed camps we know as Russia and Italy and Germany.

Since Cain slew Abel, might and right have fought with each other. History is full of tyrannies founded on military supremacy. Dictatorships are merely streamlined tyrannies.

The radio waves have often resounded with the phrase "social gains." What is the greatest social gain of the last 2,000 years? It is personal liberty. From the words and sentiments of the Saviour, out of the wreckage of one dynasty after another, out of the darkness of the Middle Ages, came an understanding of the dignity and the ultimate supremacy of the individual.

God created man in His own image; in the image of God created He him; male and female created He them.

The whole story of 20 centuries may be reduced to terms of the struggles of races of men to exercise their Divinely inspired right to such simple things in life as their homes, their families, their jobs, and their personal freedom.

The real social gains of countless generations are the progress common people have made in exercising their right to live their own lives. Wars fought to defend or advance those rights have been the only wars worth fighting.

All forces which have combatted those rights, no matter in what name those forces struggled, nor what they promised, nor whether they intrigued in peace or battled in war—all forces which have tried to undermine the rights of the individuals have always been and still are enemies of mankind.

Our American Constitution was built to be a bulwark forever protecting the rights of American men and women to live their own lives.

This Nation, in Lincoln's words, was conceived in liberty and was dedicated to the proposition that all men are created equal.

Further, the minds of many men met in working out a pattern of government by which these rights of mankind could be protected not only from forces without and agencies within, but from the Government itself.

There is nothing accidental or haphazard about the scheme of constitutional democracy which America has tried out during a century and a half of both peace and war.

The American plan of government is a system of checks and balances, whereby executive, legislative, and judicial authority each is curbed by equal authority in the other two. The national authority is checked by sovereignty in the States in all but a limited field. Supreme and final authority is lodged nowhere in the Government itself, but in the men and women who make up the Nation.

Our founding fathers built a ship of state which can weather any storms if her crew be only vigilant and stout hearted. Our ship of state was launched in times of international crisis, and has been christened and rededicated in the blood of countless thousands who died in her successful defense.

If we can but keep our ship of state seaworthy, she can ride out oceans of blood and tempests of hate and greed which are lashing the world—she can ride them proudly and safely on into the better day which we all know is just beyond our present narrow horizon.

But to override our Constitution in this time of crisis is to tear the planking from our ship's keel as she puts out to stormy seas.

The first step for any defense program worthy of the support of America is to defend our Constitution.

From the fullness of my heart, speaking as a native son and as Governor of the Keystone State, speaking to you from the sacred blood-drenched soil on which heroes of another generation died that liberty might live, speaking on the day chosen from all the year to memorialize our honored dead who gave the last full measure of their devotion, I can give you no more earnest message.

Our first duty is to our own country!

We must defend more than our own shores; we must defend our inheritance of liberty, of personal independence, of constitutional government.

Lest these boys and men who, clad both in blue and gray, sleep beneath the sod and the dew of Gettysburg, shall truly have died in vain, we must uphold the cause of freedom for which they died. We must hold high the torch of liberty given us by their falling hands.

We shall not lose thereby. Americans, fighting as free men defending their liberty, can hold their own against the world. Prepare we must, but we dare not lose the fight preparing for it.

Grave are the dangers about us. But in the midst of those dangers let America never forget those other words of the great man whose Gettysburg address we remember today. More than a hundred years ago Lincoln made a prophetic utterance when he said: "If danger ever reach us, it must spring up amongst us; it cannot come from abroad."

More and more is America awakening to the significance of that warning. More and more are we realizing that our indifference to our national defenses have been more of a danger to us in recent years than any armed force abroad. More and more are we realizing that the following of false gods, of experimentation and regimentation within our own land was the danger amongst us which Lincoln forecast.

"Fifth column" is a new name for an old evil. More than one race and one civilization has died because those on whom it most depended heeded evil counsel and nursed in high position the bitterest enemies of all. The time has not yet come when at least some of a people's leadership in time of crisis do not think more of personal gain than public welfare.

If the tongues of "fifth columns" did not find willing ears, their efforts would be fruitless. America today may well ask, not only where is the "fifth column" working here, but who are those giving aid and comfort to that "fifth column"?

But America has already won the first, and we may hope, the strategic battle in her war against the dangers which beset her.

Our first victory was a moral one. Perhaps never has this Nation had an emotional shock greater than came only 2 weeks or so ago when our people, uneasy and alarmed over the whirlwind of events abroad, were told that our national defense, as it exists today, "does not provide security against potential developments and dangers of the future."

Two emotional reactions threatened this Nation, and our men and women resisted both. One temptation was recrimination; throughout the breadth of this country smoldering anger demanded under its breath: "What's become of the money?" But America postponed until one day in the future the final reckoning on the question of why $60,000,000,000 in 7 years wasn't enough to provide defenses for the Nation.

The other reaction which America might have suffered was a war hysteria during which our people could have lost sight of the very liberties which are the inheritance we must defend through peace or war.

Whatever may have been the hopes of ambitious cliques that radio jitters would blind the men and women of America to their true interests and furnish a smoke screen under which these ruthless cliques could raid our liberties and our resources alike, those hopes have been dashed.

It may have been in the minds of some that the war scare would permit the successful centralization of powers which has so often been tried before. The American people were not too upset by the picture of their defenselessness thus suddenly shown them not to make clear their fixed resolve of abiding by constitutional government.

A few days ago it may have been in the minds of certain scheming amateur experts that they could wear the white plumes of leadership while they fumbled at the task of assembling our defenses. But America has made it unmistakably clear that she wants men whose judgment, training, and purpose she can trust put in charge of the defense program.

It may have been the intention of some to use the occasion for a fascistic taking over of business by the Government. America's reaction was just the contrary. To the men and women of this Nation the summons for the help of industry in rearming America was the reestablishment of the 7-year stepchild of America in its rightful position as a member of the household in which we all live.

There may have been groups in America who hoped, under the screen of national alarm, to drown out any protests and to freeze into power all present officeholders by absorbing minority party representation, and thus making the will of the people themselves inarticulate and powerless.

If there was such intention in the minds of any group, once again their hopes were dashed. Coalition in war may be the road to security. Coalition in times of peace is only another name for dictatorship. America signified only too clearly she considers her minority party voice one of the most vital bulwarks of both liberty and security in this crisis.

Throughout the present crisis America has kept her head clear and her feet on the ground. Indifference has died, but America knows what she wants. She wants Uncle Sam rearmed, not for purposes of war but for purposes of peace. She wants the one lamp of liberty which still shines in the world fully protected from all the evil winds which blow.

The men and women of this Nation have spoken; they will support to the limit any rearmament program which may be placed in hands they can trust and which looks to fully protecting their country against all enemies, wherever they are.

But more than that, Americans are realizing that danger and opportunity travel hand in hand.

Grave as are the dangers about us, narrow as may be the doors leading to national security, beyond those portals we can see a vista in which the traditions of America can clasp hands with a most glorious and bountiful future.

The national crisis has tried in the fires of fate the new theories and philosophies with which America has been toying. Some of those theories went down forever in the first blast of heat. Planned scarcity as a goal is dead, unwept, unhonored, and unsung, and will not again haunt the next generations.

Dead, too, is the thought that a nation can grow rich through idleness, that jobs are not as vital to our daily needs as bread itself, that rusted factories and decaying mills are monuments marking progress toward some strange and ill-defined abundance.

America is awkening. The national crisis, instead of stunning this Nation, is rousing it.

To rearm America, we must revive our dormant industries. To create our defenses, millions of idle hands must learn to handle tools. A whole generation of young people, for the first time in their lives, will find oportunity to do useful, creative work. Into the national symphony will again come such notes as the sound of the factory whistle, the hum of the carpenter's saw, the clink of the mason's trowel.

To defend America, we must have many things which will be of service to us alike in peace or war. We must have highways, a vast network of them on a scale far greater than we have ever known. We must have airplanes and airports. We must have a trained and skilled Army, learned not only in the arts of fighting, but still more important, practiced in all the mechanical and professional skills which form the foundations of a fighting force.

It is this side of the picture which will be most heartening not only to the young men and women of this Nation so long deprived of work but to their fathers and mothers as well.

Full advantage must be taken of the opportunities thus afforded. By every process, from trade schools and retraining activities to apprenticeships and trade union assistance, America must equip her vast reservoir of unskilled youths to fight not only the battles of America but the battles of life.

America must not and will not be denied. The long struggle against the depression can end at once. We have the men and we have the need. We have the money—we do not require further Federal borrowing to finance this task, for every bank in the Nation is overflowing with savings that have been gathering dust solely for lack of confidence and incentive. Now that money can have both.

On the stepping stones furnished by the ruins of discarded experiments, America can strike safely forward into the high ground.

There have been two schools of thought about America's proper place in the world during the present conflagration. There have been those who honestly believed that, as they said, America's frontiers were on the Rhine. There have been those on the opposite side, and I have shared their views, that America's greatest obligation to the world was to maintain peace within her own borders.

Those who sought American intervention abroad now at last have a full and convincing answer—America has been in no position to intervene; we have not even been prepared to defend our own coasts, let alone aid in the defense of foreign powers. We have been in no proper position to sit in judgment among other nations, for we have not kept our own house in order.

Both by reason of time and of our delays in preparedness, the hour has passed when there can be any question of America acting as policeman among the nations of Europe.

There can easily rise grave question of whether we have delayed too long for our own self-preservation. The seeds of dissension have blown far and wide throughout the world. We have seen them sprout within the United States itself. They are taking root rapidly in many parts of the Western Hemisphere. New fires may burst out at any moment barely outside our borders. This contamination must be one of our first concerns.

We have no guaranty of peace. If we are invaded, or if the thunderbolts of dictatorship strike so closely that we are obviously threatened, war can result.

Nevertheless, I still believe I can see a highway leading to peace, and I believe I am joined by the vast predominance of sentiment in this Nation when I say, "Let us follow that path."

Peace can be attained, if at all, first, by preparing to defend ourselves; second, by tending to our own business, and tending to it properly; and, third, by setting as our goal the vision of an America of the future which can be a rock of liberty in a sea of anarchy and dissolution.

America must prepare, not only for her security but for her future role as leader and torch bearer in a world which will emerge dazed and lost fom its present tornado of blood.

To do that, America must use again the same guiding stars which have led her safely through the past—the stars of liberty and freedom and personal independence.

We must rebuild and renovate the mansion in which America has so long resided, the household in which men and women, labor and industry, farmer and factory hand, all are members of the same family.

In the long run, the largest part of the task consists of rescuing and preserving for the future generations the same traditions our forefathers gave to us—the heritage of America as a land of homes and liberty and opportunity.

Too long have the boys and girls of America been denied their birthright. Too long has their share of our national life been

merely the bill—a bill of vast proportions stretching far into the future, a bill which they have been supposed to pay without opportunity to find jobs.

They can find the jobs today and tomorrow. They can find the opportunities for work and for founding the homes and for learning the lessons of husbandry and thrift which grow only out of earning your own living and living within your own means.

The youth of America are both our promise and our responsibility. Let us seek to control our Nation so that the blood of this youth is not shed in useless war—let us resolve that, God willing, we have dedicated the last national cemetery housing the torn bodies of those who died in war that might have been averted.

Let us rather seek among the danger and the wreckage of so much with which we have been familiar to find the means whereby to bridge America over from her glorious past into a still more glorious future.

Let us here highly resolve that our dead shall not have died in vain; that the nation shall, under God, have a new birth of freedom, and the government of the people, by the people, and for the people shall not perish from the earth.

EXTENSION OF REMARKS

Mr. GILLIE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein an article on agriculture as it affects my district.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks and include a petition and letter.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. THILL. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a short newspaper article.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a letter.

The SPEAKER. Is there objection?

There was no objection.

NATIONAL DEFENSE

Mr. FISH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. FISH. Mr. Speaker, the request of President Roosevelt for blanket power to call the National Guard into service if necessary "to maintain neutrality or the Nation's defense" is a typical Roosevelt grab for power during a period of war hysteria.

It is obvious from General Marshall's statement that the President is contemplating sending our National Guard and Reserves outside the borders of the United States. If he can send them to South America he could send them to Portugal or to Ireland.

The Congress must not surrender any of its war-making powers to President Roosevelt, particularly if we are to adjourn, otherwise America will be quarantining foreign nations with our National Guard soon after the Congress has gone home.

The very words of the President, "to maintain neutrality or defense" are utterly misleading. There is no neutrality, and there is no pretense of maintaining neutrality by the Administration. As for defense, the President has the right to call the National Guard into service if the Nation is threatened with invasion. The Congress should stay in session during the emergency to provide adequate national defense and keep America out of war. [Applause.]

[Here the gavel fell.]

MAJ. L. P. WORRALL

The SPEAKER laid before the House the following request from the Senate:

Ordered, That the Secretary be directed to request the House of Representatives to return to the Senate the bill H. R. 8429, entitled "An act for the relief of Maj. L. P. Worrall, and for other purposes."

The SPEAKER. Without objection, the request is granted.

There was no objection.

EXTENSION OF REMARKS

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein two letters I have received.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my remarks and to include certain editorial comments.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

FEDERAL AID FOR HIGHWAYS

The SPEAKER. Without objection, the resolution, H. Res. 480, providing for the consideration of H. R. 9575, to amend the Federal Aid Act, approved July 11, 1916, as amended and supplemented, and for other purposes, which was passed by the House yesterday, will be laid on the table.

There was no objection.

CALL OF THE HOUSE

Mr. KELLER. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER. The Chair will count. (After counting:) One hundred and sixty Members are present, not a quorum.

Mr. RAYBURN. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 138]

Andresen, A. H.	Folger	May	Stearns, N. H.
Burgin	Guyer, Kans.	Merritt	Sutphin
Camp	Harter, Ohio	Mitchell	Sweeney
Carter	Holmes	Murdock, Ariz.	Taylor
Clark	Jarman	Osmers	Walter
Crowe	Kennedy, Md.	Risk	White, Ohio
Cummings	Kramer	Schaefer, Ill.	Wood
Darrow	Lea	Schulte	Woodrum, Va.
Dirksen	Lemke	Shafer, Mich.	Youngdahl
Drewry	McGranery	Shanley	
Flannagan	Mansfield	Steagall	

The SPEAKER. On this roll call 393 Members have answered to their names; a quorum.

By unanimous consent further proceedings under the call were dispensed with.

THE HATCH-DEMPSEY BILL

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may be allowed until midnight tonight to file a majority report and minority views on the bill (S. 3046) to extend to certain officers and employees in the several States and the District of Columbia the provisions of the act entitled "An act to prevent pernicious political activities," approved August 2, 1939.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

EXTENSION OF REMARKS

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to insert in the Appendix of the RECORD a letter from General Rivers concerning a department of national defense.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include therein a letter printed in the New York Times on the question of fingerprinting aliens.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AMENDMENT OF NATIONAL LABOR RELATIONS ACT

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 465 for consideration.

The clerk read as follows:

House Resolution 465

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 9195, a bill to amend the National Labor Relations Act, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and continue not to

exceed 4 hours, 1 hour to be controlled by the chairman of the Committee on Labor, 1 hour to be controlled by the ranking minority member of the Committee on Labor, and 2 hours to be controlled by the chairman of the Special Committee to Investigate the National Labor Relations Board, the bill shall be read, and after the reading of the first section of such bill it shall be in order to move to strike out all after the enacting clause and insert as a substitute the text of the bill H. R. 8813 and all points of order against such substitute are hereby waived. At the conclusion of the consideration of the bill H. R. 9195 the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit, with or without instructions.

The SPEAKER. Under the rule the gentleman from Virginia is recognized for 1 hour.

Mr. SMITH of Virginia. Mr. Speaker, I yield 30 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. SABATH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. Does the gentleman from Virginia yield for a parliamentary inquiry?

Mr. SMITH of Virginia. Yes, Mr. Speaker.

The SPEAKER. The gentleman from Illinois will state his parliamentary inquiry.

Mr. SABATH. The gentleman from Virginia has introduced this resolution and is calling it up. Not only is the gentleman from Virginia for the resolution but the minority also is for the resolution. I and many others are opposed to the resolution. I feel that in justice the time should be equally divided. I have endeavored to obtain an agreement with the minority——

Mr. SMITH of Virginia. Mr. Speaker, I yielded for a parliamentary inquiry. I am perfectly willing to yield for that purpose if it is not to be taken out of my time, but I cannot yield for a speech.

The SPEAKER. The gentleman will state his inquiry.

Mr. SABATH. The inquiry is, whether the time should not be equally divided between those who are in favor of and those who are opposed to the resolution.

The SPEAKER. Answering the gentleman's parliamentary inquiry, the Chair will state that while ordinarily the time is equally divided unless there is some arrangement to the contrary, the rule could be changed by agreement with the gentleman from Virginia who has been recognized to call up the resolution. The gentleman from Virginia has control of the time.

Mr. SMITH of Virginia. Mr. Speaker——

The SPEAKER. The gentleman from Virginia.

Mr. SMITH of Virginia. Mr. Speaker, under the rule, of course, 1 hour is allowed on the resolution. I have yielded one-half of the hour to the minority. I have advised the gentleman from Illinois that I proposed to yield to him 15 minutes of the time that has been reserved on this side. I think nothing could be fairer. I recognize, however, there are a number of Members who wish to speak in opposition to the resolution. I therefore ask unanimous consent, if it be in order, that 10 additional minutes may be allowed for debate on the resolution to be controlled by this side so that the desires of those opposed to the resolution may be met.

Mr. MARTIN J. KENNEDY. Mr. Speaker, reserving the right to object, as far as I can determine, not even 1 minute has been set aside for any person representing the State of New York. After all, we represent 11,000,000 people and are vitally interested. If there is some way by which the State of New York can get even 1 minute in this debate, I will not press my objection.

Mr. SABATH. If my request is granted, I will endeavor to see that the gentleman from New York gets that 1 minute.

Mr. HALLECK. Mr. Speaker, reserving the right to object, as I understand the request propounded by the gentleman from Virginia, the additional time is to be controlled by himself. It seems to me that the minority should have control of one-half of the additional time.

Mr. SMITH of Virginia. I think that probably would have to be done, but I hope that the gentleman from Indiana, in the interest of fairness, will give that 5 minutes to those who are opposed to the rule. I am sure he wants to be fair and give the opposition an equal opportunity.

Mr. HALLECK. I will undertake to do that, but I think that the rules of the House with regard to an equal division of the time should be followed.

Mrs. NORTON. Mr. Speaker, reserving the right to object, the Committee on Labor certainly should have some consideration in this rule. Several of its members would like to speak in opposition to the rule. I ask that the time be extended to give them the opportunity to extend themselves; that the time be extended one-half hour instead of 10 minutes.

The SPEAKER. Does the gentleman from Virginia yield for the purpose of allowing the gentlewoman from New Jersey to submit the request indicated?

Mr. SMITH of Virginia. I am sorry, but I feel that the request I have made is ample to take care of the situation.

Mr. SABATH. Reserving the right to object, Mr. Speaker, will the gentleman from Virginia agree that we should have at least 10 minutes rather than 5?

Mr. HALLECK. Further reserving the right to object, Mr. Speaker, as I understand it, half of the additional 10 minutes requested will be granted to the minority. I have indicated that insofar as this side is concerned the additional 5 minutes will be granted to Members who want to speak against the rule.

Mr. SMITH of Virginia. Mr. Speaker, may I inquire whether this is being taken out of the time on the rule?

The SPEAKER. The Chair may say that it is.

Mr. SMITH of Virginia. Mr. Speaker, I modify my request, and ask unanimous consent that the time may be extended 20 minutes.

The SPEAKER. Is there provision in the request with reference to who shall yield the additional time?

Mr. SMITH of Virginia. Mr. Speaker, I expect to control the time and yield it.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. SMITH]?

Mr. HALLECK. Mr. Speaker, reserving the right to object, I think half of the time should be under the control of the minority.

Mr. COX. Mr. Speaker, I think that is understood.

Mr. SABATH. And the gentleman will yield that time to those who are opposed to the resolution?

Mrs. NORTON. Mr. Speaker, it seems to me that the additional time should be yielded to members of the Labor Committee.

The regular order was demanded.

The SPEAKER. The request of the gentleman from Virginia [Mr. SMITH] is that the 1 hour granted under the rules of the House be extended 20 additional minutes. Is there objection?

Mr. EDMISTON. Mr. Speaker, I object.

Mr. SMITH of Virginia. Mr. Speaker, I yield 6 minutes to the gentleman from Georgia [Mr. Cox].

Mr. HALLECK. Mr. Speaker, I yield 4 minutes to the gentleman from Georgia [Mr. Cox].

Mr. COX. Mr. Speaker, I am told that for political reasons this rule must fail of adoption; that the passage of the bill, consideration of which it makes in order, would incur the wrath of a certain militant minority who knows how to punish those it regards as its enemies as well as how to reward those that it counts as its friends and that this is a hazard that must be avoided at all costs. I am also told that the Republicans will vie with Democrats to see who can contribute most to the smothering of the rule. As to this I do not know but I know one thing and that is that the roll will be called and the people of the country made to know what is being done to them and by whom.

In the life of every citizen of the Republic there is likely to come a time when he is called upon to defend the institutions we cherish and the civilization we hold dear.

For me that time is now. I am compelled by a sense of duty to rise in protest against the iniquity, the disloyalty,

and the treachery of the membership and staff of the Board whose displacement is in part the object of this rule.

At the moment we live in the hysteria of war, Mr. Speaker. Day by day we are being induced to believe that from out the skies, from overseas an enemy will appear to make war upon us, to destroy our cities and our homes.

I do not particularly fear the invasion of an enemy from overseas, Mr. Speaker. I do not believe he can rain death and destruction upon us from out the skies. I know that the Atlantic Ocean still lies between Europe and America, and I know we do not stand defenseless.

But what I do fear, Mr. Speaker, is the enemy within the gates of the Republic, soldiers secure in the Trojan horse, the "fifth column" behind the lines of American defense. I fear treachery, treason, and traitors. I fear the destruction of our constitutional precepts. I fear the destruction of American institutions. I fear the menace to individualism which has glorified American men and women and which has established the principle of the private ownership of property.

Upon the basis of the record of the National Labor Relations Board, and of the findings of the Smith committee, I charge:

First. That the conduct of the Board and its staff in the administration of the National Labor Relations Act has occasioned a storm of protest by outraged citizens of the Republic.

Second. That in administering the act contrary to its spirit and letter the Board has been guilty of maladministration and of bias; that it has substituted its own philosophy in the conduct of cases before it, while deliberately ignoring the provisions of the act.

Third. I charge that the Board has thwarted the development and maintenance of stable industrial relations; that although the intent of the Congress was to establish and preserve industrial peace, the Board has deliberately fomented, aided, and abetted strife between industry and labor.

Fourth. I charge that the Board has attempted to impose unlawful and illegal sanctions upon employers through the weapons of the blacklist and the boycott; that it has imposed unlawful and illegal punishment by inducing the withholding of Government contracts and Government loans to employers in its disfavor.

Fifth. I charge that the blacklist or boycott as used by the Board is contrary to law and foreign to American principles of justice, and in distinct violation of the intent of Congress.

Sixth. I charge, that as administered by the Board the National Labor Relations Act constitutes a danger to our institution of private property, that outweighs any benefit it might confer on labor.

Seventh. I charge that the Board has disclosed a lack of that judicious and impartial temperament that the American people have a right to demand of their quasi-judicial officers.

Eighth. I charge that the Board in violation of law has conducted an illegal and immoral lobby in order to prevent amendments to the labor act; that it has sought to bring to bear upon the Members of the Congress pressure from labor unions throughout the Nation; that it assigned the members of its legal staff to the conduct of an extensive campaign at heavy expense to the taxpayers.

Ninth. I charge that the Board used pressure activities of a far-flung scope to influence legislation with respect to its appropriations; that it has misused the people's money to conduct its lobbying activities; and that its lobbying activities are in violation of law.

Tenth. I charge that the Board solicited litigation to be brought before it in order that it might harass industry in its conduct and in its relations with its employees; and that it has sought to subject both industry and labor to bureaucratic dictatorship.

Eleventh. I charge that the employees of the Board were not selected upon the principle of merit or qualification for the duties they were to perform, but upon their attitudes of class consciousness.

Twelfth. I charge that the employees of the Board are generally incompetent to perform the duties that have been assigned to them; that they are mentally and temperamentally unfit for the duties they perform; and that they are partisan and biased.

Thirteenth. I charge that the legal employees of the Board lack the training and experience in law requisite to perform their duties; and that they have been guilty of conduct unbecoming officers of the Federal Government.

Fourteenth. I charge that persons known to be openly sympathetic to the C. I. O. have been employed and retained by the Board; and that one such employee was the author of a book on the C. I. O.; that employees of the Board entertain a derisive contempt for American institutions and do not hesitate to express that contempt in writing.

Fifteenth. I charge that the employees of the Board have engaged in unconscionable practices in connection with the records and the trial of cases; that they have fomented industrial discord and destroyed industrial peace; that they have been guilty of gross irregularities in the conduct of the public business.

Sixteenth. I charge that the Board and its staff have conducted a system of espionage both in industry and within its own organization that would put to shame the activities of the Ogpu, and that at the expense of the people; that it has conducted investigations in secrecy and behind closed doors and under star-chamber conditions.

Seventeenth. I charge that the employees of the Board constitute within themselves a vertical labor union and that it occupies the quarters of the Board to conduct its activities on Government time.

Eighteenth. I charge that the decisions of the Board are written by its review attorneys; that these attorneys generally lack the education, training, or experience necessary to perform the duties upon which they are engaged; that they are incompetent to review legal problems arising under the Labor Act.

Nineteenth. I charge that the review attorneys of the Board are guilty of legal misconduct in holding that they are not bound by the formal record; that they have caused procrastination and delay; and I charge that the employee of the Board who now occupies the key position of chief trial examiner—George O. Pratt—has stated that he considered his duties while a regional director to be those of judge, jury, and prosecutor.

Twentieth. I charge that the Division of Economic Research of the Board conducted by David J. Saposs is guilty of unwarranted and unnecessary activities at a cost to the American people of $75,000 anually, and I contend that it should be abolished.

Twenty-first. I charge that through David J. Saposs the Board acts as its own witness in producing evidence upon which to base its findings, as well also as prosecutor, judge, jury, and executioner, as declared by the United States Circuit Court of Appeals in the Inland Steel case.

Twenty-second. I charge David Saposs with the manifestation of a strongly exaggerated social consciousness. I charge that he was born in Russia; that he was and probably still is a member of the Socialist Party; that he was and probably still is a member of the Conference for Progressive Labor Action; that he was a member of the faculty of Brookwood Labor College, characterized by the American Federation of Labor as a Communist school; that his writings show that he holds democracy in derisive contempt; that he would destroy capitalism; and that he openly urges labor to destroy capitalism, asserting that the time is now ripe for such destruction.

Twenty-third. I charge that David Saposs has demonstrated by his writings and affiliations that he is unfit to occupy a position of policy making and trust in our Government; that he holds in derisive contempt our constitutional system, our institution of private ownership; and that he has been and is now engaged as an officer of this Government in its destruction.

Twenty-fourth. I charge that in its policies and in its interpretations of the Labor Act the Board has engaged in practices beyond the language, intent, and scope of the act, and that it has used its influence to champion the industrial form of organization.

Twenty-fifth. I charge that the Board has ignored or violated all the rules of evidence and that it has substituted surmise, suspicion, and guess for proof.

Twenty-sixth. I charge that the Board has violated the principles and formalities of due process and that it has unscrupulously exercised arbitrary powers.

Twenty-seventh. I charge that the Board has violated the right of freedom of speech by declaring certain expressions of employers to be the basis for the finding of unfair labor practices.

Twenty-eighth. I charge that the Board is guilty of the daily infliction of wrongs upon labor, industry, and the American people.

Twenty-ninth. I charge that the Board has not administered the law with purity and integrity, that it has closed its ears to the voice of justice, refused to be guided by rules of reason, and has no moral sense of right.

Therefore, Mr. Speaker, I charge the National Labor Relations Board with malfeasance and misfeasance in office. I charge that it has shown bias in the performance of a quasi-judicial function; that it has thwarted the administration of law and justice; that it has placed itself above and beyond the law; that it has conducted star-chamber proceedings against industry; that it has imposed pains and penalties maliciously and in violation of law; that it has implemented the aid of other bureaus of the Government in the infliction of such pains and penalties; that it has deliberately and with malice violated the criminal code; that while created to perform a quasi-judicial function it has conducted itself in a capricious and arbitrary manner; that it has acted immorally and illegally by inciting labor groups to subversive activities against the peace and welfare of other groups of citizens; that it has caused labor discontent and fomented industrial discord; that it has sought to coerce the Congress through the expenditure of large sums of public funds; that it has harassed the citizens of the United States; that it has assumed the attitude of a bureaucratic dictator; that it has aided and abetted those who seek the overthrow of the American Government by giving them employment upon its staff; that it has constituted itself judge, jury, and executioner in the conduct of cases before it; that it has suffered its employees to engage in the legal misconduct of cases before them and to advocate the overthrow of the Government of the United States; that it has violated the principles of free speech and of due process; that it has neither the wisdom nor the willingness to render justice with an even hand; that it is a professional troublemaker, a reflection upon the administration, and a disgrace to the country. Wherefore, Mr. Speaker, I contend that this Board should be replaced, and the law otherwise amended. [Applause.]

Mr. SMITH of Virginia. Mr. Speaker, I yield 13 minutes to the gentleman from Illinois [Mr. SABATH], to be in turn yielded by him to whomever he desires.

Mr. SABATH. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, there is just as much justification for the charges of the gentleman from Georgia [Mr. COX] that he has made against the National Labor Relations Board and its actions as there is justification for the charge that American labor is disloyal. I mean that there is no justification whatsoever, not the slightest, in either instance. American labor, organized or not organized, has demonstrated time and time again that it is both loyal and patriotic and can be fully relied upon in any emergency and on any occasion. Therefore, labor is entitled to fair treatment and certainly should not be charged here or elsewhere with disloyalty. [Applause.]

The gentleman, by his wholesale charges, seeks to lull you to sleep and blind you as to the purposes and inequalities of the rule now before us, which should be defeated, as was the bill amending the Wage and Hour Act, after it had been emasculated by being loaded down with amendments. The same thing will happen here. I am sure we are wasting time. We are going to waste another 2 or 3 days on this one-man (Smith) bill that this rule makes in order. I know the Senate will never consider this legislation, even if it should pass the House. And, even if it should get through both branches of Congress, I have good reason to believe the President would veto it because it would greatly injure the usefulness of the National Labor Relations Act. This act that it is now being sought to destroy has brought cooperation between capital and labor as no other legislation ever has. Since the Supreme Court has held it constitutional in every instance there have been fewer and fewer strikes. The Labor Board has settled over 2,000 strikes in 4½ years, averted 824, and conducted over 3,000 secret-ballot elections, in which over 1,127,000 votes were cast.

The gentleman from Georgia made a number of wild and ridiculous charges. I shall reply to the gentleman, substantiating my statement; first, as to the rule; second, as to the Committee on Labor; and, thirdly, as to the President's position on this proposed amendment to the National Labor Relations Act, Public No. 198, Seventy-fourth Congress.

The rule itself is highly objectionable. It is even worse than the rule that was before the House April 25—House Resolution 289—for the purpose of amending the Wage and Hour Act. That was the first occasion in the history of the American Congress that such an unfair method was ever resorted to to force before the House a bill that had never been sufficiently considered or reported by the Committee on Labor, the committee having jurisdiction. I opposed that rule just as I am opposing this one, and I said then that we were setting a precedent that would return to plague us. These two precedents practically give the Rules Committee the right and power at any time to consider any rule that any Member may ask for, notwithstanding objections raised by members of the committee having jurisdiction.

I repeat this rule is even worse and more dangerous than the wage and hour rule is, because it not only deprives a legislative committee of this House of its rights and functions, thus practically insulting it, but it even discriminates and sets a new precedent by allocating to the proponent of the substitute bill, which the Committee on Labor has refused to report, 2 hours of the allotted 4 hours of general debate. This action has never before been attempted or even contemplated. All this effort and irregular action, Mr. Speaker, for the purpose of short-changing labor and even the Members of this House who are opposing the scuttling and defeat of the National Labor Relations Act.

The act, in fact, provides simply for collective bargaining. The National Labor Relations Board is charged with the simple function of enforcing the provisions of the act. It is an administrative body. The attack upon the act and upon the National Labor Relations Board is the same now as when the act was pending.

The purposes of the act and the Board are simply to get the two sides around the conference table and, through collective bargaining, settle their own conflicts. The Board is not even a mediation agency.

The Board is charged with being prosecutor, judge, and jury in cases before it. The answer is that the Board is an administrative body having the responsibility of enforcing an act. It receives complaints about violations of the act. It sifts the complaints through its agents. It confers with both sides and a majority of cases are settled. When the evidence appears to be clear that a violation of the act has taken place, a public hearing is held before a trial examiner. The evidence of both sides is put into the record. The record is reviewed by the trial examiner and findings are made by him. These are submitted to the employer, who has a chance to make exceptions to the Board and be heard by the Board on any matters believed by him to be in error. The Board makes a decision, but this decision has no force of law until it has been reviewed by a circuit court of appeals. The court may

order enforcement or may modify the findings and order of the Board. How it can be charged that the Board is prosecutor, judge, and jury when the whole process is reviewed as indicated, is beyond the imagination of an ordinary man.

It is the big interests and organizations such as the National Association of Manufacturers and American Chamber of Commerce who are seeking to emasculate the act or defeat it. They have tried to resist it from its very inception. They have left no stone unturned to attack and assail members of the Board and some of its employees, and fought its constitutionality,. but the Supreme Court has sustained it. Therefore, the hue and cry raised by the big employers about its partiality and unfairness fall to the ground completely. If Tom Girdler, labor-seducing head of Republic Steel, and men of his ilk had not set themselves above Congress and the courts in attacking this legislation there would have been general compliance and harmony and cooperation long before it finally came. That some of the gentlemen from Virginia, Georgia, and North Carolina, who do not know anything about the labor conditions of the country, should continue to permit themselves to be fooled by these enemies of the lowest paid of American workers is extremely hard for me to understand.

At first we heard that due to this act business and industry was suffering. These accusations have proven to be false. Here is a Wall Street report from one of the employers' own trade journals. What does it show? That they are making more money than ever before and that in their avariciousness they want more, and more, and more, and still more, and to give labor, that creates this wealth and makes these millions, not even enough to provide subsistence.

The following figures from the Wall Street Journal show the results of some of the more important industrial and commercial groups for 1938 and 1939, together with the number of companies included in each classification and the percentage of increase:

	Number of companies	1938 earnings	1939 earnings	Percentage of increase
Autos and trucks	6	$120,439,882	$224,424,424	86.3
Auto parts and equipment	35	3,719,042	23,257,755	525.3
Building supplies	38	31,943,244	59,720,745	86.9
Chain and department stores	16	54,712,209	62,988,505	15.1
Chemicals	11	69,469,644	121,627,460	75.1
Electrical products	17	46,836,575	78,446,174	67.5
Food products	44	78,577,029	83,932,468	6.8
Mining and metals	19	25,884,499	38,246,781	47.7

According to a recent bulletin of the National City Bank, the combined net profits of 960 leading companies in 1939, after deduction of taxes and the deficits incurred by a small fraction of the total number of companies, amounted to approximately $1,281,000,000, as compared with $647,000,000 in 1938.

Wall Street, however, cannot arouse itself to admit an improvement of this kind, for it is too busy and too anxious to throw mud at the administration of Franklin D. Roosevelt. Robert Laffan, in the same Wall Street Journal, tells the story of a security salesman who called on a country client recently and heard the usual lament about the country going to the dogs under the New Deal. He then produced the figures cited above, showing the tremendous gain in profits during 1939. Said the client, "I don't believe it." The explanation is simple. Some people, especially the Republicans and big business, are too blinded by political prejudice to recognize or admit what a blessing Roosevelt has been to them, even if it is pointed out with wholly accurate and unquestioned figures. They forget that when President Roosevelt took over the Government from the hands of Herbert Hoover on March 4, 1933, that the farmers, big business, and every form of industry was hanging on the ropes, on the very verge of complete collapse, and with revolution just around the corner.

Mr. Speaker, it is legislation like the National Labor Relations Act that the pending rule would destroy that have been responsible for the recovery that has come about since Franklin D. Roosevelt has been in the White House. I plead with Members to study carefully this unfair, unjustifiable rule that has been forced upon them today, and to vote against it.

[Here the gavel fell.]

Mr. HALLECK. Mr. Speaker, I yield 10 minutes to the gentleman from Ohio [Mr. ROUTZOHN].

Mr. ROUTZOHN. Mr. Speaker, on the 20th day of July, last year, this legislative body, by the decisive vote of 254 to 134, adopted a resolution to appoint a special committee of five to inquire into the administration of the National Labor Relations Act.

That act and the governmental agency created by its provisions, known as the National Labor Relations Board, had been in existence but 4 years.

In that 4 years, however, a storm of protest, emanating from the four corners of this broad land of ours had increased to such proportions that Congress was compelled to take affirmative action.

These protests of outraged justice did not come merely from one element or group of our citizens but from all alike—employer and employee, organized labor and unorganized, press, and public.

Polls of public opinion revealed that an overwhelming majority of the people were demanding amendment or repeal, and the press of the country was practically unanimous in urgently appealing to Congress to review and revise the law.

The original sponsor of the act, the American Federation of Labor, was loud in its protestations and forceful in its appeals to Congress.

The report of the executive council of the American Federation of Labor unanimously adopted by the fifty-eighth annual convention at Houston, Tex., in 1938, declared that the National Labor Relations Board "had administered the act contrary to its letter, spirit, and purpose."

This great labor organization, comprised of more than 4,000,000 members, did not conclude its endeavors with the mere adoption of a report and resolution. It offered something constructive to remedy the wrong. It proposed and strenuously advocated amendments to the act, favorable to both employer and employee, and demanded the creation of a new board. It assigned to its president the task of informing the public of the misconduct and maladministration of the Board, necessitating a change of its personnel as well as amendment of the act.

In accord with that assignment, William Green, its able and worthy president, has waged a strenuous fight for the accomplishment of the desired results, and only yesterday he wired every Congressman to support this rule.

Because of his comprehensive discussion of the entire subject in a few well-chosen words, I quote from a radio address by Mr. Green, delivered on May 22, 1939, over the Columbia Broadcasting System, the following:

> The American Federation of Labor is now leading a struggle which is of direct and vital importance to every citizen of the United States.
>
> We have asked Congress to make certain changes in the National Labor Relations Act and we are rallying all our forces in support of these amendments because we are convinced that their adoption will correct present injustices, stabilize labor relations in interstate industry, and help bring about national recovery.
>
> As a democratic American institution, the American Federation of Labor always has been responsive to public opinion. We have done our utmost to merit public support of our policies. We believe we have abundant evidence today that the American public overwhelmingly supports the American Federation of Labor in its efforts to guarantee fair play in the administration of the National Labor Relations Act.
>
> That is all we ask—fair play. That is all the National Labor Relations Act ever was intended to accomplish—fair play. That is what the National Labor Relations Board has disgracefully failed to live up to in administering the act—the principle of fair play.
>
> * * * * * * *
>
> Remember that the American Federation of Labor was the original sponsor of the National Labor Relations Act. We nurtured it and fought for it and succeeded in getting it enacted. We believed then in its principles and we are just as wholeheartedly committed to them now. All the law set out to do was to establish a

basis of fair play in industrial relations between employers and their workers. It was expected that fair play would create good will, that peaceful negotiations would be substituted for costly strikes, and that the free flow of interstate commerce would no longer be seriously interrupted by labor troubles.

It hasn't worked out that way and the responsibility lies squarely with the Labor Board * * *.

The present situation is so serious that the American Federation of Labor believes it must be remedied at once. We have asked Congress to do so by abolishing the present Board and establishing a new Federal Labor Board of five members. Only in this way can the Nation obtain the necessary house cleaning of a bureau which has wandered far afield from its original functions.

We should not stop there. We hope and trust that a new Board will not duplicate the mistakes of the present one. But we must make certain that the wide discretionary powers vested in the Board will not be abused in the future. Therefore, in order to assure fair play, we have asked Congress to write into the law the rules of the game, rules that will apply to all and guarantee every party equal justice under the law.

* * * * * * *

Now, let us see just who these people are who protest so vehemently that the National Labor Relations Act is sacred and that not even one of its precious semicolons must be disturbed. First in the line-up we find the Labor Board itself, a group of bureaucrats bitterly opposed to surrendering any part of their power. Second in line stands the C. I. O., frantically trying at any cost to keep intact the favored treatment it now enjoys from the Labor Board. And, finally, we find lurking in the rear, but beating the drum even louder than the rest, the Communist Party.

The American public will judge these warriors in a common cause by their motives and by the company they keep.

Mr. Speaker, the last paragraph, just quoted, pointedly answers the question I now desire to emphasize.

What organizations or groups are opposing this rule and the consideration of the proposed amendments?

On April 15, last, the Ohio Congressmen were subjected to a lobby by 75 C. I. O. members, who had journeyed from Ohio to Washington, headed by one Ted F. Silvey, secretary-treasurer of the Ohio C. I. O. council. On the same day or at about the same time other State delegations likewise called upon their Congressmen.

The real object of these visits was obvious, namely, to prevent this Congress taking action to amend the National Labor Relations Act by attempting to bulldoze, intimidate and coerce the Members of Congress.

Following this demonstration of alleged political strength, in addition to several telephone calls from the leader, Silvey, I received from him and the C. I. O. these letters and telegrams which I shall place in the RECORD for your edification and delectation. For sheer brazen effrontery they cap the climax. They even go so far as to state in a letter that was forwarded to all Members of the House that the head of our Labor Committee is opposed to any and all amendments, including the Norton amendments.

Mr. Speaker, in my remarks thus far—necessarily brief—I have confined my quotations to those who actually or allegedly are representatives of American labor.

I have refrained from presenting the views of industry and employer organizations directly affected by the National Labor Relations Act and its administration, for those of outraged labor are all sufficient.

The demand today for a new Board and remedial amendments to the act is no less formidable than it was a year ago, resulting in the appointment of an investigating committee. Due to the turn of events in Europe a far greater necessity to amend the act exists today.

Heretofore, the maladministration of the act merely retarded our national economic recovery. With the C. I. O. strike in Kearny, N. J., as a timely warning of what may follow, it is imperative that the unholy alliance between the N. L. R. B. and C. I. O., both infested with and influenced by Communists, be completely and permanently obliterated.

Need I do more at this time than remind you that the evidence of our hearings shows that two members of the Board firmly believe in and have repeatedly attempted to justify sit-down strikes; that one of these two Board members—Smith—is on entirely too friendly terms with that radical alien, Harry Bridges, who openly advocates the tying-up of transportation as the effective means of sabotaging industry; that these same two Board members, Madden and Smith, have taken orders from said Bridges in the assignment of staff members to cases in which Bridges was interested; that these same two Board members work hand-in-glove with the C. I. O. and are under the constant and complete domination of John L. Lewis; that the Board, either unanimously or by a majority vote, has flaunted and defied this Congress, both House and Senate, and retained as its counselor and chief adviser, David Saposs?

Adopt this rule, my colleagues, and we shall have more time in which to cite evidence adduced at our hearings which you should know in order to intelligently determine whether the National Labor Relations Act needs amendment.

Your investigating committee was charged with the duty of reporting not only the results of its investigation but of submitting amendments. May I read to you two paragraphs of the resolution which you adopted last July?

Whether the National Labor Relations Board has been fair and impartial in its conduct, in its decisions, in its interpretation of the law, and in its dealings between different labor organizations and its dealings between employer and employee.

What amendments, if any, are desirable to the National Labor Relations Act in order to more effectively carry out the intent of Congress, bring about better relations between labor unions and between employer and employee, and what changes, if any, are desirable in the personnel of those charged with the administration of said law.

In the light of these paragraphs, you will note that the majority of your five-member committee—the gentleman from Virginia, Judge SMITH; the gentleman from Indiana, Mr. HALLECK; and myself—in submitting the proposed amendments have therefore complied with the duties specifically enjoined by this House.

Not only that, but your special investigating committee has won the approval of all fair-minded people and the commendation of the press for the fair, forthright, and judicial conduct of its hearings.

It would be sheer travesty for this House to reverse its action of July 20, 1939, and at this time of even greater need to refuse to adopt the rule and grant to us, the majority members of the committee, the opportunity to prove our case.

I append hereto as part of my remarks the letters and telegrams from the C. I. O. referred to, and the telegram from William Green, president of the American Federation of Labor.

OHIO C. I. O. COUNCIL,
Columbus, April 17, 1940.

HARRY N. ROUTZOHN,
Congressman, Third Ohio District, House Office Building, Washington, D. C.

DEAR MR. ROUTZOHN: Monday morning when you and I disputed the validity of efforts of a few top officers of the American Federation of Labor to amend the Wagner Act I asserted vigorously to you that such action did not arise from the wishes of members of that organization. The necessity to hurry along to conclude our meeting caused me to overlook telling you of the recent primary results in the State of Nebraska.

Senator EDWARD R. BURKE is one of the noisiest opponents of the National Labor Relations Act in past and present sessions of this Congress. Allegedly he represents the wishes of the American Federation of Labor. Actually he does not. Despite what a small clique of national officers may have said, the working members of that organization in Nebraska, along with members of the C. I. O. and railroad brotherhoods and the citizenry, expressed their opinions otherwise.

Mr. BURKE will not be in another Congress.

Sincerely yours,

TED F. SILVEY,
Secretary-Treasurer, Ohio C. I. O. Council.

OHIO C. I. O. COUNCIL,
Columbus, April 22, 1940.

HARRY N. ROUTZOHN,
Congressman, Third Ohio District, House of Representatives Office Building, Washington, D. C.

DEAR MR. ROUTZOHN: Last Monday morning I appeared before you in Washington with a delegation of Ohio labor union officers from every part of the State to oppose amendments to the National Labor Relations Act.

Since then the Labor Board has completed the work of collective bargaining elections in the 60 American plants of the General Motors Corporation. The C. I. O. industrial union victory over the A. F. of L. craft unions had been everywhere conceded, but the tremendous preference for the C. I. O. was a dramatic result.

However, the thing I would emphasize to you as a further argument against any present amendments to the National Labor Relations Act was the very small number of "no union" votes.

There were 135,000 votes to cast. More than 125,000 were voted. The ballot was as secret as your own precinct on election day. Only 13,919 General Motors workers voted "no union." Over 112,000 voted for union representation, for the C. I. O., by an overwhelming majority in 49 plants, and for a number of other organizations in 6 plants.

This result pretty effectively gives the lie to assertions of daily newspapers and antilabor officeholders that workers would not join unions unless they were forced into them by aggressive, self-seeking officers.

General Motors workers are proud that they can peacefully and without coercion express their choice of union organization—whatever their preference may be. In my opinion the large number of ballots cast in proportion to the total eligible voters was significant in this election year.

This establishes for us a goal—that we may get out to the polls in the general elections next November as large a percentage of the eligible voters.

Sincerely yours,

TED F. SILVEY,
Secretary-Treasurer, Ohio C. I. O. Council.

COLUMBUS, OHIO, *April 30, 1940.*

Congressman HARRY ROUTZOHN,
House Office Building, Washington, D. C.:

Insist you vote to defeat rule on amendments to National Labor Relations Act. Mary Norton is against her own bill. No friend of labor can be for the Smith amendments. You know your A. F. of L. constituents are urging that the act be left alone if they are addressing you at all. Consider situation Senator BURKE finds himself after his vicious assault of the Labor Act. Leave the Wagner Act alone.

TED F. SILVEY,
Secretary-Treasurer, Ohio C. I. O. Council.

COLUMBUS, OHIO, *May 1, 1940.*

Congressman HARRY ROUTZOHN,
House Office Building, Washington, D. C.:

No part of my telegram of yesterday should be construed to mean anything except our strong feeling that the Labor Relations Act should be left untouched. Amendments proposed are calculated not to improve but to destroy it. Vote against all amendments.

TED F. SILVEY,
Secretary-Treasurer, Ohio C. I. O. Council.

CONGRESS OF INDUSTRIAL ORGANIZATIONS,
Washington, D. C.

Mrs. MARY T. NORTON, chairman of the House Committee on Labor, has declared, in a letter to an affiliate of the Congress of Industrial Organizations, that "no amendments should be passed this year to the National Labor Relations Act."

Mrs. NORTON made this statement in reply to a letter from Miss Margaret Wallace, executive secretary, District of Columbia Council, United Federal Workers of America, in which the organization's opposition to the Norton and Smith amendments was expressed. The letter follows in full:

"MY DEAR MISS WALLACE: This will acknowledge receipt of your letter of April 20 with attached copy of a resolution adopted by your organization opposing H. R. 9195, the Norton bill, and H. R. 8813, the Smith bill, to amend the National Labor Relations Act.

"As chairman of the committee, all committee bills bear my name. This is the usual procedure in all committees. However, I am entirely in accord with you that no amendments should be passed this year to the National Labor Relations Act. I shall take this position on the floor when the rule comes before us. The only way all amendments can be defeated is to vote down the rule when it comes up for adoption.

"Thank you for letting me know the views of your organization.

"Sincerely,

"MARY T. NORTON."

WASHINGTON, D. C., *June 3, 1940.*

HARRY N. ROUTZOHN,
Member, House of Representatives, Washington, D. C.:

I earnestly appeal to you and all our friends in the House of Representatives to support a rule which will make possible the adoption of amendments to the Labor Relations Act. Constructive amendments are highly necessary and greatly desired by the American Federation of Labor. We will greatly appreciate your support.

WM. GREEN.

Mr. HALLECK. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. BARTON].

Mr. BARTON of New York. Mr. Speaker, I voted against the Smith resolution for setting up a special investigating committee for two reasons: First, because I felt that it was an unmerited reflection upon the intelligence and good faith of the Labor Committee, of which I am a member, and, second, because as far as I personally was concerned as a Member of the House I did not feel that I needed any more information to enable me to act intelligently in respect to the Labor Board. I felt then as I feel now, that the one amendment that is necessary in this case is to abolish this Board and set up an entirely new Board in its place. [Applause.] I believe that if that single amendment could be adopted most, if not all, of the criticism, abuse, and scandal which has attended the administration of this act would disappear overnight.

In saying this and in saying that I propose to support this rule and to support that amendment if opportunity arises, I think I am speaking as a real friend of labor. I believe that those self-professed friends of labor who stand against any amendment or any improvement in labor legislation or its administration are making the same mistake that was made by those who stood against any regulation and reform of finance and industry and believed that by so doing they were being friends to the capitalistic system. Time has proved that they were very unwise friends. I believe that whenever defects or abuses develop in labor legislation or its administration the Congress ought promptly to correct those defects or abuses, and that in proceeding in that fashion it is being in the truest sense a friend to organized labor. [Applause.]

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts [Mr. HEALEY].

Mr. HEALEY. Mr. Speaker, I have had the honor to serve on the special committee investigating the National Labor Relations Board. The committee spent many weeks in the conduct of this investigation. We have a voluminous record of the proceedings. But during all that time the eminent counsel for the committee, an astute and brilliant gentleman, consumed all the time delving at great length into scattered and unrelated instances of alleged indiscretions on the part of employees of the Board.

We were commissioned by the Congress to make a thorough and well-rounded investigation and study of some of the substantial problems and issues that confronted this Board in administering the National Labor Relations Act. But the committee had not even skimmed the surface of the important problems involved when hearings were abruptly suspended, and there were presented to the committee some 18 or 19 amendments which went to the basic principles and fundamentals of this act. These amendments were not founded on evidence adduced at those hearings, and they must have been preconceived in the minds of those who introduced them, because there is a total lack of substantial evidence of record on which the committee action could be based.

The distinguished gentleman from Ohio [Mr. ROUTZOHN] has stated that Mr. Green, president of the American Federation of Labor, has telegraphed Members of Congress to vote for this rule, because he believes there should be some changes in this act. I wish to say to the gentleman, and I challenge anyone to disprove this statement, that after the Smith committee had submitted its preliminary report, after the Smith committee had drawn the amendments which it submitted to the Congress, Mr. Green and Mr. Lewis and every labor organization in this country undeniably, unqualifiedly, and categorically opposed the Smith amendments. [Applause.]

Every man who works in overalls, every man who works by the sweat of his brow, the toil of his mind and body, is opposed to the Smith amendments because they are emasculatory of the great bill of labor's rights, this Magna Carta, that the Congress wrote in 1935 for the protection of labor. The Smith amendments will destroy those guaranties; the Smith amendments will destroy that act, and labor is intelligent enough to know that these amendments, harmless as they may appear and as innocuous as they may seem, are destructive of the very basic elements of that act which Congress wrote to protect the rights of labor. [Applause.]

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield 3 minutes to the chairman of the Labor Committee, the gentlewoman from New Jersey [Mrs. NORTON].

Mrs. NORTON. Mr. Speaker, the gentleman from Georgia [Mr. Cox] charged many things in his denunciation. He could have summed up his charges by saying, "I charge that the Wagner Act should be repealed." He would have saved a lot of time, for certainly all of his remarks indicate, and it must be clear to the House, that he is opposed to everything contained in the act and hopes that in repealing the Wagner Act the rights of labor would be destroyed.

Mr. Speaker, my purpose in addressing the House is to protest this resolution and to ask the Members of the House to vote it down. The most important question before us, as I see it, is whether or not the Committee on Rules is to dominate and govern the actions of a standing committee of the House. The Committee on Rules apparently has the authority to report a rule making any bill which has been introduced in the House in order without even committee consideration. Such a policy, if continued, would not only lead to confusion but would destroy orderly procedure and render the standing committees of the House unnecessary and useless.

To serve the selfish interests of certain antilabor members of the Rules Committee a rule is reported on H. R. 9195, the committee bill, making in order a bill never reported by the Labor Committee, and using H. R. 9195 as a vehicle to present the Smith bill to the House; and they never could have gotten it before the House in any other way. I am unalterably opposed to such procedure and I protest the obvious insult to the Labor Committee.

The great difference between the Labor Committee bill and the Smith bill is that the committee bill protects labor and the rights of 8,500,000 organized workers in this country. It protects the rights of all of those workers, particularly in their right to bargain collectively. Bear that in mind! It also corrects a few defects in the law and enlarges the membership of the Board. On the other hand, the Smith bill—and I say this most emphatically—is an employer bill—designed to take the heart out of the Wagner Act and render the workers of the country helpless.

If the Members are interested enough to examine the labor record of the majority members of the Smith committee—and I hope you will do so—you will find an answer to why this unusual rule was reported. Their labor record is one of consistent opposition to any bill to benefit labor. They are absolutely opposed to giving the workers of the country even a fair break. [Applause.] I wish to call attention at the same time to the fact that the minority report, written by men who have always been friends of labor, is a report that the Members of the House should examine with very great care. In this report they will find an answer to every charge in the majority report.

I appeal to you, I beg of you, to vote down this rule. It has been said that if we do this you will have no consideration of amendments to the Wagner law. I say that is not so. If this rule is voted down, opportunity will be afforded to bring up the Labor Committee bill. No real friend of labor can justify his vote for this rule. I appeal to the Members of the House to vote down this vicious rule. [Applause.]

[Here the gavel fell.]

Mr. HALLECK. Mr. Speaker, I yield 1 minute to the gentleman from Ohio [Mr. SECCOMBE].

Mr. SECCOMBE. Mr. Speaker, I was somewhat amazed at the statement of the gentleman from Illinois [Mr. SABATH] when he asked that we vote down this forced rule today. This is not a forced rule, this is a most welcome rule. This rule is not in opposition to labor. I come from the ranks of labor, and I am glad to join with them today in support of this rule, and a vote in favor of the rule has the support of the American Federation of Labor.

Before coming to Congress I was the mayor of a thriving industrial community, and had the unpleasant experience of having the Governor of my State send in troops to help maintain law and order during strike trouble. After that experience I had the unfortunate experience of having some dealings with the National Labor Relations Board, and I charge them with causing more dissension between labor and industry than any other board or agency that ever existed in this great country.

I think we face no greater problem today aside from national-defense legislation than our experiences of 5 long years where the administration of this National Labor Relations Board has acted as the judge, prosecutor, and jury, and now is the time for us to face this issue courageously and fearlessly. I do not say that all of the Smith amendments are perfect in their entirety, but I do say that certainly some of them are of grave necessity and should be adopted. What I want is justice and fairness, and I ask you to support this rule so we can hear the facts of the Smith investigating committee—then we can know better how to vote. [Applause.]

[Here the gavel fell.]

Mr. HALLECK. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. WELCH].

Mr. WELCH. Mr. Speaker, this is the second rule, within recent weeks, dealing with labor legislation, which establishes precedent inasmuch as it not only permits consideration of two bills—H. R. 9195, known as the Norton bill, and H. R. 8813, known as the Smith bill—pertaining to the National Labor Relations Act, but it goes still further. The rule provides for 4 hours of general debate—1 hour to be controlled by the chairman of the committee, 1 hour to be controlled by the ranking minority member and 2 hours to be given to the sponsor of H. R. 8813.

Mr. Speaker, this contemptible rule gives one-half of the time to the sponsor of H. R. 8813, which bill never at any time has been considered by the Committee on Labor. This is a reflection on a hard-working, conscientious legislative committee of this House. As the ranking minority member I resent this procedure and will not participate in the consideration of legislation under such an unjust and degrading rule. [Applause.]

Mr. SABATH. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. MARTIN J. KENNEDY].

Mr. MARTIN J. KENNEDY. Mr. Speaker and Members of the House, I am opposed, and I intend to vote against, House Resolution 465 which, if adopted, will make in order the consideration of H. R. 9195. This rule provides that after the reading of the first section of H. R. 9195, it shall be in order to move to strike out all after the enacting clause and insert as a substitute the text of the bill H. R. 8813. This substitute bill was introduced by Representative SMITH of Virginia, and is entitled "A bill to amend the National Labor Relations Act."

It is regrettable that only 1 hour is allowed to debate this rule, but I deeply appreciate even this limited opportunity to express my views in opposition to the proposed rule. I feel sure that I am voicing the sentiments of the entire New York delegation in the House when I say that the passage of the Smith bill will be a death blow to labor's "Magna Carta" the National Labor Relations Act. I propose to vote against this rule, and I am going to vote against it because I believe its passage will open the door to amendments to the National Labor Relations Act that are unnecessary and would be most harmful. I believe, overnight, the President could correct all of the evils that are the basis for this proposed legislation. Most of the complaints result from the conduct of individual N. L. R. B. employees. As a Democrat, I have no apology for them. I do not know how they were selected for their positions or by whom they were selected. Many of them are not Democrats. I wish my Republican colleagues would realize that a man's politics has no bearing in the filling of positions in this administration. He is selected solely on merit and ability. I think we can accomplish, by administrative processes, all that is proposed in this bill. It is possible to correct the admitted defects of the National Labor Relations Act, and by so doing make the act in fact as well as in spirit the "Bill of Rights" of labor. [Applause.]

[Here the gavel fell.]

Mr. HALLECK. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, we are met here today to pass upon this rule, and in contemplation of the condition which exists in the

country and throughout the world, I say to you it is highly important business.

In considering this we should constantly keep in mind that the so-called Labor Act was enacted in 1935, and, fundamentally, it means simply this. We have written into the statute a guaranty of the right of employees to organize and bargain collectively through representatives of their own choosing. Now, let us not get away from that.

There are very few, if any, people in this country who seek the destruction of that act or of the principle for which it stands. Certainly, I do not stand for any such action, and as a Member of the House I shall vigorously oppose any amendment offered here that might be calculated to destroy the fundamental purposes and objects of the statute. We must remember, however, that this was pioneering legislation. It set a precedent in governmental action.

During the 5 years that the act has been in operation, we have seen imperfections develop, imperfections in administration and imperfections in the very law itself. Our experience has indicated that some changes should be made. Why, let me call to your attention the fact that the Interstate Commerce Act was put on the books of this country over 50 years ago, but it has been repeatedly changed to make it more workable, to make it more nearly in line with the objectives which it was originally intended to reach.

The demand for the amendment of this act is general. As has been pointed out, it is not a matter of employers on one side and employees on the other. As a matter of fact some of the most insistent demands for changes in this act have come from one of the great organizations of labor. The most recent demand came to you people yesterday, and in connection with the Smith bill let me say that no one I know of is wedded to every line or every paragraph of any bill. As a matter of fact, there are amendments included in that bill that are also included in the bill reported by the Labor Committee. There are amendments in there, such as the free-speech amendment and the right of employers to petition for elections when they are caught in the midst of conflicting organizations, that have been approved by the American Federation of Labor for years. Leaders of both labor organizations have in the past expressed dissatisfaction with the administration of the labor act.

There have been hearings not only by the Smith committee but by the Labor Committee. The Labor Committee reported a bill that is made in order in this rule, which adds two members to the Board.

Mrs. NORTON. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. Not now, I have not the time. The provision to give to employers the right to petition for election is in both the Norton bill and the Smith bill, and also a provision that after you have certification, you cannot have another election for 1 year. What is the matter with that? Insofar as the Norton bill seeks to add two members to the Board, I say that it recognizes that something is the matter and something should be done.

This rule is open and fair. As I understand it, the time will be divided, half to the people who are opposed to the amendments and half to the people who favor the amendments. Either bill can be used as a vehicle on which the House will operate. The House can take any of these proposals, or leave them.

I heard my good friend from New York argue that he was not going to vote for this rule, if I understood him correctly, because it might open the door for some amendments to this act that would be undesirable or improper. That has been the argument of a great many people against amendment. I say that that is an indictment against the House of Representatives. Talk about an indictment of the Committee on Labor. Why, for those who oppose any and all amendments to argue that the House of Representatives cannot be trusted to pass upon this great question is to my mind to write an indictment of our system of representative government, to which I do not subscribe. I say that the House must be trusted with this problem. Bring the bills in here. They are subject to amendment, and let the House itself pass on these provisions item by item, one by one, and when the House has spoken, as a Member of the House, or as a member of the Smith committee, I shall abide by that judgment.

Let me point out something else. It has been suggested here, and I believe it is true, that if imperfections develop in this act or in its administration or if there are irritants in the act or in the administration which are creating the sentiment that clearly exists demanding some change in the act, then, is it not better that these irritants be taken out of the act and out of the administration before the sentiment which they create rises to such proportions as to uproot the law itself? I say that a true friend of labor will recognize that situation as it exists and will support legislative action which is calculated to take out of the act and out of its administration those things which are creating an overwhelming sentiment and demand throughout the country that some amendments be adopted.

I point out another thing to you in connection with a number of these proposals. I referred a moment ago to the right of employers to force an election when they are caught in the middle of conflicting claims of conflicting unions. I think nearly everybody agrees that that is about the sort of thing that should be done. Even the Labor Board recognizes that in principle, because sometime ago the Board adopted a regulation saying that employers should have the right to such petition. Fortunately or unfortunately, however, up to the time our hearings were concluded, only one such petition had been granted. And let me ask you this question—if that is a proper amendment, and I challenge anyone to prove that it is not, then is it not incumbent upon us, charged with the legislative functions of this Government, to make the change in the law and to set up the standards, set up the outline by which an employer can petition for an election?

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. Not just now.

Mr. SABATH. The gentleman is interested from the employers' standpoint.

Mr. HALLECK. Of course, I fully expected something like that might be said. If my being for such an amendment means that I am defending the cause of the employer, then I say make the best of it. I will stand on it [Applause], because it is fair and right.

I am just as interested in protecting the fundamental rights of labor under this law as are any of you. There are many things that have been asked for in the way of amendments that have not been put into any of these bills. Is there anything in the Smith bill to regulate unionizing activities of employees? That has been demanded. Is there anything in the Smith bill that would provide for outlawing the closed shop? Is there anything in the Smith bill, as has been requested by many, which would provide that after a contract is entered into under the functioning of this act and the contract is breached by the labor organization, its rights under the act shall be forfeited? No, no; those things are not in there. Examine the amendments. That is what I ask.

The SPEAKER. The time of the gentleman has expired.

Mr. HALLECK. I yield myself 1 additional minute, Mr. Speaker.

I understand that anyone can be criticized for his attitude on this legislation. Criticism would come from all directions, and as far as I am concerned, when I started on it I was firmly convinced that whatever I might do probably would not satisfy anybody but I have tried to be fair. I tried to satisfy myself, and that has been a pretty big job. I do not say that the House of Representatives should adopt all of these proposals, but I do say there are certain things that should be done, that can be done and ought to be done. We ought to face the problem before us with courage and do the job and do it properly. After all, in the condition in which the world finds itself today, this great country of ours, relying upon democratic processes of private initiative and private enterprise in the long run for its continued happiness, prosperity

and existence, must depend upon our internal economic strength. Fair and equitable legislation on the subject before us will aid us in that direction. [Applause.]

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield the balance of the time to the gentleman from Utah [Mr. MURDOCK].

The SPEAKER. The gentleman is recognized for 2 minutes.

Mr. MURDOCK of Utah. Mr. Speaker, I never realized until right now what a terrible word "minority" is. When I joined with my friend, the distinguished Member of this House the gentleman from Massachusetts [Mr. ARTHUR D. HEALEY] in writing the minority report, as members of the Special Committee of this House Investigating the National Labor Relations Act and Board, the fact that our report was called the minority report and that we were styled the "minority" of the committee, did not mean very much to me. There was no stigma attached to the word "minority" at that time, and when we have spoken of the Republican side of this House as the "minority side," I have never felt that there was anything very wrong in the word "minority." But today, Mr. Speaker, I have been brought to a full realization of what this terrible word really means. Under our great Constitution, and under the laws of the Federal Government and the laws of our State governments, we always take pride in the fact that the minority is fully protected; that they have their day in court; that they have full opportunity to express themselves. But in the consideration of the resolution which is before us today, I find that at least the minority of the Smith committee, the gentleman from Massachusetts [Mr. HEALEY] and I, are certainly not protected in our rights to present the minority views on this resolution and, in the distribution of time for the consideration of this resolution, we are all but left out on a limb, with no time at all. On the other hand, we find that the chairman of the Smith committee, the gentleman from Virginia, Hon. HOWARD W. SMITH, has a full hour at his disposal. On the other side of the aisle, we find the ranking Republican member of the Smith committee accorded half of the time by the gentleman from Virginia [Mr. SMITH]; and the gentleman from Indiana [Mr. HALLECK], the ranking Republican member of the Smith committee, gives to the other Republican member of the Smith committee, the distinguished gentleman from Ohio [Mr. ROUTZOHN], 10 minutes' time, and reserves for himself another 10 minutes. The honorable gentleman from Georgia [Mr. COX], than whom there is no more vicious critic of the National Labor Relations Act and the National Labor Relations Board in the House, is given 10 minutes. The gentleman from Massachusetts [Mr. HEALEY] is given 3 minutes, and I have been given 2. Perhaps this is in full accord with fair play. Perhaps this gives full and complete opportunity for the minority members of the Smith committee to present their views, but it is rather difficult for me, with my brief 2 minutes, to arrive at such a conclusion. By the procedure here today, the meaning of "minority" is emphasized to the fullest extent.

It seemed to me that the distinguished gentleman from Indiana [Mr. HALLECK] was, in a way, apologizing for the Smith amendments when he said he was not wedded to each and all of the said amendments. But if I understand the majority of the Smith committee correctly, they did voluminously, in detail, emphatically and enthusiastically, recommend in the report of the committee the passage by this House, of each and all of the Smith amendments. And, notwithstanding what I have inferred to be an apology by the gentleman from Indiana [Mr. HALLECK], I think that the majority members of the Smith committee, the gentleman from Virginia [Mr. SMITH], the gentleman from Indiana [Mr. HALLECK], and the gentleman from Ohio [Mr. ROUTZOHN], must take the position that they are here today asking adoption of this rule so that each and all of the Smith committee amendments may be approved and adopted by this House.

The gentleman from Ohio [Mr. ROUTZOHN] referred to a telegram which he said had been received by every Member of this House today, from President William Green, of the American Federation of Labor, which telegram he read, and which telegram requested the adoption of this resolution. Notwithstanding my high regard for President Green, of the American Federation of Labor, I find it rather difficult to harmonize this telegram with the statement issued by Mr. Green immediately after the Smith amendments were introduced in this House. To have the record clear, I will now read the statement read by President Green at that time:

> The amendments offered by the Smith committee as a whole strike in a destructive way at vital fundamental principles of the Labor Relations Act. The American Federation of Labor has repeatedly stated and emphasized its opposition to any impairment of the fundamental principles of the Labor Relations Act in any way whatsoever. We again urge and insist that its principles and its fundamentals shall be preserved and protected. The Labor Relations Act still remains the Magna Charta of labor.

The statement which I have just read to you is clear-cut, it is simple, and it is emphatic. I read again the first sentence of that statement: "The amendments offered by the Smith committee as a whole strike in a destructive way at vital, fundamental principles of the Labor Relations Act." Has Mr. Green changed his mind with reference to the Smith amendments? Does he want us to follow his statement which I have just quoted, or does he want us now to ignore that statement? Does he want us to believe that he was insincere in making it? Have the Smith amendments changed in any way since he made that statement? Are they any less destructive today than they were on the day they were first introduced? No, Mr. Speaker, they are the same identical amendments which were denounced by Mr. Green as striking in a destructive way the vital, fundamental principles of the Labor Relations Act. When he made that statement it is my opinion that he spoke for the rank and file of the great American Federation of Labor. Unless he has changed his mind about the Smith amendments, how can he today ask this great body to adopt this rule which will afford the vehicle and the means of passing the Smith amendments, which he denounced as "striking destructively at vital, fundamental principles of the Labor Relations Act?" I believed with him when he made his original statement about the Smith amendments. The gentleman from Massachusetts [Mr. HEALEY] and I enthusiastically included his statement as a part of our report and considered it the voice of the millions of men and women who are members of the American Federation of Labor. But when he asks us today to ignore that statement and to adopt this resolution to enhance the chances of adoption, by this House, of the Smith amendments, I must refuse to follow his request, because it is my best judgment that his telegram of today is not the voice of the rank and file of his great organization. The rank and file of the American Federation of Labor and the rank and file of the C. I. O., in my opinion, are unanimously against the Smith amendments. [Applause.]

Mr. Speaker, today this great Nation is confronted with the task of uniting every citizen, every group, every agency in a gigantic and speedy program of building an adequate, formidable, and invincible national defense. There can be no division politically, religiously, economically, or otherwise in this great task. No group of our citizens can be left out; we need them all. In order to bring about this unity, this united effort, we will, each and all of us, be called upon to make some sacrifice in our political, our economic, and our social philosophy. We must give and take. We must concede and compromise if we perpetuate the democracy of America.

Mr. Speaker, as Members of this House we can talk from now until doomsday, we can become hysterical in our zeal in expressing our views, but we cannot in this Chamber, with all of our eloquence and all of our zeal, build a battleship, or the smallest part of it; an airplane; or the most unimportant bolt that goes into its construction, or motorized equipment. The great Chamber of Commerce of the United States can condemn and denounce and criticize labor, the Labor Act, and the Labor Board, but they cannot build a battleship or the smallest part of it, an airplane, or a tank, or even a rifle. The great metropolitan newspapers of the United States which

have been denouncing and criticizing the National Labor Relations Act and the Labor Board for years will, in all probability, renew their efforts with enthusiasm if we consider amendments to the Labor Act, the magna carta of labor. But when it comes to building battleships, they, too, are impotent, they, too, are helpless, for they cannot build the smallest part of one nor of anything that goes into our national defense. You can pile up all the millions of the multimillionaires of America, but those millions are impotent, they are helpless in the building of our national defense. What group is it that will build the battleships, and make the tools; what group is it that will construct the airplanes; what group is it that will make the rifles; what group is it, Mr. Speaker, that you and I and every Member of this House depend on to build the greatest dreadnaught, to thread the smallest bolt, and weld the most important seam in the armaments that will make up our national defense?

That group is labor. And labor alone is the potent, willing, and loyal group in America on whom we must depend for the building of our national defense, for each and every part and detail of it. And, in my opinion, Mr. Speaker, in this grave national crisis that confronts us all, there is no group in all America that is more loyal, more patriotic, more energetic, and more ambitious in the cause of democracy than the man in the overalls. We, therefore, should stop, look, and listen before we begin tampering with or emasculating what has become sacred among the laborers of the United States, the National Labor Relations Act.

The distinguished gentleman from Georgia [Mr. Cox] stood here for 10 full minutes hurling one accusation after another at the National Labor Relations Board. He accused them, Mr. Speaker, of every crime in the books, from treason to petty larceny. He waxed eloquent, if not hysterical, in his scathing accusations of the Labor Board. I have not time to go into detail in the very brief time allotted to me in answering the accusations of the gentleman from Georgia, but there is an answer, Mr. Speaker, to each and every one of the ill-founded accusations made by the distinguished gentleman, and that answer is the most eloquent and conclusive answer to the gentleman from Georgia [Mr. Cox] and the other vicious critics of the Labor Board possible. The answer I have in mind, Mr. Speaker, is the glorious and unparalleled court record made by the National Labor Relations Board in its administration of the National Labor Relations Act. [Applause.] I will devote the remainder of my brief time to this court record.

THE N. L. R. B.'S COURT RECORD

It seems to me that altogether too little emphasis has been placed upon the record of the National Labor Relations Board in the Federal courts, and particularly in the Supreme Court. I say this for several reasons.

There is only one respect in which the Board's actions have any binding effect upon anyone. That is when the Board enters, and the courts enforce, an order directing an employer to cease and desist from unfair labor practices or to take affirmative action to remedy the effects of such practices. Of course, if some individual employee of the Board makes a mistake in some case, is tactless in his dealings with the parties, or shows a lack of an impartial attitude, that is of some importance, although it is only to be expected occasionally in any large organization. But in any inspection of the Board's stewardship in a broad sense, it seems to me that we should look at the final decisions and orders of the Board itself, and try to discover whether it has or has not done a fair and competent job in administering this law.

How can we test these decisions of the Board? As we all know, these decisions are not self-enforcing. They must be approved by the courts before they have any binding effect. I am sure that no one here will undertake to say that our great circuit courts of appeals or the Supreme Court of the United States are biased or prejudiced. When these decisions of the Board come before the courts for review, the entire record of the proceedings is open to the scrutiny of the judges. Not merely the evidence introduced at the Board hearings but all the procedural steps starting with the filing of the charge with the Board are placed under the microscope for the minute inspection of the judiciary.

Something else should be pointed out in this connection. Without in any way casting any aspersions on the Smith committee or various columnists writing for the newspapers, it is only fair to observe that they cannot and do not study the full record in these cases. The courts do, and from the courts we can get a really valuable indication of whether the Board has been fair, impartial, and competent in its decisions.

Let us also study the Board's court record to see how it compares with that of other agencies. Let us take for this purpose two agencies which all will concede to be fair and impartial—the Interstate Commerce Commission and the Federal Trade Commission. Both of these great agencies are exempted from the provisions of the Walter-Logan bill recently passed by the House. They are both highly respected. Neither of them had as many cases in the Supreme Court in the first 10 years of their existence as the Board has had in its first 5 years. Accordingly, they had more time to prepare their cases carefully in their formative years. Keeping this in mind, what would we normally expect to find, if the barrage of criticism leveled at the Board is valid? We would, of course, expect to find the Interstate Commerce Commission and the Federal Trade Commission with vastly better records in the Supreme Court than the record of the Labor Board. What are the facts?

The Interstate Commerce Commission had 12 cases in the Supreme Court in the first 10 years of its existence. In 2 of these cases its order was modified; in 10 it was reversed in full. In not a single case was its action approved in full. In the first 10 years of the existence of the Federal Trade Commission, that agency had 15 cases in the Supreme Court. In 3 its orders were affirmed in full; in 1 its order was modified; in 11 its orders were completely reversed.

I think that these figures, while somewhat startling, do not necessarily indicate any bias or incompetence on the part of these agencies. Any agency, administering a new law, has difficult and delicate problems to work out. The agencies are run by human beings, and so errors, especially in the early years of their existence, are inevitable. If the Board has had a much better experience, it is a magnificent tribute to the competence and fairness of its staff, and not any reflection of these other agencies. What is the Board's record?

In 5 years, it has had 26 cases in the Supreme Court. In 2 its orders have been reversed in full; in 4 its orders have been modified; in 20 its actions have been approved completely.

This is, in all fairness, an amazing record. There is no getting away from it. It is not only better than the records of any other governmental agency in our history, it is better than the record, in the Supreme Court, of several of the circuit courts of appeals themselves.

The Board's record in the circuit courts of appeals is also exceptional. It has had 104 contested cases in the circuit courts. In only 19 have its orders been reversed. In 34 they have been modified and enforced as modified. In 51, they have been approved in full. In 306 cases, consent decrees have been entered, in which the employer agrees to the enforcement of the Board's order by the court.

The above facts cannot be denied, but there may be certain efforts to minimize their force. Let me anticipate 2 or 3 of these arguments. It may be said that the Board wins these cases because the law provides that its findings of fact are conclusive if supported by evidence. There is such a provision in the Wagner Act. There is also such a provision in the statutes creating the other governmental agencies, whose records are far poorer than the Board's. But these 26 cases in the Supreme Court, with the exception of 1 or 2, did not turn on that provision in the statute at all. In the overwhelming majority of the cases, the issue was not the correctness of the Board's findings of fact—that was admitted—but rather was a legal issue. For example,

a number of the cases involved primarily the question of interstate commerce—whether the Board had jurisdiction over the company in question. The Board won every one of these cases. Several cases involved procedural questions—whether the Board could lawfully be enjoined by the district courts from holding hearings; whether the Board could vacate an order for further proceedings once a petition was filed in the circuit court, and similar questions. These were important questions on which competent lawyers disagreed. The Board won all these cases. Other cases involved questions as to the propriety of the Board's remedial orders—whether a company-dominated union could be disestablished by the Board, whether yellow-dog contracts could be invalidated, whether strikers retained the status of employees, and so forth. In two recent cases only—Waterman Steamship Co. and Bradford Dyeing Co.—did the issue turn largely on the question of whether the Board's findings of fact were supported by the evidence. In both of these cases, the Supreme Court unanimously decided that the circuit court of appeals, and not the Board, had disregarded the evidence.

It should not be thought, incidentally, that the Board's findings are final so long as there is some little scintilla of evidence supporting them. The Supreme Court and the circuit courts have clearly held that substantial evidence must support the findings. The parties are amply safeguarded against arbitrary findings of fact.

I do not know whether anyone will make the second argument which I have in mind. That is the possible contention that the Supreme Court's approval of the Board's actions is traceable to the presence of New Deal appointees on the Court. Such an argument would be wholly without merit. It is a fact that in every one of these Labor Board cases, Justice Roberts and Chief Justice Hughes have agreed with the Court's ruling. Neither has dissented once in these 26 cases. If the Board has been wrong, so have Roberts and Hughes. I do not, of course, imply at all that the views of the recently appointed justices are any less deserving of weight, but it is significant that even these conservative justices have concurred fully in the Court's approval of the Board's work.

Finally, it may be contended that the Board's court record is good because the Board selects the cases it will take to court. This is also a wholly false theory. The fact is that the employer, as well as the Board, has the power to appeal the cases to the courts, and has done so time after time. There is, therefore, every reason to believe that the decisions which have gone to court constitute a fair cross-section of the Board's work.

Let us be fair and honest about this matter. It is true, and it might as well be admitted, that this Board has, through hard work and single-minded devotion to its allotted task, administered this law in a way which deserves not condemnation but public gratitude.

In conclusion, Mr. Speaker, may I say this, that it is rather difficult in times such as these to consider any legislation in the cool, dispassionate way that it should be considered. Labor relations, in my opinion, were never more peaceful than they are right now. It seems to me that we could well afford to forego taking any action at this time, and I am confident that employee and employer will unite their efforts in support of a speedy, adequate, and formidable national-defense program. I hope that the resolution will be voted down. [Applause.]

[Here the gavel fell.]

Mr. SMITH of Virginia. Mr. Speaker, I have 7 minutes remaining, I understand. I yield myself 5 minutes. [Applause.]

The SPEAKER. The gentleman is recognized for 5 minutes.

Mr. SMITH of Virginia. Mr. Speaker, I think the House should be reminded that for 5 long years the American people have been demanding proper and appropriate and fair amendments to the National Labor Relations Act. I think the House should be reminded that more than a year ago the Labor Committee of this House held hearings and considered amendments. The Senate Committee on Education and Labor held extensive hearings and considered amendments. No action came from either committee.

Let me remind you that after those occurrences this House, by a vote of 2 to 1, and with just as much and probably more violent opposition to the resolution than exists here today, set up a special committee to do the things which it seemed to the House the legislative committee had refused to do.

Mr. Speaker, you also had a similar vote when this House voted first $50,000 for this investigation and again another $50,000 for the investigation. This investigation has been going on for a year. I have devoted practically all of my time to it, yet my beloved chairman of the Committee on Rules, the gentleman from Illinois, says I know nothing about the subject of labor relations. I wonder where he thinks I have been for the last year.

Mr. Speaker, we have not time at this moment to go into the merits of the Smith amendments, and that is not the issue before the House. The issue before the House is: After you have set up a special committee, after you have appropriated money for that purpose, and after you have had that committee working on the subject for 12 long months to the exclusion of almost every other business, the question is presented to this House: Do you propose to ignore the report of the committee, and do you propose as Members of this House to refuse to consider the work of that committee?

Mr. WOOD. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I have not time to yield.

It is stated in the report of the Committee on Labor that they consider the Smith amendments, yet one of the members of that committee just disclosed to the House what I have long suspected, that the Smith amendments were never considered by the Committee on Labor.

Mrs. NORTON. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I am sorry, I have not the time to yield.

The question which is presented to you is a simple one at this time. When it comes to going into the merits of these amendments, I shall be prepared to show, and other Members will be prepared to show, that there is nothing emasculatory about the amendments which we have offered.

Mr. WOOD. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I am sorry; I cannot yield, Mr. Speaker. I do not have time to yield.

The SPEAKER. The gentleman from Virginia declines to yield.

Mr. SMITH of Virginia. All we are asking you now to do is to grant consideration of the measure. I wonder why it is that these gentlemen who say we are seeking to emasculate the bill and who confess that something must be wrong about this situation down there—I wonder why they will not undertake to do something constructive about it. The Lord knows if they had undertaken their duty I would never have been in this picture today. [Applause.]

I have heard some complaint about the nature of this rule—complaint because we brought in a rule making in order the measure which your special committee had recommended. I say to the House as a member of the Committee on Rules that there is ample precedent for bringing in such a rule making a committee bill in order and making another bill in order as an amendment or as a substitute. [Applause.]

[Here the gavel fell.]

The SPEAKER. The time of the gentleman from Virginia has expired.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

Mr. McCORMACK. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 292, nays 106, not voting 32, as follows:

[Roll No. 139]

YEAS—292

Alexander	Dempsey	Johnson, Ind.	Ramspeck
Allen, Ill.	DeRouen	Johnson, Luther A.	Rankin
Allen, La.	Dies	Johnson, Lyndon	Rayburn
Allen, Pa.	Dirksen	Johnson, Okla.	Reece, Tenn.
Andersen, H. Carl	Disney	Jones, Ohio	Reed, Ill.
Anderson, Calif.	Ditter	Jones, Tex.	Reed, N. Y.
Anderson, Mo.	Dondero	Jonkman	Rees, Kans.
Andresen, A. H.	Doughton	Kean	Rich
Andrews	Douglas	Keefe	Richards
Angell	Doxey	Kefauver	Robertson
Arends	Durham	Kerr	Robinson, Utah
Arnold	Dworshak	Kilburn	Robsion, Ky.
Austin	Eaton	Kilday	Rockefeller
Ball	Elliott	Kinzer	Rodgers, Pa.
Barden, N. C.	Ellis	Kitchens	Rogers, Mass.
Barnes	Elston	Kleberg	Romjue
Barton, N. Y.	Engel	Knutson	Routzohn
Bates, Ky.	Englebright	Kocialkowski	Rutherford
Bates, Mass.	Faddis	Kramer	Ryan
Beckworth	Ferguson	Kunkel	Sandager
Bender	Fernandez	Lambertson	Sasscer
Blackney	Ford, Leland M.	Lanham	Satterfield
Bland	Ford, Miss.	Lea	Schafer, Wis.
Boehne	Fulmer	Leavy	Seccombe
Bolles	Gamble	LeCompte	Seger
Bolton	Garrett	Lewis, Colo.	Shafer, Mich.
Boren	Gartner	Lewis, Ohio	Sheppard
Boykin	Gathings	Luce	Short
Bradley, Mich.	Gearhart	Ludlow	Simpson
Brewster	Gehrmann	McDowell	Smith, Ohio
Brooks	Gerlach	McGehee	Smith, Va.
Brown, Ga.	Gibbs	McGregor	South
Brown, Ohio	Gifford	McLaughlin	Sparkman
Bryson	Gilchrist	McLean	Springer
Buck	Gillie	McLeod	Starnes, Ala.
Bulwinkle	Goodwin	McMillan, Clara	Stearns, N. H.
Burch	Gore	McMillan, John L.	Stefan
Byrns, Tenn.	Gossett	Maas	Sumner, Ill.
Caldwell	Graham	Maciejewski	Sumners, Tex.
Cannon, Fla.	Grant, Ala.	Mahon	Sutphin
Cannon, Mo.	Grant, Ind.	Maloney	Sweet
Carlson	Green	Marshall	Taber
Carter	Gregory	Martin, Iowa	Talle
Cartwright	Griffith	Martin, Mass.	Tarver
Case, S. Dak.	Gross	Mason	Terry
Chapman	Gwynne	Michener	Thill
Chiperfield	Hall, Edwin A.	Miller	Thomas, N. J.
Church	Hall, Leonard W.	Mills, Ark.	Thomas, Tex.
Clark	Halleck	Mills, La.	Thomason
Clason	Hancock	Monkiewicz	Thorkelson
Clevenger	Hare	Monroney	Tinkham
Cluett	Harness	Moser	Treadway
Cochran	Harrington	Mott	Van Zandt
Coffee, Nebr.	Harter, N. Y.	Mouton	Vinson, Ga.
Cole, Md.	Hartley	Mundt	Vorys, Ohio
Cole, N. Y.	Hawks	Murdock, Ariz.	Vreeland
Collins	Hendricks	Murray	Wadsworth
Colmer	Hennings	Nichols	Ward
Cooley	Hess	Norrell	Warren
Cooper	Hinshaw	O'Brien	Weaver
Corbett	Hobbs	Oliver	West
Costello	Hoffman	Pace	Wheat
Courtney	Holmes	Patman	Whelchel
Cox	Hope	Patton	White, Ohio
Cravens	Horton	Pearson	Whittington
Crawford	Hull	Peterson, Fla.	Wigglesworth
Creal	Jarrett	Peterson, Ga.	Williams, Del.
Crowe	Jenkins, Ohio	Pierce	Williams, Mo.
Culkin	Jenks, N. H.	Pittenger	Wolcott
Cummings	Jennings	Plumley	Woodruff, Mich.
Curtis	Jensen	Poage	Woodrum, Va.
Darden, Va.	Johns	Polk	Youngdahl
Davis	Johnson, Ill.	Powers	Zimmerman

NAYS—106

Barry	Dingell	Hook	McKeough
Beam	Duncan	Houston	Magnuson
Bloom	Dunn	Hunter	Marcantonio
Boland	Eberharter	Izac	Massingale
Bradley, Pa.	Edelstein	Johnson, W. Va.	May
Buckler, Minn.	Edmiston	Kee	Murdock, Utah
Buckley, N. Y.	Evans	Keller	Myers
Byrne, N. Y.	Fay	Kelly	Nelson
Byron	Fenton	Kennedy, Martin	Norton
Casey, Mass.	Fitzpatrick	Kennedy, Md.	O'Connor
Celler	Flaherty	Kennedy, Michael	O'Day
Claypool	Flannery	Keogh	O'Leary
Coffee, Wash.	Ford, Thomas F.	Kirwan	O'Toole
Connery	Fries	Landis	Parsons
Crosser	Gavagan	Larrabee	Patrick
Crowther	Geyer, Calif.	Lesinski	Pfeifer
Cullen	Hart	Lynch	Rabaut
D'Alesandro	Havenner	McAndrews	Randolph
Delaney	Healey	McArdle	Rogers, Okla.
Dickstein	Hill	McCormack	Sabath
Sacks	Sheridan	Spence	Voorhis, Calif.
Schiffler	Smith, Conn.	Sullivan	Wallgren
Schuetz	Smith, Ill.	Sweeney	Welch
Schwert	Smith, Wash.	Tenerowicz	White, Idaho
Scrugham	Smith, W. Va.	Tibbott	Wolverton, N. J.
Secrest	Snyder	Tolan	
Shannon	Somers, N. Y.	Vincent, Ky.	

NOT VOTING—32

Bell	Folger	Mansfield	Schulte
Burdick	Guyer, Kans.	Martin, Ill.	Shanley
Burgin	Harter, Ohio	Merritt	Steagall
Camp	Jacobsen	Mitchell	Taylor
Darrow	Jarman	O'Neal	Walter
Drewry	Jeffries	Osmers	Winter
Fish	Lemke	Risk	Wolfenden, Pa.
Flannagan	McGranery	Schaefer, Ill.	Wood

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Fish (for) with Mr. Shanley (against).
Mr. Winter (for) with Mr. Schulte (against).
Mr. Guyer of Kansas (for) with Mr. Merritt (against).

General pairs:

Mr. Mansfield with Mr. Wolfenden of Pennsylvania.
Mr. Drewry with Mr. Jeffries.
Mr. Jarman with Mr. Osmers.
Mr. O'Neal with Mr. Lemke.
Mr. Folger with Mr. Risk.
Mr. Martin of Illinois with Mr. Darrow.
Mr. Flannagan with Mr. Burdick.
Mr. Camp with Mr. Walter.
Mr. McGranery with Mr. Mitchell.
Mr. Harter of Ohio with Mr. Steagall.
Mr. Jacobsen with Mr. Kramer.
Mr. Burgin with Mr. Schaefer of Illinois.
Mr. Bell with Mr. Taylor.

Mr. TOLAN changed his vote from "yea" to "nay."

Messrs. MCLEOD, GREEN, and CROWE changed their vote from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON NAVY DEPARTMENT APPROPRIATION BILL, 1941

Mr. SCRUGHAM. Mr. Speaker, I call up the conference report on the bill (H. R. 8438) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1941, and for other purposes, and I ask unanimous consent that the statement may be read in lieu of the report.

The Clerk read the title of the conference report.

The SPEAKER. Is there objection to the request of the gentleman from Nevada [Mr. SCRUGHAM]?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the Two Houses on the amendments of the Senate to the bill (H. R. 8433) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1941, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 54, 55, 56, 57, 59, 60, 61, 62, 63, 64, 65, and 66.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 51, 52, 53, 58, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 85, 86, 87, 88, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 106, 107, 108, 109, 110, 111, 114, 116, 117, 123, 124, 129, 130, 131, and 132, and agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment, as follows: In lieu of the number proposed insert: "eleven thousand four hundred and forty"; and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment, as follows: In lieu of the

number proposed insert "nine thousand nine hundred and ninety-three"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 10, 84, 89, 105, 112, 113, 115, 118, 119, 120, 121, 122, 125, 126, 127, 128, and 133.

J. G. SCRUGHAM,
J. O. FERNANDEZ,
JOSEPH E. CASEY,
M. F. CALDWELL,
J. W. DITTER,
CHARLES A. PLUMLEY,
CLARENCE J. MCLEOD,
Managers on the part of the House.

JAMES F. BYRNES,
CARTER GLASS,
JOHN H. OVERTON,
DAVID I. WALSH,
FREDERICK HALE,
H. C. LODGE, JR.
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8438) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1941, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

On amendment No. 1: Inserts a title.

On amendments Nos. 2 to 9, both inclusive, relating to the appropriation "Miscellaneous expenses": Increases from $22,000 to $23,800, as proposed by the Senate, the limitation upon allowances for living quarters for civilian employees abroad, and adjusts allocations of amounts to "A" and "B" items, as proposed by the Senate.

On amendments Nos. 11 to 20, both inclusive, relating to Naval Training Stations: Appropriates $2,015,470 on account of the 4 naval training stations, as proposed by the House, instead of $1,914,820, as proposed by the Senate.

On amendment No. 21: Appropriates $855,000 for "Instruments and Supplies," as proposed by the Senate, instead of $755,000, as proposed by the House.

On amendment No. 22: Provides for the detail of three, instead of two, hydrographic surveyors from the field to the Washington office, as proposed by the Senate.

On amendments Nos. 23, 24, and 25, relating to the Naval Reserve: Appropriates $12,068,000, as proposed by the Senate, instead of $12,268,000, as proposed by the House.

On amendments Nos. 26 to 30, both inclusive, relating to the appropriation "Engineering": Appropriates $40,374,080, as proposed by the Senate, instead of $39,853,080, as proposed by the House, and imposes a limit upon the pay of classified employees of $2,340,000, as proposed by the Senate, instead of $2,115,000, as proposed by the House.

On amendments Nos. 31, 32, and 33: Appropriates $33,008,100 for "Construction and repair," as proposed by the Senate, instead of $32,511,600, as proposed by the House.

On amendments Nos. 34 to 61, both inclusive, relating to "Pay, subsistence, and transportation, Navy": Excludes chief petty officers of the Naval Reserve from the regular Navy allowance, as proposed by the Senate; provides for 11,440 chief petty officers, or 460 less than proposed by the House, and limits those with a permanent appointment to 9,993, instead of 10,395, as proposed by the House; restores the amounts of all subitems and totals to the amounts proposed by the House upon the basis of 150,000 enlisted men, instead of 145,000 enlisted men, as proposed by the Senate; strikes out the proposal of the Senate to charge to this appropriation expenses in connection with Navy and Marine Corps general courts-martial prisoners; increases from 57 to 59 the number of mess attendants assignable to the quarters or messes of officers ashore, as proposed by the Senate, and provides unqualifiedly for the payment of commuted rations at the rate of 50 cents per diem, in keeping with the spirit of Public, No. 433, Seventy-sixth Congress, as proposed by the Senate.

On amendments Nos. 62 and 63: Appropriates $13,870,000 for "Maintenance, Bureau of Supplies and Accounts," as proposed by the House, instead of $13,370,000, as proposed by the Senate.

On amendment No. 64: Adds $5,000,000 to the naval supply account fund, as proposed by the House, instead of $3,000,000, as proposed by the Senate.

On amendments Nos. 65 and 66: Appropriates $3,327,000 for "Medical Department," as proposed by the House, instead of $3,317,000, as proposed by the Senate.

On amendment No. 67: Increases by one the number of passenger-carrying vehicles which may be purchased as a charge to the appropriation "Maintenance, Bureau of Yards and Docks," as proposed by the Senate.

On amendments Nos. 68 to 83, both inclusive, relating to Public Works, Bureau of Yards and Docks: Appropriates $49,888,475, as proposed by the Senate, instead of $41,638,475, as proposed by the House, an increase of $8,250,000 on account of the following establishments: Navy Yards, Portsmouth, N. H., Philadelphia, Pa., Boston, Mass., Charleston, S. C., Mare Island, Calif., New York, N. Y., Norfolk, Va., Puget Sound, Wash., Washington, D. C., and Pearl Harbor, T. H.; naval fuel depot, Pearl Harbor, T. H.; submarine base, New London, Conn.; naval proving ground, Dahlgren, Va., and naval torpedo station, Newport, R. I.

On amendments Nos. 85 to 88, both inclusive, relating to "Aviation, Navy": Appropriates $94,202,900, as proposed by the Senate, instead of $99,202,900, as proposed by the House; reduces by $5,000,000 the sum of $46,083,400 proposed by the House for application to the procurement of new airplanes, as proposed by the Senate, and increases, as proposed by the Senate, from $10,000,000 to $25,000,000 the contractual authorization respecting the procurement of new aircraft.

On amendment No. 90, relating to "Replacement of Naval Vessels": Substitutes the current provision barring expenditures upon new vessels after commissioning, as proposed by the Senate, for the modified provision proposed by the House.

On amendment No. 91: Corrects punctuation.

On amendments Nos. 92 to 102, both inclusive, relating to salaries, Navy Department: Appropriates $4,545,079, as proposed by the Senate, instead of $4,537,439, as proposed by the House.

On amendment No. 103: Strikes out section 6 of title I, as proposed by the Senate, directed against expenditures upon alterations of certain destroyers to improve stability.

On amendment No. 104: Strikes out section 7, which deals with the employment of aliens in the Panama Canal Zone, in view of the modification of such section, as proposed by the Senate (amendment No. 105), the provisions of which, in modified form, the House has agreed to on the War Department civil appropriation bill (H. R. 8668).

On amendment No. 106: Inserts a title embracing amendments in consequence of supplemental estimates contained in H. Doc. 753.

On amendment No. 107: Appropriates an additional amount of $256,700 for "Miscellaneous expenses", as proposed by the Senate.

On amendment No. 108: Appropriates an additional amount of $3,425,000 for the Naval Reserve, as proposed by the Senate.

On amendment No. 109: Appropriates an additional amount of $5,314,500 for "Engineering", as proposed by the Senate.

On amendment No. 110: Appropriates an additional amount of $8,022,500 for "Construction and repair", as proposed by the Senate.

On amendment No. 111: Appropriates an additional amount of $31,527,200 for "Ordnance and ordnance stores, Navy", as proposed by the Senate.

On amendments Nos. 114, 116, and 117, relating to Public Works, Bureau of Yards and Docks: Provides for additional facilities at the Navy Yard, Pearl Harbor, T. H., the Naval Air Station, Coco Solo, C. Z., and the Naval Supply Depot, Pearl Harbor, T. H., as proposed by the Senate.

On amendment No. 123: Appropriates an additional amount of $408,280 for "General expenses, Marine Corps", as proposed by the Senate.

On amendment No. 124: Appropriates $6,000,000 on account of major alterations to the battleships *New York, Texas,* and *Arkansas,* as proposed by the Senate.

On amendment No. 129: Appropriates an additional amount of $124,380 for salaries, Navy Department, as proposed by the Senate.

On amendment No. 130: Appropriates an additional amount of $28,000 for contingent expenses, Navy Department, as proposed by the Senate.

On amendment No. 131: Appropriates an additional amount of $50,000 for printing and binding, Navy Department, as proposed by the Senate.

On amendment No. 132: Appropriates an additional amount of $10,000 for contingent and miscellaneous expenses, Hydrographic Office, as proposed by the Senate.

Amendments reported in disagreement

The committee of conference report in disagreement the following amendments of the Senate:

On amendment No. 10: Relating to the appropriation for the Naval Research Laboratory.

On amendment No. 84: Providing for accessory construction at the Naval Medical Center, Washington, D. C.

On amendment No. 89: Relating to the construction of two new cruisers.

On amendment No. 105: Relating to the citizenship, and so forth, of employees in the Panama Canal Zone.

On amendment No. 112: Providing an additional appropriation for "Pay, subsistence, and transportation of naval personnel."

On amendments Nos. 113, 115, 118, 119, and 120: Relating to additional public works projects under the Bureau of Yards and Docks.

On amendment No. 121: Relating to the continued employment of persons now on the rolls.

On amendment No. 122: Relating to an additional appropriation for "Aviation, Navy."

On amendments Nos. 125 and 126: Relating to additional appropriations for "Replacement of naval vessels."

On amendment No. 127: Relating to additional appropriations incident to an increase in the enlisted personnel of the Navy.

On amendment No. 128: Relating to additional appropriations incident to an increase in the enlisted strength of the Marine Corps.

On amendment No. 133: Relating to an emergency fund for the President.

Comments

With respect to Senate amendment No. 74, providing for additional facilities at the submarine base, New London, Conn., the Committee of Conference is agreed that such work should not be undertaken unless and until a further study by naval officials of the proposed improvements discloses them to be essential for naval purposes.

With respect to Senate amendment No. 133, relating to an emergency fund for the President, the Managers on the part of the House recommend that $2,000,000 of such fund shall be made immediately available to the Bureau of Mines, Department of the Interior, for the erection, equipment, and operation of a pilot plant for the beneficiation of manganese ores and the production of metallic manganese therefrom by the electrolytic process, including expenses in the District of Columbia and elsewhere for the preparation of plans and specifications, advertising, and supervision of construction; and for all expenditures requisite for and incident to the exploration of manganiferous deposits in accordance with Public, No. 117, approved June 7, 1939.

This recommendation is made in the belief that provision should be made immediately to beneficiate domestic low grade manganese ores, deposits of which are favorably located with respect to large and cheap sources of electrical energy. Resulting high-grade manganese can thus be produced and stored for future use, and domestic supplies developed without the Government competing with industry for the existing stocks of high grade manganese of commercial grade.

J. G. SCRUGHAM,
J. O. FERNANDEZ,
JOSEPH E. CASEY,
M. F. CALDWELL,
J. W. DITTER,
CHARLES A. PLUMLEY,
CLARENCE J. MCLEOD,
Managers on the part of the House.

The SPEAKER. The gentleman from Nevada [Mr. SCRUGHAM] is recognized.

Mr. SCRUGHAM. Mr. Speaker, events of the past few weeks have conclusively demonstrated that the very civilization of the occidental world, as we know it, is threatened in the titanic struggle now in progress in Europe.

All the rights of freedom that uphold the dignity of human spirit, and for which humanity has fought since the dawn of history, are most seriously menaced.

The day is here when the people of the United States, through their elected representatives, must spend every ounce of energy in the major and all-important task of keeping the conflagration away from the Western Hemisphere.

This is no time for real leaders to consider party or factional advantage. The storm is too close at hand. Neither wishful thinking, fault finding, nor well meaning back-seat driving will help us in the day when bombing planes and mechanized columns directed by dictators begin to blast at our defenses. The objective at stake will be possession of the rich natural resources of this hemisphere. With only a small fraction of the world's population, we possess or control some 50 percent of the world's raw materials.

The only effective step to keep us out of war is to now make adequate preparation to hold on to what we have and all it connotes, and to hold it under democratic processes of government.

The means at our disposal to obtain this defense are to properly utilize the vast potential resources of our Nation in leadership, manpower, and in the efficient utilization of our raw materials.

In my opinion, we have too closely copied English practice in both navy and army organization and preparation. The idea that large numbers of armed vessels will automatically strangle the enemy is a shattered belief. The Allied lines of defense seem to have been no more effective in repelling the mechanized might of the Germans than the Chinese Wall in holding back the Japanese. Unless we avoid the errors of the Chamberlain Tories and of the British labor leaders we will waste immense sums of money in obsolescent material and ships. We do not need to place our future safety in the hands of amateurish, hydraheaded committees to negotiate and consult on matters of national defense. For positive results we require responsible commanders equipped with all necessary legal authority.

Inability of brilliant consulting boards and committees to agree on details of method and process caused incessant changes of design, likewise wasted time through lost motions, and nearly wrecked our industrial preparedness program some 22 years ago. The costly mistake must not be repeated.

At this time the responsibility is squarely up to the President and to the Congress to formulate and carry out a program that will meet the requirements of the American people. This naval appropriations bill as covered by the conference committee report is an earnest effort in that direction and is now presented for your consideration.

The high lights of the measure are as follows:

This bill, when it left the House, carried appropriations totaling $965,779,438 and contractual authority of $22,183,250. As we bring it to you from conference, assuming the House will approve the recommendations we shall offer with respect to the amendments in disagreement, the measure will carry $1,308,171,138 of immediate appropriations and contractual authority of $184,371,612.

As to title I of this bill, which is the measure the House originally passed back in February, the Senate effected a net reduction of $1,981,960. As here presented that section of the bill carries a net increase of $4,155,140 over the total sum approved by the House, but I may say that that increase is considerably more than offset by the supplemental estimates in Senate Document 175.

Title II of the bill grows out of the President's message of May 10, which he followed with supplemental Budget estimates. These are printed in House Document 753. They call for a supplement or addition of amounts previously requested by $250,000,000 and for $68,000,000 for expenditure by the President, one-half of such amount, however, being in the nature of contractual authority.

The Senate accepted all of the supplemental submissions, except $304,440 applying to four relatively minor projects, and added thereto $54,525,000 pursuant to the recommendation of responsible naval officials for increasing the enlisted strength of the Navy by 20,000, and of the Marine Corps by 9,000 men, and by making provision for major alterations to the battleships *New York*, *Texas*, and *Arkansas*.

Mr. Speaker, I made a statement at the time this bill was sent to conference on May 30, explaining the principal purposes embraced by title II, and I see no occasion to encumber the record or consume time in going over the same ground again.

I might say in conclusion that the bill at this stage is $63,140,439 below Budget recommendations—original and supplemental.

I shall withhold the previous question until those who wish to speak upon the pending matter have concluded. The usual hour has been extended to three. [Applause.]

Mr. RICH. Will the gentleman yield?

Mr. SCRUGHAM. I yield to the gentleman from Pennsylvania.

Mr. RICH. What did the gentleman say the amount was for title II?

Mr. SCRUGHAM. Two hundred and fifty million dollars for the Navy was the original amount; then, in addition, $68,000,000 for the President, of which $34,000,000 is in the way of contractual authority.

Mr. RICH. Title II involves $318,000,000 altogether?

Mr. SCRUGHAM. No. There was another amount added by the Senate, which we discussed a moment ago. What is it the gentleman wants to know, in particular?

Mr. RICH. I wanted to know the sum total of title II.

Mr. SCRUGHAM. It is $284,000,000 plus $54,000,000. This is cash. The latter amount is for elevating the guns on certain ships and for additional Navy and Marine Corps enlisted personnel.

Mr. RICH. Two hundred and fifty million dollars plus fifty-four million dollars?

Mr. SCRUGHAM. Yes; plus $34,000,000. What does the gentleman want, cash only?

Mr. RICH. I want the cash and contractual obligations.

Mr. SCRUGHAM. Four hundred and thirty-eight million dollars; there is included $100,000,000 of contractual authority under the Bureau of Aeronautics.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. SCRUGHAM. I yield to the gentleman from Georgia.

Mr. VINSON of Georgia. Will the gentleman advise the House when he will take up discussion of the amendments in disagreement?

Mr. SCRUGHAM. Immediately following the general discussion.

Mr. Speaker, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. DITTER].

Mr. DITTER. Mr. Speaker, a solemn duty devolves upon the Congress at this time. The need for an adequate national defense is evident. Under the Constitution it becomes the duty of the Congress "to raise and support armies * * * to provide and maintain a navy, to make rules for the government and regulation of the land and naval forces."

The discharge of this duty contemplates the careful consideration, the critical analysis and the honest appraisal of the purposes and plans of the President relating to the dangers which may be present, and the means to protect the Nation against them. Such action by the Congress of necessity may include criticism, and sincere and honest opposition to the methods sought to be used for reaching a desired end. Such criticism and opposition I submit, Mr. Speaker, can be temperate and constructive. It is in this spirit that I approach the discussion of this conference report. I believe that only as such course is taken can we hope to avoid the pitfalls which are inevitable when arbitrary decisions prevail. I contend that such action is an evidence of loyalty to American institutions and time-honored American practice. I hope that the day has not come when devotion to America is measured by the yardstick of purely personal loyalty. So, Mr. Speaker, I plead for a liberalism of discussion and a tolerance of opinions from which it is hoped the safety and security of the Nation may be assured with the greatest possible dispatch and the least possible disturbance to our American way of life.

I make that prefatory statement for a purpose. During the consideration of a bill that came from the Committee on Military Affairs, there were some expressions of opinion from the majority which questioned the loyalty of those who might make either an honest criticism or a critical analysis of the purpose of the measure. For myself, I believe that we must have an open forum of discussion on these questions. As for myself, I still believe that we can have a loyalty to American institutions and American traditions and yet preserve to ourselves the right of appraisal, the right of analysis, the right of criticism, and the right of honest opposition. So to my friends on the majority side I plead again, and repeat the plea that I uttered a moment ago, that you give to those who may differ with you such tolerance and liberalism as you believe are inherent in our American way of life.

We have had much discussion since the 16th of May with reference to the need for an expanded naval program. During the course of the discussions, especially those on the air, there was by implication the suggestion made that the deplorable state in which we find ourselves as far as the Navy is concerned is due to a failure of a previous administration. I want to approach that charge. I want to remind the House today that immediately following the World War, not only here in America but throughout the world, there was a very sincere effort made by hopeful people in all nations that war and the carnage of destruction might be avoided.

I will remind the House today that there were such pacts as the Kellogg-Briand Pact, that we had disarmament agreements, and that we had conferences in London and in Washington, all of which had as their purpose a limitation of armaments, a reduction of armaments, and the cessation of a world's arms race. So I think in fairness, as this subject is discussed today, those who may be critical of the attitude of the previous administration should be honest enough to present the full picture and to say that the disillusionment which has come not only to America but to the world as well, with reference to disarmament, came after the close of the previous administration. The Hitler menace came into being when the present administration came into power.

For myself, I can make the claim that I have supported every national-defense program since I have been a Member of the House. I could challenge some on the majority side at the present time who took exception to naval appropriation bills in years gone by. It is not my purpose to question that now. I believe all of us join wholeheartedly today in a sincere effort to provide for the American people such defense as present world conditions require.

To a very large extent the problem that presently confronts the American people is one of industrial mobilization. I think this Congress ought to be concerned today more with this question of industrial mobilization than it should be concerned with making appropriations. Most of you will remember that last fall a committee was appointed by the President under the leadership of Mr. Stettinius and known as the Stettinius Committee. I want to direct the attention of the House today to the fact that that committee met, that it went very carefully, according to press reports, into the ways by which industry could be geared up to the needs of the national defense, and subsequently it made a report.

I want to remind the House today that neither the Congress nor the Chief of Naval Operations nor the members of the Appropriations Subcommittee for the Navy have as yet had the opportunity of examining the Stettinius report. The Stettinius report is a sealed document. I have it on good authority that there are four copies of that report, one copy in the hands of the President, one copy in the hands of the Secretary of War, one copy in the hands of the Secretary of the Navy, and one copy in the hands of a member of the committee. With this great problem of industrial mobilization right at our door, with the Stettinius committee's report prepared and ready, you will find, according to the record in the hearings on this bill that the Chief of Naval Operations has never seen that report. It has never been submitted to him. He does not know what the recommendations of that committee were. He has no means of having the benefit of the study of that group in his hopes of coordinating and gearing up industry with the national-defense needs.

Your Republican members of the subcommittee tried to get that report. We did it because we wanted to serve the House. We knew we were the agents of the House. We knew that the majority might like to have the benefit of that report just as the minority would. We made requests to the Secretary of the Navy and we asked the Budget Officer of the Navy. Every means at our command were used to get the Stettinius report so that it might be an open book, so that it might be the means for an honest and careful appraisal of the way by which industry could be geared up to the great needs of national defense. Every one of these efforts was frustrated. That report is still a sealed document.

I submit that if the great problem of industrial mobilization is admitted, and it is admitted on all sides, then why should not this Congress, why should not every Member of Congress, as he tries to discharge his duty honestly, fairly, and conscientiously, have a copy of the Stettinius report in order that he may weigh the better and decide probably the more judiciously how industry and the Navy may be geared together to meet the great needs that are ours today. I hope my distinguished friend the gentleman from Nevada [Mr. SCRUGHAM] will not give up the efforts he has made. He has promised to try to get the Stettinius report. I hope he will get it before the Congress is adjourned. Mark you, I did not say before the Congress adjourns, but before the Congress is adjourned. There will be supplemental requests for further money, and the Stettinius report can still be of value in passing upon this question of gearing industry and defense together.

I submit to the House today that there is more to the matter of providing for the national defense than simply saying as to a great many privileges and powers, "We authorize the President to do so-and-so." As for myself, I refuse to limit my responsibility by simply saying I am going to hand over all the authority, delegate to somebody else

all the power, pass on to someone else all the duty, that devolves upon me and the other Members of this Congress to provide for the national defense.

I hope that sense of responsibility can be impressed upon the membership. In connection with this industrial gearing up, let me remind the House that the course of the hearings will disclose that one of the great problems today is the lack of skilled workers in the industries engaged in the defense program. And why is it that these workers are not available? Why is it that skilled artisans are not at hand? You know the answer as well as I do. You know the moves that have been made by which this whole industrial machine, representing the greatest resources in the world, representing the finest spirit of initiative and adventure and endeavor, representing the dynamic power that has challenged the attention of the world as it has provided a great machine for mass production, has been paralyzed. I say this industrial machine has been paralyzed during the last 7 years, and the workers are not at hand today to carry on the work. This, to my mind, challenges the attention of this Congress just as much as the appropriating of funds for the expansion of the armed forces of the Nation.

The suggestion has been made that the Congress has not provided the money needed for national defense in years gone by. I want you to examine these hearings. You will find that in every instance the bureau chiefs have admitted that they have had balances at the end of the year, and that the funds that we had appropriated had not been consumed. This machine for national defense that presently seems to be so much out of gear is not out of gear because of the failure of the Congress to provide the money. It is out of gear because a leadership failed to sense a danger at hand.

Our job today is to get avenues opened by which industry and Government will be brought into team play. It is my reasoned judgment that this can only be done if we adopt an about-face attitude on what has been going on during the last few years. If industry is continually penalized, if a spirit of punishment motivates those in charge of Government activities, if punitive taxation and exacting regulatory measures continue to be the goal toward which an administration directs its efforts, industry cannot expand. It is ready to expand, it is willing to expand if only the avenue is opened to it to bring into play the great energies that it has at its command.

There will be a few issues, a few amendments that will require discussion. I am going to yield at this time, but during the course of the discussion on a few of these amendments I am going to invite your attention particularly to those methods that have been suggested by the Senate amendments which to my mind infringe upon constitutional protection and which to my mind sabotage private enterprise and private investment.

Mr. Speaker, the tragic news from Europe within recent weeks has brought to us, a peace-loving nation, a sense of disillusionment and a feeling of deep dismay.

The ghastly details of the devastation and destruction wrought by mechanized instruments of death arouse our abhorrence of war. The thought of death raining down from the skies upon women and children and of steel juggernauts crushing beneath them thousands of Europe's youth fill us with horror.

The resistless march of Germany's men and machines through the Low Countries and part of France has brought us face to face with the grim reality that we cannot afford to ignore our own national safety and security.

There are many who tell us that this is not merely another European war. Be that as it may, all of us recognize that in one of its aspects it is a ferocious battle between two wholly contradictory ways of life—two violently clashing ideals. To escape certain consequences of its outcome seems impossible.

As Members of this Congress and chosen representatives of the American people, our obligation has been, and still continues to be, to keep America out of war. Today we have an added obligation—to keep war out of America. We must so strengthen our defenses that no ambitious foe would dare attack us and no rash foe could hope to succeed. I believe the report now before us is a step toward that end.

This is neither the time nor the place for passion or for partisanship. It dare not be. Too much is at stake. I refuse to make this a party matter. It is a matter of grave national concern, affecting all of us, Republicans and Democrats alike. I believe it is our solemn duty to provide for our own people such an adequate defense that all fear of possible aggression will be banished from their minds; that they will be secure in their persons, unfettered in their traditional liberties and free to enjoy all of the rich promises of our national life.

My position is not the result of any recent or sudden conversion. It is no compromise with principle; no bowing to a pressing emergency of the moment. It has always been my attitude. It has always been a cardinal principle of my creed. It has always been a motivating force of my legislative action. I repeat today what I have said on many occasions; I believe the Congress should vote every dollar that is necessary to provide a navy that is second to none for the adequate defense of America.

All of us know that the first duty imposed upon the Federal Government by the Constitution is the duty to provide for the national defense. To this obligation I pledge myself unreservedly. I trust that no one will misinterpret that statement as an indication of war-mindedness. It is simply the acceptance of a primary responsibility.

By the same token the desire of our people to avoid involvement in foreign wars must not be taken as approval of ruthless aggression and the cruel and inhuman persecution of individuals and, indeed, of whole nations by brutally barbaric methods of dictatorship. Least of all should our efforts to keep free of Europe's wars be regarded as lack of courage. To do so would be to misconstrue the spirit of the American people.

There is courage, yes; courage to spare in the heart of America for the defense of this country and the preservation of our Constitution—our guaranteed liberties and our time-honored traditions. We hate war, but we do not hesitate to accept it if need be to save the things we hold dearer than life itself. We love peace, but not at the price of liberty.

We in this country have sought to live by the Golden Rule. And as we stand with bowed heads in muted horror at the almost unbelievable suffering and cruelty of total war, from the lips of millions of Americans, from the altars of thousands of American homes, from the hearts of a thankful people—a people alert to the defense of their rights, happy in the possession of their heritages and mindful of the stewardship with which they are charged—there is uttered to the Throne of the Eternal a universal plea, "God give to this troubled world peace."

Our current effort to strengthen all of our defenses, of which the Navy is, I believe, the most important, is not based upon unreasoning fear but upon a realistic facing of world conditions which confront us. It is not a departure from our traditional policy of nonintervention in the wars of other nations. But we are equally determined that the wars of foreign nations shall not spread to our own shores. That determination must be backed by more than high resolve.

It is a melancholy fact, but a fact nevertheless, that force is the dominant influence in international relations throughout a large part of the world today. We need not subscribe to Napoleon's cynicism that God is on the side of the biggest battalions to concede that. What we do need to realize is that we cannot afford to depend too strongly on the fortunate accident of geographical position to preserve this Nation and the ideals for which it stands and to keep both safe from all harm.

I hold no brief for the twin policies of political isolation and economic self-sufficiency. I believe that we have a vital interest and concern in world affairs as one of the most important members of the family of nations. I believe in the cultivation of international friendship and trust, in an uninterrupted flow of commerce among all nations in a world where

governments deal honestly with one another, where agreements are made to be kept, where covenants are regarded as binding, where international law is respected and where justice is more highly regarded than force. But that is not the kind of world in which we are living today.

Although the sympathies of an overwhelming majority of our people have been with the Allies, the possibility of their defeat was not viewed with the misgiving that has been apparent here since the crushing blow in Flanders. The reason for this, it seems to me, is not to be found in the showing of strength made by the Germans, but in the revelation of the unsuspected weakness of the Allies, their apparent lack of preparedness to meet the type of attack directed against them. It was this which opened our eyes to the neglect of years which had weakened our defensive position, and which prompted an immediate examination of our own preparedness. It seems to me, Mr. Speaker, our duty is plain—we must and we will underwrite the safety and security of this Nation and the safety and security of our neighbors in the Americas.

Our stake is in the Western Hemisphere. Our responsibility is measured by the Monroe Doctrine. That doctrine declares rights and assumes responsibilities. We must be prepared to insist upon a recognition of those rights and at the same time be willing to discharge those responsibilities. Because of our relations with our neighbors of the Western Hemisphere, and because it is vital to our national defense, we must demand a recognition of that time-honored doctrine and we must be prepared at all times to defend its intent and purposes against any and all powers. A national-defense program adequate under present-day conditions to require such recognition is our solemn duty. Discharge of that duty will meet with the approval of an overwhelming majority of our people.

As I have already said, I believe that the shock which has come to the American people within the last few weeks is more the result of the revelation of the weakness of the Allies than of the strength of Germany. I also believe it is due in part to a realization of the peril to which we, in our state of unpreparedness, were exposed by those among us who indulged in vituperative utterances and halfway economic sanctions with no adequate armed force to back them up. It is dangerous, Mr. Speaker, to threaten potential enemies with a shotgun that is not loaded. Gratuitous insults are often remembered after scars of actual battle have been forgotten.

There can be no doubt about the sincerity of the desire of the American people for peace. The record of our actions is eloquent testimony of our ambitions. Indeed, for considerably more than a decade after the "war to end war," an exhausted and war-weary world shared that desire with us. An attempt to realize the common ideal was made through conferences, agreements, and disarmaments. A survey of the record will show why, until approximately the time of the fall of the Republic of Weimar and the beginning of the ascendancy of Hitler, we did not build armaments.

In pursuance of the ideal of world peace through collective security and the settlement of international disputes by peaceful negotiation instead of by the arbitrament of war, a Conference on the Limitation of Armaments was held here in Washington from which emerged a series of treaties limiting naval strength. We not only agreed to scrap some of our battleships but also to halt construction on others that already were on the way.

In 1927 came the Kellogg-Briand Pact, which was signed by 56 nations. The signatories condemned recourse to war for the solution of international controversies and renounced it as an instrument of national policy in their relations with one another. When Secretary Kellogg went abroad to obtain the signatures of the agents of the other powers, he was hailed as an apostle of peace with the same sort of enthusiasm that marked Wilson's arrival for the peace negotiations at Versailles.

At a tremendous welcome in Dublin, Seumas Murphy, speaking for the Irish, said this to Mr. Kellogg:

> There are many names on the world's register of fame, placed high by deeds of courage and acts of wisdom. But with you the angels of peace have come to minister to men again. With your advent in Europe has come the birth of what may be called the second era of peace—peace on earth and to men good will.

There were other important conferences at London and Geneva. There is no need for me to recite the details here. The point is that we and most of the nations of the world believed that the time had come when armaments should be reduced. That was true during the era I have been discussing. It explains why our armaments were low when President Roosevelt took office in 1933 and Hitler started on his meteoric rise to power. Until the fall of the Weimar Republic in Germany, peaceful adjustment of differences among the nations had been the soul-cry of most of the peoples of the world.

We in this country endeavored to translate the idealism of world peace into the reality of accomplishment. We accepted the solemn assurances and covenants of other nations without reservation. We evidenced our confidence in those covenants by specific and positive acts. Disappointment and disillusionment have been our portion. Not upon us, but upon other nations rests the onus of the failure of the altruistic hopes of mankind for the limitation and the reduction of the armed forces of the world.

Let us look at the record again and trace the steps by which this "second era of peace" was brought to an end. One by one the collective security treaties failed. The League of Nations failed to prevent war. So did the Kellogg-Briand Pact. And so did the Nine Power Pact. On December 31, 1934, Japan announced her intention to terminate the Washington Naval Treaty. Because she would not renew, the other signatories could not.

But, meanwhile, Hitler had come to power in Germany. In 1933 he started the "mechanization and motorization of army tactical units." Then an there, almost concurrently with the beginning of the first Roosevelt administration, began the tremendous efforts of the totalitarian powers to build up their armed forces. The administration in Washington knew what was going on and was kept informed of every step in the progress made from that time on. So were the French and the English Governments. The extent and character of the German militarization must have been fully reported by English, French, and American intelligence officers and military attachés.

Even the nature of the German plan of attack was a matter of record in these three nations. There was no secrecy about this plan—the substitution of airplanes for heavy artillery in laying down the advance barrage of bombs, finding weaknesses, and preventing counter attacks; the succeeding waves of tanks scattering the defense; the motorized infantry rushing up to occupy the new salient; the regular troops moving up to free the mechanized forces for another assault.

During 1937 military preparation went on apace in Germany, but there were no threats or demands of any kind from Berlin. War news centered in the Sino-Japanese hostilities and the civil war in Spain. But from 1938 down to the present Hitler has been the center of international interest, the orbit about which wars, large and small, have revolved. His seizure of Austria was the first of a series of offensives with which we are all too familiar to need recounting here.

There is one feature of this report to which I am irrevocably opposed in principle, although at this time and under the present circumstances, I will not permit it to stand in the way of my vote for approval. This is the principle of blank-check appropriations, embodied in this report in the item of $34,000,000 to be spent at the discretion of the President. I am firm in my belief that not only should the Congress preserve at all costs its constitutional prerogative of making appropriations but that it should exercise its equally important right of directing how appropriations should be spent. I do not need to tell the Members of the House

how unfortunate has been our experience with blank-check appropriations, especially in the matter of relief.

The measure before us does require an accounting by the Executive, but not until a year has elapsed. To me that suggests the old proverb about locking the stable after the horse has gone. Public confidence in the efficiency of administration is a prime requisite in the carrying out of such a huge national-defense program as we are undertaking. I believe that much could be done by the Executive to bolster public confidence if he would take the public into his confidence from time to time as this sum is gradually spent instead of waiting until the time prescribed to make a full accounting. But better still, I believe, would be to make no blank-check appropriation but to keep the Congress in session throughout the emergency so that it could make appropriations when, and in the amounts, needed.

Time is of the essence in carrying out our defense program. Yet that is no reason why billions should be spent haphazardly, as has been done all too often here in recent years. Not to make every dollar count would be as shortsighted as going to the opposite extreme and making a niggardly investment in insurance against war.

Fundamentally, our defense problem is a construction problem. No nation in the world is in so favorable a position as we to tackle that kind of job. We are rich in natural resources, manpower, mass-production power, and trained and experienced leadership. An all-important essential is wholehearted cooperation among Government, industry, and labor. Sacrifice must be made by all of us. Government officials, captains of industry, and leaders of labor who refuse to recognize that fact can be rightly charged as doing an unforgiveable disservice to their country.

No person familiar with the true state of our national defenses today questions that all the energies of the Nation will need to be mobilized for the great work of patriotism before us. Our first step must be to harness the productive and creative powers of the Nation in a practical program of providing a real defense machine. Certainly there is nothing in the history of the last 7 years to suggest that this great work may be accomplished by the methods of bureaucracy which have prevailed in other fields of national endeavor. The overcentralization of vast administrative powers has proved a crippling obstacle to real national accomplishment in many of the new undertakings of government. Are we not entitled at least to profit by the mistakes of this period, and launch our national-defense program on the basis of sound administrative principles?

We have been too long in the attitude of waiting upon Washington for decisions and directions. In every field of commerce and finance today, all activities are directed, controlled, or regulated by the executive decrees of a top-heavy and domineering bureaucracy. The energies of the people are shackled. The driving power of our creative skill is dormant and enfeebled. The flow of private capital into new enterprises has all but ceased during the last year. Bureaucracy cannot make airplanes or antiaircraft guns. Bureaucrats cannot make torpedoes or coast artillery weapons.

The Hitler military machine has afforded a striking object lesson by which our Government departments may well profit. For instance, it has been the practice for Government departments to design our tanks. Why should not the Government profit by the experience of our tractor-manufacturing companies? We produce annually more tractors than all of the rest of the world combined. Our tractor companies have been at work for decades on problems of an efficient low-cost motive power and on problems of a track that will stand up under every type of field condition.

It has been suggested to me by one familiar with the manufacture of tractors that the Government could profit enormously by familiarizing the designing department of four or five of the concerns in this field with problems it wants solved and asking them to work up competitive designs. He added that the Army engineers could study problems, state them, familiarize the heads of designing departments with field conditions and make an effort to stimulate them to make further suggestions for improvements that would make tanks more efficient than any tank that has been developed in Europe. If the problem of highest efficiency designs and mass production can be solved by proper coordination between Government and private industry, the probability is that we would save not only valuable time but many millions of dollars.

But, above all else, the success of our national-defense program will, in the last analysis, depend upon the toughness of fiber and the hardy spirit of the American people. I believed that when I first voted for a Navy appropriation bill in this House. I believe it today. That being the case, I do not believe that I could say more about this aspect of national preparedness than what I said years ago. The observations I made then I want to repeat with even greater emphasis today.

Our national defense depends not alone on battleships, cruisers, submarines, and aircraft. Men, more than materials, will determine the adequacy of our defense. Security is not primarily dependent upon the size of either our Army or our Navy.

The strength of America rests upon the sturdiness of the character of her people. The strength of America is measured by the courage, the industry, the thrift, the honesty, the self-reliance, the loyalty, and the devotion of her people; homely virtues which have always been the warp and woof of dependable American character. The strength of America depends upon a regard for her traditions, upon an appreciation of her accomplishments, and upon a lover of her institutions.

We should not build units for the fleet and at the same time tear down fiber for character. It is inconsistent to expect adherence to peace pacts abroad and at the same time repudiate solemn pledges at home. It is impossible to develop national zeal and at the same time destroy individual initiative.

It is difficult to dispel suspicion among the nations and at the same time foster doubt and uncertainty among our own people. We have as much responsibility in providing for the sinews of character as we have in appropriating for the instruments of war. With the building of fleets let us build men. Let us reestablish an assurance that virtue is more worthy than depravity, that industry is more desirable than indolence, that ambition is more deserving than indifference, that thrift is more profitable than prodigality, and that self-reliance is more estimable than dependency.

Let us strive for a reincarnation of the spirit of the American pioneer and patriot; let us rededicate ourselves to the principles of constitutional government and depend upon the assurance which springs from a conviction that justice, morality, reason, and experience will continue to be the motivations of our national life. Supported by this spirit, our forces will be invincible and our security assured. [Applause.]

Mr. SCRUGHAM. Mr. Speaker, I yield to the gentleman from Utah [Mr. MURDOCK].

Mr. MURDOCK of Utah. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a statement from Mr. Madden, of the Labor Board, with reference to the accomplishments of the Board.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. ROUTZOHN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein some letters and telegrams I referred to in my remarks today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SCRUGHAM. Mr. Speaker, I yield 15 minutes to the gentleman from Louisiana [Mr. FERNANDEZ].

Mr. FERNANDEZ. Mr. Speaker, the propositions embraced in the pending bill constrain me to observe what sins are committed in the name of national defense.

Title II of this bill is entitled "Emergency national-defense appropriations." Of the Navy's $250,000,000, $50,000,000 is allocated to urgent national-defense items, $100,000,000 is for speeding up the shipbuilding program, and $100,000,000 primarily is for trebling the inflow of airplane pilots, while the general purpose of the President's fund, we are told, is for plant expansions to expedite the production of ships, munitions, and aircraft. Everything is expedition, you will observe, at least on the surface, but when we take a peek inside what do we find?

There is not a man on this floor, I dare say, who does not believe that our paramount effort at this time should be in the directions of offensive and defensive aviation. That means, besides planes and antiaircraft weapons and accessories, a large reservoir of trained pilots. Now, you cannot get trained military and naval pilots overnight. When industry is properly geared up, the inflow of planes easily can outnumber the inflow of pilots. We do not now possess adequate training facilities to turn out the naval pilots called for by this emergency program, and it is necessary to look beyond the air school at Pensacola to supply the demand. But what is proposed? Not a temporary establishment here or there; not recourse to expanding temporarily existing Naval Reserve air bases, such as at Squantum, Mass., or Floyd Bennett Field outside of New York City, and others I might name, or, again, recourse to civilian flying schools, as the Army has done with such marked success. No; not any of these. The Navy's solution is a costly and long-time development program at Jacksonville and Miami, Fla., and Corpus Christi, Tex., the latter "down Mexico way." A $25,000,000 layout is proposed for Corpus Christi, a little more than 100 miles from the Rio Grande. Admiral Towers says it will take 2 years to complete these training facilities, but that it is expected to start to use them on the 1st of July 1941—13 months hence—and yet this is called an emergency program.

Mr. Speaker, this phase of the program—and I submit it is the most urgent phase—just is out of step with the sentiment of the American people. God help us if war were just over the horizon—and I am not so sure that it is not—if we have got to wait from 13 months to 2 years to provide places in which to train flying personnel, with another delay of some 8 months in getting the finished product.

I submit, Mr. Speaker, that there are other decidedly more expeditious and appreciably less costly ways of handling the problem. In the first place, most of us can well recall the type of construction employed to meet temporary demands during the World War. It was of frame and severely plain. It is quick, it is cheap, and answers the requirements. In the second place there are many locations well back of our boundary lines, and I wish to stress that point, where sites are available for the asking, suitable in all respects for primary and basic training. I know that to be so as far as my own State of Louisiana is concerned. Lake Pontchartrain is a very admirable location, with lumber right at hand and plenty of labor. Moreover, it is not on another country's doorstep. I am sure another admirable site is in Chairman SCRUGHAM's State of Nevada, on the shores of Lake Meade. There no doubt are lots of places suitable for temporary training stations, and where, as I said before, land purchase would not be involved. There would be no permanent development and hence no maintenance costs in the years to come.

Mr. Speaker, I feel by all means that the amendment proposed by the gentleman from Nevada, Chairman SCRUGHAM, should be adopted, and I think it thoroughly justifies a cut in the $45,000,000. My preference would be a more drastic limitation, under which only structures of World War type could be erected, and which excluded any land purchase, because I am confident land purchase means additional permanent naval shore establishments, of which we have an abundant number already. [Applause.]

GOVERNOR JONES' ATTEMPTED "BLITZKRIEG" ON WASHINGTON

Mr. Speaker, in my remaining time, in connection with this defense program, I want to bring to the attention of the House a news article appearing in a New Orleans newspaper to the effect that His Excellency, the Governor of Louisiana, and his two friends are coming to Washington for the purpose of securing for Louisiana national-defense projects; not only national-defense projects, but he was also going to settle the old-age-pension question in Louisiana by getting the Federal Government to pay the full $30 that the State now pays one-half of; that he was going to settle the sugar program by getting increased sugar acreage; that he was going to settle the rice question and numerous other questions. I shall insert the article in the RECORD.

His Excellency, the Governor of Louisiana, is coming to Washington to get what I would consider, as far as this naval bill is concerned, as pork, but there is no pork in this naval appropriation, Mr. Speaker. The Governor has not learned that yet, but His Excellency arrived in state and was comfortably located in the Mayflower Hotel here, where, I am told, he entertained very lavishly on last evening, and, I may also state, royally. I am told that the cocktail party was enjoyed by the celebrities of Washington. However, the two United States Senators from Louisiana and the Congressmen were conspicuous by their absence.

Mr. Speaker, I am wondering why this hurried trip to Washington by the Governor and his friends. The Legislature of Louisiana is now in session, and I would think that the presence of the Governor would be needed at the State Capitol at Baton Rouge. I wonder why this hurried trip here to Washington, when the Democratic Party of Louisiana is holding its State convention tonight to nominate delegates to the National Convention of the Democratic Party.

Oh, of course, the Governor knows that an overwhelming majority of Members of Congress from Louisiana are for the President if he wants a third term. Could it be that the distinguished Governor of Louisiana is ducking that issue down there in Baton Rouge? Why this hurried trip to Washington I ask you, when all of the Governors of the South are having a Governors' conference for the purpose of working out on problems that will affect the people of Louisiana and of the Southeast? Of course, I am suspicious of why our Governor is up here. I think that he is up here not for defense projects which we are now considering in this bill, but I think he is up here for what we people in Louisiana call lagniappe, or pap—political patronage—but I say to my friend, the Governor, that without the help of the two distinguished United States Senators and Members of Congress, he will not be successful on his political patronage journey here. I am sure that when the Governor went over and talked with the Secretary of Agriculture, Mr. Henry Wallace, that he was told that there can be no increase in the sugar acreage for Louisiana growers this year. I am sure he was told that the sugar child labor bill that he was interested in has passed the Senate and is now in the capable hands of the gentlemen from Louisiana, Congressmen DE-ROUEN and BOB MOUTON, and the rule has already been granted on that particular bill in the House, and as to the rice legislation, which he said he was coming up here to settle, he should know that the Ellender rice bill has already passed the Senate and is pending before the House, and I am sure that the Secretary of Agriculture told that to the Governor in his conference on yesterday. And the same is true of all other projects that the Governor of Louisiana says he is up here trying to get by himself.

Let me make this clear to you. Here is the Governor of Louisiana coming here to Washington issuing this statement, quoting Times-Herald of Washington, D. C., June 4, 1940:

> Jones accused Senators OVERTON and ELLENDER of "taking a bitter stand against reform in Louisiana" and said they were "not entitled to return to the United States Senate."

Think of it. Senator OVERTON will be in the United States Senate for a long time after Jones of Louisiana has gone out of office and has been forgotten by the people of Louisiana, as Senator OVERTON's term does not expire until January 1945. Senator OVERTON in the same paper, same day, answered in a statement and said:

It ill becomes a Governor of Louisiana to make a bid, as Governor Jones did, for a conference with reporters in the National Capital, and after denouncing his own State, undertake to repudiate the two United States Senators elected from Louisiana.

My term does not expire until January 1945 at which time Jones will have passed forever from the political scene, and Senator ELLENDER's term does not expire until January 1943.

I was elected without opposition; it took two primary elections and a tremendous campaign fund to put Jones into the governorship. His criticism of the two United States Senators will fall here on deaf ears.

According to Jones, the sin committed by the two United States Senators was not supporting him as the self-styled reform Governor. Jones has yet to give any evidence of his being a friend of reform.

His action has been limited to addressing men out of office—a procedure not resorted to in Louisiana since carpetbagger days—in preparing to order a new election in New Orleans, and in superseding the district attorneys with emissaries of the Attorney General's office, a device against which he railed in the campaign for the governorship. Is Jones sincere in his statement that the day of dictatorship is over in Louisiana?

It would be better for Jones if he would undertake to confine his activities in Washington to carrying out his pre-election and post-election promises to legislate unrestricted production of sugarcane in Louisiana, to relieve Louisiana and other States from making a sponsor's contribution of 25 percent to W. P. A. projects and toward having the Federal Government bear the entire cost of a $30-a-month old-age pension.

Mr. Speaker, throughout Governor Jones' recent campaign he said that his main object was to do away with dictatorship in Louisiana; yet, he now tries to set up a super-dictatorship of his own.

Mr. Speaker, I want my people, that I have the honor to represent in Congress, to know again that I have offered the governor my cooperation on matters for the good of Louisiana. The Governor is now in Washington—his first act after arriving here was to call in the press and criticize the two United States Senators from Louisiana. He has ignored Members of Congress from Louisiana, and I am wondering what all of the people of New Orleans and the rest of the State of Louisiana are thinking about their Governor up here, and his saying that he was coming up here to get certain benefits for Louisiana; to get some Federal money for Louisiana, all the while ignoring the two United States Senators and Members of Congress—who were duly elected by the people of Louisiana to represent them here in Washington. It just cannot be done, Mr. Speaker. Things are not done that way in Washington, and this great superman that is now Governor of Louisiana, probably reads that comic strip about superman, and it is my opinion he will soon realize that he is just an ordinary man.

While he tried to imitate the great "Kingfish" of Louisiana, he did not even make the first page of papers in Washington. As you will notice by the Washington Star of yesterday, he made the first page of the last section of the Star.

I am for anything that is for the best interests of Louisiana. I want to cooperate with the Governor or the mayor or any other citizen of Louisiana or New Orleans, but I demand in return that I be shown the respect that is due me as a Representative of a quarter of a million people in Louisiana, who elected me by their votes as their Representative in Congress. The time to fight factional politics is at election time, but I say to him for the good of Louisiana he should have come here, and not ridiculed the United States Senators or ignored Members of Congress, but he should seek their help and their influence for projects and money that would redound to the benefit of the State of Louisiana. [Applause.]

[From the New Orleans Times-Picayune of June 3, 1940]

SHARE FOR STATE IN UNITED STATES SPENDING SOUGHT BY JONES—GOVERNOR FLIES TO CAPITAL TO CONFER WITH PRESIDENT AND OTHER OFFICIALS ON WIDE RANGE OF TOPICS

Gov. Sam Jones left Sunday afternoon by plane for Washington, where Tuesday he will lay before President Roosevelt Louisiana's argument for a generous portion of the billions to be spent by the Federal Government in expanding national defenses and other projects.

Boarding a plane at the New Orleans Airport at 3:55 p. m., the Governor, leaving the State for the first time since he took the oath of office, declared he would confer with a number of high Government officials, including the President and Henry Wallace, Secretary of Agriculture, on a wide range of subjects, foremost among which are national-defense funds and legislation affecting Louisiana agriculture.

APPOINTMENTS MADE

Listing President Roosevelt; Secretary Wallace; Harold Ickes, Secretary of the Interior; Louis Johnson, Assistant Secretary of War; Col. Francis C. Harrington, W. P. A. Commissioner; and Robert Jackson, Attorney General, as those with whom he had appointments in Washington, the Governor added, "I very likely will see a great many other persons who are not on the schedule before returning from Washington."

The Louisiana Congressmen, he said, are not on his list of engagements.

"I do not plan to see any of the Congressmen," he declared, "but they may, of course, look me up if they have anything to discuss."

In the conference with Secretary Wallace, which is scheduled today, Governor Jones said he plans to discuss several national legislative matters, particularly legislation which would affect Louisiana rice and sugar farmers.

"I might even be audacious enough to mention the strawberry situation to Mr. Wallace," he smiled. The principal topic of discussion, however, is expected to be the sugar situation.

NO SPECIFIC PROGRAM

When he meets the President Tuesday morning to discuss the possibility of obtaining Federal defense funds for Louisiana, Governor Jones will have no specific program to lay before Mr. Roosevelt, but will "ask for anything and everything that will help Louisiana."

"Governor," he was asked, "do you mean you intend to request establishment of new defense stations in Louisiana, expansion of present Army, Navy, and Marine organizations, opening of airplane factories, or anything in connection with the new program?"

"You bet your life," the Governor exclaimed. "If there are any Federal funds to be got, I am going to do my darnedest to get them."

His conference with Attorney General Jackson is expected to center around an effort to obtain from Federal investigators evidence of apparent violations of State laws encountered by the Federal men in operations in Louisiana in recent months, to be used in prosecutions within the State.

In addition to the conferences on defense funds and agriculture, Governor Jones has arranged meetings with Jesse Jones, head of the Reconstruction Finance Corporation, and Henry Morgenthau, Secretary of the Treasury.

"These meetings are only to make valuable contacts," said Governor Jones.

He said he expected to return Wednesday at 3 a. m., which schedule would mean his missing the Democratic State convention, which will be held Tuesday at Baton Rouge.

Accompanying the Governor to Washington were E. A. Stephens, New Orleans businessman, and Raburn Monroe, attorney.

[From the Washington Times-Herald]

JONES DOESN'T AMOUNT TO A HILL OF BEANS HERE, SENATOR OVERTON STATES—SENATOR ASSAILS LOUISIANA GOVERNOR IN REPLY

Statements reminiscent of Huey Long's heyday were exchanged here yesterday by two Louisiana political figures, Senator JOHN HOLMES OVERTON and Governor Sam H. Jones.

The newly elected Governor, here on State business, set off the fireworks when he called a press conference and suggested retirement of OVERTON and the junior Louisiana Senator, ALLEN J. ELLENDER, "as a step toward elimination of the Long influence."

ASSAILS TWO SENATORS

Jones accused Senators OVERTON and ELLENDER of "taking a bitter stand against reform in Louisiana," and said they were "not entitled to return to the United States Senate."

All of which inspired OVERTON to respond:

"Jones may be temporarily the cock o' the walk in Louisiana, but he doesn't amount to a hill of beans in Washington."

OVERTON added: "It ill becomes a Governor of Louisiana to make a bid, as Governor Jones did, for a conference with reporters in the National Capital and, after denouncing his own State, undertake to repudiate the two United States Senators elected from Louisiana.

IT'S A LONG WAIT

"My term does not expire until January 1945, at which time Jones will have passed forever from the political scene; and Senator ELLENDER's term does not expire until January 1943.

"I was elected without opposition; it took two primary elections and a tremendous campaign fund to put Jones into the governorship. His criticism of the two United States Senators from Louisiana will fall here on deaf ears.

"According to Jones, the sin committed by the two United States Senators was not supporting him as the self-styled reform Governor.

QUESTIONS HIS STAND

"Jones has yet to give any evidence of his being a friend of reform.

"His action has been limited to addressing men out of office—a procedure not resorted to in Louisiana since carpetbagger days—in

preparing to order a new election in New Orleans, and in superseding the district attorneys with emissaries of the attorney general's office, a device against which he railed in the campaign for the governorship. Is Jones sincere in his statement that 'the day of dictatorship is over in Louisiana?'

RECALLS PROMISES

"It would be better for Jones if he would undertake to confine his activities in Washington to carrying out his preelection and postelection promises to legislate unrestricted production of sugarcane in Louisiana, to relieve Louisiana and other States from making a sponsor's contribution of 25 percent to W. P. A. projects, and toward having the Federal Government bear the entire cost of a $30-a-month old-age pension."

[Here the gavel fell.]

Mr. SCRUGHAM. Mr. Speaker, I yield one-half minute to the gentleman from Pennsylvania [Mr. BRADLEY].

Mr. BRADLEY of Pennsylvania. Mr. Speaker, in connection with the vote on the roll call covering the amendments to the National Labor Relations Act, my colleague the gentleman from Pennsylvania [Mr. MCGRANERY] was unavoidably absent on account of illness. He authorizes me to say that if he had been present he would have voted against the rule.

Mr. SCRUGHAM. Mr. Speaker, I yield 10 minutes to the gentleman from Wisconsin [Mr. HAWKS].

Mr. HAWKS. Mr. Speaker, this is the regular appropriation bill for the Navy Department for the fiscal year 1941, with additions, taking into consideration the so-called emergency appropriations.

Last fall I had an opportunity to spend some time on the west coast and to inspect some of our navy yards and naval defenses out there. I was deeply impressed with the inadequacy of those defenses. While I do not want to add one single word to the administrative hysteria that is going around this country, I do want to say right now that any appropriation to the United States Navy and the Navy Department that would improve those woefully inadequate defense situations on the west coast and other important places would certainly meet with my approval.

I have a very firm conviction in my mind that altogether too much of this war talk today is political—purely political. The reason I feel that way is because I cannot understand why during the special session, the second session of the Seventy-sixth Congress, which was called on September 21, 1939, we did not take some action, and why the defenses of our Nation were not called to our attention and to the attention of the American public. Also why appropriations to take care of those inadequacies were not made 8 or 9 months ago. Certainly we would be that much further along on the road to adequacy. We certainly missed the boat in that respect.

Mr. BATES of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. HAWKS. I yield.

Mr. BATES of Massachusetts. For the gentleman's benefit, I wish to say that over the last 4 years your Naval Affairs Committee has reported out authorization bills that today embrace two and one-half billion dollars. They have been on the books for the best part of 2 years. Even last year when we had authorization for two and one-half billion dollars on the books, only a half billion has been spent for naval construction.

Mr. HAWKS. I was going to point that out. I am glad the gentleman reminded me of it. You understand, I am talking my convictions. I am not making a political speech. I am just as sick and concerned about this defense situation as the most ardent new dealer. But the responsibility rests with them. They have been in power.

Mr. MOTT. Mr. Speaker, will the gentleman yield?

Mr. HAWKS. Not now. I would like to know if the State Department, in the War Department, the Navy Department, or if the President did not have approximately as much information about our defenses last September as they have today? The reason I am convinced that there is altogether too much politics in this defense business today is that it was brought up at a time when politics and a general election in this country are right upon us.

Mr. MOTT. Mr. Speaker, will the gentleman yield?

Mr. HAWKS. I yield.

Mr. MOTT. The gentleman mentioned the special session. Does he recall the President's message to the Congress at that time, in which he remarked that it was only the dictator nations who were spending their money for armament, but we in the United States were putting men to work on W. P. A. and other forms of reemployment?

Mr. HAWKS. I thank the gentleman for his contribution.

Mr. MOTT. And at that time the President never mentioned the necessity of a rearmament program such as we have now?

Mr. HAWKS. The gentleman is correct. In other words, what I am sure the gentleman is trying to bring out and what I am trying to point out is that the general welfare of 130,000,000 American citizens has been put on the block of political expediency, and I do not like it.

Amendment 133 in this bill, "Emergency fund for the President," involves an outlay of $34,000,000 in cash, and not exceeding $34,000,000 authorized for the President to spend through such agencies on and after the enactment hereof, to enter into contracts for the purpose in an amount not exceeding $34,000,000. I know I am going to be criticized by some of my friends on the Democratic side of the aisle for taking issue with the President, but, as the elected Representative of some 300,000 American citizens, I think I have that right, and I intend to speak out.

For 10 years we have had a most serious domestic problem. That problem today is just as serious as it was 10 years ago. We have turned over blank check after blank check to this man who now wants to be the international savior of the world.

Involved in this bill, a bill that is otherwise perfectly all right, involved in this bill is another blank check for $34,000,000 in cash, and $34,000,000 on the cuff. I appreciate that in his mind and in the mind of some of his ardent supporters $68,000,000 is mere chicken feed. I appreciate the fact that Congress turned over to him at one time a blank check for over $4,000,000,000. So many think that $68,000,000 does not amount to very much. It represents a whale of a lot of money to me. But he has not made, and the New Deal has not made, a proper accounting of the funds that we have previously turned over to him in the form of anything worth while accomplished; and I am not going to support any legislation that proposes to turn more funds over to a man or to an administration that has shown its utter incompetency in the matter of taking care of domestic problems in this country.

There is no need in the consideration of these naval and military appropriation bills further to excite the people of our country. Three thousand miles of blue water is going to keep some people away from here for a long enough time so that we can repair our own defenses, build our Army and build our Navy to a point where they will not dare come over here, and I am not going to sit here in this House as a Representative of American citizens and be swept away by a political drive—and that is what I think it is as sincerely as I am standing here—by a political drive in the name of national defense. [Applause.]

[Here the gavel fell.]

Mr. SCRUGHAM. Mr. Speaker, I yield 10 minutes to the gentleman from Connecticut [Mr. MILLER].

Mr. MILLER. Mr. Speaker, I rather imagine that the thoughts which are going through my mind as I read this bill are similar to those that are going through the minds of most of the Members of this House. I am wondering and wish I knew just what we were getting prepared to defend beyond our own country. I wish I knew what the foreign policy of this Government is at the present time.

Is this bill brought to us in order that we may be prepared to protect all of this Hemisphere, South America as well as North; or is it a bill to make the protection of the United States and its island possessions secure? If the answer is "yes" to the former, our need is one thing. If it is "yes" to the latter, we need a great deal less. From what I have been

able to learn I do not think the ranking officers of the Army and the Navy know what they are going to be called upon to protect.

I think I can truthfully say that in the very short time I have been a Member of this House that I have not been particularly partisan, that I have never critized the President of the United States simply for the purpose of criticism. I voted for bills he has sent up here, bills he wanted, bills in which I could see no harm. I voted for them, I have gladly voted for them. Perhaps some of them were unimportant, such as the bill providing for the building of a museum in Hyde Park, N. Y., to house his papers. I did not feel that that should be a partisan issue because, after all, they were the President's papers and he had the right to do with them as he wished, to house them in Hyde Park or in Washington; and I felt that Congress should appropriate a reasonable sum for that purpose. So I hope that any criticism I may make of the President's national-defense program will not be construed by anybody as a partisan utterance, because I think every one of us feels the responsibility of the hour, and we all have a desire to do those things that are necessary to insure our own protection.

In the limited time I have had to study this bill there are three amendments about which I am concerned, and as I understand it they are three of the amendments reported back by the conferees in disagreement. One is amendment No. 120 on page 77 of the bill. I will read only the proviso:

Provided, That all contractors who enter into contracts under the authority contained in this paragraph shall, in the discretion of the Secretary of the Navy, be held to be agents of the United States for the purposes of such contracts and all purchases under such contracts shall be exempt from Federal, State, and local taxes.

I confess I do not know just how far-reaching that is, but without further explanation of the amendment I can see no good reason for it, and I question the necessity and even the right of the Federal Government to enact into law a provision that a contractor furnishing supplies, whether it be cruisers, destroyers, aircraft engines, or propellers, to write into law a provision that the property, whether it be property that is going to be molded into national-defense weapons or not shall be exempt from local taxes. Does that language go so far as to cover equipment in a plant that might be built to meet this emergency? Does it mean that the plant itself is not to be taxed? The purpose is not clear.

We all know that as a result of this enlarged program there are going to be communities that must expand. I have in mind a town in my own district where at the present time is located the Pratt & Whitney Engine Corporation, a corporation which at the present time is making about one-third of the aviation engines being made in the United States. Within the last 48 hours they have announced that they are going to build an $8,000,000 extension of their plant, a new building. Certainly this provision cannot mean that that community may not tax that building, its contents, or its equipment, because that additional facility is going to bring an added burden to the community, new families will live in the community and the community must provide school and other facilities for them. It may be that is not the purpose of it, but certainly the question is raised and it is a serious one for the communities involved. I hope those who are familiar with the bill and its amendments will make it clear, that they will tell us at least a little bit about the purpose of the amendment as far as exempting any contractor from a Federal tax is concerned. I do not know how far reaching that is going to be, but I do know that a committee of this House is now considering ways and means to increase the revenues of our Government.

The next amendment about which I am concerned is amendment No. 122 on page 78. It relates to the leasing, selling, or otherwise making available to the manufacturers of aircraft certain essential equipment. I have no objection to that. I know that a lot of these small manufacturers must secure aid in the way of financing needed equipment if we are going to speed this program along. The provision I question is that which gives the Secretary of the Navy the right to dispose of that property as he sees fit after the emergency is over. After the emergency is over, and certainly that provision applies only to a time after the emergency is over, I can see no reason for disposing of that material in any other way than other naval property or Government property is disposed of, that is, by survey and by advertising for sale. I see an opportunity there, either through carelessness or with some other purpose in mind, of being very generous to certain contractors and certain manufacturers who are going to be doing business with the Government in the next few months, if not the next few years.

I go over now to amendment No. 133, found on page 84, relating to emergency funds for the President. I know it is going to be said that we have already authorized these funds and I for one voted to authorize them, but I voted the authorization under definite misinformation. I think in these days when we are trying to use all speed possible, it behooves every Member of the House to be very careful in reference to the statements he makes as statements of fact. The statement was made, undoubtedly through error, that there was ample precedent for this, that such funds were made available to President McKinley and to President Wilson prior to our entry into the Spanish-American War and the World War. I have looked up those appropriations and I find that no funds were made available to President McKinley to spend as he saw fit until after war was declared, and that no funds were made available to Mr. Wilson until after the declaration of war in April 1917. If I had known that to be a fact, I would not have voted for the authorization a couple of days ago.

As we go through the hearings on this naval bill, we find this $34,000,000 is practically earmarked for specific purposes. At least, representatives of the Navy Department have stated in the hearings that they are going to use certain amounts of this money for definite purposes. Is it not much better practice, and will it not meet with more general approval, if we write into the bill these specific items? No one wants to hamstring the President of the United States in this period, but I can see no emergency, nor has he indicated any emergency that would justify waiving this normal procedure.

I can sum up my objection to these three amendments in one sentence, by saying I want to contribute in every way possible to providing for our defense at the earliest possible moment, but I do not want to do that by lifting any of the safeguards or any of the constitutional restrictions that we now have. I believe we can have national defense without waiving any of the prerogatives of this House or going beyond the limits of the Constitution.

Mr. STEFAN. Will the gentleman yield?

Mr. MILLER. I yield to the gentleman from Nebraska.

Mr. STEFAN. I do not believe there is anyone in this House more qualified to talk on this subject than the gentleman who is now addressing the House. He has the admiration and respect of everyone here. The gentleman touched on a very vital point a little while ago, with reference to the item of raising revenue to pay for these national-defense expenses.

What does the gentleman think of an excess-profits tax being written into the bill on national-defense items at this time? This town is full of people today who have come to get a chunk of this national-defense money in some way or other. I think an excess-profits tax would be very popular with the American people. What would the gentleman say about that?

The gentleman from Connecticut [Mr. MILLER] mentioned several amendments which we will have to deal with in just a few minutes. Let us take our time and do something with these amendments to eliminate the possibility of war profiteering, war grafting, and war racketeering which were such great scandals during and following the last war. We have the opportunity here to amend these big-

money bills so these profiteers will have absolutely no chance of taking advantage of these huge expenditures. We should do everything that we can before we adjourn to stop any possible exploitation of these expenditures for the benefit of any person, persons, or organizations. The young men who must do the fighting and the dying in case war comes again—and I pray to the Almighty that it does not come—must be assured that there will be no profiteers in this program for national defense and that if anyone is going to do any sacrificing every individual citizen of America will have to sit in and take an equal piece of sacrifice. There must be no excess profits from these expenditures for national defense and notice must be served on those who feel otherwise that so far as this Congress is concerned we will stay here until we are sure that we have applied all necessary safeguards.

Mr. MILLER. I do not want to see a single individual or corporation profit excessively through any money that is appropriated in these national-defense bills. [Applause.]

[Here the gavel fell.]

Mr. SCRUGHAM. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. MILLER. Mr. Speaker, further answering the question may I say that at the end of the World War millions of young Americans came home and found that while they had been serving for a dollar a day their compatriots in the United States had been making millions. We said then that never again would the citizens of this Nation be permitted to profit by war, and I hope before the Congress adjourns that we will enact legislation that will definitely take excess profits out of any national-defense program we undertake.

Mr. STEFAN. I agree with the gentleman.

Mr. MARCANTONIO. Will the gentleman yield?

Mr. MILLER. I yield to the gentleman from New York.

Mr. MARCANTONIO. The gentleman is aware of the fact that one of the naval authorization bills passed here last week contained a provision which lifted the restriction of profits to 10 percent on naval construction?

Mr. MILLER. Yes; and it should not have been in there.

Mr. STEFAN. The gentleman will agree that the majority of us on the minority side are in favor of the enactment of an excess-profits tax in connection with the program being carried out by the President, so there will not be any millionaires made out of this national-defense program.

Mr. MILLER. Mr. Speaker, I would like to express this one thought in the remaining time I have. We had a tragic experience in the procurement of aircraft during the last war. We issued licenses to manufacturers of automobiles to make aircraft and we spent more than a billion dollars in a year's time, still when the year was up we did not have a single combat plane in France. The only engines we had were the so-called Liberty engines, or as the men who flew them called them flaming coffins. I hope that we can learn from that experience that in this emergency we will expand the aircraft industry and not the automotive industry; that we will build aviation engines which will not burn in the air; and that we will profit by the experiences of the World War, because as I said the other day, there is just as much difference between manufacturing an aircraft engine and an automobile engine as there is between manufacturing a watch and a tractor. I wish I had time to discuss some of the experiences of the Packard Co. in building aircraft engines.

[Here the gavel fell.]

Mr. SCRUGHAM. Mr. Speaker, I move the previous question on the adoption of the conference report.

The previous question was ordered.

The SPEAKER pro tempore (Mr. MCLAUGHLIN). The question is on agreeing to the conference report.

The conference report was agreed to.

The SPEAKER pro tempore. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Amendment No. 10: On page 5, line 10, strike out "$653,350" and insert "$403,350."

Mr. SCRUGHAM. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. SCRUGHAM moves that the House recede from its disagreement to the amendment of the Senate No. 10 and concur in the same with an amendment, as follows: Restore the amount stricken out by said amendment and in line 8, page 5, of the bill strike out "$60,000" and insert "$160,000."

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 84: On page 47, after line 8, insert "Naval Medical Center, Washington, D. C.: Accessory construction, $992,000."

Mr. SCRUGHAM. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 89: On page 58, line 9, strike out "of subcategory (b)."

Mr. SCRUGHAM. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 105: On page 72, after line 19, insert the following:

"SEC. 6. No part of any appropriation contained in this act shall be used directly or indirectly after May 1, 1941, except for temporary employment in case of emergency, for the payment of any civilian for services rendered by him on the Canal Zone while occupying a skilled, technical, clerical, administrative, executive, or supervisory position unless such person is a citizen of the United States of America or of the Republic of Panama: *Provided, however,* (1) That at no time shall the number of Panamanian citizens employed in the above-mentioned positions exceed the number of citizens of the United States so employed, if United States citizens are available in continental United States or on the Canal Zone; (2) that nothing in this act shall prohibit the continued employment of any person who shall have rendered 15 or more years of faithful and honorable service on the Canal Zone; (3) that in the selection of personnel for skilled, technical, administrative, clerical, supervisory, or executive positions, the controlling factors in filling these positions shall be efficiency, experience, training, and education; (4) that all citizens of Panama and the United States rendering skilled, technical, clerical, administrative, executive, or supervisory service on the Canal Zone under the terms of this act shall (a) normally be employed not more than 40 hours per week, (b) shall receive as compensation equal rates of pay based upon rates paid for similar employment in continental United States plus 25 percent."

Mr. SCRUGHAM. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. SCRUGHAM moves that the House recede from its disagreement to the amendment of the Senate numbered 105 and concur in the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following:

"SEC. 6. No part of any appropriation contained in this act shall be used directly or indirectly after May 1, 1941, except for temporary employment in case of emergency, for the payment of any civilian for services rendered by him on the Canal Zone while occupying a skilled, technical, clerical, administrative, executive, or supervisory position unless such person is a citizen of the United States of America or of the Republic of Panama: *Provided, however,* (1) That notwithstanding the provision in the act approved August 11, 1939 (53 Stat. 1409), limiting employment in the above-mentioned positions to citizens of the United States from and after the date of the approval of said act, citizens of Panama may be employed in such positions; (2) that at no time shall the number of Panamanian citizens employed in the above-mentioned positions exceed the number of citizens of the United States so employed if United States citizens are available in continental United States or on the Canal Zone; (3) that nothing in this act shall prohibit the continued employment of any person who shall have rendered 15 or more years of faithful and honorable service on the Canal Zone; (4) that in the selection of personnel for skilled, technical,

administrative, clerical, supervisory, or executive positions the controlling factors in filling these positions shall be efficiency, experience, training, and education; (5) that all citizens of Panama and the United States rendering skilled, technical, clerical, administrative, executive, or supervisory service on the Canal Zone under the terms of this act (a) shall normally be employed not more than 40 hours per week; (b) may receive as compensation equal rates of pay based upon rates paid for similar employment in continental United States plus 25 percent; (6) this entire section shall apply only to persons employed in skilled, technical, clerical, administrative, executive, or supervisory positions on the Canal Zone directly or indirectly by any branch of the United States Government or by any corporation or company whose stock is owned wholly or in part by the United States Government: *Provided further*, That the President may suspend compliance with this section in time of war or national emergency if he should deem such course to be in the public interest."

Mr. SCRUGHAM. Mr. Speaker, this amendment to the Senate amendment which I have presented substitutes for the Senate provision the identical provision approved by the House the other day for inclusion in the War Department civil functions appropriation bill. It has been generally agreed that the War, Navy, and civil-functions appropriation bills should each carry the same provision.

Mr. BATES of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. SCRUGHAM. I yield to the gentleman from Massachusetts.

Mr. BATES of Massachusetts. I wish to call the attention of the chairman of the subcommittee to the language in line 9, where the amendment restricts employment to those who have rendered 15 years or more of service. If I recall rightly, the authorization bill last week had it down to 5.

Mr. SCRUGHAM. No; it was 15.

Mr. BATES of Massachusetts. The House amended it to 5.

Mr. SCRUGHAM. No; 5 was not agreed to.

Mr. COLE of New York. Mr. Speaker, will the gentleman yield?

Mr. SCRUGHAM. I yield to the gentleman from New York.

Mr. COLE of New York. It is my recollection that in the Army appropriation bill the House struck out the provision which is contained in subsection (4) of the amendment as printed in the bill, under which employees should receive a rate of pay of 25 percent in addition to the regular rate of pay. My recollection is that the House struck that out. I think the two bills should be consistent.

Mr. SCRUGHAM. It was made permissive in the other bill rather than mandatory.

Mr. COLE of New York. And this makes it permissive?

Mr. SCRUGHAM. This makes it permissive also. This amendment is the identical amendment passed by the House on the War Department civil functions appropriation bill.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Nevada.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 112: Page 76, after line 8, insert the following:

"BUREAU OF SUPPLIES AND ACCOUNTS

"PAY, SUBSISTENCE, AND TRANSPORTATION OF NAVAL PERSONNEL

"For an additional amount for pay, subsistence, and transportation of naval personnel, comprising the same objects specified under this head in title I of this act, $3,350,000."

Mr. SCRUGHAM. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. SCRUGHAM moves that the House recede from its disagreement to the amendment of the Senate numbered 112 and concur in the same with an amendment as follows: Before the amount named in said amendment, insert the following: "including three additional officers above the rank of captain in a flight-pay status,".

Mr. VINSON of Georgia. Mr. Speaker, I offer an amendment to the amendment.

The SPEAKER pro tempore. Does the gentleman from Nevada yield for that purpose?

Mr. SCRUGHAM. I yield for that purpose, Mr. Speaker.

The Clerk read as follows:

Amendment offered by Mr. VINSON of Georgia to the motion of Mr. SCRUGHAM: At the end of the amendment insert a colon and the following proviso: "*Provided*, That no officer of the Navy or Marine Corps who has been adjudged fitted shall be involuntarily retired during the existing limited emergency."

The amendment to the motion was agreed to.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 113.

Mr. SCRUGHAM. Mr. Speaker, I ask unanimous consent that amendment No. 113 may be passed over until we dispose of amendments numbered 115, 118, and 119. Amendment No. 113 is concerned only with the total.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nevada?

There was no objection.

The Clerk read as follows:

Amendment No. 115: Page 77, after line 2, insert:

"Naval Station, Guantanamo, Cuba: Defense facilities, including buildings and accessories, $1,500,000;"

Mr. SCRUGHAM. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 118: Page 77, after line 8, insert the following:

"Net and ammunition storage facilities: Naval net depots and ammunition storage, including buildings and accessories and the acquisition of land, $6,262,362;"

Mr. SCRUGHAM. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 119: Page 77, after line 11, insert the following:

"Naval aviation shore facilities, including acquisition of land, $45,000,000."

Mr. SCRUGHAM. Mr. Speaker, I move that the House recede from its disagreement to the Senate amendment and concur in the same with an amendment.

The Clerk read as follows:

Mr. SCRUGHAM moves that the House recede from its disagreement to the Senate amendment and agree to the same with an amendment as follows: After amount named in said amendment, insert the following: "*Provided*, That no part of this amount or any other amount in this title for temporary housing shall be available for erecting, including utilities, upon any site however acquired subsequent to the calendar year 1938, married officers' quarters at a unit cost of more than $8,500, nor bachelor officers' quarters at a unit cost of more than $1,750, nor student flyers' quarters at a unit cost of more than $550; nor barracks for enlisted men at a unit cost of more than $350: *Provided further*, That no part of this amount, nor of any other amount in this title for temporary housing, shall be available for erecting buildings upon any site acquired subsequent to the calendar year 1938 except of a distinctly temporary character unless structures (such as hospitals, hangars, and storage facilities for inflammable or explosive materials) of a more substantial type are essential to the purpose."

Mr. VINSON of Georgia. Mr. Speaker, will the gentleman yield?

Mr. SCRUGHAM. May I make a brief explanation of the motion first?

Mr. Speaker, this amendment appropriates $45,000,000 for naval aviation shore facilities. With the exception of $4,500,000 for providing seaplane-operating facilities at Banana River, Fla., the entire amount is urged at this time because of the need to expand pilot-training facilities. By stations, the allocation of the money is as follows: Pensacola, $4,000,-

000; Miami, $3,500,000; Jacksonville, $8,000,000; Banana River, $4,500,000; and Corpus Christi, Tex., $25,000,000.

There can be no question about the need to develop more aviators, and we know that Pensacola has not the facilities to bear the whole additional load, but we have considerable doubt as to the wisdom of the Department's program for handling the situation. Speed is the very essence of the project, and proposed expenditures of such magnitude can only mean a type of construction—call it temporary, or what you will—that will take unnecessary time to accomplish, to say nothing of the cost and tying up skilled labor, both at the site and in the material-production plants of the country.

The amendment we are proposing is designed primarily to save time. Obviously it will save money as well. We endeavored to have the Senate conferees agree to a more drastic provision, which would have limited structures to frame buildings of the severely plain type put up during the World War. This is just a temporary need and that type of construction should suffice. However, our amendment goes part way in carrying out our ideas. It should mean earlier readiness of the additional facilities and a substantial money saving. Personally, I feel that the appropriation should be reduced 25 percent.

I shall be glad to yield, Mr. Speaker, if anyone wishes time, before moving the previous question.

Mr. VINSON of Georgia. As I understand the amendment of the gentleman, the proviso makes it applicable to all the shore establishments that were recently authorized by the bill passed by the House.

Mr. SCRUGHAM. Only to one or two, as I recollect.

Mr. VINSON of Georgia. Then the House should understand that indirectly you are nullifying, at least to a certain extent, the action with respect to shore establishments by characterizing them as of a temporary nature, because your language is—

Provided further, That no part of this amount, nor of any other amount in this title for temporary housing, shall be available for erecting buildings upon any site acquired subsequent to the calendar year 1938, except of a distinctly temporary character.

And so forth. I think the House should understand that in the shore establishment bill passed the other day by a vote of 400 to 1, that was a program which was carrying out a recommendation of the Hepburn Board. By putting on this limitation the Appropriations Committee is indirectly nullifying the permanency of that which we adopted just a few days ago. Is not that correct?

Mr. SCRUGHAM. No; it is not.

Mr. VINSON of Georgia. What does that proviso mean?

Mr. SCRUGHAM. It only applies to appropriations in this particular bill.

Mr. VINSON of Georgia. But the language is "all appropriations subsequent to 1938."

Mr. SCRUGHAM. No; I am afraid, in the confusion, the gentleman misunderstood the reading of the amendment.

Mr. DARDEN of Virginia. The language is "property acquired."

Mr. VINSON of Georgia. This property is going to be acquired. For instance, the property at Corpus Christi and in Massachusetts and various other places has not been acquired yet, but they are going to be acquired and with this limitation it means they will not be of a permanent character, but a temporary character, and, of course, that is the joker in the proposition.

Mr. SCRUGHAM. In order that the RECORD may carry exactly the locations affected, the amendment applies to Miami, Jacksonville, and Corpus Christi.

Mr. VINSON of Georgia. But the proviso the gentleman has put in here means that the only construction that can take place at any place that was acquired subsequent to 1938 can only be of a temporary character.

Mr. SCRUGHAM. No; it does not go that far. The limitation applies only to the money in the paragraph under consideration, and possibly to an amount in amendment No. 128, pertaining to the Marine Corps.

Mr. DITTER. Mr. Speaker, will the gentleman yield?

Mr. SCRUGHAM. I yield to the gentleman from Pennsylvania.

Mr. DITTER. I ask this privilege at this time to answer the gentleman from Georgia [Mr. VINSON]. It seems to me the gentleman from Georgia is trying to put an interpretation on this provision that certainly the language will not permit. There is no language here that indicates that all construction should be temporary in character. It very definitely provides that that construction which is temporary in character and which the Department has indicated it wanted to have of a temporary character should have this limitation set about it.

Mr. VINSON of Georgia. If there be no misunderstanding, if it is the understanding of the Committee on Appropriations and the House that the authorization bill which was passed the other day, which provides for permanent establishments throughout the various parts of the United States, shall not be limited by this provision, that is all right.

Mr. DITTER. I assure the gentleman there was no purpose on the part of the conferees to in any way be in conflict with that provision.

Mr. VINSON of Georgia. That is all right.

Mr. DITTER. Of the Naval Affairs Committee. This was prompted solely by reason of the fact that the Navy Department stated that it wanted temporary construction at some of these points.

Mr. VINSON of Georgia. That is true.

Mr. DITTER. And we wanted to set about that construction certain limitations.

Mr. VINSON of Georgia. Then it is understood between the ranking minority member and the chairman of the committee that it does not require the Navy Department to confine all of its buildings now to buildings of a temporary nature, as at Swampscott, Mass., Corpus Christi, Jacksonville, and the other places.

Mr. DITTER. But I call the attention of the gentleman to the fact that one matter brought to the Committee on Appropriations was that the Corpus Christi construction the Navy Department wanted to be temporary.

Mr. VINSON of Georgia. I grant that is true.

Mr. DITTER. And that certain portions of the construction at Jacksonville and Miami the Department wanted to be temporary.

Mr. VINSON of Georgia. That is correct.

Mr. DITTER. It seems to me that if the Department wants to carry on a program which provides for only temporary construction in certain instances, this Congress should not compel the Department to put up permanent construction.

Mr. VINSON of Georgia. I thoroughly agree with the gentleman.

Mr. DITTER. We are not in disagreement.

Mr. VINSON of Georgia. We are not in disagreement, provided there is nothing here that would tie the hands of the Department from carrying out what we did the other day.

Mr. DARDEN of Virginia. Mr. Speaker, will the gentleman yield?

Mr. SCRUGHAM. I yield to the gentleman from Virginia.

Mr. DARDEN of Virginia. Mr. Speaker, did I understand the gentleman a moment ago that nothing in this provision would affect the development of the naval operation at Hampton Roads or Norfolk, Va.?

Mr. SCRUGHAM. That is correct.

Mr. HINSHAW. Mr. Speaker, will the gentleman yield?

Mr. SCRUGHAM. Yes.

Mr. HINSHAW. I am interested in the gentleman's statement that he is not entirely satisfied with the program as it has been outlined by the Navy for new pilots. Does the gentleman know of any effort being made for an extension of authority granted the Civil Aeronautics Authority last year to train civilian pilots for the benefit of the Navy?

Mr. SCRUGHAM. Not in this bill.

Mr. HINSHAW. Nothing has been brought to the Committee on Interstate and Foreign Commerce, and I am wondering how they intend to allocate all those pilots.

Mr. SCRUGHAM. An item of that character, I understand, has been presented to the subcommittee on deficiency appropriations.

Mr. HINSHAW. The authorization contained in the bill brought out from the Interstate and Foreign Commerce Committee is definitely limited in its amount. Are there any additional amounts to be brought to the committee or will it all go to the Committee on Appropriations?

Mr. SCRUGHAM. I am not advised.

Mr. HINSHAW. Will the Committee on Interstate and Foreign Commerce be called on for an additional authorization, or will the Committee on Appropriations report it in their own bill?

Mr. SCRUGHAM. I do not know, with respect to additional authorization.

The SPEAKER pro tempore. The question is on agreeing to the motion of the gentleman from Nevada.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 113: Page 76, after line 15, insert:

"BUREAU OF YARDS AND DOCKS

"PUBLIC WORKS, BUREAU OF YARDS AND DOCKS

"Toward the following public works and public utilities projects at a cost not to exceed the amount stated for each project, respectively, $53,325,000, which amount, together with unexpended balances of appropriations herein and heretofore made under this head, shall be disbursed and accounted for in accordance with existing law and shall constitute one fund."

Mr. SCRUGHAM. Mr. Speaker, I move to recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next Senate amendment in disagreement.

Mr. DITTER. Mr. Speaker, I wonder if the gentleman from Nevada [Mr. SCRUGHAM] and I may not come to some agreement as to time on this amendment? In other words, it was my understanding with the majority leader that when it came to the matter of amendments we would have approximately 2 hours for the amendments that might require discussion.

Mr. SCRUGHAM. I do not know that there is anything particularly controversial in this.

Mr. DITTER. I should like to have some time on this amendment.

Mr. VINSON of Georgia. I would like to have at least 5 minutes.

Mr. DITTER. May we come to an agreement that we have 30 minutes on this amendment, and if it is not used then the gentleman can carry on with his program.

Mr. SCRUGHAM. I do not think that is necessary. Suppose we take 5 minutes on each speech and see how it goes.

Mr. DITTER. Oh, the gentleman from Nevada and I had a distinct agreement by which originally we were to have 3 hours' discussion. Under the rules, we can have 1 hour for each of these amendments. I am simply trying to expedite the matter.

Mr. SCRUGHAM. Here is what I am trying to do: Take all the time you require, but take it 5 minutes at a time.

Mr. DITTER. All right. I withdraw my request.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment No. 120: Page 77, line 14, insert "The provisions of section 4 of the act approved April 25, 1939 (53 Stat. 590–592) shall be applicable to all public-works and public-utilities projects mentioned in this act: *Provided*, That all contractors who enter into contracts under the authority contained in this paragraph shall, in the discretion of the Secretary of the Navy, be held to be agents of the United States for the purposes of such contracts and all purchases under such contracts shall be exempt from Federal, State, and local taxes."

Mr. SCRUGHAM. Mr. Speaker, I move to recede and concur with a substitute amendment.

The Clerk read as follows:

Mr. SCRUGHAM moves to recede and concur in Senate amendment No. 120 with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following:

"The provisions of section 4 of the act approved April 25, 1939 (53 Stat. 590–592) shall be applicable to all public-works and public-utilities projects mentioned in this act regardless of location: *Provided*, That all purchases under contracts entered into under the authority contained in this paragraph shall be exempt from Federal, State, and local taxes, and for the purposes of such purchases the contractors shall be deemed to be agents of the United States."

Mr. SCRUGHAM. Mr. Speaker, I wish to make a brief explanation of this amendment.

Mr. Speaker, this amendment grants authority to negotiate cost-plus contracts for all public works projects in the bill, that is, under both titles I and II. Similar authority was granted to the Army and Navy at the first session of this Congress as to certain projects without the continental limits of the United States. It is in the interest of expedition and should be the more economical course, because bidders today on fixed-price contracts are going to make their bids cover all kinds of contingencies, some of which may never arise.

The section of the law cited in the amendment requires Presidential approval of all such negotiated contracts and provides that the fee—

Shall not exceed 10 percent of the estimated cost of the contract, exclusive of the fee, as determined by the Secretary of the Navy. Changes in the amount of the fee shall be made only upon material changes in the scope of the work concerned as determined by the Secretary of the Navy, whose determination shall be conclusive.

Joined with the matter I have been discussing is a provision making those who are awarded contracts agents of the United States for the purpose of exempting them from paying Federal, State, and local taxes upon materials which they buy to perform their contracts. The theory is that the tax would not lie if the Government were buying the material and turning it over to the contractor, and therefore its agent should not be taxed. Otherwise the Government would pay the tax indirectly and a percentage thereof in addition in the case of cost-plus contracts.

Mr. DITTER. Mr. Speaker, would the gentleman yield to the gentleman from Michigan [Mr. MCLEOD], who desires to offer an amendment to the amendment?

Mr. SCRUGHAM. And then they can all be discussed at one time. Yes; I yield to the gentleman from Michigan, minority member of the committee.

Mr. MCLEOD. Mr. Speaker, I offer an amendment striking out the taxing phase of the amendment offered by the gentleman from Nevada. My amendment is to strike out the taxing phase of the amendment just offered by the gentleman from Nevada.

The Clerk read as follows:

Amendment offered by Mr. MCLEOD as a substitute for the amendment offered by Mr. SCRUGHAM: On page 77, after amendment numbered 119, insert:

"The provisions of section 4 of the act approved April 25, 1939 (53 Stat. 590–592), shall be applicable to all public-works and public-utilities projects mentioned in this act: *Provided*, That all purchases under contracts entered into under the authority contained in this paragraph shall be exempt from Federal, State, and local taxes."

Mr. MCLEOD. Mr. Speaker, that is the language that I desire to amend by striking out. My amendment is to strike out that language contained in the amendment offered by the gentleman from Nevada.

Mr. DITTER. Mr. Speaker, will the gentleman yield?

Mr. SCRUGHAM. I yield.

Mr. DITTER. Mr. Speaker, I believe it is the intention of the gentleman in offering the amendment that he has sent to the desk to provide that amendment No. 120 will have language as follows:

The provisions of section 4 of the act approved April 25, 1939 (53 Stat. 590–592), shall be applicable to all public-works and public-utilities projects mentioned in this act.

Mr. MCLEOD. That is correct.

Mr. DITTER. And that the balance of the paragraph as presently contained on page 77 shall be stricken. Am I correct in that assumption?

Mr. McLEOD. That is correct.

Mr. Speaker, this amendment would provide that all contracts made under this appropriation to the Bureau of Yards and Docks can be made on the basis of negotiating contracts under the act of April 25, 1939. Thus competitive bids would not be required under this provision. The amendment goes on to provide that the Secretary of the Navy can declare that all persons who enter into contract under this section may be made agents of the United States, and the contracts shall be exempted from Federal, State, and local taxes.

It would appear that there are several purposes involved in making these contractors agents of the United States. First, the contractor would be made subject to all of the laws regulating Government purchases directly. Thus in any negotiation with subcontractors, they would be in the same position as the contractor, and the contractor in the position of the Government. Laws relative to prevailing rate of pay, length of working day, purchase of materials and supplies would all apply to the subcontractor as well as the contractor. Second, if the contractor is an agent of the United States, it would appear that any labor employed by him could hardly strike against him for it would be a strike against the Government. Third, it is necessary to have the specific language exempting the contractor from State and local taxation because under recent decisions of the Supreme Court, States can tax Federal agents and instrumentalities. These exemptions from taxation most distinctly would break down States' rights. It would exempt such contractors and all contracts made thereunder from State and local sales taxes, franchise taxes, other business taxes and income taxes. This is a fundamental invasion of the principles of the dual system of Federal Government that exists in the United States. It is a part of the general program of nationalization that has been evident in repeated statements of President Roosevelt and other New Dealers. It is quite apparent that every effort will be made during the course of the present emergency to break down States' rights. This provision is but an entering wedge and an indication of this tendency.

It will be noted that amendment 120 confers discretion upon the Secretary of the Navy as to whether or not he desires to make a contractor an agent under this section. He can thus exempt them from the burden of Federal, State, and local taxes and by freeing them from the possibility of labor stoppages in their works. The possibility of such discretion of the Secretary of the Navy should be restricted. The attached draft of amendment 120 does this by eliminating the provision relative to the discretion of the Secretary of the Navy.

[Here the gavel fell.]

Mr. VINSON of Georgia. Mr. Speaker, will the gentleman from Nevada yield me 5 minutes?

Mr. SCRUGHAM. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia [Mr. VINSON].

Mr. VINSON of Georgia. Before the gentleman from Michigan takes his seat, let me ask him whether the only effect of his amendment is to strike out the proviso in amendment No. 120?

Mr. McLEOD. That is the purpose of the amendment I offered.

Mr. DITTER. Mr. Speaker, will the gentleman yield for one question?

Mr. VINSON of Georgia. I yield.

Mr. DITTER. Will the gentleman from Michigan submit a request that the language, as he originally presented it, shall be substituted for the provision striking out the proviso clause?

Mr. McLEOD. I make that request, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the modified amendment.

The Clerk read as follows:

Amendment submitted by Mr. McLEOD: After the word "act", in line 4 of the amendment strike out the remainder of the paragraph so that the amendment will read as follows:

"The provisions of section 4 of the act approved April 25, 1939 (53 Stat. 590–592), shall be applicable to all public-works and public-utility projects mentioned in this act."

Mr. VINSON of Georgia. Mr. Speaker, the House can thoroughly understand that the only issue is whether or not we shall strike out the proviso. To go back briefly, in 1939 the Congress authorized some $63,000,000 to be spent on air stations throughout the United States and beyond the boundaries of continental United States. In the section authorizing contracts to be made outside the continental limits of the United States we wrote this language:

To enable the Secretary of the Navy to accomplish without delay or excess cost these public-works projects authorized by this act to be located outside the continental limits of the United States, he is authorized to enter into contracts on a cost plus a fixed fee base.

That was perfectly all right because the contracts were outside the continental limits of the United States. In the present emergency, in the bill that we passed the other day, which is referred to here, was a proposition to apply the same principle within the continental limits of the United States and to go one step farther, to make these contractors the agents of the United States Government. There is where my committee and the gentleman from Nevada are in disagreement. This identical provision was inserted in the bill we passed the other day and was sent to the committee. After hearings before our committee we voted unanimously to strike out this proviso.

The effect of it is this. It is not going to cause the building of any of these ships one particle faster with this proviso out than it would with this proviso in; but it has this effect, it exempts and seeks to exempt from local taxes the property acquired by these contractors. For instance, a contractor will buy a large bill of material to carry on the building of some of these public activities. This provision exempts him from taxation and makes him the agent of the United States Government. You can readily see the many difficulties that are liable to arise when a designated person becomes the agent of the United States Government. It is a most dangerous thing, and I certainly hope the motion to strike out this proviso will prevail.

It is all right to have negotiated contracts with a fixed fee. It would be horrible if you had a negotiated contract unless you did fix the fee. The law requires the fee to be fixed.

Mr. COLE of New York. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. COLE of New York. I would also point out that all these contractors under the proviso recommended by the committee would pay no Federal income tax and no pay-roll tax.

Mr. VINSON of Georgia. That is right.

Mr. COLE of New York. Their employees would not be benefited by the employees' compensation tax.

Mr. VINSON of Georgia. That is right.

Mr. DARDEN of Virginia. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. DARDEN of Virginia. Is it not also true that the Government might be involved in any number of claims for damages as a result of the activities of contractors working as agents of the Federal Government?

Mr. VINSON of Georgia. There is nothing that Congress could do that would involve more litigation and more trouble. After we heard from the Bureau of Yards and Docks and debated it, every member of the Naval Affairs Committee voted to strike it out. The vote was unanimous. This proviso is a very dangerous thing.

Mr. DITTER. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. DITTER. The gentleman will also concede that this is an invasion of States' rights and their taxing power.

Mr. VINSON of Georgia. Certainly. I have the most serious doubts whether Congress constitutionally can do what is sought to be done here, because we cannot by statute deny a State of its right to collect its ad valorem taxes or its property taxes.

[Here the gavel fell.]

Mr. SCRUGHAM. Mr. Speaker, there seems to be an astonishing amount of misunderstanding about this amendment. Let me read its language to you that you may appreciate what it does.

Mr. VINSON of Georgia. Mr. Speaker, will the gentleman yield me 5 additional minutes?

Mr. SCRUGHAM. I will yield additional time to the gentleman in a moment.

This proviso does not affect income taxes or pay-roll taxes. Let me read the proviso:

Provided, That all purchases under contracts entered into under the authority contained in this paragraph—

Let me read it again—

All purchases under contracts entered into under the authority contained in this paragraph shall be exempt from taxes.

That applies only to purchases—nothing else.

Mr. VINSON of Georgia. If the gentleman will yield, assume that Stone & Webster, or some other contractor having a contract under this bill, should buy and have $1,000,000 worth of property in the State of Nevada under this provision—that they have bought it to carry out this contract, they would be exempt from any tax.

Mr. SCRUGHAM. I cannot imagine such a contingency.

Mr. VINSON of Georgia. Of course, it is exempt. I say to this House that this matter was thoroughly considered by the Naval Affairs Committee. We rejected it. We told the Navy Department that we were embarking on a dangerous precedent, and it is certain to be if Congress is going to pick up these contractors throughout the length and breadth of the United States and clothe them with the agency of the Government.

If you do, you will have claims. You will have Congressman after Congressman introducing bills here to do certain things growing out of this agency. It is a dangerous thing.

Mr. DONDERO. Will the gentleman yield?

Mr. SCRUGHAM. I yield to the gentleman from Michigan.

Mr. DONDERO. Suppose that a contractor had to purchase land in order to carry out one of these contracts with the Government, what authority have we to exempt land in a State from taxation that may be imposed locally?

Mr. SCRUGHAM. This applies only to materials. Land would be excluded under any fair and reasonable interpretation of the amendment I have offered.

Mr. FITZPATRICK. Will the gentleman yield?

Mr. SCRUGHAM. I yield to the gentleman from New York.

Mr. FITZPATRICK. I understand if this amendment is agreed to an employer would not have to pay a tax for his employees and they would not come under the Unemployment Compensation Act?

Mr. SCRUGHAM. Oh, no.

Mr. VINSON of Georgia. That is right.

Mr. FITZPATRICK. According to this statement they would not.

Mr. SCRUGHAM. Mr. Speaker, I want to call attention to the fact that the section printed in the bill is not the amendment under discussion. For the purpose of clarity I will once more read this amendment:

Provided, That all purchases under contracts entered into under the authority contained in this paragraph shall be exempt from Federal, State, and local taxes, and for the purposes of such purchases the contractors shall be deemed to be agents of the United States.

Mr. DITTER. Will the gentleman yield?

Mr. SCRUGHAM. I yield to the gentleman from Pennsylvania.

Mr. DITTER. All the gentleman has done is change the verbiage. The intent is exactly the same.

Mr. VINSON of Georgia. It is tweedledee and tweedledum.

Mr. DITTER. It provides that these contractors are agents of the Government and in the purchases they make there shall be an exemption with reference to taxation. This violates the rights of the State and the local municipality and its taxing power. It centralizes in the Federal Government the power that should remain in the local municipality and the State. The gentleman has probably corrected the English. He has done a magnificent job in that respect and I commend him for it, but as to its intent and purpose it is exactly the same as it was originally.

Mr. SCRUGHAM. I cannot agree with the gentleman. The two amendments have been read and will speak for themselves.

Mr. VORYS of Ohio. Will the gentleman yield?

Mr. SCRUGHAM. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. If the contractor is made the agent of the Federal Government under the gentleman's amendment, is he supposed to turn over the profits that he makes to the Federal Government or will he keep that for himself?

Mr. SCRUGHAM. That is quite an astonishing question to ask. Is there anything in this amendment that would lead the gentleman to believe anything of the kind would be possible?

Mr. VORYS of Ohio. Of course, you do not intend to have him turn over his profits, but he is getting all the immunities which go with being an agent of the Federal Government.

Mr. SCRUGHAM. No; his immunities are distinctly limited.

Mr. MASSINGALE. Will the gentleman yield?

Mr. SCRUGHAM. I yield to the gentleman from Oklahoma.

Mr. MASSINGALE. I am wondering if the use of the word "agency" in the amendment would not necessarily carry the idea that the contractor is a general agent of the Government of the United States within the purview of this wording? That would mean, according to my opinion, that unless you limit the scope of the power of the agent, he can bind the United States in most anything he undertakes.

Mr. SCRUGHAM. In reply to the gentleman from Oklahoma, I may say that this applies specifically to purchases and nothing else.

Mr. MASSINGALE. I understand that, but for how long a time is this man going to be authorized to bind the United States Government in its public expense?

Mr. DITTER. Mr. Speaker, we cannot hear. I wish the gentleman would give the minority the benefit of his words of wisdom.

Mr. MASSINGALE. I am sure I have lots of that and I know the minority needs it.

Mr. DITTER. We will accept anything we can get.

Mr. MASSINGALE. I just cannot reconcile myself to the point that we ought to pass a law stating that a man is an agent of the Government of the United States unless we circumscribe his powers. [Applause.]

Mr. MAAS. Will the gentleman yield?

Mr. SCRUGHAM. I yield to the gentleman from Minnesota.

Mr. MAAS. There are no powers involved at all, other than you make him an agent for the purpose of making purchases under these contracts?

Mr. SCRUGHAM. Yes; purchases only.

Mr. MAAS. If I understand the gentleman's point, it is that the Federal Government pays every dollar of the expense involved and if they have to pay local taxes on top of that the Federal Government pays them. The local contractor does not pay anything.

Mr. SCRUGHAM. And in addition the Government will have to pay an additional 10 percent on the tax paid by the contractor.

Mr. MAAS. If we are going to spend $25,000,000 building an air station in a given community, it seems that community is receiving enough benefit. Most of these benefits go to comparatively few communities in the Nation anyway. The rest of us in the inland States are taxed to pay.

Mr. SCRUGHAM. Exactly.

Mr. MAAS. I think the gentleman's amendment is all right.

Mr. SCRUGHAM. Mr. Speaker, I move the previous question.

The previous question was ordered.

Mr. DITTER. Mr. Speaker, may we have the amendment we are presently voting on read?

The SPEAKER. Without objection, the Clerk will report the modified amendment offered by the gentleman from Michigan [Mr. McLEOD].

There was no objection.

The Clerk reread the McLeod amendment.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Michigan [Mr. McLEOD] to the motion offered by the gentleman from Nevada [Mr. SCRUGHAM].

The question was taken; and on a division (demanded by Mr. SCRUGHAM) there were—ayes 77, noes 22.

So the amendment to the motion was agreed to.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada, as amended.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 121: Page 77, following amendment No. 120, insert the following:

"The Secretary of the Navy is authorized to continue the employment, in the District of Columbia and elsewhere, of such employees now carried on the rolls as will be required for the preparation of plans and specifications and administrative work in connection with the public-works and public-utilities projects authorized by this act, or heretofore otherwise authorized."

Mr. SCRUGHAM. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 122: On page 78, after line 5, insert the following:

"BUREAU OF AERONAUTICS

"AVIATION, NAVY

"For an additional amount for aviation, Navy, comprising the same objects specified under this head in title I of this act, to be immediately available, $43,850,000, which sum is hereby made available for expenditure, in the discretion of the Secretary of the Navy, for the procurement and installation of special facilities for use by contractors in manufacturing aircraft and aeronautical material: *Provided*, That existing contracts for aircraft and aeronautical material may be appropriately modified: *Provided further*, That facilities procured hereunder may be leased, sold, or otherwise disposed of, in the discretion of the Secretary of the Navy, when no longer required for use under naval contracts: *Provided further*, That in addition to the amount herein appropriated, the Secretary of the Navy may, prior to July 1, 1942, enter into contracts for the production and purchase of new airplanes and their equipment, spare parts, and accessories, to an amount not in excess of $100,000,000."

Mr. SCRUGHAM. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. SCRUGHAM moves that the House recede from its disagreement to the amendment of the Senate numbered 122 and concur in the same with an amendment as follows: In the third proviso of the matter inserted by said amendment, strike out "1942" and insert in lieu thereof "1941."

Mr. DITTER. Mr. Speaker, I offer an amendment to the motion.

The SPEAKER pro tempore. Does the gentleman from Nevada yield for that purpose?

Mr. SCRUGHAM. I yield, Mr. Speaker.

The Clerk read as follows:

Amendment offered by Mr. DITTER to the motion offered by Mr. SCRUGHAM: At the end of the motion offered by Mr. SCRUGHAM add the following: "*Provided further*, That facilities procured under this act, when not required for use under Government contracts or in Government manufacturing plants, may be leased at an annual rate of not less than one-twentieth of the cost of such facilities or sold in the manner prescribed by law for the disposal of surplus or condemned material."

Mr. SCRUGHAM. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania.

Mr. DITTER. Mr. Speaker, the purpose of the amendment I have offered is to secure to the taxpayers some protection under the delegation of authority contained in the present bill. The language as we have it at present gives to the Secretary of the Navy absolute discretion with reference to both the leasing and the selling of material that may be acquired. It seems to me that some rule should be set up by which the Secretary of the Navy would be regulated in the leasing and the disposing of the facilities that may be acquired. The suggestion I have made provides that an amortization rate of one-twentieth of the cost of the facility shall be charged as a basis for the rental that is to be paid by the one who will use the facilities. It also provides that at the time of the disposal the usual method followed by the Government in the disposal of other property shall be followed. It simply gives to the Secretary of the Navy the same responsibility that other administrative officers of the Government are required to assume in selling or disposing of property of the United States.

Mr. VINSON of Georgia. Mr. Speaker, will the gentleman yield?

Mr. DITTER. I yield to the gentleman from Georgia.

Mr. VINSON of Georgia. Where does the gentleman get the idea that one-twentieth should be the correct figure for amortization?

Mr. DITTER. The basis upon which I reach that figure is that the Army engineers tell us that that is approximately the life of a facility which I think may be comparable to the facilities we anticipate acquiring under this section of the act. I have tried to set some standard which I believe is fair, and I turned to the Corps of Engineers of the Army for the authority.

Mr. VINSON of Georgia. This states that facilities procured hereunder may be leased, sold, or otherwise disposed of in the discretion of the Secretary of the Navy when no longer required for use. The Secretary is getting rid of property and not acquiring anything.

Mr. DITTER. The danger is in the disposition.

Mr. VINSON of Georgia. Yes.

Mr. DITTER. In other words, my fear is that the Secretary of the Navy—and I presently direct no criticism against the present Secretary——

Mr. VINSON of Georgia. Of course not.

Mr. DITTER. But it seems to me that we are providing for an official a wide delegation of power if he in his discretion can dispose of any of the facilities acquired by the Federal Government without some standard or regulation. May I direct the attention of the gentleman from Georgia to the fact that the language of the act applies to disposing of the facility acquired as well as the leasing and the selling of the facility. It seems to me that the gentleman's usual caution would prompt him to join with me in setting up the standard I have set up in this amendment.

Mr. VINSON of Georgia. It has to be safeguarded, of course, but we have to leave the discretion to someone. The Secretary of the Navy is the one to whom to leave the discretion with regard to upon what terms, conditions, and circumstances he either leases, sells, or otherwise disposes of the property. When we seek to impose limitations on that we are seeking to impose limitations when we do not have

the facts and circumstances in connection with the particular transaction.

Mr. DITTER. If the gentleman will permit at this point, may I say that the gentleman, of course, is familiar with the usual surveys that are made by the Army and Navy of material that comes to them.

Mr. VINSON of Georgia. Yes.

Mr. DITTER. After the survey has been made and the value determined, depreciation and obsolescence being taken into account, the property is then disposed of, and disposed of according to certain prescribed rules and regulations.

Mr. VINSON of Georgia. That is right.

Mr. DITTER. All I am asking is that this same procedure be followed in this instance.

Mr. VINSON of Georgia. What is back of this language? What prompted this proviso to be put in? The House is entitled to know what is running through the mind of the committee with reference to the likelihood of certain property being leased or sold. What is it?

Mr. DITTER. Of course, I shall answer the gentleman by saying that this idea never ran through my head. It was so repellant to me that I simply would not let it seep in at all.

Mr. VINSON of Georgia. What is the background of this language?

Mr. DITTER. Well, I suppose the Secretary of the Navy having been authorized to procure the facilities and let these facilities to private enterprise, the Department then felt that some means must be at hand for the Secretary of the Navy to dispose of the material after it had been used. I have no objection to that whatever, provided we establish a standard.

[Here the gavel fell.]

Mr. SCRUGHAM. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. VINSON of Georgia. Then the purpose of this language is that where the Government makes advances to a shipbuilder for the purpose of acquiring machine tools or other things, the Secretary is to have the determination in settling and adjusting such matters.

Mr. DITTER. The gentleman will recall that at the Charleston plant there have been certain facilities installed by the Federal Government for the use of those who are at the present time in the production of steel for Navy needs.

Mr. VINSON of Georgia. Yes; that is right.

Mr. DITTER. The present paragraph we are considering applies to activities similar to those which presently prevail down at Charleston. These facilities are to be installed, they are to be rented or leased to the private manufacturer, and this provision takes into account ultimate disposition by the Secretary of the Navy. Now, it is that ultimate disposition, when it is sold or disposed of, that I think we should hedge about with rules and regulations.

Mr. VINSON of Georgia. Can we have the amendment again reported, Mr. Speaker?

The SPEAKER. Without objection, the Clerk will again report the amendment offered to the motion of the gentleman from Nevada [Mr. SCRUGHAM].

The Clerk again reported the amendment.

Mr. DITTER. Mr. Speaker, it seems to me that we should be cautious in passing upon many of these items under the stress and strain of present-day world conditions. The temptation is to pass hurriedly whatever requests are made if they apply directly or indirectly to national defense.

The emergency legislation now before Congress would authorize the President in his uncontrolled discretion to use public funds to finance the building or expansion of plant and the supply of equipment, for the manufacture of airplanes, airplane engines, and other war materials required to meet the needs of the Nation's special defense program.

Apparently it is being assumed by the supporters of this emergency legislation that private initiative and private enterprise in America is moribund, or dead, and that the expansion of plant and equipment needed for the manufacture of war equipment cannot be financed except through Government aid or by Government funds.

This assumption is, in essence, identical with the assumptions contained in the testimony spread on the record before the Temporary National Economic Committee by advocates of a collectivist economy.

The Institute of Economics of the Brookings Institution at Washington, D. C., has just published a study entitled "Capital Expansion, Employment, and Economic Stability," exposing through economic research the fallacy of the collectivist contention that private capital and free enterprise cannot revitalize American industry and bring it to any volume of productivity required to meet the Nation's needs.

Turning from the field of economic theory and research to an examination of what has recently taken place and is actually happening today in the field of business and finance, it is found that free enterprise and private capital are actively at work meeting the requirements of industry in general, and in particular of those industries which are or will be engaged in the manufacture of war material.

Unquestioning surrender to the conquests of totalitarianism at home is an unnecessarily heavy price to pay for protection against the threats and dangers which come from the conquests of totalitarianism in Europe.

It is a plain fact that no American manufacturer of airplanes, airplane engines, or other material of war needs to turn to the United States Government for funds to finance expansion of plant and equipment. Private capital brought these industries into being. It has financed all of their needs up to now and it is ready and eager to finance all of the future needs of these industries. It desires only to be given the opportunity to do so.

American institutions must be protected against totalitarianism from within as well as from abroad. If the use of public funds is to be authorized for financing industrial plant and equipment, this use should be made strictly subject to the condition that public funds shall be used for such purposes only when it is, in fact, impossible for industry to obtain needed financing from private sources on reasonable terms and when the manufacturer or industry concerned desires to obtain and applies for financial aid from the Government. The special authority proposed to be granted to the President in connection with the emergency defense program should definitely be made subject to such conditions.

The Boeing Airplane Co., Lockheed Aircraft Corporation, the Glenn L. Martin Co., and other airplane manufacturers have recently obtained substantial amounts of capital from the investment markets and could easily do so again. Prospectuses covering recent financing show:

First. The Glenn L. Martin Co. obtained approximately $3,122,000 through a stock offering made in the investment markets in December 1938.

Second. In 1939, Lockheed Aircraft Corporation obtained approximately $3,100,000 from an offering of stock in the investment markets and in January 1940 obtained an additional amount of approximately $5,700,000 through a similar offering in the investment markets—a total of more than $8,900,000.

Third. Boeing Airplane Co., through an offering of stock made in the investment markets in May 1940, has obtained approximately $5,479,000 of new capital. It previously obtained approximately $4,000,000 through a similar offering made in the investment markets in 1937. All told, therefore, this company has received about $9,500,000 from investment sources within recent periods.

Fourth. Eastern Air Lines has obtained approximately $3,340,000 of new capital from the investment markets in May 1940.

The foregoing are merely a few illustrations. The supply of capital available from investors to finance the needs of such industries is greatly in excess of the demand.

United Aircraft Corporation, which is one of the leading manufacturers of airplane engines—Pratt & Whitney engines—obtained approximately $6,000,000 of new capital in the investment markets in 1936 and could readily obtain additional financing in the investment market if required. Curtiss-Wright Corporation and other manufacturers of airplane

engines could also readily obtain new capital in the investment markets if desired.

The fact is that most manufacturers of airplanes, airplane engines, and related war materials already have as much or more capital than they can employ. Using the resources already possessed by them, they are in a position greatly to expand their productive capacity, if the obstructions to such expansion, created by government, are removed. Furthermore, without any increase in plant or equipment, the productivity of the airplane industry could be immensely increased by greater utilization of existing plant. But because of the Healey-Walsh Act, the Wage and Hour Act, many airplane manufacturing plants are working only 5 days a week. It is not economic for them to work longer periods. Reasonable modification of these laws permitting existing plant to work a 6-day week would increase productivity by 20 percent. By putting existing plant on a 7-day-week basis, productivity could be increased by 40 percent without any further capital investment. There is a shortage of skilled mechanics; but if an adequate supply of skilled labor could be obtained, the productivity of airplane plants could obviously be increased to a substantial further extent by employing additional shifts and putting operations on a 24-hour-day basis, as is now being done in certain of the shipbuilding plants engaged in naval construction work.

Tax laws, as they stand, are a serious obstacle retarding the building of such additional plant as may be necessary to meet the war emergency. The tax laws do not permit manufacturers to depreciate and write off the cost of special emergency plants against the income of special war orders. No manufacturer can assume the economic risk of building plant far in excess of that required to meet peacetime demands, if he must, after these special plants have served their purposes, continue to carry them as a burden to be depreciated and written off against the normal income of peaceful years. Amendment of the tax laws permitting the cost of wartime plant to be written off against wartime income would immediately result in larger scale building by manufacturers to meet wartime emergency orders. The funds for such expansion are already possessed in substantial volume by manufacturers and they are ready and willing to use them, granted the establishment of conditions which made it economically possible for them to do so.

It should be recognized, too, that there are certain obstacles created by other legislation which stand in the way of private financing in the investment market. Because of these impediments, Douglas Aircraft Co. in 1939 went to the Netherlands market in Amsterdam and Rotterdam to obtain approximately $1,800,000 of new capital. It did this not because private investors and private enterprise in the United States were unwilling to supply the needed funds, but because Douglas Aircraft Co. did not wish to submit to the inconvenience, expense, and delay occasioned by the requirements of the Securities Act of 1933.

If it is sincerely desired to permit American industry to gain ready access to supplies of capital through the private investment market so as to facilitate the carrying out of the defense program, immediate action should be taken to simplify the procedure of registration and to eliminate the delays imposed by the Securities Act of 1933.

The Brookings Institution, in its study just published, recommends various changes in the Securities Act, including a recommendation that the waiting period imposed by the 1933 act should be materially shortened.

Freed from unnecessary trammels of the sort to which the Brookings Institution and others have called attention, the private investment market of the United States would be fully competent to respond promptly and effectively to the capital needs of American industry.

The United States cannot efficiently arm herself for the fight against totalitarianism unless she frees for effective action the energies and initiative of free enterprise through which she achieved greatness. To confer unnecessarily broad powers on a highly centralized government while leaving private enterprise to struggle under the burdens of unnecessarily restrictive laws will expose the national economy to dangers from within as great as those which threaten it from outside our borders.

At this stage it would be wise to concentrate upon attempting to reorient the program under which it is planned that the Federal Government should supply money to the war industries for the necessary expansion of plant and equipment. If these industries are assured of orders for their output from the Government, as they will be by Government contracts, and if the present tax law is amended so as to permit these industries to write off the cost of such expansion of plant and equipment out of war profits, there will be absolutely no need of Federal funds for such purposes. There are billions of idle dollars available at the lowest rates in history to do this job. It will be done on an efficient and economic basis by private industry without political considerations, which will inevitably affect the allocation of funds if the Government is permitted to supply them.

The amortization of these emergency costs of construction and equipment should be permitted on the following basis:

First. The law could be rewritten to permit the amortization of these emergency costs of construction and equipment out of profits over the next 3 years; or

Second. Amortization might be permitted over the total war period; or

Third. They might be exempt from taxation completely until such time as the costs are written off. This latter course would reduce income immediately, but would increase income subsequently as the plants are used for other purposes.

The important thing at the present moment is to change the approach to this financial program. The necessary corrections of the tax law, the Walsh-Healey Act, and the Securities and Exchange Commission Act to facilitate financing and maximum productivity can be taken up later.

Mr. SCRUGHAM. Mr. Speaker, I have had some practical experience along the lines of the proviso in question, and the amendment offered by the gentleman from Pennsylvania [Mr. DITTER] in my opinion, is impracticable, for the reason that there are all kinds and varieties of facilities that have to be purchased. There is a great difference in their location and a great variety in the uses to which they are put and this makes it unwise to attempt to set any hard and fast percentage—either one-twentieth or one-fourth or any other percentage. There must be a responsible agency for settling these contracts, otherwise there will be interminable losses. We have before some of the subcommittees of the Committee on Appropriations now items that have been dragging along for 20 years or more on account of having vague and indefinite provisions with respect to the disposition of facilities.

Mr. MAAS. Mr. Speaker, will the gentleman yield?

Mr. SCRUGHAM. I yield.

Mr. MAAS. Would the gentleman object to a provision which would require the Secretary of the Navy to report to the Congress each year upon the disposition he has made of such excess material? This would keep them from running wild with Congress not knowing anything about it.

Mr. SCRUGHAM. I would have no objection to that.

Mr. DITTER. Mr. Speaker, will the gentleman yield?

Mr. SCRUGHAM. Yes.

Mr. DITTER. The proposal made by the gentleman from Minnesota [Mr. MAAS] simply means that he wants to lock the stable door after the horse is stolen.

Mr. SCRUGHAM. What horse is the gentleman referring to?

Mr. DITTER. I am using a phraseology which I believe the gentleman from Nevada well understands, and that I think is very applicable. I do not say that the horse is going either with this administration or with any administration, but it is loose policy to provide that after a lapse of a year a report should be made. Let us establish the standard now.

Mr. VINSON of Georgia. But the gentleman is establishing a standard when there is nothing, so far as the Navy is concerned, to justify such a yardstick.

Mr. DITTER. Oh, I do not doubt that the gentleman's regard for the Army engineers would support my contention.

Mr. VINSON of Georgia. But the gentleman could no more establish a standard, and say that amortization is one-twentieth on this any more than you could say that a freight rate should be such a percentage for carrying a cargo of coal. We should not say by statute that that is going to be one-twentieth depreciation.

Mr. SCRUGHAM. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the amendment of the gentleman from Pennsylvania to the motion of the gentleman from Nevada.

The question was taken; and on a division (demanded by Mr. DITTER) there were—ayes 90, noes 88.

Mr. SCRUGHAM. Mr. Speaker, I object to the vote upon the ground that there is no quorum present, and I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Nevada makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and seventy-eight Members present, not a quorum. The roll call is automatic. The question is on the amendment offered by the gentleman from Pennsylvania to the motion of the gentleman from Nevada.

The question was taken; and there were—yeas 158, nays 230, not voting 42, as follows:

[Roll No. 140]

YEAS—158

Alexander	Engel	Jones, Ohio	Rogers, Mass.
Allen, Ill.	Englebright	Jonkman	Routzohn
Andersen, H. Carl	Fenton	Kean	Rutherford
Anderson, Calif.	Ford, Leland M.	Keefe	Sandager
Andresen, A. H.	Gamble	Kilburn	Schafer, Wis.
Andrews	Gartner	Kinzer	Schiffler
Angell	Gearhart	Knutson	Seccombe
Arends	Gehrmann	Kunkel	Seger
Austin	Gerlach	Lambertson	Short
Ball	Gilchrist	Landis	Simpson
Barton, N. Y.	Gillie	LeCompte	Smith, Ohio
Bates, Mass.	Goodwin	Lewis, Ohio	Springer
Bender	Graham	Luce	Stearns, N. H.
Blackney	Grant, Ind.	McDowell	Stefan
Bolles	Gross	McGregor	Sumner, Ill.
Bolton	Gwynne	McLean	Sweet
Bradley, Mich.	Hall, Edwin A.	McLeod	Taber
Brewster	Hall, Leonard W.	Maas	Talle
Brown, Ohio	Halleck	Marcantonio	Thill
Burdick	Hancock	Marshall	Thomas, N. J.
Carlson	Harness	Martin, Iowa	Thorkelson
Case, S. Dak.	Harter, N. Y.	Martin, Mass.	Tibbott
Chiperfield	Hartley	Mason	Tinkham
Church	Hawks	Michener	Treadway
Clason	Hess	Miller	Van Zandt
Clevenger	Hinshaw	Mott	Vorys, Ohio
Cluett	Hoffman	Mundt	Vreeland
Cole, N. Y.	Holmes	Murray	Wadsworth
Corbett	Hope	Oliver	Welch
Crawford	Horton	Pittenger	Wheat
Crowther	Hull	Plumley	White, Idaho
Culkin	Jarrett	Powers	Wigglesworth
Curtis	Jeffries	Reece, Tenn.	Williams, Del.
Dirksen	Jenkins, Ohio	Reed, Ill.	Wolcott
Ditter	Jenks, N. H.	Reed, N. Y.	Wolfenden, Pa.
Dondero	Jennings	Rees, Kans.	Wolverton, N. J.
Douglas	Jensen	Rich	Woodruff, Mich.
Dworshak	Johns	Robsion, Ky.	Youngdahl
Eaton	Johnson, Ill.	Rockefeller	
Elston	Johnson, Ind.	Rodgers, Pa.	

NAYS—230

Allen, La.	Byrne, N. Y.	Cox	Edelstein
Allen, Pa.	Byrns, Tenn.	Cravens	Edmiston
Anderson, Mo.	Byron	Creal	Elliott
Arnold	Caldwell	Crosser	Ellis
Barden, N. C.	Cannon, Mo.	Crowe	Evans
Barnes	Cartwright	Cullen	Faddis
Barry	Casey, Mass.	Cummings	Fay
Bates, Ky.	Celler	D'Alesandro	Ferguson
Beam	Chapman	Darden, Va.	Fernandez
Beckworth	Clark	Delaney	Fitzpatrick
Bland	Claypool	Dempsey	Flaherty
Bloom	Cochran	DeRouen	Flannery
Boehne	Coffee, Nebr.	Dickstein	Ford, Miss.
Boland	Coffee, Wash.	Dingell	Ford, Thomas F.
Boren	Cole, Md.	Disney	Fries
Boykin	Collins	Doughton	Fulmer
Brooks	Colmer	Doxey	Garrett
Brown, Ga.	Connery	Drewry	Gathings
Bryson	Cooley	Duncan	Gavagan
Buckley, N. Y.	Cooper	Dunn	Geyer, Calif.
Bulwinkle	Costello	Durham	Gibbs
Burch	Courtney	Eberharter	Gore
Gossett	Lanham	O'Leary	Sheridan
Grant, Ala.	Larrabee	O'Neal	Smith, Conn.
Green	Lea	O'Toole	Smith, Va.
Gregory	Leavy	Pace	Smith, Wash.
Griffith	Lesinski	Parsons	Smith, W. Va.
Hare	Lewis, Colo.	Patman	Snyder
Harrington	Ludlow	Patrick	Somers, N. Y.
Hart	Lynch	Patton	South
Havenner	McAndrews	Pearson	Sparkman
Healey	McArdle	Peterson, Fla.	Spence
Hendricks	McCormack	Peterson, Ga.	Starnes, Ala.
Hennings	McGehee	Pfeifer	Sullivan
Hill	McKeough	Pierce	Sumners, Tex.
Hobbs	McLaughlin	Poage	Sutphin
Houston	McMillan, Clara	Polk	Tarver
Hunter	McMillan, John L.	Rabaut	Tenerowicz
Izac	Maciejewski	Ramspeck	Terry
Jacobsen	Magnuson	Randolph	Thomas, Tex.
Johnson, Luther A.	Mahon	Rankin	Thomason
Johnson, Lyndon	Maloney	Rayburn	Tolan
Johnson, Okla	Martin, Ill.	Richards	Vincent, Ky.
Johnson, W. Va.	Massingale	Robertson	Vinson, Ga.
Jones, Tex.	May	Robinson, Utah	Voorhis, Calif.
Kefauver	Mills, Ark.	Rogers, Okla.	Wallgren
Keller	Mills, La.	Romjue	Ward
Kelly	Monroney	Ryan	Warren
Kennedy, Martin	Moser	Sabath	Weaver
Kennedy, Md.	Murdock, Ariz.	Sasscer	West
Kennedy, Michael	Murdock, Utah	Satterfield	Whelchel
Keogh	Myers	Schuetz	Whittington
Kilday	Nelson	Schulte	Williams, Mo.
Kirwan	Nichols	Schwert	Wood
Kitchens	Norrell	Scrugham	Woodrum, Va.
Kleberg	Norton	Secrest	Zimmerman
Kocialkowski	O'Connor	Shannon	
Kramer	O'Day	Sheppard	

NOT VOTING—42

Bell	Fish	McGranery	Shafer, Mich.
Bradley, Pa.	Flannagan	Mansfield	Shanley
Buck	Folger	Merritt	Smith, Ill.
Buckler, Minn.	Gifford	Mitchell	Steagall
Burgin	Guyer, Kans.	Monkiewicz	Sweeney
Camp	Harter, Ohio	Mouton	Taylor
Cannon, Fla.	Hook	O'Brien	Walter
Carter	Jarman	Osmers	White, Ohio
Darrow	Kee	Risk	Winter
Davis	Kerr	Sacks	
Dies	Lemke	Schaefer, Ill.	

So the amendment to the motion of the gentleman from Nevada was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Osmers (for) with Mr. Jarman (against).
Mr. Guyer of Kansas (for) with Mr. Merritt (against).
Mr. Risk (for) with Mr. Buck (against).
Mr. Fish (for) with Mr. Shanley (against).
Mr. Monkiewicz (for) with Mr. Schaefer of Illinois (against).
Mr. Carter (for) with Mr. Harter of Ohio (against).
Mr. Winter (for) with Mr. Sweeney (against).
Mr. O'Brien (for) with Mr. Folger (against).
Mr. Shafer of Michigan (for) with Mr. McGranery (against).
Mr. Darrow (for) with Mr. Mitchell (against).
Mr. White of Ohio (for) with Mr. Flannagan (against).

General pairs:

Mr. Mansfield with Mr. Lemke.
Mr. Kerr with Mr. Buckler of Minnesota.
Mr. Walter with Mr. Camp.
Mr. Dies with Mr. Bradley of Pennsylvania.
Mr. Sachs with Mr. Steagall.
Mr. Mouton with Mr. Kee.
Mr. Bell with Mr. Burgin.
Mr. Davis with Mr. Hook.

Mr. MAAS changed his vote from "no" to "aye."

The result of the vote was announced as above recorded.

The doors were opened.

Mr. COLE of New York. Mr. Speaker, I offer an amendment to the motion.

The SPEAKER pro tempore (Mr. HOBBS). Does the gentleman from Nevada yield for that purpose?

Mr. SCRUGHAM. I yield to the gentleman from New York.

The SPEAKER pro tempore. The Clerk will report the amendment offered by the gentleman from New York [Mr. COLE] to the motion of the gentleman from Nevada.

The Clerk read as follows:

Amendment offered by Mr. COLE of New York to the motion made by Mr. SCRUGHAM: At the end of the motion add the following, and in line 20 of said amendment No. 122, after the word "contracts", insert "and the Secretary of the Navy shall report annually to the Congress on the rental, sale, or disposal of the facilities provided for in this act."

Mr. SCRUGHAM. I offer no objection to the amendment, Mr. Speaker.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from New York to the motion.

The amendment to the motion was agreed to.

The SPEAKER pro tempore. The question now recurs upon the motion of the gentleman from Nevada as amended.

The motion as amended was agreed to.

Mr. SCRUGHAM. Mr. Speaker, I ask unanimous consent to reconsider the McLeod amendment to amendment No. 120.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nevada?

There was no objection.

Mr. SCRUGHAM. Mr. Speaker, the reason for this request for reconsideration is as follows:

Probably inadvertently and without due knowledge of the wording of my amendment, which was pending at the desk, the amendment of the gentleman from Michigan [Mr. McLEOD], as agreed to, applies only to Public Works projects outside the continental limits of the United States. I am certain that was not the intent of the proposer of the amendment.

Therefore, I move that there be added at the end of the McLeod amendment the following words, "regardless of location", in order that the paragraph may apply to the United States as well as outside the continental limits of the United States.

The SPEAKER pro tempore. The Clerk will report the McLeod amendment as amended by the gentleman from Nevada.

The Clerk read as follows:

After the word "act", in line 4 of the motion made by Mr. SCRUGHAM, strike out the remainder of the paragraph, so that the amendment will read as follows:

"The provisions of section 4 of the act approved April 25, 1939 (53 Stat. 590–592), shall be applicable to all public-works and public-utilities projects mentioned in this act, regardless of location."

The SPEAKER pro tempore. Without objection, the motion as amended will be agreed to.

There was no objection.

The motion as amended was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 125: On page 79, after line 14, insert:

"REPLACEMENT OF NAVAL VESSELS

"Construction and machinery: For an additional amount on account of hulls and outfits of vessels and machinery of vessels heretofore authorized (and appropriated for in part), including the necessary machine tools and other equipment in naval establishments and Government equipment in private plants required for expediting shipbuilding, to be immediately available and to remain available until expended, including the same objects and under the same conditions and limitations prescribed under this head in title I of this act, $65,000,000."

Mr. SCRUGHAM. Mr. Speaker, I move the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 126: On page 80, after line 2, insert:

"Armor, armament, and ammunition: For an additional amount toward the armor, armament, and ammunition for vessels heretofore authorized (and appropriated for in part), including the necessary machine tools and other equipment and facilities at naval or private establishments required for expediting shipbuilding, to be immediately available and to remain available until expended, including the same objects and under the same conditions and limitations prescribed under this head in title I of this act, $35,000,000."

Mr. SCRUGHAM. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment, which I send to the desk.

The Clerk read as follows:

Mr. SCRUGHAM moves that the House recede from its disagreement to the Senate amendment numbered 126 and agree therein with the following amendment: In lieu of the matter inserted by said amendment, insert the following:

"Armor, armament, and ammunition: For an additional amount toward the armor, armament, and ammunition for vessels and aircraft heretofore authorized (and appropriated for in part), including the necessary machine tools and other equipment and facilities at naval or private establishments required for expediting shipbuilding, to be immediately available and to remain available until expended, including the same objects and under the same conditions and limitations prescribed under this head in title I of this act, $35,000,000: *Provided*, That all parenthetical clauses in title I of this act in which certain amounts are denominated as 'A' and/or 'B' items shall be disregarded for all purposes, together with section 3 of such title."

Mr. SCRUGHAM. Mr. Speaker, the purpose of this amendment is to simplify the procedure.

The SPEAKER pro tempore. The question is on agreeing to the motion of the gentleman from Nevada.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 127: On page 80, after line 11, insert:

"NAVAL PERSONNEL

"For an additional 20,000 naval enlisted men and naval reservists (for training), five hundred Naval Reserve officers and 500 retired naval officers, on active duty, during the fiscal year 1941, under headings, and for the same objects as specified under their headings in title I of this act, as follows:

"Bureau of Supplies and Accounts:
"Pay, subsistence, and transportation, $20,821,000;
"Maintenance, Bureau of Supplies and Accounts, $1,333,000;
"Salaries, Bureau of Supplies and Accounts, $51,000;
"Clothing and small-stores fund, $3,000,000.
"Bureau of Navigation:
"Training, education, and welfare, Navy:
"Naval Training Station, San Diego, Calif., $11,000;
"Naval Training Station, Newport, R. I., $10,000;
"Naval Training Station, Great Lakes, Ill., $7,000;
"Naval Training Station, Norfolk, Va., $8,000;
"Instruction, $11,000;
"Libraries, $40,000;
"Welfare and recreation, $164,000.
"In all, training, education, and welfare, $251,000;
"Salaries, Bureau of Navigation, $15,000.
"Bureau of Medicine and Surgery:
"Medical Department, $174,000;
"Naval hospital fund, $63,000;
"Salaries, Bureau of Medicine and Surgery, $12,000.
"Bureau of Yards and Docks: Public Works: Temporary hospital facilities, $400,000.
"Bureau of Construction and Repair:
"Construction and repair: Recruit outfits, $154,000.
"Navy Department: Printing and binding, $13,000.
"In all, $26,538,000: *Provided*, That the Secretary of the Navy in filling out the allowances of naval vessels above 85 percent of complement shall first assign to active duty for limited periods of training such Naval Reservists as will voluntarily accept active duty not to exceed 5,000, and the pay and other expenses of such Reservists shall be payable out of this appropriations: *Provided further*, That to the extent that Naval Reservists are not available the Secretary of the Navy shall recruit regular enlisted men in the Navy to the extent necessary to provide an enlisted personnel of not to exceed 170,000 by July 1, 1941."

Mr. SCRUGHAM. Mr. Speaker, I move to recede and concur with an amendment which I send to the desk.

The Clerk read as follows:

Mr. SCRUGHAM moves that the House recede from its disagreement with Senate amendment No. 127 and concur therein with the following amendment: In lieu of the matter in the first line, after the caption to said amendment, insert:

"For additional amounts for 20,000 naval enlisted men."

And in lieu of the matter under the head of "Bureau of Medicine and Surgery" in said amendment insert the following:

"Medical Department, $231,000, of which not to exceed $10,000 shall be available for the pay of employees assigned to group IV (b), and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department;
"Care of the dead, $6,000;
"Salaries, Bureau of Medicine and Surgery, $12,000."

And in lieu of the amount named in the last paragraph of said amendment insert "$26,287,000."

Mr. SCRUGHAM. Mr. Speaker, these amendments are minor corrections or modifications made necessary by reason of the haste the Department was put to in shaping title II for the consideration of the Senate. This explanation also goes for the next amendment, relating to the Marine Corps.

The SPEAKER pro tempore. The question is on agreeing to the motion of the gentleman from Nevada.

The motion was agreeed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 128: Page 82, in line 12, insert:

"MARINE CORPS

"For Marine Corps personnel, including 9,000 additional enlisted men on active duty, arms, artillery, ammunition, equipment, housing and general expenses, under headings, and for the same objects as specified under their headings in title I of this act, as follows:

"Marine Corps:

"Pay, Marine Corps, $3,200,000;

"General expenses, Marine Corps, $9,327,000;

"Pay of civil employees, Marine Corps, $200,000;

"Bureau of Medicine and Surgery: Medical Department, $12,000;

"Bureau of Yards and Docks:

"Public Works, Bureau of Yards and Docks: For temporary housing, $4,500,000;

"Bureau of Ordnance: Ordnance and ordnance stores, Navy, $4,899,000;

"Bureau of Engineering: For radio material, $100,000."

Mr. SCRUGHAM. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment which I send to the desk.

The Clerk read as follows:

Mr. SCRUGHAM moves that the House recede from its disagreement to Senate amendment No. 128 and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following:

"For additional amounts for Marine Corps purposes, including 9,000 additional enlisted men on active duty, arms, artillery, ammunition, equipment, housing and general expenses, including motor-propelled passenger-carrying vehicles, under headings, and for the same objects as specified under their headings in title I of this act, as follows:

"Marine Corps:

"Pay, Marine Corps, $3,200,000;

"General expenses, Marine Corps, $9,327,000;

"Pay of civil employees: Offices of the Major General Commandant and the Adjutant and Inspector, $54,360; Office of the Paymaster, $17,820; Office of the Quartermaster, $127,820; in all, $200,000;

"Bureau of Medicine and Surgery: Medical Department, $12,000;

"Bureau of Yards and Docks:

"Public Works, Bureau of Yards and Docks: For temporary housing, including extensions of existing structures, $4,500,000;

"Bureau of Ordnance: Ordnance and ordnance stores, Navy, $4,899,000;

"Bureau of Engineering: Engineering: For radio material, $100,000."

The SPEAKER pro tempore. The question is on agreeing to the motion of the gentleman from Nevada.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 133: Page 84, line 5, insert the following:

"EMERGENCY FUND FOR THE PRESIDENT

"To enable the President, through the appropriate agencies of the Government, without reference to section 3709 of the Revised Statutes, to provide for emergencies affecting the national security and defense and for each and every purpose connected therewith, including all of the objects and purposes specified under any appropriation available or to be made available to the Navy Department for the fiscal years 1940 and 1941; the furnishing of Government-owned facilities at privately owned plants; the procurement and training of civilian personnel necessary in connection with the production of critical and essential items of equipment and material and the use or operation thereof; and the procurement of strategic and critical materials in accordance with the act of June 7, 1939, $34,000,000; to be immediately and continuously available until June 30, 1942; and, in addition, the President is authorized, through such agencies, on and after the enactment hereof, to enter into contracts for the same purposes to an amount not exceeding $34,000,000: *Provided*, That an account shall be kept of all expenditures made or authorized hereunder, and a report thereon shall be submitted to the Congress on or before June 30, 1942."

Mr. SCRUGHAM. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate No. 133, and concur therein with an amendment, as follows:

In lieu of the clause immediately following the first amount named in said amendment, reading "to be immediately and continuously available until June 30, 1942," insert the following: "to be immediately available."

Mr. PLUMLEY. Mr. Speaker, I offer a substitute amendment.

The Clerk read as follows:

Amendment offered by Mr. PLUMLEY as a substitute for the amendment offered by Mr. SCRUGHAM: Strike out all of Senate amendment No. 133 and insert in lieu thereof the following:

"To enable the President, through the appropriate agencies of the Government, to provide for emergencies affecting the national security and defense and for each and every purpose connected therewith, including all of the objects and purposes specified under any appropriation available or to be made available to the Navy Department for the fiscal years 1940 and 1941; the furnishing of Government-owned facilities at privately owned plants; the procurement and training of civilian personnel necessary in connection with the production of critical and essential items of equipment and material, and the use or operation thereof; and the procurement of strategic and critical materials in accordance with the act of June 7, 1939, $34,000,000; to be immediately and continuously available until June 30, 1941; and in addition, the President is authorized, through such agencies, on and after the enactment hereof, to enter into contracts for the same purposes in amount not exceeding $34,000,000: *Provided*, That of the $68,000,000 herein appropriated and authorized for contract, the President cannot allocate more than $24,000,000 for the financing of Government-owned facilities at privately owned plants, the production of critical and essential items of equipment and material, and the use or operation thereof; and the procurement of strategic and critical materials in accordance with the act of June 7, 1939, more than $34,000,000 for ordnance and stores, more than $5,000,000 to the Bureaus of Construction and Repair and Engineering, more than $4,600,000 to the Bureau of Supplies and Accounts, nor more than $400,000 to the Bureau of Navigation: *Provided further*, That an account shall be kept of all expenditures made or authorized hereunder and a report thereof shall be submitted to Congress on or before June 30, 1941."

Mr. SCRUGHAM. Mr. Speaker, I yield 5 minutes to the gentleman from Vermont [Mr. PLUMLEY].

Mr. PLUMLEY. Mr. Speaker, would it be in order to correct a typographical error in the amendment proposed?

The SPEAKER pro tempore. It may be done by unanimous consent.

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to change the year 1942 to 1941 wherever it appears in the amendment I submitted.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. PLUMLEY. Mr. Speaker, very frankly this amendment which I have offered attempts to keep the fingers of Congress on the appropriations made by Congress; in other words, to earmark the funds. It undertakes to allocate the funds the Congress appropriates and to limit both the amount to be allocated by the President and to limit his discretion with respect to the expenditure of the money appropriated. Obviously it is an attempt to obviate the drawing of a blank check to the credit of the President.

The amounts allocated by this amendment are in accordance with and in furtherance of the present needs if not the expectations of the various bureaus of the Navy Department according to their own testimony to be found in the hearings. Congress should draw no blank check under the circumstances but should allocate and earmark every cent of the funds it appropriates covered by this provision.

Now, Mr. Speaker, may I say right here and now, for the information of pressure groups, columnists, and paid propagandists, and the controlled press, that, notwithstanding their inspired objections and criticisms, I shall continue to insist that, and to urge the House of Representatives to assert itself to demand orderly procedure and the opportunity to exercise its lawful and constitutionally imposed prerogatives. To do other than that, it seems to me, is recreancy; if not a violation of the oath of my office.

In connection with the suggestion as to the clear intent and purpose of the amendment I have offered, may I say further that the attempt involved in it to limit the further usurpation of power by the Executive and to limit the delegation by Congress to him of its very fundamental power and

authority on the disbursement of funds in the Treasury is no new thought and should require no argument in its favor.

From almost the very beginning of the Government the executive branch has been greedy for power not granted it by the Constitution. If you recall the discussions in the early Congresses you must remember that no error was of more prevailing influence at the period when the Constitution was adopted than the imagined weakness of the executive department. Time has not only dispelled all apprehension of its feebleness in action, but has also conformed to show its native vigor and its inherent tendency to draw to itself the constitutional powers of coordinate departments. It is true that the obligations of executive duty imposed upon the President call for large grants of power appropriate to the just ends of their fulfillment. However, the public treasury is placed in the keeping and under the exclusive control of Congress, it is entrusted in an eminent degree to the providence and thrift of this House.

No money shall be drawn from the Treasury but in consequence of appropriations made by law.

Moreover, the power of Congress itself is limited, and it is further provided by our Constitution, that

All bills for the raising of revenue shall originate in the House of Representatives.

Definitely more explicit enactments conferring and limiting authority could not have been invented. The power of raising revenue and directing the expenditure of money is a high representative and legislative trust.

Among our correlative duties is the stewardship of its disbursement. Let me repeat that the limitation of power defined in the express written grant is not only the great and saving principle of our Constitution, but it is the prominent development in the political discovery of the age. If we have any sheet anchor for the national ship it is this: Responsibility commonly inoperative and easily evaded looks to the punishment of offenses only. Limitation of power rests on the surer basis of preventive justice; controls the public functionary, arrests the mad career of profligate ambition, and checks the centripetal tendency of the system. Our greatest danger appears to result from the heavy appropriations for contingencies, and other undefined and unspecified and unallocated objects of public expenditure wherein the unrestricted discretion of the Executive exerts an absolute dominion.

This broad delegation of power over the purse which it is contemplated to delegate, unless my amendment be adopted, is in effect an abrogation of a wholesome check provided for by the Constitution, for it invests the Executive with a dangerous authority over a trust which the Constitution for wise purposes confided to Congress. It makes a mockery of the strongest barrier against Executive influence and the encroachment of a single magistrate; and insofar removing the vigilant guardianship of the representative body, dispenses with a large portion of its appropriate responsibility.

Mr. Jefferson foresaw and warned Congress that this might become the matrix of unnumbered ills and entreated that specific appropriations might always be made. Mr. Jefferson saw the omens of mischief that crowded around the loose and general practices of his day with respect to general and unallocated appropriation of money out of the treasury. At his insistence specific appropriations to definite objects followed. His model of economy and simplicity in administration strictly cohered to the plain principles of the Constitution.

Under the urge of misguiding exigencies, we have gone a long way from the Jeffersonian principles, and it is time—and now is the time—to resurrect the spirit of the Constitution, and to reestablish the guardianship over the public money which the Constitution designed for its security.

With all the precautions and limitations infused into the Constitution, it is manifest that the vice of our system is found in the expanding power of blindly appropriating money with the natural result that larger discretion, and then larger discretion, is lodged with the Executive. This usurped or surrendered power is continually evading and surmounting its defined constitutional limits. So, too, is its subordinate result escaping from legal restraint.

We can resist what is open and palpable. It is the secret and invisible agency that is most to be dreaded. Silent creations of authority, growing as it were by stealth, are to be viewed with greatest alarm. It is against silent and gradual attacks that a nation ought to be particularly on its guard. Sudden revolutions strike the imaginations of men; they are detailed in history; their secret springs are developed, but we overlook the changes that insensibly happen by a long train of steps that are too slightly marked. It would be rendering nations an important service to show from history how many states have thus entirely changed their nature and lost their original constitution.

Mr. Speaker, the representatives of the people very wisely intended to exert an uncontrolled sovereignty over the money of the people. So I say Congress should assert itself and insist not only that the trust imposed in us by the people and under the Constitution in proportion to its magnitude and necessity should offer an irrepresible motive for the care and the vigilance with which we should guard it from every abuse.

I offer the foregoing paraphrase subject and substance condensed from several speeches made in the House of Representatives from March 22, 1828, onward by the Honorable John S. Barber, late Representative from Virginia, who, when attacked for and on account of the position he took, took occasion to say:

It has become fashionable among a certain class of politicians to deride our fears of encroachment, and to denominate the plain common-sense rules of interpretation—Virginia principles.

Let me tell you, gentlemen—

He said—

That these principles in the legitimate scope will yet prevail. Their foundation is in the broad basis of human rights.

I commend to all of you respectfully the study of that recent publication or compilation of documentary history relative to the control of Federal expenditures by Fred W. Powell, and published by the Brookings Institution. This compilation constitutes an almost continuous record of what was thought—or at least said—by the men who participated in debates on financial and accounting bills, of the facts and arguments presented by legislative committees, and of the results achieved by officials responsible for administering the system evolved through a long series of statutes. In it you will find and from it you will obtain the satisfactory answer, based on experience through the years, to many of the questions which now confront you and me.

Congress should not further delegate its authority nor should it surrender its prerogatives in the premises. Especially is this so since Congress it seems will be and undoubtedly should be in session in perpetuam to take care of any and all emergencies the responsibility for the solution of which rests upon the representatives of the people under the law.

According to the testimony of Admiral Stark, Chief of Naval Operations, and the heads of various Bureaus of the Navy Department, certain naval establishments contemplated receiving in addition to any specific appropriations for emergency purposes under title II of this bill $91,360,000 for second-priority projects. This money supposedly, according to the statements of the various naval officers, would come from the $34,000,000 appropriated and the $34,000,000 contract authorizations provided for in this amendment. The distribution of this fund is as follows:

Plant expansion (hearings, p. 3)	$32,165,000
Ordnance and stores (p. 3)	43,305,000
Engineering, and construction and repairs (p. 75)	5,975,000
Yards and docks (p. 110)	3,937,000
Supplies and accounts (p. 4)	5,347,000
Navigation (p. 4)	631,000
Total	91,360,000

Since all of these Bureaus of the Navy anticipate securing their funds from the amounts carried in amendment 133, it would seem logical to allocate this fund according to the major objects that are here concerned. Therefore, it is provided that not more than $24,000,000 shall be allocated for the financing of Government-owned facilities in private plants, $34,000,000 for ordnance and stores, $5,000,000 for construction, repair, and engineering, $4,600 for supplies and accounts, and $400,000 for navigation. The amendment also provides for Revised Statute 3709, which authorizes purchase of Government supplies, contracts, materials, and services on the basis of competitive bidding. Consequently it is proposed in the revision of this amendment to eliminate this exemption.

This amendment should be adopted.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. PLUMLEY. I yield.

Mr. RICH. The statement the gentleman just made sounded very well; but if I understood his amendment correctly, it still gives the President authority to spend the $34,000,000.

Mr. PLUMLEY. But I have taken away from the President his discretion and provided allocations for specific purposes.

Mr. RICH. If Congress is to be in session, why is there need to grant this discretion? Why not have the Congress exercise its own powers in the matter?

[Here the gavel fell.]

Mr. SCRUGHAM. Mr. Speaker, I yield 1 minute to the gentleman from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. Speaker, I wish to submit a few comments in connection with the statement of the managers on the part of the House and ask unanimous consent to extend my remarks.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

WORKING FOR DOMESTIC MANGANESE

Mr. CASE of South Dakota. Mr. Speaker, the statement of the managers on the part of the House concludes with these paragraphs:

> With respect to Senate amendment No. 133, relating to an emergency fund for the President, the managers on the part of the House recommend that $2,000,000 of such fund shall be made immediately available to the Bureau of Mines, Department of the Interior, for the erection, equipment, and operation of a pilot plant for the beneficiation of manganese ores and the production of metallic manganese therefrom by the electrolytic process, including expenses in the District of Columbia and elsewhere, for the preparation of plans and specifications, advertising, and supervision of construction; and for all expenditures requisite for and incident to the exploration of manganiferous deposits, in accordance with Public, No. 117, approved June 7, 1939.
>
> This recommendation is made in the belief that provision should be made immediately to beneficiate domestic low-grade manganese ores, deposits of which are favorably located with respect to large and cheap sources of electrical energy. Resulting high-grade manganese can thus be produced and stored for future use, and domestic supplies developed without the Government competing with industry for the existing stocks of high-grade manganese of commercial grade.

I desire to commend the House conferees for directing attention to the possibility of beneficiating domestic manganese ores, and for making this recommendation. Manganese is our number 1 critical item in strategic minerals, and, as I stated in an extended review of the subject on the floor of the House, February 17, 1938:

> We can produce manganese in the United States.

Some 20 States in this country have manganese deposits. The ones that have been worked most, possibly, are those in Arkansas, Virginia, and Montana. The largest deposits, however, are what is known as the Artillery Peak deposit in Arizona, the Cuyuna range in Minnesota and the Missouri River deposits in South Dakota. Of all deposits, the South Dakota deposits are by far the largest, the United States Geological Report in 1929 determining that over 102,000,000 tons of metallic manganese exist in nine townships alone near Chamberlain, which is more than half of the 200,000,000 tons estimated for the whole country.

The fact that the use of electrical power is mentioned in the recommendation of the conferees on the Navy bill, and that the distinguished gentleman from Nevada [Mr. SCRUGHAM] is chairman of the subcommittee, make it reasonable to assume that the recommendation was designed to make it possible to consider Boulder Dam as a site for the pilot plant contemplated. There is good justification for such a program.

The presence of the Boulder Dam power plant assures an abundance of power. And some years ago the gentleman from Nevada was foresighted enough to secure a $100,000 laboratory at the dam for experimenting in the use of electrolysis on the manganese ores which are found in Arizona and in southern Nevada. It will be a logical continuation of that program to erect a pilot plant of commercial size at that point for production of an emergency stock pile for the Government.

But what can be done at Boulder Dam will not be enough to assure this country of the supply it will need.

SAFETY REQUIRES DOMESTIC PRODUCTION

In 1933 a special committee of the American Institute of Mining and Metallurgical Engineers made a special report on manganese for national defense. They said:

> No one can foretell what the nature of the war emergency may be. It may range from an airtight blockade, on the one hand, through numerous intermediate conceivable situations, to minimum interference with sea lanes and shipping, on the other hand. For this reason the availability of foreign imports necessarily remains an unknown quantity in our problem; nor is there any way to determine it.

And the engineers then made this significant observation:

> At best, foreign imports cannot be classed as insurance, and insurance is the keynote of this discussion. * * * For national defense nothing could be better than a thriving and permanent domestic industry.

So many positive statements have been made by competent men on this matter that it hardly seems necessary to repeat them, but I find that these things need to be said over and over if people are to realize that manganese is as important to national security as guns. In 1929 Senator ASHURST, speaking of the loss of the *Cyclops* during the World War, with 283 persons on board, said:

> What was the mission of that ship? * * * She was bringing manganese to the United States to assist in the manufacture of our own ordnance and other munitions of war.

A former Assistant Secretary of War has said:

> The safety of our country requires that we have a readily available source of manganese in the United States.

The head of one of the large steel companies only last year said:

> The time may come when we would gladly give all the gold in the Kentucky vaults for a stock of manganese.

Certainly, then, the subcommittee on naval appropriations very properly sought to indicate that part of this lump-sum appropriation should be used to insure the production of a stock pile of manganese from domestic ores, both creating a stock pile and proving a process for the beneficiation of domestic ores.

Members of the House will be interested to know that only yesterday I had an hour's conference with two gentlemen who erected an electrolytic manganese plant at Knoxville, Tenn., a little over a year ago, and that they recently shipped a carload of the South Dakota ores to that point a few weeks ago, and that since that time they have produced electrolytic manganese from those ores. They use T. V. A. power, of course.

LARGEST RESERVE IN THE UNITED STATES

One of these gentlemen, Mr. Karl Leute, is the head of the General Manganese Corporation, which expended over $300,000 in exploring the South Dakota deposit and whose estimates of its practically limitless extent were confirmed by

D. F. Hewett, of the United States Geological Survey. Mr. Leute is to return to Washington Thursday, and in company with other members of the South Dakota and Nebraska delegations we expect to interview various governmental officials in an endeavor to put the possibilities of production from South Dakota ores before them.

I may say that these deposits on the Missouri River have been a major activity for me since I received a letter from the Director of the Bureau of Mines, May 21, 1937, 3 years ago, in which he said:

The deposit at Chamberlain, S. Dak., is probably the largest reserve of crude manganese in the United States.

The report of the American Institute of Mining and Metallurgical Engineers defense committee on 1933, to which I earlier referred, says of the Chamberlain deposit:

The nodules consist of a complex of manganese, iron, lime, and magnesium carbonates; the average content of manganese being about 16 percent and that of iron about 11 percent. * * * These nodules occur in horizontal layers of greater or less abundance, interbedded through some 30 to 40 feet of thickness of the clay shale, comprising from 6 to 7 percent of the total material by weight. * * * The total quantity on the other hand is amazing, competent estimates placing it at 100,000,000 tons of metallic manganese.

By way of indicating what this figure means, I might say that the American Institute of Mining and Metallurgical Engineers' report estimates 45,000,000 tons as the total of metallic manganese in the other recognized reserves.

Here obviously—

The American Institute of Mining and Metallurgical Engineers' committee said—

is a situation which deserves close attention. The quantity of manganese per unit of weight of total material is very low, and its unusual character further complicates the problem of making commercial use of it. The almost unlimited reserves on the other hand give great importance to the occurrence.

INCREASING ATTENTION TO THESE DEPOSITS

During the past 3 years I have pursued every lead that gave any promise of opening the door to the development of these deposits.

I sought to have the tariff restored to the 1930 figure at which the General Manganese Corporation said it would have sufficient protection to build a plant and engage in production of manganese from these ores. We did not restore the tariff but did succeed in getting the announcement from the State Department that they would not use a tariff, once cut 50 percent, as a new base for further 50-percent cuts, as was intimated might be done.

I have appeared before every committee in House and Senate that considered legislation bearing on strategic minerals. I worked with other Members in the drafting of legislation to encourage the production of domestic manganese along with other critical items. The hearings of the committees and the record of the House will show the influence of our efforts in these matters. Finally Congress passed the Strategic Minerals Act of June 7, 1939.

I procured samples of the Missouri River deposits and have put them in the hands of the Du Pont people, the chemical-engineering section of the Tennessee Valley Authority, and the Bureau of Mines, asking in each instance that they tackle some phase of the processing problem. Their reports have been encouraging in their recognition of the importance of such a large deposit and each report has made some contribution by answering some question in the handling of the ore.

The T. V. A. report suggested a simple process for reducing the ore to a 20-percent concentration of metallic manganese and indicated avenues for further beneficiation. The Bureau of Mines is working now on samples on that further beneficiating.

All along the line, colleagues, Government officials, and private individuals have been most helpful.

At the same time, Mr. Leute has continued his research, and he makes the positive statement to me that by a leeching process, without electrolysis, he can produce commercial-grade manganese at the price that is now being paid in the contracts sought by the Government—given only assurance that the market will be maintained at that figure for a reasonable time.

RIVER OFFERS BOTH POWER AND NAVIGATION

The idea of beneficiating the ores by electricity is one that can be used on the Missouri River deposits. Several natural power sites exist on the river, which in turn can carry the product on flatboat to Sioux City, Kansas City, or Birmingham, if desired.

Indeed, in order to unite the possibility of power development with these manganese deposits I secured the adoption by the Rivers and Harbors Committee of a resolution directing the Army engineers to make a review study of the Missouri River report—

With a view to determining the desirability of power development for the production of manganese and other uses.

Under that resolution the district engineer, Colonel Hoge, of Omaha, conducted a hearing at Pierre, S. Dak., March 15 last, which was attended by a large gathering of witnesses in spite of a heavy snowstorm that blocked many highways. Colonel Hoge has been following that hearing with a study of material submitted at that time and submitted since by such informed students of the matter as M. Q. Sharpe, of Kennebec; Loyson J. Troth, of Burke; J. H. Drury, of Chamberlain; Dr. Andrew Karsten, of the South Dakota State School of Mines, and others.

The studies of Colonel Hoge can be made immediately available to the National Defense Commission through the Board of Engineers of the War Department.

The recent report of the Tennessee Valley Authority on their work is now available in booklet form.

The report of the United States Geological Survey giving the extent of the deposits by section and township is available in a circular prepared in 1930. Bureau of Mines officials are ready for consultation on the relation of this matter to the whole problem.

All this data is instantly available so that it is entirely practical now to suggest that a definite step be taken to consider Missouri River deposits in our national-defense program.

SOLVE THE PROBLEM HERE AND IT IS SOLVED

Here is the largest deposit in the country, situated on both banks of a navigable river, flanked above and below by natural power sites. It is a low-content ore, admittedly, but its enormous size, enough to process all the recognized iron-ore reserves of the country, justifies definite consideration.

Installation of a beneficiating plant on these deposits will mean an unlimited reserve stock pile for the Nation. The man who has spent years of ceaseless study of these ores, Mr. Leute, working in connection with the University of Minnesota, says that in 4 months' time a plant using the leeching process can be built and put into production, and that if power is made available, the same plant will continue in use for the first phase of the electrolytic process.

Accordingly, I endorse the recommendation of the subcommittee in their report asking that $2,000,000 be set aside for the erection of a commercial pilot plant for electrolytic production, and also urge that the National Defense Commission consider setting aside an additional amount, either from the fund in the Navy bill or from the similar emergency fund in the Army appropriation bill to erect a plant on the Missouri River deposits to process them by the method suggested for immediate production. This will solve one of our greatest problems in national defense.

Mr. SCRUGHAM. Mr. Speaker, I move the previous question on the amendment.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Vermont.

The question was taken; and on a division (demanded by Mr. SCRUGHAM) there were—ayes 110, noes 149.

Mr. DITTER. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 156, nays 234, not voting 40, as follows:

[Roll No. 141]

YEAS—156

Alexander	Eaton	Johns	Rockefeller
Allen, Ill.	Elston	Johnson, Ill.	Rodgers, Pa.
Andersen, H. Carl	Engel	Johnson, Ind.	Rogers, Mass.
Anderson, Calif.	Englebright	Jones, Ohio	Routzohn
Andresen, A. H.	Fenton	Jonkman	Rutherford
Andrews	Ford, Leland M.	Kean	Sandager
Angell	Gamble	Keefe	Schafer, Wis.
Arends	Gartner	Kilburn	Schiffler
Austin	Gearhart	Kinzer	Seccombe
Ball	Gehrmann	Knutson	Secrest
Barton, N. Y.	Gerlach	Lambertson	Seger
Bates, Mass.	Gilchrist	Landis	Short
Bender	Gillie	LeCompte	Simpson
Blackney	Goodwin	Lewis, Ohio	Smith, Ohio
Bolles	Graham	Luce	Springer
Bolton	Grant, Ind.	McDowell	Stearns, N. H.
Bradley, Mich.	Gross	McGregor	Stefan
Brewster	Gwynne	McLean	Sumner, Ill.
Brown, Ohio	Hall, Edwin A.	McLeod	Sweet
Burdick	Hall, Leonard W.	Maas	Taber
Carlson	Halleck	Marcantonio	Talle
Carter	Hancock	Marshall	Thill
Case, S. Dak.	Harness	Martin, Iowa	Thomas, N. J.
Chiperfield	Harter, N. Y.	Martin, Mass.	Thorkelson
Church	Hartley	Mason	Tibbott
Clason	Hawks	Michener	Tinkham
Clevenger	Hess	Miller	Treadway
Cluett	Hinshaw	Mundt	Van Zandt
Cole, N. Y.	Hoffman	Murray	Vorys, Ohio
Corbett	Holmes	Oliver	Vreeland
Crawford	Hope	Pittenger	Wadsworth
Crowther	Horton	Plumley	Wheat
Culkin	Hull	Powers	Wigglesworth
Curtis	Jarrett	Reece, Tenn.	Williams, Del.
Dirksen	Jeffries	Reed, Ill.	Wolcott
Ditter	Jenkins, Ohio	Reed, N. Y.	Wolfenden, Pa.
Dondero	Jenks, N. H.	Rees, Kans.	Wolverton, N. J.
Douglas	Jennings	Rich	Woodruff, Mich.
Dworshak	Jensen	Robsion, Ky.	Youngdahl

NAYS—234

Allen, La.	Dempsey	Johnson, Lyndon	O'Day
Allen, Pa.	DeRouen	Johnson, Okla.	O'Leary
Anderson, Mo.	Dickstein	Johnson, W. Va.	O'Neal
Arnold	Dies	Jones, Tex.	O'Toole
Barden, N. C.	Dingell	Kefauver	Pace
Barnes	Disney	Keller	Parsons
Barry	Doughton	Kelly	Patman
Bates, Ky.	Doxey	Kennedy, Martin	Patrick
Beam	Drewry	Kennedy, Md.	Patton
Beckworth	Duncan	Kennedy, Michael	Pearson
Bland	Dunn	Keogh	Peterson, Fla.
Bloom	Durham	Kilday	Peterson, Ga.
Boehne	Eberharter	Kirwan	Pfeifer
Boland	Edelstein	Kitchens	Pierce
Boren	Edmiston	Kleberg	Poage
Boykin	Elliott	Kocialkowski	Polk
Brooks	Ellis	Kramer	Rabaut
Brown, Ga.	Evans	Kunkel	Ramspeck
Bryson	Faddis	Lanham	Randolph
Buckley, N. Y.	Fay	Larrabee	Rankin
Bulwinkle	Ferguson	Lea	Rayburn
Byrne, N. Y.	Fernandez	Leavy	Richards
Byrns, Tenn.	Fitzpatrick	Lesinski	Robertson
Byron	Flaherty	Lewis, Colo.	Robinson, Utah
Caldwell	Flannery	Ludlow	Rogers, Okla.
Cannon, Mo.	Ford, Miss.	Lynch	Romjue
Cartwright	Ford, Thomas F.	McAndrews	Ryan
Casey, Mass.	Fries	McArdle	Sabath
Celler	Fulmer	McCormack	Sasscer
Chapman	Garrett	McGehee	Satterfield
Clark	Gathings	McKeough	Schuetz
Claypool	Gavagan	McLaughlin	Schulte
Cochran	Geyer, Calif.	McMillan, Clara	Schwert
Coffee, Nebr.	Gibbs	McMillan, John L.	Scrugham
Coffee, Wash.	Gore	Maciejewski	Shannon
Cole, Md.	Gossett	Magnuson	Sheppard
Collins	Grant, Ala.	Mahon	Sheridan
Colmer	Green	Maloney	Smith, Conn.
Connery	Gregory	Martin, Ill.	Smith, Va.
Cooley	Griffith	Massingale	Smith, Wash.
Cooper	Hare	May	Smith, W. Va.
Costello	Harrington	Mills, Ark.	Snyder
Courtney	Hart	Mills, La.	Somers, N. Y.
Cox	Havenner	Monroney	South
Cravens	Healey	Moser	Sparkman
Creal	Hendricks	Mouton	Spence
Crosser	Hennings	Murdock, Ariz.	Starnes, Ala.
Crowe	Hill	Murdock, Utah	Steagall
Cullen	Hobbs	Myers	Sullivan
Cummings	Houston	Nelson	Sumners, Tex.
D'Alesandro	Hunter	Nichols	Sutphin
Darden, Va.	Izac	Norrell	Tarver
Davis	Jacobsen	Norton	Tenerowicz
Delaney	Johnson, Luther A.	O'Connor	Terry
Thomas, Tex.	Voorhis, Calif.	Weaver	Wood
Thomason	Wallgren	West	Woodrum, Va.
Tolan	Walter	Whelchel	Zimmerman
Vincent, Ky.	Ward	Whittington	
Vinson, Ga.	Warren	Williams, Mo.	

NOT VOTING—40

Bell	Flannagan	McGranery	Schaefer, Ill.
Bradley, Pa.	Folger	Mansfield	Shafer, Mich.
Buck	Gifford	Merritt	Shanley
Buckler, Minn.	Guyer, Kans.	Mitchell	Smith, Ill.
Burch	Harter, Ohio	Monkiewicz	Sweeney
Burgin	Hook	Mott	Taylor
Camp	Jarman	O'Brien	Welch
Cannon, Fla.	Kee	Osmers	White, Idaho
Darrow	Kerr	Risk	White, Ohio
Fish	Lemke	Sacks	Winter

So the substitute was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Osmers (for) with Mr. Jarman (against).
Mr. Guyer of Kansas (for) with Mr. Merritt (against).
Mr. Risk (for) with Mr. Buck (against).
Mr. Fish (for) with Mr. Shanley (against).
Mr. Monkiewicz (for) with Mr. Schaefer of Illinois (against).
Mr. Winter (for) with Mr. Sweeney (against).
Mr. O'Brien (for) with Mr. Folger (against).
Mr. Shafer of Michigan (for) with Mr. McGranery (against).
Mr. Darrow (for) with Mr. Mitchell (against).
Mr. White of Ohio (for) with Mr. Flannagan (against).
Mr. Gifford (for) with Mr. Harter of Ohio (against).
Mr. Mott (for) with Mr. Burch (against).

General pairs:

Mr. Mansfield with Mr. Lemke.
Mr. Kerr with Mr. Buckler of Minnesota.
Mr. Walter with Mr. Welch.
Mr. Camp with Mr. Bradley of Pennsylvania.
Mr. Sacks with Mr. Smith of Illinois.
Mr. Bell with Mr. Burgin.
Mr. Kerr with Mr. Hook.
Mr. Kee with Mr. Taylor.

Mr. GREEN. Mr. Speaker, I am authorized to announce that my colleague the gentleman from Florida, Mr. CANNON, if present, would have voted "nay." He is unavoidably detained on important official matters.

The SPEAKER pro tempore (Mr. HOBBS). The question now recurs upon the motion of the gentleman from Nevada [Mr. SCRUGHAM].

The motion was agreed to.

The SPEAKER pro tempore. Without objection, a motion to reconsider the various votes by which the amendments have been agreed to will be laid on the table.

There was no objection.

EXTENSION OF REMARKS

Mr. WILLIAMS of Missouri. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri [Mr. WILLIAMS]?

There was no objection.

Mr. WILLIAMS of Missouri. Mr. Speaker, serious and anxious times are just ahead of us. These critical conditions are not of our liking or making. They were forced upon us by the insane desire for power by a few inhuman dictators. The Nazi-Fascist-Communist groups have entered upon a barbaric, brutal, and savage campaign to overthrow the democracies of the world and destroy Christian civilization.

There has in all our past been a sense of complacency and a firm feeling of security on the part of our people. During the last World War even at its worst stages no one ever suspected that the actual conflict would ever be brought to our shores. There has always been the confident assurance that whatever conquests may take place abroad, we are in no danger here. The existence of other democracies in Europe and the broad expanse of ocean between us and the aggressors have been considered insuperable barriers behind which we could hide in security and peace. This heretofore fixed conviction and calm attitude have been shaken by recent events. The speed and effectiveness of airplanes as implements of war had not been taken into consideration. There has begun to trickle into our public consciousness a glimmer of fear that all is not well with us as a Nation. At

first it came to many as a shock and a surprise. Then there was sober and calm thought and reflection. Then there followed disillusionment and stern realism. Then there came firm resolve and grim determination.

That is where we are now. The very definite decision has been reached to so strengthen our national defense that our own fair land shall not be devastated and our institutions and our way of life destroyed. Among the people as a whole there has not been and there must not be any wild hysteria and above all there must not be gloom and dismay. In the days to come there will be sacrifices which we will be called upon to make and hardships which we may have to endure. These will be met patiently and courageously by every American. These must be faced with a clear vision and a stout heart. The designing demagog and the scheming politician may think this is a fruitful period in which to operate. He will find that the American people have no time for his pet plans and selfish interests and they will turn a deaf ear to his insincere mutterings and his inane mumblings. These little souls with limited knowledge and narrow vision, with their carping criticism, with their personal ambitions and exaggerated egotism, their violent denunciation and vicious abuse of those patriotic, honest Americans in public and private life who are trying to meet the situation on a high plane and to render valuable and lasting service to a nation in danger and distress, these shriveled beings will be consigned to the deepest depths of the darkest oblivion by the aroused indignation of a just and righteous people.

There must be no reign of the demagogue. There must not be any Trojan horses unloosed in our back yard. There must not be any "fifth columns" operating in our midst. There must not be any threat of coercion or intimidation from any selfish high-pressure group. We must not be enveloped by organized alien activities. We must not be lulled into a sense of security by the seductive whisperings of false and insidious propaganda. We must not be driven into a state of excitement or emotionalism by the fervent appeals of irresponsible agitators. We must be wide awake, stern, sturdy, calm, and alert, and realizing the task before us our people will be active, organized, and united. The present reality calls for sacrificial devotion to duty and to country. It requires intensely hard work for all. It demands clear thinking and intellectual and spiritual conviction. It exacts the strongest moral courage. To all who face the reality and measure up to these requirements there will come the greatest happiness in the free, uncoerced, and full devotion to a lofty cause.

For the past 10 years the people of this Nation have been fighting a desperate domestic battle all along a wide social and economic front. It has been an expensive campaign. It is not my intention at this time to discuss the causes leading up to that war or to criticize or condemn anyone as being responsible for it. That could answer no good purpose now. During the prosecution of this warfare against depression for the past decade some mistakes may have been made. It would be a miracle if that were not true. On the other hand, it must be admitted that there has been great and lasting progress made all along the line. Anyone having even a superficial knowledge of this period would not contend otherwise. Labor, agriculture, commerce, and industry have been greatly improved. Without attempting to enumerate the advancements made, it may be noted that there are 8,000,000 more people at work today than there were 8 years ago; that they are receiving better pay and working shorter hours; that they have the right to bargain collectively with industry to protect their wages and working conditions; that their feeling and attitude toward the Government is better; that child labor has been abolished; that the standard of living has been raised; that there is more leisure and time to devote to the cultural and spiritual activities of life.

In the field of agriculture it may be observed that the income has been almost doubled; that credit has been made available on every hand at greatly reduced rates of interest; that rural communities have been rehabilitated and tenants helped to become farm owners; that electricity has been brought to those far from the urban centers and with it has come some of the conveniences and comforts of modern life and the means by which the heavy load of toil and drudgery has been lightened. In the financial world our monetary and financial system has been made sound and our bank deposits secure and safe.

During this time we have not allowed the practical, selfish, and sordid things of life to crowd out and destroy our gratitude and love for those who served our country in time of war. Laws have been liberalized granting additional compensation to veterans and their dependents as at least a slight token of appreciation for the valiant service they rendered. In that connection I have in my files over 1,000 cases in which individual veterans have appealed for aid and in each case I have tried with all my might to help them.

Through work-relief agencies many billion dollars have been added to our national wealth. Schoolhouses, courthouses, auditoriums, eleemosynary institutions, and low-rent houses have been erected; streets, sidewalks, water works, sewage facilities, roads, and highways have been constructed. Heretofore unheard of health service and social security have been given the people. Assistance has been provided for the unfortunate aged folk, help to dependent and crippled children, and aid to the blind have been given. Many young men and women have been encouraged and assisted to continue their school work through the National Youth Administration. Over 2,600,000 deserving young men who were without work were taken from the streets and highways and from the allurements and temptations of idleness and given useful employment in the C. C. C. camps, where they are schooled and trained in the ideals and principles of true citizenship and from which they go to become useful and influential men.

In this entire social and economic program for the advancement and betterment of all the people, it has been my privilege to actively participate. To it I have given my constant and untiring efforts and my unqualified and enthusiastic support. At times in the prosecution of this program I have worked in close contact and cooperation with those in high command; at other times I have simply been a private in the rear ranks. Whatever and wherever the task, it has been willingly and gladly done.

Now in the midst of this advance along all lines on the domestic front the dark war clouds of Europe are casting an ominous and a warning shadow in our direction. We have no effete or corrupt dynasties to maintain, no tottering thrones to support, no feudal or lordly classes or castes to uphold, no foreign conquests to make, no additional territory to acquire, no vengeance to wreak upon anyone, no enemies to punish, no unholy alliance to abide by, no unrighteous ambition to satisfy. We are not looking for other worlds to conquer. We want no more wars. We desire peace.

A League of Nations was established in an effort to maintain world peace. International peace conferences have been held from time to time. Disarmament agreements have been entered into. Courts of arbitration and mediation have been set up. Compacts and treaties have been made. Appeasements, concessions, and compromises have been offered. Earnest and touching appeals have been issued by those high in authority among the free nations of the world. Fervent and appealing prayers have fallen from the lips of Christian men and women everywhere that peace might prevail. It now seems that all the leagues and conferences, that all the agreements, courts, and compacts, that all the pleas and prayers have been of no avail and that a cruel, ruthless, and Godless force has been turned loose to wipe out civilization and destroy all learning and culture, all liberty and freedom and every kindly feeling, every lofty emotion and every noble impulse that springs from the human heart.

Under the circumstances, face to face with these facts, we can no longer hide our heads in the sand. We must meet the situation in a calm, realistic way. There are those extreme isolationists who do not believe in and do not think a preparedness program is necessary. There are others who think

that the program should be extended and that every possible aid should be given the Allies at once. There are usually extremists on any question, especially when an emergency arises and there is a tendency to become excited, but there should be a happy medium upon which the great majority may meet and agree. There are those who state that the President is seeking to lead us into the European war. There is absolutely not a word of truth in that. No one is in favor of that. I know from my conversations with him and from the appeals that he has made that no one desires peace more than he. Besides, I would hate to think that any President elected by any party and representing the great American people would at any time deliberately set out to involve this country in war. Shame on those who make such a suggestion. Such an insinuation should be repudiated by every real American regardless of party.

There are those who say we should wait to prepare, find out what to prepare against, what particular kind of offensive weapons and campaign we would have to meet. That has been the fatal mistake of all the small countries of Europe, including England and France. It is admitted by all that it will take some time to build up our national defense. It is idle to talk about waiting to see what we need until we are attacked. If we do, then it will be written in blazing letters across the closing page of our history, as it has already been written in other countries, "Too late."

Then, it is asked, suppose we build up this great armament and spend billions of dollars in national defense and we do not need it. If we are not attacked then we have wasted a large sum of money. If we could speak with the tongue of a prophet and give absolute assurance that increased national defense was not necessary; that our way of life would continue undisturbed; that our institutions were not in danger and our liberties were not threatened, then there would be good ground for that argument. But we cannot read the future and can only be guided by the lamp of past experience and by the light of present conditions. Past experience shows that the individual or the Nation that is best prepared is less likely to be attacked. Present events confirm that truth. It is the ardent hope of all who believe in preparedness that it will never be necessary to use our war equipment in actual warfare in the defense of our country. If the expenditure of money in building up our national defense will avoid the horrors of war it will be money well spent. In the last analysis and as a final word on the proposition, it is better to have adequate national defense for any emergency and not need it than it is to have an absolute and urgent need for national defense and not have it.

At this time we find ourselves without adequate defense. There is no need to engage in charges and counter charges as to whose fault that is. Political arguments are made on both sides. Unpreparedness is a fact and that is what we are concerned with. This Nation must and will strengthen its land, sea, and air forces. Like everything else in this age of progress the old methods of warfare are outmoded. Modern war calls for motorized and mechanized units on land, with heavy tanks and antitank guns. While we have a fine Navy it must be increased as it is the first line of defense. The President's goal of a capacity production of 50,000 airplanes yearly is an ambitious program but it can be realized. In the light of recent events mastery in the air is essential to success. The question has been asked why Germany has had such a succession of victories in the present war. The answer is that its war machine is the product and the work of experts. The perfection and the consummation of our national defense must be left to those versed and trained in military, naval, and aeronautical affairs in conjunction with industrial and efficiency experts. Our inventive genius, our mechanical skill, our research facilities, and our ability to produce are unexcelled. But war equipment alone cannot do the job. The President, in his message to Congress, said:

> Our security is not a matter of weapons alone. The arm that wields them must be strong, the eye that guides them clear, the will that directs them indomitable.

We have the bravest, most skillful and efficient personnel, man for man, in the world. This force must be increased and trained. These men have the strength, the vision, and the courage and when given sufficient modern equipment, can repel any attack.

The training of a large personnel for land, sea, and air activity, the construction of an invincible navy, the manufacture of the necessary munitions, arms, and implements of war, the production of a powerful air armada, is a vast undertaking and will necessitate the expenditure of huge sums of money but there appears to be no other alternative. The people, realizing the horror of war, the suffering and grief that it entails, the terrible waste and destruction that it brings and the desolation and ruin that it leaves in its wake, are willing to make any honorable sacrifice and endure any hardship to avoid it. It must always be remembered that this is preparation for our defense and not for an offensive war; that it is not for aggression but for preservation. I have an only son who is just now of the draft age and I would be the last one who would desire to see our boys sent into a foreign conflict but I would hang my head in shame if he did not enlist and fight to the last ditch in the event of an invasion of our land by a foreign foe. It would be a crime not to furnish our boys with the most modern and efficient weapons with which to wage that fight.

What will be the ultimate outcome of the conflict abroad no one can tell. Whatever the result the United States will be faced with serious and difficult problems affecting our whole social, economic, and political life of the future. We cannot afford to wait to see. We cannot with safety carelessly and listlessly drift along. We have already been called "softies." I resent that, but it will not hurt to toughen the fiber, harden the muscles, and steel the nerves for what may be in the offing. It may be necessary for us to fight to make this country safe for democracy from the rest of the world.

We have often talked rather lightly and glibly about our democratic way of life with its private enterprise, its free institutions, its freedom of speech and religion, with its individual rights and its personal privileges. It is "the land of the free and the home of the brave." In recent times there has been brought closer home to us the true meaning and the real value of democratic ideals, that priceless heritage transmitted to us by our forefathers and which we must pass on to future generations with its glory unsullied and its usefulness unimpaired. There are those those who are beginning to fear that these rights and that heritage may be lost. We have been led to believe that although personal rights and individual liberty may be lost in other lands, it cannot happen here. And we say now that it must not and shall not happen here.

At this very crucial period in our history there must be no hesitation or faltering; there must be no dissension or strife; there must be no bickering or jockeying for advantage; there must be no little quarrels, sectional feelings, or party quibblings; there must be no millionaries created or excess profits enjoyed; there must be no petty jealousies or personal favoritisms. We must stand side by side, shoulder to shoulder, hand clasped in hand and heart locked in heart. In the past this Nation has met every crisis with fortitude and courage. It will not fail now. This may be the turning point upon which the future progress or even the very existence of democratic government and free institutions depends and which may determine the peace, contentment, and happiness of mankind in the years that are to come.

In these troublous and trying days when the future may seem dim and misty there is hovering close around to inspire and encourage us the hallowed memory of those immortal patriots, heroes, and martyrs who in other days fought and died that we might have the blessed privileges which we now enjoy. These rights shall not be surrendered now. From the embattled ramparts of the past the heroic spirits of the noble dead are calling to us in clarion tones to hold fast the fort and raise high the torch of liberty and freedom that its

radiant glow may be seen around the world. A united America will answer the call.

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to address the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Vermont [Mr. PLUMLEY]?

There was no objection.

Mr. PLUMLEY. Mr. Speaker, in these days when the eyes of the people in our country are turned to private industry, wondering how well fitted it is for the important tasks it is being and will be called upon to perform, it is heartening to hear and we should heed such reports as that made by my fellow Vermonter, Ralph E. Flanders, of Springfield, Vt.

Mr. Flanders, as many of you are aware, is a preeminent figure in the mechanical-engineering field and in the machine-tool industry.

Speaking from intimate knowledge and in the capacity of chairman of the Industrial Committee of the New England Council, he recently stated:

Let no one doubt New England's preparedness, moral, spiritual, and material, to make an important contribution to our national-defense program.

As rapidly as our manufacturers are informed of the Government's requirements, they will adequately perform any tasks assigned to them. All we ask is that the national-production program be placed in the hands of men familiar with processes of modern industry. Under the leadership of such men, New England industrialists can and will work most effectively for the national interest.

With its 15,500 manufacturing plants, representing more than 200 types of production, New England is well able to supply a great variety of the hundreds of items needed by the national-defense organizations, such as the Bureau of Ordnance, the Quartermaster Corps, the Chemical Warfare Service, the Medical Corps, the Navy, the aircraft procurement divisions of both the Army and the Navy.

At present, most of the purchasing by these agencies is based on competitive bidding. This requires that manufacturers inform themselves of what is wanted, how much and when, so that they may bid promptly and effectively. Such information can be obtained from the procurement officers in this area. However, it is anticipated that as the enlarged program gets under way, many important items will be procured under contracts negotiated directly with individual manufacturers.

The most important products needed for national defense are noncommercial with special and exacting specifications. To make them, New England manufacturers will be required to divert production facilities, and to readjust existing machinery, or install new equipment.

To assist manufacturers—determine what they can best produce for the defense program, the Government is prepared, on request, to make surveys of any industrial plant in New England, especially in the metalworking industries. To manufacturers needing financial assistance in taking on defense production, the R. F. C. and the Federal Reserve Bank are prepared to make loans in cooperation with commercial banks. Under certain circumstances, the War Department pays for special new equipment required.

New England's supply of skilled labor is another great asset essential to a speedy expansion of our national defenses. This is especially true in the metalworking and machine-tool industries, which are the keystone of the arch of industrial preparedness. In these types of production, precision work is at a premium, and New England has a higher proportion of trained men than any other comparable industrial area. A recent survey revealed that the reserve supply of such workers in the Detroit and Chicago areas was already exhausted, whereas they were still available in New England.

The increased demands upon New England industries will absorb these men and require the training of many more. The training program already established in many parts of New England will have to be multiplied and expanded. No other area can equal New England's facilities for quickly training men in precision production. The disappointing results of the English experience in locating aircraft and engine plants in new areas, outside the metalworking industries districts, is a warning to us to expand our production in those areas where the types of labor and the training facilities needed are already available.

Many New England industries are aware of the significance of the defense program and at work on Government orders. There are many others whose facilities can be utilized but who are not yet participating. Their prompt cooperation now in making their facilities known to Government procurement officers will avoid future delay and insure maximum production with a minimum of disruption of normal procedures.

EXTENSION OF REMARKS

Mr. FERNANDEZ. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made in the House today and to include two newspaper articles.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana [Mr. FERNANDEZ]?

There was no objection.

Mr. GRANT of Indiana. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana [Mr. GRANT]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. ANGELL. Mr. Speaker, I ask unanimous consent that on tomorrow after the disposition of business on the Speaker's desk, and at the conclusion of any orders heretofore entered, I may be permitted to address the House for 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon [Mr. ANGELL]?

There was no objection.

EXTENSION OF REMARKS

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made last Friday relative to Colonel Lindbergh.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. WOODRUFF]?

There was no objection.

Mr. DEROUEN. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks on the civil functions bill and to include therein a small editorial of the St. Charles Press.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana [Mr. DEROUEN]?

There was no objection.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. REED]?

There was no objection.

Mr. LANDIS asked and was given permission to revise and extend his remarks in the RECORD.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

Mr. JARRETT asked and was given permission to revise and extend his own remarks in the RECORD.

Mr. HARRINGTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include two letters and a news release from the Department of Agriculture.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa [Mr. HARRINGTON]?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. SCHAEFER of Illinois (at the request of Mr. PARSONS), indefinitely, on account of illness.

The SPEAKER pro tempore. Under a previous special order, the gentleman from Texas [Mr. PATMAN] is recognized for 30 minutes.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein certain excerpts of testimony before a congressional committee and other excerpts.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas [Mr. PATMAN]?

There was no objection.

CARL BYOIR WAS HITLER'S FIRST NAZI TROJAN HORSE IN AMERICA

Mr. PATMAN. Mr. Speaker, I bring startling news to Congress—facts which are of grave concern to our Nation.

There is reason to believe that the entire United States Army mobilization plans are in the hands of Adolf Hitler.

The man who helped to create the mobilization plans for our Army and Navy after the last war—a man entrusted with the confidential details of our war mobilization plans for any future war is the same man who rode Hitler's first Nazi Trojan horse into the United States.

That man is Carl Byoir—headman of Carl Byoir & Associates—New York propaganda agents.

GREATEST ESPIONAGE AND SPY SYSTEM TO BE CREATED

On Monday, May 27, I made the charge in a speech on the floor of the House that Carl Byoir was the first Hitler agent in the United States. I made the statement that it was my belief that Carl Byoir was hired by Hitler to establish here in the United States the greatest espionage and spy system ever organized on the face of the earth.

Immediately responsible, patriotic citizens of our Nation came forward with additional facts concerning the operations in America of this Carl Byoir—facts which are now being investigated by the proper Government authorities. I already had sufficient facts to prove my charges.

Walter Winchell, a courageous crusader, came forward, in a coast-to-coast radio broadcast, with the rumor that Carl Byoir was not only a Nazi-Hitler representative but was even now a trusted member—yes, a lieutenant colonel in the United States Army Reserves Intelligence Department.

Mr. Speaker, I wish to report to the Members of Congress and to the people of this Nation that I have investigated this rumor supplied by Walter Winchell and I find that it is absolutely true.

Carl Byoir is a lieutenant colonel in the Intelligence Division of our United States Army Reserves. He was appointed lieutenant colonel, Specialist Reserve, July 8, 1931. He was not promoted from another rank; he commenced in the service as lieutenant colonel. He was called for 2 weeks' active service commencing November 13, 1939, and is now eligible for another call. He was reappointed at the end of 5 years from the time of his original appointment, or in 1936.

Now here is the grave significance of this startling revelation.

The Associated Press reports in a copyrighted dispatch that "there is evidence in the files of the Federal Government that a substantial part of the plans for Adolf Hitler's 'blitzkrieg' were 'borrowed' from the United States."

Mr. Speaker, there can be little doubt why the Associated Press writer put quotation marks around that word "borrowed." And when I have put before this Congress the rapidly unfording facts concerning the activities of Carl Byoir on behalf of Hitler's Nazi Government any American citizen will be able to understand why it is that I called upon the Dies Un-American Activities Committee to thoroughly investigate Carl Byoir & Associates.

HITLER'S TOTAL WAR BUILT ON UNITED STATES MODEL

In last Sunday's papers you noticed an article by John Lear, of the Associated Press, on Hitler's Total War Built on United States Model; also "blitzkrieg" copied from United States M day plan to mobilize 10,000 American factories. This article is as follows:

There is evidence in the files of the Federal Government that a substantial part of the plans of Adolf Hitler's "blitzkrieg" were "borrowed" from the United States.

These plans would answer the most interesting question of the war in the Low Countries and in France:

How have the Germans been able to strike such repeated sledgehammer blows without serious interruption over so long a time?

For these plans are America's plans for mobilization in event we go to war and they gear up men and machines and every other resource of the Nation to win war as swiftly as possible.

The M day plans are plans for "total war." They cover every conceivable factor in preparation for battle. Nothing approaching their efficiency had been devised anywhere in the world before the organizing genius of the United States began drawing them up 20 years ago.

No treachery—not even clever espionage—is responsible for the fact that the Nazis were aware of them.

The plans were available also to the English and the French, who did not "borrow" them.

STUDIED BY NAZI ATTACHÉ

I cannot name the source of the following information, but I can vouch for the fact that it is both official and reliable.

(1) Within a year after Hitler came to power in Germany in 1933 the Nazi military attaché here began studying the American war mobilization blue prints. The attaché had the right to do so under ordinary diplomatic procedure. He spent 6 months making his examination.

(2) Not until a year after he completed his study was the first of the Nazis' national-defense laws passed, on May 21, 1935.

(3) The war-mobilization system which took shape in Germany after that was a striking parallel to the American plan in all its principal characteristics. Agents from this country working in Germany described it as a "conscientious imitation."

(4) The similarity was sharply illustrated in the Nazis' very first conquest—the "anschluss" with Austria. Immediately after occupying Vienna, the Germans made a census of Austrian industries and allocated their respective share in supplying war needs—in identically the same way as the same step is outlined under the American plan.

RESOURCES CONCENTRATED

(5) Then came the invasion of the Low Countries, and the repeated overpowering blows against the Allies which military men agree can be explained only by highly concentrated resources poured into the fighting front through ultraefficient lines of communication.

This method of winding up for a haymaker punch and following through with all the strength the Nation can muster is the very essence of the American mobilization scheme. It starts by teaming up all the factories where munitions and machines are made, integrating the roads and railroads over which they must travel, allocating fuel and electric power to vital points and keeping men flowing up to the front while putting those behind the lines into jobs where they will do the most good. All war plans must follow this pattern, but this one operates on an exact timetable from start to finish.

The first question that came to mind when I first received this information was: Can this plan make that much difference in a land already highly organized by a dictatorial government?

GREATER STRIKING POWER

The answer given to me was that Italy and Russia have authoritarian governments, too, yet neither the Ethiopian campaign nor the Finnish war produced such smashing blows as the Germans delivered in Holland and Belgium.

Further, it was pointed out, all news dispatches from the Flanders front stress the greater striking power the Germans have now as compared to the World War, when they also had an absolute ruler, the Kaiser.

The second question that arose was, If we have a plan as efficient as all that, why aren't we using it ourselves?

The answer is that whereas Hitler could take advantage of his personal power to adopt the plan in peacetime and extend it to regiment a people, the Army and Navy of our democracy cannot—nor have they any desire to—use it until war threatens and Congress gives the word.

The advantage to this country if the plan should go into effect would be that the United States has more resources than Germany to pour into it.

BASED ON WORLD WAR

The mobilization plan is one of the most thorough blue prints ever drawn up for anything. It is based on three suppositions:

(1) That the people of the United States, if they must go to war, want to win that war as quickly as possible.

(2) That they want to wage war with as little disturbance as possible to our civil peacetime life.

(3) That when the war is over we can return to peacetime economy as quickly and easily as possible.

These three suppositions are derived from our experience in the World War, which caught us by surprise, disrupted our normal life, and threw thousands out of employment when war factories shut down and the war demand for farm products subsided.

Consequently, although the plan (shaped during 20 years of both Republican and Democratic administrations) as it now stands, has marked out every industrial plant in the country for the part it can play in war, no plant is scheduled to turn more than 50 percent of its normal output to war purposes. This would keep peacetime industry from shutting down.

SOON AFTER BYOIR HIRED, HITLER SHOWS UP WITH OUR PLANS

Please keep these facts in mind in connection with the above article.

First. Hitler came into power in Germany January 30, 1933.

Second. Lt. Col. Carl Byoir commenced representing the German consul in New York shortly thereafter and sent out Nazi propaganda for him, receiving $4,000 in cash at one time for that purpose.

Third. Vierick was sent to Germany in the summer and fall to see Hitler and get a contract from him for Lt. Col. Carl Byoir and associates to represent nazi-ism in America.

Fourth. Such a contract was obtained and signed October 1, 1933. Although it was camouflaged as being with the German railroads these railroads were owned by the German Government, and Lieutenant Colonel Byoir's contract was approved by Hitler's minister of propaganda.

Fifth. Soon after Hitler employed Lieutenant Colonel Byoir our mobilization plans based upon the experiences of the last war were made known to Hitler.

Sixth. And that the first of the Nazi's national defense laws which were based upon our plans became effective in Germany May 21, 1935.

IF PLANS WERE NOT SECRET, WHY NOT?

Mr. Lear says that a German military attaché here obtained the plans from the War Department. This is hard to believe. Such important plans certainly would be kept secret. If they were not kept secret it occurs to me that someone has fallen down on the job.

If they were kept secret or were not kept secret Hitler had a better way of getting them than from the War Department files. He had in his employ one of the men who helped to prepare these plans. I refer to Carl Byoir.

I wonder if Hitler was given information about the location and importance of our principal industrial plants?

Hitler had hired one of our Army lieutenant colonels who had all the information that any enemy would want.

TIDE MAGAZINE ARTICLE

The May 15, 1940, Tide magazine contains the following article:

BLUEPRINTS — NOTES ON SOME INCREASINGLY SIGNIFICANT FEDERAL MACHINERY

Today, in a supposedly peaceful America, there is a large group of men thinking in terms of war; of drafting millions of men into military service as painlessly and as quickly as possible. * * * As they stand today plans are in much the same condition as chilled water in a tray in an electric refrigerator: Still fluid, but ready to freeze instantly into a rigid pattern.

Thus the American Legion magazine in a piece last August on the six Army and Navy men who comprise the Joint Army and Navy Selective Service Committee, which has been meeting with some 300 civilian experts of various kinds ever since it was formed in 1930. The committee is working to insure the Nation, in case of another emergency, against the bumbling which cluttered the road to war in 1917.

Last month in the War College in Washington the committee's civilian members gathered for one of the annual regional huddles in Washington, Chicago, New Orleans, and San Francisco, at which machinery for the draft is tested and other plans for M day are considered and revised in light of national and world events.

When President Woodrow Wilson created the Committee on Public Information (C. P. I.) in April of 1917 and named as its chairman his great and good friend, George Creel, no set procedures existed for making the United States believe the Wilson program was worth dying for. But when Creel and the great and near great of the C. P. I. went their ways at the end of World War I they left behind a blueprint which has since intrigued historians and students of public opinion and contributed to the fact that another Creel in another war would find no dearth in coordinating machinery ready to hand in Washington.

None of these structures is more obvious or more nearly in working order than the Selective Service Committee. Its files contain plans for the mobilization of industry, of the legal and medical professions, of public opinion; in case of war, State, country, and local committees could be made ready to carry out these plans almost at once. The committee could probably marshal 800,000 volunteers within 60 days, compared with the 86,000 who volunteered in 1917.

In case of war, three over-all coordinating bodies would take charge—the War Resources Board (industry), the Selective Service Administration (men), and the Public Relations Board. The latter group would mobilize the talent in advertising agencies, radio, magazines, newspapers, motion-picture companies, public-relations firms. And though the committee thus far has been more occupied with building and repairing framework than with copy themes, it has taken account of the fact that the United States is wise to the crucified Belgian babies and skeptical about making the world safe for democracy; the copy that has been considered so far is mostly of the people-won't-like-you variety. Among those currently working with the committee: Carl Byoir, once Creel's associate on the C. P. I.; Homer Buckley, of Buckley Dement & Co.

Do not overlook the fact that this article says that Lt. Col. Carl Byoir is working with the present committee on mobilization plans. I am not sure about the accuracy of this statement but it should be looked into in view of Byoir's known connections with Hitler in the past. He was in active service in November 1939, for 2 weeks.

BYOIR HELPED PREPARE PLANS AFTER LAST WAR

Byoir worked with George Creel in 1917 and 1918 on the Committee on Public Information and doubtless the blueprints that were left behind giving the plans that we should use in the event mobilization should ever again be necessary in this country were partly the result of his efforts.

Therefore when Hitler hired Lieutenant Colonel Byoir in 1933, he hired a man who was in a position to place at his disposal what should have been one of our most closely guarded secrets, and that was our plans in the event of another war based upon our experiences in the past war.

PORTION OF PROOF SUBMITTED

Now Mr. Speaker, I am ready to submit a portion of the proof that will justify the charges I made in my speech on the floor of Congress, May 27.

Because so much additional information is being unearthed almost hourly about Lt. Col. Carl Byoir's activities on behalf of foreign governments, I can bring you only a portion of the evidence at this time.

I stated in my speech on May 27 that Carl Byoir worked with George Sylvester Viereck in propagandizing this country for Hitler. So it is, I tell you something about this man George Sylvester Viereck who was—if not now—a silent partner of Carl Byoir & Associates.

Before the United States entered the World War, Viereck was editor of Fatherland, the leading pro-German publication in this country. When America declared war Viereck's paper was barred from the mails.

In 1918, with the war still in progress, he was investigated by the New York attorney general's office and admitted receiving payments of $100,000 from Count von Bernstorff, German Ambassador to the United States, for disseminating German propaganda.

A FURTHER CHARGE

It was charged by the attorney general that after the American declaration of war had cut off German revenue, Viereck obtained another $100,000 from Americans of German descent to place 4,000 German aliens in positions in American industry. I wonder if they form a part of our present "fifth column."

Viereck admitted that he had sponsored a grandiose scheme to buy control of 30 American newspapers, which were to be controlled by the German Government and used as propaganda vehicles to keep the United States from entering the war on the side of the Allies. He said German agents balked at the necessary outlay of $50,000,000.

BYOIR DENIES HE EVER REPRESENTED HITLER

After my speech on the floor of the House last week, it is my understanding that Carl Byoir was interviewed in New York and gave out the statement that he did not represent Hitler, as alleged by me, and that there was no basis in fact for my charges.

I will quote some of the testimony which was introduced before a Special Committee on Un-American Activities, composed of the Honorable JOHN W. MCCORMACK, chairman; the Honorable SAMUEL DICKSTEIN, vice chairman; the Honorable CARL M. WEIDEMAN; the Honorable CHARLES KRAMER; the Honorable THOMAS JENKINS; the Honorable WILL TAYLOR; and the Honorable U. S. GUYER.

SWORN TESTIMONY SHOWS BYOIR EMPLOYED BY HITLER

The first testimony I quote was given before this committee in New York City, July 10, 1934, by George Sylvester Viereck. It will be noticed in this testimony that the same tactics were used to try to bulldoze and otherwise intimidate the committee that have been used by both Communist and Nazi witnesses before the Dies committee, especially in the case of Fritz Kuhn, the head of the bund, who is now in the New York Penitentiary.

The following testimony is self-explanatory:

TESTIMONY OF GEORGE SYLVESTER VIERECK

Mr. LANGLEY. Mr. Chairman, may I say to the committee that I appear here as counsel for Mr. Viereck and Mr. Schallenberg, who

have been subpenaed here today, and I ask leave of the committee to make a statement before the witnesses are sworn.

The CHAIRMAN. The committee will hear no statement from counsel. The committee will permit counsel to advise his clients as to their constitutional rights, if he believes that their constitutional rights are being affected so far as any question that is asked of his clients is concerned.

Mr. LANGLEY. Mr. Chairman, this has to do with information that has come to my notice which affects a member of the committee and persons attached to the committee. I think you may want to——

The CHAIRMAN. The gentleman will please desist. This committee does not recognize counsel. We will give you the privilege of representing your client; and if any questions are asked which you feel violate the constitutional rights of your client, then you are at liberty to advise your client.

(Thereupon the witness was duly sworn by the chairman.)

Mr. HARDWICK. What is your name?

Mr. VIERECK. Mr. Chairman, may I make a statement before——

The CHAIRMAN. You may make no statement.

Mr. VIERECK. Even if it affects the integrity of a member of your staff?

The CHAIRMAN. There is no statement to be made. Simply answer the questions as they are asked of you. I do not want any arguments, please.

Mr. VIERECK. I do not think there is any court in the world that would be so unfair as not to permit one to make a statement.

The CHAIRMAN. If you are here to try to create a scene——

Mr. VIERECK. No.

Both the lawyer and the witness started out attacking the committee.

Viereck made two trips to Germany in 1933.

Mr. HARDWICK. How often have you gone to Germany since your arrival in this country?

Mr. VIERECK. I make frequent trips to Europe; usually once a year.

Mr. HARDWICK. And to Germany always when you go; is that right?

Mr. VIERECK. I think almost always to Germany, certainly.

Mr. HARDWICK. In the last year (1933) how many trips did you make to Germany?

Mr. VIERECK. I believe, two.

* * * * * * *

Viereck came out for Hitler in speech:

Mr. HARDWICK. Mr. Viereck, did you not make a speech at Madison Square Garden in this city on May 17?

Mr. VIERECK. I did.

Mr. HARDWICK. What line did you take in that speech, what line of argument?

Mr. VIERECK. I made it clear that I was an admirer of Hitler; that I was in sympathy with the new Germany, but that I did not share his anti-Semitic prejudices.

* * * * * * *

VIERECK WAS WITH GERMANY IN LAST WAR

Mr. HARDWICK. What position did you take with reference to the entry of this country into the so-called World War?

Mr. VIERECK. I took the position that it was a great mistake and much to be regretted and largely responsible for the economic collapse of the world.

Mr. HARDWICK. You were quite active in making speeches and sending out literature on that subject?

Mr. VIERECK. I was very active and did everything in my power to prevent that catastrophe.

* * * * * * *

VIERECK OLD FRIEND OF HITLER

Mr. HARDWICK. How long have you known Mr. Hitler—Chancelor Hitler?

Mr. VIERECK. I met him for the first time, I believe, some 8 years ago in Munich when I interviewed him.

Mr. HARDWICK. Have you seen him since then?

Mr. VIERECK. I have seen him; yes. I met him for the last time late in August or in September.

Mr. HARDWICK. Of last year?

Mr. VIERECK. Of 1933.

Do not overlook the fact that Hitler came into power January 30, 1933, and Lieutenant Colonel Byoir obtained a contract from him October 1, 1933.

Mr. HARDWICK. What did you talk to him about in these interviews?

Mr. LANGLEY. That, if I may respectfully suggest, Mr. Chairman, is a matter which I think ought not——

The CHAIRMAN. You have no right to object. The Chair cannot recognize your objection. Mr. Langley, this is not a court. I simply suggest that because I know you will cooperate in every way possible.

Mr. LANGLEY. Yes.

The CHAIRMAN. I know you have respect for our proceedings. That does not mean that you have not, Mr. Viereck.

Mr. Viereck has the right, if he feels that his constitutional rights are being impaired, if he feels that an answer might incriminate him, to confer with you and ask your advice. Then the subcommittee will pass upon the question.

Mr. LANGLEY. Very well, Mr. Chairman.

Mr. HARDWICK. In these last interviews that you had with Mr. Hitler, did you discuss German-American relations with him?

Mr. VIERECK. Yes. Before meeting him I conveyed to him certain ideas suggested to me by the American Ambassador at Berlin.

* * * * * * *

Mr. HARDWICK. Do you know Von Papen?

Mr. VIERECK. Yes.

Mr. HARDWICK. When did you see him last?

Mr. VIERECK. On my last trip to Germany. He is an old friend of mine.

Mr. HARDWICK. Something like 8 or 9 months ago?

Mr. VIERECK. Not quite as long as that.

Mr. HARDWICK. Do you know Goering?

Mr. VIERECK. No; I have not had the pleasure of meeting him.

Mr. HARDWICK. You have not met him at all?

Mr. VIERECK. I have not met him.

Mr. HARDWICK. Did you ever have any contract with the German Government since the Hitler regime came into power?

Mr. VIERECK. No; not to my knowledge.

Mr. HARDWICK. Did you ever have any contract with any industries in Germany since that time?

Mr. VIERECK. Not directly.

VIERECK ADMITS CONTRACT WITH BYOIR

Mr. HARDWICK. Well, you had a contract with Byoir, did you not?

Mr. VIERECK. Yes, sir.

VIERECK SAYS HE PROCURED GERMAN CONTRACT FOR LIEUTENANT COLONEL BYOIR

Mr. HARDWICK. And you went over there and procured him this public-relations counselship, or whatever else you term it?

Mr. VIERECK. I think I was largely instrumental in securing that contract.

Mr. HARDWICK. And he thought so to such an extent that he gave you a liberal cut on his fees, did he not?

Mr. VIERECK. I received an adequate fee; yes.

Mr. HARDWICK. And what does it amount to in money?

Mr. VIERECK. I received, as has been testified by Mr. Dickey, a salary of $1,000 a month and a commission of $750 a month.

LIEUTENANT COLONEL BYOIR FURNISHED VIERECK SECRETARY AND OFFICE

Mr. HARDWICK. Besides that, did you receive any of your office expenses?

Mr. VIERECK. Well, I think they paid for one of my secretaries and they paid for a short time the rent of an office.

Mr. HARDWICK. What did that amount to a month?

Mr. VIERECK. I really do not know.

Mr. HARDWICK. I thought possibly you could estimate it.

Mr. VIERECK. I mean it was a room which was empty and which they placed at my disposal temporarily.

VIERECK ALSO ADVISER OF GERMAN CONSUL SAME TIME HE WAS WORKING FOR LIEUTENANT COLONEL BYOIR

Mr. HARDWICK. You also advised men like your friend Kiep, the German consul here in New York, did you not?

Mr. VIERECK. Yes, sir.

Mr. HARDWICK. What did you advise with him about?

Mr. VIERECK. On the general aspects of public relations. I was considered as an expert in these matters, not only by the Germans but by others.

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VIERECK ALSO PAID BY GERMAN CONSUL

Mr. HARDWICK. Did either one of these consuls ever pay you any money for your expert advice?

Mr. VIERECK. After having——

The CHAIRMAN. The question was, Did either one of them pay you any money?

Mr. VIERECK. Yes.

Mr. HARDWICK. Yes.

Mr. VIERECK. $500 a month or so.

Mr. HARDWICK. Which one of them paid you?

Mr. VIERECK. Dr. Kiep.

Mr. HARDWICK. How long did he keep that up?

Mr. VIERECK. It must have been 4 months or so. It was purely a provisional arrangement. Dr. Kiep found himself in great difficulty——

The CHAIRMAN. You have answered the question. The last part of it will be stricken out.

Mr. HARDWICK. When did this $500-a-month payment from the German consul general in New York begin?

Mr. VIERECK. I do not remember exactly. It probably was in June.

Mr. HARDWICK. June 1933?

Mr. VIERECK. Presumably June.

Mr. HARDWICK. It lasted 4 months or so?

Mr. VIERECK. All in all, 4 months.

Mr. HARDWICK. When did you begin to get this money, $1,750 a month, part of which you say was salary and the other a cut in the form of commission—when did you begin to get that money from Byoir?

Mr. VIERECK. Permit me to say one word. I do not think it is quite fair to ask these questions about Dr. Kiep without permitting me to explain why I received those payments and the circumstances under which they were made.

VIERECK WAS VERY CLOSE TO GERMAN CONSUL

The CHAIRMAN. I think that is a fair position to take.

Mr. HARDWICK. I do not see any objection to it.

The CHAIRMAN. If you desire to state that at this time, I think it is only fair to hear you. As to the value of the evidence, that is something else. But it may be pertinent.

Mr. VIERECK. Well, Dr. Kiep was an old friend of mine. We met many times, at his house and at mine. He saw that I had taken a very strong attitude in defending the new Germany against the flood of abuse.

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LIEUTENANT COLONEL BYOIR'S UNUSUAL CONTRACT FOR 18 MONTHS

Mr. HARDWICK. When did you first begin to get this money on the Byoir contract?

Mr. VIERECK. I think that is a matter of record. I do not remember the exact date. But you have the record, you have the contract.

Mr. HARDWICK. November 23, 1933, is the date. (October 1, 1933, is the correct date.) How long a period does that contract run?

Mr. VIERECK. Eighteen months. It was cancelable by either party on 3 months' notice.

Mr. HARDWICK. Have you had any such notice of cancelation?

Mr. VIERECK. I do not think so.

Mr. HARDWICK. Is Dr. Kiep a man of large personal means?

Mr. VIERECK. I think so.

Mr. HARDWICK. Do you know where he got the $500 a month that he paid you?

Mr. VIERECK. He told me that he secured it from friends in Germany, but I suspect it may have come out of his own pocket.

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VIERECK CLAIMS CONTRACT WITH GERMAN RAILROADS

Mr. HARDWICK. With whom did Byoir and associates make this contract out of which you got $1,750 a month?

Mr. VIERECK. With the German railroad or tourist information office. You have the contract, I believe.

Mr. HARDWICK. Yes. Now, did your function with the parties who made this contract with Byoir at your suggestion include something more than advice about business or trade matters, business or trade advertisements?

Mr. VIERECK. I beg your pardon, Senator, I did not quite catch the last part of your question.

Mr. HARDWICK. Did your contract with Byoir and his associates and did Byoir's contract with the German industry to whom you referred, include something additional or something further than advice about mere trade or business relations?

Mr. LANGLEY. Mr. Chairman, I merely want to suggest——

The CHAIRMAN. I cannot recognize you. Do not misunderstand me, please. It is no discourtesy to you.

Mr. LANGLEY. Not at all. I merely want to suggest that the document is in evidence and it speaks for itself. The witness has been asked to characterize it.

The CHAIRMAN. I did not quite catch the question. Would you mind repeating the question, Senator?

Mr. HARDWICK. I am trying to find out whether under the contract that the witness has with Byoir and associates, and that Byoir and associates had with the German industry, Mr. Viereck was expected to render something much more important than mere advice about trade and business relations.

AFFECTED GERMAN RELATIONS IN GENERAL

Mr. VIERECK. No; naturally, what I did to a certain extent affected German-American relations in general, because trade is naturally affected by these conditions.

Mr. HARDWICK. Did you understand that these reports that you and your associates were rendering to this German industry were being relayed by them to the Government of Germany?

Mr. VIERECK. It would not surprise me in the least if that had been done, but I suggest that you ask the bureau in question.

* * * * * * *

Mr. HARDWICK. Where is Dr. Kiep now?

Mr. VIERECK. Dr. Kiep, so far as I know, is at present in Germany.

Mr. HARDWICK. Paul Schwartz, he, I believe, is the man you said was the acting consul general here——

Mr. VIERECK. At one time; yes.

Mr. HARDWICK. How many times did you consult with him, or did he consult with you?

Mr. VIERECK. That is a question I cannot answer, since I saw him innumerable times, socially and on other occasions.

Mr. HARDWICK. You can approximate it, can you not? I am not trying to get an exact number of the interviews that you had with him, but did you talk with him very frequently?

Mr. VIERECK. Maybe a dozen times, maybe two dozen times.

LIEUTENANT COLONEL BYOIR'S DIFFERENT CONTRACTS

Mr. HARDWICK. That will do. This Byoir contract, the first payment arranged for was $4,000, was it not?

Mr. VIERECK. Yes; I think so.

The CHAIRMAN. That $4,000 was outside of the $6,000 a month; that was another transaction?

Mr. VIERECK. I think it was; yes. It was a previous payment.

The CHAIRMAN. That was in addition?

Mr. VIERECK. Yes.

The CHAIRMAN. That was paid in cash?

Mr. VIERECK. Yes.

Mr. HARDWICK. In other words, besides the $1,750 a month, along in that time, you got $4,000 more?

Mr. VIERECK. I did not get $4,000.

Mr. HARDWICK. You got your cut on it?

Mr. VIERECK. I am not sure of that. I should have, but I am not sure that I did.

Mr. HARDWICK. I guess you would have claimed it if they had not paid it to you?

Mr. VIERECK. I may do so after these proceedings are over.

The CHAIRMAN. In other words, you did not know about that $4,000 until that evidence was brought out in Washington?

Mr. VIERECK. I would not say that; but the matter was rather trifling.

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Mr. HARDWICK. You wrote a couple of bulletins on this subject matter, did you not?

Mr. VIERECK. I did not write any bulletins. I may have helped to edit them.

ONE OF FIRST BULLETINS WAS SPEAKING OF HITLER

Mr. HARDWICK. The first one of these bulletins was the first economic bulletin, was it not?

Mr. VIERECK. No. I think the first bulletins issued were a sheet of press excerpts called Speaking of Hitler.

Mr. HARDWICK. That was the first?

Mr. VIERECK. That, I think, was the first.

Mr. HARDWICK. And the second?

Mr. VIERECK. The second was an economic bulletin; yes, sir.

Mr. HARDWICK. You did edit or help to prepare these two bulletins, did you not?

Mr. VIERECK. Yes, sir.

Mr. HARDWICK. And sent them out in this country?

Mr. VIERECK. Yes, sir.

THOUSANDS OF BULLETINS SENT OUT

Mr. HARDWICK. How many of them went out; do you know?

Mr. VIERECK. I believe between three and five thousand.

Mr. HARDWICK. Of each one?

Mr. VIERECK. I believe so; I did not count them.

Mr. HARDWICK. What kind of service did you give Byoir and associates in connection with this work?

Mr. VIERECK. I should say the sort of service that an important lawyer gives to his clients—advice.

The CHAIRMAN. No. What counsel asks is, "What did you do?"

Mr. VIERECK. I gave them advice. I made suggestions. I interpreted events and personalities for them. I gave them a number of articles which I had prepared myself, including an interview with Dr. Schmidt, the Minister of Economics, and another interview with Dr. Schacht, the president of the Reichsbank.

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VIERECK CONFERS WITH HITLER'S MINISTER OF PROPAGANDA

Mr. HARDWICK. While you were in Germany last year did you get in touch with a man over there named Feltmann?

Mr. VIERECK. Yes.

Mr. HARDWICK. What kind of an office does he hold, if you know?

Mr. VIERECK. As I recall it, I believe he is with the propaganda ministry, and I presume he was a liaison official between that bureau and some industrial interests.

Mr. HARDWICK. How many times did you see him?

Mr. VIERECK. I really cannot tell. I had lunch with him a number of times. I probably saw him at my office. Probably he was at my hotel. I saw innumerable people. The picture constantly changed.

Mr. HARDWICK. Where was your office in Germany?

Mr. VIERECK. I had no office in Germany.

Mr. HARDWICK. You mean that he was at your office in the United States?

Mr. VIERECK. Oh, no. I mean I was at his office.

Mr. HARDWICK. You went to his office?

Mr. VIERECK. Yes; I presume so, once or twice. I may have seen him there. Probably he had lunch with me two or three times, maybe once.

Mr. HARDWICK. Where did you stop in Berlin?

Mr. VIERECK. At the Kaiserhoff.

Mr. HARDWICK. On all these trips to Germany were you in close and constant contact with the foreign officers of that country?

Mr. VIERECK. I beg your pardon.

Mr. HARDWICK. Were you on these several trips to Germany in close and constant contact with the foreign offices, the foreign ministry in Berlin?

Mr. VIERECK. I would hardly say that. I have many friends in the foreign office and I visited them.

The CHAIRMAN. Please answer the question.

Mr. VIERECK. The question is whether I was in constant touch with them. That means that I communicated with them daily, and so forth. I did not. I have friends there whom I visited and with whom I discussed various matters of interest to me.

Mr. HARDWICK. That was in connection with this matter of German-American relations?

Mr. VIERECK. Not only that, but it was in relation to material that I sought for interviews and articles, materials for books, historical and otherwise, on which I was working. But naturally they sought my advice.

Mr. HARDWICK. You did discuss with these German officials German-American relations and policies?

Mr. VIERECK. Undoubtedly. The topic could not be escaped.

LIEUTENANT COLONEL BYOIR PREPARED BOOK TO BUILD UP HITLER IN AMERICA

Mr. HARDWICK. That book or pamphlet speaking about Hitler—who prepared that?

Mr. VIERECK. It was prepared in the offices of Karl Byoir.

Mr. HARDWICK. Did you give it the final finishing touch?

Mr. VIERECK. I was consulted on each issue before it was published. I occasionally gave them contributions, excerpts, which had come to my attention and which I thought should be distributed.

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VIERECK REPRESENTS BOTH LIEUTENANT COLONEL BYOIR AND GERMAN CONSUL

The CHAIRMAN. You said you were not directly connected with or had no direct contract with any German industry. Did you mean by that that you had an indirect contract?

Mr. VIERECK. I had no contract at all. My contract was with Byoir.

The CHAIRMAN. Mr. Byoir had the contract with the German railroads?

Mr. VIERECK. The gentleman's agreement with Kiep.

The CHAIRMAN. What was the gentleman's agreement with Kiep?

Mr. VIERECK. Entirely informal.

The CHAIRMAN. What was the gentleman's agreement with Kiep?

Mr. VIERECK. He took me at a very small monthly retainer for the privilege of consulting him.

The CHAIRMAN. I understand. Of course you did not consider it unusual for a German consul, or the consul of another government, to pay you $500 for advice on internal matters in the United States? Yes or no.

Mr. VIERECK. No.

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VIERECK KNEW BEFORE HE WENT TO GERMANY THAT LIEUTENANT COLONEL BYOIR WOULD TAKE CARE OF HIM IF HE OBTAINED A CONTRACT FOR HIM FROM HITLER

The CHAIRMAN. Did you make your contract with Byoir before the contract was entered into between Byoir and the German railroads?

Mr. VIERECK. I do not think there was any definite agreement.

The CHAIRMAN. We will not call it an "agreement." We will call it anything you want to, an understanding.

Mr. VIERECK. There was probably an informal understanding that if I brought them some business they would take care of me.

The CHAIRMAN. Was there any agreement arrived at as to what manner you would be taken care of in?

Mr. VIERECK. I suppose it was mentioned.

The CHAIRMAN. Yes or no?

Mr. VIERECK. It was informally mentioned that it might be about one-third, or maybe a little less, of the total amount.

The CHAIRMAN. I see. Now you obtained this contract for Byoir?

Mr. VIERECK. I believe so.

VIERECK SAYS HE HELPED SECURE HITLER CONTRACT FOR LIEUTENANT COLONEL BYOIR

The CHAIRMAN. Now, you can answer that yes or no. Did you or did you not obtain the contract for Byoir?

Mr. VIERECK. I think I was helpful in securing it.

The CHAIRMAN. You were the instrumentality through which the contract was obtained?

Mr. VIERECK. One of the instrumentalities; yes, sir.

The CHAIRMAN. What other instrumentalities were there?

Mr. VIERECK. The German Railroad Information Bureau.

The CHAIRMAN. You went to them, did you not?

Mr. VIERECK. They made the contract.

The CHAIRMAN. Before the contract was made, whom did you go to see in connection with it?

Mr. VIERECK. I saw Mr. Schmitz, of the German Information Bureau, certainly.

The CHAIRMAN. Did you take it up in Germany with anybody?

Mr. VIERECK. Hardly on such a definite basis.

The CHAIRMAN. Did you take it up in any case with anyone in Germany?

Mr. VIERECK. I advised all my friends——

The CHAIRMAN. Never mind. As to this particular contract, did you take it up with anybody who was an official of the German railroads?

EVIDENTLY VIERECK HAD ADVISED HITLER THAT HE SHOULD ANSWER WAVE OF PROPAGANDA AGAINST HIM HERE

Mr. VIERECK. I advised all my German friends that it was necessary to do something to counteract this wave of propaganda.

The CHAIRMAN. My question was: As to this particular contract did you take it up with anybody who was an official of the German railroads? That is a very simple question, and it can be answered yes or no.

Mr. VIERECK. I believe it was taken up with some officials of the railroad; yes.

The CHAIRMAN. Wait a minute.

Mr. VIERECK. There was a large group of people with whom it was discussed. I do not remember.

The CHAIRMAN. With whom did you take it up in Germany?

Mr. VIERECK. I believe one of the persons was Mr. Winters, of the German railroads, and Mr. Feltmann, who was already mentioned.

The CHAIRMAN. All right. You mentioned two names. Did you take it up with them personally?

Mr. VIERECK. Yes.

The CHAIRMAN. When you were in Germany?

Mr. VIERECK. Yes.

The CHAIRMAN. And before the contract was made?

Mr. VIERECK. Excuse me. I do not think I took up any general contract.

The CHAIRMAN. You discussed it with them?

Mr. VIERECK. The sensible point was to take some defensive measures.

The CHAIRMAN. You discussed the necessity of employing somebody in the United States?

Mr. VIERECK. Undoubtedly.

The CHAIRMAN. Did that talk in Germany follow the talk which you had with Mr. Schmitz in New York?

Mr. VIERECK. That I really do not remember. I have seen Mr. Schmitz so many times and discussed so many problems with him I cannot remember.

The CHAIRMAN. At any rate, before the contract was consummated, you did discuss it with two of the officials of the German railroads in Germany?

Mr. VIERECK. With innumerable people in Germany.

The CHAIRMAN. You discussed it with at least two officials of the German railroads, Mr. Feltmann——

Mr. VIERECK. Mr. Feltmann is not an official of the German railroad.

The CHAIRMAN. What is the other gentleman's name?

Mr. VIERECK. Mr. Winters.

The CHAIRMAN. Is he an official?

Mr. VIERECK. Right.

The CHAIRMAN. Who is Mr. Feltmann?

Mr. VIERECK. Mr. Feltmann, I understand before——

The CHAIRMAN. What is his connection?

LIEUTENANT COLONEL BYOIR CONTRACT MADE AFTER VIERECK CONFERRED WITH PROPAGANDA MINISTER

Mr. VIERECK. He is a propaganda minister.

The CHAIRMAN. I see.

Mr. VIERECK. I have stated that before.

The CHAIRMAN. And the contract was made afterward?

Mr. VIERECK. The contract was not made——

The CHAIRMAN. My question is simple. The contract was made afterward?

Mr. VIERECK. Yes.

The CHAIRMAN. Now you have had talks with Dr. Schwartz?

Mr. VIERECK. Yes.

The CHAIRMAN. And discussed matters in the United States?

Mr. VIERECK. I have discussed everything under the sun with him.

The CHAIRMAN. You have had talks with Dr. Kiep?

Mr. VIERECK. Yes, sir.

The CHAIRMAN. Did you discuss the same things with Dr. Schwartz as you did with Dr. Kiep?

Mr. VIERECK. I cannot remember that.

The CHAIRMAN. Along the same line?

Mr. VIERECK. I presume so.

The CHAIRMAN. Did you advise Dr. Schwartz the same as you did Dr. Kiep?

Mr. VIERECK. It was hardly quite so formal.

The CHAIRMAN. Along the same lines did you give him the benefit of your knowledge?

Mr. VIERECK. Yes.

The CHAIRMAN. Did he pay you anything?

Mr. VIERECK. No; not so far as I know.

The CHAIRMAN. Not so far as you know?

Mr. VIERECK. I do not think so.

The CHAIRMAN. You do not think so?

Mr. VIERECK. I have no recollection.

The CHAIRMAN. Which is it, that you have no recollection or do not know?

Mr. VIERECK. He did not.

ATTORNEY AGAIN ATTACKS COMMITTEE

Mr. LANGLEY. Why not let him answer, Mr. Chairman? Your attitude is not that so much of a fact-finder as a prosecutor.

The CHAIRMAN. Unless you discontinue, we will have to ask you to step into the audience. You are here as a matter of courtesy, and we are glad to extend every courtesy to you, but we cannot recognize counsel.

Mr. LANGLEY. I suppose the observation I made is unnecessary because it is so obvious.

The CHAIRMAN. Do you know whether or not Dr. Schwartz gave you any money?

Mr. VIERECK. No.

The CHAIRMAN. Did he pay any?

Mr. VIERECK. I do not think he ever paid me a cent.

The CHAIRMAN. You are not quite sure, are you?

Mr. VIERECK. I am quite sure.

The CHAIRMAN. All right. Have you had some talks with the present German consul along the same lines?

Mr. VIERECK. I have discussed many questions with the German consul.

The CHAIRMAN. Along the same lines?

Mr. VIERECK. He is a personal friend of mine.

The CHAIRMAN. I did not ask you whether he was a personal friend of yours. I just simply asked, "Did you discuss the question with the present German consul?" Yes or no?

Mr. VIERECK. You are trying to establish——

The CHAIRMAN. Pardon me. Did you discuss with the present German consul questions along the same lines that you discussed with Dr. Kelp and Dr. Schwartz.

Mr. VIERECK. Casually.

The CHAIRMAN. And substantially along the same lines?

Mr. VIERECK. I would not say that; no.

The CHAIRMAN. Well, you discussed internal questions here, did you, internal problems?

Mr. VIERECK. As any person with common sense would do——

The CHAIRMAN. I am not doubting that.

Mr. VIERECK. I discussed the events of the day.

The CHAIRMAN. And that is what you discussed with Dr. Kiep?

Mr. VIERECK. Yes.

The CHAIRMAN. Has the present German consul paid you any money for those discussions?

Mr. VIERECK. No, sir.

The CHAIRMAN. You say the purpose of this contract was to increase travel to Germany?

Mr. VIERECK. Yes; and to encourage trade relations.

The CHAIRMAN. And to encourage trade relations?

Mr. VIERECK. Yes.

"SPEAKING OF HITLER" PAMPHLET TO ENCOURAGE TRAVEL

The CHAIRMAN. Do you consider the articles speaking of Hitler as coming within the purview of the contract? Yes or no?

Mr. VIERECK. Yes.

NO OTHER SIMILAR CONTRACTS

The CHAIRMAN. All right. Are there any other contracts along the same lines with German firms and with any individual or firm in the United States that you have consummated for anyone else?

Mr. VIERECK. No.

The CHAIRMAN. In your testimony taken in executive session you said that—

"After he discussed the contract with officials in Europe he notified Schmitz in New York their views, and then the deal was consummated."

* * * * * * * *

The CHAIRMAN. In your statement at the Madison Square Garden you said:

"I was a friend of monarchist Germany, I was a friend of republican Germany, and I am now a friend of Hitler Germany."

That is true, is it not?

Mr. VIERECK. Yes.

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BIG PAY FOR LITTLE WORK

The CHAIRMAN. Any questions, Mr. DICKSTEIN?

Mr. DICKSTEIN. Just a few.

The German railways in the United States had been long established before the Hitler government came into power in this country?

Mr. VIERECK. I think so; yes, sir.

Mr. DICKSTEIN. For that contractual payment of $108,000, what did Byoir do outside of sending out 3,000 sheets of literature known as Economics? Is that the correct name?

Mr. VIERECK. He sent out the Economics Book; he sent out 900 of Hitler; and he advised on various campaigns—advertising, publicity, and so forth.

Mr. DICKSTEIN. And the names to whom it was sent were newspapers in the United States?

Mr. VIERECK. I presume newspapers—maybe chambers of commerce, maybe prospective travelers. I do not know how the list was built up.

Mr. DICKSTEIN. If I told you that they were sent out to newspapers in the United States and to a certain number of chambers of commerce, that is correct?

Mr. VIERECK. I think so. It should have been sent to Members of Congress.

Mr. DICKSTEIN. These names could have been obtained by the German Railways in the United States, could they not?

Mr. VIERECK. I do not know.

Mr. DICKSTEIN. Byoir & Associates were not the exclusive owners of the names of the newspapers in the United States, were they?

Mr. VIERECK. No; but they were the owners of rather specialized lists.

Mr. DICKSTEIN. But you and I could obtain the names of those to whom this literature was sent, for which they contracted with the German Railways for $108,000?

Mr. VIERECK. You can get law from the lawbooks, and yet you used Mr. Wickersham, Mr. Untermeyer, and Mr. Dickstein. You go to experts.

Mr. DICKSTEIN. What I am asking you, Mr. Viereck, is this—those names were not exclusively owned by Byoir & Associates?

Mr. VIERECK. I suggest you address that question to Mr. Dickey or Mr. Byoir.

Mr. DICKSTEIN. I am asking the question, if these names were exclusive, if you know, Mr. Viereck?

The CHAIRMAN. If you know.

GERMAN RAILROADS CONTROLLED BY GERMAN GOVERNMENT

Mr. VIERECK. I was told they were very carefully selected and important names. How exclusive they are I do not know.

Mr. DICKSTEIN. Who is Mr. Funk?

Mr. VIERECK. Funk is one of the secretaries of the Minister of Propaganda.

Mr. DICKSTEIN. Minister of Propaganda in Germany?

Mr. VIERECK. Yes, sir.

Mr. DICKSTEIN. Funk approved this contract between Byoir and Associates and the German railway?

Mr. VIERECK. I presume he must have approved it, certainly, or it could not have been made.

Mr. DICKSTEIN. Because the German railways are under the control of the German Government?

Mr. VIERECK. Everything in Germany is under the control of the German Government. You cannot send out 50 marks without the consent of the Government; therefore you cannot do anything without the consent of the German Government.

Mr. DICKSTEIN. Was Funk present when you had the conversation with Mr. Feltmann?

Mr. VIERECK. I saw Funk once or twice.

Mr. DICKSTEIN. Was he present at the time of the negotiations of this Byoir contract?

Mr. VIERECK. I really do not remember.

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AFTER LIEUTENANT COLONEL BYOIR GETS CONTRACT GERMAN PROPAGANDA COMMENCES TO FLOOD THE COUNTRY

After Lt. Col. Carl Byoir commenced to represent Hitler German Nazi propaganda commenced to flood this country. Much of it was seized at the ports in New York.

The following testimony, taken by the same special committee of the House July 10, 1934, in New York City, is self-explanatory:

Samuel Schermer testifies that he is a United States customs guard; that he has been in the service 25 years; that since January of 1933 he has worked along the piers of the North German Lloyd or the Hamburg-American Lines, and has worked exclusively on those piers; that he has found contrabands on German boats. Contraband was found on a boat October 5, 1933. It was smuggled propaganda. Also, on October 25, 1933—

* * * * * * * *

Mr. DICKSTEIN. Is that the gentleman that is the Nazi leader on that particular boat?

Mr. SCHERMER. He is the propagandist on that ship.

Mr. DICKSTEIN. Propagandist on that ship?

Mr. SCHERMER. Yes, sir.

Mr. DICKSTEIN. Have they a propagandist or a Nazi leader on all of the German boats that enter the ports of the United States?

Mr. SCHERMER. To my knowledge they have.

* * * * * * * *

Mr. DICKSTEIN. In contacting this last gentleman, did you have any talk with him?

Mr. SCHERMER. Yes, sir; I did.

Mr. DICKSTEIN. What was the conversation, if any?

Mr. SCHERMER. I asked him what those papers referred to, and he stated they referred to the labor situation in Germany.

Mr. DICKSTEIN. Did he have his photograph identifying him as the official leader of that boat?

Mr. SCHERMER. Yes, sir.

Mr. DICKSTEIN. You seized that?

Mr. SCHERMER. I seized that, also.

Mr. DICKSTEIN. Did he also have a speech that he delivers to the seamen on board a boat?

Mr. SCHERMER. Yes, sir.

Mr. DICKSTEIN. Daily?

Mr. SCHERMER. Yes; he had that.

Mr. DICKSTEIN. You seized that?

Mr. SCHERMER. He had that on his person.

Mr. DICKSTEIN. You seized other propaganda along the same lines?

Mr. SCHERMER. Yes, sir.

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NEVER HAD THIS TROUBLE BEFORE LIEUTENANT COLONEL BYOIR EMPLOYED BY HITLER

The CHAIRMAN. Did you ever have any of these troubles before January 1933 on propaganda?

Mr. SCHERMER. No.

The CHAIRMAN. It was since January 1933 that you have had these troubles with reference to propaganda?

Mr. SCHERMER. My seizures were made commencing about September or October.

Mr. DICKSTEIN. Of last year?

Mr SCHERMER Of 1933.

Mr. DICKSTEIN. But you never had any——

Mr. SCHERMER. Not prior to that.

The CHAIRMAN. No trouble with propaganda attempting to get it into this country?

Mr SCHERMER No.

The CHAIRMAN. Is there any doubt in your mind but that what you seized was intended as propaganda?

Mr. SCHERMER. Oh, I have no doubt whatever, because some——

The CHAIRMAN. Your expression of opinion is based on your many years as inspector in the Customs Service of the Federal Government?

Mr. SCHERMER. Not only that; I have had individual members tell me that there was propaganda coming into this country. I knew these people.

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PEOPLE WERE ALLOWED TO GO AND COME AT WILL ON GERMAN BOATS

Mr. DICKSTEIN. When you talk about individual members you talk about men on the German boats?

Mr. SCHERMER. German.

Mr. DICKSTEIN. German seamen?

Mr. SCHERMER. Yes; who were employed on the boats.

Mr. DICKSTEIN. What check-up has this Government when the boat lands—under the LaFollette law they have a right to take shore leave?

Mr. SCHERMER. Yes.

Mr. DICKSTEIN. Is there any system as to how we check them out?

Mr. SCHERMER. None whatever.

Mr. DICKSTEIN. And there is no system as to how we check them in, so that there could be some exchanges of people coming in and people going out, different people?

Mr. SCHERMER. Absolutely. Each member of a ship's crew has a ship's pass, which he is supposed to show to the quartermaster, the master at arms, rather, on board, before going ashore. He is supposed to show that same pass in returning. But the pass then is supposed to be shown to the gateman on duty at the pier—the company's watchman.

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ANOTHER WITNESS SEIZES GERMAN PROPAGANDA

(The witness was duly sworn.)

Mr. DICKSTEIN. Please give your name and address.

Mr. HAUPERT. John Haupert, 3150 Forty-fourth Street, Long Island City.

Mr. DICKSTEIN. What is your business or occupation?

Mr. HAUPERT. United States customs guard.

Mr. DICKSTEIN. How long have you been in the customs?

Mr. HAUPERT. In the Enforcement Bureau 12 years—in the customs office.

Mr. DICKSTEIN. What are your duties?

Mr. HAUPERT. To search all incoming vessels.

Mr. DICKSTEIN. Did you make a search of incoming vessels for the past year?

Mr. HAUPERT. Yes.

Mr. DICKSTEIN. Particularly of the Hamburg-American Line and North German Lloyd?

Mr. HAUPERT. Yes, sir.

Mr. DICKSTEIN. Did you personally make any seizures of any kind? If you did, when was the first seizure you made?

Mr. HAUPERT. The first seizure of propaganda was on the steamship *Estes*, February 6, 1934, 86, North River, Hamburg-American Line.

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ANOTHER IMPORTANT WITNESS TESTIFIES SAME DAY

(The witness was duly sworn by the chairman.)

(Mr. George J. Langley, attorney for Mr. Schmitz, was present.)

The CHAIRMAN. Your full name is what, Mr. Schmitz?

Mr. SCHMITZ. Ernest.

The CHAIRMAN. Where do you live?

Mr. SCHMITZ. New York.

The CHAIRMAN. What place in New York?

Mr. SCHMITZ. 665 Fifth Avenue.

The CHAIRMAN. What is your business?

Mr. SCHMITZ. I am representing the German Tourist Information Office.

The CHAIRMAN. And you are the United States representative?

Mr. SCHMITZ. Yes, sir.

The CHAIRMAN. Their place of business is where?

Mr. SCHMITZ. 665 Fifth Avenue.

The CHAIRMAN. You are a German citizen?

Mr. SCHMITZ. I am.

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LIEUTENANT COLONEL BYOIR CONTRACT

The CHAIRMAN. A contract was made between your company and the Byoir Co., some time ago, was it not?

Mr. SCHMITZ. Yes.

The CHAIRMAN. When was it made?

Mr. SCHMITZ Some time late last year.

The CHAIRMAN. And that contract called for the payment of how much each month?

Mr. SCHMITZ. Six thousand dollars per month.

The CHAIRMAN. For how long a period was that to run, Mr. Schmitz?

Mr. SCHMITZ. The contract runs for 18 months, but can be canceled upon 3 months' notice.

The CHAIRMAN. Who negotiated that contract for the Byoir Co.?

Mr. SCHMITZ. Mr. Dickey.

The CHAIRMAN. With whom did he negotiate it?

Mr. SCHMITZ. With me.

The CHAIRMAN. Did anybody else talk to you about it?

Mr. SCHMITZ. I think Mr. Byoir came in, and Viereck came in, and various other members of the firm of Carl Byoir & Associates.

The CHAIRMAN. Had you had any contractual relationship with Byoir prior to that?

Mr. SCHMITZ. Yes; we did.

The CHAIRMAN. Did you have contractual relationship with them at the time you entered into this contract?

Mr. SCHMITZ. No, sir; we did not.

THEY REFUSED TO USE LIEUTENANT COLONEL BYOIR UNTIL HITLER CAME INTO POWER

The CHAIRMAN. When prior to that did you have any contractual relations with them?

Mr. SCHMITZ. Contractual relations? We have been approached by them as long ago as 1931 to give them some business.

The CHAIRMAN. Had you given them any?

Mr. SCHMITZ. No; we did not.

The CHAIRMAN. Before 1931 did they ever represent you in any way?

Mr. SCHMITZ. They did not; no, sir.

The CHAIRMAN. So that outside of this particular contract you never had any business dealings with them?

Mr. SCHMITZ. No, sir.

The CHAIRMAN. A moment ago you said you did, but you misunderstood the question, I assume.

Mr. SCHMITZ. Exactly; yes, sir.

The CHAIRMAN. Who first approached you, Mr. Byoir, Mr. Dickey, or Mr. Viereck, in connection with this?

Mr. SCHMITZ. Mr. Dickey did.

The CHAIRMAN. Now, did you receive instructions from the home office in Germany in connection with this contract?

Mr. SCHMITZ. None whatsoever.

The CHAIRMAN. Did you submit it to them for their consideration?

Mr. SCHMITZ. I did; yes, sir.

The CHAIRMAN. Before the contract was entered into?

Mr. SCHMITZ. After it was entered into.

The CHAIRMAN. After it was entered into?

Mr. SCHMITZ. Yes, sir.

VIERECK HAD DISCUSSED CONTRACT IN GERMANY

The CHAIRMAN. Did you know that Mr. Viereck had discussed it when he was in Germany?

Mr. SCHMITZ. He told me so; yes, sir.

The CHAIRMAN. Did you know it from officials of your company in Germany?

Mr. SCHMITZ. I do not recall.

The CHAIRMAN. What was the purpose for which this contract was entered into?

Mr. SCHMITZ. To assist us in our promotion work.

The CHAIRMAN. Had you had any contracts prior to that time with any other firm, without mentioning them, in connection with promotion work?

Mr. SCHMITZ. Yes.

The CHAIRMAN. How long ago?

Mr. SCHMITZ. During the entire existence of our organization, at certain times.

The CHAIRMAN. Did you have one in 1932?

Mr. SCHMITZ. We did not.

The CHAIRMAN. Did you have one in 1931?

Mr. SCHMITZ. I really do not recall, but we did employ from time to time publicity firms for certain jobs, such as distribution of literature, and so forth.

The CHAIRMAN. That is only for a limited purpose?

Mr. SCHMITZ. Yes.

The CHAIRMAN. Not on an 18-month or a yearly contract?

Mr. SCHMITZ. No, sir.

LIEUTENANT COLONEL BYOIR CONTRACT VERY UNUSUAL

The CHAIRMAN. So that it is fair to say that outside of the employment of firms for a particular purpose that this is the first contract that your company made with anybody running for a permanent period of time?

Mr. SCHMITZ. It is quite fair; yes, sir.

The CHAIRMAN. Did you ever pay any firm as high as $6,000 a month?

Mr. SCHMITZ. No, sir.

The CHAIRMAN. Now they were to promote—will you repeat again what the purposes of the contract were?

Mr. SCHMITZ. To assist us in our travel-promotion work.

The CHAIRMAN. To assist you in what?

Mr. SCHMITZ. In our travel-promotion work.

The CHAIRMAN. In promotion work?

Mr. SCHMITZ. Travel-promotion work.

The CHAIRMAN. Travel-promotion work. What, in connection with travel-promotion work, has been done by this firm?

LIEUTENANT COLONEL BYOIR ESTABLISHED BERLIN OFFICE

Mr. SCHMITZ. Their first job was to send a man to Berlin, Mr. Hamlin, to establish an office in Berlin and have prepared material for our purposes. In addition to that, the firm of Carl Byoir & Associates issued for us a bulletin containing travel information and general trade information. They also advised us on various questions that came up from time to time, the publication of folders, the contents of folders, the advertising business that we carry on, and various different questions that came up as the situation required.

The CHAIRMAN. Now, outside of this bulletin which you say was published, have they prepared any other bulletins for your company?

Mr. SCHMITZ. They have not.

The CHAIRMAN. Have you a copy of this bulletin which you say he prepared?

Mr. SCHMITZ. I have it in my office; yes.

The CHAIRMAN. Was it a part of the terms of the contract that Mr. Viereck was to get $1,000 a month?

Mr. SCHMITZ. I did not know of that.

The CHAIRMAN. Did you know that he was to get 15 percent of the remaining $5,000?

Mr. SCHMITZ. I heard that through the investigation of your committee, Mr. Chairman.

The CHAIRMAN. Is that the first time you knew anything of that, as a result of this investigation?

Mr. SCHMITZ. Exactly; yes.

WITNESS THOUGHT VIERECK EMPLOYEE OF LIEUTENANT COLONEL BYOIR

The CHAIRMAN. Did Mr. Viereck ever advise you; your company?

Mr. SCHMITZ. He did indirectly, by advising Carl Byoir & Associates.

The CHAIRMAN. Did you know that at the time when he was doing that?

Mr. SCHMITZ. Yes; I considered him an employee of Carl Byoir & Associates.

The CHAIRMAN. Even before you knew what compensation he was receiving?

Mr. SCHMITZ. Yes; exactly. I took it for granted he would get a compensation from that firm.

The CHAIRMAN. Is there a Mr. Funk connected with your company?

Mr. SCHMITZ. Mr. Funk?

The CHAIRMAN. Yes.

Mr. SCHMITZ. We have no person by that name in our organization.

The CHAIRMAN. Is he connected with the National Socialist Party in Germany; in the press-relations department or division?

Mr. LANGLEY. If you know.

Mr. SCHMITZ. I think there is a gentleman by that name connected with the ministry of propaganda.

The CHAIRMAN. At any rate, a contract was made for $6,000 a month to run for a period of 18 months with this concern?

Mr. SCHMITZ. Yes.

The CHAIRMAN. Such a contract was never entered into before?

Mr. SCHMITZ. No.

The CHAIRMAN. And the only employment prior to this one of persons for advice, travel advice, was for a limited purpose?

Mr. SCHMITZ. Exactly.

The CHAIRMAN. And when that was accomplished they received their compensation?

Mr. SCHMITZ Yes; which will be the same with this concern, too.

The CHAIRMAN. What did you say, Mr. Schmitz?

Mr. SCHMITZ. I say, when the firm of Carl Byoir & Associates have accomplished their work they will be paid off and that is the end of it.

LIEUTENANT COLONEL BYOIR'S PARTNER SAYS THEY SENT OUT GERMAN MATERIAL

The CHAIRMAN. Mr. Dickey in testifying was asked this question in connection with what he did for the $6,000 a month [reading]:

"Mr. HARDWICK. Now, besides private individuals who thought the business might be affected by the situation, did you confer with any public officials in Germany?

"Mr. DICKEY. I sent out some material for the consul general in New York; yes, sir.

"Mr. HARDWICK. The consul general in New York. What consul general in New York did you send out the material for?

"Mr. DICKEY. Dr. Kiep."

Did you authorize that?

Mr. SCHMITZ. I certainly did not.

The CHAIRMAN. Did you know that that had been done?

Mr. SCHMITZ. I did not. I have no knowledge of any dealings that Mr. Dickey had with any consul or other representative of my Government here.

DICKEY WAS ONE OF LIEUTENANT COLONEL BYOIR'S ACKNOWLEDGED PARTNERS

The CHAIRMAN. Were you ever at the German consul's office with Mr. Dickey and with other members of the German Board of Trade?

Mr. SCHMITZ. I do not know whether we have been at the German consul's office, but I have been together with these men quite frequently.

The CHAIRMAN. With Mr. Dickey, in discussing matters?

Mr. SCHMITZ. Yes; with Mr. Dickey.

The CHAIRMAN. Was Mr. Dickey there as a result of this contract?

Mr. SCHMITZ. I think he was; yes.

The CHAIRMAN. Would you want to explain why you were there, or why Mr. Dickey was there in connection with this contract, that is, at the German consul's office, if this was a matter to promote travel?

Mr. SCHMITZ. I do not quite understand that question, Mr. Chairman.

The CHAIRMAN. You have testified that you were at the German consul's office, either on one occasion—were you there on one occasion or more than one occasion with Mr. Dickey?

Mr. SCHMITZ. Perhaps you have misunderstood me.

The CHAIRMAN. I want to clarify that.

THE GERMAN-AMERICAN BOARD OF TRADE HAS CONTINUED TO BE A PROPAGANDA AGENCY AND HAS THE SAME NEW YORK ADDRESS AS LT. COL. CARL BYOIR AND ASSOCIATES

Mr. SCHMITZ. I said we have met quite frequently, either at the German-American Board of Trade or at lunch; not only the consul general but Mr. Dickey and other representatives of various——

The CHAIRMAN. Were you ever at the consul general's offices with Mr. Dickey?

Mr. SCHMITZ. I think I have seen him once at the consul general's office, but we were not there for any purpose of any discussion.

The CHAIRMAN. It was just accidental?

Mr. SCHMITZ. Perhaps so. So far as I can remember.

The CHAIRMAN. Were you ever there as a result of a prearrangement?

Mr. SCHMITZ. No.

The CHAIRMAN. In connection with this contract?

Mr. SCHMITZ. No, sir.

The CHAIRMAN. Now, was that contract reduced to writing?

Mr. SCHMITZ. It was; yes. I have a copy here.

The CHAIRMAN. We have it in evidence. This bulletin which was issued. At the head of it, "Sponsored by the Committee for Better Trade Relations with Germany." Is that correct?

Mr. SCHMITZ. That is correct.

The CHAIRMAN. Who was that committee?

Mr. SCHMITZ. Myself and the representative of the Leipzig Trade Fair——

The CHAIRMAN. What does that concern do?

Mr. SCHMITZ. Which is an industrial enterprise to arrange large trade fairs in the fall and the springtime in Leipzig, Germany; and two heads of the German steamship line.

The CHAIRMAN. The German Tourists' Information Office is your office?

Mr. SCHMITZ. Yes, sir.

The CHAIRMAN. And the Leipzig Trade Fair?

Mr. SCHMITZ. And the Leipzig Trade Fair.

The CHAIRMAN. And the steamship companies?

Mr. SCHMITZ. The two German steamship lines and the secretary of the German-American Board of Trade.

The CHAIRMAN. Has any other company contributed to this monthly compensation of the Byoir Co.?

Mr. SCHMITZ. No, sir.

The CHAIRMAN. The steamship companies are not contributing, are they?

Mr. SCHMITZ. Not a penny.

The CHAIRMAN. And the Leipzig Fair?

Mr. SCHMITZ. Not one cent.

The CHAIRMAN. Do you know how many copies of the German-American Economic Bulletin were printed?

Mr. SCHMITZ. Mr. Dickey told me approximately 3,000.

The CHAIRMAN. His testimony here is, I think, around 5,000, but he told you, as you remember, about 3,000?

Mr. SCHMITZ. About 3,000.

The CHAIRMAN. It is really immaterial. Outside of that, there has been absolutely nothing else, so far as preparing written matter and sending it out is concerned, by the Byoir Co.?

Mr. SCHMITZ. Not under our contract.

The CHAIRMAN. You said that he has advised you on various questions?

Mr. SCHMITZ. Yes, sir.

The CHAIRMAN. What questions?

Mr. SCHMITZ. Promotion of the Oberammergau Passion Play, for instance.

The CHAIRMAN. What else?

Mr. SCHMITZ. Many things which came along regularly.

The CHAIRMAN. That is true.

Mr. SCHMITZ. Whether now is the appropriate time to advertise, or should we wait 2 weeks, or subjects of that kind, where an organization like ours needs the expert advice of a public-relations counsel.

The CHAIRMAN. And you were paying $6,000 a month for that advice?

Mr. SCHMITZ. Exactly.

The CHAIRMAN. Were there any other questions on which he advised you?

SAMPLES MADE UP IN BERLIN OFFICE

Mr. SCHMITZ. For instance, he would submit his opinion on the way we arranged booklets, how to get them out. This thing, for instance [producing booklet] there is the booklet. Here is his opinion on it [producing paper].

The CHAIRMAN. Did he prepare that?

Mr. SCHMITZ. He did not prepare that; no. That was sent over from the other side as a sample to be checked up here to see if it was suitable for use in this country.

The CHAIRMAN. Was not that his duty to prepare data of that kind?

Mr. SCHMITZ. Yes.

The CHAIRMAN. But this was not prepared by him?

Mr. SCHMITZ. No; it was a sample which was made up on the other side.

* * * * * * *

The CHAIRMAN. Did you not know who the owners of the paper were?

Mr. SCHMITZ. I was told—I investigated that question quite frequently, and particularly to make sure that certain organizations in New York were not involved in that particular paper.

The CHAIRMAN. What organizations?

Mr. SCHMITZ. Well, the Friends of New Germany.

The CHAIRMAN. Were they interested in the paper?

Mr. SCHMITZ. Evidently they were very much interested in the paper. So at one time—I do not know whether this thing has a

date; 17th of January—the present owner of the paper was asked by me to submit a correct statement as to the ownership of the paper. Here is the statement.

The CHAIRMAN. Prior to that—I was coming to that—prior to that Mr. Haag had sent you a letter notifying you of his intention to dispose of the paper, had he not?

Mr. SCHMITZ. I think he notified me at various times of intentions to change the ownership of the paper.

The CHAIRMAN. I will show you this, Mr. Schmitz [handing a paper to the witness].

Mr. SCHMITZ. Yes; that is right.

The CHAIRMAN. You received a letter from Mr. Haag, of which this is a duplicate original, in which he notifies you of his intention to dispose of the paper. That is true, is it not?

Mr. SCHMITZ. I received that letter; yes.

The CHAIRMAN. The substance is that he is notifying you that he intends to dispose of the paper if he can.

Mr. SCHMITZ. Mr. Chairman, I really was not interested in Mr. Haag's business.

The CHAIRMAN. I am not asking that. The substance of that letter is that he intends to dispose of the paper if he can, is that not so?

Mr. SCHMITZ. I interpreted this letter as meaning that they were reorganizing the ownership of the paper. As a result of that letter I insisted on having made the new ownership clear to me. Then a few days later this statement which I gave you before came along.

The CHAIRMAN. You were interested in finding out what the policy of the paper was, were you not?

Mr. SCHMITZ. I was; yes.

The CHAIRMAN. Did you want to find out whether or not the paper's policy was satisfactory to the friends of new Germany?

Mr. SCHMITZ. That did not interest me.

The CHAIRMAN. What did you want to find out? What was your curiosity?

Mr. SCHMITZ. Whether the paper's policy suited our own policies.

The CHAIRMAN. And they gave you a statement under oath or with a seal? That is true, is it not?

Mr. SCHMITZ. That is the statement; yes, sir.

The CHAIRMAN. And it is under oath also; under oath, is it not (handing the document to the witness)?

Mr. SCHMITZ. Yes.

The CHAIRMAN. That is signed by Carl S. Voelcker and William Lyon McLaughlin. It is true, is it not?

Mr. SCHMITZ. I think so.

The CHAIRMAN. This reads: "We, the undersigned, Carl S. Voelcker, president, and William Lyon McLaughlin, secretary, respectively, of the D. Z. Publishing Corporation, do hereby certify that the following is a true and complete copy of a resolution adopted at a meeting of the board of directors of said corporation, duly called and held at the office of Messrs. Regan & Barrett, attorneys for the corporation," and then gives the address, and so forth.

In that it states how it acquired the assets and good will of the Efdende Publishing Co. That is in the second "whereas" there. The third one, that is now publishing the paper as a successor of Das Neue Deutschland.

The fourth one—

"And whereas the Bund Freunde Des Neuen Deutschland has heretofore used the said Das Neue Deutschland and the Deutsche Zeitung as the official organs of said organization."

Then, over on the second page:

"Now, therefore, be it unanimously resolved that the editorial policy to be followed by the D. Z. Publishing Corporation in the conduct of the said Deutsche Zeitung shall be formulated in such manner as shall be acceptable to the said Bund Freunde des Neuen Deutschland."

That is in the German language, is it not? In English, "Friends of New Germany"—

"And to that end the said corporation heartily solicits the cooperation of the Bund Freunde des Neuen Deutschland in the selection and maintenance of the editorial staff of the Deutsche Zeitung."

That is true, is it not?

Mr. SCHMITZ. According to this paper.

The CHAIRMAN. One of the purposes of this newspaper was that the editorial policies to be followed by the D. Z. Publishing Corporation in the conduct of its business should be formulated in such a manner as to be acceptable to the Friends of New Germany. That is true, is it not?

Mr. SCHMITZ. That is what the statement says.

The CHAIRMAN. That is what the statement says?

Mr. SCHMITZ. Right.

The CHAIRMAN. And further down—

"And it is further resolved, that insofar as the financial policy of the said D. Z. Publishing Corporation is concerned, it shall be its avowed purpose to devote all profits remaining after the payment of expenses and the setting aside of proper reserves to the improvement of the quality of its publications."

It says that there, does it not?

Mr. SCHMITZ. Yes.

The CHAIRMAN. What has that to do with the Travel Bureau?

Mr. SCHMITZ. I am not interested in these things, and we were never interested in these things at the time. But, Mr. Chairman, the one paragraph in here, the one I demanded of the publisher of the Deutsche Zeitung, evidently you overlooked to read this paragraph.

The CHAIRMAN. No, no; which paragraph is it?

Mr. SCHMITZ. "And it is further resolved"—

The CHAIRMAN. Which one is it?

Mr. SCHMITZ. The third to the last. That is the thing I wanted to know.

The CHAIRMAN. All right. I will read it. Is there any other part now?

NO LANDLORD EVER RENTED A HOUSE FOR GAMBLING PURPOSES THAT HE DID NOT SPECIFY IN THE LEASE THAT THE HOUSE MUST NOT BE USED FOR GAMBLING PURPOSES

Mr. SCHMITZ. The other parts never interested me.

The CHAIRMAN [reading]:

"And it is further resolved that with respect to American affairs, the Deutsche Zeitung, through its editorial staff, shall not become involved in partisan party politics, but at all times shall be devoted, among other things, to upholding the Constitution of the United States, and of the State of New York, and to promoting a better understanding, and to building up greater good will between the United States and Germany, and to opposing all movements of any nature that aim to destroy the existing good relations between the said countries, and to promoting trade and travel relations between the said countries."

Mr. SCHMITZ. That was the only paragraph that interested me.

The CHAIRMAN. All right. But you noticed these other paragraphs?

Mr. SCHMITZ. I hardly paid any attention to it.

The CHAIRMAN. I know; but you read it?

Mr. SCHMITZ. I do not even recall that I read that, Mr. Chairman.

The CHAIRMAN. You read that paragraph?

Mr. SCHMITZ. Just the one paragraph I was interested in, because that paper had been criticized not only here but also abroad, in my own country.

The CHAIRMAN. Has it changed its policy?

Mr. SCHMITZ. I think it has; yes.

The CHAIRMAN. Wherein has it changed its policy?

Mr. SCHMITZ. I think the tone of the paper now is more conservative than it has been before.

The CHAIRMAN. Do you consider the policy of the Nazi movement in this country and the Friends of New Germany conducive to better trade relations?

Mr. SCHMITZ. I do not.

The CHAIRMAN. Has not the paper substantially the same editorial and news policy that it had before you made this request?

Mr. SCHMITZ. I said once before I think it has toned it down quite a bit.

The CHAIRMAN. It has substantially the same editorial and news policy, has it not?

Mr. SCHMITZ. Perhaps it serves the same class of people that would like to read such a kind of paper.

The CHAIRMAN. It makes the same kind of a policy, does it not?

Mr. LANGLEY. If you know.

Mr. SCHMITZ. I really do not know. I hardly see the paper, Mr. Chairman.

The CHAIRMAN. Of course, you cannot answer it if you hardly see the paper; do you know of your own knowledge whether or not the news and editorial policy of this paper has changed since this document was made up?

Mr. SCHMITZ. I think it has; yes.

The CHAIRMAN. Have you read the paper to determine that purpose?

Mr. SCHMITZ. Once in awhile.

The CHAIRMAN. You say that the policies of the Friends of New Germany are not conducive to better travel conditions? That is true, is it not, to the promotion of travel?

Mr. SCHMITZ. Well, it all depends. Among their own circles, of course, they form quite a clientele for us.

The CHAIRMAN. But do you consider that the attempt to promulgate in this country the principles of the National Socialist Party are conducive to the welfare of this country?

Mr. SCHMITZ. I do not think so.

The CHAIRMAN. And the Friends of New Germany advocate that, do they not?

Mr. SCHMITZ. I do not know.

The CHAIRMAN. If they do, then you think it is not conducive to the best interests of this country?

Mr. SCHMITZ. I did not understand that question quite right.

The CHAIRMAN. If the Friends of New Germany are trying to promulgate in this country the principles of national socialism as they exist in Germany, or were attempted in Germany, or as believed by the National Socialist Party—put it that way—do you believe that that is conducive to the best interests of this country?

Mr. LANGLEY. Mr. Chairman, may I suggest——

Mr. SCHMITZ. I think that is an academic question which I cannot answer.

The CHAIRMAN. You have an opinion, have you not?

Mr. SCHMITZ. The National Socialism has not interfered with travel in Germany.

WOULD NOT SAY HE WAS INTERESTED IN UPHOLDING CONSTITUTION OF UNITED STATES

The CHAIRMAN. You stated you were interested in this paper that you say here shall be devoted, among other things, to upholding the Constitution of the United States.

Mr. SCHMITZ. I did not say that.

The CHAIRMAN. You said that was what you were interested in.

Mr. SCHMITZ. I was only interested in a moderate policy of that newspaper—a newspaper policy.

The CHAIRMAN. You specifically called my attention to this paragraph, and said you were interested in that. That was what you wanted.

Mr. SCHMITZ. Exactly; yes.

The CHAIRMAN. That paragraph says:

"Through its editorial staff, shall not become involved in partisan party politics, but at all times it shall be devoted, among other things, to upholding the Constitution of the United States and the State of New York."

Mr. SCHMITZ. Surely.

The CHAIRMAN. You were interested in that?

Mr. SCHMITZ. There was a statement submitted to us by the publishers of the paper at that time.

The CHAIRMAN. That is what you were interested in having this paper do?

Mr. SCHMITZ. Exactly.

The CHAIRMAN. Now, do you consider an attempt to promulgate the National Socialist Party principles in this country to be conducive to upholding the Constitution of the United States?

Mr. SCHMITZ. I do not know how I shall answer that question, Mr. Chairman, but if it pleases you, in order to straighten out our relations to that paper, this letter which I sent to Mr. Gissibl on December 18 referred to an appeal which the newspaper issued at the time. In that appeal it was stated that the paper is under the control of the Bunde Freunde Des Neuen Deutschland. I said here in the third paragraph:

"Until now it has not been known to us that your paper has been owned by the bund."

The CHAIRMAN. How did you happen to send this letter to Mr. Gissibl, Mr. Schmitz?

Mr. SCHMITZ. He was at that time playing with all these men who have signed various letters and were trying to operate that particular newspaper.

The CHAIRMAN. This is the first time that we have ever heard in any of our hearings that Mr. Gissibl came in in any way as being connected with or as a party of responsibility in this newspaper.

Mr. SCHMITZ. I think he came in—I addressed that letter to him because, if I remember right, he signed the appeal that was issued on the front page of the paper.

The CHAIRMAN. This is not in English?

Mr. SCHMITZ. No.

The CHAIRMAN. We will have it translated. You offer this, do you? All right.

(The document was marked "Exhibit 25.")

The CHAIRMAN. You notice these two paragraphs. I call them to your attention—on the second page of this statement submitted by Mr. McLaughlin and Mr. Voelcker. The first paragraph on the second page says:

"Agrees and guarantees that the editorial policy to be followed by the D. Z. Publishing Corporation in the conduct of the said Deutsche Zeitung shall be formulated in such manner as to be acceptable to the said Bund Freunde des Neuen Deutschland."

That is right, is it not?

Mr. SCHMITZ. That is correct. That is what the statement says.

The CHAIRMAN. And the next paragraph also says:

"But at all times shall be devoted, among other things, to upholding the Constitution of the United States and of the State of New York."

That is true, too?

Mr. SCHMITZ. Exactly.

The CHAIRMAN. I offer that in evidence.

(The document was marked "Exhibit 26.")

The CHAIRMAN. Did I understand you to say that you objected to the Friends of New Germany's connection with this newspaper?

Mr. SCHMITZ. In a way we did; yes.

The CHAIRMAN. That statement to you is dated January 17, is it not?

Mr. SCHMITZ. It is.

The CHAIRMAN. And that statement specifically says that the policy to be followed in the conduct of the paper shall be formulated in such manner as to be acceptable to the said bund, the Friends of New Germany. You knew that on January 17?

Mr. SCHMITZ. This statement informs me all I wanted to know, Mr. Chairman. I am not interested in it. I do not know anything about the business of that particular paper.

The CHAIRMAN. On January 17 you knew that their editorial and news policy was to be formulated in accordance with the views of the Friends of New Germany,

Mr. SCHMITZ. I did not pay any attention to that at all. I had only one question to clear up; that was the question of ownership; and when you answer that question, this statement here, of which nine-tenths does not interest us at all—we are not interested in the ownership of the publication.

The CHAIRMAN. You were interested in ownership here, also interested in this paragraph, you said?

Mr. SCHMITZ. In that one paragraph down here.

The CHAIRMAN. Sure.

Mr. SCHMITZ. Yes.

The CHAIRMAN. To read that one paragraph, naturally, you had to read the whole thing.

Mr. SCHMITZ. I hardly think I paid enough attention to it to read the whole thing; it is so unimportant in our business. The ownership of the papers in which we advertise is of no interest to us. We want results from advertising.

The CHAIRMAN. In this letter did not they ask you to organize a corporation to take over the business?

Mr. SCHMITZ. They sent so many letters.

The CHAIRMAN. But in this letter here did not they tell you that a corporation was being organized to take over the business?

Mr. SCHMITZ. Yes; it says exactly in the first letter.

The CHAIRMAN. And that is January 2, is it not?

Mr. SCHMITZ. That is January 2.

The CHAIRMAN. There has been a question presented to me that I think in fairness I should ask. I cannot recognize counsel directly in hearings of this kind.

Mr. SCHMITZ. I understand that, Mr. Chairman.

The CHAIRMAN. Although you are at liberty to confer with him on any question. Indirectly I am accepting this through you, as coming from your counsel, and I will ask it.

Mr. SCHMITZ. Thank you.

The CHAIRMAN. Any answer you give that you want to amplify, you just let me know, and if it is pertinent I will be glad to let you amplify your answer to any question. This is the question as stated: "Do you know of any business which your organization received as a result of advertising in that paper?"

Mr. SCHMITZ. What we call the drawing power of that advertising in the Deutsche Zeitung——

The CHAIRMAN. Do you know of any business?

Mr. SCHMITZ. Yes; decidedly so. The paper has brought better results than many large New York English dailies.

The CHAIRMAN. Do you know of any business? Well, we are not going into that, because that is irrelevant. I just asked the question because your attorney wanted it.

Mr. LANGLEY. Thank you, Mr. Chairman.

The CHAIRMAN. This paper is primarily the official organ of the Friends of New Germany in New York City or in this country, is it not? That is true, is it not?

Mr. SCHMITZ. I think so.

The CHAIRMAN. Its subscribers, or those who buy it, in the main are members of that organization?

Mr. SCHMITZ. That I do not know.

* * * * * * *

BYOIR CONTRACT MADE IN FALL OF 1933

The CHAIRMAN. You do not know that? Was there any particular reason why you should make the contract with Byoir? When did you make it?

Mr. SCHMITZ. In the fall of last year.

The CHAIRMAN. In the fall of last year?

Mr. SCHMITZ. Was there any reason?

The CHAIRMAN. Was there any particular reason which would distinguish it from the fall of the year before?

Mr. SCHMITZ. Decidedly so.

The CHAIRMAN. What were the reasons?

Mr. SCHMITZ. The boycott of German merchandise, German services, Germany as a travel land, and the German agitation which was running rather wild throughout this country at that time.

The CHAIRMAN. Did that situation exist 3 or 4 or 5 months before you made that contract?

Mr. SCHMITZ. It did not to that extent; no, sir.

The CHAIRMAN. Is that the only reason you had for making a contract for the 18 months at $6,000 a month?

Mr. SCHMITZ. Well, we had to overcome a most difficult business situation, and naturally that was one of the reasons, the leading reason.

The CHAIRMAN. What Byoir has done as a result of that is to issue one bulletin of some three or five thousand in number, and to advise you on various questions; that is, from time to time?

Mr. SCHMITZ. Not 1 bulletin; he issued at least 15 bulletins.

The CHAIRMAN. What were the other bulletins?

Mr. SCHMITZ. I think they are a matter of record, as far as I know. Mr. Byoir or Mr. Dickey submitted them.

The CHAIRMAN. In other words there are about 13 issues?

Mr. SCHMITZ. I would say 15, Mr. Chairman. I do believe there are 15, Mr. Chairman, I do believe, that have been issued since.

The CHAIRMAN. Sent out to about 3,000 people on each occasion?

Mr. SCHMITZ. Exactly; yes.

The CHAIRMAN. To a mailing list?

Mr. SCHMITZ. Yes.

ALSO KEPT MAN IN BERLIN

The CHAIRMAN. And advising you on the various questions that come up from time to time?

Mr. SCHMITZ. Yes.

The CHAIRMAN. And on this book that was sent over from Germany?

Mr. SCHMITZ. Oh, various other work—keeping a man in Berlin, for instance.

The CHAIRMAN. A man in Berlin?

Mr. SCHMITZ. Yes.

The CHAIRMAN. Has he done anything, the man in Berlin, anything that you know of?

Mr. SCHMITZ. He did send over quite a lot of material for the bulletin, wrote out special articles, traveled through Germany to investigate the travel conditions in Germany, railroad services, festival places during the summertime—I mentioned Oberammergau once before—and things that are of general interest to the traveling public.

The CHAIRMAN. He is not over there now, is he?

Mr. SCHMITZ. He came back a little while ago.

The CHAIRMAN. Was he not the contact man with your Berlin office?

DICKEY A PARTNER OF LIEUTENANT COLONEL BYOIR

Mr. SCHMITZ. Yes; he was.

The CHAIRMAN. All right.

Mr. DICKSTEIN. The first man that approached you was Dickey, talking about this particular contract. Is that correct?

Mr. SCHMITZ. That is correct.

Mr. DICKSTEIN. Did you know Dickey before?

Mr. SCHMITZ. I think I met him various times in the last 3 or 4 years.

Mr. DICKSTEIN. When was the last time you met him since this first time that he talked about this particular contract?

Mr. SCHMITZ. I really could not recall, Mr. DICKSTEIN.

Mr. DICKSTEIN. And that contract dealt with the matters that runs into $110,000?

Mr. SCHMITZ. $108,000.

Mr. DICKSTEIN. $108,000—for the purpose of distribution of a bulletin that is to be prepared on travel?

Mr. SCHMITZ. No; in addition—the general publicity work that these people have performed for us, and not to have just one bulletin.

Mr. DICKSTEIN. Well, a number of bulletins? That bulletin was prepared and sent to certain people?

Mr. SCHMITZ. Yes.

Mr. DICKSTEIN. The names were not secret, were they? They were just newspapers?

Mr. SCHMITZ. Yes; the chambers of commerce.

Mr. DICKSTEIN. Chambers of commerce. Now, let's see. If you look at a directory, could you find all these chambers of commerce in the State of New York?

Mr. SCHMITZ. I have never attempted to. I do not know.

Mr. DICKSTEIN. But you could find out, could you not?

Mr. SCHMITZ. Oh, yes.

Mr. DICKSTEIN. If you looked at the record in the State of New Jersey, you could find all the chambers of commerce in the State of New Jersey?

Mr. SCHMITZ. Possibly; yes.

Mr. DICKSTEIN. So that there was no secret about these names that this bulletin was sent to, for which you were paying $108,000?

Mr. SCHMITZ. No secret at all; no.

Mr. LANGLEY. Now, pardon me, Mr. Congressman; he did not say he was paying $108,000 for these bulletins. He paid it for all of the services this company rendered.

Mr. DICKSTEIN. That is right. You and I agree on that.

Mr. LANGLEY. Let's keep the record straight on that.

Mr. DICKSTEIN. You could also by looking at the proper directory find out the number of newspapers that are in this country?

Mr. SCHMITZ. I could; yes.

Mr. DICKSTEIN. But you engaged Byoir to do all that service for you?

Mr. SCHMITZ. Exactly.

LIEUTENANT COLONEL BYOIR ALSO REPRESENTED GERMAN CONSUL

Mr. DICKSTEIN. Did you know that Byoir received $4,000 from Keip, Consul Keip, before he came to you discussing the contract with you, in cash?

Mr. SCHMITZ. I did not.

Mr. DICKSTEIN. Did you make any inquiry after?

Mr. SCHMITZ. I heard—I talked to Mr. Dickey about the testimony that he presented to your committee here.

Mr. DICKSTEIN. Did he tell you that he received $4,000 in cash to do some propaganda work in the United States?

Mr. SCHMITZ. He said so; yes.

Mr. DICKSTEIN. You did not know it, you say, at the time of the contract?

Mr. SCHMITZ. No; I did not. As a matter of fact, I do believe, Mr. Dickey approached us much sooner than he ever approached the German consul.

Mr. DICKSTEIN. Is it not a fact that Viereck discussed this contract both while he was in Germany with certain officials in Germany, as well as with certain officials in this country?

Mr. LANGLEY. If you know.

Mr. DICKSTEIN. If you know.

Mr. SCHMITZ. I do not know. I advised Mr. Viereck to be—or rather, Mr. Dickey, that if he would go to Berlin, he should discuss this contract situation with our home office.

Mr. DICKSTEIN. In other words, when Dickey came——

Mr. SCHMITZ. Whether he did or not, I do not know.

Mr. DICKSTEIN. All right. When Dickey came to you, talking to you about getting this contract, you now say that you told Dickey to go to Germany and talk to some people over there?

Mr. SCHMITZ. No; I did not say that. I did not tell Dickey to go to Germany.

Mr. DICKSTEIN. What were the words you actually used in discussing this contract to Dickey regarding Germany?

VIERECK AND DICKEY, BYOIR PARTNER, GO TO GERMANY TOGETHER

Mr. SCHMITZ. Mr. Dickey advised me that he was going over on business to the other side, and I said, "If you are in Berlin, it would be a good idea if you show your face in our home office and make yourself known there; sort of a social call more than anything else."

Mr. DICKSTEIN. Was Viereck there at the time Dickey went to Europe?

Mr. SCHMITZ. I do not know. I think they went on the same ship together.

Mr. DICKSTEIN. Viereck and Dickey went on the boat to Germany?

Mr. SCHMITZ. Yes.

Mr. DICKSTEIN. That was with regard to the contract that Dickey discussed with you; is that correct?

Mr. SCHMITZ. No.

Mr. DICKSTEIN. Was it right after that discussion with Dickey regarding this contract that he went to Europe, and Viereck went with him?

Mr. SCHMITZ. No.

Mr. DICKSTEIN. When did Viereck go to Europe—after the first discussion with Dickey?

HITLER GOES IN JANUARY 30, 1933; DICKEY, FOR LIEUTENANT COLONEL BYOIR, CONFERS WITH WITNESS IN APRIL

Mr. SCHMITZ. I think he went in August, and Mr. Dickey consulted with me in April.

Mr. DICKSTEIN. April?

Mr. SCHMITZ. As a matter of fact, in the fall of 1931 we talked about this contract.

Mr. DICKSTEIN. These bulletins which were brought out by Dickey or the Byoir & Associates, for which you contracted, were to improve travel?

Mr. SCHMITZ. Exactly.

Mr. DICKSTEIN. That is true; no question about that?

Mr. SCHMITZ. I do not think there is any.

Mr. DICKSTEIN. Is it not a fact that these bulletins that you are talking about had nothing to do with travel at all and were discussing armament?

Mr. SCHMITZ. I never saw them.

Mr. DICKSTEIN. Will you please look at one of your bulletins, and bring it before this committee? Read it yourself. Isn't it a fact that the bulletins which you say you contracted for, the bulletins and other work for which you paid $108,000, had nothing to do with travel insofar as your German railroads were concerned, and dealt solely with disarmament?

Mr. SCHMITZ. I beg to disagree.

Mr. DICKSTEIN. Have you read the bulletins?

Mr. SCHMITZ. I glanced over it; yes; some of his proof sheets.

Mr. DICKSTEIN. Can you say that that bulletin for which you say you contracted with Byoir contained the matter pertaining to the contract for which you contracted with Byoir & Associates?

Mr. SCHMITZ. Exactly. That is what we expected this bulletin to contain.

Mr. DICKSTEIN. Did you read that bulletin and can you say that that is what is in there, and nothing else?

Mr. SCHMITZ. No; I do not know that.

Mr. DICKSTEIN. Then you read it, please.

Mr. SCHMITZ. I shall be glad to do that.

Mr. DICKSTEIN. The German railroads, as well as every other industry in Germany, is under the control of the National Socialist Party, is it not?

Mr. SCHMITZ. No, sir.

Mr. DICKSTEIN. Do you mean to say that the Government of Germany, the National Socialist Party, keeps out of everybody's business in Germany?

Mr. SCHMITZ. Oh, I think our government butts into business as much as any other government throughout the world.

Mr. DICKSTEIN. Does the government butt into the business of the German railroads?

Mr. SCHMITZ. The functions of the German railroads, the rights of the German railroads, and the controlling interest that the Government has are perfectly well known. They are laid down in laws and constitutions.

Mr. DICKSTEIN. I am not arguing that. I am just trying to get your answer, if you know; if you do not know, just say "no" and we will not have to go into any discussion.

Mr. SCHMITZ. I do not know of any change in personnel in our staff during the last 5 or 7 years.

Mr. DICKSTEIN. I asked you, "Is it not a fact that the National Socialist Party or the German Government more or less controls and has its hands on every business in Germany?

Mr. SCHMITZ. I could not say.

Mr. DICKSTEIN. Well, it has some influence over them?

Mr. SCHMITZ. Decidedly; like every other government.

The CHAIRMAN. We do not want to go into that.

Mr. DICKSTEIN. Did you discuss that, or did the railroads discuss that contract with any officials of Germany before it executed it?

Mr. SCHMITZ. I do not think they would ever dream of doing that.

The CHAIRMAN. The question was, did they?

Mr. SCHMITZ. That I do not know. I have not been in Germany for 2 years.

The CHAIRMAN. That is a very simple question, Mr. Schmitz.

THOUGHT VIERECK WORKED FOR LIEUTENANT COLONEL BYOIR

Mr. DICKSTEIN. You said when Dickey came to you, and then Viereck came to you, you assumed or you knew, or something, that Viereck was in the employ of Byoir & Associates. Is that correct?

Mr. SCHMITZ. Exactly.

Mr. DICKSTEIN. Is it not a fact that Viereck never was in the employ of Byoir & Associates, and never worked for Byoir & Associates, until this Dickey came to you discussing this contract.

Mr. LANGLEY. If you know.
Mr. DICKSTEIN. If you know.
Mr. SCHMITZ. I do not know.
The CHAIRMAN. You mean, until after the contract was made?
Mr. DICKSTEIN. Yes.
The CHAIRMAN. Do you know whether his employment or connection by Byoir developed after the contract, or whether he was connected with them before?

VIERECK LOBBYIST FOR LIEUTENANT COLONEL BYOIR WITNESS BELIEVED

Mr. SCHMITZ. I was under the impression he was a sort of a lobbyist for Carl Byoir & Associates. I do not know.
Mr. DICKSTEIN. Viereck was a lobbyist?
Mr. SCHMITZ. Something like that.
Mr. DICKSTEIN. How did you find that out?
Mr. SCHMITZ. That is a feeling, Mr. Chairman, I have no facts on it.
Mr. DICKSTEIN. That is your opinion, is it?
Mr. SCHMITZ. Yes; that is my personal opinion.
Mr. DICKSTEIN. You made no inquiry yourself at all?
Mr. SCHMITZ. I had no reason to do that.
Mr. DICKSTEIN. Did you meet Dickey before that time? You said you did a few times.
Mr. SCHMITZ. Yes.
Mr. DICKSTEIN. Did you know what his work consisted of?
Mr. SCHMITZ. Exactly. He called me down to his office and explained it.
Mr. DICKSTEIN. You have a German-American board of trade in the United States, have you not?
Mr. SCHMITZ. There is such a thing in New York; yes.
Mr. DICKSTEIN. What do you mean—there is such a thing? Is it not a fact that there is an organization of the German-American board of trade?

THE GERMAN-AMERICAN BOARD OF TRADE HAS SAME ADDRESS IN NEW YORK AS LT. COL. CARL BYOIR

Mr. SCHMITZ. Yes; but you asked me, "You have." I understood you to say as if we have. The German-American board of trade? There is a German-American board of trade.
Mr. DICKSTEIN. There is a German-American board of trade?
Mr. SCHMITZ. Yes.
Mr. DICKSTEIN. You are a member of that German-American board of trade?
Mr. SCHMITZ. Since years.
Mr. DICKSTEIN. Would it not be the function of an organization such as the German-American board of trade to promote travel pertaining to Germany? Is not that their function?
That is the purpose of their organization, is it not?
Mr. SCHMITZ. The purpose of the board of trade is to promote trade relations.
Mr. DICKSTEIN. Exactly; but you employed Byoir & Associates with this contract to promote something that the German-American board of trade has been doing for years.
Mr. SCHMITZ. No; they have never touched any travel promotion for years.
Mr. LANGLEY. Just a minute. * * *

ATTORNEY AGAIN INSISTS ON RECOGNITION

The CHAIRMAN. That last sentence can be stricken from the record. We cannot recognize counsel directly.
Mr. LANGLEY. I cannot remain silent, Mr. Chairman.
The CHAIRMAN. Will you pardon me?
Mr. LANGLEY. Yes; I will pardon you. I want to register a protest.
The CHAIRMAN. Unless you discontinue, we will have to ask you to join the spectators. Everything we are doing for you is a matter of courtesy.
Mr. LANGLEY. Yes; I understand that.
The CHAIRMAN. The Chair will extend every courtesy, and if there is any question asked, you are at liberty to advise this gentleman, but the committee cannot recognize any attorney directly. You are at liberty to advise him or if he feels that there is any occasion for advice, he may turn to you.
Mr. LANGLEY. I understand that, Mr. Chairman. I am just trying to keep the course of this investigation from becoming something of a travesty. That is what it has been at times.
The CHAIRMAN. We will not recognize you any more; if you need your attorney, you can call upon him.
Mr. LANGLEY. Quite all right.
The CHAIRMAN. When you start to make an accusation about a travesty, you are going too far, that is all.
Mr. LANGLEY. You have my views on that.
The CHAIRMAN. Mr. Schmitz, if you desire advice, you are at liberty to seek it.
Mr. SCHMITZ. Thank you.
The CHAIRMAN. If you feel that a question is being asked that you want to amplify, you just address me.
Mr. SCHMITZ. Thank you. Mr. Chairman.
The CHAIRMAN. You personally have no objection to appearing here in this committee, have you?
Mr. SCHMITZ. I came here in spite of the fact that there are seven mistakes in the summons which I received.
The CHAIRMAN. All right, you are here. You are willing to give what information you can?
Mr. SCHMITZ. Gladly.
Mr. DICKSTEIN. Who are the officers of the German-American Board of Trade? Do you know their names?
Mr. SCHMITZ. The late Hermann Metz was president.
Mr. DICKSTEIN. Who is the president now?
Mr. SCHMITZ. I could not say. I do not even know whether they have elected a new one. Mr. Metz passed away only a few weeks ago, as you remember.
Mr. DICKSTEIN. How many members are in the board?
Mr. SCHMITZ. About 250.
Mr. DICKSTEIN. How many of them are citizens of the United States?
Mr. SCHMITZ. I do believe about 245.
Mr. DICKSTEIN. Are you a citizen?
Mr. SCHMITZ. I am not. As I said before, I am a German.
The CHAIRMAN. You represent your company over here?
Mr. SCHMITZ. I certainly do.
The CHAIRMAN. You expect some day to go back to Germany? As I understand, you are subject to instructions; you may be ordered to any other country any day, I assume?
Mr. SCHMITZ. Even to China.
Mr. DICKSTEIN. Amongst the membership of the board of trade are men of brains, smart men?
Mr. SCHMITZ. Most of them are American corporations.
Mr. DICKSTEIN. American corporations?
Mr. SCHMITZ. Yes.
Mr. DICKSTEIN. They have been conducting the German-American trade before the National Socialist Party came into power in Germany?
Mr. SCHMITZ. That is correct; yes.
Mr. DICKSTEIN. Did you consult anyone in the German-American chamber of commerce with regard to your purposes of promoting travel before you signed this contract?
Mr. SCHMITZ. I do not consider that body——
Mr. DICKSTEIN. The answer is "Yes" or "No." Did you or did you not?
Mr. SCHMITZ. No.
Mr. DICKSTEIN. You did not?
Mr. SCHMITZ. It is a sort of——
Mr. DICKSTEIN. You have answered my question. You have not consulted the German-American Chamber of Commerce?
Mr. SCHMITZ. No.
Mr. DICKSTEIN. But you carried on with Byoir & Associates?
Mr. SCHMITZ. We did not consult them, when we established an office in New York, because what interest has an American exporter whether the German railroads establish at New York?
Mr. DICKSTEIN. In an answer to the chairman's question with regard to the paper you referred to, you said it had a number of changes.
Mr. SCHMITZ. Yes.
Mr. DICKSTEIN. Will you specify the number of changes it had?
Mr. SCHMITZ. I am not quite familiar with the situation.
Mr. DICKSTEIN. Why do you undertake to say something that you are not familiar with?
Mr. SCHMITZ. I am not familiar with the details. The changes actually have taken place. When and where and what the fuss about the ownership of the paper was was a story that really did not interest us.
Mr. DICKSTEIN. The next question you were asked about the subsidy of that paper.
Mr. SCHMITZ. Yes.
Mr. DICKSTEIN. When you made the subsidy to this paper someone told you it was about 11,000 circulation?
Mr. SCHMITZ. Exactly.
Mr. DICKSTEIN. That paper was not yet printed when you made the subsidy. That is correct, is it not?
Mr. SCHMITZ. We did not make a subsidy to the paper. We made a verbal contract with this paper for advertising space.
Mr. DICKSTEIN. For advertising; but at that time the paper was not yet printed.
Mr. SCHMITZ. They had been printing papers, more than one, previous to that time.
Mr. DICKSTEIN. How many? Did you make an inquiry about the circulation?
Mr. SCHMITZ. No. It is not important enough for our business.
Mr. DICKSTEIN. Did you make any inquiry whether the paper is offensive to the American people?
Mr. SCHMITZ. I did that; yes.
Mr. DICKSTEIN. You did that?
Mr. SCHMITZ. Yes; exactly; and demanded a statement that the paper should not be.
Mr. DICKSTEIN. Here is a paper that started off with Spanknoebel, Haag, and a few more, aliens in this country; and without making any determination as to the policy, you immediately contracted with that paper to do certain advertising. Is that correct?
Mr. SCHMITZ. I did not get your question, Mr. Congressman.
Mr. DICKSTEIN. You knew that Spanknoebel was an alien?
The CHAIRMAN. Well, let me ask a question.
Mr. SCHMITZ. I have always felt that a German in this country is entitled to the full protection of the American laws, according to our trade agreement. He may operate any business or newspaper.
The CHAIRMAN. You are entitled to the full protection of the laws without trade agreements.
Mr. SCHMITZ. Exactly; yes.
The CHAIRMAN. That is so under our law.
* * * * * * *

CHAIRMAN ADMONISHES ATTORNEY

The CHAIRMAN. Just one question.
As chairman of this committee, I cannot permit and I will not permit you, Viereck, and Langley—and there is your combination;

Langley is your attorney; Langley is Viereck's attorney. Langley undertook to impugn the integrity of this committee yesterday by saying a member of the committee was involved in something, and later it was disclosed it was a matter which related to something that somebody said, some man by the name of Shearer, the imputation being that the obtaining of a copy of the transcript of evidence involved a member of the committee, when there was absolutely no evidence to justify it. But Mr. Langley has corrected that fact.

Mr. LANGLEY. I have not done anything of the sort, and I still stand by it, that my information reflects on a member of this committee. You did not bring it out in public.

The CHAIRMAN. This gentleman here is looking for a scene.

Mr. LANGLEY. Now, just a minute. Have you ordered that I be removed from the room?

The CHAIRMAN. No, no; I ask the gentleman to sit down.

Mr. LANGLEY. Right here is a chair. I would be glad to sit down.

The CHAIRMAN. As chairman of the committee, I want to state that I consider your actions and your expressions as unbecoming one who purports to be a gentleman.

I respectfully submit that no further proof is needed to make more than a prima facie case against Lieutenant Colonel Byoir for being hired by Hitler to be a Nazi agent in this country.

If more proof is desired, it is available.

I wonder if he is willing to voluntarily resign as lieutenant colonel in the United States Army, or if it will be necessary for him to be forced to separate himself from the service. Only Lieutenant Colonel Byoir has the answer.

EXTENSION OF REMARKS

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include some tables.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California [Mr. GEYER]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent that on Monday next, at the conclusion of the legislative business and any special orders heretofore entered, I may address the House for 30 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California [Mr. VOORHIS]?

There was no objection.

EXTENSION OF REMARKS

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a petition with certain names attached in support of the Jones-Wheeler farm-credit bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California [Mr. VOORHIS]?

There was no objection.

Mr. BREWSTER. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include certain excerpts from publications.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine [Mr. BREWSTER]?

There was no objection.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 5827. An act to authorize the cancelation of deportation proceedings in the case of John L. Harder and children, Paul William Harder, Irvin W. Harder, Edna Justina Harder, Elsie Anna Harder, and Elizabeth Harder;

H. R. 6158. An act authorizing the selection of a site in the District of Columbia and the erection thereon of a statue of George Washington;

H. R. 6668. An act to authorize the Secretary of the Interior to convey to the State of North Carolina for use in connection with the Blue Ridge Parkway certain land within the Cherokee Indian Reservation in the State of North Carolina;

H. R. 7811. An act to establish the Hot Springs division of the western judicial district of Arkansas;

H. R. 9185. An act to amend section 73 of an act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended;

H. R. 9262. An act to provide for the examination of civilian nautical schools and for the inspection of vessels used in connection therewith, and for other purposes; and

H. J. Res. 260. Joint resolution authorizing the removal of the statue of John Marshall from its present site on the Capitol Grounds to a new site in proximity to the Supreme Court Building.

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 1777. An act granting the consent of Congress to the States of Montana, North Dakota, South Dakota, and Wyoming to negotiate and enter into a compact or agreement for division of the waters of the Little Missouri River;

S. 2191. An act authorizing the Secretary of the Interior to grant to the State of Montana for the use and benefit of the Montana School of Mines a patent to a certain tract of land;

S. 2262. An act to provide for a change in the time for holding court at Rock Hill and Spartanburg, S. C.;

S. 2328. An act to promote on the retired list officers who were decorated and recommended for promotion for distinguished service during the World War and who have not attained the rank to which recommended;

S. 2639. An act relating to the hours of service of persons employed upon the Government-owned Wiota-Fort Peck Railroad in the State of Montana;

S. 3014. An act to amend the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1903, and for other purposes," approved July 1, 1902 (32 Stat. 662), so as to provide uniformity in the pay of all civilian employees of the Navy Department appointed for duty beyond the continental limits of the United States and in Alaska;

S. 3042. An act to amend the act entitled "An act to establish a Civilian Conservation Corps, and for other purposes," approved June 28, 1937, as amended;

S. 3065. An act authorizing the sale of fuel, electric current, ice, and water at isolated naval stations;

S. 3491. An act to provide that fines for failure to pay license taxes in Alaska shall be disposed of as provided for the disposition of such taxes;

S. 3496. An act to prevent retardation in promotion and in pay and allowances of permanent professors of the United States Military Academy appointed by the President from the commissioned officers of the Regular Army;

S. 3642. An act granting the consent of Congress to the Secretary of the Interior and the State of Washington to construct, maintain, and operate a highway bridge across the Spokane River, Wash.;

S. 3643. An act granting the consent of Congress to the Secretary of the Interior and Stevens County, State of Washington, to construct, maintain, and operate a highway bridge across the Kettle River, near Marcus, Wash.;

S. 3644. An act granting the consent of Congress to the Secretary of the Interior and the Great Northern Railway Co. to construct, maintain, and operate two railroad bridges across the Kettle River, near Marcus, Wash.;

S. 3650. An act to require the payment of prevailing rates of wages on Federal public works in Alaska and Hawaii;

S. 3677. An act to donate to the city of Seattle a totem pole carved by the Alaskan native Civilian Conservation Corps; and

S. 3693. An act to authorize the Secretary of War to grant an easement for pipe lines across public lands reserved for military purposes in the parish of Plaquemines, La.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills and joint resolutions of the House of the following titles:

H. R. 5827. An act to authorize the cancelation of deportation proceedings in the case of John L. Harder and children,

Paul William Harder, Irvin W. Harder, Edna Justina Harder, Elsie Anna Harder, and Elizabeth Harder;

H. R. 6158. An act authorizing the selection of a site in the District of Columbia and the erection thereon of a statue of George Washington;

H. R. 6668. An act to authorize the Secretary of the Interior to convey to the State of North Carolina for use in connection with the Blue Ridge Parkway certain land within the Cherokee Indian Reservation in the State of North Carolina;

H. R. 7811. An act to establish the Hot Springs division of the western judicial district of Arkansas;

H. R. 9185. An act to amend section 73 of an act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended;

H. R. 9262. An act to provide for the examination of civilian nautical schools and for the inspection of vessels used in connection therewith, and for other purposes;

H. J. Res. 260. Joint resolution authorizing the removal of the statue of John Marshall from its present site on the Capitol Grounds to a new site in proximity to the Supreme Court Building; and

H. J. Res. 551. Joint resolution providing for the taking effect of Reorganization Plan No. V.

ADJOURNMENT

Mr. SCRUGHAM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 10 minutes p. m.) the House adjourned until tomorrow, Wednesday, June 5, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INDIAN AFFAIRS

There will be a meeting of the Committee on Indian Affairs on Wednesday, June 5, 1940, at 10:30 a. m., for the consideration of various bills.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization in room 445, Old House Office Building, at 10:30 a. m., on Wednesday, June 5, 1940, for the consideration of private bills.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold a public hearing on Thursday, June 6, 1940, at 10 a. m., on the following bill:

H. R. 9913, relating to citizenship requirements for manning of vessels, and for other purposes.

COMMITTEE ON MINES AND MINING

The Subcommittee on Mines and Mining that was appointed to consider S. 2420 will continue hearings on Thursday, June 6, and Friday, June 7, 1940, at 10 a. m. each morning, in the committee rooms in the New House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1719. A communication from the President of the United States, transmitting emergency supplemental estimates of appropriations for the fiscal year ending June 30, 1941, for the Navy Department and the naval service, totaling $507,253,170 (H. Doc. No. 806); to the Committee on Appropriations and ordered to be printed.

1720. A communication from the President of the United States, transmitting emergency supplemental estimates of appropriations for the fiscal year ending June 30, 1941, for the War Department, totaling $452,751,239 (H. Doc. No. 808); to the Committee on Appropriations and ordered to be printed.

1721. A communication from the President of the United States, transmitting a supplemental appropriation for the fiscal year 1941 in the sum of $50,000 for salaries and expenses of the Bureau of the Budget (H. Doc. No. 807); to the Committee on Appropriations and ordered to be printed.

1722. A letter from the Acting Secretary of Commerce, transmitting an additional report on the disposition of papers listed in House Report No. 1732, Seventy-sixth Congress, third session, stating that the Bureau of the Census now informs the Department of a difference in the weight of paper sold, making the corrected total weight 583,640 pounds and the revenue received $2,465.67; to the Committee on the Disposition of Executive Papers.

1723. A letter from the Acting Postmaster General, transmitting a draft of a proposed bill amending the act of June 25, 1938, extending the classified civil service to include postmasters of the first, second, and third classes, and for other purposes; to the Committee on the Civil Service.

1724. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the fiscal year 1941 in the amount of $4,358,800 for the Department of Justice, and $2,200,000 for the Immigration and Naturalization Service (H. Doc. No. 809); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. RAMSPECK: Committee on the Civil Service. H. R. 8621. A bill to amend the Civil Service Retirement Act and other retirement acts; without amendment (Rept. No. 2371). Referred to the Committee of the Whole House on the state of the Union.

Mr. McLAUGHLIN: Committee on the Judiciary. H. R. 9864. A bill amending the Bankruptcy Act with respect to the basis of property and excluding certain corporations from the provisions of chapter XI; with amendment (Rept. No. 2372). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROGERS of Oklahoma: Committee on Indian Affairs. S. 2952. An act to reinstate in the Court of Claims the suits entitled "Eastern or Emigrant Cherokees against the United States", No. 42077, and "Western or Old Settler Cherokees against the United States", No. 42078; without amendment (Rept. No. 2373). Referred to the Committee of the Whole House on the state of the Union.

Mr. BURDICK: Committee on Indian Affairs. S. 414. An act for the relief of the Indians of the Fort Berthold Reservation in North Dakota; without amendment (Rept. No. 2374). Referred to the Committee of the Whole House on the state of the Union.

Mr. HOBBS: Committee on the Judiciary. S. 1681. An act to amend section 107 of the Judicial Code to create a mountain district in the State of Tennessee, and for other purposes; without amendment (Rept. No. 2375). Referred to the Committee of the Whole House on the state of the Union.

Mr. SUMNERS of Texas: Committee on the Judiciary. S. 3046. An act to extend to certain officers and employees in the several States and the District of Columbia the provisions of the act entitled "An act to prevent pernicious political activities", approved August 2, 1939; with amendment (Rept. No. 2376). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mrs. O'DAY: Committee on Immigration and Naturalization. H. R. 4383. A bill for the relief of Dora Zlotnick; with amendment (Rept. No. 2369). Referred to the Committee of the Whole House.

Mr. MASON: Committee on Immigration and Naturalization. H. R. 7823. A bill for the relief of Joseph Bruehl; with amendment (Rept. No. 2370). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BATES of Kentucky:

H. R. 9987. A bill to authorize the Attorney General to donate on behalf of the United States to H. S. Scott, D. W. Collins, Fred M. Gross, trustees, Ashland District Council, Boy Scouts of America, the log house known as the John Secrest Home, located on the site of the Federal correctional institution near Ashland, Ky.; to the Committee on the Judiciary.

By Mr. CASEY of Massachusetts:

H. R. 9988. A bill to authorize the disposal of tools and equipment on the New England hurricane damage project; to the Committee on Agriculture.

By Mr. DAVIS:

H. R. 9989. A bill authorizing the Administrator of Veterans' Affairs to transfer certain land to the city of Memphis, Tenn., for street-widening purposes; to the Committee on Public Building and Grounds.

By Mr. DURHAM:

H. R. 9990. A bill to amend section 4008 of the Revised Statutes relating to the transportation of foreign mails; to the Committee on the Post Office and Post Roads.

By Mr. GREGORY:

H. R. 9991. A bill to amend section 4021 of the Revised Statutes and to repeal section 4023 of the Revised Statutes relating to establishment of postal agencies; to the Committee on the Post Office and Post Roads.

By Mr. ROMJUE:

H. R. 9992. A bill authorizing the Postmaster General to contract for the carriage of all classes of mail by aircraft between places in the Territory of Alaska; to the Committee on the Post Office and Post Roads.

By Mr. SCRUGHAM:

H. R. 9993. A bill to authorize the Reconstruction Finance Corporation to make loans for the development of deposits of strategic and critical materials which in the opinion of the Corporation would be of value to the United States in time of war, and to authorize the Reconstruction Finance Corporation to make more adequate loans for mineral-developmental purposes; to the Committee on Banking and Currency.

By Mr. McKEOUGH:

H. R. 9994. A bill relating to the certification of persons on eligible registers established by the Civil Service Commission; to the Committee on the Civil Service.

By Mr. BLAND:

H. R. 9995. A bill to amend the act of April 6, 1938 (52 Stat. 201), entitled "An act authorizing the Secretary of the Treasury to exchange sites at Miami Beach, Dade County, Fla., for Coast Guard purposes"; to the Committee on Merchant Marine and Fisheries.

By Mr. MURDOCK of Arizona:

H. R. 9996. A bill to authorize the Reconstruction Finance Corporation to make loans for the development of deposits of strategic and critical minerals which in the opinion of the Corporation would be of value to the United States in time of war, and to authorize the Reconstruction Finance Corporation to make more adequate loans for mineral developmental purposes; to the Committee on Banking and Currency.

H. R. 9997. A bill to permit mining within the Organ Pipe Cactus National Monument in Arizona; to the Committee on the Public Lands.

By Mr. NICHOLS:

H. R. 9998. A bill making an additional appropriation for the Federal Bureau of Investigation, for the fiscal year ending June 30, 1941, to permit the employment of 500 additional special agents; to the Committee on Appropriations.

By Mr. FISH:

H. J. Res. 557. Joint resolution authorizing the President of the United States to purchase or otherwise acquire by peaceful means island or possessions of non-American nations within the Western Hemisphere; to the Committee on Foreign Affairs.

By Mr. D'ALESANDRO:

H. Res. 508. Resolution authorizing the appointment of a special committee to investigate traffic conditions in the District of Columbia, and for other purposes; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER. Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to consider their Assembly Joint Resolution No. 1 with reference to communism, also Assembly Joint Resolution Nos. 2 and 22 with reference to defense; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8570. By Mr. MICHAEL J. KENNEDY: Petition of the American Federation of Municipal Transit Workers, Local No. 21193, protesting against the activities of the Department of Justice in its prosecution of certain labor unions; to the Committee on Labor.

8571. Also, petition of the phosphate export association and its employees, supporting the national-defense program and advocating the abolition of partisanship in its progress; to the Committee on Military Affairs.

8572. Also, petition of Rayonier, New York City, urging enactment of House bill 8813, concerning the National Labor Relations Board; also Senate bill 915, the Walter-Logan bill; and opposing Senate bill 1970, the La Follette civil-liberties bill; to the Committee on Labor.

8573. Also, petition of the Building and Construction Trades Council, representing 150,000 building-trades workers, urging immediate enactment of Senate bill 591, the Wagner housing bill, as it would greatly reduce the unemployed army now existing in the building-trades industry; to the Committee on Banking and Currency.

8574. Also, petition of the New York Federation of Post Office Clerks, Local No. 10, urging that the Committee on the Post Office and Post Roads report the Mead-Flannery longevity pay bill and the Pearson court of appeals bill to the House of Representatives for action; to the Committee on the Post Office and Post Roads.

8575. Also, petition of the American Guild of Variety Artists, urging enactment of the Neely block-booking bill; to the Committee on Interstate and Foreign Commerce.

8576. Also, petition of the National Council of Farmer Cooperatives, representing 4,000 farmer-owned and farmer-controlled cooperative organizations serving almost 2,000,000 farmers distributed in every State in the Union, urging favorable consideration of House Resolution 465 and House bill 8813; to the Committee on Labor.

8577. Also, petition of the Agricultural Producers Labor Committee, Los Angeles, Calif., representing approximately 150,000 farmers actually engaged in producing fruits and vegetables on the Pacific coast, favoring the Smith amendments to the National Labor Relations Act; to the Committee on Labor.

8578. Also, petition of the National Association of Manufacturers, New York City, on behalf of industry, pledging continued opposition to profiteering and the full use of its experience and energy toward the building of national defense; to the Committee on Military Affairs.

8579. Also, petition of the National Cooperative Milk Producers' Federation, favoring enactment of House bill 8813, amending the National Labor Relations Act, also House bill 465; to the Committee on Labor.

8580. Also, petition of the American Defense Society, Inc., advocating the preservation of the American form of government and favoring assistance to the Allies; to the Committee on Foreign Affairs.

8581. By Mr. KEOGH: Petition of the Luckenbach Steamship Co., Inc., New York City, concerning amendment of House bill 9905; to the Committee on Merchant Marine and Fisheries.

8582. By Mr. LEAVY: Resolution of the military affairs committee of the Spokane Chamber of Commerce, Spokane, Wash., submitted by E. F. Cartier Van Dissel, chairman, recommending that legislation be passed providing for military training of Civilian Conservation Corps enrollees; to the Committee on Military Affairs.

8583. By Mr. PFEIFER: Petition of the Greater New York Federal Credit Union, New York City, urging consideration of House bill 9886; to the Committee on Banking and Currency.

8584. Also, petition of Abraham & Straus, Inc., Brooklyn, N. Y., urging the passage of House bill 9888; to the Committee on Interstate and Foreign Commerce.

8585. Also, petition of the employees of the New York office of the Phosphate Export Association, concerning national defense and foreign affairs; to the Committee on Foreign Affairs.

8586. Also, petition of the Building and Construction Trades Council, of Greater New York, Long Island, and vicinity, New York City, urging passage of Senate bill 591; to the Committee on Banking and Currency.

8587. Also, petition of the American Defense Society, Inc., New York City, concerning our neutrality policy; to the Committee on Foreign Affairs.

8588. Also, petition of the State, County, and Municipal Workers of America, New York City, urging neutrality; to the Committee on Foreign Affairs.

8589. Also, petition of the Luckenbach Steamship Co., Inc., New York City, recommending amending House bill 9905; to the Committee on Merchant Marine and Fisheries.

8590. By Mr. SECCOMBE: Petition of approximately 250 responsible residents of Alliance, Ohio, and vicinity, protesting against the treatment accorded Mrs. Gay Buttermore, of Alliance, by the Federal Housing Administration; to the Committee on Banking and Currency.

8591. By Mr. WELCH: Resolution No. 1 of the California Assembly relative to memorializing Congress to enact the necessary legislation to purge the United States of communism and all of the subversive influences and front organization which are instigated, encouraged, and fostered by it; to the Committee on Rules.

8592. Also, Joint Resolution No. 2 of the California Assembly, relative to memorializing the President and Congress to increase the land defenses of the United States; to the Committee on Military Affairs.

8593. Also, Joint Resolution No. 22 of the California Assembly, relative to defense of the California coast; to the Committee on Military Affairs.

SENATE

WEDNESDAY, JUNE 5, 1940

(Legislative day of Tuesday, May 28, 1940)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty God, who art a strong tower to all those who put their trust in Thee, unto whom all things in heaven and earth do bow: Revive in us the faith of our fathers, that we may cast all our care upon Thee, knowing that Thou carest for us, and that, even as a father pitieth his own children, so art Thou merciful to all who love and fear Thee. With the comfort of this assurance of Thy care, we beseech Thee to direct our minds by Thy heavenly wisdom, keep our hearts poised in the balances of kindly consideration for each other, that the deliberations of this day and of the days that shall follow may have the seal of Thine approval, to the everlasting benefit of our own beloved country and all the races of mankind.

We confess our shortcomings, yea, the manifoldness of our wickedness, yet Thou wilt not despair of Thy children. They have turned their back upon the Ideal and have denied the God that is within, but it cannot be for long. They have destroyed fairest hopes, yet they shall live again. They have even descended to the level of the beast, but Thou shalt raise them once more to the heights of Thy divine humanity. Help us, then, to go forth on our great emprise in the confidence that the spirit of man breathes the untiring purpose of the living God, and it is ultimately to the fulfillment of that purpose that the whole creation moves. In the dear Redeemer's name we ask it. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Tuesday, June 4, 1940, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8438) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1941, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 84, 89, 113, 115, 118, 121, and 125 to the bill, and concurred thereon; that the House receded from its disagreement to the amendments of the Senate numbered 10, 105, 112, 119, 120, 126, 128, and 133 to the bill, and concurred therein, severally with an amendment, in which it requested the concurrence of the Senate, and that the House receded from its disagreement to the amendments of the Senate numbered 122 and 127 to the bill and concurred therein each with amendments, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 1777. An act granting the consent of Congress to the States of Montana, North Dakota, South Dakota, and Wyoming to negotiate and enter into a compact or agreement for division of the waters of the Little Missouri River;

S. 2191. An act authorizing the Secretary of the Interior to grant to the State of Montana for the use and benefit of the Montana School of Mines a patent to a certain tract of land;

S. 2262. An act to provide for a change in the time for holding court at Rock Hill and Spartanburg, S. C.;

S. 2328. An act to promote on the retired list officers who were decorated and recommended for promotion for distinguished service during the World War and who have not attained the rank to which recommended;

S. 2639. An act relating to the hours of service of persons employed upon the Government-owned Wiota-Fort Peck Railroad in the State of Montana;

S. 3014. An act to amend the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1903, and for other purposes," approved July 1, 1902 (32 Stat. 662), so as to provide uniformity in the pay of all civilian employees of the Navy Department appointed for duty beyond the continental limits of the United States and in Alaska;

S. 3042. An act to amend the act entitled "An act to establish a Civilian Conservation Corps, and for other purposes," approved June 28, 1937, as amended;

S. 3065. An act authorizing the sale of fuel, electric current, ice, and water at isolated naval stations;

S. 3491. An act to provide that fines for failure to pay license taxes in Alaska shall be disposed of as provided for the disposition of such taxes;

S. 3496. An act to prevent retardation in promotion and in pay and allowances of permanent professors of the United States Military Academy appointed by the President from the commissioned officers of the Regular Army;

S. 3642. An act granting the consent of Congress to the Secretary of the Interior and the State of Washington to construct, maintain, and operate a highway bridge across the Spokane River, Wash.;

S. 3643. An act granting the consent of Congress to the Secretary of the Interior and Stevens County, State of Washington, to construct, maintain, and operate a highway bridge across the Kettle River near Marcus, Wash.;

S. 3644. An act granting the consent of Congress to the Secretary of the Interior and the Great Northern Railway Co. to construct, maintain, and operate two railroad bridges across the Kettle River near Marcus, Wash.;

S. 3650. An act to require the payment of prevailing rates of wages on Federal public works in Alaska and Hawaii;

S. 3677. An act to donate to the city of Seattle a totem pole carved by the Alaskan native Civilian Conservation Corps; and

S. 3693. An act to authorize the Secretary of War to grant an easement for pipe lines across public lands reserved for military purposes in the parish of Plaquemines, La.

LAWS ENACTED BY PUERTO RICAN LEGISLATURE

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying document, referred to the Committee on Territories and Insular Affairs:

To the Congress of the United States:

As required by section 23 of the act of Congress approved March 2, 1917, entitled "An act to provide a civil government for Puerto Rico, and for other purposes," I transmit herewith certified copies of laws enacted by the third regular session of the Fourteenth Legislature of Puerto Rico, February 13 to April 15, 1939.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *June 5, 1940.*

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Danaher	King	Schwartz
Andrews	Davis	La Follette	Schwellenbach
Ashurst	Donahey	Lee	Sheppard
Austin	Downey	Lodge	Shipstead
Bankhead	George	Lucas	Slattery
Barbour	Gerry	Lundeen	Smith
Barkley	Gibson	McKellar	Stewart
Bilbo	Gillette	McNary	Taft
Bone	Green	Mead	Thomas, Idaho
Bridges	Guffey	Miller	Thomas, Okla.
Brown	Gurney	Minton	Thomas, Utah
Bulow	Hale	Neely	Tobey
Burke	Harrison	Norris	Townsend
Byrd	Hatch	Nye	Tydings
Byrnes	Hayden	O'Mahoney	Vandenberg
Capper	Herring	Overton	Van Nuys
Caraway	Hill	Pepper	Wagner
Chandler	Holman	Pittman	Walsh
Chavez	Holt	Radcliffe	Wheeler
Clark, Idaho	Hughes	Reed	White
Clark, Mo.	Johnson, Calif.	Reynolds	Wiley
Connally	Johnson, Colo.	Russell	

Mr. MINTON. I announce that the Senator from Connecticut [Mr. MALONEY] is absent from the Senate because of illness in his family.

The Senator from North Carolina [Mr. BAILEY], the Senator from Louisiana [Mr. ELLENDER], the Senator from Virginia [Mr. GLASS], the Senator from Nevada [Mr. MCCARRAN], the Senator from Montana [Mr. MURRAY], the Senator from New Jersey [Mr. SMATHERS], and the Senator from Missouri [Mr. TRUMAN] are necessarily detained.

Mr. AUSTIN. I announce that the Senator from North Dakota [Mr. FRAZIER] is necessarily absent.

The VICE PRESIDENT. Eighty-seven Senators have answered to their names. A quorum is present.

RESOLUTIONS, ORDINANCES, ETC., LEGISLATIVE ASSEMBLY AND MUNICIPAL COUNCILS, VIRGIN ISLANDS

The VICE PRESIDENT laid before the Senate three letters from the Acting Secretary of the Interior, transmitting copies of various bills passed by the Legislative Assembly of the Virgin Islands; an amendment, ordinances, and bills passed by the Municipal Council of St. Croix, and a report, amendments, ordinances, and resolutions passed by the Municipal Council of St. Thomas and St. John, Virgin Islands, which, with the accompanying papers, were referred to the Committee on Territories and Insular Affairs.

PETITIONS

The VICE PRESIDENT laid before the Senate several joint resolutions of the Legislature of the State of California, which were referred to a committee, or ordered to lie on the table, as follows:

To the Committee on the Judiciary:

Assembly Joint Resolution 1

Assembly joint resolution relative to memorializing Congress to enact the necessary legislation to purge the United States of communism and all of the subversive influences and front organizations which are instigated, encouraged, and fostered by it

Whereas Lenin, in his book entitled "State and Revolution," declares that "Democracy is a form of the state—one of its varieties" and

Engles, in his book entitled "Internationales aux des Volkstaad," declares that—

"The party (the Communist Party) whose economic program is not merely Socialist in general but directly communistic, and whose ultimate political aim is to overcome the whole State and therefore democracy as well;" and

The program of the Communist International states:

"The conquest of power by the Proletariat is the violent overthrow of bourgeois power, the destruction of the capitalist state apparatus (bourgeois army, police, bureaucratic hierarchy, the judiciary, parliament, etc.) and substituting in its place new organs of proletariat power. * * *;" and

Whereas the Communist Party of the United States, although affiliated with the international, has adopted the Trojan-horse policy suggested by Georgi Dimitrov in a report to the International in August 1935, and has deleted all references to violence and conquest in its new constitution in order to deceive the American people; and

This policy is declared to be the realization in practice of Dimitrov's instructions to learn as quickly as possible how to sail on the turbulent waters of class struggle; and

The Communist Party is seeking to accomplish its objective in the United States by breeding disrespect for American democracy and all that it represents, and by sabotaging American labor and industry; and

It is undeniably true that the ultimate aim of subversive elements as exemplified in the United States by the Communist and Nazi groups, is to destroy democracy and establish a totalitarian state; and

The Communist and Nazi groups are attempting to discredit the President's peace and preparedness program in order to involve the United States in the present European war on the side of the dictator-partnership of Hitler and Stalin; and

The United States may eventually be the victim of a "blitzkrieg" by Stalinism and Hitlerism; and

Whereas, These termites are prepared to constitute the "fifth column" for Hitler and Stalin in the event of a "blitzkrieg" by these monsters.

Whereas communism and nazi-ism constitute the greatest threats to democracy, civil liberties, human freedom, and the welfare of the United States: Now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Congress of the United States is hereby respectfully urged to study means and methods of completely and effectively stamping out the traitorous Communist Party and Nazi groups in the United States and all other subversive organizations and to enact such legislation in connection therewith as is necessary or desirable; and be it further

Resolved, That the chief clerk of the assembly is hereby respectfully requested to send copies of this resolution to the President of the United States, to the Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Member of the House of Representatives from California in the Congress of the United States, which Senators and Representa-

tives are hereby respectfully urged to support such legislation, and to the Attorney General of the United States, to William Green and to John L. Lewis.

To the table:

Assembly Joint Resolution No. 2

Assembly joint resolution relative to memorializing the President and Congress to increase the land defenses of the United States

Whereas the existing state of world affairs makes it imperative that the United States be possessed of an adequate national defense; and

Whereas heretofore the people of the United States, being a peaceful people, have neglected to provide for an adequate defense until a time of emergency has arrived, with a consequent waste of life and money and the creation of undue apprehension and hardship; and

Whereas a program of adequate preparation and proper training and the anticipation of what may come in the future would tend to prevent the unnecessary loss of life, property, and national resources; and

Whereas it is the heartfelt sentiment of this legislature that every possible step should be taken to retain for the United States its present security: Now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the President and Congress be urged to initiate a program of immediate expansion of the land defenses of the United States and to immediately expand the Regular Army and the National Guard of the United States to the number of 1,000,000 men; and be it further

Resolved, That the chief clerk of the assembly forward a copy of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives of the Congress of the United States, and to each Senator and Member of the House of Representatives from California in the Congress of the United States.

To the table:

Assembly Joint Resolution 22

Assembly joint resolution relative to defense of the California coast

Whereas the present deplorable condition of world affairs requires the Government of the United States to take proper measures designed to provide adequate means to defend the Nation; and

Whereas the defense of the California coast is of the utmost importance, especially in view of the fact that nearly 75 percent of the Nation's aircraft production, the most essential weapon in modern warfare, is located on the Pacific coast and may be subject to attack; and

Whereas the legislature in April 1939 memorialized Congress to provide adequate defense for the Pacific coast; and

Whereas no action has been taken although world events since that time have increased the need for adequate defense tenfold; and

Whereas the immediate construction of military roads, aircraft and antiaircraft stations, and coast-defense supply bases of the California coast is immediately necessary to provide adequate means for the defense of this area: Now, therefore, be it

Resolved by the Assembly and Senate of the State of California (jointly), That the President and Congress of the United States be memorialized to allocate $250,000,000 of the moneys available for national defense for the purpose of immediately constructing military roads, aircraft and antiaircraft stations, and coast-defense supply bases on the California coast; and be it further

Resolved, That the chief clerk of the assembly is hereby requested to transmit a copy of this resolution to the President and Vice President of the United States and to the Speaker of the House of Representatives of the Congress of the United States, and to each Senator and Representative from California in the Congress of the United States, and that the Senators and Representatives from California are hereby respectfully requested to urge such action.

The VICE PRESIDENT also laid before the Senate a telegram in the nature of a petition from sundry citizens of New York City praying that the United States take immediate and prompt action to prevent Allied defeat in the present European war and do its utmost to help bring about a victory for the Allied cause, and also praying for the prompt enactment of legislation authorizing the immediate flying and shipping to France and England of 2,000 of the best Army and Navy airplanes, and also the supplying of everything necessary to enable the Allies to win the present war, which was ordered to lie on the table.

Mr. TYDINGS presented a resolution of the City Council of Baltimore, Md., endorsing the national-defense program of the President of the United States and favoring the prompt enactment of the necessary legislation therefor, which was ordered to lie on the table.

THE NATIONAL DEFENSE—PETITIONS

Mr. GIBSON. Mr. President, I ask consent to present herewith for appropriate disposition a petition bearing the names of sundry citizens of Bradford, Vt., urging that I do all in my power to bring about material assistance to the Allies, and to build up the defenses of the United States. They state, "We stand ready to bear our share of the expenses of this program."

There being no objection, the petition was received and ordered to lie on the table.

Mr. BARBOUR. Mr. President, I ask unanimous consent of the Senate to present for appropriate disposition and to have incorporated in the RECORD at this point, without the names attached, a petition signed by a group of 1,000 American citizens residing at Princeton, N. J., and submitted to me by Dr. Edward Mead Earle, of the Institute for Advanced Study, at Princeton.

There being no objection, the petition was received, ordered to lie on the table, and to be printed in the RECORD without the signatures attached, as follows:

We, the undersigned citizens of the United States, residents of Princeton, N. J., believe that an essential first step in national defense is to render to the Allied Powers, immediately and without stint, all assistance short of war. In particular, we petition the President and the Congress to release to the Allies the greatest possible number of military planes from among those now in the possession of the armed forces of the United States.

It is nowhere asserted that victory for France and Britain would be other than a benefit to us; it is everywhere admitted that victory for Germany would present us immediately and unavoidably with serious threats to our security. It is therefore a fact, recognized by an overwhelming American public opinion, that the French Army and the British Navy constitute a first line of defense for the Western Hemisphere and for the historic policies of the United States, including the Monroe Doctrine. American planes fighting in the Allied armies on the western front might stem the tide of totalitarian conquest. They would thus promote American security and save us the expenditure of billions of dollars and perhaps thousands of lives in a future which is already filled with danger for our country. A firm stand by the United States at this time would serve notice on neutrals and nonbelligerents (especially Italy and Japan) that we know what our vital interests are and are prepared to defend them by every means in our power. If there appear to be legal technicalities in the way, we wish to see them removed forthwith by appropriate legislation. If it be argued that the action proposed is contrary to conventional standards of neutrality, we can only say that conventional standards no longer apply to the situation. Nonbelligerence is not a device reserved to dictators.

Speed is of the essence of effective action. We must demonstrate that the United States is not paralyzed when its security is menaced, that daring conceptions of strategy and national interest are not a monopoly of totalitarian powers. The planes we now own will shortly be obsolete and thus useless to us should the struggle ultimately reach our shores. On the other hand, a thousand planes for the Allies now will be more valuable to them than 5,000, 3 months hence, and more valuable to us than 50,000 should Germany win the war.

REPORTS OF COMMITTEES

Mr. ADAMS, from the Committee on Appropriations, to which was referred the joint resolution (H. J. Res. 544) making appropriations for work relief and relief for the fiscal year ending June 30, 1941, reported it with amendments and submitted a report (No. 1754) thereon.

Mr. CAPPER, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

H. R. 6548. A bill for the relief of Isobell Shanks (Rept. No. 1755);

H. R. 6553. A bill for the relief of the Pennsylvania State College (Rept. No. 1756);

H. R. 6598. A bill for the relief of Charles H. Upton (Rept. No. 1757); and

H. R. 6967. A bill for the relief of Thomas Boyd (Rept. No. 1758).

Mr. WILEY, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H. R. 7608. A bill for the relief of J. Montrose Edrehi (Rept. No. 1760; and

H. R. 7858. A bill for the relief of Mary D. Briggs and Simeon G. Rigor (Rept. No. 1759).

Mr. BROWN, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

H. R. 2354. A bill for the relief of S. T. Enloe (Rept. No. 1762);

H. R. 2901. A bill conferring jurisdiction upon the United States District Court for the Middle District of Georgia to hear, determine, and render judgment upon the claim of Geraldine Ash (Rept. No. 1761); and

H. R. 6095. A bill for the relief of Wilbur P. Riddlesbarger and Josephine Riddlesbarger (Rept. No. 1763).

Mr. HUGHES, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 4032. A bill to provide for the reimbursement of Philip A. Penston, pharmacist's mate, first class, United States Coast Guard, for the value of personal and household effects lost and destroyed during the hurricane of September 21, 1938, at New London, Conn. (Rept. No. 1764);

H. R. 3964. A bill for the relief of H. S. Wayman (Rept. No. 1765);

H. R. 4801. A bill for the relief of Mary Camastro, a minor (Rept. No. 1766);

H. R. 5464. A bill for the relief of Don E. Hicks (Rept. No. 1767); and

H. R. 5571. A bill for the relief of Minnie Lowery and Winell Lowery (Rept. No. 1768).

Mr. HUGHES also, from the Committee on Claims, to which was referred the bill (H. R. 5303) for the relief of Solomon Brown, reported it with amendments and submitted a report (No. 1769) thereon.

Mr. PITTMAN, from the Committee on Foreign Relations, to which were referred the following bill and joint resolution, reported them each without amendment and submitted reports thereon:

S. 4097. A bill to provide for the disposition of estates of American citizens who die abroad (Rept. No. 1771); and

S. J. Res. 271. Joint resolution approving nonrecognition of the transfer of any geographic region in the Western Hemisphere from one non-American power to another non-American power, and providing for consultation with other American republics in the event that such transfer should appear likely (Rept. No. 1770).

Mr. DOWNEY, from the Committee on Military Affairs, to which was referred the bill (S. 3539) for the relief of Thomas M. Barnes, reported it without amendment and submitted a report (No. 1772) thereon.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McNARY:

S. 4100. A bill granting an increase in pension to Jean M. Vitou; to the Committee on Pensions.

By Mr. MEAD:

S. 4101. A bill to incorporate the St. George Association of America, and for other purposes; to the Committee on the Judiciary.

By Mr. KING:

S. 4102. A bill for the relief of Arthur Netter and Kate Netter; to the Committee on Immigration.

(Mr. LODGE introduced Senate Joint Resolution 273, which was referred to the Committee on Foreign Relations, and appears under a separate heading.)

AMENDMENT OF NEUTRALITY ACT WITH REFERENCE TO CANADA

Mr. LODGE. I ask consent to introduce a joint resolution and to make a brief explanation of it.

The VICE PRESIDENT. Without objection, the joint resolution will be received, and the Senator may proceed.

Mr. LODGE. Mr. President, the present Neutrality Act, when presented to the Senate, completely excluded American shipping from Canadian waters on the Atlantic. At that time I offered an amendment which authorized American ships to operate in the waters west of 66 degrees west longitude, so as to give American ships the opportunity to visit the Canadian ports of St. John and Yarmouth on the Bay of Fundy. This amendment prevailed, and is part of the present Neutrality Act.

Further consideration of our national-defense needs has convinced me that Canada and the United States have many common interests insofar as defense problems in this hemisphere are concerned. The more than 6 months' experience we have had with shipping to Bay of Fundy ports has shown that the exemption of these ports has been entirely beneficial both to Canada and to the United States.

In the statement of military policy which I submitted to the Senate on Monday, June 3, I gave it as my conviction that the whole of North America, plus the Caribbean area, was our base area—our minimum—of defense. If this is true—and I believe it is—we should extend the privilege of shipping to Canada to include all Canadian ports, just as we now extend it to Bay of Fundy ports, Bermuda, and the Caribbean Islands, many of which are considerably east of the sixty-sixth parallel.

Accordingly, I introduce a joint resolution to extend the area within which American ships may go from the sixty-sixth degree of west longitude to the thirtieth degree of west longitude. The passage of the joint resolution would enable American ships to visit all Canadian ports, and will also allow them to go to Greenland, a place of increasing concern to us.

The joint resolution (S. J. Res. 273) to amend the Neutrality Act of 1939 so as to exempt Canada from certain restrictions of the Neutrality Act was read twice by its title and referred to the Committee on Foreign Relations.

STRENGTHENING OF THE NATIONAL DEFENSE—AMENDMENT

Mr. LA FOLLETTE submitted an amendment intended to be proposed by him to the bill (S. 4025) to expedite the strengthening of the national defense, which was ordered to lie on the table and to be printed.

APPROPRIATIONS FOR WORK RELIEF AND RELIEF—AMENDMENT

Mr. BILBO submitted an amendment intended to be proposed by him to the joint resolution (H. J. Res. 544) making appropriations for work relief and relief, for the fiscal year ending June 30, 1941, which was ordered to lie on the table and to be printed, as follows:

At the end of the bill, insert the following new section:

"SEC. —. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year 1941, the sum of $100,000,000, to be used by the Secretary of Agriculture for the purpose of effectuating the provisions of clause (2) of section 32 of the act entitled 'An act to amend the Agricultural Adjustment Act, and for other purposes,' approved August 24, 1935, as amended, such sum to be in addition to any funds appropriated by such section 32."

LEAVE OF ABSENCE FOR EDUCATIONAL EMPLOYEES OF DISTRICT PUBLIC SCHOOLS

Mr. KING. Mr. President, on May 29, 1940, the Senate passed, without amendment, the bill (H. R. 9326) to provide educational employees of the public schools of the District of Columbia with leave of absence, with part pay, for purposes of educational improvement, and for other purposes. It has just been ascertained that there is an error in the bill as to its effective date, which should be changed to July 1, 1940, instead of July 1, 1938, as contained in the bill.

I therefore ask unanimous consent to submit a concurrent resolution authorizing correction of the error in the enrollment of the bill, and also ask for the immediate consideration of the resolution.

The VICE PRESIDENT. Without objection, the concurrent resolution will be read for the information of the Senate.

The concurrent resolution (S. Con. Res. 48) was read as follows:

Resolved by the Senate (the House of Representatives concurring), That the Clerk of the House of Representatives be, and he is hereby, authorized and directed, in the enrollment of the bill (H. R. 9326) to provide educational employees of the public schools of the District of Columbia with leave of absence, with part pay, for purposes of educational improvement, and for other purposes, to make the following change, namely: On page 4, lines 8 and 9 of the engrossed bill, strike out "July 1, 1938" and insert "July 1, 1940."

The VICE PRESIDENT. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution was considered and agreed to.

ADDRESS BY GEORGE MEANY AT INTERFAITH CONFERENCE ON UNEMPLOYMENT

[Mr. WAGNER asked and obtained leave to have printed in the RECORD an address delivered by George Meany, secretary-treasurer of the American Federation of Labor, at the Interfaith Conference on Unemployment, June 4, 1940, which appears in the Appendix.]

RELIEF—NATIONAL DEFENSE

[Mr. WILEY asked and obtained leave to have printed in the RECORD a letter from the Citizens' Bureau of Milwaukee on the subject of relief and a letter from A. T. Rasmussen with reference to national defense, which appear in the Appendix.]

AMERICA'S ATTITUDE TOWARD THE ALLIES

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an article by Mrs. Walter Ferguson dealing with the attitude of the United States toward the Allies, which appears in the Appendix.]

AIRCRAFT DEFENSES—WARNING TO NEW ENGLAND

[Mr. GIBSON asked and obtained leave to have printed in the RECORD an article containing excerpts from an address delivered by Brig. Gen. E. L. Daley, United States Army, at Worcester, Mass., on the subject of strengthening air defenses, which appears in the Appendix.]

SUGGESTED RELOCATION OF FRENCH AND BRITISH CAPITALS—ARTICLE FROM WASHINGTON TIMES-HERALD

[Mr. LUNDEEN asked and obtained leave to have printed in the RECORD an article from the Washington (D. C.) Times-Herald of June 5, 1940, by Drew Pearson and Robert S. Allen, relating to a suggested removal of the French capital to Africa and of the British capital to Canada, which appears in the Appendix.]

CAMPAIGN AGAINST MUNICIPAL AND PUBLIC POWER DEVELOPMENT

Mr. BONE. Mr. President, I desire to insert in the RECORD the second of a series of letters I am writing to people in the State of Washington against a new effort of the Power Trust to obtain domination of the State's power resources. The letter is directed specifically against a measure called initiative 139, which is intended to prevent functioning of public-utility districts organized in my State under a law favorably voted upon by the people in 1930.

The initiative is sponsored by the power companies through a fake organization called the Let the People Vote League. I do not want to take the time of the Senate now to explain the peculiar operations and propaganda of this league, but I know the Federal Government has agencies which have power to examine into the relationship between this league and the private power companies in my State, and I think such an examination will be made. It certainly ought to be made, because my State is a principal battleground in a national fight that is being waged by the private power companies to disparage municipal operation of electric utilities and to encircle their own operations with a halo.

Use of citizens' committees to fight their battles is an old dodge of the Power Trust, as revealed in the Federal Government's investigation of the power company machinations—an investigation that started during the Hoover administration and ended in 1935.

I have reason to believe that the power companies are spending a large amount of money in my State to kill off the public-utility districts, just as they admit spending at least $175,000 in advertising alone to defeat the Bone power bill in 1924. Norwood Brockett, who was the spokesman of the Northwest Electric Light & Power Association, testified under oath to this expenditure before the Federal Trade Commission. The Bone bill, which finally was referred to the people and passed in 1934 after I had been elected to the Senate in 1932, authorizes cities and towns to dispose of electric energy outside as well as inside their own corporate limits.

In 1930, when the Grange district power law was passed by a referendum vote, one company, the Washington Water Power Co., spent $33,435 to oppose it. This again was the statement of the company itself, given to the Federal Trade Commission. The Puget Sound Power & Light Co. admitted spending $124,000 to try to defeat the Grange bill. This district power law, authorizing establishment of public-utility districts, is the law the power companies are now trying to kill by amendment.

This move, if successful, will create barriers which will slow down and probably hopelessly cripple efforts to set up public power districts under a State law which is so worded that it now makes possible fullest State cooperation with the Federal program, as exemplified by the Bonneville development. The present campaign is based on a shameless misrepresentation of the law regarding the legal nature of utility revenue bonds issued by public bodies. It is falsely asserted by the power companies, through a fake organization with undisclosed membership called the Let the People Vote League, that revenue bonds constitute a public debt which must be supported by taxpayers.

These tactics are not new. In every power fight in our State private power companies have resorted to floods of misinformation.

In one piece of legislation pending before the Congress 5 years ago, Members of Congress were bombarded with letters prepared by power propagandists, purporting to be signed by bona fide citizens, and it was found that many of them had not been signed by the alleged signers. Some of these signers did not even exist. Lists of names were made up from telephone books and the like. It was one of the most gigantic fakes ever attempted to be put over on Congress.

Unscrupulous use of propaganda has been reduced to a fine art, and is now employed all over the United States to fight municipal and public-power development.

A campaign which must rest upon such a cold and studied perversion of the truth presents a sorry picture to voters. We cherish our free institutions—our freedom of expression on all issues—but there are, and ought to be, some limits which a free people, no matter how ardent they may be in defense or promotion of a principle, should impose upon themselves. Because I have defended the principle of free speech and a free press, I am all the more keenly anxious to see man strive not to abuse these attributes of our Anglo-Saxon civilization. If public power development in the State of Washington is to be stifled, I want the battle to be fought with common honesty as the basis of the arguments; and if victory should come to those who hate the principle of public ownership of the power system, they certainly would not want their victory, if they be honorable citizens, to be plastered all over with badges of fraud.

If the private power companies win this fight on the argument that a public-utility bond is a general tax obligation—and that is their blunt assertion and the entire foundation of their campaign—they would stamp the present State campaign as void of common political morality. If that sort of campaign can win, then, indeed, is America facing a crisis, for it would enthrone as a legitimate weapon of the political arena an immoral principle repugnant to everything we hold to be necessary and desirable in a democratic society. If a lie can win over the truth, we are well on the way to a complete abandonment of the last shred of honor in politics.

I am directing the attention of my colleagues to this State campaign because without dissent they have assisted me in bringing the Federal program into line with our State program of public-power development. I am writing to folks in the State, calling attention to the exact nature of this controversy, and to the fact that the Federal Government has a stake in this fight, which is made plain by the Bonneville legislation.

I ask unanimous consent to place in the CONGRESSIONAL RECORD, as a part of my remarks, the letter I mentioned, which is the second of a series. More will follow.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEAR FRIEND: A vote for initiative 139 is literally a vote to get the public into debt, not to save it from debt. The Let the People

Vote League, which is sponsoring this initiative—as a front for the private power companies—should more accurately be called the Vote Yourself Into Debt League.

This league in its advertising tells you that public utility district revenue bonds, under the present law, are a public debt; that is, a debt upon the taxpayers. This argument is a studied falsehood.

A utility revenue bond, as the name implies, is a bond that must be paid off only from the revenues of the utility. When bankers are offered such bonds, they investigate the utility's prospective earnings and decide whether to buy the bonds and at what price. When they buy such bonds they know that the bonds will have to be repaid out of revenues only. Should the utility fail to make enough revenue to pay its bond installments when due the bondholders could not rely on tax funds for payment.

The only way under the present law to make so-called revenue bonds a debt against the community is to let the people vote directly on the specific question of whether or not such revenue bonds shall be underwritten by the taxing power.

Every well-informed lawyer knows this. So does the Let the People Vote League.

No doubt you recall that the Seattle City Council made the grave error of buying the street-railway system from the Puget Sound Power & Light Co. at a tremendously inflated price. The price was provided by issuing revenue bonds. Later these bonds defaulted, and the city council tried to divert money from the general fund to make the bond payments.

Taxpayers appealed to the court, and the State supreme court held that the council could not use the general fund for such a purpose unless the people voted to make those revenue bonds a general obligation which could be supported by tax funds.

The State supreme court said in that Seattle railway bond case, as reported in volume 119, Washington reports, page 674:

"When it is proposed that any general indebtedness be incurred for such a purpose as is here considered, the matter must be submitted to the voters; and if not so submitted, all obligations arising from the acquisition, operation, and maintenance of the utility must be met from its revenue, and in any event, by no action of the city or its officers can the burden be shifted to the shoulders of the taxpayers, who have had no opportunity to say whether they will or will not accept the hazard."

It requires brazen effrontery to assert, in the face of such decisions of our State supreme court, that revenue bonds are a general tax obligation. Propaganda to convince the public that a general tax debt is created by such bonds is worse than misleading. It is a cruel hoax.

The headline on one leaflet put out by the league says: "Who incurs your debts?" Another heading says: "You must also pay your share of public debts." In face of the fact that revenue bonds are not a "public debt," this kind of advertising has a strange odor.

Every citizen should resent this attempt of the private power company attorneys who are the real Let the People Vote League, to fool him, either directly or indirectly, about this initiative.

The present law and the decisions of our courts are that public utility revenue bonds are not tax obligations or "public debts" in any form. I urge any member of the Let the People Vote League, if it has any members, to place a contradiction in writing and send it to me.

The operations of municipal agencies such as public-utility districts are inseparably linked by law with the operations of Federal power projects. It is the express intention of the Congress that a large part of the power from Federal dams be marketed through public bodies, which are given preferential rights in the Bonneville bill. That is why defeat of initiative 139 is a matter of Federal as well as State concern.

Sincerely yours,

HOMER T. BONE.

ARMY PROMOTION SYSTEM—CONFERENCE REPORT

The VICE PRESIDENT. When the Senate took a recess yesterday the pending business before the Senate was the conference report on House bill 9243. The Senator from Texas [Mr. CONNALLY] had not concluded his remarks. The Senator from Texas.

Mr. LEE. Mr. President——

Mr. CONNALLY. I yield to the Senator from Oklahoma.

AMERICAN MOBILIZATION—LETTER TO CONGRESS BY DOROTHY THOMPSON

Mr. LEE. Mr. President, Miss Dorothy Thompson has a powerful argument in this morning's Washington Post. I have read it carefully. If she had been wrong all the time in her predictions of what was going to happen, we might discount this article, but, since she has been correct in predicting everything that has happened in Europe, we are forced to give credence to what she says now. I must confess that I cannot find one single flaw in her forceful argument. The compelling force of her logic is unanswerable.

Mr. President, in order that wider distribution might be given to her views, I ask unanimous consent to have her article printed in the RECORD at this point, as a part of my remarks.

The VICE PRESIDENT. Is there objection?

Mr. LEE. Mr. President——

The VICE PRESIDENT. Just a moment. The Senator has not obtained unanimous consent yet. If he desires to proceed without it, very well.

Mr. MCNARY. Mr. President, I inquire to whom reference is made? What article is it to which the Senator from Oklahoma refers?

The VICE PRESIDENT. As the Chair understands, the Senator from Oklahoma desires to place in the RECORD at this point, as a part of his remarks, an article by Miss Dorothy Thompson. He asks unanimous consent for that purpose. Is there objection?

Mr. CLARK of Missouri. Mr. President, I am not going to object, but I regret that the picture of Dorothy, which is published in the Washington Post this morning, cannot also be included. [Laughter.]

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The article referred to is as follows:

[From the Washington Post of June 5, 1940]

LETTER TO CONGRESS—MUST WE MOBILIZE AT ONCE?

(By Dorothy Thompson)

Gentlemen, $4,000,000,000 appropriated for armaments and defense or ten billion will be useless to protect America or American democracy unless you act, and act now. You must act to protect the instruments of defense that we already have, and at the place where they are already engaged in battle, namely, the British Navy, in the North Sea and at Gibraltar, and the French Army in France, for, if they go, the United States has lost a war and lost its power, and will be the prisoner of Hitler.

Gentlemen, the British Navy is the defense of our eastern seaboard and the defense of the Panama Canal. If it goes, we are open on the whole Atlantic. Our own Navy is needed to protect us in the Pacific. For 150 years the Monroe Doctrine has been a policy as well as a doctrine because of the British Navy, and for no other reason whatsoever. In respect of the political independence of the South American States, it has happened that Great Britain and we have agreed. It is a matter of no importance whether that agreement arose out of idealistic reasons or reasons of self-interest. The agreement existed, and thus we were able, with a one-ocean Navy, to defend our outposts in the Pacific, while the British Navy held the outposts to the Atlantic.

There is talk in Washington now of building a two-ocean Navy. Gentlemen, if the British Navy goes into German hands, our destiny will have been settled before a keel is laid.

Just as Great Britain and France gave away in Czechoslovakia, the most important outpost of their defense, and by their inaction yielded the equipment of 40 divisions to the German armed forces, the secret of the concrete of the Maginot line and the productive forces of the Skoda factories, only to have these divisions and these armaments hurled against them 6 months later—giving up resources which it would take them months or even years to replace—so we, if we permit the British Navy to fall into the hands of the Nazis, will have given them the weapon with which the Western Hemisphere policy and the independent existence of the United States will be doomed.

This doom will not follow 5 years after a British or French defeat. It will follow immediately. It will be a fait accompli. Your role in American history will be that, though you were men of good will, patriots, and of excellent intention, you acted too late.

There are times in history when a cruel choice cannot be avoided. This is such a time. The choice of the United States is independence or war. These are the hardest words that a human being can put on paper. For years, gentlemen, those few of us who have realized the monstrous thing that was going to happen and have tried to warn the people of the United States have shackled our own tongues. We have hoped that our view was distorted and have prayed that history might prove us wrong. We have been hypersensitive to the cry of "warmonger," "hysteria," "agitator," even when we have heard this cry from the very throats of those who had set out to conquer the world by war and revolution.

You, too, have been influenced by the democratic hatred of war and by the inability to believe anything so monstrous as a conspiracy to subjugate the world.

Yes, and now, too, there is certainly a way to avoid war. That is to capitulate. That is to say, "this civilization, this way of life, and all the ideals upon which it is founded, is washed up. We have no longer the will or the competence either to sustain it or to remake it as part of a remade world. Therefore, let those who covet the task and have the will to undertake it have their way with us."

That is a point of view. It is the point of view held by thousands of students in our universities, whose youthful ardor has been called to no heroic or sensible communal task and who now say openly, "Let Hitler run the world and us, too."

If it is your view, gentlemen, a view held perhaps half unconsciously in the backs of your minds, then take no action. But if it

is not your view; if you are determined that the black cross of the Nazi flag shall not wave over the world, nor we live as its subjects; if you are determined that the ideals of the Declaration and "the Federalist" and of Lincoln shall not perish from this earth, then you should go to war and go now. How you may go, whether merely to say for the time being that we are not neutral and that in our own good time we shall no longer be nonbelligerent is unimportant. But you must declare that America will not accept a world settlement that leaves her out and that we shall stand with Britain and France to achieve a new world compatible with our interests, our freedom, and our faith. That amounts to a declaration of war.

Specifically, this move on our part will mean immediately that the existing and fighting armed forces of England and France, including the British Navy, will be part of our armed forces, while the great factory power and resources of this country will be part of theirs. Specifically, this will mean that whatever the retreat in Europe, the world is not lost. Specifically, it will mean that from one end of this earth to the other the hearts of men now fighting, or preparing to fight, will take courage to endure what they must endure.

You will say that we are unprepared to go to war. It is true. Let us not tell each other lies. We are woefully unprepared. Our valor must spring from the realization that we have nothing to lose. For tomorrow, if the British fleet is gone, we shall be infinitely less prepared. Today we have an Atlantic navy, if we wish to share it. Today we have a heroic army in France, if we wish to hearten and supply it. They are not our first line of defense. They are our last line of defense. Every day that they hold out, every Nazi plane that they bring down, all the German reserves that they exhaust helps us, and what strategical retreats may yet have to be made would be made by all of us together.

Gentlemen, I have spent the last months in Europe, in half a dozen countries, which, though not yet embroiled in war, know that they are all entirely dependent upon its outcome. In them we have allies. Our allies are the common man, whether he walks on the streets or Ankara, or Zagreb, or Florence, or Zurich. All around this planet, gentlemen, the common man is against the Nazi. Whatever language he speaks, he knows the words "freedom" and "human rights." These words are embodied, for him, in our country's name, the United States of America. And he asks "What will America do?" It is a desperate question and a prayer. A move from America will raise more cohorts than you dream. It will raise them in Italy. It will raise them among all who believe that God is not dead.

If the British Navy goes, Spain goes. Do you think for an instant that we can save South America from nazi-ism with all Europe in the Nazis' hands, and the Atlantic Ocean, as well? The ties of South America, economic and cultural, are with Europe. The Fascist "fifth column" is active in the whole of the Western Hemisphere. If the British Navy goes, Nazi revolutions will be engineered in South America, and they will not occur in some distant future, but in the space of weeks or months. Brazil will know revolution. I do not say that this will possibly happen.

I say this will happen. The idea of the conquest of Brazil from the center of the big German colonies there, from within and without, is no new German idea. It goes back at least as far as 1902, when the German kaiser proposed to the British that he and they should make an agreement respecting South America and that Britain should abandon support of the Monroe Doctrine.

The logic of facts is inexorable. We should move now, sending every ship not in the Pacific to the Mediterranean and the North Sea, and sending the 300 fittest of our Army planes to France and Britain to help them protect their factories and production. Three hundred planes are not nothing. A single one of our planes has brought down as many as 27 Nazi attackers. They can be replaced here out of current production in a number of weeks, if a joint policy deems that advisable. And we must mobilize immediately the total man and machine power of America.

We must act, in order that the people of Italy shall know that Italy is not entering to give a mere easy coup de grace to Hitler's war and to obtain for Mussolini a favorable position among the gauleiters of the world Reich. We must act to prevent Spain and Portugal from entering the war. We must act in order to have a claim to the disposition of the world.

Otherwise our frontiers are lost: The gateways to the Atlantic and the Panama Canal. The Nazis will have bases in Greenland and Iceland and in South America. The Atlantic, with a hackenkreuz over the vessels of the British fleet, will be a Nazi sea—their mare nostrum.

And then, gentlemen, the "fifth column" in this country will attempt its task—the task laid down by Adolf Hitler, of conquering America from within. He has predicted civil war and a Nazi victory in this country by 1944.

We shall be isolated, gentlemen. Isolated for the kill. And democracy may live, in your day and mine, in catacombs.

PRO-NAZI ACTIVITIES IN MEXICO AND SOUTH AMERICA

Mr. LEE. Mr. President, the time has come for us to look with suspicion upon those who would put us to sleep with a policy of appeasement.

The time has come for us to question the patriotism of those who would discount the danger that threatens America today.

He who puts you to sleep when danger threatens is as much your enemy as the assassin who drives his knife into your heart while you slumber. Delilah was as much an enemy of Samson when she put him to sleep as the Philistines who fell upon him while he slumbered.

Mr. President, in line with what I have previously stated on the floor of the Senate, I ask permission to have inserted in the RECORD two articles, one which bears the following headline:

Pro-Nazi paper startles Mexico.

The other:

Latin American "fifth column"—Uruguay uncovers Nazi Party.

Both these articles add to the already overwhelming evidence of the presence of strong Nazi support in the countries south of the Mexican border. They also indicate that these forces are preparing to cooperate with Hitler in the establishment of military bases right under our very nose.

Mr. President, I ask unanimous consent to have these two articles inserted in the RECORD as a part of my remarks.

The VICE PRESIDENT. Is there objection?

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Times-Herald of June 4, 1940]

PRO-NAZI PAPER STARTLES MEXICO—CHARGES ALLIES PLOT UNITED STATES DOMINATION

MEXICO CITY, June 4.—The frankest pro-German publication seen in Mexico since the war began was the initial edition of the newspaper Diaro Aleman (German daily) which appeared suddenly on the streets last night without advance fanfare.

"This is a newspaper of war * * * to give the truth of the situation," said the leading editorial.

The editorial then warned that Allied propaganda was designed to involve Mexico in a war of compromises the result of which would be United States domination of Mexico.

"Because we believe that Spanish America has a different destiny from the United States, we affirm that in this war Spanish America should remain in the same independent situation as always when it has been able to decide its own destiny," the editorial said.

The newspaper listed Teodoro Schumaker as director.

[From the Washington Post of June 1, 1940]

LATIN AMERICAN "FIFTH COLUMN"—URUGUAY UNCOVERS NAZI PARTY; UNITED STATES CRUISER SPEEDS SOUTH—MONTEVIDEO RAIDS REVEAL PENETRATION BY ORGANIZED BRANCH

(By John W. White)

MONTEVIDEO, URUGUAY, May 31.—Uruguayan investigation of "fifth column" activities is disclosing almost unbelievable Nazi political penetration into South America.

Conclusive evidence has been accumulated by police raids and other investigation methods showing that the Nazi Party has established a perfectly organized branch of the party in Uruguay known as the Uruguayan District Group of the German Nationalist Socialist Party. It is under the leadership of a "Little Fuehrer" and acknowledges dependence on and allegiance to the Nazi Party in Germany.

Diplomatic and other observers consider the Uruguayan Government's investigation of the utmost historical importance because it is uncovering details of Nazi methods throughout Latin and South America. Argentina's investigation last year showed that Germans there had organized as the Argentine District Group Party.

Newspapers of several other republics, including Chile, Colombia, and Bolivia, have charged that there are similar organizations in their countries. Latin-American diplomats here, therefore, are informing their governments that details of Nazi operations in Uruguay are indicative of what can be expected in all other South and Central American nations.

Operating as annexes to the general party are district groups of subsidiary organizations, including storm troops and Gestapo, secret police, which have carried Nazi discipline and ideology into every nook and corner of Germany.

There are more than a dozen of these annexes controlling employment, feminist activities, the youth movement, and sports. Together, they control every phase of business, social, and recreational life of all Germans enrolled in the Nazi Party here.

In addition to whatever dues social organizations, sports clubs, and mutual-aid associations collect from members of the Nazi Party, there are levies of three income taxes for remittance to Germany. One of these is a tax of 1 percent on all wages and salaries for the support of the general Nazi Party fund in Germany. Another is for the so-called winter relief fund and a third is for the aid of students in countries Germany has occupied in Europe.

The general tax of 1 percent begins at 40 centavos per month on wages of 40 pesos and continues at that rate until it reaches 3 pesos a month on salaries of 300 pesos. All incomes above 300 pesos pay 4½ pesos per month.

Even the unemployed and children must signalize their allegiance to the party by paying 20 centavos a month. This tax as well

as the other two contributions are deducted from the pay rolls by employers who are made responsible for their collections.

The most important annex of the organization, ranking immediately after the Nazi Party itself, is the German Labor Front. No German employer may hire clerical help or laborers and no German may accept employment except through registration in this organization, which is known in Uruguay as the German Labor Front, Uruguayan Group.

Application for membership recognizes Hamburg, not Montevideo, as headquarters.

Many Germans throughout Uruguay have received the dreaded Gestapo anonymous letter threatening dire results if the recipient does not do whatever is wanted of him. These anonymous threats are stamped with the Gestapo's rubber stamp showing the double eagle and the legend—State Political Police—in German.

Apparently harmless, but highly significant annexes of the Nazi organization are affiliated with sports clubs. They are glider groups and motorcycle groups. In view of the use to which gliders have been put by German parachute troops, and motorcycles by motorized columns, the potentialities of these seem plainly apparent. There are similar glider and motorcycle clubs in Argentina and other South American republics.

Another highly significant discovery by police investigators was a German map maker, holding diplomas and other certificates showing he had studied map making under Nazi party leaders in Germany. The police found in his possession a map of Montevidio showing the city divided into 38 districts.

He also had a map of the Netherlands recently sent from Germany showing gun emplacements had been located to insure bombardment of strategic points which constituted the immediate objectives of the invading troops. Investigation is uncovering further details daily, and it is not expected that the government will decide on the policy to be adopted until the investigation is concluded.

PREDICTION OF SABOTAGE OF PANAMA CANAL

Mr. LEE. Mr. President, I ask further permission to have placed in the RECORD, as part of my remarks, an article headed: "British plotting to sabotage Panama Canal, Berlin says."

The issuance of such statements is a well-known device which the Nazis have used to forestall their own activities. This article should be full proof that the Nazis themselves are planning to start a campaign of sabotage, and are undertaking to lay the blame upon the British.

The VICE PRESIDENT. Is there objection to the request of the Senator from Oklahoma? The Chair hears none.

The article is as follows:

[From the Washington Times-Herald of June 4, 1940]

BRITISH PLOTTING TO SABOTAGE PANAMA CANAL, BERLIN SAYS

BERLIN, June 4.—Germany has formally warned the United States, Mexican, and Panamanian Governments of British plots on their soil, including an alleged plan of the British secret service to sabotage the Panama Canal, the official D. N. B. agency said last night.

Germany also warned the United States of alleged British plots to destroy two American refugee rescue ships, now on the high seas, and advised Washington to take all necessary measures to frustrate Britain's purported efforts to whip up American anger against Germany.

The new charges of a dastardly plot by British Prime Minister Winston Churchill to sink the refugee-laden United States liner *President Roosevelt*, now en route from Galway, Ireland, to New York, were made to apply also to the steamer *Washington*, en route to Bordeaux, France.

The D. N. B. statement last night said the German Government has informed the Governments of the United States, Mexico, and Panama that it has received reports from reliable sources that the British secret service has sent a great number of provocative agents to Central America, mainly Mexico and Panama.

ARMY PROMOTION SYSTEM—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9243) to provide for the promotion of promotion-list officers of the Army after specified years of service in grade, and for other purposes.

Mr. CONNALLY. Mr. President, I apologize to the Senate for again taking up some of its time in opposition to the pending conference report. Yesterday I spoke on the measure, but the attendance was very small, and I desire briefly to submit my objections to the bill.

Mr. President, we are living in a dangerous and critical period of the world's history. The whole American people, the American Congress, and the American President are demanding that the United States increase its armament at the earliest possible moment. That means not alone an increase in the Navy but also an increase in the Regular Army. It means equipping the Regular Army.

Personally, I think we ought to authorize an increase of the strength of the United States Army right now to 500,000 men. Does this bill contribute toward national defense? It is so labeled; but I submit that the bill is not a national-defense measure, but is purely a promotion measure. Designed and drawn by the Army, it establishes a promotion system which provides that an officer, when he serves a certain number of years in a grade, shall be automatically promoted to a higher grade, regardless of his relative qualifications with other officers in the same grade; but the bill establishes an automatic promotion list.

We are told by the Senator from Colorado [Mr. JOHNSON] that we need 4,000 additional commissioned officers to staff the present Army and provide for the immediate expansion of the Army; and yet under this bill, instead of augmenting the number of commissioned personnel, it is provided that a great number of faithful, efficient officers shall be forced out of the service because they attain the age of 60 years, and great inducements are given to other officers to retire before they become 60 years of age.

The excuse for the bill is that there is a "hump" in the Army, and that this "hump" consists of a certain group of officers, and that unless they can either be gotten out of the Army or promoted to higher grades the officers below them cannot receive immediate promotion. My reply to that contention is that if we expand the Army all of these officers will have opportunity for promotion without putting anybody out of the service.

What does the bill provide? It provides that beginning in 1942 every commissioned officer, when he becomes 60 years of age, shall be forced out of the Army. He may want to remain, but he cannot remain. He will have to get out of the Army. Sound in body, sound in mind, capable of performing military duties, this bill nevertheless says he must quit the Army of the United States.

Where else in the departments, where else in the Government service, are men retired at 60 years of age? I know of no other place in the public service where a man has to quit at 60 years of age and then receive three-fourths of his pay for the rest of his life.

Let us see what this bill does to the 4,200 World War officers.

There are now in the Army about 4,000 World War officers. If there is any group of personnel in the Army that ought to be retained in the Army now, in this time of peril and crisis, it is the officers who have had training and experience, who have walked upon the battlefields of France, who know what war means; and yet this bill is designed to induce those officers to retire. For the national defense? No; because it is desired to promote somebody who is below them in rank. Under this bill, if an officer had any World War service at all, he may retire for no cause on earth except his wish, and receive three-fourths pay.

Mr. MINTON. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from Indiana?

Mr. CONNALLY. I do.

Mr. MINTON. He may voluntarily retire if he was a World War officer; that is true.

Mr. CONNALLY. That is correct.

Mr. MINTON. The officers who came into the service in the World War "hump" to which the Senator has referred are men about my own age, because I was in that group. Nine hundred of the top files of captains, and all of the majors, and the last 400 files of lieutenant colonels are in that hump. Now they are almost too old. I know from my own experience in the World War and from my present age and physical condition, which is probably as good as theirs, that they cannot very well function as captains and majors—and, of course, very few of them are lieutenant colonels; and therefore this bill gives them an opportunity to retire on three-fourths pay.

Mr. CONNALLY. Why can they not function, may I ask?

Mr. MINTON. Because they are too old.

Mr. CONNALLY. Is the Senator from Indiana too old to perform his duties here in the Senate?

Mr. MINTON. No; but I have not a pack on my back that weighs 60 pounds and a rifle. These officers go into the field and perform in the field services almost as strenuous as those of the soldier himself. Captains command companies. Majors are executive officers of battalions, and are out in the field. I say to the Senator, from my own experience, that I do not think a man of my age can perform that kind of field service.

Mr. CONNALLY. The Senator is very good at performing services around the Senate.

Mr. MINTON. But they are not quite so strenuous as those of an Army officer.

Mr. CONNALLY. Could not the officers about whom the Senator is speaking perform duty in the Ordnance Corps, or in the Quartermaster Corps, or in Military Intelligence, or in a variety of other activities, as bureau chiefs, in administrative positions? I request the Senator to answer that question.

Mr. MINTON. Some of them could; yes, of course; but they could not all serve in such positions.

Mr. CONNALLY. Let me say to the Senator and to the Senate that under the present law if an officer has any physical disability, amounting to only 30 percent, I believe it is, perhaps less, he can be retired because of disability, and receive three-fourths pay for the remainder of his life. If he is mentally deranged he can be retired for the remainder of his life on three-fourths pay. With apologies to the Senator from Indiana, I do not believe the statement that the great majority of the World War officers now in the Army are disabled either physically or mentally. I know many of them.

I wish to say, Mr. President, that I am not speaking and I am not taking my present position because any officer of the Army has asked me to do so. I am doing so because of my own conviction that this bill should not be enacted. I am representing no group, no faction, no clique, no one except myself and the people whom I am elected to represent.

Mr. HILL. Mr. President, will the Senator yield?

Mr. CONNALLY. I will yield, but does the Senator from Indiana want me to yield further?

Mr. MINTON. I merely wanted it to be made clear, that no World War officer would be forced out of the Army by the enactment of this bill.

Mr. CONNALLY. No; I did not say he would be, but I said he was being induced to get out.

Mr. MINTON. He should search his own physical being and his experience in the Army as a captain, or major, or lieutenant colonel, and determine whether or not he thinks he should remain in the Army with no prospect of promotion.

Mr. CONNALLY. I think that any officer who had experience in the World War, and who today is sound in mind and body, owes it to his country to remain in the Army until this critical period shall have passed. That is what I think about it.

Mr. MINTON. He can remain in the Army.

Mr. CONNALLY. I do not think we should beg him, or induce him, or seduce him to quit the Army because he will be paid three-quarters pay. That is what this bill does, in my opinion.

Mr. HILL. Mr. President, will the Senator from Texas yield?

Mr. CONNALLY. I yield.

Mr. HILL. I agree with the Senator from Texas that most of the World War officers in the Army are in good condition. We want most of them to stay in; we need them; but there are a number of exceptions. For instance, there are in the Army today as captains World War officers who are over 60 years of age. The time for those officers to render real service in the Army has passed, and they should get out and let younger men, who are better qualified by age and physical strength, to take their places as captains. That is the story.

The idea is not to get rid of World War officers, as the Senator from Texas might imply. The idea is, however, to permit World War officers who are too old, men over 60 years of age, still in the rank of captain, to retire from the Army. They know their careers are at an end. They know they are misfits. They know they are simply holding places which should be filled by younger, more active men.

Mr. CONNALLY. Mr. President, the Senator admits that most of these officers are capable and should remain. Then why does he not favor a provision that only those in a certain condition may be permitted to retire? Because a few of them, according to the Senator's statement, are still captains at 60, we are therefore asked to let them all retire.

I repeat, I think that any World War officer now in the United States Army, who has had 20 years of service in the Army, who had World War experience, if his mind is sound and his body is sound, owes it to his country to remain in the Army until the danger to the United States shall have passed.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. JOHNSON of Colorado. I call attention to the fact that not only the officers in the so-called "hump" are World War officers, but all senior officers are World War officers, all the colonels and all the lieutenant colonels. The Senator from Indiana stated that only the lower 400 lieutenant colonels were World War officers, but that is not correct. All the lieutenant colonels were World War officers, and all the colonels were World War officers. The Senator from Indiana also said they are not being compelled to leave the Army. Again he is mistaken. Under this bill they are arbitrarily retired. If they were 60 years old they would have to get out.

Mr. MINTON. Mr. President, if the Senator from Texas will yield, what I said was that the officers in the "hump" came in as World War officers. Of course, General Pershing was a World War officer. Every one of the officers referred to served in the World War; but certain officers were inducted only at the time of the World War, and they constitute the "hump." Many of those behind that "hump," and those in front of it, were in the World War, it is true, because they were in the Army, but the officers who are in the "hump" were inducted at the time of the World War.

Mr. CONNALLY. Mr. President, if there is a "hump" consisting of World War officers, and we are going to increase the commissioned personnel of the Army by four or five thousand, we will simply create another "hump."

Mr. HILL. Mr. President, will the Senator yield?

Mr. CONNALLY. Let me finish the sentence. Two years from now or three years from now the War Department will be here with another bill to iron out the "hump."

I know what the Senator from Alabama is going to ask me. Let me anticipate him.

Mr. HILL. Very well; let us see if the Senator knows what I was about to say.

Mr. CONNALLY. He is going to say that the purpose of the bill is to bring in the additional officers over a period of years.

Mr. HILL. That is correct.

Mr. CONNALLY. I thought I could anticipate the Senator.

Mr. HILL. I wanted the Senator to make that clear to the Senate, because he was not doing it.

Mr. CONNALLY. That proves what was said here yesterday, that the bill was not drawn in view of the present emergency, but it was drawn long before the emergency arose, and it contemplated a gradual peacetime increment of the Army during a period of 10 years. Must we sit down here now, when we are trying to increase the Army, and say we will not bring in any officer except over a long 10-year period? We are going to need them now, not 10 years from now, not next year, not the year after; we are going to need more Army officers right now, and the proposal to feed them in over a period of 10 years will not hold water.

To show that this is a promotion bill and nothing else, I stated yesterday, and I regret to have to repeat, there has been some sort of a "hump" in the Army ever since I have

been a Member of Congress. Away back in 1922 the Army and the Navy secured the passage through the Congress of the so-called pay act of 1922. It based pay on longevity, and not on rank. It was simply a question of pay and allowances.

What happened? I have here a copy of the report of the hearings before the Committee on Military Affairs. In 1926, General Shedd admitted, the War Department proposed a bill to rectify injustices and promote some officers. It was not passed. In 1935 Congress enacted a bill which affected the promotion of lieutenants by grade. General Shedd said:

> It gave a temporary boost in promotion by increasing the percentage of field grades from 26.5 percent to 40 percent.

Was the Army any larger? No; but the percentage in the higher grades was lifted from 26 percent to 40 percent.

> It offered retirement with annual pay at 2½ percent per year of service to officers with from 15 to 29 years' service. This provision has had little effect.

That act did not cause officers to retire. He said we offered the officers this retired pay, but they did not retire. So this bill is brought in, in order to make them retire.

Let me talk a minute more about the World War officer. I shall assume the case of a graduate of West Point who graduated in 1917. Let us say he was 21 years of age at that time. That means that he was born in 1896. He would now be 44 years of age. Under the pending bill, if that World War officer at 44 desires to retire, all he has to do is to retire, and draw three-fourths of his pay for the remainder of his life.

Would the Senator from Wyoming [Mr. SCHWARTZ] feel that a man trained at West Point, who went through the World War, who is physically sound and mentally sound, has any right to abandon the Army of the United States at this time, and draw three-fourths pay for the remainder of his life? I do not subscribe to that idea. I do not believe the American people subscribe to it. These inducements, these temptations, these seductions, to get the officers in this so-called "hump" to withdraw from the Army are spread all through the bill.

Mr. President, is the experience of World War officers worth nothing in this time of peril? Is not their experience in the Argonne, at St. Mihiel, or in the battle of Soissons, worth anything? Are they not better soldiers for that experience? Will they not make the Government better officers on account of that experience? Have they not had experience in administration, in command of troops in the field, with all their powers of observation to witness what was occurring in Europe 20 years ago? The bill should not be enacted.

Let me say something else about it. I have not had time to analyze the bill as members of the committee have had, but to my mind there are many catches in the measure. Let us see. All these things are inducements to cause officers to leave the Army, not because they are sick; they can retire now if they are sick. Not because their minds are diseased; they can retire now if that is the case. But able-bodied West Pointers, men of World War experience, are being coaxed and are being induced to get out of the Army at the very time when they should remain in the Army. What need is there for such a rush to pass the bill? Why not postpone its consideration until after 2 years from now, or 3 years from now? We are trying to increase our Army, yet the first thing we do is to provide by this measure for the discharge of seasoned, tried, trained officers of the Army.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. LUCAS. The Senator from Texas made the statement that the consideration of the bill should be postponed for a couple of years, or 3 years. I have not read the bill and my information comes from another source, but it is my understanding that none of these officers will be affected until a period of 2 years shall have expired. Is that correct?

Mr. CONNALLY. No, Mr. President; it is in only in the 60-year provision that its terms are effective, 2 years hence. That particular section of the bill dealing with officers who are forced out at 60 years of age will not become effective until 1942. But all the voluntary retirements upon application, with three-quarters pay, are effective immediately. That provision becomes the law on the 1st day of July this year. Now at a time when we need these officers, the Army is begging them, pleading with them, and trying to get them out of the Service instead of keeping them in the Service.

Let us see what else there is in the bill. It is, I say, for the benefit of the officers in the Army. I have no prejudice against the Army. I love the Army. I glory in its achievements and traditions. But the Army is made to serve the United States and not the United States to serve the Army. This is a bill drawn by officers of the Army. They have been studying and working on it for years, simply to provide what they call a steady flow of promotions. Listen to what the bill provides:

> Except as hereinafter provided, promotion-list captains, majors, and lieutenant colonels shall be promoted to the respective grades of major, lieutenant colonel, and colonel immediately upon completing, respectively, 17 years * * * continuous commissioned service in the Regular Army.

If they are in the Army, and they have been there 17 years, and they are in one of these grades, they are automatically promoted. Whether or not they are needed in the higher grades, whether or not they are efficient, they are automatically promoted.

I wish to quote another provision of the bill. It contains a number of devices making it easier for the officer in question to get out of the Army. On page 4 we find the following:

> *Provided*, That the number of years of service to be credited in computing the right to retirement and retirement pay hereinbefore provided in this section shall include all service now or hereafter credited for active-duty pay purposes, any fractional part of a year amounting to 6 months or more to be counted as a complete year.

They are not required to serve the full year. If they have had 6 months' service in the last year they shall be considered to have had 1 year's service.

Listen to this:

> *Provided further*, That any officer—

"Any officer," Mr. President—

> *Provided further*, That any officer on the active list of the Regular Army or Philippine Scouts who served in any capacity—

He may have been a private—

> as a member of the military or naval forces of the United States prior to November 12, 1918, shall upon his own application be retired with annual pay equal to 75 percent of his active-duty annual pay at the time of his retirement.

Here is another provision about a colonel. Let me show the Senate how they are trying to induce these officers to get out and how they are putting pressure on them to do so. They cannot get them out so far without congressional action, but they want congressional action now. They have not yet been able to induce these officers to retire. On page 5 we find this language:

> *Provided further*, That any promotion-list officer retired for any reason except by operation of section 24b, National Defense Act, or wholly retired, who has completed 28 or more years of continuous commissioned service in the Regular Army and who has failed to reach the grade of colonel by reason of the limitation on the number of promotion-list officers in the grade of colonel—

And so on—

> shall be retired in the grade of colonel. * * *

Mr. President, they want to induce these officers to leave the Army. The inducement is, Retire on three-quarters' pay, and we will give you the grade and rank of colonel.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. MINTON. The lieutenant colonel, however, would receive the same pay if he remained in the Army. He would not receive any more pay if he retired as colonel than he would receive if he remained in the Army as lieutenant colonel.

Mr. CONNALLY. But he would be promoted to colonel and retire from the Army and be a colonel the remainder of

his life. Why was that provision placed in the bill if that very thing was not intended to be done? It can have no other purpose. That language would not be necessary in the bill unless that was the purpose. The language is surplusage if that is not the purpose.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. JOHNSON of Colorado. The Senator from Indiana [Mr. MINTON] has continuously suggested that it was not a matter of salary or money at all. Yet it is a matter of fact that colonels are retired at $375 a month, lieutenant colonels at $359.37 a month, majors at $328.12 a month, and captains at $281.25 a month. That is under the existing law. If this bill should pass, of course, they would all get $375 a month.

Mr. CONNALLY. Exactly.

Mr. MINTON. As the Senator knows, their pay is based on longevity also.

Mr. JOHNSON of Colorado. Partly. Let me read into the RECORD some figures with respect to the question of longevity, about which the Senator from Indiana is continually talking. I will read the figures, under the longevity arrangement, with respect to officers with service of 30 years or more: Colonels may receive $500 a month; lieutenant colonels, $479.17—these are the maximum figures—majors, $437.50; captains, $375; first lieutenants, $300; and second lieutenants, $250.

The longevity in all these grades is exactly the same—it is 30 years—but there is a variation, as will be seen, in each grade. The Senator from Alabama [Mr. HILL] and the Senator from Indiana [Mr. MINTON] have continually contended that all the officers in each grade receive exactly the same pay because they have been in the Army the same length of time. That is not the fact.

Mr. CONNALLY. I thank the Senator from Colorado.

Mr. President, what else do we find? On page 6, we find:

> Any such officer who has completed more than 23 but less than 28 years of continuous commissioned service in the Regular Army, and who has failed to reach the grade of lieutenant colonel by reason of the restriction of years of service in grade of major shall be retired in the grade of lieutenant colonel—

Whether he was ever a lieutenant colonel or not. What is the purpose of that provision except to entice, and to beg him, and to plead with him, and to push him a little, to get out of the Army so that younger officers may be promoted, some of them just out of West Point.

I read further on page 6.

> *Provided further*, That each promotion-list officer shall be assumed—

Why "assumed," if he already has it?

> Shall be assumed to have for retirement purposes, at least the same length of continuous commissioned service in the Regular Army as any officer junior to him on the promotion list.

Why did he not serve his time, whatever it is. Why should something be assumed?

Mr. HILL. Mr. President, will the Senator yield?

Mr. CONNALLY. I will yield in a moment. Why should it be assumed that he has served longer than he has? Why should not all officers' service be measured by the same standard?

I now yield to the Senator from Alabama.

Mr. HILL. The Senator has shown great concern, and I share his concern, about the World War officers. The provision in question was put in the bill in order to be absolutely fair to the World War officers. A number of the World War officers served in the Army of the United States during the World War before ever they were commissioned into the Regular Army of the United States. Many of them served in France, many of them served in the front-line trenches, not as Regular Army officers, but as officers of the Army of the United States. That provision is placed in the bill in order that fairness and justice may be done to these officers, and that they may receive credit for all the service they have rendered to their country as Army officers.

Mr. CONNALLY. I thank the Senator, but let me say to him that the language already quoted on page 4 covers that:

> *Provided further*, That any officer on the active list of the Regular Army or Philippine Scouts who served in any capacity as a member of the military or naval forces of the United States prior to November 12, 1918—

May retire.

So it cannot be that this provision was inserted for the purpose mentioned. It is already provided that any officer who served in any capacity, whether as private, corporal, or sergeant, during the World War, and who is now a member of the Regular Army or Philippine Scouts, may retire on three-quarters pay. That provision takes care of the situation to which the Senator from Alabama referred. The other provision, however, to which I call attention, refers to all officers, whether they are World War officers or not, whether they have served their time as officers or not. They are to be assumed to have served as long as any officer below them on the promotion list. I do not think there ought to be any "assumption." It ought to be fair and just as between all the officers.

Mr. President, I do not wish to keep the Senate longer. I regret extremely to have to vote against the measure, because my distinguished colleague is chairman of the committee which reported it. I have no purpose on earth except to do what I think is right. I am convinced that this bill should not be passed now, if ever.

It should not be passed now when we are trying to develop and trying to arm. There are numerous duties which these officers, generals and other officers over 60 can perform. But under this bill officers in staff positions, or officers in the Ordnance Corps, must retire when they reach 60 years of age. Their duties may be such as officers of that age can perform. The duties of such an officer may be inspecting ordnance in some arsenal. However, when he reaches the age of 60 he must retire. He may be in the Quartermaster's Department buying supplies or handling supplies, not on the battlefield, but yet under this bill, when he reaches the age of 60, he must retire and accept three quarters of a general's pay, if he is a general.

The Judge Advocate General's Office is not a field organization. It maintains a staff at Washington and an officer with each division. A lawyer must retire when he reaches the age of 60. He can no longer read decisions. He can no longer understand the law. When he becomes 60 years of age we must "oslerize" him. If Senators were "oslerized" upon reaching the age of 60 we never could obtain a quorum. Lawyers must quit at 60. If Chief Justice Hughes had been "oslerized" at 60 he never would have become the distinguished jurist he is today. The same thing applies to a number of members of the Supreme Court. In 1937 certain Senators wanted to "oslerize" several members of the Supreme Court. They did not propose to do it at 60, but at 70 or 75.

Take the Board of Engineers of the Army, the men who carry on flood-control and river and harbor work, not out on the battlefield; under the terms of the bill, when they become 60 they must quit. Why? Because there is only one promotion list in the Army, and if those officers were left in the service there would be no room to push the others up to their positions, so they must get out.

The same thing applies to surgeons and doctors in the Medical Corps. When they reach the age of 60 they must get out.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. JOHNSON of Colorado. The Medical Corps, the chaplains, and the veterinary surgeons are exempted.

Mr. CONNALLY. I thank the Senator. I am not so familiar with all the terms of the bill as is the Senator from Colorado.

Mr. JOHNSON of Colorado. That exemption is a very peculiar thing.

Mr. CONNALLY. Yes; I want to speak about it right now. I thank the Senator. The Senator from Colorado is much more familiar with the bill than am I, because he is on the committee. He says surgeons and chaplains are exempt. Who else—the dentists?

Mr. JOHNSON of Colorado. Dentists and veterinarians.

Mr. CONNALLY. We must not have officers in the Army doing Army work past the age of 60; but we are willing to trust the chaplains, after the surgeon gets through with us, to guide us over yonder into the Promised Land. We need the chaplain more after he has reached the age of 60.

Speaking of dentists, I came from the dentist's this morning. I had to have a bad tooth extracted. When the dentist pulled the tooth I could not tell whether he was 60 or under 60, but he got the tooth. [Laughter.]

Mr. President, the very fact that certain officers are exempted is a contradiction of the philosophy of the bill. It is said that after certain officers reach the age of 60, they are no longer any good. I should not want a surgeon who was no good operating on me. Would any Senator want a doctor who has reached the age of 60, and who, according to certain Senators, is no longer any good, to be cutting off his leg, taking out his appendix, or operating on his body?

Officers past the age of 60 could perform duties in the office of the Chief of Engineers, in the Ordnance Department, the Quartermaster's Department, and in various other positions.

Mr. President, what do we do with our retired generals and admirals? At the present time generals are not retired until they have reached the age of 64 and admirals at 62. What do we do with them? Do we put them in the scrap heap? No. We appoint them as heads of Government commissions, bureaus, and boards. We have a Maritime Commission. Admiral Land is chairman of the Maritime Commission. He is a retired admiral of the Navy. Is he debilitated? Is his mind no good? Is his body no good? Not long ago I saw him at the horse races at Pimlico, and he showed just about as much interest in the races as did the young fellows who were there. [Laughter.] There is nothing wrong with Admiral Land. The President appointed him. The Senate confirmed him. He is over 60; yes, he is over 64.

I believe Admiral Wiley is also a member of the Maritime Commission. He is capable of running ships. What about the Navy? Does not the Navy deal with ships? If he knows how to build ships for the Maritime Commission and send them on their voyages, why should not he, even though he be past 64, help build battleships and chart their courses across the seas wherever the interests of America demand it? Oh, but it is said he must retire when he is 60.

Mr. HILL. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. HILL. Of course, the Senator knows that the bill does not change the law in any way whatever with respect to admirals or generals. It does not retire any admiral or general at 60 years of age.

Mr. CONNALLY. Not admirals, of course. This is an Army bill.

Mr. HILL. It retires no generals at 60 years of age.

Mr. CONNALLY. Generals are retired at 62. We save the generals. A general has a pretty good job, so he is permitted to serve until he is 62. If an officer is not fit to be a colonel, and we kick him out as a colonel at 60, why should he be any better at 62 because he has a star on his shoulder?

Mr. HILL. Many of the generals are not retired until the age of 64.

Mr. CONNALLY. Under the present law.

Mr. HILL. Certainly. The bill does not change the law in that respect.

Mr. CONNALLY. Mr. President, I am amazed at the attitude of the Senator from Alabama. He admits that a major general is all right at 64. If a man has two stars on his shoulder he is perfectly good at 64, but if he has an eagle on his shoulder he must get out of the Army at 60, because he is no longer any good.

What else do we find? The moment the bill becomes law we shall have a Navy promotion bill on our desks. The Navy will say, "You have done this for the Army. Now, you must pass a bill for the Navy, giving us the same promotion privileges." What Senator has not heard such talk? If he has been around Washington for 20 minutes, he has heard talk to the effect that we must do the same thing for the Army as for the Navy with respect to promotion and rank.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. CHANDLER in the chair). Does the Senator from Texas yield to the Senator from Colorado?

Mr. CONNALLY. I yield.

Mr. JOHNSON of Colorado. The Senator will recall that only the other day the President vetoed a Navy promotion bill and sent it back to Congress with the statement that this is no time to pass promotion bills.

Mr. CONNALLY. I wish the Senator from Colorado would produce that message and let me read it into the RECORD.

Mr. MINTON. Mr. President, I shall be glad to read it.

Mr. CONNALLY. I would rather read it myself. I would rather use my own voice and inflections. [Laughter.]

Mr. President, what do we do with our generals? I have mentioned the admirals. What do we do with our generals, who are no good after they reach the age of 60, and have to be "oslerized"? I know of one general, General Wood, not Leonard Wood, but Gen. R. E. Wood, who is retired from the Army, I presume with a big, fat retirement pay. Sears, Roebuck & Co. picked him up and made him president of the company. Is the head of Sears, Roebuck & Co. required to have any ability? Would he not have been a good quartermaster general? He was in the Quartermaster Corps, but he left the Army, and he is now running a quartermaster corps at Sears, Roebuck & Co., which is probably as large as or larger than the Army's Quartermaster Corps. Sears, Roebuck & Co. think he is all right. They think he is able. They think he has sense.

We have another general—a major general. General Wood was only a brigadier general. We keep major generals 2 years longer. We asphyxiate brigadier generals at 62, and major generals at 64. Why? Because a number of major generals helped to write the bill. Some brigadier generals who expect to be major generals helped to write the bill.

Major General Harbord, who was formerly Deputy Chief of Staff, a distinguished soldier on the battlefields of France, retired at 64. Did he retire into innocuous desuetude? Did he retire into idleness? Did he go off to the Army and Navy Club on retired pay, to punch billiard balls around for the remainder of his life? [Laughter.] He went to head the Radio Corporation of America, one of the greatest organizations of its kind in the world, and he is now chairman of the board of that great corporation.

I could name other generals if I had the time to search the records. I have known of them in the past. They left the Army to accept responsible governmental, industrial, and commercial positions.

Mr. President, I admire youth. God knows I wish I had it again. I admire the enthusiasm, the rush, and the passion of youth. But maturity has not lost all its virtues. The mere fact that a man becomes 60 years of age is no reason why, if his mind and body are sound, he cannot serve his country more valuably than he ever served it in the past. To deny that is to deny the lessons of experience. To deny that is to say that our observation has never profited us anything. To deny that is to say that our memories have faded. The struggles through which one goes to acquire knowledge and information should reach their apex at 60.

Yes; youth is fine, but I do not believe that merely because an officer is young he is better qualified than an older man. Something more than youth is required. It is inspiring to read of the battles of the Civil War, in which the impetuous youth of the two armies dashed up against breastworks and were decimated and destroyed; but, Mr. President, we now know that that was not war. That was murder. It was slaughter. War requires experience and training. The Army maintains a variety of schools to train officers over a long period of years. Then, when they reach the very climax of their usefulness, we propose to kick them out of the Army. Do we propose to kick them out when we do not need them?

No. We propose to kick them out when we need them more than we have ever before needed them in the history of the Republic. If there ever was an hour in all the brilliant record of the United States when we needed an Army and when we needed personnel with experience—battle experience, Mr. President—that hour is today; that hour is now.

Mr. President, we have heard much talk about old men. Let us see about some of the great soldiers of the past. When little Finland was invaded by the youth of Russia, who was it who stood like a wall of granite? Mannerheim, the Finnish chief of staff. He was not vanquished through military skill and science; he was vanquished only by the overwhelming hordes that poured out of Russia. Mannerheim was over 70 years of age.

In the World War where was Ludendorf, the military genius who stood behind the lines in the office of chief of staff of Germany and directed the operations of the great German forces?

Where was old Hindenberg? He had been retired, but he was called back to active service, and at 66 he triumphed over the Russians in east Prussia at the Battle of Tannenberg, and drove them back to their snows and ice.

Mr. President, what about Marshal Foch? At 66, when the World War began, he was placed in command not merely of the French Army but of all the armies of the Allies, and, as we read the stirring chapters of the World War, his campaigns and his operations read like an epic. When he began to pinch off the salients which the Germans had driven into the heart of France, the very day Marshal Foch began those offensive operations, the star of the Allies rose to its very zenith. Marshal Foch at 66—he was 66 when he was placed in command—will go down in history as one of the great captains of all time.

Whom has France called to the command of her armies now? Marshal Weygand. He had been retired but he was called back in the hour of peril, and at 73 he is leading the armies of France.

Someone may suggest that France is being defeated. Yes, she is being driven back, perhaps, but that does not gainsay the fact that Weygand is the best general the French have or they would not have him in command at 73 years of age.

Marshal Petain was the hero of Verdun, the soldier who stood there through 2 long, bloody, blistering, blighting years, and defended Verdun and drove back the Germans finally in chaos and defeat. He is called back now by France at 83. Under this bill he would have been retired 23 years ago. Yet he is called back now as Vice Premier to counsel and tell the Premier of France what military measures to adopt.

Mr. President, I might mention Gen. Winfield Scott, who at the age of 61 commanded the armies of the United States in the War with Mexico, and retired in 1861, at the beginning of the great civil conflict, at the age of 74.

In the Spanish-American War old Joe Wheeler, from the State of Alabama, who had been an officer of the Confederate Army, was called back into service by President McKinley at the age of 63, I believe, and at the battle of Santiago, in a critical hour, it was old Joe Wheeler, on a different front than Theodore Roosevelt at that time, came to the rescue and saved the American Army. That is not a speech; that is history.

Mr. HILL. Mr. President, will the Senator yield?

Mr. CONNALLY. I will yield in a few moments. I wish to mention two or three more names, and then I will yield. Marshall Lyautey, a French general in the World War, was in command in northern Africa, although he was then 61, and he served until he was 71.

Von Moltke, the great German marshal, at 66, was in command of the German armies and overwhelmed Austria, and 4 years later was in command of the German forces which crushed and humiliated France, and sent Louis Napoleon down in the gloom of defeat. He was 70 years of age at that time.

And what about old Cincinnatus? We all remember Cincinnatus from our school days. Cincinnatus was at his plow, but the Romans went to him when he was 61 and called him from the plow. Old Cincinnatus left his plow and led the Roman forces in their hour of peril.

Mr. President, I could go on endlessly naming great generals. I could name Tilly, who at 63, was overwhelmed finally by Gustavus Adolphus in the Thirty Years War.

Mr. President, under this bill old Joshua could never have commanded the sun to stand still, because, while the sun would have been there, Joshua would have been out of the army. [Laughter.]

I thank the Senate.

Mr. PEPPER obtained the floor.

Mr. HILL. Mr. President——

Mr. PEPPER. I yield.

Mr. HILL. I will take my own time.

Mr. LODGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Massachusetts?

Mr. PEPPER. I yield.

Mr. LODGE. Mr. President, I should like to detain the Senate for a moment or two on the pending bill. I have a sense of inadequacy following the eloquent Senator from Texas [Mr. CONNALLY] not only because he always expresses his own viewpoint so effectively but because in many phases of this question I am in agreement with him. I certainly agree with him that there are many men in their eighties who are doing excellent work, and men in their twenties who are not worth bothering with, and that age is certainly no criterion of human ability. I certainly agree with him that in the conduct of war it is necessary to have old men and middle-aged men and young men, and that a bill which arbitrarily excludes every officer above a certain age would have an unfortunate result. I also agree that any promotion bill that comes us is bound to help certain officers and to hurt certain other officers, and that this bill does both. There will always be some kind of a "hump" in the Army, and every bill that seeks to correct it will hurt certain groups and help certain other groups. But, Mr. President, at this time in the history of the United States, and in any time in our history, for that matter, we must take the broad view; we must try to develop the very best officer corps that we can, even if it means a little injustice for this officer or a little undue benefit for that officer.

Mr. HILL. Mr. President, will the Senator yield?

Mr. LODGE. My statement will be brief. If the Senator from Florida [Mr. PEPPER], who has the floor, will permit me, I will be glad to yield.

Mr. PEPPER. I yield to the Senator from Alabama.

Mr. HILL. Mr. President, the Senator from Texas delivered a very beautiful and impassioned peroration, but the trouble with his peroration was that it was made from a wrong premise, exactly as most of his speech was based on a wrong premise.

The truth is that under this bill the generals to whom the Senator from Texas referred, Mannerheim, Ludendorf, Foch, and Weygand, being general officers, would not have been retired at all, but if they had remained colonels——

Mr. CONNALLY. They would be retired at 64, would they not?

Mr. HILL. Not under this bill.

Mr. CONNALLY. Most of the generals I mentioned were over 64.

Mr. HILL. This bill would not have applied in any way, shape, fashion, or form to a single one of the officers to whom the Senator from Texas referred in his glowing peroration. But I want to point out to him that, if the great soldiers to whom he has referred had remained as colonels, in France they would have been retired not at 60, as the pending bill provides, but at 59; in Italy they would have been retired at 58; in Great Britain and Japan they would have been retired at 55; and in Germany at 52.

Mr. LODGE. Mr. President, I should like to complete my statement, but I am obliged to the Senator from Alabama for what he has said.

I am tremendously interested—and I believe the Senator from Texas is, too, because I heard him speak about it—in building up the Army. I have several times urged that we build up the Regular Army to a strength of 750,000, and consequently I look at every Army bill which comes before Congress at the present time from the standpoint of the effect it would have in building up our Army.

I submit to the Senate that our Army will never be so large that it can wisely afford to carry officers who are unfit. This bill in no way would prevent the War Department from using the services of all retired officers for the development of an enlarged Army.

Mr. CONNALLY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The Senator from Florida has the floor. Does he yield to the Senator from Texas?

Mr. PEPPER. I yield.

Mr. CONNALLY. Does the Senator from Massachusetts mean merely to call them back in time of war, for instance?

Mr. LODGE. Yes.

Mr. CONNALLY. I thought that would be the answer; but may I suggest to the Senator that, to my mind, if an officer is not good enough in time of peace to stay in the Army, I do not want him leading me in time of war.

Mr. LODGE. I quite agree with that.

Mr. MINTON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Indiana?

Mr. PEPPER. I yield.

Mr. MINTON. They could be called back from retirement just as Hindenberg was called back, and as old Cincinnatus was called back from the plow, about which we heard so much eloquence a while ago.

Mr. HILL. Mr. President——

Mr. PEPPER. I yield.

Mr. HILL. The remarks of the Senator from Texas show that he does not understand the underlying logic of this bill. The whole purpose is to let the older officers step aside, so to speak, so that the younger officers on whom we would have to rely very largely for command in time of war can have the training and the experience which they so much need and must have if they are to be effective and efficient. Is not that true?

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. PEPPER. I yield to the Senator from Texas.

Mr. CONNALLY. I assume the Senator means that that is why he is in favor of the provisions of this bill, designed to get all the World War officers out of the way.

Mr. HILL. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. HILL. On the other hand, if there is any one group in the Army that this bill favors and will help and will give an opportunity to make the most of themselves and their careers, and best prepare and train themselves if we should go into war, it is the World War group.

Mr. LODGE. Mr. President, let me complete my statement on that subject.

I go back to what I said at the outset—that we should not make general statements that all men of a certain age are good, and all men of a certain age are bad, and that all officers who entered the Army in the World War are good or bad, or vice versa. We should try to consider these things on their merits, and we should recognize this bill for what it is—a moderate, modest step toward eliminating some of the dry rot in the Army, and bringing ability more to the surface. I think it is particularly important at this time, because if there should be war, and if we should confront an emergency, it would be much better for the Army to have eliminated and retired some of those whose services are no longer useful than to have to spend the first 3 or 4 or 5 or 6 months in that process.

We have learned that recently in France 15 generals had to be relieved and arrested; and, in fact, some of the newspapers say they were executed. How much better it is to face an emergency with all that kind of house cleaning behind you instead of in front of you.

I believe this bill is a moderate step in the right direction. I think it will make the Army more efficient, not only in peacetime but in case we should be confronted with an emergency. I hope the conference report will be accepted, and I thank the Senator from Florida for yielding to me.

Mr. CONNALLY. Mr. President, will the Senator yield to me?

Mr. PEPPER. I yield to the Senator from Texas.

Mr. CONNALLY. I did not know the Senator from Florida had the floor.

Mr. President, I merely wish to insert in the RECORD at this time a statement of the President when he vetoed, on May 3, a promotion bill for the Navy. They have a "hump" over there, too, sticking away up high. This is what the President said:

> I fully approve the thought that it is desirable to speed up the retirement of rear admirals and general officers of the Marine Corps in order to create a quicker flow of promotion for younger men.

He did not stop there, however. He said—and I am quoting the President:

> At this particular time, and because of the extremely difficult and uncertain status of international relations, I hesitate to approve specific mandatory legislation and believe that this should wait until the next session of the Congress. This is especially so because the proposal in this bill is mandatory for a number of years to come.

That is my reply to the Senator from Alabama.

Mr. O'MAHONEY. Mr. President, will the Senator yield to me for a moment?

Mr. PEPPER. I yield.

Mr. O'MAHONEY. Last night I asked that the conference report on this bill go over because, since the measure was introduced and considered by the Military Affairs Committee before the present emergency arose, I was under the impression that perhaps the War Department had not fully expressed itself upon the bill. I have taken the opportunity, as I stated to the chairman of the Military Affairs Committee yesterday, to read the full record of the debate yesterday and to communicate with the War Department. I find that the Department, considering the present emergency, is still in support of this measure. In these circumstances, I merely wish to record my support of the conference report.

Mr. CONNALLY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Texas?

Mr. PEPPER. Will it be only a brief interruption?

Mr. CONNALLY. Merely a brief one.

If the Senator from Wyoming had inquired a little further, he would have found that the Army have been tinkering with this subject since 1926. Of course, they are for it. They cannot say they are not for it. Of course, they are still for it. Did the Senator, if I may inquire, talk with the Secretary of War?

Mr. O'MAHONEY. Yes; I talked with the Secretary of War.

Mr. CONNALLY. And he is for it. Of course, he is for it, because the Army are sponsoring the bill. They have been sponsoring it all the time; but this bill was not designed as a measure to meet this emergency.

Mr. O'MAHONEY. I think that is perfectly true.

Mr. CONNALLY. If the Senator will read the report, he will find that the Army have been cooking up this bill for 10 years.

Mr. O'MAHONEY. Certainly; I do not think there is any doubt about that; but the War Department supports the bill even in the light of the present emergency.

Mr. CONNALLY. That is very true.

Mr. O'MAHONEY. And the view was expressed to me, and I have accepted it, that to have younger officers in the line will aid in training any increased Army we may have.

I therefore announce my support of the conference report.

Mr. CONNALLY. Let me say to the Senator from Wyoming that if I had known yesterday afternoon that his attitude had only been a desire to find out what the War Department wanted, I could have told him. I told him in my speech

yesterday. The Senator from Wyoming rather encouraged me to considerable physical effort here today, thinking that I had his sympathy and support; but, of course, if all he wants to know is what the War Department wants, and then he votes accordingly, there is no use arguing with him. Call up the War Department. Call up the Navy Department. There is no use of deliberating or arguing if all you have to do is to go to the telephone and ascertain what the Secretary of War wants.

EXCERPTS FROM BOOK BY JAMES H. R. CROMWELL

Mr. BARBOUR. Mr. President, will the Senator from Florida yield to me?

Mr. PEPPER. I yield to the Senator from New Jersey.

Mr. BARBOUR. Several days ago I issued a statement concerning utterances of Mr. James H. R. Cromwell, the former United States Minister to Canada and my opponent for the United States Senate, in which I stated that Mr. Cromwell's published declarations in the book of which he was the author, The Voice of Young America, published by Scribner & Sons in 1933—only 7 years ago—verges on the seditious, and gives comfort to "fifth columnists" in the United States.

Since making that statement a number of my colleagues in the Senate, shocked by the implications of my statement, have asked me to cite the specific authority for my charges. I therefore, Mr. President, ask unanimous consent to have published in the CONGRESSIONAL RECORD my statement issued to the press on June 3, and, immediately following it, the specific passages from Mr. Cromwell's book, The Voice of Young America, which I have quoted.

The title of chapter 1 of Mr. Cromwell's book is The Fundamental Cancer—What Can the Citizen Vote For?

Nor, Mr. President, do these views reflect only Mr. Cromwell's views in 1933. Speaking at a public meeting in the city of Trenton, N. J., last Tuesday, June 5, Mr. Cromwell said—and I quote him directly:

The Constitution does not as yet provide a form of government sufficiently responsible and responsive to the will of the people.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

SENATOR BARBOUR'S STATEMENT

The basic requirement for any man who aspires to serve in the Senate, in times like these especially, is complete devotion to the Constitution, to American institutions, and the American form of Government. Those who do not and cannot support them are not worthy of public trust.

Mr. Cromwell's slurring references to the Constitution and the American system of Government, which he proposes to abolish, stamp him as unfit to hold any office under our form of government. He describes our system of government as a fundamental cancer which must be removed, and the Constitution as a vicious document and a millstone around the necks of the American people. He openly proposes to substitute a totally different form of government in the United States. Holding these views, he could not even take the oath as a United States Senator.

Only members of the "fifth column" and other seditious groups could find any satisfaction in Mr. Cromwell's hostility to the American system or in his having any part in the American Government. It is incredible that the rank and file of the American people can be expected to recognize and repel the insidious encroachments of "fifth columnists," whose disloyalty takes many forms, if hostility and contempt toward the Constitution and our form of government guide the hands of those who seek to represent them in Congress. The "fifth column" victory will be complete when such hostility and contempt for American fundamentals infiltrate into the Congress.

These expressions by Mr. Cromwell are presumably those of a mature man. But, whether they are or not, they clearly stamp him as unfit to hold any public office.

Mr. Cromwell and his sponsor, "Boss" Hague, are natural bedfellows. The similarity between the two is striking. Mr. Cromwell advocates discarding the Constitution, with its guaranties of civil liberties. Hague actually threw civil liberties out of the window until the United States Supreme Court showed him that he was not the law.

The title of chapter 1 is The Fundamental Cancer—What Can the Citizen Vote For? It is in this chapter that Mr. Cromwell proposes to abolish the American system of government, scrapping the Constitution in the process of doing so.

Page 4 of the book contains this statement as his first attack on the Constitution:

"Today, facing an intangible issue which is far more dangerous than the plain and evident issue of 1917, America is a house divided against itself, and not one great leader has appeared who is courageous enough to tell the people of the United States that the antiquated Government of the Constitution has collapsed."

On page 6 the author says:

"This depression will prove, in the end, a blessing in disguise, and not a calamity, if it compels the youth and best brains of America to consider the common welfare, to tell the truth to the people of the United States, and to reorganize both an iniquitous system of government and an archaic theory of economics."

On page 11 we find Mr. Cromwell saying:

"The discovery that our Government is iniquitous and inefficient is inevitable when the foundations upon which it is built are admittedly illogical and absurd."

On page 13 he speaks of the Constitution thus:

"Our 'sacrosanct,' outworn, and demoralizing Constitution is a millstone around the necks of the American people and it has delivered our Government into the hands of self-seeking demagogues and politicians."

Arguing for abolishing the American system of government and substituting parliamentary government in the United States, Mr. Cromwell supports his argument with this further criticism of the United States Constitution and the American system, found on page 26 of his book, captioned "Impediments to Progress":

"We will be confronted, however, with determined and organized opposition, for the American people are victimized and held in bondage by a small and controlling group of demagogues and politicians whose power and privilege will be destroyed if the modern and universal system of parliamentary government is substituted for our corrupt and tottering constitutional government. The obstructive tactics of this oligarchy are unwittingly supported by reactionary 'patriots,' who cry 'treason' at the mere suggestion that our ancient and 'sacred' institutions are not 100 percent perfect; but young America must not be diverted by such impediments in the path of progress; we must and will throw out this infamous oligarchy irrespective of Constitution 'cults' or any other forms of ancestor worship."

The following language on the same subject appears on page 32, captioned "Cutting the Gordian Knot":

"How can these imperative and drastic changes in our Government be brought about? The Constitution provides that amendments may be proposed by a two-thirds majority in both Houses, or by two-thirds of all State legislatures, and that such amendments must be ratified by three-fourths of all State legislatures or by a special convention convened in three-fourths of the States. Most of the authors of the Constitution were of the privileged, landowning, upper-class minority, and they took every precaution to guarantee the perpetuation of a system which would safeguard the privileges of a fractional minority at the expense of the vast majority. It is inconceivable that our parasite States will voluntarily deprive themselves of the graft and special privileges which they enjoy under our present scheme of government, and therefore some 'unconstitutional' plan of compelling reform must be found."

On page 34, Mr. Cromwell characterizes the American system of government as a "fundamental cancer which must be removed." This passage, captioned "The Past and the Present," follows:

"Timid antiquarians will oppose us with the statement that the Constitution has served the national needs for over 143 years, and that a vehicle of government which has endured so long must be meritorious. Our ancestors were satisfied with a horse and buggy, which is a meritorious means of transportation, but we have not, for this reason, hesitated to adopt the automobile or the airplane. A man may for years enjoy apparent health and prosperity while, unknown to him, a cancer is slowly spreading its poison through his system; then in some period of weakness he is struck down by this dread disease. No such man can hope to recover his health until this cancer has been removed, and the same thing is true in America today. We cannot hope to climb up the steep ladder to renewed contentment and prosperity until our fundamental cancer, an undemocratic and incompetent system of government, has been removed."

On page 36, as the first of a series of so-called reforms advocated by Mr. Cromwell, we find that in his opinion:

"The first reform is to adopt parliamentary government for the United States."

In chapter 2, on page 40, he says again:

"America's fundamental cancer is a system of government which is not responsive and responsible to the governed."

In the final chapter of the book, page 167, he speaks once more of "our atrocious constitutional form of government."

ARMY PROMOTION SYSTEM—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9243) to provide for the promotion of promotion-list officers of the Army after specified years of service in grade, and for other purposes.

Mr. PEPPER. Mr. President, this morning the Senate Committee on Foreign Relations met. I assume the news has already become public that Senate Joint Resolution 263,

of which the junior Senator from Florida is the author, and which proposes to authorize the President of the United States to give to the Allies certain aid short of war, was adversely acted upon by a vote of 19 to 2.

I suppose by this time it is also a matter of public knowledge that the other Senator who voted for the joint resolution was the junior Senator from Pennsylvania, Hon. JOSEPH F. GUFFEY. I pause to pay tribute to the courage, and I believe the intelligent self-interest as a patriotic citizen and Senator, manifested by my friend and colleague, Senator GUFFEY, in the vote which he cast for the joint resolution.

I suppose also that those who may have examined the roll call are aware of the fact that eight of the Senators in the Foreign Relations Committee who voted against the joint resolution were Senators who voted against the neutrality bill which removed the arms embargo at the last special session of Congress. Those Senators—the Senator from Kansas [Mr. CAPPER], the Senator from Missouri [Mr. CLARK], the Senator from California [Mr. JOHNSON], the Senator from Wisconsin [Mr. LA FOLLETTE], the Senator from North Dakota [Mr. NYE], the Senator from Minnesota [Mr. SHIPSTEAD], the Senator from Michigan [Mr. VANDENBERG], and the Senator from Maine [Mr. WHITE]—have not just begun to be against the United States doing anything to help the Allies. They had that attitude last year, when the President and the majority of the Senate were pleading with the Senate and the country for authority to remove the iniquitous and discriminatory arms embargo which made the United States an ally of Germany. They had the same attitude at the last regular session, when the President pleaded with the Congress to remove the arms embargo, and to keep the United States out of the class of an ally of the dictators of Europe.

So there is a group of my eminent colleagues who have not just come to be against the United States doing anything to help the Allies in any way. When, therefore, they stand on this floor and say my resolution is a step toward war they are just repeating an argument they made at the last special session and at the last regular session against the United States doing anything whatever for the Allies. They do not want to help the Allies. They do not want to abandon the policy of isolation to which they have committed themselves in the past. They still cherish the fantastic dream and folly that the United States is isolated from the rest of the world and from what is going on in Europe.

They were not the only ones who opposed my resolution. There were 11 Senators who were in favor of the neutrality law at the last session of the Congress, a law passed at a time when the President was pleading with Congress to assist him to help keep the war from coming to the shores of America. At that time the isolationists made the argument that the neutrality law was a step toward war. Those Senators who voted against the neutrality law of 1939 and who voted against my resolution this morning argued last year that anything at all done by this Congress and this country might anger Hitler, might get us into the war, might constitute a breach of neutrality, of international law. Yet these 11 Senators who this morning voted against the resolution of the junior Senator from Florida, against their President having discretion to give some aid in war equipment for cash to the Allies, against some help being rendered by their country at this crucial hour, they did not pay any attention to that argument then. Why do they listen now to such an unjustified assertion?

Mr. President, those Senators this morning, 19 of them, voted against the resolution in spite of the fact that the junior Senator from Florida, before they voted, read this dispatch which came yesterday afternoon from Edgar Ansel Mowrer, the Paris correspondent of the Chicago Daily News, a respected and eminent correspondent in Europe intimately aware of what is going on there and acquainted with personalities there.

PARIS, June 4.—Five hundred American pursuit planes, delivered before the beginning of the coming German offensive against Paris, would make it sure that not a German would pass.

This is not this correspondent's opinion; it is the pondered statement of a prominent official of the French Air Ministry.

Do these Senators say, "Could that be so? Let us make inquiry, ask the War Department, the head of the Air Corps, any informed official, could that be so. And if we could in that simple way save Paris, save London, save Christianity, save democracy, save decency, would we not rush to an opportunity to do so?" No; they did not make that inquiry; they were not interested to make any inquiry at all.

What do we find, Mr. President? Here is the headline:

Hitler throws everything into smash on Paris.
Six hundred thousand attack at dawn along 110-mile front.
French hold fast after 6 hours.

Germany hurled 600,000 men, 1,000 bombers, 2,250 tanks, and 15,000 armored cars against the Weygand line along a 110-mile front from the channel at Abbeville along the Somme inland today in a tremendous offensive to smash the French Army and envelop Paris.

On the second page of this paper, the Washington Daily News of June 5, appears this statement by Herr Hitler:

Today Hitler declared he would continue the war * * * until Britain and France are annihilated, and that "beginning today the west front goes back into action."

Mr. President, look at the Senate now. Consider the Senators as they sat in the Foreign Relations Committee this morning. In the name of God, are they not even interested in the destruction of civilization? I do not care whether they adopt my resolution or not; I have no pride of authorship in that particular measure; but I say, in God's name, in the name of American traditions, do something.

If they oppose this resolution, let them propose another. I will concur with one of them or any other Senator in any proposal that has any possible purpose of helping the Allies now, short of war, to stem the tide of the ruthless conqueror while he may be stopped in Europe.

What troubles me, Mr. President, is the apathy of our colleagues. Perhaps I am irresponsible; perhaps I have just been reading false papers which have been prepared by some Mephistopheles who wants to make the souls of men suffer by what they think they see. Perhaps this report is not true. Perhaps tomorrow I will say, "What a hideous day yesterday was! How could I have believed such terrible things!"

Is it so or is it not so? If it is so, what will be the burden upon the conscience of the Congress if it sits through this day and through tomorrow and the next day in apathy and in indifference while the edifice of civilization is crumbling around our heads?

Look at this paper and see the picture of the children stretched out in the morgue, dead. Or are they dead? Perhaps I am still just seeing things which do not exist. I hope so. But it is said they are dead, and if men are conscious they are tragically dead.

This correspondent tells us that 500 planes would stop this seemingly invincible conquerer's hand at the Somme, where humanity's forces might organize for the counterattack which would destroy him from the face of the earth. Yet no one here seems interested; no one seems concerned. Our colleagues are talking about an Army promotion bill and about other routine matters, eating lunch, reading the papers. We are taking our day as it comes and the world aflame.

Mr. President, if that is the way democracies behave, can they expect anything other than what democracies are now pitifully receiving? That is what Great Britain did. The British arose in the morning, they spent a cultured gentleman's day, they had tea in the afternoon, and spent a delightful evening at dinner, with pleasing conversation animating the assembly.

Meanwhile what happened beyond the Rhine? It was not indifference and apathy that prevailed there; there the Herculean will of Hitler summoned every energy of a great people, and gathered those energies into one dynamic unit.

Beyond the Rhine there was no waste of time upon inconsequential things. Every minute was studded with 60 busy seconds, and every hour was made the vital instrumentality of 60 minutes more progress toward world conquest. The while the democracies sat by the wayside or squandered their substance upon secondary things.

Mr. President, we know the terrible things which have happened. We know that they happened to democracies which had a great tradition, which had a great people, a courageous and a virile people—even to a nation which had sent its battle flags around the world, and for a thousand years had stood like the Rock of Gibraltar against every assault. We know that another was a great empire which stretched from Europe into Africa, which extended the glory of its legions, in times past, over many a territory, which had a great history behind it, in the hearts of whose people surged stirring traditions.

Yet these great empires, which were thought invincible, these great bulwarks of democracy, these sentinels of civilization—where do they stand today? With their bodies almost prostrate in appeal to us and to men and women who feel like us all over the world, every hour, as General Weygand says, approaches the crucial moment which shall decide the destiny of the world. For the commander in chief of the Allied armies says that this battle will probably determine the course of the war.

Mr. President, before me sits a body of honorable men, as honorable as this country possesses. We are not indifferent to the spiritual forces of the world, are we? We are not indifferent to the heritage of the past, are we? We are not really apathetic to whether or not our kind of law and our kind of justice and our kind of decency shall prevail in the world, are we?

Are we not even willing to make individual sacrifices to preserve those things, and can one say we are satisfied to have them here alone, and to see them destroyed for every other citizen in the world?

America's tradition has in it a quality of unselfishness. Who was it that went to the aid of oppressed Cubans to the south of us? It was the great United States of America. Some Senators on this floor offered themselves to their country in that great moment, when we cast aside selfish ambition, intended no territorial gain, but went to the defense of human liberty where it was denied in this hemisphere. We prevailed; and when we prevailed, we exhibited the high character of our effort by not taking Cuba into our own grasp but by setting up the Cubans as a free people, to enjoy the blessings of liberty which we had gained for them.

Not only that, Mr. President, but about a quarter of a century ago another conflict raged in Europe. Many people said that America then had naught to do with it; that we were insulated and isolated; that what was conceived of by the Kaiser and perpetrated by him and those of his philosophy, was so far removed from us that it did not affect our destiny at all. They also said that we had no interest in the outcome of that controversy. But the wiser judgment of our country prevailed. The age-old sentiments of our people came to life again. America aroused herself. Under the leadership of Woodrow Wilson, a man upon whose brow I imagine the kiss of the gods had been placed—a man whose stirring appeal for liberty and freedom and the dignity of man aroused the suppressed aspirations of men all over the earth—following the leadership of Woodrow Wilson, America set its face toward the destruction of those evil forces upon the earth. The demons of hell, we said, should not prevail against the forces of righteousness. And they did not.

Mr. President, I know that the Gold Star Mothers of America are not the ones who look back upon that great effort with contempt and disdain; rather, if that sentiment exists, does it come from those who misunderstand the dignity and the worthiness of what we did then to stave off what we see now. Just because evil has come back again in more hideous form, and with greater perfidy, it does not mean that our effort then was not efficacious for its destruction, for evil always comes back. After the Christ died it came back. After the martyrs gave their blood it came back. And just so long as men shall retain the vices of mortals, so shall it recur. But every time it puts up its hideous head in man's sight, I hope that the spiritual forces of the earth will rally again, as they have in the eons past, to drive it back into the dungeons of darkness from which it sprang.

So, Mr. President, the tradition of America is an honorable and an unselfish tradition that has to do with some of the things that make man different from the beast. I hope that in this day we have not even forgotten the moral fervor which moved this country in the fratricidal civil strife which tore us in the sixties. I honor the people of the North. Although my grandfathers fought against men of the North on the field of battle, and my ancestry was interwoven in the cause of the South, I honor those of the North who fought for a moral principle that stirred their fire and set their emotions aglow to accomplish a holy task in behalf of human liberty.

So America, Mr. President, has a great tradition to sustain. I hope that now, in 1940, when we have been blessed as no nation upon the earth has been blessed; when we have everything that the world envies as our inheritance and possession; when our name stirs the dull hope of every oppressed man upon the earth, or did; when the name of America challenges the aspiration of every unselfish person to freedom, I hope that we of this generation, who have been entrusted with the preservation of that tradition, shall not be untrue to our trust.

I can never forget the immortal lines that were penned upon Flanders Field when the battle raged there before, when that great clairvoyant author gave to us who lived the admonition:

> To you from failing hands we throw
> The torch; be yours to hold it high!
> If ye break faith with us who die,
> We shall not sleep though poppies grow
> In Flanders Field.

Mr. President, I assume that Senators are satisfied to let events take their natural course. They do not seem to be very much disturbed. They do not seem to be agitated. Seventy-one percent of the people of America in a poll which we regard as reliable have expressed themselves to be in favor of action of the character proposed in the resolution.

From all over the country appeal that is frantic, that comes from a dispairing and anguished heart, has come to the American Congress to do something. "Act now." They do not say, "Act on the Pepper resolution." They do not commit us to any particular form. They say, "Use your judgment, follow your wisdom, but in the name of decency act now, for tomorrow it may be too late."

What confuses me is that a stirring appeal from the American people can be so callously ignored; that the voices coming from the crushed bodies of the men and women and children who are now receiving the instruments of destruction upon their bare forms cannot be heard by the Senate and the House. All the forms of beauty and culture, literature and art, that are preserved in their churches, in their libraries, in their museums cry out to America for salvation and preservation; and America does not even seem to be interested, if the Senate of the United States is a true reflection of the sentiment of the people of America.

Mr. President, in the great article which the able Senator from Oklahoma [Mr. LEE] placed in the RECORD this morning, Dorothy Thompson addresses an open letter to the Congress of the United States.

Gentlemen—

She said—

> $4,000,000,000 appropriated for armaments and defense, or ten billion will be useless to protect America or American democracy unless you act, and act now. You must act to protect the instruments of defense that we already have, and at the place where they are already engaged in battle: Namely, the British Navy, in the North Sea and at Gibraltar, and the French Army in France. For if they go, the United States has lost a war and lost its power and will be the prisoner of Hitler.

This morning in the Foreign Relations Committee the committee did pass a resolution which provided that the United States would not recognize any change in sovereignty in respect to the territorial possessions of non-American governments in this Western Hemisphere. In that they said that they did not want Hitler for a neighbor, and they would not have him for a neighbor. They did screw up their courage to say that they did not want to undergo the hazard of

Hitler's proximity to our shores, and, therefore, if he attempted to take possession of any of these territories which the Allies now own, that we would not recognize such an attempt.

Mr. President, if it is said that my resolution will make Hitler angry, how can those who say it distinguish the action taken by the Foreign Relations Committee this morning from my resolution? If telling a man that his nation is unworthy to be a member of the American family, and telling him that he is odious in our sight, is not offensive to him, I do not know what is. I dare say that you and I would not like to have a prospective host tell us, "I am going to let your neighbor stay at my table as long as he will, but I forbid you to come." I do not suppose that is likely to stimulate any great friendship, or that the action of the committee is likely to encourage any great harmony between the United States and Hitler. Yet the committee dares to say what it did.

Why, Mr. President? Because the committee knew what the effect of permitting Hitler to come to this New World would be. Yet, Mr. President, how indifferent we are to other information we have. In a newspaper, General Marshall, the Chief of Staff of the United States Army, is said to have told the House Military Affairs Committee that there were five countries in South America in which infiltration of the "fifth column" had already been carried on to a surprising and alarming degree. So while we are acting like lawyers, and while we are talking about technicalities, while we are speaking about international law, Hitler has already gotten a foothold in the Western Hemisphere. We lawyers just do not see it unless it is put to us in a musty document.

Mr. President, the British tried to depend upon people of that kind to defend them for a while. Where is the Army that they had responsibility for?

Mr. Chamberlain was a leader. He took Hitler's word. He believed his assurances. He did not want to send troops across the boundary of Belgium, put them on the German frontier, and say, "Here they stand, defiant against your iniquitous attack when it shall come." He did not speak in that way. He spoke the language of legalistic orthodoxy; and, Mr. President, it was as effective a defense as that kind of defense has always been against a willful, powerful force like that of Germany today under Adolf Hitler.

What I am trying to emphasize is that while we in America quibble, our hemisphere is already being invaded. We know that it has already been invaded. We know that the Nazi Party almost won an election in one of the big South American countries. We know that if it had put in $10,000,000 instead of $5,000,000, it probably would have won the election. Yet we are still debating whether or not we should recognize the sovereignty of Germany if she should take over a possession which formerly belonged to one of her victims in Europe. That attitude emphasizes what I am trying to say. Our friends who take that point of view do not see the realities of the situation. They are still thinking about a code which is as dead as the Roman law in its applicability to modern times. They are still thinking about feudalism in a modern situation. They are that far, relatively, behind the times.

If our friends really want to defend the sovereign integrity of the Western Hemisphere, why do they not do it in a realistically effective way? Why do they not lay their heavy hands upon the man who would destroy the integrity of the Western Hemisphere and the Monroe Doctrine, at the place where he crouches in his lair ready to strike?

Mr. President, we know where to defeat Hitler. Every military man knows where to defeat Hitler. Every official of this Government knows in his heart where to defeat Hitler. Every Member of the Senate knows where and how to defeat Hitler. Most of us in our hearts know that this correspondent is telling the truth. He did not know that the cablegram was to be read on the floor of the Senate. He sent it yesterday to his own newspaper, the Chicago Daily News. Let me repeat it. Writing from Paris, he says:

> JUNE 4.—Five hundred American pursuit planes delivered before the beginning of the coming German offensive against Paris would make it sure that not a German would pass.

That is not the correspondent's opinion. It is the pondered statement of a responsible official of the French Air Ministry. The British Ambassador, speaking in New York yesterday, said:

> Of course we want the United States to send planes and instruments of warfare, but the United States will have to be the one to make the decision.

Mr. President, I dare say the Allies are almost ready, if they thought it would do any good, to prostrate themselves upon our boundaries and say, "Mr. President of the United States, Mr. Senate, and Mr. House of Representatives, in the name of God, throwing aside vanity and pride, we need you. The next few hours may determine whether we live or die."

The King and the Queen of Great Britain would appeal, and the Government would appeal. Would we listen then? Or are we so insensible to their appeal that we do not care what they say or what the crisis is?

Mr. President, if the members of the Foreign Relations Committee do not want to take legislative action, I call their attention to two statutes which may have escaped their attention. The first is United States Code, title X, section 1262:

> Sale of surplus war materials to States and foreign governments: The Secretary of War is hereby authorized, in his discretion, to sell to any State or foreign government with which the United States was at peace on June 5, 1920, upon such terms as he may deem expedient, any material, supplies, or equipment pertaining to the Military Establishment, except foodstuffs, as are or may be found to be surplus, which are not needed for military purposes and for which there is no adequate domestic market (June 5, 1920, ch. 240, 41 Stat. 949).

That is a statute on the books of our country. That is the present law, Mr. President. If Senators do not want to pass my resolution, let them stand up like men, like American Senators, and go down to the White House and say, "Mr. President, under the assurance that we will stand behind you in the Senate when the carping critics attack you, we admonish you to act now under the authority you possess."

I also call the Senate's attention to a statute which I have not seen called to the attention of the Senate otherwise, which is title X of the United States Code, section 1272:

> Motor-propelled vehicles, airplanes, engines, and parts thereof may be exchanged in part payment for new equipment of the same or similar character, to be used for the same purpose as those proposed to be exchanged.

That law was adopted May 12, 1917—chapter 12 of Fortieth Statute, page 43—and has not been amended or abrogated.

So, Mr. President, under existing law it would be possible for the President to tell the Secretary of War to gather up all the old planes that are now obsolete and to get in touch with the airplane manufacturers and let them have the planes, crediting us with their value against new purchases to be delivered as soon as their output would allow. Let private manufacturers, under the existing law, the Neutrality Act of 1939, against which eight of the Senators who voted against my resolution today voted last year, sell to the Allies planes that are obsolete for our purposes. Perhaps they would do some good. I know they would. Of course, they are not the latest type planes, but they could do scouting work. They could carry communications. They could drop bombs. They could have modern equipment installed upon some of them. They could be altered in material respects which would make them instruments to help to some extent at least in the resistance which the British and the French are making at this very hour to Hitler in his ruthless course of trying to conquer the world.

What do Senators say? They say that international law would be violated by my resolution. They say that it would constitute an act of war—which it would not. They say that it might anger Hitler. If so, what would we care? Sometimes men are honored by their enemies. Is anyone in doubt as to what Hitler thinks of us? Who has not heard his vituperative descriptions of decadent democracy, of which we

are the chief exponent? Surely no Senator—and Senators are usually well informed—is ignorant of Hitler's colossal contempt for the United States of America.

So, Mr. President, if Senators say that the resolution which the junior Senator from Florida has offered would be in violation of a code which they think they should still respect while others who respected it are being destroyed by those who disdained it; if they are not willing to face the realities of the situation and see that the only way to meet a tiger is with force, and not with persuasion or law; if they cannot see that the only way to stop a kidnaper is by violence which will overcome his iniquitous purpose—I say, if they are unwilling to see the realities of the situation, and must find some lawyer's technicality through which to act—which is un-American in character and genius—I say here it is, already upon the statute books.

Mr. LEE. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. LEE. I wonder if anybody in the United States believes that America's neutrality would purchase any immunity from the wrath and greed of Hitler if he should break through the Allied lines? I do not believe so. I am glad the junior Senator from Florida has read into the RECORD the two laws to which he has referred. If they have not been abrogated, in my opinion, they would give power to the War Department to turn in war machinery to the factories and receive credit for it toward the purchase of more modern equipment. This would allow the manufacturers to sell considerable equipment to the Allies. What we now have would not defend us against Hitler; but what we have, added to what the Allies now have might turn the tide of battle and save us from having to spend billions for defense in future years. It might save us from having to fight a battle of defense here in America before we are ready. If Hitler is as smart as he has appeared to be from a military standpoint, he will not give America time to prepare. I believe that the American people want the Government of the United States to aid the Allies economically in every manner within the four walls of existing law.

Mr. PEPPER. Mr. President, I am very deeply grateful to the Senator for what he has said. It is characteristic of the able Senator to stand on his feet and express himself as he has upon this important measure. All the other bills we are talking about fade into insignificance compared to what we do in the next few days.

Mr. President, I am willing to have any officer of our Army or any official who has expert knowledge of the subject of war give any advice the Senate might require on the subject. As the able Senator knows, it is a question of whether we shall fight with the Allies or whether we shall fight alone. I wonder how many of us are willing to take the responsibility for the issue of that contest if we must fight the totalitarian states alone?

Mr. President, a moment ago I stated, in reading from the newspaper dispatch, that Hitler's purpose is to annihilate Great Britain and France.

Is not that statement significant? He will crush and destroy them. Rome defeated Carthage, destroyed the whole structure of the city, I believe plowed up the ground upon which it stood, sowed salt upon it to see to it that nothing henceforth should come from that soil. There has never again been raised up another Carthage upon the spot where the first Carthage was destroyed.

So, Mr. President, shall we forget the countries that have been our friends? Shall we forget the time when France came to our defense? Even if Britain was our oppressor then, with the aid of France we threw off the shackles of her dominance of this continent, and, Mr. President, whatever acts of iniquity the British in their earlier history may have committed upon our people, for over a hundred years they have helped us defend the Monroe Doctrine, which our Foreign Relations Committee reiterated this morning.

For over a hundred years the British Fleet has been our ally in the Atlantic. Even now, when the American Fleet is in the Pacific, we know that it could not be there were it not for the British Fleet that stands as a sentinel of our own security in the Atlantic Ocean. If that sentinel is stricken down, if that defense is destroyed, our own Atlantic frontier stands exposed.

Again I say that it may sound fantastic, but it is no less reasonable to believe that the Germans, if they win the war, can get control of the British Fleet than that the British, when they won the World War, got command of the German Fleet. No one would say that Hitler is so stupid as to let the British have a chance to scuttle their fleet before its surrender.

So this matter is of the moment. While Nero fiddled, Rome burned, and while we quibble, the defenses of our own hemisphere are being stricken down and destroyed. Every time a British destroyer is sunk, every time a French or a British airplane falls, every time a British or a French or a Belgian soldier "bites the dust" we have just that much weaker defense than we had the instant before. Everyone sees that. If we see it, Mr. President, in the name of our civilization and our country, let us come to life here in the United States Senate.

Everyone knows that I am an inconsequential Member of this body, of new tenure and little influence; I do not propose to offer leadership; but I do propose to be one voice from the country calling the American Senate to action that is characteristic of its great career.

So do not give any consideration to my resolution; draw one of your own. Any Senator can do that. Do not heed my appeal; make one of your own. If you do not want a law passed, then stand up here and propose a resolution which will express the sense of the Senate that the President should act under the authority he already has. You and I know far too well why the President dare not act under the two statutes I have read. If he acted today, the Chaplain's prayer in the Senate tomorrow would hardly be concluded before Senators would rise and begin to denounce Roosevelt almost as severely as they would Hitler for having presumed to do such a thing. We have seen some others who have made that kind of choice. The Allies called on the Belgians, and King Leopold said, "No; we are indifferent in this controversy; we are not going to take sides; perhaps you are both wrong." Yet today this newspaper [exhibiting] carries a map of Belgium in black by which it graphically indicates that Belgium is obliterated from the face of the earth. There is no more Belgium and no more King Leopold.

Mr. LEE. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. LEE. At the same time and on the same day that a Member of this body made the statement to the United States that Norway had maintained neutrality for many, many years—on that same day, Norway's neutrality was violated, and where is Norway today?

Mr. PEPPER. I thank the Senator for that valuable contribution. It seems that history should be a wiser and more influential instructor than it is, for this is not ancient history; it is recent history. Within a month, or within the last 3 weeks, we have seen empires fall and mighty nations "brought to heel," perhaps to live but a few hours. The policy they followed brought ruin, and immediate, not remote, ruin. I say to Senators that they are taking upon their shoulders the responsibility for the result of a course of conduct which was followed by certain nations in Europe, to their own eternal damnation.

In conclusion, Mr. President, let me say that I have offered a resolution in the Senate which entrusts the President with the power to help now, by means short of war—for cash not gift, by delivery here, not over there—and Senators have spurned it in the Foreign Relations Committee. Yet they have offered no alternative resolution. I have called attention to two existing statutes upon the lawbooks of our country. Let us see now whether Senators will spurn that opportunity to help or if, spurning it, they have any other proposal to make that will be characteristic of the greatness of our country in response to the anguished, plaintive, heart-rending appeals of the oppressed peoples of Europe and the disturbed people of the United States of America.

Mr. TYDINGS. Mr. President, I do not intend to speak very long, and I shall direct my remarks to the pending bill.

The bill is presented to the Congress by the Army, by the men who will actually do the fighting if we are ever engaged in war—not by those who will make speeches; not by those who will print newspapers; not by those who may be tilling the soil or working in the factory, but by the men who, when the hour of danger comes, will be out on the battlefield where men die in order that the institutions of their country may not fall.

The Chief of Staff of our Army today is not a West Point graduate; he is a graduate of another military institution and, as he is not a West Pointer, he is recognized as not of the Army clique, which some people feel has a large voice in the destiny of promotions and other matters connected with our Army.

For a long time, in both branches of the Congress, there have been a good many admirals and a good many generals, and it is altogether right and proper that the Congress should examine Army and Navy plans and objectives and procedure, but, Senators, we are not competent to tell how best to run the Army, once we set it up, as are the officers whose responsibility it is to perform that service. Battleships cannot possibly be maneuvered on the floor of the United States Senate, nor can brigades of artillery or infantry or whatnot be directed from this floor. The whole science of military maneuver and operation and administration is a highly complicated one which requires in the best officers gifts and talents second to those necessary in no other science or business on the face of the earth. The good military leader, in my opinion, must have as much talent for that work as a fine surgeon must have touch for his particular work upon the operating table. Sometimes from the obscure places such talent comes, as in the case of the Little Corporal, Napoleon Bonaparte, and, whether we like it or do not like it, in the case of Hitler, who today is no ordinary man when it comes to building and operating a great and devastating force. In the armies of France, of England, of Germany, and of Italy recently the age limit of the officers of their armies has not been increased but reduced. Why? Because war is a young man's game.

It is very rarely that men who are 45 or 55 or 65 years of age have the stamina, can do without sleep, can carry 60 or 75 pounds on their backs day after day and night after night, and bear the hardships of the battlefield without water and with dry food, and sometimes without even food or water, and sleep on the open ground, and have sufficient resiliency to carry on for the next day's bloody work.

In my humble judgment, the policy of turning over the operations of our Military Establishment to younger men is proper, for younger men—that is, men who are not 60 or 64—with the fighting forces in the grades of colonel and lieutenant colonel and major and captain and lieutenant—are the men who will have to bear the hardships of the campaign. Generals, for the most part, do not lead their troops. As a matter of fact, it is very rarely that the so-called general ever leads his troops, and properly so. He is 1, 2, 3, 4, 5, 6 miles in the rear, because the force in front of him is fan-shaped, and the communication must come back to a central point, so that the operations can be coordinated and made successful. But the lieutenant colonels, the majors, the captains, and the first and second lieutenants are near the firing line, and on the firing line at some points; and there it is necessary to have live men, strong men, whose minds are young and active, whose imaginations are keen, rather than the type of reflective man who has some time to contemplate, as the brigadier and the major general have in most engagements.

So I feel that it would be unwise for us to tell the Army at this juncture of our national-defense scheme what kind of an army, so far as the officers are concerned, would be best. The Army officers know better about that than we do. As a matter of fact, I do not know whether we should have any law at all on this subject except to prevent abuses. The policy of making promotions, except to prevent abuses, should be left to the Army, particularly in time of war; for what then happens? No sooner does war come than the lieutenant or the captain who could not go ahead in times of peace is frequently put in charge of some very difficult operation and in command of thousands upon thousands of men.

Only the other day General Weygand relieved 15 French generals of their command, and in their places put not brigadier generals, as one would expect, but lieutenant colonels and colonels were immediately jumped on the field of battle to the rank of major generals, division commanders. Why? General Weygand, being himself a seasoned soldier and an elderly and exceptionally supple and vigorous man for his years, knew that it is necessary to have young men to lead troops in actual combat. Older men cannot do the job, as a general rule, although no general statement can be made that does not have its exceptions.

Sometimes older men have a resiliency, a youth, a vibrancy which overcomes the actual impediment of years; but, as a general rule, men who serve with troops have to be young and vigorous of body, and able to "take it" with the ordinary man who carries a musket, or operates a tank, or shoots a machine gun, or fires a cannon.

So I feel that the policy of this bill is good. I feel, too, that if we will think back over the past 6 years we will recall that we have tried to tell the Navy what kind of ships they ought to have over the advice of the naval officers themselves. There are some men who thought we never again would need another battleship; that the airplane had made unnecessary the building of battleships. Certainly nothing has developed so far in the European war to make it appear that the battleship is not as good today as it ever was for the mission for which it was created. Of course, if one side has five times as many planes as the other, it has an enormous advantage in hampering the usefulness of the battleship; but a proper fleet has not only battleships but the requisite number of planes, which neutralize those of the enemy, leaving the battleship practically in the undisputed position it would have been in if neither side had planes. Up to this good hour, so far as officially known, although tens of thousands of bombs have been dropped on battle cruisers and cruisers and battleships, not one has yet gone to the bottom of the ocean; and that is what our Navy men told us. But we knew better. We knew better how to fight a naval engagement than men who had spent their entire lives not only around ships but in all kinds of explosives experiments and all kinds of conditions which would surround war, as nearly as they could be simulated.

Today, are we to make that mistake over again? Are we to deny the men who will not be making speeches, but who will be leading troops if war should come—and the reason why we keep an Army is in case war should come—are we to deny them the opportunity to build an Army which in their judgment will be more efficient built along this line than along the present lines?

The purpose of an Army is to fight. There is no other reason for it. We hope our Army never will have to fight, but we keep it in case we do have to fight. Then, in heaven's name, why not give the men who are actually going to do the fighting the kind of an Army and the kind of officers that experience lasting over many years indicates to them will be the right kind to have?

Mr. BANKHEAD. Mr. President, will the Senator yield?

Mr. TYDINGS. Yes; I yield.

Mr. BANKHEAD. The statement has been made here, since this debate began, that this bill is not an Army bill. The Senator seems to be arguing that it is.

Mr. TYDINGS. What does the Senator mean by its not being an Army bill?

Mr. BANKHEAD. A bill neither prepared nor sponsored by the Army, but sponsored by the House committee.

Mr. TYDINGS. Contrary to that, let me say that about 2 weeks ago I had a talk with the Chief of Staff, General Marshall. I told General Marshall that I appreciated the tremendous responsibility that fell to his lot at this critical juncture of world affairs. I said, "General, while I do not know that I would write you a blank check and say that I should always be glad to support any measure in which you might desire, I am interested in putting the Army in an

efficient state; and if you ever feel that I can be of any help to you in that endeavor, I hope you will tell me so." It so happened this morning, while I was not thinking about this bill, that General Marshall called me on the telephone, and recalling the conversation I have just related, said he would appreciate it, if I could see the matter his way, if I would make a brief statement on the floor of the Senate in support of the bill; and then he went on to give me his reasons therefor, which to some extent I have recounted here.

I did not seek out General Marshall, and I do not think he would have sought me out except that 2 weeks ago I invited him to do so. I relate that circumstance to my good friend from Alabama to show that the Chief of Staff is intensely back of this bill; so much so that he called me this morning, although I am not on the Military Affairs Committee, and asked me if I would not support the Army in this endeavor, for he felt that it was vital to the necessities of the hour and vital to the increased efficiency and functioning of the Army as it goes forth in this defense program.

So I feel that that whoever may say that this is not an Army bill is not talking by the book. I say it is an Army bill, and nobody has shown on this floor that it is not an Army bill.

Mr. HILL. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield to the junior Senator from Alabama.

Mr. HILL. In a few moments, when the Senator shall have finished his able address, I hope to obtain the floor, and I shall read a letter addressed to the chairman of the Senate Military Affairs Committee, the Senator from Texas [Mr. SHEPPARD], written by General Marshall this morning, urging the passage of this bill. I shall also read a letter written this morning to the chairman of the Senate Committee on Military Affairs by Gen. John J. Pershing, favoring this bill and speaking of the necessity and the importance of passing it.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield to the Senator from Montana.

Mr. WHEELER. I may add to what has already been said that I happened to have an appointment this morning with the Secretary of War, and during my interview with him General Marshall was called in. At that time both the Secretary of War and General Marshall suggested to me that they were very much interested in having the pending bill passed. I do not know much about this particular piece of legislation, but I believe they are interested in it, and I think we must trust the judgment of these men at this particular time.

Mr. TYDINGS. I thank both Senators for their contributions. For whatever my own opinion is worth, let me say that I do not believe we could act with greater wisdom right now than to give the Army and the Navy their respective ways and recommendations in actual legislation, assuming that what they ask for is within the national policy of the Government, as this bill is.

The pending measure involves only a change of procedure. No basic policy of the Government is at all involved. If we are to rely on these officers to defend this country when the hour of need is at hand, we certainly should be willing to take their advice, because they are professionals, and their advice is the best we have in this country. We should not set up our lay opinions against their professional opinions, particularly when they are based on an experience which goes back through their entire lives.

Further than that, the able Senator from Alabama [Mr. HILL] but a short while ago showed that the policy proposed was being adopted and had been adopted by Germany, Italy, France, and Great Britain, countries which have been coming face to face with a tremendous conflict, a conflict which is shaking the foundations of the world. Certainly with all each of them has at stake, and with all the military preparations involved, and all the history of the past wars at hand, if they thought it was wise, and our own Army thinks it is wise, then what military expert is there anywhere to say that it is unwise? Someone who never commanded troops in a battle, who perhaps never smelled gunpowder, who may be well intentioned, but who has no actual experience to support his contention in opposition to the bill?

In the World War, General Pershing was noted for selecting young men here and there who, in a great many cases, were inconspicuous. He recognized ability quickly; he recognized ingenuity; he recognized capacity for action; he recognized the ability to make decisions; he recognized the other qualities which he wanted, and he picked out, for instance, General Harbord, a brigadier general, Charles G. Dawes, a brigadier general, Dr. Hugh Young, a great surgeon now, then a young surgeon, and he made them generals, and they were put in the key positions. They were not men in their sixties, they were not men in their fifties, they were men in their forties, who fought armies, not corps, not divisions or brigades, but great aggregations of men, hundreds of thousands. General Summerall, who used to be our chief of staff, was another in his early fifties, commanding a corps. These were the men who ran the Army in the World War. Of course, in the higher brackets, lieutenant generals and generals, we can afford to have more ripened experience, but out with troops, where the shells are falling, and the bullets singing, and the real dying is being done, there must be men with strong bodies, young bodies, and active minds, agile men, to lend morale and inspiration and spirit to the troops, if there is any hope of winning the day.

I hope, therefore, that we will stop being legislative generals for our Army and legislative admirals for our Navy. We would be wise, infinitely wise, to take more freely the recommendations of the men who would be called upon to do the actual fighting, than to legislate and tell them how to run the Army and the Navy.

Mr. President, to conclude, there were many sincere men on the floor of this body who only 2 or 3 years ago thought that it was all right for us to have no Navy, who would not support any preparedness measure at all, who introduced bills to prevent military training in the land-grant colleges, who would not listen to anyone who told them that the clouds gathering in Europe, the coming storm, might break all over the world. They knew best. Those who asked for preparedness, for larger armies, for larger navies, were brushed aside. The so-called liberals and intellectuals of the country said, over their teacups, "Why, it is all silly." Where are they today? The great peace societies, sincere and inspired by the highest motives, are among the first now to demand that we do everything we can to provide for the national defense. But as soon as the war now raging is over, we will find them organizing again, so that when another world catastrophe is thrust upon us, they will all be organized, and we will be as unprepared for a war 15 or 20 or a hundred years in the future as we were for the last one.

History demonstrates that democracy goes into every war unprepared; after the war has proceeded for a time there is a pretty fair army and navy, but so soon as the war is over, both of them are done away with, until democracy gets into its next war. Such a course costs three or four times as much money; it makes the war longer; it results in greater loss of life, and the self-respect of the nation is damaged in the meantime.

I remember the bills that were introduced during the period after the World War. It was said:

> No; we must not have any military training in our land-grant colleges. Why have more battleships? One airplane would come over and wipe them all out.

The Navy officials would come here and say:

> Senators, that is not true. We want a large air force, of course; it is a part of the fleet; but we cannot do away with the battleship.

Oh, what those admirals say cannot be true. With 100 good bombers you could wipe out all the fleets in Christendom.

Mr. HILL. Mr. President——

Mr. TYDINGS. I will yield in a moment. The battleships have been under thousands of bombs, and only last week the British fleet, after their army and the French army had been in a pocket for a couple of weeks, evacuated 335,000 men from the beaches of Dunkerque, with thousands of planes

daily overhead dropping tens of thousands of bombs, and not a battleship went to the bottom, but, on the contrary, because those battleships were standing there, England today has about four-fifths of her expeditionary force safe and back in England. What a pity it would have been for Great Britain if the British people instead of listening to the admirals, had listened to the politicians about how to construct a navy and conduct a war.

We have had enough of political generals and political admirals. This country and the world are face to face with a serious condition. The best thing we can do now is to give to the Army and give to the Navy, when they give us their expert advice, whatever they ask for within reason, and that may not be enough—who knows—before the close of the chapter which is now being written on European battlefields.

I yield to the Senator from Alabama.

Mr. HILL. The Senator has given expression to the very thought I had in mind. The world has stood in admiration during the past few days of the marvelous feat of the rescue of the British Expeditionary Force and its French comrades from Flanders fields, and their convoy across the English Channel to England. How in the world would such a thing have even been possible in any way but for the British Fleet?

Mr. TYDINGS. The Senator is exactly correct. Yet, how many times have he and I heard that great as is the airplane, valuable as it is, necessary as it is as a part of the Army and the Navy, fleets were no longer necessary because of it. All we have to do is to ask even a naval flyer, and any naval flyer of any experience would be the last one to advocate the abolition of the surface fleet itself.

Are we to make another mistake today? Are we to deny to the experienced officers of the Army a system for the promotion of the officers serving under them, which experience in all countries, and now in our own, shows will make for a better and a more efficient army, a finer defensive army than the one we have had under the old system?

Some may agree to do it. As for myself, I am going to stand with the expert advice, because I know that when the time to fight comes we shall not be on the battlefields, but other men will be there. We shall not go forth to meet the enemy. The Army and the Navy will meet the enemy, and I want the consciousness in my own mind and heart that I have given them, insofar as it is possible, everything within reason for which they have asked. We can do no less than that in the present hour of trial, not only of our own country but of all civilization.

Mr. HILL. Mr. President, I had the privilege of addressing the Senate on this matter last evening, and I do not wish to indulge in a twice-told tale. In fact, the Senator from Maryland has so ably presented the case that he has not left a great deal to be said.

It so happens, however, that a large part of the debate took place yesterday when it was late in the afternoon and there were few Senators present. I wish to again call the attention of the Senate to the fact that the pending promotion bill was reported out of the House Committee on Military Affairs unanimously. There was not a single dissenting vote. The bill then came up for consideration on the floor of the House of Representatives, and, as I stated yesterday in that body, with its membership of 435, it is very rare, it is very unusual that any measure of general import such as this bill passes without some challenge, without some opposition. Yet the CONGRESSIONAL RECORD shows that the measure was debated, was thoroughly explained on the floor of the House, and that not one single Member raised his voice in opposition to it, and that the measure passed the House unanimously.

The measure then came to the Senate Committee on Military Affairs, and with the exception of the able and distinguished junior Senator from Colorado [Mr. JOHNSON], the measure was reported out of that committee without a dissenting vote.

The measure was then passed by the Senate and went to a conference committee. The Senator from Colorado, who had opposed the measure, was a member of that conference committee. He there had the opportunity to present his views, but when the conference report came——

Mr. JOHNSON of Colorado. Mr. President——

The PRESIDING OFFICER (Mr. SCHWARTZ in the chair). Does the Senator from Alabama yield to the Senator from Colorado?

Mr. HILL. I yield.

Mr. JOHNSON of Colorado. The Senator has neglected to mention one very important step in the transaction. He neglected to mention that when the bill was before the United States Senate the junior Senator from Colorado offered an amendment, and that amendment was agreed to by the Senate, and as amended, the bill was passed by the Senate.

Mr. HILL. The Senator from Colorado is correct in his statement except for one point. As the Senator recalls, the chairman of the Committee on Military Affairs, the distinguished Senator from Texas [Mr. SHEPPARD] said:

> Yes; in order that the bill may be passed and gotten out of the way, so Members of the Senate may go to the ceremonies in connection with the unveiling of a great picture, we will accept the amendment and go to conference with it.

That is the way the amendment went on the bill. There was no vote in the Senate, no real decision rendered in this body on the Johnson amendment.

Mr. JOHNSON of Colorado. Mr. President, will the Senator again yield?

Mr. HILL. I yield.

Mr. JOHNSON of Colorado. The amendment was adopted unanimously by the Senate.

Mr. HILL. I do not agree with the Senator on that point at all. I do not agree that an amendment is agreed to unanimously when the Senate is in a great hurry to recess in order to leave the Chamber and take part in ceremonies in connection with the unveiling of a picture, and the chairman of the committee rises and says he will accept the amendment and take it to conference if that action will mean the expeditious passage of the bill. I do not look upon that as any real determination or decision by this body with respect to the amendment. It is more of a pro forma acceptance simply to get the matter disposed of.

The Senator from Colorado, as a member of the conference committee, undoubtedly had the opportunity—I am sure he did, although I was not a member of that conference committee, but I have sat on other conference committees and I know how they act—the Senator from Colorado no doubt had every opportunity to present all the arguments he had in favor of the amendment. The conference committee, with the one lone vote of dissent, which was the vote of dissent of the Senator from Colorado, rejected the Senator's amendment and acted favorably upon the bill.

Mr. President, the bill is here because of the situation in the Army growing out of the World War. During the World War we took into the Army nearly 7,000 officers. Of that number we have in the Army today some 4,200. These 4,200 officers are all about the same age. They are of an average age of 46 years. They all entered the Army on practically the same date. They are all bunched together, and they constitute what is commonly called the "hump" in the Army. Of the 4,200 officers, 400 occupy the four bottom places as lieutenant colonels of the Army. Twenty-nine hundred of them occupy all the places as majors in the Army. The other 900 occupy the 900 top places as captains in the Army. In other words, we find 4,200 officers, all of about the same age, with the same experience, the same background, and the same training, and yet 900 of them are captains and 400 of them are lieutenant colonels.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. MINTON. Is there any way at all for them to get out of that "hump" except for someone in front of the "hump" to die or resign or be retired?

Mr. HILL. The only way in the world for this "hump" to move forward so that the officers in the "hump" may get the proper training, may have the proper experience in the

different grades and the different commands, and the only way in the world for the officers behind the "hump," those who come in after the "hump," to receive this proper training, this proper experience, is by removing some of the officers who are in ahead of the "hump." Of course, the only way any of these officers can be removed in any appreciable number is by retirement, as is proposed in the bill now before us.

An officer in the Army should be in a particular grade at a certain age. In other words, if he is a youngster, he ought to be a lieutenant. As he becomes a little older he ought to be a captain. He ought not to be a captain when he is 60 years of age or even when he is 50 years of age. There ought to be a steady flow of promotions. There ought to be a steady progression, so that an officer will be in a particular grade at a particular age. He ought to have, then, the experience which comes from being in that particular grade so he can be prepared and trained in that grade and lay the foundation and get the experience needed to step up into the next grade. Then he ought to be in this next grade at a certain age and for a certain period of time so he can be prepared to step up to another grade. As the situation is in the Army today, however, due to this "hump," due to this induction of all these thousands of officers during the World War, all at the same time, and all of practically the same age, there is no opportunity for these 4,200 officers and several thousand officers behind them to move forward in this proper progression. There is no opportunity for them to serve in these different grades at the proper age and for the proper period of time. What will happen is that if we do not pass this promotion bill and move some of these older officers out and give these younger officers, particularly the World War officers, an opportunity to get this proper training and proper experience in the different grades, we shall find that we shall have a great number of officers stymied and stagnated who have not been properly trained and who do not have sufficient experience.

What will happen with respect to these captains now averaging 46 years of age, World War officers, unless we shall pass the bill? Some of them will remain captains for the next 10 or 15 years. Then when they move forward they will not go into the grade of major and stay there the required period. They will not go then into the grade of lieutenant colonel and stay there for the period required for proper training, experience, and preparation. They will be catapulted into the grade of colonel without having that training and that experience and that preparation which they should have by proceeding through the grades of major and lieutenant colonel in an orderly and efficient way, that those primarily responsible for the defense of the country say they should, if we are to have an efficient national defense.

Yesterday the question was raised whether the present Chief of Staff, General Marshall, and the War Department were now for the bill; whether they believed in the bill now, in view of the emergency, as they did when it was first introduced. I wish to say to Senators that the War Department this day, in the light of the national emergency, is more strongly for the bill than they were when the bill was first introduced, which was before we had entered into the present national emergency.

I wish to read to the Senate a letter from General Marshall, the Chief of Staff. As the distinguished Senator from Maryland [Mr. TYDINGS] said, General Marshall is not a West Point graduate. If there be a West Point clique in the Army he does not belong to it and is not eligible for it. General Marshall graduated from Virginia Military Institute and entered the Army after graduating from that institute. Incidentally, I recall that Gen. Johnson Hagood, himself not in such good favor with the so-called West Point group, wrote an article in Collier's Magazine a year ago when General Marshall became the Chief of Staff, stating in substance that Gen. George C. Marshall was the greatest military commander this Nation had produced since the Civil War. General Hagood compared General Marshall to Stonewall Jackson.

Let me read to the Senate the letter from General Marshall. Bear in mind that General Marshall is the man upon whose shoulders rests first and foremost and primarily the responsibility for the defense of this country

If we are drawn into some trouble, if some crisis should arise, if we should be drawn into some kind of war and should have to rely on our Army and repel force with force, it would not be to individual Members of the United States Senate, or to the Senate as a whole, or to the Congress of the United States that the people of the United States would look for their defense. It would be to this man, Gen. George C. Marshall, the Chief of Staff of the Army, that they would look.

General Marshall has written a letter dated June 5, this very day, addressed to the chairman of the Senate Committee on Military Affairs, the Senator from Texas [Mr. SHEPPARD]. General Marshall says:

> I notice from yesterday's discussion on the pending Army promotion bill that there is apparently some question in the minds of certain Senators as to the desirability of passing the bill at this time. I have given a great deal of very careful consideration to this matter in the past few weeks—

The weeks during which all of us have been thinking so much of national defense.

General Marshall goes on to say:

> And it is my considered opinion that the enactment of the Army promotion bill is even more vital to the national defense at this time than it was when it passed the House a few weeks ago.
>
> The Congress is now providing for the expansion of the Military Establishment. The immediate enactment of this promotion bill would be a most important step in strengthening the national defense, and I urgently recommend the acceptance of the conferees' report.
>
> Faithfully yours,
>
> GEORGE C. MARSHALL,
> *Chief of Staff.*

Mr. MINTON. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. MINTON. If the bill should become a law it would bring about the retirement of certain colonels who have reached the age of 60, and who have exercised in the Army every command they can exercise or will ever be permitted to exercise, because they will never be generals. They have already been passed over.

Mr. HILL. That is true.

Mr. MINTON. The bill would enable the other officers behind them in the "hump" to come along and exercise the various commands from major and lieutenant colonel up to colonel, and thereby train themselves to become efficient and experienced field officers. That is the effect; is it not?

Mr. HILL. The Senator is exactly correct.

Mr. MINTON. The Senator read General Marshall's letter. Let me ask the Senator if he does not remember this statement by General Marshall—and I call it to the Senator's attention because the junior Senator from Texas [Mr. CONNALLY], in a very eloquent appeal today, said, as he opened his speech, that the bill has nothing to do with national defense. Does not the Senator recall that when General Marshall appeared before the committee, he stated that the thing which he considered most important in the training of proper officers was the morale of the officers? He considered that the passage of the pending bill would do more for the morale of the officers in the Army than any other one thing that could be done at this time.

Mr. HILL. The Senator is correct. The Senator will recall that when General Marshall made that statement in the committee I stated that when I was a member of the House Committee on Military Affairs I listened to one of the finest statements I ever heard by any witness before a congressional committee from the lips of Gen. Charles P. Summerall, then the Chief of Staff of the Army. General Summerall, in that wonderfully fine statement, called attention to the fact that three factors make up the morale of the officers and men of the Army. One factor, of course, is the pay which they receive. The second factor is shelter and food. They must be well housed and well fed. The third factor, and, as General Summerall said, by all odds the most important factor is the

factor of promotion, holding out to men the hope of reward, giving them the opportunity, if they work and struggle and give their best service to the Army and to the country, to be promoted and rewarded.

The Senator from Texas [Mr. CONNALLY], for whom I have a deep personal affection, talked about the World War group as though the bill would do something terrible to the World War group. If there is any one group in the Army for which the bill would open the door of opportunity individually and as a group, it is the World War group, because the 4,200 officers who constitute the "hump"—officers who are now stymied and stagnated so far as promotion is concerned—compose the World War group.

The Senator from Texas [Mr. CONNALLY] harped on the retirement of World War officers. The truth is, so far as the overwhelming majority of World War officers is concerned, the bill not only would not encourage them to retire, but it would encourage them to stay in the Army and carry on, because it would give them a fair chance for promotion and an opportunity for a splendid career. There are a few in the World War group who are considerably over age in the grades they now occupy. Some of them who are over 60 years of age are still in the grade of captain. No legislation could ever provide them any kind of an opportunity or give them any kind of a career. A man in the Army today who is over 60 years of age and who is still a captain is, of course, at the end of the road. The bill gives such officers the opportunity to retire, having in mind that it is to their interest to retire. Certainly it is to the interest of the Army for them to retire, so that their places may be filled by younger men, and men of the proper age in the particular grade.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. MINTON. Another advantage which World War officers in the "hump" would have would be that the bill would permit the Army to reach down into the group of lieutenant colonels who are moved forward and select generals.

Mr. HILL. Certainly.

Mr. MINTON. Which cannot now be done.

Mr. HILL. It cannot now be done under existing law.

Mr. MINTON. That is another advantage.

Mr. HILL. That is true. Let me emphasize that fact. As the law stands today, we have World War officers who are lieutenant colonels, and who, if they ever become colonels, will reach that grade so late that they will never be selected to be generals. But this bill would open the door for them to become generals, because the War Department could then select its general officers from lieutenant colonels as well as from colonels.

Mr. MINTON. The Senator from Texas referred very eloquently to General Foch, General Petain, and other great generals. Who knows but that in this "hump" of men of experience in the World War—men who, as the Senator from Texas said, trod the battlefields of Europe, and know something about war—frozen, stagnated, and unable to go forward into the higher commands and remain in the Army there may be a Foch, a Pershing, or a counterpart of one of the other great generals who have written the glorious military history of the world?

Mr. HILL. Exactly.

Mr. MINTON. They might be frozen today in the "hump." We cannot get them out, and we cannot use their services in the higher commands.

Mr. HILL. As the Senator has suggested, the bill opens the door which is now tightly closed to the Fochs, the Weygands, the Mannerheims, the Hindenburgs, and all the others named by the Senator from Texas. Furthermore, as the Senator from Texas knows, the bill does not in any way apply to any general officer. It does not in any way change the law with respect to the retirement or appointment of general officers, except that it makes lieutenant colonels eligible to be appointed as generals. It does not affect the retirement of general officers in any way whatever.

If the bill had been on the statute books, and we had had a Weygand, a Foch, a Mannerheim, or a Hindenburg, it would not have affected him one iota. On the other hand, in France, Italy, Germany, and England officers who are not selected to become generals retire as colonels at an earlier age than we provide for colonels to retire under this bill.

As I stated earlier in the day, the bill provides for the retirement at the age of 60 of a colonel who has not been selected to be a general. In France a colonel who had been passed over would not retire at 60; he would retire earlier, at 59. In Italy such a colonel would retire at 58; in Great Britain and Japan at 55; and in Germany at 52.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. HILL. I yield to the distinguished Senator from Kentucky.

Mr. CHANDLER. One of the considerations which influenced the Committee on Military Affairs of the Senate to give its favorable vote on the bill was the estimated saving which the Army felt it could realize because of the passage of the bill. It seems that that discussion has been entirely overlooked in the consideration of the conference report. I should like to direct the attention of the distinguished Senator from Alabama to that point.

Mr. HILL. The War Department estimates that the savings for the next 15 years as the result of the enactment of the bill would average $2,300,000 a year.

This is one Army bill, this is one national-defense bill, this is one promotion bill that instead of putting an additional burden on the taxpayers of the United States will save the American taxpayers $2,300,000 a year for the next 15 years.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. CHANDLER. I should like to give to the distinguished Senator from Alabama the break-down on the figures as to savings which the Secretary of War gave to the Committee on Military Affairs.

Mr. HILL. I will be glad to have the Senator do so.

Mr. CHANDLER. He gives the maximum cost which should be reached in 1944 at $412,000. The saving under this bill would commence in 1945, when it is estimated it will be $1,420,591, and the maximum will be reached in 1956, when the amount saved will be $4,298,698 a year because of the enactment of this bill, which, in my opinion, is a very important consideration, for that money could be used for other necessary purposes.

Mr. HILL. That is a most important consideration.

Mr. President, speaking of the colonels who will be retired under this bill, the colonels who have been passed over in the selection of generals, and who never will be and never can become generals, the bill expressly provides that of the number to be retired each year, the Secretary of War may exempt from retirement 5 percent. The question has been raised here that an officer might be engaged on some very important detail, on some very particular work, and it would not be desirable to retire him. In order to take care of that situation, the exemption of 5 percent is written into the bill.

It has been suggested that there are colonels who are now 60 years of age engaged in rivers and harbors work, and it would not be desirable to take them away from that work. Today, let me say, there are only three colonels over 60 years of age engaged in rivers and harbors work; under the exemption there would be an average of 35 officers exempted, and so those three colonels would have an excellent chance to be among the 35 exempted.

The Senator from Texas, in that grandiloquent, beautiful peroration of his, spoke about the Civil War, and he became so impassioned and so stirred as he talked of the mighty conflicts of that war that he had old generals running hither and yon, charging ramparts, "going over the top," capturing positions and cannons, and winning battles.

What is the truth about the Civil War and the old officers? The first retirement bill which was ever passed by the Congress of the United States was passed on the 3d day of August 1861. Why was it passed? It was passed because the Government of the United States was at war and had to do what we would do by this promotion bill. When the Congress passed the act of August 3, 1861, it did the very things

for which the Senator from Texas has so severely criticized this bill.

First, in that act the Congress gave every possible inducement to the old officers who were not fit for active service to retire and to get out of the Army just as the pending bill does. Second, it provided, if they did not retire of their own accord and if their retirement was for the best interests of the country, that they could be retired involuntarily by the Government as the pending bill does. It provided that officers 62 years of age should be retired. In that act we find the genesis of the retirement plan. History repeats itself; history is repeating itself today. During the great emergency of the Civil War the Congress had to enact retirement legislation; during the great emergency which now confronts us we are called upon to pass and are shown compelling need for the passage of retirement legislation.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. MINTON. The Senator from Texas [Mr. CONNALLY] dwelt at great length this morning on the provision of the pending bill under which World War officers may retire. This bill does not force any World War officer to retire; it does not dispense with the services which the Government may now command of any of the splendid officers of the World War who served during that period. It merely permits such an officer to retire if he wants to; there is nothing to force him to do so. Is not that correct?

Mr. HILL. There is not a thing in the world to force him to retire, and, as I said a few moments ago, the bill not only does not force out of the Army the World War officers but for the overwhelming majority of the World War officers it gives great encouragement not to retire but to remain in the Army, because, as the law now stands, these officers are stymied; they are stagnated; they have no opportunity for promotion; they have no chance to go forward and have a real career in the Army. This bill would give them such an opportunity; this bill would give them such a chance.

The bill does provide for the voluntary retirement of World War officers so that World War officers who are too old in their grades, some of whom are still captains and over 60 years of age, and to whom the door of opportunity is irreparably closed, may retire as it is to their interest to retire and to the interest of the country for their places to be filled by younger men.

Mr. President, yesterday I quoted at some length from General Marshall's testimony before the Senate Committee on Military Affairs, and referred to what he said about leadership in the Army and the necessity for young men, active men, and men who are physically strong and physically able. I shall not now go back over that. We see it to be true in Europe today, where in the contending armies the regimental commanders, the brigade commanders, the division commanders are all young, active, able, physically sound, aggressive men. I called especial attention to the comparative youth of the lieutenant colonels, the colonels, and the generals of all grades in the German Army.

I wish now to direct the attention of the Senate to the cablegram which General Pershing, after he had landed in France and had had an opportunity to study and estimate the situation there as commander in chief of the American Expeditionary Force, sent to General March, then the Chief of Staff of the Army here in Washington. General Pershing on the 28th day of July 1917, a short time after he had taken command of the American Expeditionary Force in France, sent this cablegram to General March:

My observations of British-French Armies and most exacting arduous service conditions at the front fully convince me that only officers in full mental and physical vigor should be sent here. Contrary course—

Said General Pershing—

means certain inefficiency in our service and possible later humiliation to officers concerned. General officers—

Said General Pershing—

must undergo extreme efforts—

And tremendous physical labors—

in personal supervision of operations in trenches. Very few British or French division commanders—

Mark you, "division commanders," Mr. President, commanders commanding from twenty-five to twenty-six thousand men in battle—very few of them, said General Pershing—

are over 45 or brigadiers over 40. We have too much at stake—

Said General Pershing—

to risk inefficiency through mental or physical defects. • • • Officers selected for appointment as general officers of line should be those with experience in active command of troops.

That is what this bill seeks to do. It seeks to take the World War officers and promote them into higher grades where they can have active command of troops, which General Pershing said was so essential, so that they may have the experience and training which comes from the active command of troops, be taken out of the stagnation, permitted to go forward with active command, and to become vitalized and experienced and trained.

I have here a letter dated June 5, this date, addressed to the chairman of the Senate Committee on Military Affairs and signed John J. Pershing. In this letter, written this very day, General Pershing said to the Senator from Texas [Mr. SHEPPARD], the chairman of the Military Affairs Committee:

I have read some of the criticisms that have been made of the Army promotion bill now before the Senate, and I find that a cable of mine on this subject, sent from France to the Secretary of War, has been referred to by the War Department as an argument toward favorable consideration of the current bill.

I have just read the cable to which General Pershing refers.

General Pershing goes on to say:

In view of the gravity of the times, and of my personal experience in this matter, I am taking the liberty of submitting a few comments.

Rank means command, and command involves leadership, and leadership in a military emergency is, in my opinion, the most important single consideration.

What we are trying to do by the passage of this bill is to give to our officers rank, that they may have command, that they may develop the leadership which General Pershing says is "the most important single consideration."

General Pershing continues:

The difficulties of leadership which existed in 1917–18 have been enormously multiplied today by the increased mobility and fire power of modern armies, and the necessity for vigorous commanders is greater now than it has ever been before.

The Senator from Texas [Mr. CONNALLY] spoke of the Civil War. The greatest battle of the Civil War, we know, was the Battle of Gettysburg. That battle took 3 days—not 3 days and 3 nights, but just 3 days. The recent great battle in Flanders was a bombing, firing, burning holocaust for some 20 days, 6 times as long—no, 12 times as long, day and night—as the Battle of Gettysburg. Men who were in command of those troops, division commanders, brigade commanders, were under constant bombing, under constant artillery shelling, under constant machine-gun fire, without food, without sleep, without rest, moving forward, forward, forward, for 20 days.

Then General Pershing goes on to say:

I am familiar with the promotion bill now before your committee only in the most general terms; but I believe I am sufficiently familiar with military requirements to submit that the passage of this measure is of great importance. Elimination of such basic provisions of the bill as retirement at 60, and certain similar requirements, would nullify its effectiveness to a large extent. It would be most unfortunate—

Says General Pershing—

at this critical moment in our history to tie the hands of the War Department with restrictions or amendments calculated to favor a group of senior officers at the expense of their juniors on whom we must largely depend for leadership in every phase of training and possible mobilization, as well as for troop command;

and certain to embarrass the War Department in the heavy task of administering our military system.

I apologize—

Says General Pershing—

for intruding my views in this matter, particularly as I have not studied the bill; but my belief in the importance of such a measure at this time must be my excuse for taking this liberty. As a matter of fact my criticism of the bill would be that in the present situation the retirement feature should become effective immediately rather than 2 years hence.

Faithfully yours,

JOHN J. PERSHING.

The Senator from Maryland [Mr. TYDINGS] asked the question, Shall we follow the advice, shall we follow the importunities and the appeals which come to us from our military men and our military experts? Shall we follow those who know war from first hand, who have fought the battles of the past and brought victories to our arms, or shall we follow those who have been practically devoid of any military training, who have never been up in any front-line trench, who have never known the smell of gunpowder? Shall we turn our backs today on the great commander of the A. E. F.? Shall we say to the American people that General Pershing, with all of his experience and all of his knowledge and all of his background, does not know what he is talking about, but we will take the advice and the judgment of those who never led an army or fought a war or never even fired a gun?

And what more cheering news, what more joyous tidings, could go to the ears of the dictators of Europe today than that this bill had been reported by the House Military Affairs Committee, passed unanimously by the House, reported by the Senate Committee on Military Affairs, passed by the Senate, and then the Senate proceeded to vote down the conference report and to kill the bill? Those dictators have proclaimed time and again that democracies cannot survive, that democracies cannot match dictatorships, that they cannot repel the force and the power and the efficiency of dictatorships, because democracies talk when they should perform, because democracies debate when they should act.

Mr. President, we have had two days of debate on this bill. The time is come now for action. The time is come when we should pass the bill; and we shall have to determine whether we will stand with Gen. John J. Pershing, Gen. George C. Marshall, the President of the United States, and the military experts of the country, or whether we will follow these untried, these inexperienced gentlemen who talk grandiloquently, but never smelled gunpowder, who never fired a cannon, who never fought a war.

There can be no choice, Mr. President. The course is clear. The American people expect, and have a right to expect, but one answer. We must do our duty, in spite of propaganda, in spite of selfish appeals, in spite of the fact that some man is willing to put his selfish interest ahead of his country's interests. We must do our duty, and adopt this conference report. Marching side by side with the President of the United States; with John J. Pershing, the greatest captain of our Armies since Ulysses S. Grant and Robert E. Lee; with George C. Marshall, the Chief of Staff; and our country's ablest military experts, we will meet our high responsibility in this dark hour of our country's history and pass the bill.

Mr. THOMAS of Utah. Mr. President, as a member of the conference committee on this bill, in spite of the fact that much discussion has already taken place, I deem it a duty to add a word or two in favor of the passage of the bill, and to point out, if I can, the need for its passage not only at this time but for the sake of the Army itself.

Mr. President, it would be well for all who are considering any kind of a promotion bill to consider the Army in mass; to realize that the Army is built upon traditions, upon certain kinds of promotions, upon certain kinds of rewards, and upon certain grades. As a result, in peacetimes and in wartimes the Army grows around these habits, and it is right that it should grow around them; but sometimes the ordinary course of events does not fit the extraordinary course of events, so that each time when there has been a great emergency in our country, and a great number of men have been called to the colors, and there has been an expansion in the officer personnel of the Army, the "hump" which has been spoken of has been inevitable.

Mr. President, the "hump" in and of itself is not so bad, but the effect of the "hump," not only upon the officers caught in it but upon the morale of the whole Army, is the great consideration and the one which should have our attention.

In every organization there is a something which we may call esprit de corps. In the Army of the United States there is more need for the development and continuation of esprit de corps than probably anywhere else. The dulling effect of one spending his lifetime with his head against a ceiling breaks morale, brings about inefficiency, causes distress, and ruins the organization of the Army.

Mr. President, this is not a new plan thought up to take care of an emergency at this time, but we are discussing what has been attempted for a whole generation by the Army of the United States in an effort to avoid conditions which the Army knew were inevitable unless action were taken.

It was my lot, if I may throw myself into the picture, to frame an amendment in an attempt to overcome the condition which causes the difficulty at the present time. It was an amendment to the National Defense Act of 1920. That was a long time ago, but the problem was then apparent to anyone who had ever seen a soldier and to anyone who had ever seen the officers who had acted in temporary advanced grades and found themselves put back again to their former grades, after the Army started contracting following its great expansion.

I shall not deal with and I trust I shall not repeat very many of the things which have been said here. I dislike very much to point out or to even consider that anyone who ever served in the Army of the United States might in any sense have been inefficient. I do not like to think of efficiency and inefficiency as having anything to do with age. I am a Member of the Senate of the United States, and if I know the other Members of the Senate, it is a council of elders, and we all stand in a position to which we do not like others to call our attention. The fact remains, however, that if the Army is to work in the most efficient way, it must make use of every officer at his most efficient period. If we depend for leadership in the Army upon officers who, due to age, due to lack of opportunity, due to experience, have lost the chance of serving at their very best, we cannot help it by doing something to the Army which we should not do.

The Congress of the United States is appropriating hundreds of millions of dollars for the national defense and the expansion of the Army. We are providing everything within our means in a material way. Why tie the hands of the Secretary of War and the Chief of Staff by not giving them what they want in the way of this vital personnel legislation? Do we not have confidence in the Secretary of War and the Chief of Staff? If the Senate of the United States has not confidence in these men at this time above all other times, we should see to it that they are removed, and that others are put in their places.

The emergency which some think is impending, but which we all hope is not, may be an emergency which may have to do with the lives of enlisted men, with the lives of officers themselves who would be needlessly sacrificed because they were not able to perform a service quite as well as others, and because the opportunity for them to assume leadership had not come.

The President, in his message to the joint session of Congress, warned against loose talking and thinking, and further stated that—

I know that our trained officers and men know more about fighting and the weapons and equipment needed for fighting than any of us laymen; and I have confidence in them.

That observation also pertains to the matter of handling the personnel in the Army.

Mr. President, what I am about to say may sound like a repetition, and it is a repetition; at the same time it is a repetition which has a place in the few remarks I am making. The existence of a "hump" of 4,200 officers in the Army today is a condition which is not good for the 4,200 officers;

it is a condition which is not good for the Army; it is a condition which may actually bring direful effects upon hundreds and thousands of our boys and young men who may be found necessarily serving under these officers. The Army of the United States must always be considered in two ways. It is well to think of it as a fighting organization, but it is also a training organization. It is in a sense an educational institution, because armies win by being properly taught and by being properly prepared.

Mr. President, to leave the training of boys, the training of officers, and the training of those who will be the backbone of our Army to any but the most efficient on whom we can lay our hands in time of emergency would be almost a crime. It would be a mistake at any time. Having made that mistake for over 20 years, it seems to me that now, above all times, when the mistake might do more harm than it has ever done, we should rectify it, enact the pending bill, and give the Chief of Staff the right to select his officers on the basis of their ability, of need, and also on the basis of efficiency.

Mr. President, it seems to me it is almost useless, because the argument is so apparent, to call attention to the fact that the Army of the United States in 1940, if it should be called into active duty, would not be the same as the Army we had when it was called into active service in 1917.

Under this bill, if enacted, the generals of our Army could dip down, choose efficient officers, put them in commands above other officers who are senior to them, who are keeping them from the experiences of those commands. At the same time the Army is expanded in such a way as to enable the retired officer to be used to the best advantage; then the retired officer should be called back into active service and given an opportunity to show himself at his best. We are thinking of a group organization; we are thinking of an organization which has to do many things, and surely there is a chance for all the officers of our Army to do those things which they are best suited to do.

Mr. President, we are talking about the mechanization of the Army of the United States. Can anyone conceive of our not needing a different approach in a mechanized army, so far as the age of officers is concerned, from what the old types of armies demanded?

I do not belittle the older officer; but there are some things which an older officer cannot do. Sometimes there are activities in regard to machines and in regard to various matériel which an army has which are different from what the older officers experienced when they took their training.

It seems to me that a man who might be the most expert cavalry officer in the world might fail as the commander of a unit in a mechanized army. It seems to me that must be apparent to everyone at this time, when we are moving into the machine age; and so we want in charge men who have grown into the spirit of the machine age; who can sympathize with it; who understand its possibilities and what it stands for.

We cannot expect a man, no matter how able he is, after he has reached a certain age, to become skilled in gas engines, if he has never had anything to do with them. We cannot expect men, after they have reached a certain age, to become skilled in flying, for example, or in tank warfare, or other activities of that kind. There is of necessity a leadership which must be found among those who have grown up with machines.

Much has been said about the tendency of the armies of the world to reduce the age of their fighting personnel. When the Versailles Treaty placed upon Germany a restriction that they should have an army of only 100,000, at the peace table the Germans said:

> That is all right with us. We will train an army of colonels and majors and captains, and when the time for expansion comes, we will be able to expand quickly.

The Allies, in an attempt to overcome that situation, to make it impossible for the Germans to train officers, imposed a restriction of 13 years' service upon the German treaty army. The Germans realized that that was a liability under their old ways of thinking. They changed their attitude; they accepted a different educational approach; they adopted a new theory of training. The Germans said:

> We will take this army, and we will train each of the members of the army up to the maximum of his potentiality.

Therefore, a man may have marched as a private for many years, but he was given training to his full ability. It was this changed attitude concerning the training of men which made it possible for Hitler, in a very few years, to expand his army of 100,000 to an extremely large one and almost overnight again to bring into existence universal military training.

It is interesting to note that after he had accomplished this result, by reason of the changed attitude toward training, promotion, and putting the Army on an extremely democratic basis—and I use the word "democratic" in the sense that a man who had ability was given a job commensurate with his ability—after the expansion had taken place, there was a deficiency in only one branch of the service, and that was among the noncommissioned officers. At this time, when the Army of the United States is thinking of expanding, it must expand in accordance with the best known methods of providing for its welfare and efficiency.

Mr. President, as the Senator from Alabama [Mr. HILL] and other Senators who have spoken in behalf of the measure have pointed out, the bill before us is the result of years of effort on the part of the War Department to cure stagnation in promotions in the Army and to promote officers into grades which are commensurate with their age and length of service. It will primarily affect about 4,000 officers proposed to be promoted from major to lieutenant colonel and from captain to major, and who average about 45 years of age.

We are all a little proud of ourselves, and Army officers sometimes become proud of themselves. When we were youngsters in school, if we had to associate with those who were a little shorter, we unconsciously got into the habit of stooping over. Do we not realize that an officer who wears bars, but is of the age when he should wear eagles, is not functioning as he should to his own advantage? Do we not know that it is better for officers to have the training and experience necessary to enable them to meet situations as they arise rather than be found not able properly to meet them because of lack of training?

Many of the officers affected by the bill, as youngsters, fought in the last World War, for the most part in the capacity of captains and lieutenants. Since that time they have served in the Regular Army within the continental United States and in our far-flung possessions. They have graduated from the service schools. Many of them are graduates of the Command and General Staff School, in which are taught the command and staff functions of Army corps, divisions, and brigades. Many of them are graduates of the Army War College and the Industrial College. Are not these officers, with this wealth of experience, capable of being promoted to the grades of colonel, lieutenant colonel, and major? In this time of stress are their ambitions to be thwarted, their morale injured, and their value as professional soldiers lost because of the inability of the War Department under the present law to promote them to grades commensurate with their experience? They have had, on the average, a service of 23 years.

We cannot get the best out of an individual unless he has some hope of reward. The dulling effect of realizing that he is never to be given the opportunity for which he is waiting destroys morale probably more quickly than anything else.

One of the best features of the bill is that it throws open the selection for the rank of brigadier general to lieutenant colonels as well as colonels. In the troublous times which may soon be here the country and the Army are entitled to the best leadership possible. Why, then, should the selection of brigadier generals be confined to 705 colonels? Some of these colonels are probably very efficient and worthy to be brigadier generals; some of them probably are not by reason

of lack of experience. Why should not lieutenant colonels be included? These officers fought the last World War and are still young enough to fight the next one.

This bill is no indictment against officers over 60 years of age, but it is an indictment against colonels over 60 who are probably opposed to the bill because they feel that it might cause them to be retired before they have opportunity for further advancement. Any colonel who is over 60 years of age, who will not be selected for the grade of brigadier general, or who is not so outstanding as to be kept in the 5 percent authorized to be retained by the Secretary of War, is a detriment to the whole Army. That does not mean that he is personally inefficient. That does not mean that he is not capable. That is not a reflection upon any individual. But when we consider the Army we must consider all officers in their relative positions to other officers.

It is necessary to retire what anywhere else but in the Army and Navy we would call "deadwood." In the Army and the Navy it is our custom not to speak of inefficient officers as being inefficient, because they may have been, and may still be, capable of performing great deeds of heroism. It is embarrassing to be obliged to announce that those who have not been able properly to fill their positions must be passed over. Yet they will be passed over if a great emergency arises, because every general of an army knows that he is responsible for every last man in his army, and he will put in charge of the army only officers upon whom he can rely.

Under the bill the use of any valuable officer will not be lost to the Government, because under the existing law any retired officer may be recalled to active duty to perform such duties as he may be fitted for. There, Mr. President, is the worth of the promotion bill. Its purpose is to help every officer who is not fitted for the position he now holds, and to give the generals in charge of the Army the opportunity to put them where they are best fitted. The important point is that by not retiring colonels over 60 years of age, we withhold the possibility of younger officers being trained for regimental command assignments. In an emergency we know that the generals will dip down and take the younger officers. Should those officers not have the experience which fits them for more responsible commands?

Mr. President, this is a long-range bill for the correction of promotion injustices in the Regular Army. It has nothing to do with the great number of Reserve officers and National Guard officers who would be called into the service in an emergency. Great as their experience may be, it would not be as great as that of a Regular Army officer. The bill would make certain that officers called from the Reserve and from the National Guard to serve side by side with the Regular Army officers would have as their superiors or their companions the most efficient officers the Army has available.

Mr. LUCAS. Mr. President, the few remarks I shall make at this time are prompted by the address of the able Senator from Alabama [Mr. HILL]. A few moments ago, as I came into the Senate Chamber, the Senator from Alabama was reading a letter which had been received from Gen. George C. Marshall, Chief of Staff of the United States Army, who is very much interested in the bill.

It was my privilege and pleasure to see General Marshall in action on three different occasions while he was senior instructor of the Illinois National Guard. He came to our organization in 1935, and stayed with us for three summers during the training periods. It was my privilege to observe him in the mess hall, where, during the lunch hour, I heard some of his profound wisdom upon Army maneuvers and tactics.

I also had occasion to observe him in the field, working with tactical problems of great military value to the officers and their men. I wish to say that he brought something to the Illinois National Guard which was not there before. Every officer respected his zeal and industry. Every officer regretted it when his stay was terminated. As the result of my experience with him during those 3 years, I can readily understand why General Marshall was a member of Pershing's staff during the World War. I can understand why the President of the United States made General Marshall Chief of Staff of the Army.

Mr. President, General Marshall has what it takes to make a real Army officer. Not only is he a great soldier, as his record proves, but he is also a great diplomat and a tactful individual, whether he is within or outside of Army circles. He is a man who is devoid of petty and mean traits. He has no prejudice in his system. All he wants to do is to find the type of individual in the Army who can do a job in a crisis; that is the primary reason for his enthusiasm for this legislation and that is one of the great reasons why I feel so keenly about the bill. It is because General Marshall wants it. Not only does General Marshall want the bill, but General Pershing asks the Congress to pass it. After his long career as an Army officer, both in peace and war, General Pershing advocates the passage of the measure, to become effective immediately as to all types of officers. He knows that this bill is designed to give more punch and more efficiency to the Regular Army.

Mr. President, I do not question the wisdom or patriotism of any Senator who takes the opposite view with respect to the bill. Senators who take that view are just as patriotic as General Marshall and General Pershing; but it seems to me that in this hour of emergency, if we have faith and confidence in the man who is at the head of our Army, and the one who led us to victory in '18, we ought to heed their request in connection with a promotion bill of this character.

Mr. President, the bill affects the national defense of this country. Anyone who knows anything about the service in these mechanized times of motorized warfare and bombing, these times of difficulty and stress, knows that the best type of men, physically and mentally, are required to carry on. Back in 1917 and 1918 an officer could learn the type of warfare which then existed in a period of 90 days, as many an officer did. Today, with the exception of infantry officers, that would be almost impossible. The stress upon officers in this war is nothing like what it was during the last war. One need only read the accounts of the Tommies who came across the Channel and escaped the holocaust of the great German machine to find out what war really is at the present time. Sherman said that war is hell; his statement was mild compared with what is going on at this particular moment in Flanders Field and the fields of France.

Life in these days is complex, and is becoming more intricate and difficult, whether it be in a Government position, in the Army, in an automobile factory, or any other major activity. As we go along we see men dropping out under the strain—men who apparently are in good health and in the full vigor of life. Yes; they cannot "take it," Mr. President.

So it is with the bill under consideration. Certain officers ought to be eliminated because of what war actually is at this moment. The men in the high places of the Army know it. They are anxious to do their patriotic duty and give to the country the best type of men which the Army can develop for the peculiar and heavy duty which lies before them in case of emergency.

In my opinion General Marshall ought to know what is best for the Army. In my opinion he does know what is best, not only for the Army, but for the country. I sincerely hope that the conference report will be agreed to by an overwhelming majority, because of the fight which has been made upon it. I think it is rather regrettable that we have taken so much time on the conference report. We have had full hearings before the Military Affairs Committee, and we have letters written by General Marshall and General Pershing, neither of whom can be charged with political motives, or with any other thought than that of having the best interest of our country at heart. Believing in those men as I do, as a United States Senator, I would not repudiate their judgment by my vote upon a bill of this kind. If we want to continue with the unanimity of thought and the high purpose we ought to have in connection with every measure which affects our defense,

the conference report should be agreed to, not merely by a majority, but by an overwhelming majority, to let the country know that the United States Senate stands firmly behind men like General Pershing and General Marshall.

Mr. BRIDGES. Mr. President, I should like to take a moment of the Senate's time to say a word in favor of the bill now under consideration. In a general way I concur in what has been said by the distinguished Senator from Illinois [Mr. LUCAS]. I have followed the bill in the hearings before the Military Affairs Committee. I believe that it is a sound measure. We have appropriated billions of dollars for national defense, and there does not seem to be much question about appropriating the money necessary to defend the country. But when it comes to administering the War Department involving an act which the Army wants, which the War Department wants, which General Marshall wants, and which General Pershing wants, then a question is raised.

General Marshall is the Chief of Staff of the United States Army, and on his shoulders will fall the immediate responsibility for organizing the defense of the country. General Marshall informs the Congress and the country, as he has told the Military Affairs Committee of the Senate in detail, that the bill is absolutely necessary in order that the Army may be efficiently organized for our national defense. I am willing to take General Marshall's word on that question. I believe the Senate should agree to the conference report by a substantial vote, and put the so-called promotional bill into effect.

Mr. President, this is no time for quibbling. This is a time for action. The Army wants the bill, and the very able Chief of Staff, General Marshall, wants it. I hope the conference report will be agreed to by the Senate. This is a very effective way of giving the War Department the powers necessary to develop an efficient Army.

Mr. SHEPPARD. Mr. President, I desire to speak briefly on the details of the bill.

The bill represents what I believe to be the best form of organization for Army officer personnel at the present time. It provides that second lieutenants shall become first lieutenants after serving 3 years as second lieutenants. At present there are approximately 1,800 second lieutenants.

The bill provides that first lieutenants shall become captains after serving 7 years as first lieutenants. At present there are approximately 2,000 first lieutenants and 3,300 captains.

So far, the bill represents a reenactment of the existing law enacted July 1, 1935. The large number of captains is due to the great number of World War officers covered into the Regular Army on July 1, 1920.

The law of 1935 continued the seniority system of promotion from captain to colonel. In the higher grades the number of officers becomes gradually less. This has occasioned a continuous and almost hopeless stagnation in promotion in the grades of captain and major and lieutenant colonel. There are approximately 2,900 majors at the present time.

The pending bill meets this situation by providing that captains shall become majors after serving 7 years as captains; that majors shall become lieutenant colonels after serving 6 years as majors, and that lieutenant colonels shall become colonels after 5 years' service as lieutenant colonels. There are about 1,050 lieutenant colonels at the present time in the Army.

Beyond colonel, promotion to brigadier general and major general will be made by selection, as at present, except that this bill permits selection for these higher grades to be made also from lieutenant colonels. This, in some degree, softens the effect of the congested status in which this bill will temporarily leave the lieutenant colonels when it goes into full operation.

It is estimated that the peak number of lieutenant colonels under this bill will be 3,500. Later, and as a permanent matter, the number will drop to 1,800.

This congestion is further modified by the provision in the bill that lieutenant colonels remaining such at 60 years of age shall retire at that age as colonels. The same principle is applied to colonels who are still colonels at the age of 60. In fact, the provision that officers who fail to reach the grade of general officers shall be retired on reaching the age of 60 is the vitalizing feature of the bill.

The number of colonels is limited by the bill to 705, which is not a change of the present law, except that the pending bill adds the provision, which is new legislation, namely, that one-fifth of the number of colonels, or about 35, may be continued in active service until 64 years of age in case of special adaptation to some important phase of the work of the War Department.

The most urgent need of the Army is for officers at the ages at which they are, as a rule, best qualified to perform the duties of the various grades. This bill is an efficient step in that direction.

There is a provision in the bill that when any officer of the Regular Army shall have completed not less than 15 nor more than 29 years of service he may, on his own application, be retired. In the House an amendment was added to the effect that if an officer so applying was a former World War officer the retirement allowance should be somewhat larger. So the special inducement held out in this bill to World War officers in the matter of retirement did not come from the War Department at all. It is a just and deserved tribute, however, to the World War officers.

The average age of the World War officers is 47 years, and the ages of some of these officers range as high as 63. Obviously an officer in the grade of captain or major who is 47 or 50 years old or more cannot look for any great advancement in the Army but can yet take advantage of opportunities in private life. The voluntary-retirement feature is offered to both World War and other officers coming within its terms to permit any of such officers to retire in order to enter private pursuits. This feature is of advantage, therefore, both to these officers and the Government.

Mr. President, even if this bill had not been developed in the War Plans Division of the War Department, if it had not been favorably reported by the House Military Affairs Committee and passed almost unanimously in the House, and had it not also been studied by the Senate Military Affairs Committee and favorably reported by that committee to the Senate—even if these preliminaries had not occurred, this bill, on its merit alone—and I take it that the function of Senators is to consider bills on their merits—would be entitled in my judgment to the favorable action of the Senate.

Mr. JOHNSON of Colorado. Mr. President, I wish to say merely a few words. I hope the Chief of Staff, General Marshall, and the Secretary of War, Mr. Woodring, will read the debate which has taken place in the Senate on this bill. I hope they will be impressed by the desire on the part of the United States Senate that they bring about efficiency in the commissioned personnel of the United States Army. There is not at present such efficiency as there should be. Seventy-five percent of the commissioned officers of the United States Army is made up of efficient, able, excellent officers, but 25 percent of the commissioned personnel is "deadwood"; such officers are a drag; they are not competent; to use the term General Marshall applied to them, they are mediocre. The debate in the Senate should be a challenge to those at the head of the War Department and the Army to make the commissioned officers more efficient. If the "deadwood" were removed, there would be no war "hump" or any other kind of a hump standing in the way.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. CONNALLY. Under certain provisions of existing law has not the Army the authority to convene what are called B boards and put inefficient officers out of the Army?

Mr. JOHNSON of Colorado. They have that authority.

Mr. CONNALLY. Have they not had that authority for years? I wish to know why they have not exercised the authority. We find the Chief of Staff coming to Congress and

saying he has inefficient officers in the Army, but he does not put into effect the very law we gave him to remove that kind of officers from the Army.

Mr. JOHNSON of Colorado. Only 3 officers out of 12,000 were put in class B last year, and yet in the same breath the Chief of Staff told the conference committee that the commissioned personnel was full of officers who were "mediocre." That was the term he used.

I hope he will read this debate; I hope it will be impressed upon him that the United States Senate does want efficiency, and I trust that if he needs any cooperation to bring about efficiency and any change in the law is necessary to that end, he will be frank, honest, courageous, and will have the stamina to come here and get our help. If he will do that, I believe this debate will have served a very helpful purpose.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. SHEPPARD. I suggest the absence of a quorum.

Mr. LA FOLLETTE and other Senators asked for the yeas and nays.

Mr. BURKE. Mr. President, I suggest the absence of a quorum.

Mr. SHEPPARD. I have suggested the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Chavez	Johnson, Colo.	Russell
Andrews	Clark, Idaho	King	Schwartz
Ashurst	Clark, Mo.	La Follette	Schwellenbach
Austin	Connally	Lee	Sheppard
Bankhead	Danaher	Lodge	Slattery
Barbour	Downey	Lucas	Smith
Barkley	George	McKellar	Stewart
Bilbo	Gerry	McNary	Taft
Bone	Gillette	Mead	Thomas, Idaho
Bridges	Green	Miller	Thomas, Utah
Brown	Guffey	Minton	Tobey
Bulow	Gurney	Neely	Townsend
Burke	Hale	Norris	Tydings
Byrd	Harrison	Nye	Vandenberg
Byrnes	Hill	Overton	Wagner
Capper	Holman	Pepper	Wheeler
Caraway	Holt	Pittman	White
Chandler	Hughes	Radcliffe	Wiley

The PRESIDING OFFICER. Seventy-two Senators have answered to their names. A quorum is present. The question is on agreeing to the conference report.

Mr. LA FOLLETTE. I call for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. CHANDLER (when his name was called). I have a general pair with the Senator from Pennsylvania [Mr. DAVIS]. I am informed that if he were present he would vote as I shall vote on this question, so I am at liberty to vote. I vote "yea."

Mr. ASHURST (when Mr. HAYDEN's name was called). My colleague [Mr. HAYDEN] is detained on Government business. I am advised that if present and voting, he would vote "yea."

The PRESIDING OFFICER (when Mr. O'MAHONEY's name was called). The present occupant of the chair will state that his colleague the senior Senator from Wyoming [Mr. O'MAHONEY] is unavoidably absent. He desires to have recorded the fact that he would have voted "yea" if present.

The roll call was concluded.

Mr. MINTON. I announce that the Senator from Connecticut [Mr. MALONEY] is absent from the Senate because of illness in his family.

The Senator from New Mexico [Mr. HATCH], the Senator from Iowa [Mr. HERRING], the Senator from New Jersey [Mr. SMATHERS], the Senator from Oklahoma [Mr. THOMAS], and the Senator from Massachusetts [Mr. WALSH] are detained on official business. I am advised that if present and voting these Senators would vote "yea."

The Senator from North Carolina [Mr. BAILEY], the Senator from Ohio [Mr. DONAHEY], the Senator from Louisiana [Mr. ELLENDER], the Senator from Virginia [Mr. GLASS], the Senator from Minnesota [Mr. LUNDEEN], the Senator from Nevada [Mr. MCCARRAN], the Senator from Montana [Mr. MURRAY], the Senator from North Carolina [Mr. REYNOLDS], the Senator from Missouri [Mr. TRUMAN], and the Senator from Indiana [Mr. VAN NUYS] are necessarily absent.

Mr. AUSTIN. The Senator from Kansas [Mr. REED] is detained on official business. If present, he would vote "yea."

My colleague the junior Senator from Vermont [Mr. GIBSON] would vote "yea" if present. He is unavoidably detained.

The Senator from Minnesota [Mr. SHIPSTEAD] has a general pair with the Senator from Virginia [Mr. GLASS].

The Senator from North Dakota [Mr. FRAZIER] is necessarily absent.

The Senator from Pennsylvania [Mr. DAVIS] is absent on official business. If present, he would vote "yea."

The result was announced—yeas 61, nays 11, as follows:

YEAS—61

Andrews	Downey	Lucas	Slattery
Ashurst	George	McNary	Stewart
Austin	Gillette	Mead	Taft
Barbour	Green	Miller	Thomas, Idaho
Barkley	Guffey	Minton	Thomas, Utah
Bilbo	Gurney	Neely	Tobey
Bone	Hale	Norris	Townsend
Bridges	Harrison	Nye	Tydings
Brown	Hill	Overton	Vandenberg
Byrnes	Holman	Pepper	Wagner
Capper	Holt	Pittman	Wheeler
Caraway	Hughes	Radcliffe	White
Chandler	King	Russell	Wiley
Chavez	La Follette	Schwartz	
Clark, Idaho	Lee	Schwellenbach	
Danaher	Lodge	Sheppard	

NAYS—11

Adams	Burke	Connally	McKellar
Bankhead	Byrd	Gerry	Smith
Bulow	Clark, Mo.	Johnson, Colo.	

NOT VOTING—24

Bailey	Glass	McCarran	Shipstead
Davis	Hatch	Maloney	Smathers
Donahey	Hayden	Murray	Thomas, Okla.
Ellender	Herring	O'Mahoney	Truman
Frazier	Johnson, Calif.	Reed	Van Nuys
Gibson	Lundeen	Reynolds	Walsh

So the report was agreed to.

Subsequently, on June 6, Mr. MCKELLAR made the following statement:

CORRECTION OF VOTE

Mr. MCKELLAR. Mr. President, in the vote on the conference report on the Army promotion bill my vote was cast inadvertently, under a misapprehension. It should have been in the affirmative. I wish to make the correction now, and I ask that this statement be placed in the permanent RECORD immediately after the yea-and-nay vote, if there is no objection.

The VICE PRESIDENT. Without objection, it is so ordered.

DEVELOPMENT OF FARM UNITS UNDER RECLAMATION PROJECTS

The PRESIDING OFFICER (Mr. SCHWARTZ in the chair) laid before the Senate the amendments of the House of Representatives to the bill (S. 3683) to remove the time limit for cooperation between the Bureau of Reclamation and the Farm Security Administration in the development of farm units on public lands under Federal reclamation projects, which were, in line 5, strike out "1940" and insert "1941"; and to amend the title so as to read: "An act to extend the time limit for cooperation between the Bureau of Reclamation and the Farm Security Administration in the development of farm units on public lands under Federal reclamation projects."

Mr. WHEELER. Mr. President, I move that the Senate concur in the House amendment to the text of the bill with an amendment, as follows:

In lieu of "1941" to insert "1940," and by inserting "during the fiscal year 1941", so that the bill as amended will read as follows:

Be it enacted, etc., That the act of August 7, 1939 (Public, No. 307, 76th Cong., 1st sess.), is hereby amended by striking out "during the fiscal year 1940," and by inserting "during the fiscal year 1941."

The motion was agreed to.

Mr. WHEELER. It was clearly the intention of the House to use the latter language; but there was a clerical error, I am sure, because if it should apply during the year 1940 it would not change the present status.

I move that the Senate concur in the House amendment to the title of the bill.

The motion was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Calloway, one of its reading clerks, announced that the House had passed without amendment the bill (S. 2568) to amend the Federal Credit Union Act (June 26, 1934, ch. 750, par. 1, 48 Stat. 1216, sec. 1761).

The message also announced that the House had severally agreed to the amendments of the Senate to the following bills and joint resolution of the House:

H. R. 7019. An act to amend section 1 of the act providing punishment for the killing or assaulting of Federal officers;

H. R. 8429. An act for the relief of Maj. L. P. Worrall, and for other purposes; and

H. J. Res. 367. Joint resolution to authorize the Secretaries of War and of the Navy to assist the governments of American republics to increase their military and naval establishments, and for other purposes.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 6044) to regulate the number of warrant and commissioned warrant officers in the Marine Corps; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. VINSON of Georgia, Mr. DREWRY, and Mr. MAAS were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to each of the following bills of the House; asked conferences with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. VINSON of Georgia, Mr. DREWRY, and Mr. MAAS were appointed managers on the part of the House at the respective conferences:

H. R. 8026. An act to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes; and

H. R. 9848. An act to authorize the construction or acquisition of naval aircraft, the construction of certain public works, and for other purposes.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1759) granting the consent of Congress to the States of Montana, North Dakota, and Wyoming, to negotiate and enter into a compact or agreement for division of the waters of the Yellowstone River.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9109) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1941, and for other purposes; that the House receded from its disagreement to the amendments of the Senate Nos. 24, 53, 93, 134, 136, and 139 to the bill, and severally concurred thereon, and that the House receded from its disagreement to the amendments of the Senate Nos. 34, 36, and 133, to the bill, and concurred therein, severally with an amendment, in which it requested the concurrence of the Senate.

MARKETING QUOTAS FOR TOBACCO

Mr. GEORGE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of calendar No. 1771, House bill 9700, to amend the Agricultural Adjustment Act of 1938, as amended, and for other purposes.

This bill is applicable only to tobacco. It would simply permit the tobacco farmers to determine whether they will operate under a quota for 1 year or for 3 years. I held the bill up a few days ago, when the calendar was called, under a misapprehension. I have looked into it, and the bill is all right.

Mr. BARKLEY. Mr. President, this bill was reported at the same time the Committee on Agriculture and Forestry reported a similar bill having to do with wheat.

Mr. GEORGE. Exactly.

Mr. BARKLEY. The bill dealing with wheat passed on the call of the calendar, and this was the next bill. The Senator from Georgia asked that it go over so that he could look into it.

Mr. GEORGE. That is correct.

Mr. BARKLEY. At that time attention was called to the fact that this was an important measure for the tobacco growers, because they desire to have the right to vote on the question whether they shall have a 3-year quota or a 1-year quota.

Mr. GEORGE. The Senator is quite right.

Mr. BARKLEY. The tobacco interests all over the country are unanimously for the bill, the growers especially.

Mr. GEORGE. I am advised that they are unanimously for it, and I held the bill up under a misapprehension of the facts. I desire now to ask for its consideration.

Mr. McNARY. Mr. President, I do not know that I shall make any objection, but I do not like the practice of calling bills up from the calendar after they have been objected to at a regular call of the calendar. I recall that when we were considering bills on the calendar a few days ago, one or more Senators objected to the consideration of the bill now under discussion.

Mr. GEORGE. Not this bill. I held this up myself, acting under a misapprehension as to the facts, and after looking into the matter I thought I should have the bill called up and have it disposed of, because there is a pressing need for its early consideration. It does not affect anyone but the tobacco producers.

Mr. McNARY. That is true, and I myself have no objection to the bill. I am familiar with its purpose, as it was before our committee, but if the Senator who objected is absent, it would not be fair to take it up except on a calendar day. That is the point I am raising. The question in which I am interested is, Was the Senator from Georgia the sole Senator who objected when the bill was called on the calendar?

Mr. GEORGE. Yes.

Mr. McNARY. That is what I am asking, and I want assurance on that point. When a Senator objects to a bill on a call of the calendar, and another Senator rises the day following and asks for the consideration of the bill, frequently the Senator who objected is not present, and it is not fair to conduct business in that way. I recall that this bill was not acted upon a few days ago because someone objected. If it was the able Senator from Georgia, and he was the only one objecting, I shall not raise any question.

Mr. GEORGE. I was the only one who objected, and I objected under a misapprehension of the facts, and wanted to correct the mistake at the earliest possible moment.

Mr. McNARY. That is a fair statement, and I have no objection to the consideration of the bill.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H. R. 9700) to amend the Agricultural Adjustment Act of 1938, as amended, and for other purposes, which was ordered to a third reading, read the third time, and passed.

EXPEDITION IN STRENGTHENING THE NATIONAL DEFENSE

Mr. SHEPPARD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1726, Senate bill 4025, to expedite the strengthening of the national defense.

Mr. KING. Mr. President, I shall not object to the motion prevailing, but I give notice that upon the disposition of the bill, recognition of the Chair will be sought to move to take up for consideration the so-called Walter-Logan bill.

Mr. BARKLEY. Mr. President, I wish to state, in that connection, that when this matter was up a few days ago, it was indicated, as I thought, by those who were supporting the

Walter-Logan bill, that no effort would be made to interfere with the consideration of the defense program or the relief legislation. The Senator from Texas [Mr. SHEPPARD] has moved that the Senate proceed to consider one of the important defense measures. There are two or three others on the calendar of the same nature awaiting action, and the relief measure has been today reported from the Committee on Appropriations.

I wish to advise Senators that if it appears that the bill which is the subject of the motion of the Senator from Texas is likely to consume very much time, it will probably be advisable to lay it aside temporarily in order to take up the relief bill tomorrow. It is desired that the relief bill be considered at once. However, the Senator from Texas does not think that the consideration of the bill as to which he has made his motion will consume more than 2 or 3 hours, perhaps not that much time, and if that turns out to be the fact, I can see no reason why we should not wait to take up the relief bill until after the pending national-defense measure is passed. In any event, it is expected that the relief bill will follow this measure, and if this bill takes more time than is expected, it may be necessary to consider the relief bill regardless of this measure.

Mr. SHEPPARD. That will be satisfactory, Mr. President.

Mr. KING. Mr. President, we will cross that bridge when we reach it. The Senate will recall that when the so-called Walter-Logan bill was under discussion a few days ago, suggestions were made that upon every proper and appropriate occasion application would be made to the Senate to take up for consideration the Walter-Logan bill.

Mr. BARKLEY. Mr. President, I have no objection to the motion being made at any proper and appropriate time.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 4025) to expedite the strengthening of the national defense, which had been reported from the Committee on Military Affairs without amendment.

Mr. AUSTIN. Mr. President, I offer an amendment, which I ask to have read.

The PRESIDENT pro tempore. The clerk will read.

The CHIEF CLERK. It is proposed to add at the end of the bill the following:

SEC. —. (a) In order to effectuate plans for a more adequate national defense, the President is authorized, in his discretion, to create a nonpartisan Authority to Expedite National Defense to be composed of five members to be appointed by the President, without regard to political affiliations and to hold office at the pleasure of the President. The salaries of said members shall be fixed by the President but shall not be at a rate in excess of $10,000 a year.

(b) Such Board, when created, shall advise and assist the President (1) in the mobilization of the economic and industrial resources of the country, and (2) in preparing and executing plans for the speeding up of production and manufacturing of military equipment, munitions, and other supplies necessary for an adequate national defense.

Mr. AUSTIN. Mr. President, I wish to make a brief explanation of the amendment. At the time when we previously discussed the amendment, namely, on May 22 last, I believed that if the act of August 29, 1916, providing for a Council of National Defense, were followed, that would accomplish fully the same objective I have in offering my amendment. Since that time, however, on further study of both the act of 1916 and the amendment, I am persuaded that the act of 1916 does not anywhere near accomplish the objective.

I think evidence is observed that there is an effort on the part of the minority of the Senate to harmonize the slight differences between the majority and minority with respect to national defense and to create as strong a harmony as possible for the public welfare and for the impression that such action would give to foreign countries, and so no petty consideration has engaged us on either side of the aisle in the effort to speed up our national-defense program. I shall not pursue any other course now; but I wish to call attention to the difference between the proposal which I make and the conditions as they are in the hope that there will be a spirit of conciliation on the part of the majority, as there is on the part of the minority, and that if the amendment appeals to the good sense and judgment of the majority they may see fit to adopt it.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. CLARK of Missouri. Does the Senator think that an amendment of this magnitude should be acted on at this late hour in the evening?

Mr. AUSTIN. No, Mr. President.

Mr. CLARK of Missouri. Without a majority of the Members of the Senate being present, and not having had notice that the amendment would be offered?

Mr. AUSTIN. Mr. President, I wish to make my explanation so that it can be in the RECORD for the consideration of all who may read the RECORD. It may be inconvenient for me to be here at such time tomorrow as this matter may arise again. Therefore I hope in a very brief statement to present my claims for the amendment tonight, and have them in the RECORD.

This amendment does something which the existing law does not do. It undertakes not merely to give to the proposed Board the power to advise and to assist in the preparation of plans for the national defense, but it expressly gives it the authority to execute those plans, and that is quite different from what the act of 1916 does. All the act of 1916 does is to give to the Council of National Defense and its subordinate bodies, as they appear in graded ranks in a great bureaucracy, the power to investigate and report. That is all. The Council can advise but it cannot execute. I know from correspondence I have had with the head of the old advisory board which acted during the World War that in practice it did not exceed its theoretical power under the statute.

Mr. President, I want to have set up a board which will speed up, which will accelerate production, a board which will be nonpolitical, nonpartisan, which will be small and compact, and which can actually execute its plans. So I offer the amendment.

Let me say that since the amendment was discussed in the Committee on Military Affairs, where it had a very liberal and candid consideration by all members of that committee, and where it was not rejected but in effect was referred to the Chief Executive—since that time the Chief Executive has written a letter to the chairman of the committee, the Senator from Texas [Mr. SHEPPARD], which I have his permission to make a part of the RECORD. I ask unanimous consent to insert in the RECORD at this point the letter from the President of the United States to the chairman of the Military Affairs Committee.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, June 3, 1940.

MY DEAR MORRIS: I have your letter of May 22, 1940, submitting, by direction of the Senate Committee on Military Affairs, a draft of a proposed provision, intended to be offered by Senator AUSTIN, which would authorize the President, in his discretion, to create a nonpartisan authority of five members, at salaries not in excess of $10,000 each, to advise and assist him in effectuating plans for a more adequate national defense.

You are doubtless aware of the fact that I have already, under authority vested in me by existing law, appointed a nonpartisan advisory commission to assist me and the council of national defense in connection with the present emergency program. In addition, I have, within the past few days, transmitted to the Congress a request that $1,000,000 be appropriated to cover the expenses of these bodies and also a request that, during the existence of the present emergency, authority be granted the head of any department or independent establishment of the Government to employ any person of outstanding experience and ability at a compensation of $1 per annum.

In view of the action already taken by me, I feel that the enactment of the legislation proposed by the amendment in question would be unnecessary.

Sincerely yours,

FRANKLIN D. ROOSEVELT.

Hon. MORRIS SHEPPARD,
Chairman, Senate Committee on Military Affairs, Washington, D. C.

Mr. AUSTIN. Mr. President, I shall not read the letter. However, I call attention to certain substantial suggestions in it. The President, in effect, says:

I think this amendment is not necessary, because I have set up under the law of 1916 this council, and besides that I have sent up to Congress a request for an appropriation of $1,000,000 with which to finance the service of this Council.

Then he says, in addition, that he has done something else—and this may be important—namely, that he has also requested that during the existence of the present emergency authority be granted the head of any department or independent establishment of the Government to employ any person of outstanding experience and ability at a compensation of $1 per annum.

Mr. President, on the 22d of May when we were discussing this subject and were considering the appropriation for military affairs, I offered an amendment to appropriate $100,000 to finance the operation of such a council, and the object, as stated then, was to revive and give life to that which had been dormant ever since 1920, for the reason that no appropriation had been made for it since that year.

As a matter of fact, that amendment was rejected by a vote of 48 to 22. As I recall, every Republican but 1 voted for the amendment, and every Democrat but 4 voted against it. That does not look to me, Mr. President, as if there was mutuality in presenting to the world a front of unity and harmony.

I wonder, in passing, what Senators will do with the President's request for an appropriation on this point now, after having turned down an amendment which proposed to finance the council?

Since that time, as I have said, I find that the objectives aimed at by my amendment are not attained by the present law.

I ask unanimous consent to insert at this point in the RECORD certain items which tend to show what has occurred under the act of 1916.

First, an extract from the Federal Register of yesterday, Tuesday, June 4, showing that the Council of National Defense has set up certain rules to govern itself, and that the President of the United States has approved those rules.

Mr. CLARK of Missouri. Mr. President——

Mr. AUSTIN. Mr. President, would the Senator defer until I shall have placed the matters I referred to in the RECORD?

Mr. CLARK of Missouri. Mr. President, how long is the matter to which the Senator just referred?

Mr. AUSTIN. It is a very brief item of about a half a stick—half a column.

The PRESIDENT pro tempore. Without objection, the matter referred to will be printed in the RECORD.

The matter referred to is as follows:

TITLE 32—NATIONAL DEFENSE

CHAPTER VI—COUNCIL OF NATIONAL DEFENSE

RULES AND REGULATIONS

Under authority of section 2 of the act of August 29, 1916 (39 Stat. 649), the Council of National Defense adopts, subject to the approval of the President, the following rules and regulations for the conduct of its work:

SECTION 1. The Advisory Commission provided for in section 2 of the act of August 29, 1916 (39 Stat. 649), shall be composed of an Adviser on Industrial Production; an Adviser on Industrial Materials; an Adviser on Employment; an Adviser on Farm Products; an Adviser on Price Stabilization; an Adviser on Transportation; and an Adviser on Consumer Protection. Each of such Advisers shall be in charge of and responsible to the Council for investigation, research, and coordination in his designated field.

SEC. 2. The Administrative Assistant to the President in charge of the Office for Emergency Management in the Executive Office of the President is hereby designated as Secretary to the Council and to the Advisory Commission.

SEC. 3. The Secretary to the Council shall provide suitable and necessary personnel, supplies, and facilities for the Advisory Commission and its several members, and for such experts, special advisors, or other subordinate bodies as the Council may from time to time employ under the provisions of said section 2 of the act of August 29, 1916; and he shall perform such other duties as the Council may direct.

HARRY H. WOODRING,
Secretary of War.
CHARLES EDISON,
Secretary of the Navy.
HAROLD L. ICKES,
Secretary of the Interior.
HENRY A. WALLACE,
Secretary of Agriculture.
HARRY L. HOPKINS,
Secretary of Commerce.
FRANCES PERKINS,
Secretary of Labor.

Approved:

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *May 29, 1940.*

[F. R. Doc. 40-2213; filed, June 3, 1940; 11:41 a. m.]

Mr. AUSTIN. Mr. President, at this point I should like to insert a list of the names of the Advisory Commission for the Council of National Defense, and the name of the Administrative Assistant to the President.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

THE ADVISORY COMMISSION FOR THE COUNCIL OF NATIONAL DEFENSE

Edward R. Stettinius, Jr., chairman of United States Steel Corporation, adviser on industrial materials.

William S. Knudsen, president of General Motors Corporation, adviser on industrial production.

Sidney Hillman, adviser on employment problems.

Chester C. Davis, Board of Governors of the Federal Reserve System, adviser on farm products.

Ralph Budd, president, Chicago, Burlington & Quincy Railroad, adviser on transportation.

Leon Henderson, chairman Securities and Exchange Commission, adviser on price stabilization.

Miss Harriet Elliott, University of North Carolina, adviser on consumer protection.

William H. McReynolds, Administrative Assistant to the President, secretary to the Advisory Commission and to the Council of National Defense.

Mr. AUSTIN. Mr. President, next I should like to insert an article published in the New York Times of yesterday, entitled "Knudson To Direct Defense Tooling."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

KNUDSON TO DIRECT DEFENSE TOOLING—MORGENTHAU TURNS OVER TO GENERAL MOTORS HEAD TASK OF COORDINATING INDUSTRY—VITAL POST IN PROGRAM—AUTO LEADER MAY LATER BECOME INDUSTRIAL MOBILIZATION CHIEF—PLANE OUTPUT VIEWED

(By Henry N. Dorris)

WASHINGTON, June 3.—Secretary Morgenthau turned over today to William S. Knudsen, president of General Motors Corporation and member of the Advisory Defense Commission in charge of manufacturing, the task of coordinating the machine-tool industry for its strategic role in President Roosevelt's new national-defense program.

Secretary Morgenthau, who has been directing the mobilization of the aircraft and machine-tool industries for defense at the request of the President, gave the machine-tool task to Mr. Knudsen at a conference at which a committee representing the industry pledged "100 percent support in supplying such machine tools as may be required to carry out the national-defense program."

At the same time it appeared to observers that placing the machine tool coordination task in Mr. Knudsen's hands was merely the first step in making the automotive executive complete master of the industrial situation so far as mobilization of resources for defense was concerned. It was expected, therefore, that the work which Secretary Morgenthau has been doing in the aircraft and aeronautical engine fields also would go to Mr. Knudsen.

MOVES INTO OFFICE

The General Motors executive established himself today in his new office in the palatial Federal Reserve Building, across Constitution Avenue from the War and Navy Departments. He occupied an unused suite designed for an official of the Reserve System.

The Department of Justice, it was learned, has adopted a hands-off attitude toward industries which must trespass the antitrust laws in the interest of national defense.

Thurman Arnold, head of the Antitrust Division of the Department, was reliably reported to have informed Secretary Morgenthau at a conference last week that where the Army or Navy or other qualified Government agencies certify that units in an industry cannot fill their national defense role without such trespassing, no prosecution will be undertaken.

It was understood that Mr. Arnold, in tentatively stating the antitrust policy as it relates to national defense, suggested that he might go to the courts and seek consent decrees in which the courts would waive the laws as they might otherwise apply if there were no national emergency.

Justice officials made it clear they wanted no repetition of the Madison oil case, in which oil company officials were convicted for doing something which they said they were told to do by another Government agency. For this reason, the Department seeks to leave no room for any question as to conflicts between Government agencies on the possible application of the law.

MASS OUTPUT OF PLANES VIEWED

Other national defense developments in the industrial field included the following:

1. Secretary Morgenthau announced that major automobile executives had exhibited interest in possible mass production of airplane engines for ourselves and for the Allies, and had assigned their engineers to work with the Treasury's aviation experts, and with the Army and Navy, in seeking engines suitable for mass-production techniques.

2. The defense committee of the National Machine Tool Builders' Association, which promised Secretary Morgenthau 100-percent support, submitted to him a report summarizing its plans for meeting the demand for about $200,000,000 of tools which will be required in the defense program as laid down for the next fiscal year. It involves the appointment of a machine tool coordinating committee which the industry recommended should be headed by Mr. Knudsen.

3. The Allied Purchasing Mission completed the airplane engine phase of its $1,000,000,000 procurement program started in January when it signed orders with Pratt & Whitney last week, according to Secretary Morgenthau.

"I asked Mr. Knudsen if he would take this machine-tool job off my hands, and he said he would," Secretary Morgenthau said at his press conference. "I've laid the groundwork and he'll take over bodily what we've started."

Of the machine-tool industry's committee, Mr. Morgenthau said: "These fellows are very serious, and I believe they will produce, but they'll have to do a lot of home work first."

SECRETARY TELLS OF CONFERENCES

When he was asked concerning his conference last week with Edsel Ford, president of the Ford Motor Co., on the day after his father, Henry Ford, had stated in a newspaper interview that he could produce 1,000 airplane engines a day if Government "red tape" and interference were eliminated, Secretary Morgenthau disclosed that he had talked with heads of most large automobile concerns regarding mass production of airplane engines.

The Secretary said that he or his aides had talked the possibility over with executives of the Chrysler, General Motors, Packard, and Studebaker companies.

"Edsel Ford came on my request to discuss the possibility of his getting into mass production on engines," Mr. Morgenthau declared. "He said if he can find the engine or we can find one for him that he can produce on a mass-production basis, he'd be very glad to do it for patrictic reasons. He's putting his engineering staff on this problem."

While Mr. Morgenthau said that both national defense and the needs of the Allies were being considered in connection with eliminating the bottleneck in airplane-engine output, which is regarded as the main problem in reaching the President's goal of 50,000 planes a year, he added that "whatever we decide to make in a big way will be primarily something we can use ourselves."

He said the automobile executives did not seem to think that going into mass production of airplane engines would interfere with their production of automobiles, although it had not been definitely decided whether demands on the machine tool industry might necessitate retaining 1941 model automobiles for the following year to eliminate retooling.

MEANS FOR PRIORITIES DISCUSSED

The report of the defense committee of the National Machine Tool Builders' Association on how it would meet the estimated $200,000,000 demand for its products in the next year, said the industry agreed to undertake deliveries of whatever tools the Government program requires "by expanding the present working forces" and, if necessary, "by subletting parts and complete machines to various factories not engaged in important Government work and who have facilities and ability to produce the quality of work required."

The report emphasized the importance of means for enforcing priorities since "a very important factor in determining deliveries of machine tools will be the allocation to foreign countries," and it may become necessary, in the event that large numbers of machine tools are required immediately, "to commandeer many machine tools that are now on order for foreign countries."

The committee recommended that the important problem of coordinating foreign and domestic priorities of delivery be placed in the hands of a "machine-tool coordinating committee" to be headed by Mr. Knudsen and to include representatives of the Army, Navy, and the industry.

Members of the industry's defense committee who reported to Secretary Morgenthau through representatives were as follows:

Clayton R. Burt, Hartford, chairman; Henry Buker of Providence; F. H. Chapin of Cleveland; Howard W. Dunbar of Worcester, Mass.; Ralph E. Flanders of Springfield, Vt.; James Gleason of Rochester, N. Y.; Charles J. Stillwell of Cleveland; Fred V. Geier of Cincinnati; Norman D. MacLeod of East Providence, R. I.; Robert M. Gaylord of Rockford, Ill.; Phil Huber of Detroit; F. A. Muller of Cincinnati; G. A. Rentschler of Hamilton, Ohio; Joseph L. Trecker of Milwaukee; W. E. Whipp of Sidney, Ohio; J. E. Lovely of Springfield, Vt.; and Tell Berna of Cleveland, secretary of the committee.

ROLLS-ROYCE ENGINE CONSIDERED

WASHINGTON, June 3.—Secretary Morgenthau disclosed today that engineers were selecting a standardized motor suitable for military aircraft. This, he added, must be done before the automobile plants could go to work. The British Merlin, 12-cylinder Rolls-Royce engine, rated among the best owned by the Allies, was one of those under consideration, he added.

WILSON TO TAKE KNUDSEN'S PLACE

Directors of the General Motors Corporation granted an indefinite leave of absence to William S. Knudsen, president, so that he might devote full time to his duties as a member of the National Defense Council, according to the Associated Press.

Charles Erwin Wilson, executive vice president of General Motors, will take charge of the operations of the company in Mr. Knudsen's absence.

Mr. AUSTIN. Next I should like to insert in the RECORD an abstract, or really a digest of executive orders coordinating Government activities during the World War, made under the Overman Act of May 20, 1918.

Mr. CLARK of Missouri. Mr. President, will the Senator explain how long that matter is?

Mr. AUSTIN. It does not occupy two full pages. It occupies a page and a paragraph.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

COORDINATION OF GOVERNMENT ACTIVITIES DURING THE WORLD WAR

The Overman Act of May 20, 1918 (40 Stat. 556, c. 78) authorized the President to redistribute the functions of executive agencies "for the successful prosecution of the war, for the better utilization of resources and industries, and for the more effective exercise and more efficient administration by the President of his powers as commander in chief of the land and naval forces." Section 3 of the act authorized the President to establish an agency to control the production of aircraft, and so forth, and to transfer to it all funds appropriated for such production.

Under the authority conferred by this act, President Wilson issued the following Executive orders:

No. 2862, of May 20, 1918: Director of Military Aeronautics established, to have charge of former Signal Corps activities relating to aviation. Bureau of Aircraft Production established, to control production of aircraft, etc.

No. 2877, of May 31, 1918: Law officers of all bureaus, etc., except in the Philippine Islands, placed under control of the Attorney General.

No. 2889, of June 18, 1918: Secretary of Labor to exercise powers of the President relating to housing for war needs, under act of May 16, 1918 (40 Stat. 550–553).

No. 2899, of July 1, 1918: Sanitary and public-health activities (except military-health functions) placed under control of Secretary of the Treasury.

No. 2903, of July 3, 1918: Records, etc., of Federal Trade Commission relating to coal or coke under Food Control Act of August 10, 1917 (40 Stat. 284, sec. 25), transferred to United States Fuel Administrator.

No. 2929, of July 31, 1918: Specifications for supply of petroleum, etc., to the Government to be prepared by a Committee on Standardization of Petroleum Specifications, under the United States Fuel Administrator.

No. 2968–A, of October 3, 1918: $120,000 transferred from appropriation for foreign-mail censorship under Post Office Department to Secretary of War for censorship of mails in the Canal Zone.

No. 3019–A, of December 31, 1918: War Industries Board to terminate January 1, 1919; powers, etc., of Division of Planning and Statistics transferred to War Trade Board; those of Wool Division to Bureau of Markets, Department of Agriculture; those of Price Fixing Committee to cease.

No. 3049, of February 27, 1919: Amendment of No. 2903, above, by retransferring certain records, etc., to the Federal Trade Commission.

Nos. 3059, of March 3, 1919, and 3086–A, of May 12, 1919: Transfer of certain functions of War Trade Board to State Department authorized. [No. 3086–A was amended in a minor respect by No. 3099, of June 23, 1919.]

Mr. AUSTIN. Mr. President, I next ask unanimous consent to insert an abstract of acts of Congress relating to the control and requisitioning of public supplies.

Mr. CLARK of Missouri. Mr. President, may I ask the Senator how long that matter is?

Mr. AUSTIN. It is eight and one-quarter pages long.

Mr. CLARK of Missouri. I object to that.

The PRESIDENT pro tempore. The Senator from Missouri objects to having the matter placed in the RECORD.

Mr. AUSTIN. Is it the Senator's purpose to have me read this abstract?

Mr. CLARK of Missouri. I should be very glad to have the Senator read it.

The PRESIDENT pro tempore. Let the Chair state that that is a question which may be submitted to the Senate for its decision.

All in favor of the publication in the RECORD of the matter requested will say "aye." [A pause.] Those opposed will say "no." [A pause.] The "ayes" have it, and the matter referred to is ordered to be printed in the RECORD as a part of the Senator's remarks.

The matter referred to is as follows:

ACTS OF CONGRESS RELATING TO THE CONTROL AND REQUISITIONING OF PUBLIC SUPPLIES

Revised Statutes 65–69 (U. S. C. 2: 106–109), as amended by act of February 18, 1875 (18 Stat. 316, ch. 80): Advertisements required for stationery for Senate and House of Representatives; preference to be given to American products.

Revised Statutes 219 (U. S. C. 10: 1192): Secretary of War to regulate purchase of supplies for Subsistence and Quartermaster's Departments.

Revised Statutes 1549 (U. S. C. 34: 529): President to regulate purchase of supplies for the Navy.

Revised Statutes 1816 (U. S. C. 40: 170): Furniture or carpets for the Senate or House not to be purchased without written order of chairman of Senate Committee to Audit and Control Contingent Expenses or House Committee on Accounts.

Revised Statutes 2083, 2084 (not in United States Code; cf. act of June 25, 1910, below): Goods for Indian tribes to be purchased under direction of Secretary of the Interior, on written requisition of the superintendent in charge of the tribe, after notice and receipt of bids.

Revised Statutes 3709 (U. S. C. 41: 5): Advertisements for proposals required for all purchases or services (other than personal service), except in emergencies. [There have been numerous exceptions to this requirement, in the case of minor purchases (usually those up to $50 or $100) for specified bureaus or agencies of the Government.]

Revised Statutes 3714 (U. S. C. 10: 1191; 34: 560): Purchases for military or naval service to be made by or under direction of the chief officers of the War or Navy Department.

Revised Statutes 3716 (U. S. C. 10: 1202): Preference to be given, in purchasing Quartermaster's Department supplies, to American products; to Pacific coast products, in case of goods to be used in that area.

Revised Statutes 3718–28 (U. S. Code 34: 561–563, 569, 570, 572–574, 576–578, 580): Special regulations as to advertising, etc., for naval supplies; preferences to be given to American products.

Revised Statutes 3767–79 (repealed by 47 Stat. 1428, 1430): Special regulations as to purchase of paper, etc., for the Congressional Printer, under supervision of the Joint Committee on Public Printing.

Act of March 3, 1883 (22 Stat. 564, sec. 3; U. S. Code 24: 57): Supplies for Soldiers' Home to be purchased on contract with the lowest responsible bidder, after advertisement.

Act of July 5, 1884 (23 Stat. 109; U. S. Code. 10: 1200): Purchases by the Quartermaster or Commissary Department of the Army to be made by officers of those departments under direction of the Secretary of War, from the lowest responsible bidder, reserving the right "to reject any and all bids."

Act of March 3, 1887 (24 Stat. 596; U. S. Code 2: 112): Purchases of stationery and materials for folding (for the Senate and House) to be made in accordance with Revised Statutes 65–69, above.

Act of March 2, 1889 (25 Stat. 844; U. S. Code 39: 164): Postmaster General authorized to make 4-year contracts for supplies for free-delivery service.

Act of March 3, 1891 (26 Stat. 832, sec. 9; repealed by 45 Stat. 696, sec. 414): Subsidized ocean-mail steamers could be taken over by the United States on payment of the fair value determined by agreement or by appraisers appointed by the United States and the owners.

Act of May 10, 1892 (27 Stat. 28, sec. 4; not in U. S. Code): Foreign-built vessels registered under the provisions of this act could be taken over by the United States on payment of the fair value determined by agreement or by appraisers appointed by the United States and the owners.

Act of January 27, 1894 (28 Stat. 33, c. 22; probably superseded by act of June 17, 1910, below): Proposals for supplies to be passed on by a board consisting of an Assistant Secretary of the Treasury, an Assistant Secretary of the Interior, and an Assistant Postmaster General.

Act of January 12, 1895 (28 Stat. 601–603; U. S. Code 44: 5–16), as amended by acts of March 3, 1925 (43 Stat. 1105, sec. 1), July 8, 1935 (49 Stat. 475; U. S. Code, Supp. 44: 14), June 20, 1936 (49 Stat. 1553, sec. 13; U. S. Code, Supp. 44: 9), and June 16, 1938 (52 Stat. 761, sec. 3; U. S. Code, Supp. 44: 7): Special regulations for contracts for purchase of paper, etc., for Government Printing Office, under supervision of Joint Committee on Printing.

Act of March 3, 1901 (31 Stat. 967; U. S. Code 2: 100): Clerk of the House to prepare specifications for packing boxes, to be procured after advertisement from "the lowest and best bidder."

Act of April 21, 1902 (32 Stat. 114; U. S. Code 39: 803): Postmaster General authorized to enter into 4-year contracts for postal supplies.

Act of April 28, 1902 (32 Stat. 125; U. S. Code 40: 169): Furniture for the House to be "procured on designs and specifications made or approved by" the Superintendent of the Capitol Building and Grounds.

Act of April 28, 1904 (33 Stat. 440, sec. 3; U. S. Code 5: 366): Purchasing agent for Post Office Department to supervise purchase of all postal supplies.

Act of June 26, 1906 (34 Stat. 476; U. S. Code 39: 355): Postmaster General to make 4-year contracts for envelopes for Government use.

Act of June 25, 1906 (34 Stat. 463; U. S. Code 50: 177): Secretary of War to apply defense appropriations "by contract or otherwise, as may be most economical and advantageous to the Government."

Act of April 30, 1908 (35 Stat. 71; repealed by 46 Stat. 1028): Secretary of the Interior given discretion to purchase supplies for Indians without advertising, in certain cases.

Act of June 17, 1910 (36 Stat. 531, sec. 4; U. S. Code 41: 7): Secretary of the Treasury to contract for supplies for departments, etc., in general; regulations to be prescribed by a General Supply Committee (now by the Procurement Division; see Executive Order 6166).

Act of June 25, 1910 (36 Stat. 861, sec. 23; U. S. Code 25: 93; 41: 5): Indian supplies to be purchased in accordance with Revised Statutes 3709, above.

National Defense Act of June 3, 1916 (39 Stat. 204, sec. 86; U. S. C. 32: 39): National Guard stores, etc., purchased from the United States may be requisitioned by the United States "in time of actual or threatened war."

Same (p. 213, sec. 120; U. S. C. 50: 80): President authorized "in time of war or when war is imminent" to place obligatory orders, through the head of any department, with any factory, etc., and to take immediate possession of munition factories, etc., refusing to furnish munitions at a reasonable price, the owners to be paid "fair and just" compensation.

Same (p. 215, sec. 123; U. S. C. 50: 78): Secretary of War authorized to procure, without competition, appliances for manufacture of munitions.

Act of September 7, 1916 (39 Stat. 731, sec. 10; U. S. C. 46: 809; repealed by 49 Stat. 2016, sec. 903): President authorized to take possession of vessels acquired from United States Shipping Board for any naval or military purpose, fair value to be paid as determined by agreement or by appraisers appointed by the Board and the person interested.

Act of March 4, 1917 (39 Stat. 1193; U. S. C. 50: 82): President authorized in time of war or emergency arising before March 1, 1918, to place obligatory orders for ships or war material and requisition factories, compensation to be determined by the President; but if the person entitled is not satisfied, he may apply for relief to the Court of Claims or a district court of the United States.

Act of June 15, 1917 (40 Stat. 182–183; repealed by 41 Stat. 988): President authorized to place obligatory orders for ships or war material and requisition plants or ships; compensation provision similar to that in act of March 4, 1917, above.

Act of June 15, 1917 (40 Stat. 220, sec. 1; U. S. C. 50: 191): Secretary of the Treasury, or Governor of the Panama Canal, with approval of the President, authorized in time of national emergency to take possession of vessels to the exclusion of their officers and crews, if necessary, in order to prevent injury or to secure the observance of the rights and obligations of the United States.

Food Control Act of August 10, 1917 (40 Stat. 279, sec. 10; applicable during World War only): President authorized to requisition supplies of food, fuel, and other necessaries, together with storage facilities for the same, and to pay "just compensation therefor"; persons not satisfied may apply to a district court of the United States to determine the compensation.

Same (p. 279, sec. 12): President authorized to requisition factories, etc., in which necessaries for "public use connected with the common defense" are produced; compensation to be determined by the President, or (if the person is not satisfied) by the Court of Claims or a district court of the United States.

Same (p. 282, sec. 16): President authorized to commandeer distilled spirits, for just compensation determined by the President or (if the person is not satisfied) by the Court of Claims or a district court of the United States.

Same (pp. 284–286): President authorized to fix price of coal and coke, or cause it to be fixed by the Federal Trade Commission, and regulate the business; also to take over plants, etc., not complying with the regulations; compensation to be fixed as in the case of sections 12 and 16, above. President authorized to direct the sale of the entire output of a coal or coke producer to the United States through an agency designated by him (with similar provision as to compensation).

[Under the authority of this act the President established the Food Administration (by Executive Order 2679–A of August 10, 1917), to exercise the President's powers under the act with respect to food, etc.; the United States Food Administration Grain Corporation (by Executive Order 2681 of August 14, 1917), to purchase,

store, etc., grain; and the United States Fuel Administrator (by Executive Order 2690 of August 23, 1917), to exercise the President's powers under the act with respect to fuel.]

Act of October 1, 1917 (40 Stat. 297, sec. 4; applicable during World War only): Aircraft Board authorized, under direction of Secretaries of War and Navy, to supervise purchase, etc., of aircraft, etc., for those Departments.

Act of March,21, 1918 (40 Stat. 455, sec. 6; applicable during World War, etc., only): President authorized to procure equipment, etc., for railroads during period of Federal control.

Act of July 1, 1918 (40 Stat. 720; applicable during World War only): President authorized to place obligatory orders for ships or war material, and to take possession of factories refusing to supply them at reasonable prices; compensation to be determined by the President or (as in other cases above) by the Court of Claims or a district court of the United States.

Act of July 18, 1918 (40 Stat. 915, sec. 11; applicable during World War only): President authorized to requisition vessels temporarily for military uses, with provisions for compensation similar to those in prior acts cited above.

Act of October 5, 1918 (40 Stat. 1009–1012; applicable during World War, etc., only): President authorized to purchase, store, etc., certain mineral products needed in the prosecution of the war, and to requisition them and plants for their production, if necessary; compensation provision similar to those in prior acts cited above.

Act of March 4, 1919 (40 Stat. 1348, sec. 3; applicable during World War only): President authorized to purchase wheat crops of 1918 and 1919, and requisition storage facilities; compensation provision similar to those in prior acts cited above.

Act of June 4, 1920 (41 Stat. 764 (sec. 5a); U. S. C. 10: 1193): Assistant Secretary of War, under direction of the Secretary, to supervise procurement of military supplies; chiefs of branches charged with procurement of supplies to report direct to the Assistant Secretary.

Same (p. 766, sec. 9; U. S. C. 10: 72): Quartermaster general, under authority of Secretary of War, to be charged with purchase and procurement of supplies other than special or technical articles exclusively for another supply department.

Act of June 5, 1920 (41 Stat. 1036; U. S. C. 2: 111): Supplies for Senate and House may be purchased in accordance with act of June 17, 1910, above.

Act of June 10, 1920 (41 Stat. 1072, sec. 16; U. S. C. 16: 809): President authorized to take possession of licensed nitrate and munitions factories if "the safety of the United States demands it," with "just and fair compensation" to the persons entitled, to be fixed by the Federal Power Commission.

Act of June 7, 1924 (43 Stat. 592; U. S. C. 44: 225): Public Printer authorized to procure, under direction of Joint Committee on Printing, paper and envelopes in common use by two or more departments, etc.

Act of May 13, 1926 (44 Stat. 552, sec. 2; U. S. C. 2: 119): House Committee on Accounts and Senate Committee to Audit and Control Contingent Expenses to regulate articles to be purchased by or through the House and Senate stationery rooms.

Act of July 2, 1926 (44 Stat. 784–789; U. S. C. 10: 310): Secretaries of War and Navy authorized to procure by competitive bidding new designs for military and naval aircraft.

Act of February 23, 1927 (44 Stat. 1165, sec. 6; repealed by 48 Stat. 1102, sec. 602): President authorized, in time of national emergency, to provide for Government control of radio stations.

Act of May 22, 1928 (45 Stat. 697, sec. 702; U. S. C. 46: 891t; repealed by 49 Stat. 2016, sec. 903): Government may take and purchase or use certain vessels for national defense or during a national emergency; compensation provision similar to those in World War acts cited above.

Act of February 27, 1929 (45 Stat. 1341–1342; U. S. C. 41: 7a–7d): Additional provisions governing purchases through General Supply Committee, established by act of June 17, 1910, above.

Act of March 8, 1932 (47 Stat. 62, ch. 73; U. S. C. 10: 1212): Secretary of War to procure supplies produced in the United States "unless in his discretion the interest of the Government will not permit."

Act of March 3, 1933 (47 Stat. 1520, title II; U. S. C. 41: 10a–10c): American products to be purchased in all cases unless the head of the department, etc., determines this "to be inconsistent with the public interest, or the cost to be unreasonable," or unless the supplies are to be used outside the United States, or are not produced here in sufficient quantity and of satisfactory quality.

Tennessee Valley Authority Act of May 18, 1933 (48 Stat. 68, sec. 20): Right reserved to take over all property mentioned in the act for war purposes, with reasonable damages for violation of contracts, to be fixed by the Court of Claims.

Communications Act of June 19, 1934 (48 Stat. 1104, sec. 606 (c); U. S. C. 47: 606): Same as provision of act of February 23, 1927, cited above.

Bituminous Coal Conservation Act of August 30, 1935 (49 Stat. 100, sec. 14; repealed by 50 Stat. 90, sec. 20): Bituminous coal not to be purchased of producers not complying with provisions of the Coal Code.

Act of May 15, 1936 (49 Stat. 1277, ch. 400; U. S. C. Supp. 10: 1119a): Articles for Chemical Warfare Service or Signal Corps may be purchased as the Chief of the Supply Service deems "most economical and efficient," if publicity would injure the public interest.

Merchant Marine Act of June 29, 1936 (49 Stat. 1996, sec. 502; 1998, secs. 504, 505; 2008, sec. 703; U. S. Code Supp. 46: 1152, 1154, 1155, 1193) as amended June 23, 1938 (52 Stat. 957, sec. 13; 958, sec. 16): Various regulations as to contracts for construction, etc., of vessels for United States Maritime Commission.

Same (p. 2011, sec. 802; 2015, sec. 902), as amended August 7, 1939 (53 Stat. 1243, sec. 2; 1255, sec. 3; U. S. Code Supp. 46: 1212, 1242): United States Maritime Commission authorized to purchase or requisition vessels during a national emergency; provision for compensation in such cases.

WALSH-HEALEY ACT, WAGES AND HOURS

Act of June 30, 1936 (49 Stat. 2036–2040; U. S. Code Supp. 41: 35–45): Public contracts to include stipulations for payment of prevailing wages, limitation of hours of labor to 40 a week, restrictions as to child labor, convict labor, working conditions, etc. Secretary of Labor to administer the act, with discretion to permit modifications in special cases.

Bituminous Coal Act of April 26, 1937 (50 Stat. 87, sec. 9; U. S. Code Supp. 15: 839): Practically same as act of August 30, 1935, above.

Act of August 20, 1937 (50 Stat. 735, sec. 8; U. S. Code Supp. 16:832g): Special provisions as to purchase of supplies for Bonneville project, by the administrator of the project or the Secretary of War.

Act of May 18, 1938 (52 Stat. 406, sec. 7; U. S. Code Supp. 16: 833f): Special provisions as to purchase of supplies for Fort Peck project, of Bureau of Reclamation or Secretary of War.

Act of June 23, 1938 (52 Stat. 996 (h, 2); U. S. Code Supp. 49: 485): Postmaster General authorized to contract without advertising for necessary foreign air-mail transportation by persons not citizens.

Act of June 25, 1938 (52 Stat. 1196, c. 697, secs. 2, 3; U. S. Code Supp. 41: 47, 48): Committee on Purchases of Blind-Made Products to determine prices to be paid for such products; specifications to be prepared by the Government agency procuring them.

Act of June 7, 1939 (53 Stat. 811–812; U. S. Code Supp. 50: 98b–98e): Special regulations for purchase of strategic and critical materials, through Procurement Division of Treasury Department at direction of Secretaries of War and Navy.

Act of July 15, 1939 (53 Stat. 1042, c. 283; U. S. Code Supp. 50: 96): Secretary of War authorized to purchase abroad small quantities of ordnance, signal, and chemical-warfare supplies for experimental or test purposes, by contract or otherwise.

Act of August 7, 1939 (53 Stat. 1223, sec. 304; U. S. Code Supp. 28: 446): Director of Administrative Office of the United States Courts to have charge of purchase of supplies for United States courts.

Act of August 11, 1939 (53 Stat. 1410; U. S. Code Supp. 48: 1307, note): Governor of the Panama Canal to regulate advertisements for supplies for enlarging, etc., the Canal.

Mr. AUSTIN. Mr. President, I have occupied about 12 minutes, and I shall conclude in a very brief time. I think I understand what the situation is. I want the RECORD to show that I have adhered to the policy of cooperating with the Chief Executive in national defense, but I want it also to show that I have not entirely given up and thrown over the performance of my duty as a Senator of the United States, and that I am now trying to perform the function which I conceive it is my duty to perform; that is, to offer such help as seems to me to be reasonable and right, and which will promote national defense, even though it may run counter to the opinion of the Chief Executive. I think that in this emergency and under the excitement of the hour we must not lose our sense of obligation as a legislative body of the country.

I hope all Senators will seriously consider the amendment which I have offered, and, if they concur in it, that they will vote for it.

Mr. SHEPPARD. Mr. President, did the Senator from Vermont insert in the RECORD a letter from the President to me?

Mr. AUSTIN. I inserted the copy which I had. I assume it is correct.

Mr. SHEPPARD. In view of the fact that the President has already taken action along the lines indicated in the Senator's amendment, I ask that the amendment be rejected.

Mr. BARKLEY. Mr. President, I understood there would be some further discussion of the amendment, and that the Senator from Vermont desired to put his remarks into the RECORD in order that they might be studied by Senators, because I understand he plans to leave the city.

Mr. AUSTIN. I intend to leave the city tomorrow at 4 o'clock. I shall have to leave here about quarter to 4.

Mr. SHEPPARD. Mr. President, I withdraw my request.

Mr. BARKLEY. It was my understanding that we would not vote on the amendment tonight.

Mr. AUSTIN. I should like to have it go over.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting the nomination of Thad H. Brown, of Ohio, to be a member of the Federal Communications Commission for a term of 7 years from July 1, 1940 (reappointment), which was referred to the Committee on Interstate Commerce.

EXECUTIVE REPORTS OF COMMITTEES

Mr. HARRISON, from the Committee on Finance, reported favorably the nomination of Wilford S. Alexander, of Connecticut, to be Administrator of the Federal Alcohol Administration (reappointment).

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

Mr. WALSH, from the Committee on Naval Affairs, reported favorably the nominations of sundry officers for promotion, or for appointment with change of designation in the Navy, and also the nominations of sundry officers of the Navy to rank from different dates, so as to correct the dates of rank as previously nominated and confirmed.

Mr. PITTMAN, from the Committee on Foreign Relations, reported favorably the following nominations:

Harold L. Williamson, of Illinois, now a Foreign Service officer of class 4 and a secretary in the Diplomatic Service, to be also a consul general; and

Troy L. Perkins, of Kentucky, now a Foreign Service officer of class 8 and a secretary in the Diplomatic Service, to be also a consul.

NOMINATIONS OF GRADUATES OF MILITARY ACADEMY

Mr. SHEPPARD. Mr. President, from the Committee on Military Affairs I report favorably the list of cadets scheduled for graduation at the United States Military Academy on June 11, 1940, who have been nominated to be second lieutenants in the Regular Army. I also report favorably certain Army nominations of a routine character.

Because of the brief intervening time, I ask unanimous consent for the immediate consideration and confirmation of these nominations.

The PRESIDENT pro tempore. Is there objection to the present consideration of the nominations? The Chair hears none. Without objection, the nominations are confirmed.

Mr. SHEPPARD. I ask that the President be notified.

The PRESIDENT pro tempore. Without objection, the President will be notified.

If there be no further reports of committees, the clerk will state the nominations on the calendar.

POST-OFFICE DEPARTMENT

The legislative clerk read the nomination of Walter Myers to be Fourth Assistant Postmaster General.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. McKELLAR. Mr. President, I ask that the President be notified of the confirmation of Mr. Myers.

The PRESIDENT pro tempore. Without objection, the President will be notified.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. Mr. President, I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations of postmasters are confirmed en bloc.

That concludes the calendar.

FEDERAL ALCOHOL ADMINISTRATION—WILFORD S. ALEXANDER

Mr. HARRISON. Mr. President, I ask unanimous consent for the present consideration of the nomination of Wilford S. Alexander to be Administrator of the Federal Alcohol Administration, which nomination has been favorably reported by the Finance Committee.

The PRESIDENT pro tempore. Is there objection to the present consideration of the nomination? The Chair hears none. Without objection, the nomination is confirmed.

Mr. HARRISON. I ask that the President be notified.

The PRESIDENT pro tempore. Without objection, the President will be notified.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 53 minutes p. m.) the Senate took a recess until tomorrow, Thursday, June 6, 1940, at 12 o'clock meridian.

NOMINATION

Executive nomination received June 5 (legislative day of May 28), 1940

FEDERAL COMMUNICATIONS COMMISSION

Thad H. Brown, of Ohio, to be a member of the Federal Communications Commission for a term of 7 years from July 1, 1940 (reappointment).

CONFIRMATIONS

Executive nominations confirmed by the Senate June 5 (legislative day of May 28), 1940

POST OFFICE DEPARTMENT

Walter Myers to be Fourth Assistant Postmaster General.

FEDERAL ALCOHOL ADMINISTRATION

Wilford S. Alexander to be Administrator of the Federal Alcohol Administration.

APPOINTMENTS TO TEMPORARY RANK IN THE AIR CORPS, IN THE REGULAR ARMY

Hubert Vincent Hopkins to be colonel.
Dache McClain Reeves to be lieutenant colonel.
Russell Edward Randall to be major.

APPOINTMENTS BY TRANSFER, IN THE REGULAR ARMY

TO CORPS OF ENGINEERS

Second Lt. Philip Yeager Browning.

TO FINANCE DEPARTMENT

Maj. Joseph Charles Kovarik.

PROMOTIONS IN THE REGULAR ARMY

ORDNANCE DEPARTMENT

Harold Albert Nisley to be lieutenant colonel.

CHEMICAL WARFARE SERVICE

Joseph Franklin Battley to be major.

MEDICAL CORPS

To be majors

Norman Hyde Wiley	Henry William Daine
Paul Irwin Robinson	Earl Maxwell
Silas Beach Hays	Wilford F. Hall

To be captains

Byron Edward Pollock	Donald Edgar Carle
William Donald Preston	Thomas Donald McCarthy
Winston Hunter Vaughan, Jr.	James Bernard Seaman
Richard Patrick Mason	Henry McClellan Greenleaf
Daniel Joseph Sheehan	Clark Batchelder Williams
Joseph Edward Cannon	Michael Louis Sheppeck

Merrill Clark Davenport
John Washington Simpson
Harold Robert Carter
Melvin Frederic Eyerman
Frederick James Knoblauch
Eugene Richard Inwood

DENTAL CORPS

To be majors

James Simon Cathroe
Ingolf Bernhardt Hauge
John LeRoy Carter

To be captain

Clare Thomas Budge

VETERINARY CORPS

Maurice Wendell Hale to be major.

CHAPLAINS

Frank Lewis Miller to be chaplain with the rank of lieutenant colonel, United States Army.

APPOINTMENTS IN THE REGULAR ARMY

AIR CORPS

William Frederick Stewart to be second lieutenant in the Air Corps, with rank from date of appointment.

CORPS OF ENGINEERS

To be second lieutenants with rank from June 11, 1940

1. Harold Clifton Brown.
2. Alan Edward Gee.
3. John Finzer Presnell, Jr.
4. John William Burfening.
5. John Anthony Graf, Jr.
6. Winston Cureton Fowler.
10. Leo Erway Dunham, Jr.
11. Alton Parker Donnell.
12. George Francis Dixon, Jr.
13. Ashod Michael Ahmajan.
14. Lawrence Joseph Fuller.
15. Paul Francis O'Neil.
17. Samuel Richard Peterson.
18. Eugene Joseph Carr.
19. Austin James Russell.
20. David Stuart Parker.
21. Harry Albright French.
22. Earl McFarland, Jr.
25. Edward Aiken Flanders.
26. Edward Thomas Podufaly.
28. Marvin Leroy Jacobs.
29. Clayton Allen Rust.
30. Howard Wilson Penney.
32. Thomas Duvall Quaid.
33. Raymond Maurice Clock.
34. Robert Carter Pfeil.
35. Louis Aloysius Thommen.
36. Francis Richard Sullivan.
37. James Arthur Plant.
38. Leonard Landon Haseman.
39. Richard Henry Free.
40. Edward Gaylord Cook.
48. Robert Edward Applegate.
49. Thaddeus Michael Nosek.
50. Ivan Sattem.
53. Oval Hale Robinson.
55. Charles Harvey Banks.
57. Charles Carmin Noto.
64. John Edward Minahan.
67. Robert Irving Dice.

SIGNAL CORPS

To be second lieutenants with rank from June 11, 1940

8. Lawrence Cutright Sheetz.
16. Lawrence Gordon Forbes.
23. Joseph Vincent Iacobucci.
24. Raymond Harold Goodrich.
45. Nathan Louis Krisberg.
68. Charles Edmund Harrison, Jr.
71. Jack Stewart DeWitt.
76. David Roger Guy.
80. Edward Patrick Wynne.
82. Bernard Ambrose Ferry.
83. Lawrence Ronald Klar.
90. Edward Verner.
99. Charles Richard Fairlamb.

CAVALRY

To be second lieutenants with rank from June 11, 1940

9. Charles Bellows Hazeltine, Jr.
43. Milford Franklin Stablein.
44. Montgomery Cunningham Meigs.
58. Ralph Morris Rogers.
100. Dean Titus Vanderhoef.
108. Edward Joseph Walker.
110. John Zachariah Endress.
125. John Paul Gerald.
126. Robert John Fate.
165. Dennis Ladislaus Barton.
177. James Lavern Smiley.
190. James Ralph Taylor.
191. George Joseph LaBreche.
192. Thomas Bowman Hargis, Jr.
195. James Elroy Tyler.
197. Edwin Carroll Haggard.
212. James Frederick Kreitzer.
216. James Harold Pitman.
218. Gilbert Hume Woodward.
219. George Columbus Hines.
236. Herbert Mead Bowlby, Jr.
237. Scott Montgomery Case.
239. Rowland Herman Renwanz.
254. James Scott Greene, Jr.
262. Thomas Corwin Chamberlain.
268. Robert Edwin Maxwell.
281. Robert Russell Dodderidge.
284. Wallace Leo Clement.
286. Dan Porter Briggs.
294. Samuel McClure Goodwin.
303. Joseph Lee McCroskey.
307. Henry Patrick Heid, Jr.
308. Rush Spencer Wells, Jr.
329. John Ross East, Jr.
332. Robert William Strong, Jr.
338. Milton Carlton Barnard, 2d.
340. John William Norvell.
341. James Frederick Williams, Jr.
342. Edward Deming Lucas, Jr.
343. George Washington England, Jr.
344. Allan Ashley Crockett.

FIELD ARTILLERY

To be second lieutenants with rank from June 11, 1940

41. Walter Eugene Gunster, Jr.
51. Carey Law O'Bryan, Jr.
54. Paul David Phillips.
59. John Bunyan Corbly, Jr.
61. Luther Dixon Arnold.
62. Cuyler Llewellyn Clark, Jr.
65. William Regis Shanahan.
66. James Pershing Strauss.
69. Urey Woodson Alexander.
70. William Payne Francisco.
72. Delano Edgell.
73. Elbert Dotterer Hoffman.
74. Alan Greene Rorick.
75. Woodrow Maurice Smith.
77. Robert Ray Williams.
79. Wendell John Coats.
85. George Mayo, Jr.
86. Raymond Renola.
87. Clarence William Clapsaddle, Jr.
91. Robert Moore Brewer.
92. Kenneth McRae Lemley.
94. Raymond Leroy Shoemaker, Jr.
97. Edward Hamilton Kyle.
104. John Joseph Murphy, Jr.

107. Dean Marti Benson.
111. James Robert Wendt, Jr.
116. Raymond Weir Millican.
117. Donald Vivian Bennett.
121. Richard Josiah Kent.
122. James Willard Walters, Jr.
124. Samuel Merrick Patten.
127. James Kirkbride Taylor.
131. William Henry Harrison Mullin.
132. Burdett Eugene Haessly.
138. Richard Sargent Abbey.
141. John Jacob Beiser.
142. William Henry Birrell.
143. Bradley Foote Prann.
144. Donald Boyle Stewart.
145. Charles Simonton Brice, Jr.
155. Joseph Richard Couch.
157. Jerry Spears Addington.
158. James Garland Dubuisson.
161. Joseph Patrick Donohue.
172. Paul Schroeder Deems.
174. Robert Campbell Cassibry.
186. Robert Lamar Williams.
187. Davison Dalziel, Jr.
198. Melvin Herbert Rosen.
199. Donovan Paul Yeuell, Jr.
202. Bertil Andrew Johnson.
208. Jordan Joseph Wilderman.
214. James Lawson Orr.
220. Robert Thorne Tuck.
226. George Alexander Aubrey.
227. Paul S. Cullen.
230. John Joseph Kenney.
233. Michael Francis Bavaro.
235. Olin Lee Bell.
238. Francis Edward Kramer.
240. James Wilbourne Milner.
245. Sanford Patrick England.
247. Jack Pershing Thompson.
252. Philip John Moore, 3d.
256. Salvo Rizza.
257. John Robert McLean.
263. Cornelius Arthur Murphy.
267. Israel Wald.
272. Reginald James Clizbe.
275. Roderick Wetherill.
285. William Benjamin Wright, 3d.
287. Ford Prioleau Fuller, Jr.
288. Robert Phineas Knapp, Jr.
293. John Thomas O'Keefe.
296. Wallace James Hackett.
297. Ralph Anderson Osborn, Jr.
298. David Barbour Byrne.
299. Lester Frank Schockner.
300. John Dibble, Jr.
302. Harry Ami Stella.
304. Harry Bert Lane.
305. William Eugene Farthing, Jr.

COAST ARTILLERY CORPS

To be second lieutenants with rank from June 11, 1940

7. Robert Gibson Cooper.
27. Herbert Edward Pace, Jr.
31. Robert Ila Wheat.
56. William Harvey Roedy.
63. Gerhard Evans Brown.
78. James Montgomery Moore.
88. Morris Loeb Shoss.
93. John Thomas Harvey Spengler.
96. Anthony Benvenuto.
98. Homer Barron Chandler, Jr.
101. Stephen Silvasy.
102. Charles Webster Bagstad.
105. Robert Hamilton Warren.
109. Henry Augustine Miley, Jr.
112. Clarence Talmage Marsh, Jr.
113. Rolland Woodrow Hamelin.
114. Clarence Edward Gushurst.
115. Clyde Henry Webb, Jr.
118. William Clark Craig.
119. Henry Allen Cunningham, Jr.
123. George Daniel Carnahan.
128. Edwin Fahey Black.
130. Robinson Riley Norris.
134. William Elliott Heinemann.
135. Hobart Burnside Pillsbury.
139. Theodore Louis Hoffmann, Jr.
149. Everett De Witt Light.
153. John Andrew O'Brien.
156. Joseph Michael Cole, Jr.
159. Sydney Gilbert Fisher.
160. Solomon Theodore Willis, Jr.
162. Leonard Milton Orman.
164. Edward Henry Hendrickson.
166. Philip Courtney Loofbourrow.
170. Harry Thompson Simpson, Jr.
173. John MacNair Wright, Jr.
175. William Loring Clay.
178. Arthur Austin McCartan.
180. Harry Lee Wilson, Jr.
183. Robert Jerome Delaney.
184. William Roscoe Kintner.
185. Wendell Burley Sell.
188. William Edward Buck, Jr.
189. Frank Armand de Latour, Jr.
193. Charles Langworthy Beaudry.
194. Chester Kieser Britt.
196. Richard Hobbs Fraser.
200. Stewart Lawrence McKenney.
201. Edison Albert Lynn, Jr.
205. John Joseph Pidgeon.
210. John Stevens Harnett.
211. Robert Leonard Colligan, Jr.
213. John Edward Aber.
221. Harry Frank Bunze.
224. Howard Thomas Wright.
225. James Lotczo.
228. Thomas Frederick Gordon.
229. Joe Wilbur Leedon, Jr.
234. William Frederick Horton.
243. Jules David Yates.
249. Dill Baynard Ellis.
251. Everett Houston Ware.
253. Ronald Maurice Kolda.
255. Hugh Jefferson Turner, Jr.
265. James Thomas Hennessy.
271. Joseph William Ruebel.
274. James Holland Stephen Rasmussen.
279. Augustus John Cullen.
280. Ernest Bryant Jones.
282. Thomas Franklin Mansfield.
283. Maurice Earle Parker.
301. Raymond Henry Bates.
306. Martin Bell Chandler.
309. George John Bayerle, Jr.
311. Albert Park Richards.
314. James McLaurin Ridgell, Jr.
318. Thomas Henry Muller.
321. Harmon Porter Rimmer.
325. Leonard Edward Symroski.
326. Andre Ringgold Brousseau.
327. William Meyers Kasper.
330. Richard Thomas Cassidy.
336. Franklin Stapf Shawn.
347. Warren Curtis Stirling.
348. Gilford Dalton Green.
353. Archie Joyce Knight.
354. Arthur Gordon Malone.
355. Roy Willard Nelson, Jr
362. Charles Theodore Biswanger, Jr.

363. Arthur Theodore Frontczak.
366. Thaddeus Philip Floryan.
367. Albert Dale Epley.
377. Robert Neville Mackin, 3d.
378. Richard Alexander Shagrin.
380. James Byington McAfee.
381. William Joseph Gildart.
382. Joseph Jackson Eaton, Jr.
388. Julius Boswell Summers, Jr.
390. Mark Clair Baugher Klunk.
392. John Patrick Dwyer.
394. Leon Luther Clarke.
397. William Francis Coleman.
402. Ralph Edward Miner.
403. Edward Aloysius Murphy, Jr.
404. Robert Charles Raleigh.
406. Burton Elmo McKenzie.
409. Irvine Harrison Shearer.
411. Page Egerton Smith.
413. William White Saunders.
414. Aquilla Ballard Hughes, Jr.
415. Frank Benjamin Wagner.
416. Henry Harley Arnold, Jr.
418. Marvin Hatfield Merchant.
425. Raymond John LaRose.
426. Philip Robert Cibotti, Jr.
427. Marshall Cloke.
428. Henry Randolph Brewerton.
430. Harlan Benton Ferrill.
432. Ralph Newlin Ross.
434. Landon Albert Witt.
436. John Bertram Coontz.
438. Milton David Lederman.
440. William Lyon Porte.
441. Graham Charles Sanford.
442. Albert Henry Bethune.
443. Percy Charles Stoddart, Jr.
444. Frederick Grinnell White.
445. Thomas Klauder Spencer.
446. Alfred Jennings Floyd.
448. Michael Kuziv, Jr.
449. William John Bennett.

INFANTRY

To be second lieutenants with rank from June 11, 1940

47. Paul Hobart Krauss.
52. Lawrence Joseph Legere, Jr.
81. Walter Ferrell Winton, Jr.
84. Frederick Jacob Yeager.
95. Nils Martin Bengtson.
103. Donald Haldeman Baumer.
106. Manford Jay Wetzel.
129. Willis Franklin Lewis.
133. Thomas Huntington Monroe, Jr.
136. William Wilbur Wilcox.
137. Virgil Alvin Schwab.
147. Francis Joseph Crown.
150. Francis Clare Gideon.
154. Victor Woodfin Hobson, Jr.
168. Orloff Lake Bowen, Jr.
169. Richard Levin Belt.
171. Walter Joseph Fellenz.
176. Michael Paulick.
181. Jerry Geza Toth.
182. Victor Stanislaw Zienowicz.
206. Frederic Watson Oseth.
215. Alan Martin Strock.
222. Osmund Alfred Leahy.
223. James Butler Bonham.
231. John Joseph Smith, Jr.
241. James Fant Berry.
244. Glenwood Gordon Stephenson.
258. John Deber Townsend.
259. John Harold Wohner.
260. Charles Henry Colwell.
261. Wing Fook Jung.
264. Francis Michael Rooney.
269. Robert Anthony O'Brien, Jr.
270. John Christie Emery.
273. Delbert Earle Munson.
276. Craig Lowe Moore.
277. Arthur Robert Barry.
278. Bryce Frederic Denno.
289. James Francis Downing.
290. Arthur Dudley Maxwell.
291. Frank Colacicco.
295. Robert Carroll Cameron.
310. Fred Hughes Coleman, Jr.
312. John Kerr Roberts, Jr.
313. George Hans Mueller.
315. Neri Philip Cangelosi.
316. Charles Edward Balthis, Jr.
317. Leland George Cagwin.
319. William Parham Kevan, Jr.
320. Silvio Emil Gasperini, Jr.
322. James David Loewus.
323. William Fielding Lewis.
324. David Rockwell Crocker.
328. Frank Meszar.
331. Lester Cicil Hess.
333. Henry Hudson Norman, Jr.
334. Lee Watson Fritter.
335. Eugene Orville McDonald.
337. Morrill Elwood Marston.
339. Sanford Harvey Webster.
345. Robert Francis O'Donnell.
349. Mercer Patton Davis.
350. Raymond John Downey.
351. Frank Chittenden Mandell.
352. Emory Sherwood Adams, Jr.
356. Howard Lewis Peter.
357. Carter Burdeau Johnson.
358. Richard Ware Mabee.
359. Florian John Erspamer.
360. Andrew D'Elia.
361. Charles Eugene Oglesby.
364. Ralph Adair Colby.
365. Bidwell Moore.
369. Anthony Lewis Paul Wermuth.
370. Andrew Donald Budz, Jr.
372. Durward Henry Galbreath.
373. Jodie Gibson Stewart, Jr.
374. James Edward McGinity.
375. Eben French Swift.
379. Louis Gonzaga Mendez, Jr.
383. Stanton Thomas Smith, Jr.
384. Melville Offers.
385. Mark Ransom Hudson, Jr.
386. Sidney Vincent Bingham, Jr.
387. Stephen Bernard Morrissey.
391. Edward Franklin Hoover, Jr.
393. Victor George Conley.
395. Roland Merrill Gleszer.
399. William Norman Holm.
400. Franklin Wolfram Horton.
401. Paul Sorg Reinecke, Jr.
405. Edward Dunphy Fitzpatrick.
407. Julian Aaron Cook.
410. George Thomas Larkin.
412. Henry Force Daniels.
417. William Powell Litton.
419. Alvan Cullom Gillem 2d.
420. Chester Moffet Freudendorf.
421. Russell Joseph Manzolillo.
422. Benjamin Franklin Delamater 3d.
423. Jack Borden.
424. Theodore Ross Milton.
429. Albert Eger Brown, Jr.
431. Francis Thomas Devlin.

433. Frederick Leif Andrews.
435. Kermit Robert Dyke.
439. John Richard Knight.

QUARTERMASTER CORPS

To be second lieutenants with rank from June 11, 1940

60. Philip Lovell Elliott.
120. Woodrow Wilson Vaughan.
140. Manley Calbraith Perry.
146. Thomas Henderson Scott, Jr.
148. Walter Wellman Lavell.
151. William Everett Marling.
152. Charles Alexander Shaunesey, Jr.
163. Otis Maxwell Ulm.
167. Alan Griffith Baker.
179. Charles Gillies Esau.
203. Alan Phillip Thayer.
204. Raymond Starrat Sleeper.
207. John Robert Wilbraham.
209. Arthur Harold Nelson.
217. William Beverly Compbell.
232. John Edmund Collins.
242. Joseph Schuyler Hardin.
246. William Goodnow Stoddard, Jr.
248. James Richard Maedler.
266. Ralph Edward Zahrobsky.
292. Donald Lionel Bierman.
346. Frederick Anthony Schmaltz.
368. Lloyd Webster Hough.
371. Frank Talman Watrous, Jr.
376. Theodore Weisman Davis.
389. Karl Tweeten Rauk.
396. Joseph Lee Mastran.
398. Walter Drummond Swank.
408. James Mason Smelley.
447. Lyman Oscar Heidtke.

POSTMASTERS

ARIZONA

Jessie Stephens, Camp Verde.
William J. Philipson, Ray.
Minnie V. Van Deren, Tombstone.
Ruth L. Streett, Warren.

ARKANSAS

Alfred J. Jefferies, Clarendon.
LeRoy May, Rosston.
Clyde V. Warr, State College.

DELAWARE

Byron C. Dunn, Camden.

IOWA

Henry Dahl, Hull.
James P. Dorothy, Ute.

MAINE

Argie S. Henderson, Brownville.
Ivadell Gaddis, East Machias.
William G. Chamberlain, Fort Fairfield.
Eleric F. Michaud, Island Falls.
Arthur H. Carpenter, Limerick.
Herbert L. Osgood, Mattawamkeag.
Eugene P. Lowell, South Paris.
Maynard A. Lucas, Union.

MISSOURI

Walter Bartlett, Bethany.
Leonard Moore, California.
Mary B. Rice, Campbell.
Bailey F. Brooks, Caruthersville.
Robert L. O'Neal, Creighton.
William S. Miller, Drexel.
Walter T. Jensen, Eolia.
Velma B. Watt, Green City.
James T. Glass, Jr., Holden.
Price M. Christian, Monroe City.
Albert O. Allen, New Madrid.
Anna L. Robinson, Oak Grove.
Lawrence P. Brennan, Pacific.
Shelby Feely, Shelbyville.
Jessie L. Gates, Urich.
Barbara L. McLin, Willard.

TEXAS

Edward W. Ross, Arp.
George J. Bell, Aubrey.
Ray E. Lee, Austin.
Rena Hurst Cox, Bellevue.
Charles M. Fagg, Blue Ridge.
James Harley Dallas, Brownfield.
Wilson Bradley, Bryan.
Eugene Webb, Corrigan.
J. Frank Weaver, Cumby.
Sidney Tate Counts, De Leon.
Walter E. McRee, Eagle Lake.
Jerome H. Moyers, Ferris.
Vera Harris, Forsan.
Iva Edith Koonce, Ganado.
Coin T. Seago, Gustine.
C. Lola Hill, Highlands.
Kate Moses, Keltys.
Hugh P. English, Kennard.
Ruth S. Marion, Kermit.
James F. Mitchell, Lancaster.
Henry T. Peace, La Pryor.
Llanos M. Laird, Lorenzo.
John L. Spencer, Mart.
Geneva M. Michael, May.
Cicero Harper, Moran.
Irene M. King, Neches.
James M. Noble, Jr., O'Donnell.
Ida A. Stockburger, Oglesby.
Curry H. Walker, Pampa.
Corinne H. Sewell, Pearsall.
Anna L. Smith, Port Aransas.
Sarah O. Beaver, Queen City.
Naomi M. Lewis, Royalty.
Janie W. Chandler, Smiley.
John Morgan Hall, Stanton.
William B. Richardson, Telephone.
Andrew S. Tarpley, Truscott.
Allen H. Brandt, Wallis.
Elmer Rice, Wilson.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JUNE 5, 1940

The House met at 12 o'clock noon.

Rev. Jacob Simpson Payton, D. D., editor of the National Methodist Press, offered the following prayer:

Unto Thee, O Lord, our God, whose power has created us, whose mercies have attended us, and whose love has never failed us, we offer our ascriptions of praise and thanksgiving. We beseech Thee to lighten our darkness. Our visions have been impaired by jealousies and prejudices, by selfishness and suspicions. Anoint our eyes that the dimness may vanish. In Thy light may we behold the wonders of the beauty, truth, and goodness with which Thou hast surrounded us. We turn to Thee for guidance. We have been lured into ways that are not Thy ways, and toward goals that have not always been worthy of our effort. Establish Thou, O Lord, our feet in the paths of righteousness and peace. In Thy companionship may these Thy servants this day honor their responsible stations, serve their fellow men, promote the interests of their country, and glorify Thy holy name. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of

his secretaries, who also informed the House that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On June 3, 1940:

H. R. 7543. An act to authorize the Secretary of the Navy to accept real estate granted to the United States by the city of Miami, Fla., and for other purposes; and

H. R. 9140. An act to authorize the Secretary of the Navy to acquire land at Key West, Fla.

On June 4, 1940:

H. J. Res. 551. Joint resolution providing for the taking effect of Reorganization Plan No. V.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 8429. An act for the relief of Maj. L. P. Worrall, and for other purposes; and

H. R. 9848. An act to authorize the construction or acquisition of naval aircraft, the construction of certain public works, and for other purposes.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 4026. An act providing for the reorganization of the Navy Department, and for other purposes; and

S. 4027. An act to transfer the active list of the Construction Corps to the line of the Navy, and for other purposes.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 3828. An act to amend section 107 of the Judicial Code, as amended, to eliminate the requirement that suitable accommodations for holding the court at Winchester, Tenn., be provided by the local authorities.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8663) entitled "An act making appropriations for the fiscal year ending June 30, 1941, for civil functions administered by the War Department, and for other purposes"; that the Senate agrees to the amendments of the House to the amendments of the Senate numbered 7 and 12 to said bill; that the Senate disagrees to the amendments of the House to the amendments of the Senate numbered 21 and 22; that it further insists upon its amendments numbered 3, 4, 5, 6, 8, 11, 21, and 22 to said bill; and that the Senate requests a further conference with the House of Representatives on all amendments in disagreement.

Ordered, That Mr. THOMAS of Oklahoma, Mr. HAYDEN, Mr. OVERTON, Mr. RUSSELL, Mr. SHEPPARD, Mr. TOWNSEND, and Mr. BRIDGES be the conferees on the part of the Senate.

SALLY GATES RYAN

Mr. WARREN. Mr. Speaker, I offer a privileged resolution from the Committee on Accounts and ask for its immediate consideration.

The Clerk read the resolution, as follows:

House Resolution 509

Resolved, That there shall be paid out of the contingent fund of the House to Sally Gates Ryan, widow of John T. Ryan, late an employee of the House, an amount equal to 6 months' compensation, and an additional amount not to exceed $250, to defray funeral expenses of the said John T. Ryan.

The resolution was agreed to.

MAJ. L. P. WORRALL

Mr. HOBBS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 8429) for the relief of Maj. L. P. Worrall, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 5, after "Department", insert "United States Army."
Page 1, line 7, strike out "Booser" and insert "Boozer."
Page 1, line 10, strike out "1939" and insert "1938."
Page 2, line 4, strike out "Booser" and insert "Boozer."
Page 2, line 6, strike out "Booser" and insert "Boozer."

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, I understand these amendments are just corrections of clerical errors in the bill.

Mr. HOBBS. That is all. The bill has passed both Houses. By reason of a misprision in the committee transcription of the bill, these amendments were necessary.

Mr. MARTIN of Massachusetts. They do not change the amount in the least?

Mr. HOBBS. Not at all.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

ESTABLISHING THE COMPOSITION OF THE UNITED STATES NAVY

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 8026) to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. Is there objection to the request of the gentleman from Georgia? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. VINSON of Georgia, DREWRY, and MAAS.

NAVAL AIRCRAFT

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9848) to authorize the construction or acquisition of naval aircraft, the construction of certain public works, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. Is there objection to the request of the gentleman from Georgia? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. VINSON of Georgia, DREWRY, and MAAS.

WARRANT AND COMMISSIONED WARRANT OFFICERS IN THE MARINE CORPS

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6044) to regulate the number of warrant and commissioned warrant officers in the Marine Corps, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. Is there objection to the request of the gentleman from Georgia? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. VINSON of Georgia, DREWRY, and MAAS.

COMPACT FOR DIVISION OF WATERS OF THE YELLOWSTONE RIVER

Mr. O'CONNOR. Mr. Speaker, I call up the conference report on the bill (S. 1759) granting the consent of Congress to the States of Montana, North Dakota, and Wyoming to negotiate and enter into a compact or agreement for division of the waters of the Yellowstone River.

The Clerk read the title of the bill.

The Clerk read the conference report.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1759) granting the consent of Congress to the States of Montana, North Dakota, and Wyoming to negotiate and enter into a compact or agreement for division of the waters of the Yellowstone River, having met, after

full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment numbered 1.

Amendment numbered 2: That the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to the same with an amendment, as follows: Omit the matter proposed to be inserted by said amendment, and in lieu thereof, on page 2 of the Senate bill, line 10, after the word "Act" insert a colon and the following: "*Provided*, That such Act of August 2, 1937, is amended by striking out 'June 1, 1939' and inserting in lieu thereof 'June 1, 1943'; and the House agree to the same.

That the House recede from its amendment to the title of the bill.

COMPTON I. WHITE,
KNUTE HILL,
CHARLES HAWKS, Jr.,
Managers on the part of the House.

ELMER THOMAS,
B. K. WHEELER,
LYNN J. FRAZIER,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (S. 1759) submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

The House recedes from its amendment numbered 1 for the reason that the State of South Dakota cannot consistently be included in a compact relative to the division of waters of the Yellowstone River, as said State of South Dakota is not directly affected by the watershed of said river.

As to House amendment numbered 2, it is proposed to strike out the same and insert language in lieu thereof which will amend the act of August 2, 1937, so as to extend the time limit beyond June 1, 1939.

COMPTON I. WHITE,
KNUTE HILL,
CHARLES HAWKS, Jr.,
Managers on the part of the House.

Mr. MARTIN of Massachusetts. Mr. Speaker, I understand this simply eliminates South Dakota from the bill.

Mr. O'CONNOR. Yes. I may say to the gentleman that the bill as passed by the House included the State of South Dakota. The conferees eliminated the State of South Dakota, and the bill now applies only to Wyoming, Montana, and North Dakota.

Mr. MARTIN of Massachusetts. This is a unanimous report of the conferees?

Mr. O'CONNOR. It is a unanimous report of the conferees.

Mr. Speaker, I ask that the report of the conferees be approved.

The conference report was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. BLAND. Mr. Speaker, I ask unanimous consent to file a preliminary report on Alaskan fisheries from the Committee on Merchant Marine and Fisheries, pursuant to House Resolution 162, Seventy-sixth Congress, first session, and I ask that individual members of that commitee may be permitted to file individual reports, dissenting from, concurring in, or otherwise modifying said report to the extent necessary to present the individual views of such members, the same to be filed at any time before the 3d day of January 1941.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. BLAND. Mr. Speaker, I also ask unanimous consent that supplemental or additional reports on the subject of the fisheries of Alaska and on the other subjects of inquiry or investigation under House Resolution 162, Seventy-sixth Congress, first session, may be submitted before January 3, 1941, or filed with the Clerk of the House when the House is not in session.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

PUNISHMENT FOR THE KILLING OR ASSAULTING OF FEDERAL OFFICERS

Mr. CELLER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 7019) to amend section 1 of the act providing punishment for the killing or assaulting of Federal officers, with Senate amendments thereto, and concur in the Senate amendments. These are very inconsequential amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 8, after "Agriculture" where it appears the first time insert "or of the Department of the Interior."

Page 2, line 8, after "Agriculture", where it appears the second time, insert "or the Secretary of the Interior."

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. MICHENER. Mr. Speaker, reserving the right to object, as I understand, the amendment adds the Interior Department to the other departments mentioned in the bill.

Mr. CELLER. This bill amends the old act of 1934, concerning the killing of Federal officers while in the performance of their duties, and as the amendment passed this House it did not include one department, namely, the Department of the Interior, which Department has agents and special agents to preserve property of the Government in our various national parks, and at times they operate under danger. The idea is to make it a Federal offense to kill or assault any of these Federal officers and undoubtedly they should be included, namely, the agents and special agents of the Department of the Interior. That is all the Senate amendment does, to add the Department of the Interior to the other departments mentioned originally.

Mr. MICHENER. Further reserving the right to object, Mr. Speaker, the matter was thoroughly considered on the floor, the bill was passed, and everybody here knows all about it. It left out one department, the Senate added that department, it came back to the Judiciary Committee, it was again thoroughly considered there and unanimously reported back. I do not see why anyone should object.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Senate amendments were agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. CARTWRIGHT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include telegrams from American State highway officers.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. SECREST. Mr. Speaker, after any previous special order for today I ask unanimous consent to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

EXTENSION OF REMARKS

Mr. HARE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the life, character, and public service of the Honorable Frank Lever, deceased.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. KEFAUVER asked and was given permission to revise and extend his own remarks in the RECORD.

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a letter from the Secretary of Labor, Miss Perkins.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

BRIDGE ACROSS MISSOURI RIVER AT FORT LEAVENWORTH

Mr. RABAUT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. RABAUT. Mr. Speaker, I am calling the attention of the House to a bill designed to establish a toll charge on the bridge spanning the Missouri River at Fort Leavenworth, Kans.

Under the act of May 31, 1924 (U. S. C., title 18, sec. 767), there was transferred from the War Department to the Department of Justice—

For use as a farm in connection with the United States penitentiary, Leavenworth, Kans., all of that portion of the Fort Leavenworth Military Reservation which lies in the State of Missouri, and including the bridge across the Missouri River.

The same act authorized the transfer to the Department of Justice of $50,000 which had been appropriated to the War Department for making repairs to the bridge. It also authorized the appropriation of an additional amount of $50,000, or so much thereof as may be necessary, to make the repairs on said bridge. Under the latter provision an additional appropriation of $49,115 was carried in the Deficiency Act of December 5, 1924 (43 Stat. 687). With these funds the bridge was placed in a traversable condition, since which it has been used by the general public as well as by the Government.

It appears from the record that the bridge was constructed about 1870 under special act of Congress authorizing its construction and operation by a corporation under a toll system. The tolls collected from the bridge were not sufficient to meet the fixed charges, and from the first the bridge company was apparently in financial difficulty. First it was used as a railroad and wagon bridge, but was abandoned by the railroads in 1893 when the terminal bridge was completed at Leavenworth.

The bridge was partially destroyed by fire in 1886, but was reconstructed. In 1909 the eastern approach to the bridge, a long wooden affair that had been constructed after the abandonment by the railroads, for use by wagons, fell to the ground, after which the bridge could only be used by pedestrians. In 1913 the flooring at the Kansas end was burned. In 1915 the War Department gave notice to the owners that the bridge must be removed, as it constituted an unreasonable obstruction to the free navigation of the river.

In 1917 the Government seized the bridge as a war measure and plans were made by the military authorities to repair it, but nothing was done The Deficiency Appropriation Act of March 6, 1920, carries the following:

For bridge across the Missouri River connecting the two tracts of land composing the military reservation at Fort Leavenworth, Kans., $35,000: *Provided*, That in case said bridge is thrown open for public use one-half the cost of maintenance thereof shall be paid by local interests (U. S. Stats., vol. 41, p. 510).

In December 1920 the bridge was purchased by the Government for $35,000, and the deed recorded in the courthouse at Leavenworth.

After its transfer from the War Department to the Department of Justice in 1924, arrangements were made with the State Highway Departments of Missouri and Kansas to take care of any necessary minor repairs. It now becomes necessary, however, to make some rather urgent major repairs which would involve estimated expenditures of about $30,000 and, although we have attempted to arrange with the State Highway Departments of Kansas and Missouri to cooperate in making these repairs, they have declined to do so. The States have also been informed the Government would be willing to transfer the bridge to them if they would operate and maintain it, but they seemed to be uninterested in this proposition.

The question, therefore, arises as to how these major repairs shall be financed, and since the general public uses the bridge on one of the highways running through Missouri and Kansas, it would appear they should bear at least a portion of this cost. It is accordingly proposed by the bill I am introducing to establish tolls for the use of this bridge at the rate of 25 cents for each passenger-carrying vehicle, and 50 cents for each truck, the funds so collected to be deposited in the United States Treasury in a special fund to be utilized for the purpose of maintaining and operating the bridge.

AMENDMENT OF THE FEDERAL CREDIT UNION ACT

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table for present consideration the bill (S. 2568) to amend the Federal Credit Union Act (June 26, 1934, ch. 750, par. 1, 48 Stat. 1216, sec. 1761), which is the same as the House bill (H. R. 9886), which has been unanimously reported by the Committee on Banking and Currency of the House.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That section 11 (d) of the Federal Credit Union Act be, and the same is hereby, amended by substituting for "$50" where it appears in the fourth sentence thereof "$100", so that said fourth sentence shall read as follows: "No loan in excess of $100 shall be made without adequate security and no loan shall be made to any member in excess of $200 or 10 percent of the Federal credit union's paid-in and unimpaired capital and surplus, whichever is greater."

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, will the gentleman explain the bill?

Mr. PATMAN. It is known as the credit union bill. It passed the Senate unanimously and unanimously passed the Committee on Banking and Currency. It provides that the credit union may extend loans up to $100 that are unsecured, increasing the amount thereby from $50 to $100. It also restricts the amount that any one member can borrow from a credit union to 10 percent of the capital stock of the union.

Mr. MARTIN of Massachusetts. That is not a restriction at the present time?

Mr. PATMAN. It is a restriction in one case and increases the amount from $50 to $100 in the other. The Farm Credit Administration has approved this change and the Federal credit unions want it, and it is very much needed and desired.

Mr. MARTIN of Massachusetts. What is the reason for urgency at this time?

Mr. PATMAN. The Senate has passed the bill and the House has adopted the same bill and I am asking——

Mr. MARTIN of Massachusetts. The House has already adopted this bill?

Mr. PATMAN. No; the House committee has adopted it and they want to put it into execution.

Mr. RICH. Reserving the right to object, Mr. Speaker, what rate of interest will they charge?

Mr. PATMAN. They usually charge 6 percent, and never over 6 percent. The fact of the business is it is a fine thing for the employees who go into the organization.

Mr. SCHAFER of Wisconsin. Reserving the right to object, Mr. Speaker, is there a limitation insofar as the amount of interest which can be charged is concerned so that there is a protection so that this measure will not become a loan-shark bill?

Mr. PATMAN. Oh, it is against the loan sharks. The credit union is the worst enemy the loan shark has.

There is being passed by the Congress of the United States a bill amending the Federal Credit Union Act. The amendment is a minor one, and I mention it now only because it serves to call attention once again to one of the most admirable institutions, both in purpose and accomplishment, ever to be established on American soil. I refer, of course, to the credit union, the form of local society through which workingmen and workingwomen join their slender savings together to fashion for themselves an instrument for working out their own financial salvation.

Six years ago this month we passed the act providing for the Federal chartering of credit unions. It is timely, therefore, to call public attention once more to the need they serve, the wholly practical way in which they meet that need, and their astonishing spread and popularity in every corner of our land, from the sugar plantations of Hawaii to the fishing villages of Maine.

There is no secret as to the reason why credit unions have been taken to the heart of the American public. It is simply because the public, the great working body of our citizenry comprising most of our population, needs vitally just what the credit union has to supply. When the pay envelope is opened the credit union is there, on the spot, to take for safekeeping whatever amount the worker can save, and to do it before the money can be dissipated by a hundred idle claims. Then when the going gets tough and the hard-pressed worker has to find somewhere more money than the pay envelope at the moment affords, the credit union again is there at hand, offering the loan which he can accept with no fear whatever that he is being victimized in his need. So he solves his problem through self-help, first by foresighted thrift, and then by maintaining with others a standing source of credit.

What happens when such facilities are absent? Anyone who knows either from experience or from sympathetic study the problems of living of the usual workingman and his family can quickly supply the answer. In all likelihood life comes to be placed on a pay day to pay day basis. Income is spent as fast as it is earned; often it is mortgaged far into the future. Some misfortune sends the wage earner to the high-rate money lender. And then, with the excessive interest charged, the unfortunate victim finds himself sinking deeper and deeper into debt, paying tribute perhaps for years before he can work himself free.

We all know and despise that species of extortionate money lender branded with the name of loan shark. But few of us realize how far-flung are his operations, how nearly universal is his presence among us. Few of us realize also how well organized is this business of preying on the low-paid worker with usually but a single source of income. Recently a pamphlet by William Trufant Foster entitled "Loan Sharks and Their Victims" was widely circulated by the public affairs committee. Let me quote the opening paragraph:

> We must admit that it requires sharp tactics to take in $1,053 in 9 years on an investment of $20. Yet that is what an outlaw money lender in Dallas, Tex., did with the greatest of ease. This loan shark, typical of illegal lenders of today, is not a furtive, cringing, oily Shylock in a back alley, with a few dollars in his pants pocket. He is the big bootlegger of small loans; the bold, resourceful, rich overlord of a far-flung empire outside the law. This is the modern loan shark, as revealed in investigations made recently in Florida, Georgia, Missouri, Oklahoma, Tennessee, Texas, and Washington.

Everyone can supplement this statement with examples from his daily newspaper. I recall one not long ago which broke into the columns of all the newspapers of New York City. An initial $50 loan was pyramided into total payments over several years of more than $4,000, with more than one ruined life in prospect when the sordid transaction finally came to light. There is no need to dwell on such cases. You have only to dig down a little beneath the surface of events almost anywhere in the United States to find plenty of them—perhaps not so extreme as the one mentioned, but nevertheless taking their constant toll from those who have least to spare.

The credit union is the answer which the working people of America have themselves developed to this need. It operates within a definite group of wage earners, usually the employees of a single company. Started often by a few enthusiasts in the group it steadily broadens its field of usefulness, adding to its members and its share capital year by year and often coming to do a business of hundreds of thousands of dollars a year. I have at hand a circular issued by a Texas credit union to its own members, and typical of many, many others.

> During the month of June—
>
> Says this circular—
>
> $8,485 was loaned to members by your Federal credit union. Twenty-three new members were accepted. We often wonder how in the world we ever got along before the advent of the credit union.

Early in 1938 a group of 24 Federal credit unions was set up among the workers on the streetcar and elevated lines in Chicago. Two years later a check-up showed that the members of these credit unions had borrowed no less than $1,686,000 in that period, and had piled up savings on which these loans were based amounting to $651,000. As one commentator put it, in reviewing the early record of these credit unions, "We could hardly believe our own eyes as we totaled up the reports." More recently a string of about 20 Federal credit unions was set up in the various units of a widely known glass-manufacturing concern. Most of these are still but 8 or 10 months old or less, but a consolidated report of last March 31 showed that up to that time over $132,000 had been loaned, and that 5,000 members had accumulated more than $100,000 in savings.

Such examples bring out in bold relief two striking facts. One is that working people everywhere have an immense need for savings and loan facilities. The other is that the credit union fills the need with admirable success.

The popularity evidenced by the examples cited is not confined to industrial employee groups. Credit unions lend themselves to operation in many other types of groups in which people are commonly associated more or less closely with each other. There are hundreds of Government-employee credit unions. Teacher credit unions are also numbered in the hundreds. Community groups, both in city and country, are operating credit unions with high success. Churches and church parishes form the basis for a great and growing number of credit unions. Lodges and labor unions sponsor them, and nearly always the reports from such organizations are favorable or enthusiastic.

There are now more than 8,000 credit unions, partly under State charter and partly under Federal, in active operation in the United States. They report some 2,500,000 members. Last year they loaned their members a quarter of a billion dollars, all from capital contributed by the members themselves from savings. It is evident that the American workingman is discovering a magic talisman in the half dollar he carries in his pocket—a coin which becomes a magic piece when it is joined with the thousands of other half dollars in other nearby pockets.

In these times, Mr. Speaker, the credit union stands out as a shining example of how humble people in a democracy can experiment with huge success with ideas for making life more fruitful and enjoyable for themselves. It has, moreover, a meaning for the present moment. Our one thought now is to strengthen America's defenses, now and for the future. What greater factor is there in self-defense than that of citizen morale? Credit unions have aided vastly in building up morale through more wholesome living. They will continue to do so even more in the times ahead. Make credit-union service available to every man, woman, and child in the United States and we will immeasurably strengthen our national morale. We will make our people vividly aware that in a democracy the way is always open to them to work out with their own hands and brains the means for ever-better living, for themselves, and for their children.

It is with keen pleasure, therefore, that I note the passage of this bill today, as one more step in the process of perfecting credit unions for future usefulness.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein a table on Commissioner loans.

The SPEAKER. Is there objection?

There was no objection.

Mr. THILL. Mr. Speaker, I ask unanimous consent to extend my remarks on two different subjects and to include a short newspaper article in each.

The SPEAKER. Is there objection?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a radio statement that I made on Monday night.

The SPEAKER. Is there objection?

There was no objection.

WEEKLY REPORT ON NATIONAL DEFENSE

Mr. EDWIN A. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. EDWIN A. HALL. Mr. Speaker, a short time ago I spent several days back home talking over the whole situation of national defense with my constituents. Without exception I found them to be enthusiastic over the subject of making America invulnerable to attack.

But many of them were wont to raise a question which has been uppermost in my mind ever since the President started rearmament talk. They seem to remember back 25 years ago when through great haste and anxiety the United States embarked upon a mightly armament race to equip herself for the first World War. They seem to remember the colossal waste and squandering of the people's money by the snap methods which Government and industry alike adopted to hasten the task's completion. Out of many thousands of planes for instance that were constructed for combat flying, only 136 were ever actually used and many of the remainder were unfit for use.

My constituents were also particularly interested in the possibility of present blundering and waste of the incompetent management in the expenditure of these funds. Moreover they were not a little surprised at the President's admitting that the country was so woefully unprepared when all the time they had believed that the administration was using the five or six billions which had been allocated for military purposes during the past 7 years.

It seems to them and to me that with the willingness of Congress to authorize almost unlimited amounts of the people's money to be used for defense, that the President should take the precaution and the responsibility to see that the first World War defense fiasco and the last 7 years of the New Deal maladministration of defense moneys are not repeated in the gigantic defense program which is now getting under way.

With this in mind and with the thought that the folks back home might be interested, I am taking this opportunity of asking the President for a weekly report to Congress of every step which he has caused to be taken in our national defense. That means that he will submit that report by a weekly message to Congress in which he will state the number of contracts entered upon by the Government during that week, the number of planes under construction and completed during that week, the number of men being trained as pilots, and the number of men under arms. I further ask that he give the Congress detailed reports of our great shipbuilding program, of the weekly progress of all land-, sea-, and air-force development.

Congress has a right to know. The people have a right to know. There is no reason why the general information about the progress of the defense program should be withheld. And, as one who is vitally interested in keeping the people back home both advised and satisfied, I expect to reiterate this demand at least once a week until the President and his aides submit this report on the progress of our national defense to the Congress and to the people.

EXTENSION OF REMARKS

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to extend my remarks and to include a short editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a memorial address I delivered on George Washington last evening.

The SPEAKER. Is there objection?

There was no objection.

AGRICULTURAL ACTIVITIES

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. RICH. Mr. Speaker, it is a good thing to put on a new suit of clothes once in awhile, and it seems to me that the administration ought to put on new clothes today, and by so doing, change our agricultural program so that we can increase the production of foodstuffs in this country and be able to pay the farmers for raising foodstuffs, thus giving employment to 3,000,000 additional people, and in that way be able to take care of the distressed and troubled Europeans who will be out of foodstuffs before winter, for we will be compelled to look after not only our own people, but all the people of the world. Let our slogan be a land of plenty, not a land of scarcity. Let us pay for doing things, not for doing nothing. Let us change the present policy of the agricultural program and put our land under cultivation so we can furnish all war-torn countries with foodstuffs, wheat, barley, corn, and so forth, at reasonable prices.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

EXTENSION OF REMARKS

Mr. O'BRIEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and to include therein an address by J. Edgar Hoover at Drake University, Des Moines, Iowa.

The SPEAKER. Is there objection?

There was no objection.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in two particulars, and to include addresses by Charles A. Sprague.

The SPEAKER. Is there objection?

There was no objection.

Mr. HORTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and to include a statement establishing a new mathematical formula by M. M. Butler, of Montana, which he evolved.

The SPEAKER. Is there objection?

There was no objection.

Mr. JOHNS. Mr. Speaker, I ask unanimous consent to extend my remarks and to include an editorial from the Green Bay Press.

The SPEAKER. Is there objection?

There was no objection.

ADJOURNMENT OF CONGRESS

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

[Mr. HOFFMAN addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. SCHIFFLER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an address delivered by the Honorable FRED BRADLEY, of Michigan, at Bluefield, W. Va.

The SPEAKER. Is there objection?

There was no objection.

AIRPLANES FOR SOUTH AMERICA

Mr. FISH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FISH. Mr. Speaker, a number of Members of Congress have publicly urged that our Government should give or sell to the Allies our airplanes, guns, ammunition, and war supplies. Such a proposal is in utter violation of every principle of international law and would be tantamount to an act of war.

Article VI of the Hague Convention of 1907, concerning the rights and duties of neutral powers in naval war, provides:

The supply, in any manner, directly or indirectly, by a neutral power to a belligerent power, of warships, ammunition, or war material of any kind whatever is forbidden.

Both the United States and Germany are parties to this convention. At the present time the Allies can buy airplanes or other war supplies from private sources in the United States, and I believe they have some five or six billion dollars left available for such purposes.

I would suggest that the Government turn over all our old and outmoded airplanes immediately to the Latin American nations to provide them with the means of training pilots in order to build up air forces in these countries.

In return for the gift of our planes to these nonbelligerent nations in South and Central America, all we should ask is the use of their air fields and the establishment of permanent air bases there for our use in case of need for a united defense of the Western Hemisphere. [Applause.]

LAWS ENACTED AT THE THIRD REGULAR SESSION OF THE FOURTEENTH LEGISLATURE OF PUERTO RICO

The Speaker laid before the House the following message from the President of the United States which was read by the Clerk, and together with the accompanying papers referred to the Committee on Insular Affairs:

To the Congress of the United States:

As required by section 23 of the act of Congress approved March 2, 1917, entitled "An act to provide a civil government for Puerto Rico, and for other purposes," I transmit herewith certified copies of laws enacted by the third regular session of the Fourteenth Legislature of Puerto Rico, February 13 to April 15, 1939.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *June 5, 1940.*

THE PRIVATE CALENDAR

Mr. RAYBURN. Mr. Speaker, I offer a unanimous-consent request which is at the Clerk's desk.

The SPEAKER. The Clerk will report the unanimous consent request of the gentleman from Texas.

The Clerk read as follows:

Mr. RAYBURN asks unanimous consent that it shall be in order on Thursday to move that the House recess until 8 o'clock p. m., and that at the evening session it shall be in order to call individual bills on the Private Calendar, and when the call of the individual bills is completed that it shall be in order to call omnibus bills on the Private Calendar.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. CASE of South Dakota. Mr. Speaker, reserving the right to object, will that include the calling of the immigration bills as well as other omnibus bills?

The SPEAKER. It will include the call of all bills on the Private Calendar.

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, I wonder if the majority leader intended to have those omnibus bills called on Thursday night?

Mr. RAYBURN. That is the request that was made of me. I put it in the unanimous-consent request. Of course, when we finish calling the individual bills, then the House sitting can do as it pleases.

Mr. MARTIN of Massachusetts. That means that everybody must come here; and in giving permission for the evening session I think we did not want that. I think if the gentleman would leave out the latter part of the request it would be satisfactory.

Mr. RAYBURN. If there is any objection, of course, I will have to do that.

Mr. MARTIN of Massachusetts. I think it would be better to eliminate that.

Mr. RAYBURN. I will amend my request, then, Mr. Speaker, and confine it just to the calling of individual bills on the calendar.

The SPEAKER. The Clerk will report the request as modified.

The Clerk read as follows:

Mr. RAYBURN asks unanimous consent that it shall be in order on Thursday to move that the House recess until 8 o'clock p. m., and that at the evening session it shall be in order to call individual bills on the Private Calendar.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

SUBSIDIARY NATIONAL CAPITOL

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LAMBERTSON. Mr. Speaker, I want to read a letter from the great editor of the great Atchison Globe, of Atchison, Kans.

ATCHISON, KANS., *June 3, 1940.*

Hon. W. P. LAMBERTSON,
Member of Congress, Washington, D. C.

DEAR SIR: Every day to the Atchison Globe come dispatches, columns and syndicated articles showing that the people in Washington are alarmed about the war raging in Europe. My only conclusion is that Washington people see visions of invasion.

The good old town of Atchison, Kans., wishing to alleviate the sufferings of Washington people, invites and urges that a subsidiary National Capital be created in Atchison, which is in the heart of America.

Atchison has four railroads, is on the Missouri River, which is now ready for steamboat and barge traffic, and has beautiful sites for Government buildings.

Atchison submits this invitation and urge in all seriousness. Even when the world is at peace, there should be a subsidiary National Capital in the heart of America.

CARL BROWN,
Editor, Atchison Globe, Atchison, Kans.

[Applause.]

[Here the gavel fell.]

DISTRICT OF COLUMBIA APPROPRIATION BILL, 1941—CONFERENCE REPORT

Mr. CALDWELL. Mr. Speaker, I call up the conference report on the bill (H. R. 9109) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1941, and for other purposes, and I ask unanimous consent that the statement may be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9109) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against

the revenues of such District for the fiscal year ending June 30, 1941, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 11, 12, 16, 17, 19, 20, 21, 22, 23, 25, 28, 35, 38, 39, 46, 57, 58, 60, 64, 74, 75, 89, 90, 91, 92, 95, 96, 103, 109, 114, 120, 137, 145, and 146.

That the House recede from its disagreement to the amendments of the Senate numbered 6, 7, 8, 9, 10, 13, 14, 15, 18, 29, 31, 33, 37, 40, 41, 43, 50, 51, 52, 54, 55, 56, 59, 61, 63, 65, 68, 69, 70, 76, 77, 79, 80, 81, 83, 87, 88, 99, 100, 101, 102, 105, 106, 107, 108, 111, 113, 116, 117, 118, 121, 122, 123, 124, 125, 126, 127, 128, 130, 131, 132, 135, 138, 140, 143, and 144; and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following: ", including the salary of the poundmaster at $2,200 per annum"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$11,980"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$196,210"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert: "$95,730"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following: "purchase of two motortrucks at $550 each to replace two motorcycles and package cars"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$12,000"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$35,700"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$704,550"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$981,385"; and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$16,000"; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$70,675"; and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$160,387"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$304,171"; and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$193,000"; and the Senate agree to the same.

Amendment numbered 62: That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$581,000"; and the Senate agree to the same.

Amendment numbered 66: That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$230,000"; and the Senate agree to the same.

Amendment numbered 67: That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$2,948,505"; and the Senate agree to the same.

Amendment numbered 71: That the House recede from its disagreement to the amendment of the Senate numbered 71, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$76,750"; and the Senate agree to the same.

Amendment numbered 72: That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$48,725"; and the Senate agree to the same.

Amendment numbered 73: That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$12,500"; and the Senate agree to the same.

Amendment numbered 78: That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$409,060"; and the Senate agree to the same.

Amendment numbered 82: That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$23,000"; and the Senate agree to the same.

Amendment numbered 84: That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$213,000"; and the Senate agree to the same.

Amendment numbered 85: That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$687,840"; and the Senate agree to the same.

Amendment numbered 86: That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$292,000"; and the Senate agree to the same.

Amendment numbered 94: That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$104,940"; and the Senate agree to the same.

Amendment numbered 97: That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$557,760"; and the Senate agree to the same.

Amendment numbered 98: That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$480,000"; and the Senate agree to the same.

Amendment numbered 104: That the House recede from its disagreement to the amendment of the Senate numbered 104, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$107,500"; and the Senate agree to the same.

Amendment numbered 110: That the House recede from its disagreement to the amendment of the Senate numbered 110, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$31,900"; and the Senate agree to the same.

Amendment numbered 112: That the House recede from its disagreement to the amendment of the Senate numbered 112, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$12,200"; and the Senate agree to the same.

Amendment numbered 115: That the House recede from its disagreement to the amendment of the Senate numbered 115, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$582,500"; and the Senate agree to the same.

Amendment numbered 119: That the House recede from its disagreement to the amendment of the Senate numbered 119, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following: "recreation, vocational training, and historical records"; and the Senate agree to the same.

Amendment numbered 129: That the House recede from its disagreement to the amendment of the Senate numbered 129, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$520,325"; and the Senate agree to the same.

Amendment numbered 141: That the House recede from its disagreement to the amendment of the Senate numbered 141, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$343,685"; and the Senate agree to the same.

Amendment numbered 142: That the House recede from its disagreement to the amendment of the Senate numbered 142, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$260,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 24, 34, 36, 53, 93, 133, 134, 136, and 139.

M. F. CALDWELL,
GEORGE MAHON,
EMMET O'NEAL,
LOUIS C. RABAUT,
JOHN M. HOUSTON,
KARL STEFAN
(Except as to amendment No. 52),
FRANCIS CASE
(Except as to amendment No. 52),
Managers on the part of the House.

JOHN H. OVERTON,
CARTER GLASS,
ELMER THOMAS,
DENNIS CHAVEZ,
WILLIAM H. KING,
GERALD P. NYE,
ARTHUR CAPPER,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments to the bill (H. R. 9109) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the

fiscal year ending June 30, 1941, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

Salaries and expenses

On amendments Nos. 1, 2, and 3, relating to the office of the poundmaster: Provides for the salary of the poundmaster at $2,200 per annum, instead of $2,400 as proposed by the Senate, or in accordance with the Classification Act, as proposed by the House; and eliminates the proposal of the Senate to provide radio equipment for motor truck.

On amendments Nos. 4 and 5, relating to care of District buildings: Appropriates $196,210 for personal services, instead of $191,210 as proposed by the House, and $202,170, as proposed by the Senate, including $2,600 for an assistant superintendent in charge of health buildings and hospitals; and provides $95,730 for fuel, light, and power instead of $90,340, as proposed by the House, and $101,120, as proposed by the Senate.

On amendments Nos. 6, 7, 8, 9, and 10, relating to the assessor's office, the collector's office, office of the corporation counsel, and the surveyor's office: Appropriates additional sums totaling $4,060 for reallocations as proposed by the Senate.

On amendments Nos. 11, 12, 13, 14, 15, 16, and 17, relating to contingent and miscellaneous expenses: Strikes out the proposal of the Senate to appropriate $1,000 for books for the corporation counsel's office; appropriates $48,125 for printing and binding, including the 1940 unexpended balance for such purpose, as proposed by the Senate, instead of $46,500, as proposed by the House; and provides $10,000 for the purchase of passenger automobiles, as proposed by the House, instead of $11,500, as proposed by the Senate.

Public Library

On amendments Nos. 18, 19, 20, 21, 22, and 23: Appropriates $435,380 for salaries, as proposed by the Senate, instead of $434,780, as proposed by the House; $25,000 for stocking the new Southwest Branch Library, instead of $30,000, as proposed by the Senate; $17,500 for binding, as proposed by the House, instead of $20,000, as proposed by the Senate; and $11,000 for furniture and equipment for the new Southwest Branch, as proposed by the House, instead of $12,000, as proposed by the Senate.

Sewers

On amendments Nos. 25, 26, 27, and 28: Appropriates $275,000 for assessment and permit work, as proposed by the House, instead of $300,000, as proposed by the Senate; provides $12,000 for mosquito control, including the purchase of two motortrucks, instead of $11,000, including the purchase of two motorcycles, as proposed by the House; and eliminates the provision of the Senate for the purchase of a site for a new incinerator.

Electrical department

On amendments Nos. 29 and 30: Appropriates $97,780 for personal services, as proposed by the Senate instead of $97,180, as proposed by the House; and $35,700 for supplies, instead of $34,700, as proposed by the House, and $36,700 as proposed by the Senate.

Public Schools

On amendments Nos. 31 and 32: Appropriates $704,550 for administrative and supervisory officers, instead of $706,950, as proposed by the House and $710,950 as proposed by the Senate; eliminates the proposal of the House providing $5,600 for an assistant superintendent in charge of recreational activities; provides an assistant principal for the Wilson Senior High School at $3,200 per annum, and eliminates $6,400 for two vocational guidance directors.

On amendment No. 33: Appropriates $192,340 for personal services, as proposed by the Senate, instead of $191,560, as proposed by the House.

On amendment No. 35: Restores the provision of the House with reference to the limitation on salaries of librarians.

On amendment No. 37: Appropriates $550 for lectures on the effect of alcohol and narcotics, as proposed by the Senate.

On amendments Nos. 38 and 39: Inserts provisions of the House with respect to the expenditure of funds for vocational training, instead of the proposal of the Senate governing such expenditures.

On amendments Nos. 40 and 41: Provides for the operation of community center, playground and other recreational activities under the supervision of the Commissioners of the District of Columbia and the board of education, as proposed by the Senate, instead of the board of education, as proposed by the House.

On amendment No. 42: Appropriates $981,385 for custodial personnel for school buildings, instead of $981,145, as proposed by the House, and $983,885, as proposed by the Senate.

On amendments Nos. 43, 44, 45, 46, 47, 48, 49, 50, and 51, concerning miscellaneous items for supplies and equipment: Appropriates $4,000 for maintenance of schools for crippled children, as proposed by the Senate, and $16,000 for transportation, instead of $15,000, as proposed by the House, and $17,050, as proposed by the Senate; provides $70,675 for materials used in manual and vocational training, instead of $70,800, as proposed by the Senate; allows $300,000 for fuel, light, and power, as proposed by the House, instead of $305,000, as proposed by the Senate; $160,387 for contingent expenses, instead of $155,000, as proposed by the House, and $165,775, as proposed by the Senate; $304,171 for furniture for new buildings, instead of $294,500, as proposed by the House, and $313,843, as proposed by the Senate; $193,000 for textbooks, instead of $190,000, as proposed by the House, and $197,470, as proposed by the Senate; and appropriates $466,585 for repairs to buildings, as proposed by the Senate.

On amendment No. 52: Strikes out the provision of the House prohibiting free instruction of pupils who dwell outside the District.

On amendments Nos. 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, and 66, relating to the construction of school buildings and the purchase of sites: Increases the contract authorization for the Syphax School from $190,000 to $215,000, as proposed by the Senate; strikes out the provisions of the House and the Senate with reference to a new Abbot Vocational School, the Senate provisions for plans and specifications for a new Wilson Teachers College and an elementary school to replace the Morse and Twining Schools, including the purchase of a site for the latter, and inserts the proposals of the Senate appropriating $10,500 for plans and specifications for a new building to replace the Cranch, Tyler, and Van Ness Schools, and $125,000 for purchase of a site therefor, and $10,500 for plans and specifications for a new building to replace the Brent, Dent, Lenox, and French Schools, and $65,000 for purchase of a site therefor.

Metropolitan Police

On amendments Nos. 67, 68, 69, 70, 71, and 72: Appropriates $2,948,505 for pay of officers and members of the Metropolitan Police force, instead of $2,924,280, as proposed by the House, and $2,964,655, as proposed by the Senate, which will provide 15 additional members of the force; provides additional funds under the items "Contingent expenses" and "Uniforms" for such new members, appropriates $151,985 for personal services as proposed by the Senate instead of $148,145, as proposed by the House, and allows $17,000 for a new cell block in No. 13 Precinct Station, as proposed by the Senate instead of $16,000, as proposed by the House.

Fire Department

On amendments Nos. 73, 74, 75, and 76: Appropriates $12,500 for hose, instead of $12,000, as proposed by the House, and $13,000, as proposed by the Senate; $20,500 for fuel and $20,000 for contingent expenses, as proposed by the House, instead of $21,750 and $21,000, respectively, as proposed by the Senate; and $51,750 for replacement of apparatus, as proposed by the Senate, instead of $44,750, as proposed by the House.

Health Department

On amendments Nos. 77, 79, 80, and 83: Allows increases totaling $3,840 for increases due to reallocation of personnel, as proposed by the Senate.

On amendment No. 78: Appropriates $409,060 for medical services, instead of $399,870, as proposed by the House, and $430,000, as proposed by the Senate.

On amendments Nos. 81 and 82: Appropriates $23,000 for furnishing and equipping the Southwest Health Center, and includes $4,500 for installation of an elevator, as proposed by the Senate.

On amendment No. 84: Appropriates $213,000 for maintenance of the tuberculosis sanatoria, instead of $212,000, as proposed by the House, and $214,000, as proposed by the Senate.

On amendments Nos. 85, 86, 87, and 88, relating to Gallinger Hospital: Appropriates $687,840 for personal services, instead of $675,000, as proposed by the House, and $713,160, as proposed by the Senate; provides $292,000 for maintenance, instead of $291,000, as proposed by the House, and $293,000, as proposed by the Senate; and allows $23,000, including $8,000 for an elevator for crippled-children's building, as proposed by the Senate.

Public welfare

On amendments Nos. 89, 90, 91, and 92: Appropriates $316,000 for board and care of children, including the operation of two foster homes, and provides $39,000 for operation of the receiving home, all as proposed by the House.

On amendments Nos. 94, 95, and 96, relating to the District jail: Appropriates $104,940 for personal services, instead of $101,580, as proposed by the House, and $114,120, as proposed by the Senate; and provides $44,000 to complete an addition to the jail under a contract authorization of $294,000, as proposed by the House.

On amendments Nos. 97, 98, and 99, relating to the workhouse and reformatory: Appropriates $557,760 for personal services, instead of $547,680, as proposed by the House, and $565,840, as proposed by the Senate; provides $480,000 for maintenance of the institution; and inserts the proposal of the Senate to appropriate $25,000 for construction of a bakery.

On amendments Nos. 100, 101, and 102, relating to the National Training School for Girls: Strikes out the proposal of the House to provide for a superintendent at $3,800 per annum, and eliminates increases of the House to provide additional funds for operation of the institution.

On amendments Nos. 103 and 104, relating to the District Training School: Eliminates the proposal of the Senate to provide $2,000 for a parole officer, and appropriates $107,500 for personal services, instead of $105,000, as proposed by the House and $110,000, as proposed by the Senate.

On amendments Nos. 105, 106, 107, and 108, relating to the Industrial Home School for Colored Children and the Industrial Home School: Appropriates an additional sum of $520 for reallocation of positions at these institutions, as proposed by the Senate.

On amendments Nos. 109, 110, 111, 112, 113, 114, 115, 116, 117, and 118, relating to public assistance in the District of Columbia: Appropriates $900,000 for general relief purposes, as proposed by the House, instead of $1,000,000, as proposed by the Senate, strikes out a provision for the "food stamp program" contained in the

Senate bill; inserts the proposal of the Senate for distribution of relief milk; appropriates $582,500 for old-age assistance, instead of $575,000, as proposed by the House, and $590,000, as proposed by the Senate; and allows $50,000 for pensions for the needy blind, including an increase in the monthly amounts which may be paid to such persons from $30 to $40, as proposed by the Senate.

On amendment No. 119: Provides for the use of sponsor's contribution funds for recreation, vocational training, and historical records, and eliminates the proposal of the Senate to make such funds available for art, music, and writers' projects.

On amendment No. 120: Restores the provision of the House providing $15,000 for education of handicapped children.

On amendments Nos. 121, 122, and 123: Clarifies language with reference to the appropriation for the Florence Crittenton Home, as proposed by the Senate.

On amendment No. 124: Increases from $300 to $500 the amount which may be advanced for use in the deportation of nonresident insane, as proposed by the Senate.

On amendments Nos. 125 and 126 in connection with the militia: Provides additional funds for reallocations, as proposed by the Senate.

On amendment No. 127: Provides for the salary ($5,600) of the coordinator of recreational activities in the office of National Capital Parks, as proposed by the Senate.

Gasoline tax fund

On amendments Nos. 128, 129, 130, 131, 132, 135, and 137: Appropriates $300 additional for reallocations in the Department of Vehicles and Traffic and $1,380 for such purpose in the Highway Department, provides for the payment for printing, binding, and other miscellaneous expenses of the Highway Department from the gasoline-tax fund, and appropriates an additional $6,600 for street paving, all as proposed by the Senate; provides $4,275 additional under the appropriation for police traffic control for additional members of the police force; and restores the provision in the House bill prohibiting the use of funds for operation of a testing laboratory of the Highway Department.

Water service

On amendments Nos. 138, 140, 141, 142, 143, and 144: Appropriates $513,350 for operation of the Washington Aqueduct, as proposed by the Senate, instead of $485,350, as proposed by the House; provides $100 additional for reallocations in the revenue, inspection and distribution branches, as proposed by the Senate; allows $343,685 for maintenance of the Water Department distribution system, instead of $340,000, as proposed by the House and $347,370, as proposed by the Senate; appropriates $260,000 for extension of the Water Department distribution system, instead of $250,000, as proposed by the House, and $270,000, as proposed by the Senate; and provides $250,000 for the construction of a trunk-line water main, as proposed by the Senate.

Miscellaneous

On amendment No. 145: Strikes out the proposal of the Senate for a 5-year capital-improvement program to be prepared by the Commissioners of the District of Columbia.

On amendment No. 146: Corrects a section number.

Amendments in disagreement

The committee of conference report in disagreement the following amendments:

Amendment No. 24, relating to preparation of plans for an extensible library building.

Amendments Nos. 34 and 36, relating to the appropriation for teachers and librarians, including instructors in automobile driving.

Amendment No. 53, relating to admission to the public schools of children of officers and men in the military services without payment of tuition.

Amendment No. 93, appropriating funds for the preparation of plans for a new receiving home.

Amendment No. 133, providing for plans and construction of an underpass at Scott Circle.

Amendment No. 134, relating to an appropriation for the preparation of plans for a grade separation structure at Fourteenth Street and Maine Avenue SW.

Amendment No. 136, directing the Commissioners to make an "off street" survey to determine a program for providing parking facilities.

Amendment No. 139, appropriating funds for the development of a plan to insure an adequate future water supply.

M. F. CALDWELL,
GEORGE H. MAHON,
EMMET O'NEAL,
LOUIS C. RABAUT,
JOHN M. HOUSTON,
KARL STEFAN,
(Except as to amendment No. 52),
FRANCIS CASE,
(Except as to amendment No. 52),
Managers on the part of the House.

Mr. CALDWELL. Mr. Speaker, very briefly, the District of Columbia appropriation bill for the fiscal year ending June 30, 1941, as passed by the House totaled $48,291,717, a decrease of $1,317,701 from the Budget estimates. The bill as passed by the Senate totaled $49,697,890, an increase of $1,406,723 over the House bill. The total of the bill as agreed upon in conference is $48,765,080, a reduction of $932,810 in the amount of the Senate bill and an increase of $473,363 in the amount of the bill as passed by the House. It is $844,338 less than the Budget estimates.

Mr. Speaker, I move the previous question on the adoption of the conference report.

Mr. STEFAN. Mr. Speaker, this conference report comes with some disagreement, and I would like a little time to discuss one amendment.

Mr. CALDWELL. If the gentleman will withhold that until we reach the appropriate amendment.

Mr. STEFAN. Certainly.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

COMMITTEE ON MILITARY AFFAIRS

Mr. MAY. Mr. Speaker, I ask unanimous consent that the Committee on Military Affairs may sit during the session of the House tomorrow afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

DISTRICT OF COLUMBIA APPROPRIATION BILL, 1941—CONFERENCE REPORT

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Amendment No. 24: Page 8, line 6, after the figures "$200,000", insert the following: *"Provided*, That the unexpended balances of the amounts made available by the District of Columbia Appropriation Act, 1940, for the preparation of plans and specifications for this building shall remain available for the same purposes and under the same conditions and limitations until June 30, 1941."

Mr. CALDWELL. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate No. 24 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 34: Page 23, line 17, strike out "$7,330,194" and insert in lieu thereof "$7,358,594."

Mr. CALDWELL. Mr. Speaker, I move that the House recede and concur with an amendment.

The Clerk read as follows:

Mr. CALDWELL moves that the House recede from its disagreement to the amendment of the Senate No. 34, and agree to the same with an amendment as follows: In lieu of the sum inserted by said amendment insert "$7,334,194."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 36: Page 24, line 1, after the word "Library", insert the following: "That the Board of Education is hereby authorized to appoint three additional teachers, class 2–A, for instruction in automobile driving at a beginning salary of $2,000 each."

Mr. CALDWELL. Mr. Speaker, I move that the House recede and concur with an amendment.

The Clerk read as follows:

Mr. CALDWELL moves that the House recede from its disagreement to the amendment of the Senate No. 36, and concur therein with an amendment as follows: In line 2 of said amendment strike out the word "three" and insert in lieu thereof the word "two."

Mr. CALDWELL. Mr. Speaker, the amendment will provide two additional instructors in automobile driving in the public-school system. Under the agreement of the conferees, one of these instructors is provided for duty in one of the senior high schools in divisions 1 to 9 and the other will be employed in the vocational schools, divisions 10 to 13.

The SPEAKER. The question is on the motion to recede and concur with an amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 53: Page 33, after line 2, insert the following:
"The children of officers and men of the United States Army, Navy, and Marine Corps, and children of other employees of the United States stationed outside the District of Columbia shall be admitted to the public schools without payment of tuition."

Mr. CALDWELL. Mr. Speaker, I move that the House recede and concur.

Mr. Speaker, I yield such time as he may desire to the gentleman from Nebraska [Mr. STEFAN].

Mr. STEFAN. Mr. Speaker, on amendments Nos. 52 and 53 the members of the minority, my colleague the gentleman from South Dakota, and myself are in disagreement for the reason that this particular item means approximately $250,000 annually which the taxpayers of the District of Columbia and the taxpayers of your State and mine are forced to pay for free tuition for students who come here from the surrounding States. Originally your committee placed in the bill the following amendment, and I wish you would listen carefully as I read it, for it was designed to protect your taxpayers as well as the taxpayers of the District of Columbia:

No part of the appropriations herein made for the public schools of the District of Columbia shall be used for the free instruction of pupils who dwell outside of the District of Columbia; that this limitation shall not apply to pupils who are enrolled in the schools of the District of Columbia on the date of approval of this act.

The Senate struck out that provision and inserted in its place this language:

Children of officers and men of the United States Army, Navy, and Marine Corps, and children of other employees of the United States stationed outside of the District of Columbia shall be admitted to the public schools without payment of tuition.

We are not opposed to children of service people getting free tuition, but we are not agreed to striking out any of the language which the House committee put in the bill eliminating free tuition for the pupils who live in surrounding States. I feel that this is important enough to put the House on record in order that the taxpayers in the various States may know that their interests are being safeguarded in this bill. We cannot vote on amendment No. 52, but we can vote against the amendment No. 53 to show how the House feels about it.

In the Senate increases were made in practically every item.

Mr. COLE of New York. Mr. Speaker, will the gentleman yield?

Mr. STEFAN. I yield.

Mr. COLE of New York. Do I understand that the amendment to which the gentleman is directing his remarks would permit children of residents of Maryland and Virginia who contribute nothing toward the support of the District of Columbia to send their children to schools within the District of Columbia without paying any tuition at all?

Mr. STEFAN. The gentleman struck the nail right on the head. That is exactly what it would do. The people of Maryland and Virginia send their children to the District of Columbia and force the taxpayers of the District to pay taxes which these residents of Maryland and Virginia should pay.

Mr. RICH. Will the gentleman yield?

Mr. STEFAN. I yield to the gentleman from Pennsylvania.

Mr. RICH. Further commenting in regard to what the gentleman from New York stated, those Government employees come to the District and have a salary paid them every 2 weeks by the Federal Government. They are not being taxed because they have a job here in the District. They go to Maryland and Virginia to live and they have less taxes. They want their children to come to the District and have the taxpayers of your district and my district and the district of every Member of Congress clear back as far as California pay the bills of the District of Columbia, so far as its schools are concerned, so that they can get the benefit. Why, there is nothing sound or just in it.

Mr. STEFAN. Powerful influences in Maryland and Virginia are able to save taxes and put those taxes on the backs of the taxpayers of this town. Not only that, but you people from Pennsylvania, from Nebraska, from South Dakota, and all over the United States contribute to these taxes and these nearby States profit from it. It is a discrimination against your States and mine in favor of two States.

Mr. RICH. I want to congratulate the gentleman from Nebraska and the gentleman from South Dakota for objecting to an amendment of this kind. I cannot see why the conferees agreed to any such arrangement.

Mr. STEFAN. The minority did not agree to that item.

Mr. RICH. The majority of the conferees agreed or it would not be here.

Mr. LELAND M. FORD. Will the gentleman yield?

Mr. STEFAN. I yield to the gentleman from California.

Mr. LELAND M. FORD. The gentleman is congnizant of the fact that other States and other counties outside the District of Columbia pay as much as $55.80 a thousand. Chicago is paying $91.11 a thousand. The District of Columbia is paying $17.50 a thousand. It looks to me like they are asking these other States to carry the burden here when they have ample funds to take care of the District of Columbia.

Mr. STEFAN. If you want to go to Maryland or Virginia, you have to pay a tuition. Why should 2 States of the 48 States of the Union have a special privilege of getting free tuition?

Mr. LELAND M. FORD. It has the effect of reducing taxes in other communities, and they are paying more taxes as a whole.

Mr. STEFAN. Your taxpayers are paying for free tuition of a small group of people from two States. You give them special privileges because they live closer to our Capital than do the people in your own State.

Mr. LELAND M. FORD. That is exactly the point; but I make the further point that the taxes elsewhere are heavy.

Mr. COLE of New York. Is it possible in the gentleman's State or in any other State of the Union for the parent of a child to send his child to a public school outside his own district without contributing something?

Mr. STEFAN. No; you have to pay for them.

Mr. BLAND. Will the gentleman yield?

Mr. STEFAN. I yield to the gentleman from Virginia.

Mr. BLAND. Is it not a fact this covers largely employees of the Government in Washington who cannot find any place here to live?

Mr. STEFAN. May I say to the gentleman from Virginia that the superintendent of schools told us in the testimony in the hearings that we are giving free tuition here for people from your State; the taxpayers of the District of Columbia are paying for your State and the other surrounding States around $250,000 a year in free tuition.

Mr. BLAND. Are not those people sending their children to the schools over there?

Mr. STEFAN. I want to say that these States are trying to keep from paying school taxes in their own States at the expense of District taxpayers and taxpayers of my State and the other States of the Union. There is no reason for this special privilege except powerful nearby States' influence. This is not the only special privilege these States get here.

Mr. RICH. May I ask the gentleman this question: Can any children in any township in Virginia go to the city schools in any city of Virginia without paying a tax in that city for the children that come out of the township?

Mr. BLAND. As far as I know they cannot.

Mr. RICH. They cannot do it in your State or in any other State; yet you want them to come to the District of Columbia where the taxpayers back in my State pay for educating the children of the nearby States of Virginia and Maryland. It is not right.

Mr. BLAND. The employees of the Government go to my State to live.

Mr. COLE of Maryland. Will the gentleman yield?

Mr. STEFAN. I yield to the gentleman from Maryland.

Mr. COLE of Maryland. I am sure the gentleman is familiar with the fact that within a few miles of the District is the University of Maryland, where many boys and girls from the District are educated. They are privileged to enter our university at below the nonresident tuition fee, which more than offsets the criticism we hear from some Members, session after session, to the effect that Maryland children should be barred from the District schools because of the expense.

Mr. STEFAN. That matter has come up in committee and taken into consideration.

Mr. COLE of Maryland. I am glad the conferees agreed to the Senate amendment and that the privilege of Maryland children attending schools in the District of Columbia remains as it has heretofore. This I know is particularly pleasing to my colleagues the gentlemen from Maryland, Congressmen BYRON and SASSCER, representing the counties of Maryland adjacent to the District, because they have worked so hard to bring this about.

Mr. STEFAN. It has been brought up, but if the gentleman will go and read the hearings and the bill he will find that the people of Maryland and Virginia come to the District of Columbia and get free hospitalization, free charity, and free tuition. They are coming here by the hundreds from nearby States and not only get most of the good jobs but much of the other benefits provided in the Nation's Capital.

Mr. COLE of Maryland. I am referring to the school situation.

Mr. STEFAN. And the taxpayers of this town and my State pay for that and many other items including schools. It is all too significant the valiant fight the Representatives from Maryland and Virginia are now putting up on this floor to save this free education which the people of this District and the people in the other States of the Union must pay. The gentlemen from these surrounding States are great fighters to preserve for their own States these special privileges. We all know that efforts to stop the special privileges for Maryland and Virginia have come up in this House many times in the past. It has always been blocked by the Representatives from those States. Maryland and Virginia taxpayers can thank their Representatives for saving them many thousands of dollars which they should rightfully have been paying all of these years. All we can do here is to continue to protest and let our own taxpayers know what is going on.

Mr. CALDWELL. Mr. Speaker, amendment No. 52, which requires the payment of tuition, was stricken out in the Senate and has been agreed to in the conference report.

The amendment which is now before the House is amendment No. 53, which relates to the children of officers and men of the United States Army, Navy, and Marine Corps. Actually, every member of the House Subcommittee on District Appropriations agrees with the position taken by the gentleman from Nebraska. We feel that it is an imposition upon this District for the children from without the District to come into these schools without the payment of tuition. However, it was not possible to reach an agreement at this time on that amendment. We have recommended that a careful study continue to be made, and we hope that the House will insist upon its position in the future.

Mr. Speaker, I ask for a vote on the motion.

The SPEAKER. The question is on the motion of the gentleman from Florida [Mr. CALDWELL] that the House recede and concur in the Senate amendment.

The question was taken; and on a division (demanded by Mr. STEFAN) there were—ayes 32, noes 35.

Mr. CALDWELL. Mr. Speaker, I object to the vote on the ground that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 271, nays 111, not voting 48, as follows:

[Roll No. 142]

YEAS—271

Allen, La.	Doxey	Kelly	Polk
Allen, Pa.	Drewry	Kennedy, Martin	Powers
Anderson, Calif.	Duncan	Kennedy, Md.	Rabaut
Anderson, Mo.	Dunn	Kennedy, Michael	Ramspeck
Angell	Durham	Keogh	Randolph
Arnold	Eaton	Kilday	Rankin
Ball	Eberharter	Kirwan	Rayburn
Barnes	Edelstein	Kitchens	Reece, Tenn.
Barry	Edmiston	Kleberg	Rees, Kans.
Barton, N. Y.	Elliott	Kocialkowski	Richards
Bates, Ky.	Ellis	Kramer	Robertson
Beam	Evans	Lanham	Robinson, Utah
Beckworth	Fay	Larrabee	Rogers, Okla.
Bell	Fenton	Lea	Romjue
Bland	Ferguson	Leavy	Rutherford
Bloom	Fernandez	Lesinski	Sabath
Boehne	Fitzpatrick	Lewis, Colo.	Sacks
Boland	Flannagan	Ludlow	Sandager
Bolton	Flannery	Lynch	Sasscer
Boren	Ford, Leland M.	McAndrews	Satterfield
Boykin	Ford, Miss.	McArdle	Schwert
Bradley, Pa.	Ford, Thomas F.	McCormack	Scrugham
Brooks	Fries	McGehee	Seger
Brown, Ga.	Fulmer	McGranery	Sheppard
Brown, Ohio	Garrett	McKeough	Smith, Conn.
Bryson	Gartner	McLaughlin	Smith, Ill.
Buckler, Minn.	Gathings	McLeod	Smith, Va.
Buckley, N. Y.	Gavagan	McMillan, Clara	Smith, Wash.
Bulwinkle	Gearhart	McMillan, John L.	Smith, W. Va.
Burch	Geyer, Calif.	Maas	Snyder
Byrns, Tenn.	Gore	Maciejewski	Somers, N. Y.
Byron	Gossett	Magnuson	South
Caldwell	Graham	Mahon	Sparkman
Camp	Grant, Ala.	Maloney	Spence
Cannon, Fla.	Grant, Ind.	Marcantonio	Steagall
Cannon, Mo.	Green	Marshall	Sullivan
Carlson	Gregory	Martin, Ill.	Sumner, Ill.
Cartwright	Griffith	Martin, Iowa	Sumners, Tex.
Casey, Mass.	Gross	Massingale	Sutphin
Celler	Hall, Edwin A.	May	Sweeney
Chapman	Hare	Mills, Ark.	Tarver
Claypool	Harrington	Mills, La.	Tenerowicz
Cochran	Hart	Mitchell	Terry
Coffee, Nebr.	Harter, Ohio	Moser	Thomas, N. J.
Coffee, Wash.	Havenner	Mott	Thomas, Tex.
Cole, Md.	Hawks	Murdock, Ariz.	Thomason
Colmer	Healey	Murdock, Utah	Tolan
Connery	Hendricks	Myers	Vinson, Ga.
Cooper	Hennings	Nelson	Voorhis, Calif.
Costello	Hinshaw	Nichols	Vorys, Ohio
Courtney	Hobbs	Norrell	Vreeland
Cravens	Hook	Norton	Wallgren
Crosser	Horton	O'Brien	Walter
Crowe	Houston	O'Connor	Ward
Culkin	Hull	O'Day	Warren
Cullen	Hunter	O'Leary	Weaver
D'Alesandro	Izac	Oliver	Welch
Darden, Va.	Jacobsen	Osmers	West
Davis	Jennings	O'Toole	Whelchel
Delaney	Johns	Pace	Whittington
Dempsey	Johnson, Luther A.	Parsons	Williams, Mo.
DeRouen	Johnson, Okla.	Patman	Winter
Dickstein	Johnson, W. Va.	Patton	Wolfenden, Pa.
Dies	Jones, Tex.	Pearson	Wolverton, N. J.
Dingell	Jonkman	Peterson, Fla.	Woodruff, Mich.
Dirksen	Keefe	Peterson, Ga.	Woodrum, Va.
Disney	Kefauver	Pfeifer	Youngdahl
Doughton	Keller	Poage	

NAYS—111

Alexander	Engel	Johnson, Ill.	Rodgers, Pa.
Allen, Ill.	Englebright	Johnson, Ind.	Rogers, Mass.
Andersen, H. Carl	Fish	Jones, Ohio	Routzohn
Andresen, A. H.	Gamble	Kean	Schafer, Wis.
Andrews	Gehrmann	Kilburn	Schiffler
Arends	Gerlach	Kinzer	Seccombe
Austin	Gibbs	Knutson	Secrest
Bates, Mass.	Gifford	Kunkel	Short
Bender	Gilchrist	Lambertson	Simpson
Blackney	Gillie	Landis	Smith, Ohio
Bolles	Goodwin	LeCompte	Springer
Brewster	Guyer, Kans.	Lewis, Ohio	Stefan
Case, S. Dak.	Gwynne	Luce	Sweet
Chiperfield	Hall, Leonard W.	McGregor	Taber
Church	Halleck	McLean	Talle
Clason	Hancock	Martin, Mass.	Thill
Clevenger	Harness	Mason	Thorkelson
Cluett	Harter, N. Y.	Michener	Tibbott
Cole, N. Y.	Hartley	Miller	Tinkham
Corbett	Hess	Monkiewicz	Treadway
Crawford	Hoffman	Mundt	Van Zandt
Crowther	Holmes	Murray	Vincent, Ky.
Curtis	Hope	Pittenger	Wadsworth
Ditter	Jarrett	Reed, Ill.	Wheat
Dondero	Jeffries	Reed, N. Y.	Wigglesworth
Douglas	Jenkins, Ohio	Rich	Williams, Del.
Dworshak	Jenks, N. H.	Robsion, Ky.	Wolcott
Elston	Jensen	Rockefeller	

NOT VOTING—48

Barden, N. C.	Cummings	Mansfield	Schulte
Bradley, Mich.	Darrow	Merritt	Shafer, Mich.
Buck	Faddis	Monroney	Shanley
Burdick	Flaherty	Mouton	Shannon
Burgin	Folger	O'Neal	Sheridan
Byrne, N. Y.	Hill	Patrick	Starnes, Ala.
Carter	Jarman	Pierce	Stearns, N. H.
Clark	Johnson, Lyndon	Plumley	Taylor
Collins	Kee	Risk	White, Idaho
Cooley	Kerr	Ryan	White, Ohio
Cox	Lemke	Schaefer, Ill.	Wood
Creal	McDowell	Schuetz	Zimmerman

So the motion was agreed to.

The Clerk announced the following pairs:

General pairs:

Mr. Cox with Mr. Plumley.
Mr. Folger with Mr. McDowell.
Mr. Kerr with Mr. Risk.
Mr. Cooley with Mr. Carter.
Mr. Starnes of Alabama with Mr. Stearns of New Hampshire.
Mr. Barden of North Carolina with Mr. Shafer of Michigan.
Mr. O'Neal with Mr. White of Ohio.
Mr. Collins with Mr. Bradley of Michigan.
Mr. Mansfield with Mr. Lemke.
Mr. Jarman with Mr. Burdick.
Mr. Patrick with Mr. Faddis.
Mr. Buck with Mr. Schuetz.
Mr. Kee with Mr. Shanley.
Mr. Mouton with Mr. Creal.
Mr. Flaherty with Mr. Lyndon B. Johnson.
Mr. Schulte with Mr. Wood.
Mr. Merritt with Mr. Cummings.
Mr. Byrne of New York with Mr. Schaefer of Illinois.
Mr. Monroney with Mr. Burgin.
Mr. Clark with Mr. Sheridan.
Mr. Taylor with Mr. Hill.

Mr. VAN ZANDT changed his vote from "yea" to "nay."

Mr. FULMER changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 93: On page 51, after line 21, insert the following:

"For the preparation of plans for a new building for the reception and detention of children, to be located on land owned by the District of Columbia in square 2885, $3,675."

Mr. CALDWELL. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 133: On page 77, after line 24, insert the following: "*Provided further*, That not exceeding $15,000 of the foregoing appropriation shall be available for the preparation of plans, working drawings, and specifications for the construction of an underpass at Scott Circle, including necessary changes in surface and underground structures within public property areas now occupied by roadways, sidewalks, walkways, parking, and park reservations: *Provided further*, That upon the completion and approval of such plans by the Commissioners of the District of Columbia the said Commissioners are authorized to submit the project as a Federal-aid highway project to the Public Roads Administration under the provisions of the Federal Aid Highway Act of June 8, 1938 (52 Stat. 633), and upon approval of such project by the Public Roads Administration the Commissioners are authorized to construct such underpass and perform such necessary incidental work and pay the cost thereof from the appropriation contained in this act for Federal-aid highway projects and the District's allocation of funds by the Public Roads Administration authorized by the said Federal Aid Highway Act: *Provided further*, That the necessary transfer of jurisdiction of public land and the relocation of monuments is authorized and directed under the provisions of the Land Transfer Act of May 20, 1932 (47 Stat. 161): *And provided further*, That the Commissioners are authorized to employ necessary engineering and other professional services, by contract or otherwise, without reference to section 3709 of the Revised Statutes (41 U. S. C. 5), the Classification Act of 1923, as amended, and civil-service requirements."

Mr. CALDWELL. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. CALDWELL moves that the House recede from its disagreement to the amendment of the Senate No. 133, and agree to the same with an amendment as follows: In line 10 of said amendment, after the word "Columbia", insert a comma and the following: "The National Capital Park and Planning Commission and the Fine Arts Commission."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 134: On page 79, after line 16, insert the following:

"The unexpended balance of the appropriation of $25,000 contained in the District of Columbia Appropriation Act for the fiscal year 1940 for the preparation of studies, plans and surveys, estimates and investigation of foundation conditions for a grade separation structure in the vicinity of Fourteenth Street and Maine Avenue SW., is hereby continued available for the same purposes during the fiscal year 1941."

Mr. CALDWELL. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 136: On page 82, after line 14, insert the following:

"The Commissioners of the District of Columbia, in connection with the highway planning survey now in progress as a cooperative project with the Public Roads Administration, are directed to make a thorough study to determine the most feasible program for providing parking facilities, other than the public streets, for motor vehicles in the District of Columbia. Such study shall be made with a view to determining, among other things, the type or types and the quantity of such facilities which should be provided, the proper location and the probable cost of such facilities, and the appropriate method of financing the cost of such facilities. The Commissioners shall make a report to the Congress of the results of their study, together with their recommendations, at the earliest practicable date."

Mr. CALDWELL. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 139: On page 85, after line 24, insert the following:

"For the development of a plan to insure an adequate future water supply for the District of Columbia, including engineering and other professional services by contract or otherwise, without reference to section 3709 of the Revised Statutes, the Classification Act of 1923, as amended, or the civil-service requirements, $20,000, to continue available until June 30, 1942."

Mr. CALDWELL. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to; and a motion to reconsider the votes by which the several motions were agreed to was laid on the table.

MILITARY AND NAVAL ESTABLISHMENTS OF GOVERNMENTS OF AMERICAN REPUBLICS

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the joint resolution (H. J. Res. 367) to authorize the Secretaries of War and of the Navy to assist the governments of American republics to increase their military and naval establishments, and for other purposes, with Senate amendments thereto, and consider the Senate amendments.

The Clerk read the title of the joint resolution.

The Clerk read the Senate amendments, as follows:

Page 3, line 7, after "States", insert: "*And provided further*, That no contract shall be entered into under the terms of this joint resolution which shall interfere with or delay the United States in the full use of its shipyards, arsenals, munition plants, and other equipment for its own purposes."

Page 5, after line 13, insert:

"SEC. 6. The Secretary of War and the Secretary of the Navy shall in all contracts or agreements for the sale of such materiel fully protect the rights of all citizens of the United States who

have patent rights in and to any such matériel which is hereby authorized to be sold and the funds collected for royalties on such patents shall be paid to the owners and holders of such patents."

Page 5, line 14, strike out "6" and insert "7."

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BLOOM. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Speaker, the purpose of this bill is to help the American republics and to promote their military and naval establishments through the purchase of war material from our Government-owned factories, arsenals, and shipyards.

My only objection to the bill is that it does not go far enough. There is nothing in the bill about the purchase or acquisition of Government airplanes. I believe every Member of Congress wants to help the Latin-American countries to have better and more powerful air forces. My suggestion, and I take this medium of expressing it to the House, is merely that we give to the Latin-American republics our outmoded airplanes, our old airplanes, and that in return for them we ask the Central and South American nations to give us the use of airports or air bases in these countries in order to have a uniform and united defense of the entire Western Hemisphere.

I hope, therefore, that our Government will—if it has the right, or, if not, ask for proper legislation—give these nations to the south of us our older airplanes so that these countries can use them for training purposes in order to develop their air forces. We ask no money in return. These airplanes should be gifts to those nations. All we ask in return is air fields and air bases in those countries so that in case of emergency they can be used by our air force in a united defense of the Western Hemisphere and the American republics.

Mr. Speaker, this suggestion does not originate with me, it came from Colonel Lindbergh in his speech over the radio a short time ago. He stated that we should not fear any immediate attack by airplanes from any European source, because no airplane had yet been invented that could fly from a base in Europe, come over here, and drop bombs and get back to its base; that if there is any reason for fear of airplane attack from foreign foes, it would come first against Latin America, and we ought to take steps at once to secure air bases there.

Therefore I suggest, following this bill and as a complement to it, that we ought to turn over our older airplanes to the Latin American republics that want them and in return get air bases from them; and, further, Mr. Speaker, I want to point out in answer to certain well-meaning gentlemen who evidently do not know much about international law, certain Members of the House and the Senate who have proposed that we turn over the airplanes and war matériel owned by our Government to certain European nations, that this is a complete and utter violation of the recognized principles of international law. And, moreover, we have agreed to the sixth article of the Hague Convention of 1907, that specifically stated that—

> The supply, in any manner, directly or indirectly, by a neutral power to a belligerent power of warships, ammunition, or war matériel of any kind whatever is forbidden.

Both Germany and the United States are parties to that Convention. It would therefore not only be contrary to international law, as accepted by every nation, but a violation of the specific wording of the Hague Convention of 1907, and would be tantamount to an act of war if we sold our Government-owned planes to any belligerent nation, but it would not be if we sold them to the nonbelligerent nations in Latin America. [Applause.]

[Here the gavel fell.]

Mr. BLOOM. Mr. Speaker, I move that the House concur in the Senate amendments.

The motion was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent that I may extend my own remarks in the RECORD on the Hatch bill and include therein a minority report on that bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

CALENDAR WEDNESDAY

The SPEAKER. This is Calendar Wednesday. The Clerk will call the committees.

Mrs. NORTON (when the Committee on Labor was called). Mr. Speaker, by direction of the Committee on Labor, I call up Senate joint resolution (S. J. Res. 59) authorizing the Bureau of Labor Statistics to collect information as to amount and value of all goods produced in State and Federal prisons, and ask for its immediate consideration.

The Clerk read the Senate joint resolution, as follows:

Senate Joint Resolution 59

Resolved, etc., That for the purpose of furnishing information to the Congress regarding the amount of goods produced in State and Federal prisons, the Bureau of Labor Statistics of the United States Department of Labor is authorized and directed to collect information concerning the amount and value of all goods produced in State and Federal prisons, showing separately the amount and value of goods produced under the State-use, State-account, contract, and piece-price systems.

For the purpose of making this study, there is hereby authorized to be appropriated, from any money in the Treasury not otherwise appropriated, the sum of $20,000. The Commissioner of Labor Statistics is directed to submit the report to the Congress on or before May 1, 1940.

With the following committee amendment:

Page 1, line 7, strike out the word "amount" and insert "character, kind, type, amount."

Mr. NORTON. Mr. Speaker, I ask unanimous consent that the joint resolution be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentlewoman from New Jersey?

There was no objection.

The committee amendment was agreed to.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mrs. NORTON. Mr. Speaker, this completes the business of the Committee on Labor for today.

The SPEAKER. The Clerk will call the next committee.

Mr. LESINSKI (when the Committee on Invalid Pensions was called). Mr. Speaker, I call up the bill (H. R. 7731) to provide for the burial and funeral expenses of deceased veterans of the Regular Establishment who were discharged for disability incurred in the service in line of duty.

The Clerk read the bill, as follows:

Be it enacted, etc., That the first sentence of paragraph II of Veterans Regulations No. 9 (a), as amended, is hereby amended to read as follows:

"II. Where an honorably discharged veteran of any war, or a veteran of any war in receipt of pension or compensation, or a veteran discharged from the Army, Navy, Marine Corps, or Coast Guard for disability incurred in line of duty, dies after discharge, the Administrator, in his discretion and with due regard to the circumstances in each case, shall pay, for burial and funeral expenses and transportation of the body (including preparation of the body) to the place of burial, a sum not exceeding $100 to cover such items and to be paid to such person or persons as may be prescribed by the Administrator."

With the following committee amendments:

In line 6, page 1, insert a comma after the word "war."

In line 7, page 1, strike out the first word "or" and insert a comma after the word "compensation."

In line 8, page 1, strike out the word "or."

On page 2, after line 1, insert "or a veteran of the Army, Navy, Marine Corps, or Coast Guard in receipt of pension for service-connected disability."

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill to provide for the burial and funeral expenses of deceased veterans of the Regular Establishment who were discharged for disability incurred in the service in line of duty, or in receipt of pension for service-connected disability."

INCREASE OF PENSIONS TO DEPENDENTS OF VETERANS OF REGULAR ESTABLISHMENT

Mr. LESINSKI. Mr. Speaker, I call up the bill (H. R. 8243) to provide increases of pension payable to veterans of the Regular Establishment, and for other purposes, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Michigan calls up the bill, H. R. 8243, and asks unanimous consent that the bill be considered in the House as in Committee of the Whole. The Clerk will report the title of the bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That paragraph III of part II of Veterans Regulations No. 1 (a), as amended, is hereby amended to read as follows:

"III. The surviving widow, child, or children, and/or dependent mother or father of any deceased person who died as a result of injury or disease incurred in or aggravated by active military or naval service as provided for in part II, paragraph I hereof, as amended, and persons entitled to pension under the provisions of the general pension law for death resulting from service prior to April 21, 1898, shall be entitled to receive pension at the monthly rates specified next below:

"Widow, age under 50 years, $38; widow, age 50 years or over, $45; widow with one child, $10 additional for such child up to 10 years of age, increased to $15 from age 10 (with $8 for each additional child up to 10 years of age, increased to $13 from age 10) (subject to apportionment regulations); no widow but one child, $20; no widow but two children, $33 (equally divided); no widow but three children, $46 (equally divided) (with $8 for each additional child, total amount to be equally divided); dependent mother or father, $45 (or both) $25 each. As to the widow, child, or children, the total compensation payable under this section shall not exceed $83."

SEC. 2. The pension or increase of pension herein authorized shall commence at the rates herein provided on the date of receipt of application therefor in the Veterans' Administration or the day following the death of the veteran if such claim is filed within 1 year after the date of death of such veteran, but in no event prior to the date of enactment of this act: *Provided*, That notwithstanding the provisions of any other Act, all pensions which may be granted under the general pension law in consequence of death occurring from a cause which originated in the service since the 4th day of March 1861, shall be effective as of the day following the date of death of the veteran if claim is filed within 1 year after the death of such veteran, or otherwise from the date of the application.

SEC. 3. The provisions of this act shall not be construed so as to terminate or reduce any pension heretofore granted, or to deny the increased rates as provided in this act to those whose names are on the pension roll under the general law at the effective date of this act, or deny any right, privilege, or benefit conferred by any pension law now in effect, except as to the effective date of commencement as provided in section 2 of this act.

With the following committee amendments:

Page 2, line 16, strike out the word "compensation" and insert "pension", and in line 17, strike out the word "section" and insert "paragraph."

Page 2, line 18, strike out all of section 2 and insert in lieu thereof the following:

"SEC. 2. As to persons now on the pension rolls or who are in receipt of or applicants for pension under laws in force prior to the date of enactment of this act, the pension or increase of pension at the rates herein authorized shall commence on the first day of the month following the month in which this act is enacted if claim therefor is filed in the Veterans' Administration within 1 year from the date of this enactment; otherwise the date of filing application therefor in the Veterans' Administration; and as to persons not now on the rolls or not in receipt of pension or who do not have an application pending, pension at the rates herein provided shall commence the day following the date of death of the veteran if claim is filed within 1 year following the date of death; otherwise the date of filing application in the Veterans' Administration: *Provided*, That notwithstanding the provisions of any other act, all pensions which may be granted under the general pension law either in consequence of claims pending on the date of enactment of this act or claims filed thereafter in consequence of death occurring from a cause which originated in the service since the 4th day of March 1861, shall be effective as of the day following the date of death of the veteran if claim is filed within 1 year after the death of such veteran, or otherwise from the date of receipt of the application: *Provided further*, That the rates of pension herein authorized shall not be awarded for any period prior to the first day of the month following the month of enactment of this act."

The SPEAKER. The question is on agreeing to the committee amendments.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask recognition on this bill.

The SPEAKER. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I take this time in order to make a brief explanation of the bill. I do not believe that the House should be asked to pass any bill without an explanation of its provisions. This bill is a service-disability and disease pension bill. It is one of the most meritorious measures which has been reported during my 12 years' service as a Member of Congress. The bill merely extends to the widows, orphans, and dependents of members of the Regular Establishments who were killed in line of duty or died of disability or disease contracted in line of duty the same rate of pensions which are payable to World War widows, orphans, and dependents.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. SCHAFER of Wisconsin. Yes.

Mr. MICHENER. Does that mean that if a regular, peacetime soldier dies, his widow is given a pension?

Mr. SCHAFER of Wisconsin. Yes; if the death or contributing cause of death is the result of service. Under existing law if a member of the Regular Establishment dies in line of duty, is killed in an airplane crash, or a submarine disaster, or otherwise, and leaves a widow, that widow can receive only $22 per month pension. This bill would grant that widow a monthly pension of $38, which is equivalent to the pension which a widow of a World War veteran would receive in case the disability or disease which caused or contributed to his death was service connected.

Mr. MICHENER. Then it applies to the pension laws for widows of peacetime soldiers the same as it does to the widows of wartime soldiers?

Mr. LESINSKI. That is true, provided the veteran is killed in line of duty.

Mr. MICHENER. Does it mean where the veteran must die from causes which are traceable to his peacetime service?

Mr. LESINSKI. Both. It must be a service-connected disability.

Mr. SCHAFER of Wisconsin. And in order to service connect a disability or disease under the general law which is applicable to nonwar service we do not have the liberal provision of presumption which is applicable to service-connecting war-service cases.

Mr. MICHENER. There has always been a distinction between pension legislation affecting peacetime soldiers and wartime soldiers, and we must be careful to distinguish when we liberalize pensions for peacetime or professional soldiers and their dependents.

Mr. LESINSKI. The distinction is there. It must be disability incurred in service or death. In other words, where anyone is killed in an airplane crash or in a submarine disaster his widow is entitled to the same pension as the widow of a World War veteran.

Mr. DONDERO. Has any estimate been made as to what this will cost the Federal Government?

Mr. SCHAFER of Wisconsin. Yes. The Veterans' Administration estimate is $2,709,000 a year. That will be paid to widows, orphans, and dependents of men who served in

the Regular Establishments under the Stars and Stripes and were killed in line of duty or died of service-incurred disabilities or diseases. This bill will remove an inequality of the existing laws. Under the so-called Rankin amendment to the World War Veterans' Act, a man who had 90 days' service in a camp who has a service disability of only 1 percent might be run over and killed by a streetcar 15 years after his discharge and his widow will receive $30 a month pension, while under the existing general pension law, which is applicable to members of the Regular Establishment, the widow of a Regular killed in line of duty in an airplane crash or submarine accident today would receive but $22 a month.

I believe that this is the most meritorious pension bill recommended by any committee of Congress. This bill was reported by our committee with a unanimous vote, and I hope that it will pass the House unanimously.

[Here the gavel fell.]

Mr. LESINSKI. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. VAN ZANDT].

Mr. VAN ZANDT. Mr. Speaker, I rise in support of the bill now under consideration because of the fact it recognizes the dependent father, mother, widow, and orphans of deceased members of the Army, Navy, and Marine Corps better known as peacetime veterans whose death resulted from disabilities directly connected with the service.

This bill should not be classified as a pension bill, as it rightfully is, but as a bill that pays compensation to the dependents of commissioned and enlisted personnel of our armed forces. In other words, this bill simply pays compensation to these peacetime veterans and recognizes them as employees of the Federal Government, the same as a Government department worker. As an illustration, let us make a comparison between a member of the Civilian Conservation Corps and a member of our armed forces. A C. C. C. enrollee meets his death while engaged in the Government service. Immediately the United States Employees' Compensation Commission comes forth and provides for the dependents of the deceased C. C. C. enrollee approximately $60 monthly. On the other hand, let us consider the case of Mrs. W. A. Moffett, widow of the late Admiral W. A. Moffett, who was killed when the U. S. S. *Akron* crashed in the Atlantic Ocean some few years ago. Under existing laws Mrs. Moffett receives $22 monthly, whereas if this bill becomes a law her monthly check will be increased to $38.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. VAN ZANDT. I yield to the gentleman from Michigan.

Mr. MICHENER. How does the compensation compare under the compensation law to which the gentleman refers, and this pension proposal?

Mr. VAN ZANDT. If my memory serves me correctly, United States Employees' Compensation Commission pays to the widow of the deceased member of the C. C. C. approximately $60 a month.

Mr. MICHENER. That is based, is it not, upon dependents—others than just a widow?

Mr. VAN ZANDT. The gentleman is correct. The needs of the dependents are taken into consideration.

Mr. MICHENER. Now, that woman had five children. There was a widow and five children and they receive $63 a month compensation as dependents. If there is just a widow and no children, under this bill how much will be paid.

Mr. VAN ZANDT. Thirty-eight dollars a month. If they are over 50 years of age it will be $45 a month, and with one child, $10 additional.

Mr. MICHENER. I am heartily in favor of proper compensation, but in these times we must be very careful about doing things without careful consideration. This is going to add over $2,000,000 to the annual pay roll. It is going to pick out another group of beneficiaries—peacetime beneficiaries.

Mr. VAN ZANDT. In reply to the gentleman from Michigan, it is understood that when a young man joins the Army, Navy, or Marine Corps he is entitled to being properly cared for should he be disabled.

In the event of his death due to his service, it is likewise understood his dependents will receive adequate benefits. Let me repeat again, under the existing law these dependents receive a mere $22 monthly, while, if this will become a law, this amount will be increased to $38.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. VAN ZANDT. I yield to the gentleman from Wisconsin.

Mr. SCHAFER of Wisconsin. In view of the fact that the President believes that war appears to be just around the corner, does not the gentleman think that the passage of this bill is in the interest of national defense? It will increase the efficiency of the Army and Navy and Marine Corps personnel when they realize that should they be called to meet their Saviour face to face, their widows and children and other dependents will at least have sufficient funds to provide food, clothing, and reasonable shelter?

Mr. VAN ZANDT. The gentleman from Wisconsin is correct. This is a contribution to the defenses of our country. Every father or mother who sends forth his son and every woman who sends her husband, should that son or husband become disabled or die as the result of a disability, that father or mother, if dependent, and the wife of the soldier will receive what we call adequate monthly compensation from the Federal Government.

[Here the gavel fell.]

Mr. ROBSION of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. LESINSKI. I yield to the gentleman.

Mr. ROBSION of Kentucky. I note that all of those who have spoken on this bill emphasize persons who are killed in airplanes and submarines. This bill does not simply apply to persons killed or injured in the service, does it?

Mr. LESINSKI. Not only that, he must have a service-connected disability.

Mr. ROBSION of Kentucky. Does it include all diseases?

Mr. LESINSKI. No; service-connected disability.

Mr. ROBSION of Kentucky. Well, I mean diseases.

Mr. LESINSKI. Whatever service-connected disability there is would qualify him.

Mr. ROBSION of Kentucky. If a member of the Army, Navy, or Marine Corps contracts pneumonia or T. B.——

Mr. LESINSKI. And dies, naturally he is entitled to pension.

Mr. ROBSION of Kentucky. Or if he dies after he leaves the service and it could be traced to this disease his widow would still come in under this bill.

Mr. LESINSKI. That is true.

Mr. ROBSION of Kentucky. So it includes diseases as well as traumatic injuries received in line of duty, does it not?

Mr. LESINSKI. That is true.

Mr. BALL. Mr. Speaker, will the gentleman yield?

Mr. LESINSKI. I yield.

Mr. BALL. I understand this applies to the personnel of the Coast Guard also.

Mr. LESINSKI. It includes the Coast Guard and also the marines.

Mr. BALL. I should like to point out to the gentleman from Michigan, who raised the question as to peacetime versus wartime soldiers and sailors, that the Coast Guard is ever on duty in time of peace as in time of war. There is never a time when it is not on duty.

Mr. MICHENER. Yes; but do they not come in under compensation; are they not already taken care of in other ways?

Mr. LESINSKI. This bill takes care of all private establishments that do not come under compensation; and the private establishments are the Army, Navy, Coast Guard, and Marine Corps.

Mr. MICHENER. I do not want to be in the position of opposing this bill, because I am not a member of the Pension Committee and am not entirely familiar with the bill. The gentleman from Pennsylvania, when it comes to veteran matters, whether it be peacetime or wartime, has a

heart that is bigger than the United States Treasury, and we have to make allowances for that. I am not a member of the committee and do not know anything about the details; but, after all, if there ever was a time when the greatest care should be exercised in authorizing new expenditures, it is now, when our national-defense needs are so great. With the present deficit in the Federal Treasury we should be thinking of the present and the future, more than voting for some of the things that may be nice and pleasant and proper if we could afford them.

Mr. LESINSKI. We are attempting to do just that.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. LESINSKI. I yield.

Mr. SCHAFER of Wisconsin. Is it not a fact that the Committee on Invalid Pensions of which the distinguished gentleman from Michigan is chairman, in 1 hour tabled bills which would have cost a hundred or more million dollars annually?

Mr. LESINSKI. The committee tabled bills running anywhere from $5,000,000 to $20,000,000.

Mr. GEYER of California. Mr. Speaker, will the gentleman yield?

Mr. LESINSKI. I yield.

Mr. GEYER of California. What percentage of the committee voted for the bill?

Mr. LESINSKI. It was reported out unanimously.

Mr. GEYER of California. Then it seems to me there should be no objection to the bill.

Mr. BOLLES. Mr. Speaker, will the gentleman yield?

Mr. LESINSKI. I yield.

Mr. BOLLES. I would like to ask the gentleman from Michigan if he realizes the long time that was expended by this committee on this bill in the first place, and in the second place that this committee has gone through this and carefully weeded out hundreds of bills that would have taken a lot of money out of the Treasury.

I have voted against hundreds of thousands of dollars of appropriations in this House, but I do not want to begin with economy when it comes to the effort to do justice to a particular branch of the service of the United States. This is no time to begin to economize. We ought to have begun it at some other time on some other measures which have floated vast sums of money out of the Treasury of the United States.

As a member of the Committee on Invalid Pensions I am for this bill.

Mr. MICHENER. The gentleman says this is no time to begin to economize. We should have commenced this economy business years ago, but we did not. Is that, therefore, any reason why we should not begin to economize now if economy is justified and necessary?

Mr. BOLLES. But it is not justified now.

Mr. MICHENER. If it is not justified, that is something else.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. LESINSKI. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. Is it not true that this is the lowest compensation or pension paid to any group or any department of the Government service?

Mr. LESINSKI. This was the lowest; yes.

Mrs. ROGERS of Massachusetts. And this brings it up?

Mr. LESINSKI. This brings it up a little.

Mrs. ROGERS of Massachusetts. Employees' compensation pays more than either Army or Navy pensions.

Mr. LESINSKI. I would say about twice as much.

Mrs. ROGERS of Massachusetts. It is simply an effort to do something a little more approaching justice to those engaged in the most hazardous work in time of war.

Mr. LESINSKI. The gentlewoman from Massachusetts is correct.

Mr. BALL. Mr. Speaker, will the gentleman yield?

Mr. LESINSKI. I yield.

Mr. BALL. I merely want to call the attention of the gentleman from Michigan to the fact that the Coast Guard are the watchdogs of the Treasury and that they are never at peace.

Mr. MICHENER. There is no question but what we all have the utmost respect for the Coast Guard. But it seems to me that this bill should not be based upon sentiment. We are dealing with cold stark facts. We are dealing with a Treasury that is $45,000,000,000 worse off than nothing. If we pass a bill here today that requires the payment of another single dollar out of the Treasury of the United States for the next 5 years the Government must go out and borrow that money, because no matter what kind of tax bill is proposed, we can not levy enough additional taxes to balance the budget and provide for national defense. We must, therefore, be exceptionally careful about adding unnecessary, even though desirable expenses to the Nation's budget.

Mr. LESINSKI. I may say to the gentleman from Michigan that this committee was very careful, that it tabled many bills, and after careful consideration brought out this measure unanimously.

[Here the gavel fell.]

Mr. LESINSKI. Mr. Speaker, I move the previous question on the amendment.

The previous question was ordered.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PENSIONS TO VETERANS AND DEPENDENTS OF DECEASED VETERANS OF THE INDIAN WARS

Mr. LESINSKI. Mr. Speaker, I call up the bill H. R. 9149, to amend the act of March 3, 1927, entitled "An act granting pensions to certain soldiers who served in the Indian wars from 1817 to 1898, and for other purposes," and ask unanimous consent that this bill may be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. LESINSKI]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the act of March 3, 1927 (U. S. C., title 38, sec. 381; 44 Stat. 1361), is hereby amended to read as follows:

"SECTION 1. That any person who served 30 days or more, or for the duration of one of the campaigns cited in section 1 of the act of March 4, 1917, even though such campaign was of less than 30 days' duration, in any military organization, whether such person was regularly mustered into the service of the United States or not, but whose service was under the authority or by the approval of the United States or any State or Territory in any Indian war or campaign, or in connection with, or in the zone of, any active Indian hostilities in any of the States or Territories of the United States from January 1, 1817, to December 31, 1898, inclusive, the determination as to what constitutes the zone of active Indian hostilities to be made by the Administrator of Veterans' Affairs, and who is now or may hereafter be suffering from any mental or physical disability or disabilities of a permanent character which so incapacitate him for the performance of manual labor as to render him unable to earn a support, shall, upon making due proof of the fact, according to such rules and regulations as the Administrator of Veterans' Affairs may provide, be placed upon the pension roll of the United States and be entitled to receive a pension not exceeding $60 a month and not less than $20 a month, proportioned to the degree of inability to earn a support, and in determining such inability each and every infirmity shall be duly considered and the aggregate of the disabilities shown shall be rated, these rates to be fixed as follows: $20 a month for one-tenth disability, $25 a month for one-fourth disability, $35 a month for one-half disability, $50 a month for three-fourths disability, and $60 a month for total: *Provided*, That any such person who has reached the age of 62 years shall, upon making proof of such fact, be entitled to receive a pension of $30 a month; and in case such person has reached the age of 65 years, $60 a month: *Provided further*, That any such person who is now or hereafter may become, on account of age or physical or mental disabilities, helpless or blind, or so nearly helpless or blind as to need or require the regular aid and attendance of another person, shall be given a rate of $100 a month: *And provided further*, That no one while an inmate of the United States Soldiers' Home or of any National or State soldiers' home, and while the Government of the United

States contributes toward defraying the expense incurred in providing such inmate with domiciliary care, shall be paid more than $50 per month under this act."

SEC. 2. Section 4 of the act of March 3, 1927 (U. S. C., title 38, sec. 381c; 44 Stat. 1363), is hereby amended to read as follows:

"SEC. 4. The pension or increased rate of pension herein provided for shall commence from the date of filing application therefor after the date of enactment of this act in such form as may be prescribed by the Administrator of Veterans' Affairs, or the date of the inception of the requisite condition as shown by the evidence, whichever is the later: *Provided*, That as to veterans who hereafter apply for and receive pension under the provisions of this act, increased pension by reason of disability requiring the regular aid and attendance of another person shall be effective as of the date of inception of the requisite condition as shown by the evidence, but not earlier than the date of the original application for pension hereunder."

SEC. 3. The act of March 3, 1927 (U. S. C., title 38, secs. 381–381d; 44 Stat. 1361–1363), is hereby amended by adding a new section numbered 6 to read as follows:

"SEC. 6. The dependent, unremarried widow of any person who rendered service as described in section 1 of this act, who is barred from receiving pension because her marriage to the veteran occurred subsequent to March 3, 1917, but who is otherwise entitled to pension under section 2 of this act, shall be entitled to pension in her own right and to the additional pension provided for minor and helpless children in said section 2: *Provided*, That she has attained the age of 60 years, was married to the veteran 10 or more years prior to his death, and lived with him continuously from the date of marriage to the date of his death, except where there was a separation which was due to or procured by the veteran without the fault of the widow: *Provided further*, That if pension has been granted to an insane, idiotic, or otherwise helpless child of the veteran or to a child or children of the veteran under 16 years of age, the widow shall not be entitled to the pension authorized by this section until the pension to the child or children terminates, unless such child or children be a member or members of her family and cared for by her; and when these conditions are fulfilled and the pension is granted to the widow, payment of pension to such child or children shall cease; except that in the event the amount being paid to such child or children is less than the amount authorized to the widow by this section, then the difference between said amounts shall be paid to the widow: *Provided further*, That any widow otherwise entitled to pension under this act who has attained or who shall hereafter attain the age of 70 years shall be entitled to and paid a pension at the rate of $40 per month: *Provided further*, That the widow otherwise entitled under this act who was the wife of the veteran during the period of his service in an Indian war or campaign shall be entitled to and shall be paid a pension at the rate of $50 per month. Payment of pension or increase of pension at the rates provided in this section shall commence as provided in section 4 of this act. Pension and increase of pension under this section shall not be paid to the widow who has remarried either once or more than once since the death of the veteran and upon the remarriage of such a widow her pension shall be terminated."

SEC. 4. The act of March 3, 1927 (U. S. C., title 38, secs. 381–381d; 44 Stat. 1361–1363), is hereby amended by adding a new section No. 7 to read as follows:

"SEC. 7. Nothing contained in the provisions of this act shall be construed to discontinue, diminish, or reduce any pension heretofore granted, nor to abridge or deny rights under any law in effect on the date of enactment of this act, nor be held to affect or diminish the additional pension to those on the roll designated as the Army and Navy Medal of Honor Roll, as provided by the act of April 27, 1916, but any pension or increase of pension herein provided for shall be in addition thereto."

SEC. 5. Section 5 of the act of March 3, 1927 (U. S. C., title 38, sec. 381d; 44 Stat. 1363), is hereby amended to read as follows:

"SEC. 5. No agent, attorney, or other person shall, directly or indirectly, solicit, contract for, charge, or receive any fee or compensation for preparing or assisting in the preparation of the necessary papers in the application to the Veterans' Administration for benefits under this act. Any person who shall, directly or indirectly, solicit, contract for, charge, or receive any fee or compensation for such preparation or assistance shall be guilty of a misdemeanor, and each and every offense shall be punishable by a fine of not more than $500 or imprisonment at hard labor for not more than 2 years, or by both such fine and imprisonment."

Mr. MICHENER. Mr. Speaker, may I ask the gentleman to explain this bill before it is acted upon?

Mr. LESINSKI. In reply to the gentleman from Michigan, may I say this grants a pension to certain soldiers who served in the Indian wars. Under the present act, if a certain soldier was on one side of the river, he is not entitled to a pension, although he was a member of a company of soldiers who fought the Indians. However, if he was on the other side of the river, then he is entitled to a pension. This bill equalizes them. It was introduced to give discretion to the Veterans' Bureau to designate which soldiers are entitled to this pension.

Mr. MICHENER. Depending on which side of the river the soldier was on?

Mr. LESINSKI. It all depends.

Mr. MICHENER. As a matter of fact, we have not been fighting the Indians for a number of years. How many years?

Mr. LESINSKI. And there are not many of those soldiers left, either.

Mr. MICHENER. How many years since we had any of these Indian fights?

Mr. LESINSKI. 1898.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. LESINSKI. I yield to the gentleman from Wisconsin.

Mr. SCHAFER of Wisconsin. I will say that on the floor of the House we have seen many Indian fights during this session of Congress.

Mr. MICHENER. Of course, the gentleman is often facetious.

Mr. SCHAFER of Wisconsin. We have observed many hard fights against legislation for the benefit of needy American Indians.

Mr. MICHENER. I do not want to make this a partisan issue.

Mr. LESINSKI. Mr. Speaker, the present rates run from $20 to $55, and the new rates run from $20 to $60. For one-quarter disability the present rate is $20 and the new rate will be $25. For one-half disability the old rate is $35 and the new rate will be $35. For three-quarters disability the old rate is $45 and the new rate will be $50. For total disability the present rate is $55 and the new rate is $60. Under the old rate the helpless and blind received $72 and under this legislation they will receive $100. There are three of that type who will benefit by this legislation.

Mr. MICHENER. How many will be affected by the entire act? What is the estimate as to the annual cost?

Mr. LESINSKI. Eight hundred and thirty-three thousand dollars.

Mr. MICHENER. If this bill is enacted into law, it will add almost a million dollars annually to the burden of our Federal Treasury. The Government must borrow this money to pay these Indian war pensions. Are there any bills which will be called up today for the relatives of those who participated in the Revolutionary War?

Mr. LESINSKI. I only remember one case, and that grows out of the War of 1812. It has to do with a dependent child.

Mr. MICHENER. What is the position of the Administrator of the Veterans' Bureau, who I presume speaks for the administration?

Mr. LESINSKI. This bill was prepared by members of the Veterans' Bureau and under their direction.

Mr. MICHENER. I notice in the report filed by the committee that the Administrator, General Hines, is unable to approve of the bill. He states among other things:

> Advice has been received from the Bureau of the Budget that the enactment of the proposed legislation would not be in accord with the program of the President.

The gentleman from Michigan is bringing legislation in here that is opposed to the program of the President in these perilous days. How does he justify that?

Mr. LESINSKI. The Bureau of the Budget can make a report, and we find they always make the same kind of a report, but it is not always in conformity with the President's wishes.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. LESINSKI. I yield to the gentleman from Wisconsin.

Mr. SCHAFER of Wisconsin. The gentleman should not be accused of bringing this legislation before the House. The gentleman is merely following the direction of a unanimous vote of the members of the Committee on Invalid Pensions. Under our Constitution the Congress still legislates and appropriates, and not the Bureau of the Budget or any other bureau of the Government. Is that not a fact?

Mr. LESINSKI. The gentleman is correct.

Mr. SCHAFER of Wisconsin. If the Treasury is nearly bankrupt, let us not practice all our economy at the expense

of the Nation's old and disabled war veterans, their widows, and orphans. Let us practice economy and stop playing Santa Claus to people in foreign countries. Let us stop bringing billions of dollars' worth of their gold into this country and paying them the New Deal inflated price of $35 an ounce instead of the normal pre-New Deal value of $20.67 an ounce. If we do not have enough money to properly take care of these old and disabled veterans who fought to preserve this Nation, their widows, and dependents let us repeal the New Deal Santa Claus bill under which the Export-Import Bank is raiding our almost bankrupt Federal Treasury and handing hundreds of millions of dollars to people in foreign lands. Let us also move to collect more than $13,000,000,000 which foreign debt-defaulting countries now owe our Federal Treasury.

Mr. MICHENER. I can agree with what the gentleman from Wisconsin says, still that has not anything to do with this bill. If we have not been prudent in our spending there is no justification to continue making the Federal deficit worse. In these days of preparedness we are trying to raise money, we are going to be selling bonds within the next few months, and we are going to be making a canvass of our people to raise money in order to protect our very national existence.

I cannot understand a committee that will bring in unanimously and attempt to justify a bill which has the opposition of the Budget authorities, of the administration, and of all those who are responsible for our present financial condition. It seems to me that the gentleman from Michigan, the chairman of the committee, one of the leaders of the majority, representing this great committee, should not bring in a bill of this kind and ask us to pass it in these perilous times.

Mr. ALEXANDER. Mr. Speaker, will the gentleman yield?

Mr. LESINSKI. I yield to the gentleman from Minnesota.

Mr. ALEXANDER. Is there any evidence or information in the file as to the need of the people who will be benefited by this bill?

Mr. LESINSKI. I understand there is. During the hearings it developed that these people are in want. They are old people and, naturally, not being able to get additional compensation elsewhere, they turned to the committee for this additional compensation.

Mr. ALEXANDER. Then would not the question be, From what fund this help is coming? In other words, it is coming out of the local treasuries of the counties or the cities where these people live unless we take it out of the Federal funds?

Mr. LESINSKI. That is correct.

Mr. BOLLES. Mr. Speaker, will the gentleman yield?

Mr. LESINSKI. I yield to the gentleman from Wisconsin.

Mr. BOLLES. I wish to call the attention of the gentleman from Michigan to the fact that practically all the men who will receive benefits under this bill are from 75 to 90 years old. They are not young Indian fighters as we would know them in the days when they fought Indians.

I may also say for the benefit of the gentleman from Michigan that there is no provision in this bill benefiting any soldier of the Revolutionary War or any of those who participated with Andrew Jackson in the Battle of the Creeks, or Richard the Lionhearted in the Crusades. [Laughter.]

May I say further that General Hines sat in on all the conferences on this bill. The bill was not written by the committee, but was written mostly in General Hines' office.

Mr. GIFFORD. Mr. Speaker, will the gentleman yield?

Mr. LESINSKI. I yield to the gentleman from Massachusetts.

Mr. GIFFORD. I want to extend a word of comfort to the gentleman. Of course, I want to vote for this bill. The gentleman has been harassed about the national debt. There is no national debt, because we owe it to ourselves, and later we are going to tax ourselves and pay ourselves a pension. The gentleman recalls those words recently pronounced.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. LESINSKI. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. Is it not true that all the veterans and widows as a class who would be benefited by this bill are older than the veterans of the Spanish-American War and their widows?

Mr. LESINSKI. Much older. The rates for the widows and dependent children are according to the Civil War rates, and for the veterans according to the Spanish War rates.

Mr. CASE of South Dakota. This is an attempt, then, to wipe out the discrimination against these older veterans that has existed for many years?

Mr. LESINSKI. That is correct.

Mr. BOLLES. They are on a par with the Civil War veterans.

Mr. VAN ZANDT. Mr. Speaker, will the gentleman yield?

Mr. LESINSKI. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. The average age of the Civil War veterans today is 95, and the average age of the Spanish-American War veterans is 67.

Mr. LESINSKI. That is correct.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. LESINSKI. Mr. Speaker, this concludes the business of the Committee on Invalid Pensions.

WIDOWS OF SPANISH-AMERICAN WAR VETERANS

Mr. SMITH of Washington (when the Committee on Pensions was called). Mr. Speaker, by direction of the Committee on Pensions, I call up the bill (H. R. 2301) to amend section 2 of the act entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the War with Spain, the Philippine Insurrection, or the China Relief Expedition, to certain maimed soldiers, to certain widows, minor children, and helpless children of such soldiers and sailors, and for other purposes", approved May 1, 1926.

The Clerk read the title of the bill.

Mr. SMITH of Washington. Mr. Speaker, this is a very important bill. I therefore ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The SPEAKER pro tempore (Mr. RAYBURN). Is there objection to the request of the gentleman from Washington?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2 of the act entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the War with Spain, the Philippine Insurrection, or the China Relief Expedition, to certain maimed soldiers, to certain widows, minor children, and helpless children of such soldiers and sailors, and for other purposes," approved May 1, 1926 (Public, No. 166, 69th Cong., 1st sess.), wherein for pension purposes the marriage date is defined as September 1, 1922, be, and the same is hereby, amended by striking out the date "September 1, 1922," and inserting in lieu thereof the date "January 1, 1938."

Mr. SMITH of Washington. Mr. Speaker, this bill comes before the House with a unanimous report of the Pensions Committee. It will affect about 2,000 widows of Spanish War veterans, the average age of whom is 61 years, who will receive $30 per month. The cost is estimated at $739,000 per annum, which will gradually increase. Hearings were held and the bill was very thoroughly considered by the committee before it was unanimously reported.

Mr. ROBSION of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Washington. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. Under the present law, as I understand, his widow must have married the Spanish-American War veteran before September 1, 1922, and this moves up the date to January 1, 1938?

Mr. SMITH of Washington. The gentleman is correct, and the average age of widows of Spanish War veterans is 61 years, I may say to the gentleman.

Mr. ROBSION of Kentucky. Under the present law no widow of a Spanish-American War veteran, unless she married him before September 21, 1922, is entitled to a pension?

Mr. SMITH of Washington. The gentleman is correct, and this bill will include a considerable group who have married the veterans prior to January 1, 1938. We have had pending before our committee approximately 50 or 60 private bills for the relief of these widows who are not eligible under present law. I believe the gentleman from Kentucky has introduced one of those bills.

Mr. ROBSION of Kentucky. Yes.

Mr. SMITH of Washington. These are very worthy cases of widows who cannot qualify under the present law and have lived with the veterans as their wives all these years and who certainly, by every measure of justice, should be entitled to receive the modest sum of $30 per month.

Mr. ROBSION of Kentucky. I believe it is a very meritorious bill, and I am glad to give it my support.

Mr. SMITH of Washington. I thank the gentleman for his contribution.

CALL OF THE HOUSE

Mr. COLE of New York. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. SMITH of Washington. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 143]

Barden, N. C.	Healey	Mouton	Schulte
Barton, N. Y.	Hill	O'Neal	Shafer, Mich.
Buckley, N. Y.	Jarman	O'Toole	Shannon
Burdick	Jeffries	Randolph	Smith, Ill.
Burgin	Johnson, Lyndon	Reece, Tenn.	South
Camp	Keller	Reed, N. Y.	Stearns, N. H.
Darrow	Kerr	Risk	Sutphin
Eaton	Kleberg	Robinson, Utah	Tarver
Elliott	Lemke	Ryan	Wadsworth
Flaherty	Mansfield	Sabath	Walter
Folger	Marshall	Sacks	White, Ohio
Gross	Merritt	Schaefer, Ill.	Wood
Hall, Leonard W.	Monroney	Schuetz	Zimmerman

The SPEAKER pro tempore. On this roll call 379 Members have answered to their names, a quorum.

Further proceedings under the call were dispensed with.

ELIMINATION OF TAX ON BRANDY AND WINE SPIRITS

Mr. BUCK, from the Committee on Ways and Means, reported the bill (H. R. 9117) to eliminate the tax on brandy and wine spirits used in the fortification of wine; to increase the tax on wine; to compensate for the loss of revenue occasioned by the elimination of the tax on brandy and wine spirits used in the fortification of wine, and for other purposes, which was read a first and second time, and with the accompanying papers, referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

COMMITTEE ON FOREIGN AFFAIRS

Mr. BLOOM. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs may have until 12 o'clock tonight to file a report.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

WIDOWS OF SPANISH-AMERICAN WAR VETERANS

Mr. SMITH of Washington. Mr. Speaker, when the point of no quorum was made, the House had under consideration as in Committee of the Whole the bill (H. R. 2301), a bill benefiting, it is estimated, 2,000 widows of veterans of the Spanish War, who would be eligible to receive the sum of $30 per month at an estimated total cost of $739,000 annually. The records of the Veterans' Administration indicate that the average age of these widows is 61 years and the average age of the Spanish-American War veteran is now 65 years. The committee reported the bill unanimously after complete hearings and the bill was supported by the United Spanish War Veterans and by the Veterans of Foreign Wars. It changes the restricting date on marriage for Spanish War widows for eligibility for pensions from September 1, 1922, to January 1, 1938. That is all that the bill does.

Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GERMAN-AMERICAN RELATIONS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, about 1 week ago the Boston Traveler carried an editorial in which it criticized the activities of the Nazi government in the present conflict in relation to the attack upon civilians and the taking of human life unnecessarily, and as a result of the editorial of the Boston Traveler the editor of the Boston Traveler received a letter from the office of the German consul in Boston, which reads as follows:

> This consulate has read the editorial, Let Us Be Realistic, published in your paper of May 28, in which the head of a nation with whom the United States of America entertains diplomatic relations is insulted in such uncivilized expressions that this consulate in the future must refuse to give your paper any information in whatever matter it may be.

I call your attention to the language used whereby in this letter the German consul at Boston, through one of his office associates, undertakes to censor an American newspaper. Things like this do not happen in the United States. Action of this kind might occur in a totalitarian state, but actions of this kind are inconsistent with the fundamental law of our country. The effort to censor this newspaper is a challenge to the freedom of the press of the United States.

This letter, in my opinion, constitutes a violation of the position that the German consul at Boston occupies under international law as the accredited representative of a foreign government in his undertaking to censor an American newspaper and by such censorship attempting to interfere with the rights this newspaper enjoys under our Constitution.

Mr. CASEY of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to my colleague from Massachusetts.

Mr. CASEY of Massachusetts. I am happy to cooperate with the gentleman in this matter. I think the differences involved are the differences between the Nazi way and the American way. The Nazi way knows no freedom of press. The American way, of course, believes in freedom of press as one of the cornerstones and bulwarks of democracy, and I am sure the Boston Traveler or any other American newspaper will not be dissuaded from printing whatever they believe to be right, despite this attempt to intimidate and coerce by withholding information.

Mr. McCORMACK. I thank my friend.

Mr. CASEY of Massachusetts. May I also add that the Dies committee has sent an investigator this afternoon to investigate the matter.

Mr. McCORMACK. I was going to make that observation.

I have called this to the attention of the State Department. Five years ago, when I was chairman of the special committee which preceded the Dies committee, we uncovered amazing evidence of the activities of the Nazis in this country, and we discovered that the main source, by and through which these activities were engaged in this country, was through certain German consuls.

This letter constitutes a violation of one of the premises upon which a consul of another country is recognized by our State Department. I have asked the State Department to investigate it and I have called it to the attention of the Dies Committee. This is not a question of the Boston Traveler alone. This question involves a challenge to the freedom of the press of the United States, and the State Department, I am sure, will make its investigation and the State Department I am equally sure will, and in any event, ought to take such action as will prevent a recurrence on the part of this consul or upon the part of representatives of any other government of the world, and such other actions as are deemed necessary.

The editorial and letter referred to follow:

[From the Boston Traveler of June 4, 1940]

LET US BE REALISTIC

This creature Hitler will never be beaten by the "rules of civilized warfare." Somebody has got to get right down in the gutter with him and fight the way he fights, only more cruelly. Don't get an idea we "have got to get into it," but, above all else, don't get an idea we do not need to defend ourselves.

This is no time to prate about humanitarian ideals. The Allies are dealing with a wild beast. Yes, worse; dealing with a monster utterly lacking in principle. His word is no good, his methods are satanic. In the night he murdered Belgium and Holland while the good people of those countries believed no state of war existed.

You will be told that Hitler is a genius and a mystic. He is no such thing. Hitler is merely an ex-guttersnipe, a mediocre little man with a mediocre mind, acting just as any fanatical, substandard person would act if given unrestricted use of modern instruments of science such as the microphone, the gasoline engine, and the chemical laboratory. The fool cannot even see that he is destroying himself and his people; that he is bringing the temple of civilization crashing down upon himself.

Hitler is just a dirty gutter fighter. Hitler and his bullies stop at nothing to destroy their victims. We Americans are potential victims.

Then let us stop at nothing in preparing our defenses. Let us get over our squeamishness and get tough. Hitler and his banditti try to torture their victims with threats of terrifying "new and secret weapons." So what in the name of common sense should we do?

We should set American science to work devising the most hellish instruments of defense the mind can conceive. Let us make it clear—instruments of defense.

Would we thus drag ourselves down to the level of the infamous beast of Berlin? Would we thus be acting as pious hypocrites? Would we be damning ourselves in the eyes of God?

We don't know.

But we do know that there is loose upon the face of the earth a force that scorns every principle that in conscience we believe to be divine. This mad force must be restrained.

Plainly it is man's duty to defend the eternal verities, to meet any diabolical challenge to the dignity of the human soul. The instruments of defense are available. If a beneficent God, as we believe, cast an archangel into eternal fire, why should we be choosey about what we may have to do to Hitler the Horrible and his horde?

GERMAN CONSULATE,
Boston, Mass., May 31, 1940.

TO THE CITY EDITOR OF BOSTON TRAVELER.

DEAR SIR: This consulate has read the editorial, Let Us Be Realistic, published in your paper of May 28, in which the head of a nation, with whom the United States of America entertains diplomatic relations, is insulted in such uncivilized expressions that this consulate in the future must refuse to give your paper any information in whatever matter it may be.

Very truly yours,

THE GERMAN CONSUL.
By BÖHME.

Mr. McCORMACK. The Boston Traveler is one of our very best newspapers. The editorials of this newspaper are written by Joe Toye, who is one of the outstanding newspaper men and editorial writers of our country. His editorials are always predicated upon sound and affirmative Americanism.

I know, as my distinguished friend from Massachusetts [Mr. CASEY] well said, that the un-American effort of the German consul's office at Boston to intimidate and coerce the Boston Traveler will have no effect upon its editorial policy, or the editorial policy of any other newspaper.

The State Department should not, and cannot, permit such actions to take place, when called to their attention, without necessary steps being taken to prevent their recurrence.

Mr. Speaker, I ask unanimous consent to include in my revision the editorial referred to.

The SPEAKER pro tempore. Is there objection?

Mr. HOFFMAN. Mr. Speaker, reserving the right to object, will there be any opportunity for anyone to add to what the gentleman has said before the day is over?

The SPEAKER pro tempore. When the next bill is called a Member can move to strike out the last word and get recognition for 5 minutes. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER pro tempore. The Clerk will continue the call of committees.

The Clerk called the Committee on Irrigation and Reclamation.

The SPEAKER pro tempore. The Chair asks unanimous consent that the further call of committees be dispensed with.

Mr. DICKSTEIN. Mr. Speaker, it is my understanding that the Committee on Immigration and Naturalization, of which I am the chairman, was to be called, and I have instructions from that committee to call up certain bills.

The SPEAKER pro tempore. The Chair understands that the Committee on Irrigation and Reclamation has a bill which is controversial, and which would probably take the rest of the afternoon.

Mr. DICKSTEIN. Mr. Speaker, I can only repeat that my understanding was that my committee would be called, and I have very definite instructions from the committee to call up bills that are not controversial.

The SPEAKER pro tempore. The Chair understands that in the nature of the call, if the Committee on Irrigation and Reclamation claimed its right, the gentleman's committee would not be reached in any event.

Mr. DICKSTEIN. May I ask the Chair whether we are going to have another Calendar Wednesday?

The SPEAKER pro tempore. There will be another Calendar Wednesday between now and adjournment, but the Chair does not think it would be next Wednesday.

Mr. MICHENER. Mr. Speaker, I reserve the right to object in order to have it clearly understood that if the gentleman from New York wants to call up a bill from a committee called today that he can do it, but he cannot now sit down and not do it and then later complain that he has been deprived of having his bills called up. He is given his day, and he is given his hour, and there is not any power in this body that can take it away from him. The Speaker cannot take it away from him. It is his; and if he consents to stand aside now, he is doing it on his own volition.

Mr. DICKSTEIN. But I am not. I was hoping to get a day, and I have been waiting for it for 2 years.

Mr. MICHENER. The gentleman has got it now.

Mr. DICKSTEIN. Then, Mr. Speaker, I must reluctantly object to the request made by the present occupant of the chair.

The SPEAKER pro tempore. The Clerk will call the next committee.

The Clerk called the Committee on Immigration and Naturalization.

ADMISSION TO CITIZENSHIP OF ALIENS WHO CAME TO THIS COUNTRY PRIOR TO FEBRUARY 5, 1917

Mr. DICKSTEIN. Mr. Speaker, by direction of the Committee on Immigration and Naturalization, I call up the bill (H. R. 6381) for the admission to citizenship of aliens who came into this country prior to February 5, 1917, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That a new subdivision is hereby added to section 4 of the Naturalization Act of June 29, 1906 (34 Stat. 596), as amended, to read as follows:

"15. Any alien eligible for citizenship who is 50 years of age or more, who made a declaration of intention or filed a petition for naturalization prior to the enactment of the Social Security Act of August 14, 1935 (49 Stat. 620; U. S. C., title 42), and who was lawfully admitted to the United States for permanent residence prior

to February 5, 1917, and has ever since said lawful entry maintained a bona fide residence in the United States, may be naturalized upon full and complete compliance with all requirements of the naturalization laws, with the following exceptions: Petition for naturalization may be filed without regard for the 7-year limitation on the declaration of intention, and the applicant shall not be required to sign his petition in his own handwriting or to speak the English language, and he shall be exempt from all educational requirements. Nothing herein shall be held to waive or in anywise relax the requirement for good moral character."

Mr. DICKSTEIN. Mr. Speaker, this bill has had the study and consideration of the Committee on Immigration for the last 2 years. It comes here with the unanimous report of the full committee and we urge its passage. The bill will simply take care of very old people who have come to this country prior to 1917. Most of them have American families, children, grandchildren, but because of the literacy test required of persons who apply now for citizenship they are unable to secure their citizenship papers. With the exception of the educational requirement, this bill does not change any other qualifications they must have under the present law. They must show that they are in the country legally, that they have not committed any crime. It would be a great thing for the country to take care of these old people who cannot meet the present educational requirements, and in a great measure it would assimilate a lot of so-called aliens we hear about, who cannot under the present stringent and strict rules and interpretations by some of the courts, pass the literacy test.

Mr. COCHRAN. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. Yes.

Mr. COCHRAN. The gentleman seeks by this legislation to provide for the naturalization of aliens who have been here for 23 years but who cannot read or write the English language. Does he think that is sound legislation?

Mr. DICKSTEIN. I will say to the gentleman that some of the people I am talking about are now 50, 60, and 70 years of age. They have toiled and worked hard to raise their families and could not possibly go to school, as some other gentlemen have had the opportunity to do, and be able to answer a lot of questions dealing with the Constitution of the United States. Some of them can read and write, but they cannot answer all these questions. The point of the matter is that these old people ought to be given an opportunity to become citizens of the country for which they have been working for years, irrespective of their disability to pass a rigid literacy test.

Mr. BULWINKLE. Will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. BULWINKLE. How many of these people are there?

Mr. DICKSTEIN. I think it will affect several hundred thousand. They have been in this country almost 30 or 40 years.

Mr. BULWINKLE. Has nobody furnished your committee a statement of how many of these people were turned down on account of not being able to read and write?

Mr. DICKSTEIN. No. As far as I know, there is no statement. As far as I know, some of these people tried to comply and could not answer some of the questions. They must have been here before 1917; they must be here legally; they must comply with all the other provisions of the law.

Mr. COCHRAN. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. COCHRAN. By this bill you are going to give to these aliens, several hundred thousand, who have been here 23 years and cannot read or write, the same right of suffrage that you give to an American citizen?

Mr. DICKSTEIN. Yes.

Mr. COCHRAN. Well, I object to it and I am not going to vote for any such legislation.

Mr. DICKSTEIN. I am not asking the gentleman to vote for it. He can do as he pleases.

Mr. Speaker, I yield to the gentleman from Illinois [Mr. MASON].

Mr. MASON. Mr. Speaker, this is a meritorious bill. It has passed the House, or a similar bill containing practically the same provisions has passed the House in the last session and went to the Senate, but because of lack of time it received no action in the Senate.

This bill pertains to old people, all over 50 years of age; some of them 60 and some 70 years of age, who are aliens, who have been in this country previous to 1917. So every single one of them must have been in this country for more than 23 years. It applies to those people who can qualify for citizenship and naturalization in every manner but in the educational requirement. Those people came here at maturity, before 1917. They went to work. They have been here working hard, supporting their families and giving their families educational opportunities, every single one of them, but they have been unable to get it themselves, and, therefore, lack that one qualification for citizenship, and that one only.

The bill is changed from the one that was passed in the date that they must have declared their intention to become a citizen. That date now is previous to the time the Social Security Act went into effect, so that they cannot now qualify and declare their intention in order to come in under the provisions of the Social Security Act. Our committee protected that. They must have made their declaration before that date.

I consider that this bill, having once passed the House without that amendment which protects the social security, and having received the unanimous support of the members of the Committee on Immigration and Naturalization, should be passed at this time. I see no objection to this bill.

Mr. BULWINKLE. Will the gentleman yield?

Mr. MASON. I yield to the gentleman.

Mr. BULWINKLE. Does the gentleman know how many people are affected by this bill?

Mr. MASON. No; we could not find that out, but it is approximately several hundred thousand.

Mr. BULWINKLE. Do you know how many are male and how many female?

Mr. MASON. We do not, but it does not make any difference, in my estimation, how many it covers, as long as they are deserving of naturalization and only lack that one qualification.

Mr. BULWINKLE. Oh, yes; it certainly does. How does it affect the Japanese on the Pacific coast?

Mr. MASON. That has nothing to do with the Japanese because the Japanese are not qualified for citizenship in other ways.

Mr. BULWINKLE. Did all of these people enter legally?

Mr. MASON. All of them entered legally. There is a clause which provides that they must have entered legally before 1917.

Mr. THOMAS of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. MASON. I yield.

Mr. THOMAS of New Jersey. How did the committee decide on the age of 50 years? Why did they select 50 years?

Mr. MASON. The committee discussed several ages and we said that they, having been here 23 years, 50 years would mean that if they entered here before they were 27 they ought to have had a chance to get an education. But I am a school teacher, and mature people find it very difficult in their old age to meet educational requirements, but they are just as good residents as anyone else.

Mr. THOMAS of New Jersey. The reason I brought that point up was that this Congress will determine the age at 50 years, and then in the next Congress perhaps the committee will have another bill here to make the age 45 years.

Mr. MASON. Then you should vote that other bill down.

Mr. THOMAS of New Jersey. I am going to vote this one down. [Laughter.]

Mr. MASON. All right.

Mr. MAGNUSON. Will the gentleman yield?

Mr. MASON. I yield.

Mr. MAGNUSON. I will say to the gentleman from North Carolina [Mr. BULWINKLE] that on the Pacific coast this will

not affect the Japanese fishermen, but it will affect about two or three thousand Scandinavians in Alaska who have been fishing up there ever since Alaska became a part of this country, and they have never been near a schoolhouse, but they are some of the best citizens we have on the Pacific coast.

Mr. SHORT. Are these aged people now eligible for relief and social-security benefits?

Mr. DICKSTEIN. No.

Mr. SHORT. Will the passage of this legislation make them eligible?

Mr. DICKSTEIN. No; not until they have become citizens.

Mr. HAWKS. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. HAWKS. I am inclined to be in favor of this bill because even in my own good American district in Wisconsin there are any number of old Scandinavian and German families who have been there for years and who are the best kind of citizens.

Mr. MACIEJEWSKI. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. MACIEJEWSKI. The passage of this bill will save consideration of a great many private bills, will it not?

Mr. DICKSTEIN. Yes; we are constantly bringing in private bills to cover this very proposition.

Mr. EBERHARTER. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. EBERHARTER. Is the gentleman informed whether the Labor Department and Department of Justice are in favor of this bill?

Mr. DICKSTEIN. Both. We have consulted them, and neither one objected.

Mr. EBERHARTER. The Department of Justice and the Department of Labor both favor this measure?

Mr. DICKSTEIN. The Department of Labor and the Department of State. We did not consult the Department of Justice because they were not concerned with the subject at that time.

Mr. SECREST. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. SECREST. Would this bill make the aliens in question eligible for old-age pensions?

Mr. DICKSTEIN. No; not until they have become full-fledged citizens and come within the statute.

Mr. BROOKS. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. BROOKS. How will the fingerprinting proposition be affected by this bill?

Mr. DICKSTEIN. Not in any way at all. This just affects that class which lacks that one qualification.

Mr. Speaker, I move the previous question.

Mr. JENKINS of Ohio. Mr. Speaker, I have been on my feet seeking recognition; I would like to be heard on the bill.

The SPEAKER pro tempore. The gentleman from New York has control of the time.

Mr. JENKINS of Ohio. A parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. JENKINS of Ohio. Did he not lose the floor when he yielded to the gentleman from Illinois?

The SPEAKER pro tempore. The gentleman from New York yielded time to the gentleman from Illinois, but did not yield the floor.

Mr. DICKSTEIN. Mr. Speaker, I withhold my motion and yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. Mr. Speaker, I would just like to say this, that bills similar to this have been on the calendar for the last 15 years and have been knocked off the calendar a great many times.

Not to make a long speech, I just want to bring out this one thought: The bill fixes the age at 50 years. If there is any merit in the bill there ought not to be an age limit at all, but it should let everybody in who came to this country prior to this time. It ought not to make a discrimination between one who is 51 and another who is 49. In just a sentence, the purpose of this bill is to enable 750,000 people who are aliens but who cannot be deported—there is no question of that—enable them to get on W. P. A. and make them eligible for old-age pensions. Now, if you want to do that, vote accordingly.

Mr. DICKSTEIN. Mr. Speaker, to answer the gentleman from Ohio, let me say that this bill has not been in this Congress for 15 years. It has been here 2 years exactly. I think the gentleman is in error when he said it has been here 15 years.

Mr. JENKINS of Ohio. I said bills of this kind.

Mr. DICKSTEIN. I do not know about bills of this kind.

Mr. JENKINS of Ohio. That is what I said.

Mr. DICKSTEIN. We have studied this thing for 2 years. When the bill was on the Consent Calendar it almost passed. But someone nudged someone else on the other side and there was one objection . Then on the second Consent Calendar day there were two objections. Those were the only objections to the bill. The first objection to the bill was ready to let it go through the second time.

Every civic, social, and patriotic organization has endorsed this measure. There is no objection from any section of the country. It does not do anything for any aliens who were here prior to 1917 except to let them declare their intention to become citizens. It does not affect them insofar as social security is concerned. They are out of that category entirely. It is just to give these old people who struggled to raise and bring up their families, who saved and spent their money to educate their children, these old people who under the pressure of making a living were not able to go to school, a chance to overcome that handicap and not be denied citizenship because they cannot name the men who composed the Cabinet of President Washington. I venture to say very few Members of Congress could answer that question.

Mr. SECREST. Mr. Speaker, will the gentleman yield for a brief question?

Mr. DICKSTEIN. I yield for a brief question.

Mr. SECREST. In Ohio we have never been able to pay the $30 old-age pension because of lack of funds.

Mr. DICKSTEIN. I think the gentleman has been answered several times, that this has nothing to do with old-age pensions or with social security at all. This problem will not come up until they have become full-fledged citizens and comply with the laws of the States or Federal Government as the case may be.

Mr. BULWINKLE. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield for one question.

Mr. BULWINKLE. I want to know, since Reorganization Plan No. V has gone into effect, whether the Department of Justice has approved this legislation.

Mr. DICKSTEIN. We have nothing to do with the Department of Justice. We have consulted the Department of Labor, the Department of State, and other groups, and there was not one which was against this legislation.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. SCHAFER of Wisconsin. Is the gentleman certain that this bill will not automatically cover into United States citizenship many members of the so-called "fifth column," Communists, Nazis, or Fascists? I ask this question in all seriousness.

Mr. DICKSTEIN. I am just as much in sympathy with the gentleman's suggestion as he is, but the fact is that they must qualify under court proceedings, they must go through the formality and pay their fees, they must be checked and rechecked before they are admitted to citizenship.

Mr. MASON. Will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from Illinois.

Mr. MASON. I will guarantee the gentleman from Wisconsin that it does not cover that type because they have

been here over 23 years ago, and 23 years ago was before they ever thought of the "fifth column."

Mr. SCHAFER of Wisconsin. Oh, no. The Communists have been here for many years.

Mr. MARTIN J. KENNEDY. Will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from New York.

Mr. MARTIN J. KENNEDY. Will my colleague tell us why February 5, 1917, was selected?

Mr. DICKSTEIN. Because that was the first Immigration Act to be passed. The gentleman must bear in mind that prior to that time there was no literacy test for citizenship. The literacy test for citizenship was put on subsequently to that time and these people were caught in the swing. The date that we fixed in 1917 was the date of the first immigration law that we passed.

Mr. MARTIN J. KENNEDY. Therefore all those who applied before that time were not compelled to comply with any literacy test?

Mr. DICKSTEIN. No; not at all. That is the reason that we excused them.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore (Mr. RAYBURN). The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Mr. BENDER. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were refused.

Mr. COCHRAN. Mr. Speaker, I ask for a division.

The House divided; and there were—ayes 94, noes 87.

Mr. COCHRAN. Mr. Speaker, I object to the vote on the ground there is not a quorum present.

The SPEAKER pro tempore. The Chair will count. [After counting.] Two hundred and twenty-five Members are present, a quorum. The bill is passed.

Mr. COCHRAN. Mr. Speaker, I ask for tellers.

Mr. DICKSTEIN. Mr. Speaker, I think the gentleman's request comes too late.

The SPEAKER pro tempore. The Chair does not think so.

Mr. DICKSTEIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. DICKSTEIN. Do I understand that after the Speaker announces the passage of the bill they can go back and ask for tellers?

The SPEAKER pro tempore. Under the present occupant of the chair, yes.

Mr. DICKSTEIN. That is news to me, and I think it is going a little too far.

The SPEAKER pro tempore. The gentleman from New York [Mr. DICKSTEIN] is out of order and he will take his seat. The Chair thinks the gentleman from Missouri [Mr. COCHRAN] was endeavoring to ask for a division.

Tellers were ordered, and the Chair appointed Mr. DICKSTEIN and Mr. COCHRAN to act as tellers.

The House again divided; and the tellers reported there were—ayes 111, noes 98.

Mr. MARTIN J. KENNEDY. Mr. Speaker, I demand the yeas and nays.

The SPEAKER pro tempore. The yeas and nays have already been refused.

So the bill was passed.

A motion to reconsider was laid on the table.

AMENDMENT TO SUBSECTION (D) OF SECTION 4 OF THE ACT OF CONGRESS APPROVED MAY 26, 1924 (43 STAT. L. 155; U. S. C., TITLE VIII, SEC. 204 (D))

Mr. DICKSTEIN. Mr. Speaker, by direction of the Committee on Immigration and Naturalization, I call up the bill (H. R. 8753) to amend subsection (d) of section 4 of the act of Congress approved May 26, 1924, entitled "An act to limit the immigration of aliens into the United States, and for other purposes."

The Clerk read the title of the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That subsection (d) of section 4 of the act of Congress approved May 26, 1924 (43 U. S. Stat. L. 155; U. S. C., title 8, sec. 204 (d)), entitled "An act to limit the immigration of aliens into the United States, and for other purposes", be, and the same is hereby, amended to read as follows:

"An immigrant who continuously for at least 2 years immediately preceding the time of his or her application for admission to the United States has been, and who seeks to enter the United States solely for the purpose of, carrying on the vocation of minister of any religious denomination, or professor of a college, academy, seminary, or university; and his wife or her husband, and the unmarried children of either under 18 years of age, if accompanying or following to join him or her."

Mr. DICKSTEIN. Mr. Speaker, this bill comes by unanimous report of the Committee on Immigration and Naturalization. Its object is to remove discrimination between a male minister and a female minister. Under the present law we allow a minister of the gospel of every religious denomination to enter the country without regard to the quota or without regard to any regulation other than the fact that he must qualify as a minister of the gospel. Attention has been called by a number of organizations to the fact that a number of women ministers of the gospel are being discriminated against because this exemption does not apply to them. This bill simply corrects that discrimination that ought to be corrected and gives equality to both men and women who preach the doctrine of any religious denomination.

Mr. HOFFMAN. Will the gentleman yield?

Mr. DICKSTEIN. I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Speaker, it is well that the gentleman from Massachusetts [Mr. MCCORMACK] called attention to what he seems to consider an attempt to deprive us of a free press.

I have no knowledge of the incident to which he refers but wholeheartedly agree with him that free speech and a free press are among those rights guaranteed to the citizen by the Federal Constitution which must be maintained to the fullest extent, if we are to have a republican form of government, a government under the Constitution with the integrity of each of the three departments at all times maintained; with the right of the individual citizen freely and fairly to criticize each of those departments, any or all of his representatives, always respected.

Permit me to call the attention of the gentleman from Massachusetts [Mr. MCCORMACK] and the attention of Members of this House to the fact that, for more than 2 years—yes, I think for 3—an administrative agency of this Government, misconstruing a Federal enactment—and I refer to the National Labor Relations Board—has been depriving employers all over this country of the right to a free press.

The Ford Motor Co. has three times been convicted of an unfair labor practice by the Labor Board because Ford told his men that they did not need to join a union in order to work in the Ford Motor Co. plant and circulated "Fordisms." If that action is not a deprivation of free speech and of free press, then what is it?

Knowing that the Labor Board has misinterpreted and maladministered the National Labor Relations Act and has knowingly and willfully deprived employers of the right of free speech and a free press, shall we, when the question comes before us, refuse to abolish that Board which has deliberately deprived our citizens of their constitutional rights?

In the case of *National Labor Relations Board* v. *Union Pacific Stages, Inc.* (99 Fed. (2d) 153) the Court held:

It is difficult to think that Congress intended to forbid an employer from expressing a general opinion that an employee would find it more to his advantage not to belong to a union. Had Congress attempted to do so, it would be in violation of the first amendment.

Notwithstanding this decision, not only has the Board deprived citizens of a free press and the right to free speech but, within the fortnight, an official of the Board at Dallas, Tex., following the lead of the Board, ordered the Ford Motor Co. to post a notice and to notify all of its employees all over the United States that they were free to join a union. Do you

get the point? The Board orders Ford to tell his employees that they are free to join a union, but finds him guilty of a violation of the act when he tells them that they are free not to join. How do you like that for free speech?

Under this administration, the Ford Motor Co. must tell its employees that they may join, but it dare not tell them that they need not join. That is the same kind of free speech that is enjoyed under Hitler and Stalin. Under those dictators the people may speak freely so long, and only so long, as they speak as speaks Hitler and Stalin. Here, American citizens are free to speak so long, and only so long, as they speak the language of the Labor Board.

To show that the President himself would deny the right of free speech to the elected representatives of the people, let me quote from the New York Herald Tribune of this morning this statement:

President Roosevelt said he saw no good reason why Congress should continue in session for the duration of the emergency as desired by the Republican Members.

Have you forgotten that last year he called us back here in extraordinary session because he wanted us to speak and was assured that the Democratic majority would speak his language? Always does he want a free press and free speech if it is a rubber-stamp press and a ditto speech, reflecting his views. Never has he listened patiently to either press or speech which criticized his actions.

Let me continue the quotation from the morning paper:

Sarcastically—

Get that word "sarcastically"—

he said the situation does not require Congress to remain in session except for the laudable goal of delivering speeches.

So he thinks that speeches questioning why and for what purpose and how he wants to spend the taxpayers' money are not laudable. On the other hand, speeches by his Secretary of the Interior and "mouthpieces," from whatever department or body they may spring, for the purpose of showing that he is indispensable, cannot be made too frequently to displease him.

Yes; in substance, the President himself yesterday, through the press, told us to go home and quit our talking. Who is he to tell the Members of one department of the Government that they should not talk; that they should not exercise their right of free speech, while he, as the head of the administration, spends hundreds of thousands of dollars of the taxpayers' money in airing his views?

His attitude is "Free speech and a free press for me and for all those who praise my acts; for all the idolators who fall down and worship at my feet. But you Members of Congress, representatives of the people, duly elected, cease your talking and go home." What is to be gained by praising the right of free speech, of a free press, when the head of the Government, speaking bluntly, tells us to shut up and go home?

That is an insult to every Member of the House. I am quite sure that on the Republican side we do not personally care anything about it, for we know from whence it comes. But, in addition to being an insult to the Republican Members, it is an insult to every person in the United States who claims the right under the Constitution to send his representative down here and have him heard.

Not long ago the President got up in the middle of the night and called the reporters out of bed in their shirt tails to tell them that he did not want to be a dictator. Judging from what he said yesterday, apparently he has changed his mind and now claims the power to prorogue Congress.

He has, over in the Supreme Court Building, Justices, so-called judicial interpreters of the law, who one day decide that an employer who has a dispute with his employees is, under the National Labor Relations Act, engaged in interstate commerce and that the dispute affects interstate commerce—a Court which, on a subsequent day, in the case involving the same acts, transpiring on the same day, holds that those acts are not in restraint of interstate commerce.

Those puppet justices make themselves objects of derision by holding on one day that, under the Labor Act, the employer is engaged in interstate commerce, and, on a subsequent day, on the same set of facts, holding, under the Sherman Act, that it is not engaged in interstate commerce.

The President having the judiciary branch of the Government, he now has the effrontery to tell a coordinate branch of the Government to quit expressing its views and go home. Maybe he has all the money and all the authority he wants, although he may think of something tomorrow and he may want us here a day or two more. But he now has the gall to tell the Congress to go home.

Who is he? He was elected by the people and so were we. He said he and Congress were a team. He said once that he was a quarterback. He now has the idea that he is the whole team, 11 mean, instead of just 1. Something should jar him loose from his foolish ideas.

We will betray our trust and betray our constituents if we go home and leave that man down there in the Executive Mansion to handle the affairs of this Nation. [Applause.]

Mr. DICKSTEIN. Mr. Speaker, I yield 10 minutes to the gentleman from Oklahoma [Mr. NICHOLS].

Mr. NICHOLS. Mr. Speaker, I was never more serious about anything in my life than I am about what I am going to talk on for a few minutes. On yesterday I told the House that a few days ago I had directed a telegram to the Attorney General requesting certain information from him. I want to read that telegram to the House:

MAY 27, 1940.

ROBERT H. JACKSON,
Attorney General, Washington, D. C.:

Will you kindly supply me immediately with the following information and any other pertinent to the subject: How many men are there now available in the F. B. I. whose duties are to investigate "fifth column" activities in the United States? How much money was available for this purpose in the fiscal year ending 1940, and how much is available for fiscal year ending 1941? Advise number of requests for the services of these men and whether or not force is sufficient to expeditiously investigate all information and requests received. If the information is not considered too confidential, I would appreciate knowing the approximate distribution of the men assigned to these duties throughout the United States. I respectfully request that this information be furnished me not later than 5 o'clock Wednesday evening.

JACK NICHOLS,
Member of Congress.

This telegram was submitted to Mr. Hoover of the F. B. I., and on May 29 Mr. Hoover sent this reply to the Attorney General, which, in turn, was sent to me. I now read a memorandum for the Solicitor General, sent him by Mr. Hoover:

I am returning herewith the telegram addressed to the Attorney General on May 27 by Congressman JACK NICHOLS requesting certain information relative to the national-defense work of this Bureau.

As you will recall, the President, on September 6, 1939 in declaring a limited national emergency, directed that the Federal Bureau of Investigation of the Department of Justice "take charge of investigative work in matters relating to espionage, sabotage, and violations of the neutrality regulations." The President stated on September 6, 1939, "* * * I request all police officials, sheriffs, and all other law-enforcement officers in the United States promptly to turn over to the nearest representative of the Federal Bureau of Investigation any information obtained by them relating to espionage, counterespionage, sabotage, subversive activities, and violations of the neutrality laws."

In September 1939 the President authorized an increase of 150 special agents in the field staff of the Federal Bureau of Investigation to handle the national-defense work. Congress, subsequently, appropriated $1,475,000 to permit the employment of these additional field special agents and to defray incidental clerical and operating expenses for the remainder of the fiscal year, which ends June 30, 1940. Congress appropriated $2,488,000 for the national-defense work of the Federal Bureau of Investigation for the fiscal year beginning July 1, 1940. This sum provides for 100 special agents for this work in addition to the 150 authorized for the fiscal year 1940. The appropriation for the next fiscal year, therefore, will provide a total of 250 field special agents for national-defense work.

During the 5 years prior to 1938, an average of 35 complaints in national-defense matters was received by the F. B. I. During the fiscal year 1938 the Bureau received a total of 250 complaints of this nature for investigation. During the fiscal year 1939 there were 1,651 national-defense complaints.

Since September 1939 there has been a tremendous increase in complaints of this nature. At the beginning of May 1940 a total of 3,800 complaints in national-defense matters was pending in the Bureau field offices for investigation. Of this number, 2,508 complaints were assigned to special agents for investigative attention and 1,292 complaints, or 34 percent, were in an unassigned status because special agents were not available to investigate them.

Recent events have again materially increased the volume of complaints pertaining to the national defense. On Monday, May 27, 1940, the F. B. I. received a total of 2,871 such complaints at its 50 field offices located throughout the United States and territorial possessions and at Washington, D. C.

The Bureau has been endeavoring to handle the emergency work with the 150 special agents provided for that purpose. However, recent events have necessitated taking additional personnel from the regular work of the Bureau for assignment to national-defense investigations. The regular work of the Bureau is also quite delinquent. On May 1, 1940, there was pending in connection with the Bureau's regular activities a total of 17,422 complaints which required investigation. Of this number, 12,310 were assigned for investigative attention and 5,112, or 29.2 percent, were unassigned due to lack of personnel to handle them. The assignment of more than 150 special agents to the national-defense work means that the regular work of the Bureau will become even more delinquent and further delays occurring in handling the regular work will make it more difficult and more costly to take care of this work at a later date.

Obviously, the present personnel of the Bureau is not adequate to properly cope with the present demands. All annual leave for the entire field service of the F. B. I. has been canceled and the special agents are presently working from 4 to 6 hours' overtime each day.

Incidental to the national-defense work of the Bureau and at the request of the War and Navy Departments, special agents have been engaged in surveys of protective facilities at plants throughout the United States which are engaged in manufacturing materials for the armed services. At the present time, there is a priority list of 612 such plants which require surveys as soon as investigative personnel is available. It is understood that there are some 12,000 plants in the United States which ultimately will have to be surveyed by special agents. These surveys are conducted for the purpose of offering suggestions for the protection of the plants so that confidential documents and materials may be safeguarded to avoid acts of sabotage or thefts. Of the 612 plants on the priority list of the Army and Navy for inspection and survey, 236 plant surveys have been completed to date and 26 industrial plants are now under survey. It is obvious, in view of the present emergency situation, that it would be most desirable to be able to expedite surveys of additional plants very promptly.

I believe it highly undesirable to indicate the distribution of the investigative personnel assigned to national-defense work. The jurisdiction of the Bureau in these matters covers not only the United States but also its Territorial possessions, including Alaska, Puerto Rico, Hawaii, and the Panama Canal Zone.

Very truly yours,

J. EDGAR HOOVER, *Director.*

To supplement, let me point out that the action of this Government against "fifth column" movements and subversive activities in the United States should properly be as much a part of the national defense as enlarging the Army and the Navy. Despite that, we sit here at this minute without a single suggestion having been made or any attempt made to do anything about the situation except for the bill which I introduced yesterday to increase the personnel of the F. B. I., to give them additional funds to meet this emergency demand upon them. And who else is there to do the job? They now have or will have July 1, 250 men assigned to the duty of stamping out subversive activities among 130,000,000 people. When they fail to investigate one complaint, that may be the complaint which is of the most importance, and investigation of it may save the lives of many Americans, be they working in plants or be they on the firing line or in the Army or the Navy.

My bill is now pending. It provides for an increase of 500 special agents and an appropriation for the fiscal year 1941 of $3,500,000. I ask you in all seriousness, is there any cheaper protection we can give the citizens of the United States in this time of international stress than to give them a safeguard at their own doorstep against subversive activities and against subversive organizations which are operating today in the United States? I hope that every Member of the House who is interested in this problem, who thinks that it is a major one, and who thinks that it is as much a part of the national defense as is the Army and the Navy, will insist upon the consideration and the final passage of this measure. [Applause.]

[Here the gavel fell.]

Mr. DICKSTEIN. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. VAN ZANDT].

Mr. VAN ZANDT. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. Does the gentleman from New York yield to the gentleman from Pennsylvania to offer an amendment?

Mr. DICKSTEIN. Mr. Speaker, I do not yield for the purpose of offering any amendments because there are no committee amendments to be offered.

The SPEAKER pro tempore. The gentleman from Pennsylvania is recognized under the time yielded him, but is not privileged to offer an amendment.

Mr. VAN ZANDT. May I inquire of the Chair when I may offer an amendment?

The SPEAKER pro tempore. In the event the previous question is voted down when we reach that point in the consideration of the bill, an amendment will then be in order.

Mr. VAN ZANDT. Mr. Speaker, this measure gives to women the same privileges that foreign men, ministers, and professors have had ever since the passage of the Immigration Act of 1924.

So that my colleagues may fully understand the far-reaching effect of section 4 D of the Immigration Act of 1924, I wish to call to your attention that since the act became effective in 1924 a total of 15,578 nonquota immigrant aliens, as ministers, professors, their wives, and unmarried children, were admitted to the United States.

The bill that we are now considering, and offered by the gentlewoman from New York [Mrs. O'Day], amends section 4 D to permit the husbands of 46 female teachers to come into the United States in disregard of the quota. In other words, this amendment is another loophole allowing individuals to come into the United States, bringing with them their ideas and philosophies of government, as well as their hatred for certain forms of government in the Old World.

These flames of hatred engendered in the Old World and nurtured by these aliens are bound to break forth in relentless fury in the land of their adoption.

I am positively opposed to this amendment because, as I have pointed out, it is simply letting down the bars and permitting such types as Bertrand Russell and other notorious parlor pinks to come into this country and inject their poisonous doctrines into the very life stream of our Americanism—the youth of our Nation.

This man Russell's teaching on politics alone destroys everything our Constitution holds sacred. His teachings on social life would destroy the sanctity of our homes. Let me quote one of his most recent statements when he appeared before a student body of the City College of New York:

> I am sure that university life would be better, both intellectually and morally, if most university students had temporary childless marriages. This would afford a solution of the sexual urge neither restless nor surreptitious, neither mercenary nor casual, and of such a nature that it need not take up time which ought to be given to work.

Such a statement coming from this egotistical and self-styled educator strikes at the very foundation of American morals and is a stench in the nostrils of all home-loving Americans.

If we are going to stamp out the "fifth column," let us begin here today to serve a solemn notice by our vote that such alien trash who are contaminating the minds of our people under the guise of platform lectures, are definitely on their way out, and will no longer be permitted to occupy chairs of learning in our leading educational institutions.

What we should do instead of pondering over whether or not to amend the act is to wipe it off our statute books.

As I said in the beginning, this amendment concerns 46 male aliens. Each of these persons, if they are anxious to come into the United States, can be admitted by the simple presentation to this Congress of a private bill. In this manner each individual case will be carefully investigated by the House Committee on Immigration and Naturalization and if found worthy, further consideration will be shown him.

I appeal to my colleagues to vote down this amendment offered by the gentlewoman from New York that your action may be interpreted as a solemn warning to all aliens, parlor pinks, and "fifth columnists" that they have seen their heyday and will no longer be permitted to enjoy the blessings of this great country while engaged in their un-American activities.

[Here the gavel fell.]

Mr. DICKSTEIN. Mr. Speaker, I yield 1 minute to the gentleman from Missouri [Mr. COCHRAN].

Mr. COCHRAN. Mr. Speaker, I was interested in the speech of the gentleman from Oklahoma [Mr. NICHOLS]. He, of course, gave some official information in regard to the problems of the Department of Justice.

I commend him for his activity, but I think it is only proper to let the House and the country know that yesterday the President of the United States asked the Appropriations Committee, through the Speaker, to include in the deficiency bill an emergency appropriation of $6,558,800 for the Department of Justice, part for the enforcement of the immigration laws, and $3,358,800 of the amount is to go to the Bureau of Investigation for additional personnel.

It seems to me this should be evidence of the desire of the President to vigorously attack the class that the gentleman from Oklahoma referred to. The printed copy of the President's letter has just been received by the Appropriations Committee, and I hold one in my hand.

I know the committee will call the officials of the Department of Justice, as well as the Director of the F. B. I., Mr. Hoover, in a few days. If there is any doubt in anyone's mind as to whether the committee will include this amount in the deficiency bill it, of course, is their privilege to appear before the committee. In the past the Appropriations Committee has been responsive to all such requests, and I feel the members will be in this instance. The work is of such importance during these times that it would be a mistake for the Congress to be charged with refusing to give them proper personnel. [Applause.]

Mr. DICKSTEIN. Mr. Speaker, I cannot sit down and leave the statement made by my good friend from Pennsylvania go unchallenged. There have been a lot of inflammatory charges and statements made. Russell has no more to do with this bill than Hitler. It is a lot of hooey and a lot of talk to confuse the issue. Under the present law, the act of 1924, which has worked very nicely the last few years, a man of the gospel need not have any quota. They have been coming in after they have been investigated by the State Department and after the Department has checked with the church as to whether they are actually necessary to carry on the services of the church. They cannot come in otherwise. They must have certain qualifications and there are a number of women's organizations who have contested the matter, and rightly so, by stating before the committee that the women who preach the gospel are being discriminated against because a male can come in without a quota, but a woman minister must get a quota. This measure affects only a handful of people, and they are not Communists, they are not Fascists, and they are not trying to overthrow the Government. In this bill we are simply trying to iron out an injustice to the female clergy.

Mr. Speaker, I move the previous question.

The SPEAKER. The question is on ordering the previous question.

The previous question was ordered.

The SPEAKER. The question now is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. DICKSTEIN) there were—ayes 46, noes 120.

So the bill was rejected.

DEPORTATION OF ALIENS ENGAGING IN ESPIONAGE, ETC.

Mr. DICKSTEIN. Mr. Speaker, by direction of the Committee on Immigration and Naturalization, I call up the bill (H. R. 9774) to provide for the prompt deportation of aliens engaging in espionage, alien criminals, and undesirable aliens, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from New York calls up the bill H. R. 9774 and asks unanimous consent that it be considered in the House as in the Committee of the Whole. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That an alien who entered the United States either from a foreign territory or an insular possession, either before or after the passage of this act, shall be promptly deported in the manner provided in sections 19 and 20 of the Immigration Act of February 5, 1917, as amended, regardless of when he entered, if he—

(1) Has admitted in writing that he has engaged in, or attempted to engage in, espionage or sabotage for a foreign government since entry into the United States; or

(2) Has at any time after entry been convicted of a felony by any court of the United States, or of any State, Territory, insular possession, or of the District of Columbia: *Provided, however*, That upon the request of the Governor of the State in which the offense was committed if the alien to be deported shall have been convicted by a court of any State, or upon the request of the President of the United States if the alien to be deported shall have been convicted in any court of the United States, or of any Territory, insular possession, or of the District of Columbia, the Secretary of Labor shall stay such deportation pending the serving of any prison sentence imposed on such alien.

With the following committee amendments:

Page 1, line 9, strike out "has committed in writing that he has engaged" and insert "is a spy or has engaged."

Page 2, line 15, at the end of the bill, strike out the period and insert a colon and the following: "*Provided, however*, That nothing in this act shall apply to any offense committed prior to January 1, 1930."

The SPEAKER. Is there objection to the request of the gentleman from New York that the bill be considered in the House as in Committee of the Whole?

There was no objection.

The SPEAKER. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

Mr. DICKSTEIN. Mr. Speaker, I offer the following further committee amendment, which I send to the desk.

The Clerk read as follows:

Committee amendment offered by Mr. DICKSTEIN: Page 2, line 6, after the words "District of Columbia", insert "for which he has been sentenced to serve 1 year or more in any penal institution."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

HARRY RENTON BRIDGES

Mr. DICKSTEIN. Mr. Speaker, I have one more bill, which I have designated the gentleman from Michigan [Mr. LESINSKI] to handle, and I ask the Chair to recognize the gentleman at this time.

Mr. LESINSKI. Mr. Speaker, by authority of the Committee on Immigration and Naturalization I call up the bill (H. R. 9766) to authorize the deportation of Harry Renton Bridges.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Labor be, and is hereby, authorized and directed to take into custody and deport to Australia, the country of which he is a citizen or subject, the alien, Harry Renton Bridges, in the manner provided by sections 155 and 156, title 8, United States Code.

The SPEAKER. The Chair feels that it is the solemn duty of the presiding officer of the House to enforce the rules of the House under all circumstances. There is no question about bills that may and may not be called up on Calendar Wednesday. The rules specifically provide that on a call of committees under this rule bills may be called up from either the House or the Union Calendars, except bills which

are privileged under the rules. This bill which the gentleman from Michigan has called up is on the Private Calendar, and in the opinion of the Chair, under the rules, it is not eligible for consideration on Calendar Wednesday.

Mr. KRAMER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KRAMER. If a rule has been voted for the consideration of this bill by the Committee on Rules, when would that rule be brought up in the House? My understanding is that it was voted out about a week ago, but no report has been made.

The SPEAKER. The Chair is not in a position to answer that as a parliamentary inquiry. If any answer could be made, it could be made by the majority leader. The Chair does not believe it to be a parliamentary inquiry.

Mr. FISH. Mr. Speaker, I rise to a question of the privilege of the House. This bill to authorize the deportation of Harry Bridges——

Mr. MARCANTONIO. Mr. Speaker, I rise to a point of order. The gentleman's resolution is not in writing.

The SPEAKER. Has the gentleman from New York a resolution to offer?

Mr. FISH. No; my motion is such that I do not think a resolution is required. I am calling attention to the rules of the House, and ask for enforcement of clause 45, rule XI.

The SPEAKER. The Chair will state that under the rules of the House, which it is always the duty of the Chair to enforce, any question involving the privileges of the House must be presented in the form of a resolution.

Mr. FISH. I will send it up in a few minutes, Mr. Speaker.

REORGANIZATION OF THE NAVY DEPARTMENT

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 4026), providing for the reorganization of the Navy Department, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, will the gentleman explain this bill?

Mr. VINSON of Georgia. I will be glad to explain the bill if there is no objection to it being considered at this time.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the following changes are hereby made in the organization of the Department of the Navy:

(a) The Bureau of Construction and Repair, the Office of the Chief of the Bureau of Construction and Repair, the Bureau of Engineering, and the Office of the Chief of the Bureau of Engineering are hereby abolished.

(b) The functions of the Bureau of Construction and Repair and the functions of the Bureau of Engineering are hereby transferred to and consolidated under one bureau to be known as the Bureau of Ships, with a Chief of Bureau at the head thereof. The duties of the Bureau of Ships shall be assigned by the Secretary of the Navy and performed under his authority and the orders of the Chief of the Bureau of Ships shall be considered as emanating from the Secretary of the Navy, and shall have full force and effect as such.

(c) The Chief of the Bureau of Ships shall be appointed by the President, by and with the advice and consent of the Senate, for a term of 4 years, from among the officers of the active list of the Navy who are specially qualified and experienced in naval engineering or naval architecture. The Chief of the Bureau of Ships shall have the same rank and shall be entitled to the same pay, allowances, and privileges of retirement as are now or may hereafter be prescribed by or in pursuance of law for other chiefs of bureaus in the Navy Department, and shall take precedence ahead of all other officers on duty in the Bureau of Ships.

(d) An officer on the active list of the Navy who is specially qualified and experienced in naval engineering or naval architecture shall be detailed as Assistant Chief of the Bureau of Ships. He shall, while so serving, have the rank of rear admiral and shall receive the highest pay and allowances of that rank: *Provided,* That if the Chief of the Bureau of Ships be specially qualified and experienced in naval engineering, the Assistant Chief of the Bureau of Ships shall be specially qualified and experienced in naval architecture; and if the Chief of the Bureau of Ships be specially qualified and experienced in naval architecture, the Assistant Chief of the Bureau of Ships shall be specially qualified and experienced in naval engineering: *Provided further,* That nothing herein shall operate to deprive the incumbents in office as the Chief of the Bureau of Construction and Repair and the Chief of the Bureau of Engineering on the effective date of this act of the rank, pay, allowances, or retirement privileges to which they may be entitled under existing law, nor to affect the status of any officer heretofore retired from said offices.

(e) Officers on the active list of the Navy who are specially qualified and experienced in naval engineering or naval architecture shall be detailed as heads of the major divisions in the Bureau of Ships.

(f) The Assistant Chief of the Bureau of Ships and then the heads of the major divisions of that Bureau shall succeed to the duties of the Chief of Bureau during his absence or disability, or in the event of a temporary vacancy in that office, in such order as may be directed by the Secretary of the Navy.

(g) All records and property (including office equipment) of the Bureau of Engineering and the Bureau of Construction and Repair, and all the personnel used in the administration and functions of such Bureaus are hereby transferred to the Bureau of Ships for use in the administration and functions transferred or provided by this act: *Provided,* That any civilian personnel transferred by this section found by the Secretary of the Navy to be in excess of the personnel necessary for the administration of the Bureau of Ships shall be retransferred under existing law to other positions in the Government service, or separated from the service in accordance with the applicable provisions of section 10 (a) of the Reorganization Act of 1939.

(h) The unexpended balances of appropriations, allocations, or other funds available for use in connection with the exercise of any function herein transferred to the Bureau of Ships shall be transferred to that Bureau for use in connection with the exercise of the functions so transferred. All funds available in the appropriations for the fiscal year 1941 under the headings "Salaries, Bureau of Construction and Repair" and "Salaries, Bureau of Engineering" shall be transferred and consolidated into one appropriation account to be entitled "Salaries, Bureau of Ships," and all funds available in the appropriations for the fiscal year 1941 under the headings "Engineering" and "Construction and repair" shall be similarly transferred and consolidated into another appropriation account to be entitled "Maintenance, Bureau of Ships," and, further, such part of the funds available under the appropriations "Instruments and supplies," "Maintenance, supplies, and accounts," and "Ordnance and ordnance stores" for the fiscal year 1941, as relate to the procurement of equipage, supplies, and services necessary to the maintenance and operation of vessels, and repairs to such equipage, but not including technical ordnance equipage and technical supplies, shall be transferred upon approval of the Bureau of the Budget to the appropriation "Maintenance, Bureau of Ships," provided the Secretary of the Navy shall authorize and direct the transfer of cognizance over such equipage, supplies, and services and repairs to equipage to the Bureau of Ships.

SEC. 2. In addition to the duties now prescribed by law the Chief of Naval Operations shall, under the direction of the Secretary of the Navy, be charged with the coordination of the functions of the Naval Establishment afloat, together with the determination of priorities relating to repair and overhaul of ships in commission or about to be commissioned.

SEC. 3. There shall be in the Department of the Navy an Under Secretary who shall be appointed by the President, from civil life, by and with the advice and consent of the Senate. The Under Secretary of the Navy shall perform such duties as may be prescribed by the Secretary of the Navy or required by law and shall be next in succession to the Secretary of the Navy during his absence or disability or in the event of a temporary vacancy in that office. The compensation of the Under Secretary of the Navy shall be at the rate of $10,000 per annum. The Assistant Secretary of the Navy, next after the Under Secretary of the Navy, shall hereafter succeed to the duties of the Secretary of the Navy during his absence or disability, or in the event of a temporary vacancy in that office.

SEC. 4. Section 4 of the act approved June 24, 1926 (44 Stat. 767; U. S. C., title 5, sec. 421a), entitled "An act to authorize the construction and procurement of aircraft and aircraft equipment in the Navy and Marine Corps, and to adjust and define the status of operating personnel in connection therewith," is hereby repealed.

SEC. 5. All laws or parts of laws so far as they are inconsistent with or in conflict with the provisions of this act are hereby repealed.

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent that I may proceed for 10 minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. VINSON of Georgia. Mr. Speaker, some months ago as chairman of the Committee on Naval Affairs, I designated a subcommittee, composed of the distinguished gentleman from Virginia [Mr. DARDEN] as chairman, and the gentleman from Iowa [Mr. JACOBSEN], the gentleman from Minnesota [Mr. MAAS], and the gentleman from New York [Mr. COLE] to study and investigate the reorganization of the Navy Department.

After very extensive hearings, the gentleman from Virginia [Mr. DARDEN] reported a bill to the House and a rule was

granted for the consideration of that bill. The bill is known as H. R. 9266.

A few days ago the Senate took up practically the same identical bill and adopted in toto what was set out in the House bill.

I want to take occasion to thank the subcommittee, particularly the gentleman from Virginia [Mr. DARDEN], for the constructive and beneficial service he has rendered to the Nation in bringing about a reorganization in the Navy Department. [Applause.]

I also want to say that this reorganization is in accordance with the recommendation of the Navy Department. It only relates, however, to two of the bureaus of the Navy, the Bureau of Construction and Repair and the Bureau of Engineers. Those two bureaus have to do with ship construction. They have been consolidated into one bureau, known as the bureau of ships.

I may also add that when the bill was before the Naval Affairs Committee it was unanimously reported. The bureau of ships will have to do with all of the shipbuilding. As I stated heretofore, part of the ship construction was under the Bureau of Construction and Repair and a part was under the Bureau of Engineering. One part of the ship was made by one bureau and another part by another bureau, and there was constant confusion. We have merged those two bureaus and we are heading it by an admiral who has the rank of chief of the bureau of ships. It will be very important in the shipbuilding program as it will cut red tape and bring about efficiency and bring about economy.

The only provision in the Senate bill which I will move to strike out which is not in the House bill is for an office of under secretary of the Navy. When the bill was presented to the Naval Affairs Committee the recommendation was to create the office of under secretary. After long debate and much consideration we decided there was no reason or justification in the Navy Department to have an under secretary of the Navy. So the Senate bill is in thorough accord with the provisions of the House bill except for that one feature, and at the proper time I will move to strike that out.

If there are no questions, Mr. Speaker, I offer an amendment to strike out section 3 of the bill.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. VINSON of Georgia to the bill S. 4026: On page 5, beginning in line 19, strike out all of section 3.

The amendment was agreed to.

Mr. VINSON of Georgia. Mr. Speaker, I offer an amendment to strike out section 4 of the bill.

The Clerk read as follows:

Amendment offered by Mr. VINSON of Georgia: On page 6, beginning in line 8, strike out all of section 4.

The amendment was agreed to.

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent that the section numbers be changed in accordance with the amendments adopted.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A House bill (H. R. 9266) was laid on the table.

LIMITATION OF PROFITS OF CERTAIN CONTRACTORS WITH THE UNITED STATES

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2464) to amend the act of March 27, 1934 (48 Stat. 505), as amended (49 Stat. 1926; 34 U. S. C., Supp. IV, 496; sec. 14 of Public, No. 18, 76th Cong.), to adjust the limitations on the profits of certain contractors with the United States.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the first proviso of section 3 (b) of the act of March 27, 1934 (48 Stat. 505), as amended by the act of June 25, 1936 (49 Stat. 1926; 34 U. S. C., Supp. IV, 496), and by section 14 of the act of April 3, 1939 (Public, No. 18, 76th Cong.), is hereby further amended to read as follows: "*Provided*, That if there is a net loss, or a net profit less than 10 percent, on all such contracts or subcontracts for the construction and/or manufacture of any complete naval vessel or portion thereof completed by the particular contractor or subcontractor within any income taxable year, such net loss or deficiency in profit shall be allowed as a credit in determining the excess profit, if any, during the next succeeding 4 income taxable years; that if there is a net loss, or a net profit less than 12 percent, as aforesaid, on all such contracts or subcontracts for the construction and/or manufacture of any complete aircraft or portion thereof completed by the particular contractor or subcontractor within any income taxable year, such net loss or deficiency in profit shall be allowed as a credit in determining the excess profit, if any, during the next succeeding 4 income taxable years; and that the method of ascertaining the amount of excess profit, initially fixed upon shall be determined on or before June 30, 1939, in the case of contracts or subcontracts for the construction and/or manufacture of any complete aircraft or portion thereof, and shall be determined within 90 days from the date of enactment of this amendment in the case of contracts or subcontracts for the construction and/or manufacture of any complete naval vessel or portion thereof."

SEC. 2. The amendments made by this act shall be applicable to all contracts and subcontracts completed within an income taxable year ending after April 3, 1939.

Mr. VINSON of Georgia. Mr. Speaker, this bill was on the Consent Calendar the other day and was objected to because there was no explanation of it.

The object and purpose of the bill is to carry out the recommendation of the Secretary of the Treasury in reference to permitting shipbuilders to extend their losses over a period of 4 years. Under the law today a shipbuilder is required to make his income-tax returns calculating his losses each year. Under this provision it extends the permission to carry over his losses for a period of 4 years, and the amendment is drafted by the Treasury Department in accordance with the recommendations of the Treasury Department, and it was unanimously reported by the Naval Affairs Committee and urged by the Navy Department.

The Treasury Department in a letter dated May 11, 1940, has this to say:

The Treasury Department has for some time been considering the advisability of suggesting an amendment to the Vinson-Trammell Act to provide for a more extended period of carry-over of net operating losses.

It has always been the position of the Treasury Department that it is undesirable that any contractor should deal with the Federal Government at a loss to him. For this reason the Department feels that in the determination of profit under the Vinson-Trammell Act, it is advisable to have a carry-over of operating losses for a sufficient time reasonably to assure the contractor that his course of dealing with the Government will not result in ultimate loss. In line with this thought, the Department feels that it is advisable to extend to contractors of naval vessels or parts thereof the privilege of a 4-year carry-over of net losses.

Mr. MAAS. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. MAAS. The result of the passage of this bill will be a spread of competition and a lowering of the cost of these ships to the Government.

Mr. VINSON of Georgia. Exactly. It takes about 4 years to construct a ship. The Vinson-Trammell Act limiting profits to 10 percent requires that the calculation be made each year. The pending bill permits losses to be extended over a period of 4 years which is approximately the life of one of these contracts. It does not make for any increase in profit whatsoever but merely permits the contractor to carry his losses over a period of 4 years.

Mr. COLE of New York. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. COLE of New York. Is this the Senate or the House bill?

Mr. VINSON of Georgia. This is the Senate bill with the House amendment in it.

Mr. COLE of New York. Did the Senate insert a provision permitting the carry-over of profits as well as losses?

Mr. VINSON of Georgia. It did, and we struck that out. The pending bill, as amended, permits only the carry-over of losses. The Senate bill carried over both losses and profits. We struck out the Senate provision permitting the carry-over of the 10-percent profit and adopted an amendment which the Treasury Department sent to us. They enforce this law, and this change is made on the recommendation of the Secretary of the Treasury.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. MARTIN of Massachusetts. Is this bill retroactive? In other words, if a ship concern has had losses over the last 4 years would they be able to carry those losses over, too?

Mr. VINSON of Georgia. No; the carry-over provision starts with the passage of this act.

Mr. FISH. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. FISH. I find there is a good deal of misunderstanding about the size of our Navy, a great deal of confusion and bewilderment in the minds of the people. Some people actually feel that we have no Navy at all. I would like to ask the gentleman, who is the greatest authority in the whole Congress on the Navy, if it is not a fact that we have the greatest, the most powerful, and efficient Navy in the world today?

Mr. VINSON of Georgia. The gentleman from New York is absolutely correct. There is no navy in the world equal to the Navy of the United States. [Applause.]

Mr. FISH. I thank the gentleman for the information.

Mr. VINSON of Georgia. Mr. Speaker, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. VINSON of Georgia: Page 2, strike out all of lines 1 to 22, inclusive, and all of line 23 through the word "thereof", and insert in lieu thereof the following: "net loss on all such contracts or subcontracts for the construction and/or manufacture of any complete naval vessel or portion thereof completed by the particular contractor or subcontractor within any income taxable year, such net loss shall be allowed as a credit in determining the excess profit, if any, during the next succeeding four income taxable years; that if there is a net loss, or a net profit less than 12 percent, as aforesaid on all such contracts or subcontracts for the construction and/or manufacture of any complete aircraft or portion thereof completed by the particular contractor or subcontractor within any income taxable year, such net loss or deficiency in profit shall be allowed as a credit in determining the excess profit, if any, during the next succeeding four income taxable years; and that the method of ascertaining the amount of excess profit, initially fixed upon shall be determined on or before June 30, 1939, in the case of contracts or subcontracts for the construction and/or manufacture of any complete aircraft or portion thereof, and shall be determined on or before August 31, 1940, in the case of contracts or subcontracts for the construction and/or manufacture of any complete naval vessel or portion thereof:".

The amendment was agreed to.

Mr. VINSON of Georgia. Mr. Speaker, I offer a further committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. VINSON of Georgia: Page 3, line 20, strike out all of section 2.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL BANKS AND CHARITABLE CONTRIBUTIONS

Mr. STEAGALL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1964) to amend section 5136 of the Revised Statutes, as amended, to authorize charitable contributions by national banking associations.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That section 5136 of the Revised Statutes, as amended, is amended by adding at the end thereof the following new paragraph:

"Eighth. To contribute to community funds, or to charitable, philanthropic, or benevolent instrumentalities conducive to public welfare, such sums as its board of directors may deem expedient and in the interests of the association, if it is located in a State the laws of which do not expressly prohibit State banking institutions from contributing to such funds or instrumentalities."

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman explain the bill?

Mr. STEAGALL. Certainly. Mr. Speaker, this is a bill which amends the National Banking Act so as to permit contributions by national banks to community funds, or to charitable, philanthropic, or benevolent instrumentalities conducive to public welfare and is limited in its application to States which do not expressly prohibit State banking institutions from contributing to such funds or instrumentalities. It permits by law a practice that obtains in almost every section of the country indulged in not only by State banks but by national banks. But in some metropolitan centers, lawyers have threatened suits and in some instances have brought suits to recover from directors who made such contributions without specific authority of law.

Mr. MARTIN of Massachusetts. The gentleman is sure of his statement that some national banks have made such contributions?

Mr. STEAGALL. Yes. The custom obtains nearly everywhere, but as I say lawyers in two or three cities, so our committee is advised, have taken the position that such contributions by national banks were not authorized by law and suits have been threatened which have resulted in some confusion and in some hesitancy on the part of banks to make these contributions.

The bill has been urged by various charitable institutions and by bankers themselves. It has the support of the committee. There is no opposition, I may say, from the minority side of the committee.

Mr. MARTIN J. KENNEDY. Mr. Speaker, will the gentleman yield?

Mr. STEAGALL. I yield.

Mr. MARTIN J. KENNEDY. Is it not a fact that the Treasury Department has been disallowing those donations from the income-tax returns of these institutions?

Mr. STEAGALL. I am sorry I do not have specific information on that question.

Mr. MARTIN J. KENNEDY. We have a great many of these drives in our city, but these big institutions were foreclosed from helping. I am very glad the gentleman is bringing this up.

I think it might be well to go into the income-tax feature, because it is rather ridiculous to say to an institution that it may give this money, and then to have the tax collector, when he comes around, say they are not allowed to give it and may not deduct it.

Mr. STEAGALL. I may say to the gentleman that I have no doubt the income-tax question grows out of the difficulty which we are undertaking to correct; namely, that banks were not authorized by law to make such contributions, and for that reason the Treasury could not take account of them in the income-tax returns.

Mr. MARTIN J. KENNEDY. Is it not a fact that the gentleman's committee had in mind the allowance as a reduction of such contributions as we are permitting today from income-tax statements?

Mr. STEAGALL. Our sole interest in the matter is to aid these charitable institutions of various kinds, especially when we consider the existing peculiar situation.

Mr. MARTIN J. KENNEDY. It is a very worthy bill, and I commend the chairman of the Committee on Banking and Currency for it; but I think the RECORD ought to indicate it is the intention of Congress to make those donations deductible from income-tax returns.

Mr. STEAGALL. Of course, they will be governed in that matter by the existing taxation laws.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PRIVILEGES OF THE HOUSE

Mr. FISH. Mr. Speaker, I raise a question of the privileges of the House and I send a resolution to the desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House Resolution 510

Whereas the gentleman from Mississippi, Mr. COLMER, a member of the Committee on Rules announced to the House on May 29, 1940, that the Committee on Rules had agreed to a rule to consider the bill H. R. 9766 to authorize the deportation of Harry Renton Bridges; and

Whereas rule XI, clause 45, provides that a rule agreed to by the Committee on Rules shall be reported to the House within 3 legislative days from the time of such committee action; and

Whereas more than 3 legislative days having elapsed since the action of the Committee on Rules as announced by Mr. COLMER: Therefore,

Resolved, That said rule be submitted to the House immediately.

Mr. FISH. Mr. Speaker, all I am asking for is the enforcement of the rules of the House. As the Speaker well knows, rule XI, clause 45, reads:

The Committee on Rules shall present to the House reports concerning rules, joint rules, and order of business within 3 legislative days of the time when ordered reported by the committee.

Mr. Speaker, in this case more than 3 legislative days have expired; therefore I demand that the rules of the House be enforced.

Mr. COLE of Maryland. Mr. Speaker, I make the point of order there is not a quorum present.

The SPEAKER. The Chair will count. [After counting.] One hundred and seventy-two Members are present, not a quorum.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 12 minutes p. m.) the House adjourned until tomorrow, Thursday, June 6, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold a public hearing on Thursday, June 6, 1940, at 10 a. m., on the following bill:

H. R. 9913, relating to citizenship requirements for manning of vessels, and for other purposes.

The Committee on Merchant Marine and Fisheries will hold a public hearing on Tuesday, June 11, 1940, at 10 a. m., on the following bill:

H. R. 9982, to require, during an emergency, the shipment and discharge of seamen on certain vessels of the United States before shipping commissioners, and for other purposes.

COMMITTEE ON MINES AND MINING

The Subcommittee on Mines and Mining that was appointed to consider S. 2420 will continue hearings on Thursday, June 6, and Friday, June 7, 1940, at 10 a. m. each morning, in the committee rooms in the New House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

1725. Under clause 2 of rule XXIV, a letter from the Chairman, Federal Deposit Insurance Corporation, transmitting a copy of the Annual Report of the Federal Deposit Insurance Corporation for the year ending December 31, 1939, was taken from the Speaker's table and referred to the Committee on Banking and Currency.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. EDWIN A. HALL: Committee on Public Buildings and Grounds. H. R. 9267. A bill authorizing the transfer of land owned by the United States back to the Spring Park Club, of Richfield Springs, N. Y.; without amendment (Rept. No. 2378). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLAND: Committee on Merchant Marine and Fisheries. House Report No. 2379. Preliminary report pursuant to House Resolution 162, Seventy-sixth Congress, first session; without amendment. Referred to the Committee of the Whole House on the state of the Union.

Mr. WARREN: Committee on Accounts. House Resolution 509. Resolution to pay a gratuity to Sally Gates Ryan (Rept. No. 2380). Referred to the Committee of the Whole House on the state of the Union.

Mr. CROWE: Committee on Public Buildings and Grounds. House Joint Resolution 472. Joint resolution to prohibit the sale or disposal of the United States customhouse for the city of Detroit; without amendment (Rept. No. 2394). Referred to the Committee of the Whole House on the state of the Union.

Mr. BUCK: Committee on Ways and Means. H. R. 9117. A bill to eliminate the tax on brandy and wine spirits used in the fortification of wine; to increase the tax on wine; to compensate for the loss of revenue occasioned by the elimination of the tax on brandy and wine spirits used in the fortification of wine; and for other purposes; with amendment (Rept. No. 2395). Referred to the Committee of the Whole House on the state of the Union.

Mr. REES of Kansas: Committee on Immigration and Naturalization. H. R. 9980. A bill to revise and codify the nationality laws of the United States into a comprehensive nationality code; without amendment (Rept. No. 2396). Referred to the Committee of the Whole House on the state of the Union.

Mr. McGRANERY: Committee on Interstate and Foreign Commerce. H. R. 9618. A bill to extend the times for commencing and completing the construction of a bridge across the Susquehanna River at or near the city of Harrisburg, Pa.; without amendment (Rept. No. 2399). Referred to the House Calendar.

Mr. BLOOM: Committee on Foreign Affairs. House Joint Resolution 556. Joint resolution approving nonrecognition of the transfer of any geographic region in the Western Hemisphere from one non-American power to another non-American power, and providing for consultation with other American republics in the event that such transfer should appear likely; with amendment (Rept. No. 2400). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 8294. A bill to enable Vladas Barciauskas to remain permanently in the United States; with amendment (Rept. No. 2377). Referred to the Committee of the Whole House.

Mr. KRAMER: Committee on Immigration and Naturalization. S. 2774. An act for the relief of Jose Mauri; without amendment (Rept. No. 2381). Referred to the Committee of the Whole House.

Mr. CRAVENS: Committee on Claims. H. R. 1874. A bill for the relief of E. V. Maki; with amendment (Rept. No. 2382). Referred to the Committee of the Whole House.

Mr. CRAVENS: Committee on Claims. H. R. 3768. A bill for the relief of Louis J. Banderet; with amendment

(Rept. No. 2383). Referred to the Committee of the Whole House.

Mr. WINTER: Committee on Claims. H. R. 5040. A bill for the relief of John J. Reiber, Ada Bell Reiber, his wife, and Arthur Joseph Reiber, their minor son; with amendment (Rept. No. 2384). Referred to the Committee of the Whole House.

Mr. CRAVENS: Committee on Claims. H. R. 5400. A bill for the relief of Evyline Vaughn; with amendment (Rept. No. 2385). Referred to the Committee of the Whole House.

Mr. LEONARD W. HALL: Committee on Claims. H. R. 6108. A bill for the relief of Regina Howell; with amendment (Rept. No. 2386). Referred to the Committee of the Whole House.

Mr. LEONARD W. HALL: Committee on Claims. H. R. 6456. A bill for the relief of John Toepel, Robert Scott, Widmer Smith, and Louis Knowlton; with amendment (Rept. No. 2387). Referred to the Committee of the Whole House.

Mr. FENTON: Committee on Claims. H. R. 7910. A bill for the relief of Betty Jane Bear Robe; with amendment (Rept. No. 2388). Referred to the Committee of the Whole House.

Mr. SASSCER: Committee on Claims. H. R. 8028. A bill for the relief of Zoe Hoyt Wagner and Io F. Hoyt; with amendment (Rept. No. 2389). Referred to the Committee of the Whole House.

Mr. CRAVENS: Committee on Claims. H. R. 8214. A bill for the relief of Morris Mensch; with amendment (Rept. No. 2390). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. S. 3647. An act for the relief of the legal guardian of Paul Sanford, a minor; without amendment (Rept. No. 2391). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland; Committee on Claims. S. 3978. An act for the relief of certain former employees of the National Reemployment Service; without amendment (Rept. No. 2392). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. S. 1376. An act for the relief of Cothran Motors, Inc.; without amendment (Rept. No. 2393). Referred to the Committee of the Whole House.

Mr. BLOOM: Committee on Foreign Affairs. H. R. 9932. A bill for the relief of Anne Howard Lay; without amendment (Rept. No. 2398). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. RABAUT:

H. R. 9999. A bill to authorize the charging of tolls for the use of the bridge across the Missouri River at Fort Leavenworth, Kans., in order to provide funds for the maintenance and operation of that bridge; to the Committee on Interstate and Foreign Commerce.

By Mr. HENDRICKS:

H. R. 10000. A bill extending for the taxable year 1939 the time within which employer contributions to State unemployment funds may be paid for the purpose of the credit provided by section 1601 of the Federal Unemployment Tax Act; to the Committee on Ways and Means.

By Mr. FLANNERY:

H. R. 10001. A bill to authorize cancelation of deportation in the case of Wasil Boyko; to the Committee on Immigration and Naturalization.

By Mr. DICKSTEIN:

H. J. Res. 558. Joint resolution requesting the President to proclaim the third Sunday in June of each year as Father's Day; to the Committee on the Judiciary.

By Mr. RANDOLPH:

H. J. Res. 559. Joint resolution authorizing a reduction in the rate of interest to be paid on certain loans and advances made to the District of Columbia by the United States of America through the Public Works Administration; to the Committee on the District of Columbia.

By Mr. LEA:

H. J. Res. 560. Joint resolution providing for the acquisition of necessary governmental records; to the Committee on Interstate and Foreign Commerce.

By Mr. ANGELL:

H. J. Res. 561. Joint resolution to authorize the postponement of payment of amounts payable to the United States by the Republic of Finland on its indebtedness under agreements between that Republic and the United States dated May 1, 1923, and May 23, 1932; to the Committee on Ways and Means.

By Mr. COCHRAN:

H. Con. Res. 73. Concurrent resolution authorizing the printing of the proceedings at the unveiling of the painting depicting the signing of the Constitution of the United States as a document; to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FULMER:

H. R. 10002. A bill for the relief of J. K. Love; to the Committee on Claims.

By Mr. GORE:

H. R. 10003. A bill for the relief of the L. & W. Coal Co.; to the Committee on Claims.

By Mrs. CLARA G. McMILLAN:

H. R. 10004. A bill to provide for the transfer of the duplicates of certain books in the Library of Congress to the Beaufort Library of Beaufort, S. C.; to the Committee on the Library.

By Mr. McCORMACK:

H. R. 10005. A bill for the relief of Bessie Pearlman and George Roth; to the Committee on Claims.

H. R. 10006. A bill for the relief of Joseph Salvatore Monticello; to the Committee on Military Affairs.

H. R. 10007. A bill for the relief of Sylvester Lauby; to the Committee on Merchant Marine and Fisheries.

By Mr. ZIMMERMAN:

H. R. 10008. A bill for the relief of William A. Roberts, father of David Ernest Roberts, deceased; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8594. By Mr. BOLLES: Petition of sundry citizens of Monticello, Monroe, and Janesville, Wis., supporting House bill 1, the Federal chain-store tax bill; to the Committee on Ways and Means.

8595. By Mr. KEE: Petition of the members of Local 85 of the Chesapeake & Ohio Railway Co., Huntington Shops, Huntington, W. Va., to amend the Railroad Retirement Act; to the Committee on Interstate and Foreign Commerce.

8596. By the Speaker: Petition of the Alabama Federation of Post Office Clerks, Bessemer, Ala., petitioning consideration of their resolution with reference to special-delivery messengers; to the Committee on the Civil Service.

8597. Also, petition of the American Petroleum Institute, New York, N. Y., petitioning consideration of their resolution with reference to the national defense; to the Committee on Military Affairs.

SENATE

THURSDAY, JUNE 6, 1940

(Legislative day of Tuesday, May 28, 1940)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

God of all grace and love, have mercy upon us after Thy great goodness, and keep us this day from all indolence and sloth, from hasty words, harsh judgments, unkind thoughts,

from self-indulgence and from all impurity in thought and word and deed; so shall we be meet to do Thy will.

In these times so fraught with peril may we not dream or drift, but face the struggle bravely in God's name; no matter, then, how long the day nor yet how deep entrenched the wrong, give to us a surer faithfulness to Thee and all Thy ways and we shall be made strong.

And when we see in common pain and sorrow the blossoming in starry flowers of holy pride, reveal to us once more the sacred truth, so needful to our world, that only through the Christ, Love's might, all might transcending, can draw the poison fangs of hate, that only through Him can life's red wounds be healed. In His holy name we ask it. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Wednesday, June 5, 1940, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Latta, one of his secretaries.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Connally	La Follette	Schwartz
Andrews	Danaher	Lee	Schwellenbach
Ashurst	Davis	Lodge	Sheppard
Austin	Downey	Lucas	Shipstead
Bailey	Ellender	Lundeen	Slattery
Bankhead	George	McKellar	Smith
Barbour	Gibson	McNary	Stewart
Barkley	Gillette	Mead	Taft
Bilbo	Green	Miller	Thomas, Idaho
Bone	Gurney	Minton	Thomas, Okla.
Bridges	Hale	Murray	Thomas, Utah
Brown	Harrison	Neely	Tobey
Bulow	Hatch	Norris	Townsend
Burke	Hayden	Nye	Tydings
Byrd	Herring	O'Mahoney	Vandenberg
Byrnes	Hill	Overton	Van Nuys
Capper	Holman	Pepper	Wagner
Caraway	Holt	Pittman	Walsh
Chandler	Hughes	Radcliffe	Wheeler
Chavez	Johnson, Calif.	Reed	White
Clark, Idaho	Johnson, Colo.	Reynolds	Wiley
Clark, Mo.	King	Russell	

Mr. MINTON. I announce that the Senator from Connecticut [Mr. MALONEY] is absent from the Senate because of illness in his family.

The Senator from Ohio [Mr. DONAHEY], the Senator from Virginia [Mr. GLASS], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from Nevada [Mr. MCCARRAN], the Senator from New Jersey [Mr. SMATHERS], and the Senator from Missouri [Mr. TRUMAN] are necessarily detained.

Mr. AUSTIN. I announce that the Senator from North Dakota [Mr. FRAZIER] is necessarily absent.

The VICE PRESIDENT. Eighty-seven Senators have answered to their names. A quorum is present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed without amendment the bill (S. 1964) to amend section 5136 of the Revised Statutes, as amended, to authorize charitable contributions by national banking associations.

The message also announced that the House had passed the following bills of the Senate, each with amendments, in which it requested the concurrence of the Senate:

S. 2464. An act to amend the act of March 27, 1934 (48 Stat. 505), as amended (49 Stat. 1926; 34 U. S. C., Supp. IV, 496; sec. 14 of Public, No. 18, 76th Cong.), to adjust the limitations on the profits of certain contractors with the United States; and

S. 4026. An act providing for the reorganization of the Navy Department, and for other purposes.

The message further announced that the House had passed the joint resolution (S. J. Res. 59) authorizing the Bureau of Labor Statistics to collect information as to amount and value of all goods produced in State and Federal prisons, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 2301. An act to amend section 2 of the act entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the War with Spain, the Philippine Insurrection, or the China Relief Expedition, to certain maimed soldiers, to certain widows, minor children, and helpless children of such soldiers and sailors, and for other purposes," approved May 1, 1926;

H. R. 6381. An act for the admission to citizenship of aliens who came into this country prior to February 5, 1917;

H. R. 7731. An act to provide for the burial and funeral expenses of deceased veterans of the Regular Establishment who were discharged for disability incurred in the service in line of duty or in receipt of pension for service-connected disability;

H. R. 8243. An act to provide increases of pension payable to dependents of veterans of the Regular Establishment, and for other purposes;

H. R. 9149. An act to amend the act of March 3, 1927, entitled "An act granting pensions to certain soldiers who served in the Indian wars from 1817 to 1898, and for other purposes"; and

H. R. 9774. An act to provide for the prompt deportation of aliens engaging in espionage or sabotage, alien criminals, and other undesirable aliens.

REPORT ON LABOR IN THE TERRITORY OF HAWAII

The VICE PRESIDENT laid before the Senate a letter from the Secretary of Labor, transmitting a report on labor conditions in the Territory of Hawaii, prepared by the Bureau of Labor Statistics under a special appropriation of the Seventy-fifth Congress, being one of a series of such reports called for in the organic law of Hawaii of 1900, as amended April 8, 1904, which, with the accompanying report, in two volumes, was referred to the Committee on Territories and Insular Affairs.

DISPOSITION OF EXECUTIVE PAPERS

The VICE PRESIDENT laid before the Senate 12 letters from the Archivist of the United States, transmitting, pursuant to law, lists of papers and documents on the files of the Departments of the Treasury, 3; of Justice, 2; of Agriculture and of Labor; Federal Works Agency; Work Projects Administration, 3; Federal Loan Agency; and United States Food Administration, which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition, which, with the accompanying papers, were referred to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. BARKLEY and Mr. GIBSON members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a telegram from Earl S. Baily, Post No. 430, American Legion, Odessa, Tex., endorsing the national-defense program of the President of the United States and also the imposition of necessary additional taxes, and stating "it is imperative that the Government put some teeth in our laws in regard to 'fifth column' strikes and other organizations that will prevent the tax money from securing us full value on the defense program," which was referred to the Committee on the Judiciary.

He also laid before the Senate the petition of Mr. and Mrs. Morrill Cody and other citizens of New York City, N. Y., praying that all the available resources of the United

States for war purposes be immediately placed at the disposal of Great Britain and France for use in the present war situation, which was ordered to lie on the table.

He also laid before the Senate a telegram in the nature of a petition from Imogen B. Emery, chairman, National Defense Through Patriotic Education Committee, National Society Daughters of the American Revolution, Washington, D. C., praying that Congress remain in session until important national-defense and alien-control legislation can be enacted outlawing the Communist Party, registering international organizations, registering and fingerprinting aliens, the deporting of criminal aliens, and the deportation of Harry Bridges, which was ordered to lie on the table.

He also laid before the Senate a letter from W. R. Boyd, Jr., executive vice president, American Petroleum Institute, New York City, N. Y., stating that the board of directors of that institute at a recent meeting in Fort Worth, Tex., with the subsequent approval of the membership, pledged the full, complete, and voluntary cooperation of the institute with the Government of the United States and all agencies of the Government in the furtherance of national defense and security, and approving in principle the amendment to the National Defense Act submitted by the Senator from Texas [Mr. SHEPPARD] authorizing a new special militia under the War Department to be known as the National Defense Corps, which was ordered to lie on the table.

He also laid before the Senate a letter in the nature of a petition signed by the chairmen of the American Association of Independent Small Business and the National Advisory Council of Independent Small Business, Washington, D. C., praying that Congress remain in session for the duration of the present international crisis, and that all laws and parts of laws placing a curb on or impeding the speedy production of airplanes, guns, tanks, ammunition, ships, and so forth, be suspended or repealed so that necessary defense production may quickly proceed without any hindrance, which was ordered to lie on the table.

Mr. WALSH presented a telegram in the nature of a petition from sundry citizens of the State of Massachusetts, praying that the United States may keep out of war and strengthen its neutrality, which was referred to the Committee on Foreign Relations.

Mr. HALE presented the following resolution of the Legislature of the State of Maine, which was referred to the Committee on Finance.

Memorial to the honorable Senate and House of Representatives of the United States of America assembled, petitioning for the adoption of an adequate agricultural and tariff policy in furtherance of the welfare of the State of Maine

Whereas Maine is primarily an agricultural State and the prosperity of its farms being vital to the prosperity of the State as a whole; and

Whereas reciprocal-trade agreements with foreign nations have been entered into by the Government of the United States under the authority granted to the President by Congress that have conceded tariff reductions on imports of agricultural products produced in Maine; and

Whereas such concessions in tariff reductions have resulted in an influx of agricultural products in competition with such products produced in Maine; and

Whereas thousands of Maine farmers and their families, as well as a substantial portion of business interests in Maine, depend for their livelihood on the production and favorable marketing of agricultural products and must rely upon reasonable protection of their home markets by the adoption of favorable foreign-trade policies and tariffs to retain such markets: Now, therefore, be it

Resolved, That the Eighty-ninth Legislature of Maine in special session assembled respectfully petition and urge the Congress of the United States to take immediate steps to establish and maintain an agricultural and tariff policy that will best safeguard the State of Maine and its people; and be it further

Resolved, That a copy of this memorial, duly authenticated by the secretary of state, be immediately transmitted by the secretary of state to the proper officers and committees of the United States Senate and House of Representatives, the President of the United States, and to each of the Representatives and Senators representing the State of Maine in the United States Congress.

The VICE PRESIDENT laid before the Senate a resolution identical with the foregoing, which was referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. ADAMS, from the Committee on Public Lands and Surveys, to which was referred the bill (H. R. 8356) for the exchange of lands adjacent to the San Juan National Forest and the Rio Grande National Forest in Colorado, reported it without amendment and submitted a report (No. 1773) thereon.

Mr. WALSH, from the Committee on Naval Affairs, to which was referred the bill (H. R. 9296) to authorize the attendance of the Marine Band at the convention of the Grand Army of the Republic to be held at Springfield, Ill., September 8 to 13, inclusive, 1940, reported it without amendment and submitted a report (No. 1774) thereon.

Mr. HUGHES, from the Committee on Claims, to which was referred the bill (S. 4037) to confer jurisdiction upon the United States District Court for the Western District of Kentucky to hear, determine, and render judgment upon the claim of Theodore R. Troendle, for the Dawson Springs Construction Co., reported it without amendment and submitted a report (No. 1776) thereon.

Mr. SCHWARTZ, from the Committee on Claims, to which were referred the following bills, reported them each with an amendment and submitted reports thereon:

S. 2171. A bill for the relief of M. Seller & Co. (Rept. No. 1777); and

S. 2380. A bill conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment on the claim of R. Brinskelle and Charlie Melcher (Rept. No. 1778).

Mr. SCHWARTZ, from the Committee on Claims, to which was referred the bill (S. 3003) for the relief of Ralph C. Hardy, reported it with amendments and submitted a report (No. 1779) thereon.

Mr. SHIPSTEAD, from the Committee on Indian Affairs, to which was referred the bill (H. R. 8124) to provide funds for cooperation with public-school districts (organized and unorganized) in Mahnomen, Itasca, Pine, St. Louis, Clearwater, Koochiching, and Becker Counties, Minn., in the construction, improvement, and extension of school facilities to be available to both Indian and white children, reported it without amendment and submitted a report (No. 1780) thereon.

Mr. SHEPPARD, from the Committee on Military Affairs, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 3926. A bill to authorize the Secretary of War to provide a license for the construction of a pile dolphin and walkway at Fort Mifflin Military Reservation, and for other purposes (Rept. No. 1782); and

H. R. 8258. A bill for the marking, care, and maintenance of the Mount of Victory plot in the Cypress Hills Cemetery, in Brooklyn, N. Y. (Rept. No. 1781).

Mr. SHEPPARD also, from the Committee on Military Affairs, to which was referred the bill (H. R. 7611) to provide for the rank and title of lieutenant general of the Regular Army, reported it with an amendment and submitted a report (No. 1783) thereon.

Mr. BILBO, from the Committee on the Library, to which was referred the bill (H. R. 9751) for the creation of the United States De Soto Exposition Commission, to provide for the commemoration of the four hundredth anniversary of the discovery of the Mississippi River by Hernando De Soto, the commemoration of De Soto's visit to the Chickasaw Territory in northern Mississippi, and other points covered by his expedition, and the two hundred and fifth anniversary of the Battle of Ackia, and for other purposes, reported it with amendments.

Mr. PITTMAN, from the Committee on Foreign Relations, to which was referred the bill (S. 4039) authorizing the Secretary of the Interior to promulgate and to put into effect charges for electrical energy generated at Boulder Dam, providing for the application of revenues from said project, authorizing the operation of the Boulder Power Plant by the United States directly or through agents, and for other purposes, reported it with amendments and submitted a report (No. 1784) thereon.

Mr. CONNALLY, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 9063) authorizing the Administrator of the Federal Works Agency to transfer certain property in San Francisco, Calif., to the city and county of San Francisco for street purposes, reported it without amendment and submitted a report (No. 1785) thereon.

ENROLLED BILLS PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that that committee presented to the President of the United States the following enrolled bills:

On June 4, 1940:

S. 186. An act to amend sections 798 and 800 of the Code of Law for the District of Columbia, relating to murder in the first degree; and

S. 2132. An act for the relief of Katherine Scott, Mrs. J. H. Scott, Jettie Stewart, and Ruth Mincemeyer.

On June 6, 1940:

S. 1777. An act granting the consent of Congress to the States of Montana, North Dakota, South Dakota, and Wyoming to negotiate and enter into a compact or agreement for division of the waters of the Little Missouri River;

S. 2191. An act authorizing the Secretary of the Interior to grant to the State of Montana for the use and benefit of the Montana School of Mines a patent to a certain tract of land;

S. 2262. An act to provide for a change in the time for holding court at Rock Hill and Spartanburg, S. C.;

S. 2328. An act to promote on the retired list officers who were decorated and recommended for promotion for distinguished service during the World War and who have not attained the rank to which recommended;

S. 2639. An act relating to the hours of service of persons employed upon the Government-owned Wiota-Fort Peck Railroad in the State of Montana;

S. 3014. An act to amend the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1903, and for other purposes," approved July 1, 1902 (32 Stat. 662), so as to provide uniformity in the pay of all civilian employees of the Navy Department appointed for duty beyond the continental limits of the United States and in Alaska;

S. 3042. An act to amend the act entitled "An act to establish a Civilian Conservation Corps, and for other purposes," approved June 28, 1937, as amended;

S. 3065. An act authorizing the sale of fuel, electric current, ice, and water at isolated naval stations;

S. 3491. An act to provide that fines for failure to pay license taxes in Alaska shall be disposed of as provided for the disposition of such taxes;

S. 3496. An act to prevent retardation in promotion and in pay and allowances of permanent professors of the United States Military Academy appointed by the President from the commissioned officers of the Regular Army;

S. 3642. An act granting the consent of Congress to the Secretary of the Interior and the State of Washington to construct, maintain, and operate a highway bridge across the Spokane River, Wash.;

S. 3643. An act granting the consent of Congress to the Secretary of the Interior and Stevens County, State of Washington, to construct, maintain, and operate a highway bridge across the Kettle River, near Marcus, Wash.;

S. 3644. An act granting the consent of Congress to the Secretary of the Interior and the Great Northern Railway Co. to construct, maintain, and operate two railroad bridges across the Kettle River near Marcus, Wash.;

S. 3650. An act to require the payment of prevailing rates of wages on Federal public works in Alaska and Hawaii;

S. 3677. An act to donate to the city of Seattle a totem pole carved by the Alaskan native Civilian Conservation Corps; and

S. 3693. An act to authorize the Secretary of War to grant an easement for pipe lines across public lands reserved for military purposes in the parish of Plaquemines, La.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BARBOUR:

S. 4103. A bill for the relief of Eber H. Kempson; to the Committee on Claims.

By Mr. TYDINGS:

S. 4104 (by request). A bill for the payment of claims of the Fidelity Trust Co., of Baltimore, Md., and others; to the Committee on Claims.

By Mr. SHEPPARD:

S. 4105. A bill to create the National Industrial Defense Corps;

S. 4106. A bill to authorize the construction of certain facilities in Marjorie Park, Davis Island, Tampa, Fla., and for other purposes; and

S. 4107. A bill to transfer the jurisdiction of the Arlington Farm, Virginia, to the jurisdictions of the War Department and the Department of the Interior, and for other purposes; to the Committee on Military Affairs.

By Mr. WAGNER:

S. 4108. A bill to provide for the registration and regulation of investment companies and investment advisers, and for other purposes; to the Committee on Banking and Currency.

By Mr. BAILEY:

S. 4109. A bill to amend the act of April 6, 1938 (52 Stat. 201), entitled "An act authorizing the Secretary of the Treasury to exchange sites at Miami Beach, Dade County, Fla., for Coast Guard purposes"; to the Committee on Commerce.

By Mr. OVERTON:

S. 4110. A bill to provide for the recording and releasing of liens by entries on certificates of title for motor vehicles and trailers, and for other purposes; to the Committee on the District of Columbia.

By Mr. WALSH:

S. 4111 (by request). A bill granting a pension to Marius R. Campbell; to the Committee on Pensions.

By Mr. WHEELER:

S. 4112 (by request). A bill to amend the Transportation Act, 1920, as amended; to the Committee on Interstate Commerce.

By Mr. ANDREWS (for himself and Mr. PEPPER):

S. 4113. A bill to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto; to the Committee on the Judiciary.

By Mr. KING:

S. 4114. A bill to establish a boundary line between the District of Columbia and the Commonwealth of Virginia, and for other purposes; to the Committee on the District of Columbia.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated below:

H. R. 2301. An act to amend section 2 of the act entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the War with Spain, the Philippine Insurrection, or the China Relief Expedition, to certain maimed soldiers, to certain widows, minor children, and helpless children of such soldiers and sailors, and for other purposes," approved May 1, 1926;

H. R. 7731. An act to provide for the burial and funeral expenses of deceased veterans of the Regular Establishment who were discharged for disability incurred in the service in line of duty, or in receipt of pension for service-connected disability;

H. R. 8243. An act to provide increases of pension payable to dependents of veterans of the Regular Establishment, and for other purposes; and

H. R. 9149. An act to amend the act of March 3, 1927, entitled "An act granting pensions to certain soldiers who

served in the Indian wars from 1817 to 1898, and for other purposes"; to the Committee on Pensions.

H. R. 6381. An act for the admission to citizenship of aliens who came into this country prior to February 5, 1917; and

H. R. 9774. An act to provide for the prompt deportation of aliens engaging in espionage or sabotage, alien criminals, and other undesirable aliens; to the Committee on Immigration.

REPORT OF COMMITTEE ON BANKING AND CURRENCY—INVESTMENT COMPANIES AND ADVISERS

Mr. WAGNER, from the Committee on Banking and Currency, to which was referred the bill (S. 4108) to provide for the registration and regulation of investment companies and investment advisers, and for other purposes, reported it without amendment and submitted a report (No. 1775) thereon.

RIVER AND HARBOR DEFENSE IMPROVEMENTS—DELAWARE RIVER FROM PHILADELPHIA TO THE SEA

Mr. BARBOUR submitted an amendment intended to be proposed by him to the bill (H. R. 9972) authorizing the improvement of certain rivers and harbors in the interest of the national defense, and for other purposes, which was referred to the Committee on Commerce, and ordered to be printed.

AMENDMENT OF FEDERAL AID ACT—AMENDMENTS

Mr. NYE (for Mr. FRAZIER) submitted an amendment intended to be proposed by Mr. FRAZIER to the bill (H. R. 9575) to amend the Federal Aid Act, approved July 11, 1916, as amended and supplemented, and for other purposes, which was referred to the Committee on Post Offices and Post Roads, and ordered to be printed.

Mr. SHEPPARD (for himself and Mr. CONNALLY) submitted an amendment intended to be proposed by them, jointly, to House bill 9575, to amend the Federal Aid Act, 1916, etc., which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

ADDRESS BY SENATOR KING ON FEDERAL ADMINISTRATIVE PROCEDURE

[Mr. HATCH asked and obtained leave to have printed in the RECORD an address by Senator KING on the National Grange Hour, on May 18, 1940, on the Logan-Walter bill, which appears in the Appendix.]

UNEMPLOYMENT—ADDRESS BY SENATOR THOMAS OF UTAH

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD an address delivered by Senator THOMAS of Utah before the Interfaith Conference on Unemployment, on June 5, 1940, which appears in the Appendix.]

ADDRESS BY HON. WALTER E. EDGE AT NEW JERSEY REPUBLICAN STATE CONVENTION

[Mr. BARBOUR asked and obtained leave to have printed in the RECORD an address delivered by Hon. Walter E. Edge at the Republican State Convention, Trenton, N. J., on Tuesday, June 4, 1940, which appears in the Appendix.]

ARTICLE BY FRANK C. WALDROP ON BROADCASTING BUNK

[Mr. BONE asked and obtained leave to have printed in the RECORD an article by Frank C. Waldrop entitled "Broadcasting Bunk," which appears in the Appendix.]

THE AIR PROGRAM AND NATIONAL DEFENSE

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD, a letter from Hon. Thomas D. Cooper, of Burlington, N. C., together with an article from the United States News of May 31, 1940, entitled "The Truth About Our Neglected Air Program," which appear in the Appendix.]

AVIATION AND UN-AMERICAN ACTIVITIES

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD resolutions adopted by the American Legion post of Burlington, N. C., together with a letter from Hon. Thomas D. Cooper, of Burlington, N. C., relating to aviation, and to aliens and un-American activities, which appear in the Appendix.]

COMMENDATION OF PRESIDENT ROOSEVELT—EDITORIAL FROM EAST SIDE NEWS

[Mr. MEAD asked and obtained leave to have printed in the RECORD an editorial from the East Side News, of May 25, 1940, entitled "Roosevelt—World Savior," which appears in the Appendix.]

FEDERAL ADMINISTRATIVE PROCEDURE

[Mr. CAPPER asked and obtained leave to have printed in the RECORD a resolution adopted by the Kansas State Bar Association on May 27, 1939, endorsing the Walter-Logan bill, which appears in the Appendix.]

NUMBER OF WARRANT AND COMMISSIONED WARRANT OFFICERS, MARINE CORPS

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 6044) to regulate the number of warrant and commissioned warrant officers in the Marine Corps, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WALSH. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. WALSH, Mr. TYDINGS, and Mr. HALE conferees on the part of the Senate.

COMPOSITION OF THE NAVY

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 8026) to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WALSH. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. WALSH, Mr. TYDINGS, and Mr. HALE conferees on the part of the Senate.

NAVAL AIRCRAFT, ETC.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 9848) to authorize the construction or acquisition of naval aircraft, the construction of certain public works, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WALSH. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. WALSH, Mr. TYDINGS, and Mr. HALE conferees on the part of the Senate.

REORGANIZATION OF THE NAVY DEPARTMENT

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 4026) providing for the reorganization of the Navy Department, and for other purposes.

Mr. WALSH. I move that the Senate disagree to the amendments of the House, ask a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. WALSH, Mr. TYDINGS, and Mr. HALE conferees on the part of the Senate.

DISTRICT OF COLUMBIA APPROPRIATIONS—CONFERENCE REPORT

Mr. OVERTON submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9109) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1941, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 11, 12, 16, 17, 19, 20, 21, 22, 23, 25, 28, 35, 38, 39, 46, 57, 58, 60, 64, 74, 75, 89, 90, 91, 92, 95, 96, 103, 109, 114, 120, 137, 145, and 146.

That the House recede from its disagreement to the amendments of the Senate numbered 6, 7, 8, 9, 10, 13, 14, 15, 18, 29, 31, 33, 37, 40, 41, 43, 50, 51, 52, 54, 55, 56, 59, 61, 63, 65, 68, 69, 70, 76, 77, 79, 80, 81, 83, 87, 88, 99, 100, 101, 102, 105, 106, 107, 108, 111, 113, 116, 117, 118, 121, 122, 123, 124, 125, 126, 127, 128, 130, 131, 132, 135, 138, 140, 143, and 144; and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following: ", including the salary of the poundmaster at $2,200 per annum"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3 and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$11,980"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$196,210"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$95,730"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following: "purchase of two motortrucks at $550 each to replace two motorcycles and package cars"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$12,000"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$35,700"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32 and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$704,550"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42 and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$981,385"; and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$16,000"; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$70,675"; and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$160,387"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$304,171"; and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$193,000"; and the Senate agree to the same.

Amendment numbered 62: That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$581,000"; and the Senate agree to the same.

Amendment numbered 66: That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$230,000"; and the Senate agree to the same.

Amendment numbered 67: That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$2,948,505"; and the Senate agree to the same.

Amendment numbered 71: That the House recede from its disagreement to the amendment of the Senate numbered 71, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$76,750"; and the Senate agree to the same.

Amendment numbered 72: That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$48,725"; and the Senate agree to the same.

Amendment numbered 73: That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$12,500"; and the Senate agree to the same.

Amendment numbered 78: That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$409,060"; and the Senate agree to the same.

Amendment numbered 82: That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$23,000"; and the Senate agree to the same.

Amendment numbered 84: That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$213,000"; and the Senate agree to the same.

Amendment numbered 85: That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$687,840"; and the Senate agree to the same.

Amendment numbered 86: That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$292,000"; and the Senate agree to the same.

Amendment numbered 94: That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$104,940"; and the Senate agree to the same.

Amendment numbered 97: That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$557,760"; and the Senate agree to the same.

Amendment numbered 98: That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$480,000"; and the Senate agree to the same.

Amendment numbered 104: That the House recede from its disagreement to the amendment of the Senate numbered 104, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$107,500"; and the Senate agree to the same.

Amendment numbered 110: That the House recede from its disagreement to the amendment of the Senate numbered 110, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$31,900"; and the Senate agree to the same.

Amendment numbered 112: That the House recede from its disagreement to the amendment of the Senate numbered 112, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$12,200"; and the Senate agree to the same.

Amendment numbered 115: That the House recede from its disagreement to the amendment of the Senate numbered 115, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$582,500"; and the Senate agree to the same.

Amendment numbered 119: That the House recede from its disagreement to the amendment of the Senate numbered 119, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following: "recreation, vocational training, and historical records"; and the Senate agree to the same.

Amendment numbered 129: That the House recede from its disagreement to the amendment of the Senate numbered 129, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$520,325"; and the Senate agree to the same.

Amendment numbered 141: That the House recede from its disagreement to the amendment of the Senate numbered 141, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$343,685"; and the Senate agree to the same.

Amendment numbered 142: That the House recede from its disagreement to the amendment of the Senate numbered 142, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$260,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 24, 34, 36, 53, 93, 133, 134, 136, and 139.

JOHN H. OVERTON,
CARTER GLASS,
ELMER THOMAS,
DENNIS CHAVEZ,
WILLIAM H. KING,
GERALD P. NYE,
ARTHUR CAPPER,
Managers on the part of the House.

M. F. CALDWELL,
GEORGE MAHON,
EMMET O'NEAL,
LOUIS C. RABAUT,
JOHN M. HOUSTON,
KARL STEFAN,
(Except as to amendment No. 52),
FRANCIS CASE,
(Except as to amendment No. 52),
Managers on the part of the House.

The report was agreed to.

The VICE PRESIDENT laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 9109, which was read, as follows:

IN THE HOUSE OF REPRESENTATIVES,
June 5, 1940.

Resolved, That the House recede from its disagreement to the amendments of the Senate Nos. 24, 53, 93, 134, 136, and 139 to the bill (H. R. 9109) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1941, and for other purposes, and concur therein.

That the House recede from its disagreement to the amendment of the Senate No. 34 to said bill, and concur therein with an amendment as follows: In lieu of the sum inserted by said amendment insert "$7,334,194";

That the House recede from its disagreement to the amendment of the Senate No. 36 to said bill, and concur therein with an amendment as follows: In line 3 of the matter inserted by said amendment strike out "three" and insert "two"; and

That the House recede from its disagreement to the amendment of the Senate No. 133 to said bill, and concur therein with an amendment as follows: In line 10 of the matter inserted by said amendment, after "Columbia", insert a comma and "the National Capital Park and Planning Commission, and the Fine Arts Commission."

Mr. OVERTON. I move that the Senate concur in the House amendments to Senate amendments numbered 34, 36, and 133.

The motion was agreed to.

KATHARINE M. DRIER

Mr. AUSTIN. Mr. President, regarding Senate bill 3097, for the relief of Katharine M. Drier, I am about to ask unanimous consent to insert in the RECORD certain material. I wish to make a brief preliminary statement.

In the first place, several different hearings have been held, both in subcommittees of the War Claims Committee of the House and before the whole Committee on War Claims of the House; and, as we are all aware, the bill was also considered by the Foreign Relations Committee of the Senate. In addition to that it was considered somewhat by certain members of the Finance Committee of the Senate.

I ask unanimous consent to insert in the RECORD an index which is in the nature of a concordance. It shows in what places in the various hearings the same subjects are referred to.

The PRESIDENT pro tempore. Without objection, it is so ordered.

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[1] Action at law by this corporation against Secretary of State and Secretary of the Treasury was, on appeal, finally dismissed by the U. S. Court of Appeals for District of Columbia, on June 3, 1940, after the conclusion of the testimony on S. 3097, in a written opinion, from which the following is quoted:

P. 9, footnote: "Compacts which have for their object temporary matters and which have been called agreements, conventions, pactions, protocol, modus vivendi, are essentially international treaties."

P. 10, opinion: "As between the United States and Germany, indeed, as between the United States and American claimants, the money received from Germany was in strict law the property of the United States, and no claimant could assert or enforce any interest in it, so long as the Government legally withheld it from distribution."

P. 11, opinion: "Germany bound herself to pay to the United States, in full, awards made by the Mixed Claims Commission here involved. The fund established in the Treasury, and which is sought to be controlled in the present case, was set up for the purpose of paying awards thereafter to be made. To it Germany made substantial contributions. Into it were deposited amounts seized from German nationals, as well as property belonging to the German Government. If the amount of the fund shall be found insufficient to pay all awards, the German Government is solemnly bound to supply additional funds, necessary for that purpose, and has provided bonds to guarantee such payment. In consideration of Germany's obligation, above recited, the United States returned to German nationals 80 percent of the funds and property seized by the Government and originally held for the purpose of satisfying these claims."

Mr. AUSTIN. Mr. President, 3 days ago the United States Court of Appeals for the District of Columbia handed down a unanimous opinion which passed upon some of the most important principles involved in the relief sought by Senate bill 3097 for the relief of Katherine M. Drier. The opinion would seem to put at rest forever some of the questions which have been debated about that bill.

In the opinion the court of appeals here refused to upset the $50,000,000 award to victims of the Black Tom and Kingsland munitions-dump explosions. The award was made by the German-American Mixed Claims Commission. It had been attacked by the Z. & F. Assets Realization Corporation of New York because it was handed down in the absence of the German member of the Commission, who voluntarily withdrew from the Commission, apparently with a view to blocking action by the Commission.

The case is entitled "Z. & F. Assets Realization Corporation, a Delaware Corporation; American-Hawaiian Steamship Co., Intervener, Appellants, against Cordell Hull, Secretary of State, and Henry Morgenthau, Secretary of the Treasury; Lehigh Valley Railroad Co., Intervener." It is an appeal from the District Court of the United States for the District of Columbia, decided June 3, 1940.

I shall not take the time of the Senate to read any part of the opinion, but I ask unanimous consent to have inserted in the RECORD the portions of it which I believe apply directly to some of the questions raised about Senate bill 3097.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

On March 1, 1939, and during the course of the Commission's deliberation upon that question, the German Commissioner retired as a member of the Commission.

Thereafter, personal notice was given to the German agent of a further meeting of the Commission to be held on June 15, 1939. Following this notice, and prior to the date of the meeting, Germany stated, through announcements made both by its agent and its diplomatic representative, that it would ignore the meeting called. These representations and announcements were made a part of the record. On the day of the meeting the Commission rendered a decision, setting aside its earlier decision of October 16, 1930, and reopening the cases. The American agent again moved that awards be granted in favor of the United States. The motion was granted and the Commission found that the liability of Germany, in both the Black Tom and Kingsland cases, had been established. It was ordered that awards be prepared and submitted to the Commission for its consideration at a further meeting to be held on notice.

Prior to October 30, 1939, personal notice was given to the German agent of a meeting of the Commission to be held on that date. At that time a thorough study was made by the Commission—absent the German Commissioner—of the records and proofs on file, and awards were made in favor of the United States in each of the 153 claims which are involved in this case.

* * * * * * *

Appellants contend here, as they contended below, that (1) the Mixed Claims Commission was without jurisdiction to make the awards of October 30, 1939; (2) if payment is made, by the Secretary of the Treasury, of the amounts specified in the awards of October 30, 1939, it will exhaust the special deposit fund, which is held by the Secretary of the Treasury for the payment of awards made by the Mixed Claims Commission; and (3) thus they will be prevented from receiving payment of amounts to which they are entitled under the prior awards.

Whatever may be the merits of the second and third contentions, the lower court was barred from giving consideration to them; for they, in turn, depend upon the first contention and, as it involves a political and not a judicial question, the court was without jurisdiction to hear or decide it.

* * * * * * *

The purpose of the Treaty of Berlin was that further negotiations should be carried on between the signatories for the determination and settlement of outstanding claims. The executive agreements was in furtherance of this purpose. Under such circumstances there is no reason or excuse for judicial interference.

* * * * * * *

As between the United States and Germany, indeed as between the United States and American claimants, the money received from Germany was in strict law the property of the United States, and no claimant could assert or enforce any interest in it so long as the Government legally withheld it from distribution. And it was expressly agreed that any award made should be, as between the two Governments, final and conclusive until set aside by agreement between them.

Although an individual claimant may have a moral right to participate in an award, as a matter of strict legal or equitable right he has none, and Congress is under no legal or equitable obligation to pay any claim. Therefore, it is only when such a claimant has been permitted by Congress to participate in such an award that he has any standing to invoke judicial relief.

* * * * * * *

In fact, the situation of the present case is clearly one of a continuing controversy between the United States and Germany although, paradoxically, neither government is a party to the present suit. Germany bound herself to pay to the United States, in full, awards made by the Mixed Claims Commission here involved. The fund established in the Treasury, and which is sought to be controlled in the present case, was set up for the purpose of paying awards thereafter to be made. To it Germany made substantial contributions. Into it were deposited amounts seized from German nationals, as well as property belonging to the German Government. If the amount of the fund shall be found insufficient to pay all awards, the German Government is solemnly bound to supply additional funds necessary for that purpose, and has provided bonds to guarantee such payment. In consideration of Germany's obligation above recited, the United States returned to German nationals 80 percent of the funds and property seized by the Government and originally held for the purpose of satisfying these claims.

The continuing interest of Germany in the controversy cannot well be denied. (1) If appellants are correct in their contention that the retirement of the German Commissioner blocked further action by the Mixed Claims Commission, then—as to all undecided matters—presumably the two countries were right back where they were before the Commission was appointed. (2) If appellants' contention is correct that awards were improperly made then perhaps Germany was not liable for the amount thereof, while if they were properly made presumably she was liable. (3) If it is true, as appellants contend, that the Commission acted outside the scope of its authority then perhaps it acted in an area which the executive agreement did not cover; hence, in an area coverable only by a treaty negotiated, or to be negotiated, by the political departments of the Government.

If there were any doubt as to the continuing interest of Germany in the proceedings or of the political nature of the controversy, it would be dispelled by a reading of the acrimonious protest which was filed following the retirement of the German commissioner, by the German Chargé d'Affaires ad interim, with the Secretary of State. This protest spoke disparagingly of the American umpire; referred to the Mixed Claims Commission as "the rump Commission"; claimed that it "was incompetent to make a decision"; that any awards made by it were void; referred to the proceedings of the Commission as "a litigation between two sovereign governments, in which the uninvestigated claims amount to approximately $40,000,000"; stated that the "approval of claims of Canadian interested parties in a procedure which the German Government and the United States Government have established for the settlement of claims of American citizens is null and void"; and "to sum up * * * that the 'decision' of the American umpire, which contemplates the issuance of awards, was issued in disregard and violation of essential provisions of the statute of the Commission, essential agreements between the German Government and the United States Government, essential rules of procedure and binding decisions of the full Commission, the observance of which would have been the absolute duty of the American umpire." The communication concluded with the expression of hope "that the United States Government does not approve of the violations of procedure discussed in this note and that it will find some way of quashing them, in order to restore, in collaboration with the German Government, the basis existing before the beginning of these violations of procedure, upon which the proceedings can be brought to a conclusion in an orderly way."

To these protests and accusations the Secretary of State replied: "I have entire confidence in the ability and integrity of the umpire and the Commissioner appointed by the United States despite your severe, and, I believe, entirely unwarranted criticisms, and I am constrained to invite your attention to the fact that the remarkable action of the Commissioner appointed by Germany was apparently designed to frustrate or postpone indefinitely the work of the Commission at a time when, after years of labor on the particular cases involved, it was expected that its functions would be brought to a conclusion." It requires no more than a recital of these exchanges between the Governments of Germany and the United States to show that they bring the case clearly within the realm of political as distinguished from judicial questions.

The present case is clearly distinguishable, also, from the case of Colombia against Cauca Co., relied upon by appellants, in which a foreign government voluntarily submitted to an arbitration between itself and a private citizen of the United States and, thereafter, voluntarily submitted itself to the jurisdiction of a Federal court to secure the determination of a controversy between itself and that private citizen, which arose out of the arbitration proceeding.

In view of our determination, as set forth above, it is not necessary to consider any of the other assignments or questions presented.

Affirmed.

FOREIGN POLICY

Mr. WILEY. Mr. President, in January 1940 I spoke on the subject Proposed Japanese Embargo. After reading today Walter Lippmann's article Toward a Peace With Peace,

I was reminded of what I said in the opening days of this year.

We have heard much talk about our foreign policy, but no one seems to know just what it is. Mr. Lippmann's article presents America with something to think about. It relates to our policy in the Far East. I shall ask that it be printed in the RECORD following my remarks.

There is another subject I should like to call to the attention of the Senate. It is the matter of making a peaceful contribution to the conditions in Europe. We are informed that, because of the tremendous number of refugees, England is planning to send her children to Canada. Only the invaded countries have this refugee problem. Germany knows nothing about it.

Twenty centuries ago the voice of Someone who did not believe in war said:

Inasmuch as ye have done it unto one of the least of these (children), my brethren, ye have done it unto Me.

In these turbulent times we have a tendency to forget that there are great underlying spiritual laws and principles. The Master expressed one of these in the simple language I have quoted.

Now, I ask, Is there any reason why America should not offer to aid in the transport of these children? We have idle ships. This would be more than a gesture; this would be a candle lighted in a dark world. We could arrange to carry the children across to Canada. Hitler agreed not to disturb the boat which recently carried American tourists out of Ireland. We could get his promise also to refrain in every way from interfering in the transport of these innocents to the Western Hemisphere—God's country.

Mr. President, in these times of stress, wherever the United States can do something that is generous, something that is kind, something that is noble, she will put an end to that which has been cutting her off, and will tend to cut her off, from friendly relationships throughout the world. It seems to me that we now have an opportunity to speak in a way so that there will be no misunderstanding. It will not be an action of war; it will be an action of peace. It will call the attention of all the world to the fact that the United States wants to help in every channel possible consistent with keeping out of war.

I ask unanimous consent that the article by Walter Lippmann be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post of June 6, 1940]

TODAY AND TOMORROW—TOWARD A PEACE WITH PEACE

(By Walter Lippmann)

Although the attention of the Americas is fixed upon Europe, they must never forget that the American continents are a great island set amidst the oceans of the world. On the west the ocean washes the coasts of Asia and of the island empires of the east.

The only navy which the American Hemisphere possesses is now in the western ocean. In that same ocean there is the Japanese Navy. As between the United States and Japan, two nations which have never been at war, there has developed in recent years a growing opposition to policies, interests, and diplomatic principle. Their relationship today is obviously unstable. The naval treaty has lapsed. The commercial treaty has been abrogated. In respect to China, the two countries have taken positions which are in theory irreconcilable. In respect to the Netherlands Indies, their public declarations promising respect for the status quo are ambiguous, and in the light of conceivable developments, exceedingly precarious.

To put the matter more plainly, the two countries confront each other across the vast expanses of the Pacific, each having taken a position where untoward circumstances or an uncalculated overt act might plunge both of them into a prolonged and exhausting struggle. In such a struggle neither Japan nor the United States would be serving its vital interests. Both nations would be sacrificing them. The Japanese, already suffering from the Chinese war, would by engaging and exhausting themselves still further make themselves vulnerable to the only great power, namely, Russia, which can strike by land and by sea and by air at the very heart of the Japanese Empire.

The United States, by drifting into such a war, would be engaging the Navy for years to come in a confused and indecisive campaign on the other side of our world; yet at that very moment the security of the American continents may require the use of the whole Navy to guard those strategic points in the Atlantic Ocean which must be held if this hemisphere is to be defended.

It is now a kind of suicidal madness for the two nations to contemplate even the possibility of letting the existing tension and the existing conflicts of interest and principle develop into a war. For in such a war both would be sacrificing much greater principles than they were upholding and both would be jeopardizing fatally interests which are infinitely more important than those they were defending.

Some, perhaps, will feel that to express this candid view of Japanese-American relations is to display a deplorable weakness at a time when only strength and firmness are good currency in international affairs. I do not think it is weakness to make the plain truth the basis of national policy. The Japanese know their own strength and their own weaknesses and they know our strength and our weaknesses; and we know the same of them and of ourselves. Neither they nor we can afford to bluff. Neither we nor they can afford to provoke the other. This is the truth. And on the truth we shall both do well to found our policies.

Lest this opinion be ascribed to a sudden fear engendered by the critical state of Europe, I hope I may be pardoned for saying that many of us have held and expressed this view for a long time, ever since the outbreak of the European war was manifestly inevitable. For it has been clear to us that whatever our sympathies and interests in the Far East, a great European war for the domination of the western world would affect directly and vitally the security and the independence of this hemisphere. We have held that, by comparison, our interests in the Far East would prove to be secondary, however important they might under more normal circumstances appear to be. We have, therefore, held that it was perilous and in the highest degree unstatesmanlike to let develop an irreconcilable conflict with Japan, to conceal from ourselves the immense gravity of such a conflict, to exacerbate the tension by threats and by declarations that are too absolute to be negotiable.

We have held that this provocative attitude was downright folly especially at a time when the country was doped and duped by a notion of neutrality in Europe which might compel it to stand by and risk the collapse of Allied sea power. We have argued that the policy of the majority of the Foreign Relations Committee of the Senate during the month of July a year ago was a classic example of how misguided men can imperil the security of a nation.

For in that fatal month the committee challenged Japan in the Pacific by supporting, and even by inciting to, the abrogation of the commercial treaty, and by brandishing the threat of an embargo; in the very same weeks when it was proposing to risk war with Japan, the same committee was refusing to lift the embargo on the sale of arms to the Allies on the ground that what happened to them was no concern of ours. It was a most awful case of not letting your right hand know what your left hand is doing, an almost incredible case of being blindly provocative in one ocean and blindly supine in the other ocean. And, unhappily, the administration, which knew better, acquiesced in this utterly unstatesmanlike policy of challenging Japan in Asia while we were forbidden to support the Allies in Europe.

The situation today is, of course, worse than it was then. But still the fundamental interests involved are the same. It is still true that Japan and the United States have nothing to gain and a very great deal to lose by going to war—or even by standing opposed as if they might be going to war. It is still true that our interests in the Far East are secondary to our interests in this hemisphere. Because this is true, it follows that there is no conflict between Japan and the United States which is not reconcilable by diplomacy. We should, therefore, recognize this truth and should, I submit, enter immediately into friendly and conciliatory and candid negotiations with the Japanese for the avowed purpose of preserving peace in the Pacific.

This is not a time for bluffing and this is not a time for indulging that false pride which causes men to cling to an untenable position. We know that we must defend our security and our very independence in this hemisphere and in the Atlantic Ocean. We know that Japan has a greater interest in Asia than we have. Let us recognize the fact. On the other hand, the Japanese position in the Far East is at least as difficult as is our position in the Western Hemisphere. Japan is at war with China. Japan has Soviet Russia for her nearest neighbor. Her commerce with this hemisphere is of critical importance to the standard of life of the Japanese people.

In these considerations there are the essential elements of a negotiation which might lead through a new commercial treaty to a political understanding based on the principle that the European war, which is also a European revolution, is not to be extended to the Pacific. We should aim high and aim far—at a new order of things in the Pacific in which, having adjusted our secondary conflicts, the two navies will cease to confront each other as potential antagonists and will be free to maintain order and stability in their respective spheres of influence.

I have no way of knowing whether the Japanese nation will respond to such a change of American policy. My belief is that they might, that they do not regard themselves as our enemies, that they respect the power we are capable of developing, and that the best of the Japanese leaders and the mass of the Japanese people desire peace with the United States. Even if this is not the fact, we shall never, I believe, regret having tried wholeheartedly to preserve the peace in half the world.

DIVISION OF THE WATERS OF THE YELLOWSTONE RIVER—CONFERENCE REPORT

Mr. WHEELER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1759) granting the consent of Congress to the States of Montana, North Dakota, and Wyoming to negotiate and enter into a compact or agreement for division of the waters of the Yellowstone River, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment numbered 1.

Amendment numbered 2: That the Senate recede from its disagreement to the amendment of the House numbered 2 and agree to the same with an amendment, as follows: Omit the matter proposed to be inserted by said amendment, and in lieu thereof, on page 2 of the Senate bill, line 10, after the word "Act", insert a colon and the following: "*Provided*, That such Act of August 2, 1937, is amended by striking out 'June 1, 1939,' and inserting in lieu thereof 'June 1, 1943'"; and the House agree to the same.

That the House recede from its amendment to the title of the bill.

ELMER THOMAS,
BURTON K. WHEELER,
LYNN J. FRAZIER,
Managers on the part of the Senate.

COMPTON I. WHITE,
KNUTE HILL,
CHARLES HAWKS, Jr.,
Managers on the part of the House.

The report was agreed to.

EXPEDITION IN STRENGTHENING THE NATIONAL DEFENSE

The Senate resumed the consideration of the bill (S. 4025) to expedite the strengthening of the national defense.

Mr. TAFT. Mr. President, as I understand, the question before the Senate is the Austin amendment to the pending bill.

The PRESIDENT pro tempore. The pending question is the amendment of the Senator from Vermont [Mr. AUSTIN].

Mr. TAFT. I wish to speak very briefly in behalf of the amendment which the Senator from Vermont offered yesterday.

The amendment provides for the creation of a commission of five, not only to advise the President, but to administer any plan for industrial mobilization. As I read the amendment, that is its purpose. I desire to say a few words in behalf of that proposition, because it seems to me obvious that today there is no plan of industrial mobilization, and I cannot find that anyone has been deputed or appointed to make any such plan.

I hold in my hand the Industrial Mobilization Plan Revision of 1939, approved jointly by Louis Johnson and Charles Edison under the statute. That plan has been before the country for a good many years. It provides peculiarly for the creation of what is called a war-resources administration to plan and develop a definite program for industrial mobilization. I shall read some parts of it, because it shows what has not been done:

It is considered highly desirable that the key superagency for wartime industrial coordination should be the War Resources Administration. In order that, wherever possible, planned measures may anticipate the problems which will inevitably arise to disrupt our national war economy, the War Resources Administration in skeleton form should be set up as early as practicable when an emergency is envisioned. The War Resources Administration should serve not only to facilitate the transition from a peace to a war economy, but, pending the establishment of other suggested superagencies, it would, insofar as possible, perform those functions discussed later in detail under the caption of "Other emergency administrations."

If the creation of the War Resources Administration is delayed, the Army and Navy Munitions Board should assume the responsibility for guidance during the transition period.

It is obvious today that regardless of what we do with the Army and Navy, the field of industrial mobilization is the most important field if we are to have adequate preparedness in this country. As far as I can discover, the power to deal with that subject is scattered between at least six different departments of the Government, including the Army itself, the Navy, and the Procurement Division of the Treasury. There seems to be a doubt as to just exactly what the function of the Procurement Division is. In addition to that, we have a proposal in a bill now pending before Congress to give the R. F. C. power to go into the question of building plants for industrial mobilization; and in addition to that we have an Advisory Committee with an adviser on industrial mobilization.

Obviously that power should be concentrated in one man. The President himself cannot exercise it. This very bill gives the right to someone to provide for the furnishing of Government-owned facilities to privately owned plants. I am not sure but that the language in section 5 (1) is so broad that we might actually build Government plants, and certainly on page 2 of the bill the Secretary of War is given power to manufacture military equipment, munitions, and supplies, and again on page 2 the War Department is given power to provide for the manufacture of military equipment, munitions, and supplies, at such places and under such conditions as he may deem necessary.

While the bill gives such power to the Secretary of War, there is another bill which will give it to the administrator of the loan agency, Mr. Jesse Jones, which will be before the Senate in a short time.

If there is one thing which must be done, it is to give someone the power at least to make a plan and then it seems to me he should be given power to carry out that plan. That is what the amendment of the Senator from Vermont does, as I see it.

I think the industrial mobilization plan of 1939 contemplates a War Resources Administration with one head, and I should prefer an administration with one head rather than with five heads. But the details can be worked out, if the Senate will approve the general principle of giving someone the power actually to assist the President to administer the operations of an industrial mobilization plan.

There is an interesting article in the Washington Post this morning on that question, showing that there is today a disagreement as to who has that power. The article is by T. W. Wilson, Jr., and appears on page 11 of the Washington Post of this morning. It reads:

On the second point, there is a more-or-less silent agreement between the War and Navy Departments on the one hand and the Treasury Department on the other as to who should supervise the expansion of the aircraft and machine-tool industries. This controversy dates back to late last year when Secretary of the Treasury Morgenthau was appointed by President Roosevelt to coordinate foreign and domestic aircraft purchases.

When the question of new and greater expansion of the aircraft and machine-tool industries came up in connection with the national-defense program, however, Mr. Morgenthau again was placed in charge of this work and again certain officials of the War and Navy Departments were nettled. War and Navy officials would go the whole way in meeting the requests of the manufacturers in the fields of labor policies and tax exemptions, while the Treasury would treat all industries alike on tax matters and would adhere strictly to labor- and profit-limitation laws.

The article proceeds to point out that there are other people who seem to be interested in the same thing.

If there is one thing that is essential, it is industrial mobilization. We provided last year for an authorization of 6,000 airplanes; and if someone had planned an airplane capacity which would produce airplanes, then we would today have a production which not only would be of value to us but also of value to the Allies. Our capacity today is apparently 300 airplanes a month, of which about 200 are going abroad and 100 are coming to us.

If we desire to assist in the general situation, we cannot do anything better than develop a definite plan for increased capacity in airplanes, powder, and other munitions. But if we are to do that, it must be in charge of one man, it seems to me, or at least one board, with a definite chairman, who would have power, and I think that could be provided by the President under the pending amendment. That power should be given, and it should not be scattered among half a dozen people. Otherwise, when we get to the end of the next year we will find again that we have not the capacity to manufacture industrial munitions. I think the amendment is a step in the right direction and should be agreed to.

Mr. SHEPPARD. Mr. President, when the amendment of the Senator from Vermont [Mr. AUSTIN] authorizing the President to create a nonpartisan authority to expedite national defense came before the Senate Committee on Military Affairs it was referred in due course to the President, and the President reported as follows:

> I have your letter of May 22, 1940, submitting, by direction of the Senate Committee on Military Affairs, a draft of a proposed provision, intended to be offered by Senator AUSTIN, which would authorize the President, in his discretion, to create a nonpartisan authority of five members, at salaries not in excess of $10,000 each, to advise and assist him in effectuating plans for a more adequate national defense.
>
> You are doubtless aware of the fact that I have already, under authority vested in me by existing law, appointed a nonpartisan advisory commission to assist me and the Council of National Defense in connection with the present emergency program.

I take it that expression covers everything that may be necessary in connection with the proper handling of the emergency program. The President continues:

> In addition, I have, within the past few days, transmitted to the Congress a request that $1,000,000 be appropriated to cover the expenses of these bodies and also a request that during the existence of the present emergency authority be granted the head of any department or independent establishment of the Government to employ any person of outstanding experience and ability at a compensation of $1 per annum.
>
> In view of the action already taken by me, I feel that the enactment of the legislation proposed by the amendment in question would be unnecessary.

It seems to me, therefore, that the matter suggested by the Senator from Vermont has already been taken care of, and I ask that the amendment be rejected.

Mr. TAFT. Mr. President, carefully reading the letter from the President, which the Senator from Vermont had inserted in the RECORD yesterday, and which the able Senator from Texas has just read, I find that the commission to which the President refers is only an advisory commission, that it does not therefore take away any of the powers granted to the War Department, or the Navy Department, or the Treasury, or which we may grant to the R. F. C. It still leaves all the powers existing in four or five different places. So it seems to me very clear that the letter does not in any way answer the argument I made or the argument which was made by the Senator from Vermont.

Mr. SHEPPARD. Very well. It is merely a question of opinion of the President that what he has already done will adequately cover the situation.

Mr. PEPPER obtained the floor.

Mr. BARKLEY. Mr. President, will the Senator from Florida yield?

Mr. PEPPER. I yield.

Mr. BARKLEY. I understand it is desired that the amendment be disposed of before the Senator from Florida proceeds; and if that is so, I suggest that the Senator from Florida yield the floor, because if he does not intend to address himself to the amendment he can take the floor later.

Mr. PEPPER. Very well.

Mr. BARKLEY. Mr. President, I wish to say a word or two in support of what the Senator from Texas [Mr. SHEPPARD] has said in reference to the amendment, and in doing so I will say that I fully appreciate the sincerity of the Senator from Vermont [Mr. AUSTIN] in following up the amendment which he had previously offered in connection with another measure and on a previous occasion.

I always hesitate to disagree with the Senator from Vermont, because I have such great respect for him personally and for his ability and his integrity as a legislator that when I find myself in disagreement with him I begin to question whether I am right. But, at any rate, I feel that the adoption of the amendment is unnecessary and might bring about confusion.

The amendment provides for a five-man commission or board, or authority, I believe it is called, to be appointed by the President, presumably to do precisely—certainly practically—what has already been done, or at least has been begun. The President has appointed a seven-man commission under existing law. If the amendment is intended to take the place of the action already taken by the President, then it sets up a five-man board as a substitute for the seven-man board already appointed by the President. If the proposed board is to be in addition to the commission or board the President has already appointed, it will result in confusion.

The President has appointed this seven-man board, of which Mr. Stettinius is a member. He is to be the adviser, and, judging from information I have, is to have considerable authority in coordinating all the activities with reference to industrial materials, their production, and getting them to the point where they are to be manufactured into various products.

Mr. VANDENBERG. Mr. President——

The PRESIDING OFFICER (Mr. GILLETTE in the chair). Does the Senator from Kentucky yield to the Senator from Michigan?

Mr. BARKLEY. I yield.

Mr. VANDENBERG. I am particularly interested in the Senator's reference to the extent of Mr. Stettinius' authority. I wonder if the Senator can enlarge upon the information to which he referred. I am very anxious to know whether or not specifically Mr. Stettinius is merely an adviser to the Procurement Department of the Treasury, or whether he is acting directly under the President without intervention by the Procurement Division.

Mr. BARKLEY. He is acting directly under the President.

Mr. VANDENBERG. And the Treasury is no longer in it?

Mr. BARKLEY. The Treasury has its own Procurement Division. I do not mean to intimate that there will not be cooperation between Mr. Stettinius and the Director of Procurement of the Treasury, for which position a new man has just been appointed, I believe, and I understand he is a very competent man. However, it is my understanding, and I feel that it is justified, that not only Mr. Stettinius, but Mr. Knudsen and all of the seven men appointed by the President, are directly under the President. He is their boss. They report directly to him, while, of course, they cooperate with all the other officers of departments and agencies of the Government. But all these seven persons in their respective fields are in a sense supreme, subject, of course, to the direction of the President, and, of course, have already been advised, as I am informed, that while it is their duty and they will be expected to cooperate and coordinate and work with all these other agencies, yet in their individual fields they have the obligation to report directly to the President.

Mr. VANDENBERG. The Senator from Kentucky has referred to the specific thing that has created confusion in my mind, namely, the appointment within the last 24 hours of Mr. Nelson, of Chicago, apparently as an assistant secretary in charge of procurement in the Treasury Department; I am inquiring whether the Senator can enlighten me what the relationship now is between Mr. Nelson, in charge of defense procurement in the Treasury, and Mr. Knudsen and Mr. Stettinius.

Mr. BARKLEY. Of course, the Senator knows that the duty of the procurement officer in the Treasury is to procure goods which the Government itself is purchasing. That is a different duty, in a sense, from that which Mr. Stettinius will perform in bringing together materials that are to be used in private industry in the production of things the Government will later procure, in the way of airplanes or any other sort of material that is necessary to carry out the program of defense. Mr. Stettinius will not be limited in his activities to procurement of goods which are to be bought by the Government, which is essentially a duty of the Procurement Division of the Treasury itself, but it will be a part of his duty to see that the materials which are produced are speedily and efficiently brought to the point where they are to be turned into the finished products, and then Mr. Knudsen's activities begin with respect to the turning out of the finished products after the materials have been provided. That is the broad division between the authority and

the duties to be performed by those two particular appointees of the President.

Mr. VANDENBERG. Then it is the Senator's view that Mr. Stettinius and Mr. Knudsen are not subordinate to Mr. Nelson?

Mr. BARKLEY. They are not at all.

Mr. HILL. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. HILL. I have the act of August 29, 1916, before me, Public Law No. 242, Sixty-fourth Congress. When we look at that statute we find set out the provisions for the appointment of this advisory commission, stating that it shall consist of not more than 7 persons, each of whom shall have special knowledge of some industry, public utility, or the development of some natural resources, or be otherwise specially qualified, in the opinion of the council, for the performance of the duties hereinafter provided.

It then proceeds to set forth the duties, and those duties cover everything—industrial mobilization, industrial production, transportation, not only on the railroads but on the waterways, the mobilization of all the resources and all the powers of the Nation. Under the duties of this council, the concluding phrase is:

> And the creation of relations which will render possible in time of need the immediate concentration and utilization of the resources of the Nation.

It provides that this council shall report to the President of the United States and shall make rules and regulations for its work, subject to the approval of the President of the United States.

So this council comes directly under the President of the United States and not under the Secretary of the Treasury or some other official of the Government.

Mr. BARKLEY. I thank the Senator. There can be no doubt about that. As a matter of fact, I sat in at the first meeting of the council a few days ago, and while I am not at liberty to reveal what happened behind closed doors, I think it has already appeared in the press, as the result of that meeting, that the question as to the identity of the officers to whom this board as a whole shall report, and to whom its members shall report as individuals, was brought up, and it was very clearly made to appear that they are directly responsible to the President, while they are expected to work with, coordinate, and, so far as possible, help to iron out difficulties that may occur.

This board is created largely to deal with those things which are not strictly part of the routine of government. For instance, Mr. Stettinius' job is to coordinate the assembling of raw materials. Mr. Knudsen's job is to coordinate their translation into finished products. Mr. Budd takes charge then and undertakes to coordinate their distribution by transportation, not only by rail but by all other means of transportation.

So it seems to me there cannot be any difficulty about the respective authorities and duties of this board of seven, in addition to their duties as a group meeting probably once a week, or oftener if necessary, to ascertain the progress that is being made in all these fields of activity.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. TAFT. I notice that the bill which we are considering provides, however, that the Secretary of War is authorized to provide for building munitions plants. It is proposed to give the Secretary of War that authority. Yesterday, the rules and regulations with respect to the Council were printed in the RECORD. They provide for an advisor on industrial production. Certainly the fact that there is an advisor on industrial production in no way takes away the authority we are giving the Secretary of War, so I do not understand the Senator from Kentucky when he says that Mr. Stettinius has charge of industrial production. Obviously he has not. Under the bill the Secretary of War has charge of it.

Mr. BARKLEY. The Senator is trying to confuse the erection of a possible plant which might be constructed by the War Department to produce some type of war material with the general question of production in all the private industrial plants in the United States. There ought not to be any confusion about that. Nobody can tell whether the Government is going to construct a munitions plant. If it is going to construct one for the production of munitions, of course, the Secretary of War ought to be in charge of it. That is one thing. Whether or not it will ever happen, no one can tell. The duty of Mr. Stettinius and Mr. Knudsen is not to deal with production in a navy yard, already owned by the Government, or in any plants which may be constructed by the War Department, but to deal with production in private industry.

Mr. TAFT. Does the Senator mean to say that the members of the Board are anything more than advisory, or that they have any power to issue orders to anybody?

Mr. BARKLEY. They are advisory, but they may exercise such authority as the President may give them, because he is directly over them.

Mr. TAFT. I question the Senator's statement. They may advise the President, and he may make the order; but, as I read the record, there is certainly nothing in any legislation which gives them power to make any orders of any kind.

Mr. BARKLEY. It is largely a matter of cooperation and coordination between various agencies of the Government and the industries and sources of production for materials, finished products, transportation, and all the different things with which they are to deal.

Mr. TAFT. Who would the Senator say would have power to decide whether or not the Government should build an airplane factory for the manufacture of airplanes for war?

Mr. BARKLEY. I should not say that any of the seven would have. I am giving merely a curbstone opinion on that question, because I have not looked into it.

Mr. TAFT. If the Senator will read the bill——

Mr. BARKLEY. If the Senator will permit me to finish, I should not say that any of the seven would have authority to build an airplane factory, because I do not believe that authority has been conferred upon the Board. However, under the terms of the bill the Secretary of War is authorized to do so, and I assume that in the first place the Secretary of War naturally would confer with the Board to determine whether or not it was necessary, because of any shortage of industrial production from private sources, to build such a plant to furnish the airplanes needed by the Government. Naturally the Secretary would confer with the President, Mr. Stettinius, Mr. Knudsen, and the head of the Air Corps of the Army.

Mr. TAFT. I presume he would have to confer with the Secretary of the Navy to coordinate the thing.

Mr. BARKLEY. Yes; I should say so.

Mr. TAFT. And he would have to talk to Mr. Jesse Jones in order to borrow the money.

Mr. BARKLEY. Information would first have to be obtained as to whether or not there was any need for a Government airplane factory; and in order to determine that fact there would have to be a survey of the resources and capacity of all private airplane factories in the country.

Mr. TAFT. Who does the Senator think would perform that duty under existing legislation?

Mr. BARKLEY. I should say that the Board which has been appointed by the President would certainly participate in the performance of that duty; and under the terms of the bill, if it remains in the form in which it is now pending, from all other available sources the Secretary of War very likely would reach a conclusion as to whether or not there was any need for a new airplane factory, and would act upon that need when the need was made to appear. I should say that all the agencies concerned would have some part in the preliminary determination as to whether or not an airplane factory should be built by the War Department.

Taking the entire set-up, Mr. President, it seems to me that not only is there no need for the proposed board of five to take the place of the Board of seven already appointed by the President; but if it is intended to have another board of five in addition to the Board of seven, the

result certainly would be confusion, duplication, and no doubt conflict of authority.

Mr. HILL. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. HILL. I thoroughly agree with the Senator from Kentucky. As I read the language of the amendment of the Senator from Vermont, I do not see that it is anything in the world but a duplication of what is already in the law, except that the Senator from Vermont has not been as specific in his language as is the language in the act of 1916. All the Senator's amendment provides is that the board, if set up, shall advise and assist the President. That is exactly what is provided for in the act of 1916, setting up the National Defense Commission. The only difference, as I say, is that the language in the act of 1916 is more specific, and also more all-inclusive. So all we should have would be two commissions trying to ride the same horse, which would mean confusion and delay, the very things we do not want.

Mr. BARKLEY. I appreciate that.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. BARKLEY. I have already said all I wish to say. I yield to the Senator.

Mr. AUSTIN. I am sorry to interrupt. I think the Senator from Alabama must have overlooked an important word which differentiates my amendment from existing law. I refer to the word "executing." The board would assist in the execution of the plans. That is the important difference.

Mr. BARKLEY. Mr. President, I have already said all I wish to say on the matter. Under the circumstances I think the pending amendment should be rejected.

Mr. NORRIS. Mr. President, it seems to me it makes no difference whether we agree to the amendment or not. Both the existing law and the pending amendment provide for a commission to advise the President. Under the terms of the amendment, even though no such commission were appointed under existing law, the President would not have to make the appointment. It would be discretionary with him.

Frankly, if there were no existing law on the subject I should say it is a very worthy object to carry out the spirit which was so well expressed by the Senator from Vermont yesterday when he offered the amendment. He is anxious to bring about the coordination and unification of all branches and departments of the Government for the purpose of improving the common condition of all our people. The argument of the Senator yesterday shows that the Republicans in the Senate are anxious to work in harmony with the Democrats. That is another very worthy object, but perhaps, from experience, an impossibility. However, it is always good to try, and sometimes it works for a while.

The President has said he does not care for this amendment because, as I understand, he has already appointed a commission under existing law to do practically the same thing. However, under all the circumstances, if any Senator seriously thinks, the amendment ought to be added, I do not see any objection to it.

Of course, the President will not appoint anybody under the terms of the amendment if he prefers the existing law and has a commission satisfactory to himself under existing law. However, the amendment is advocated by Senators on the Republican side of the aisle, one of whom may be in the White House next year, and he might prefer the amendment to existing law. As I look at the matter, that is another argument in favor of the amendment.

In any case, the effort is to please the President, and to cooperate with him. If a Republican should be elected President, he would then prefer the pending amendment to existing law, and he could discharge anybody under the old law and appoint him under the new law. As I look at the matter, it is almost a case of the difference between Tweedledee and Tweedledum. If it will bring about harmony, I do not see any reason why we should not agree to the amendment. Under those circumstances I feel constrained to vote for it.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Vermont [Mr. AUSTIN].

Mr. AUSTIN. I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. SHIPSTEAD (when his name was called). I have a general pair with the senior Senator from Virginia [Mr. GLASS]. I am informed that, if present, he would vote "nay." I transfer that pair to the senior Senator from North Dakota [Mr. FRAZIER], who would vote "yea" if present, and I will vote. I vote "yea."

The roll call was concluded.

Mr. HILL. My colleague, the senior Senator from Alabama [Mr. BANKHEAD], is absent on important business. If present, he would vote "nay."

Mr. MINTON. I announce that the Senator from Connecticut [Mr. MALONEY] is absent on account of illness in his family.

I also announce that the Senator from North Carolina [Mr. BAILEY], the senior Senator from New Mexico [Mr. HATCH], the junior Senator from New Mexico [Mr. CHAVEZ], the senior Senator from Missouri [Mr. CLARK], the junior Senator from Missouri [Mr. TRUMAN], the Senator from Idaho [Mr. CLARK], the Senator from Ohio [Mr. DONAHEY], the Senator from California [Mr. DOWNEY], the Senator from Rhode Island [Mr. GERRY], the Senator from Virginia [Mr. GLASS], the Senator from Mississippi [Mr. HARRISON], the Senator from Nevada [Mr. MCCARRAN], the Senator from Louisiana [Mr. OVERTON], and the Senator from Maryland [Mr. RADCLIFFE] are necessarily detained from the Senate.

Mr. BARKLEY. I announce that the Senator from Pennsylvania [Mr. GUFFEY] and the Senator from New Jersey [Mr. SMATHERS] are unavoidably detained. I am advised that if present and voting, these Senators would vote "nay."

The result was announced—yeas 31, nays 46, as follows:

YEAS—31

Adams	Davis	Lodge	Thomas, Idaho
Austin	Gibson	Lundeen	Tobey
Barbour	Gillette	McNary	Townsend
Bridges	Gurney	Norris	Tydings
Burke	Hale	Nye	Vandenberg
Byrd	Holman	Reed	White
Capper	Holt	Shipstead	Wiley
Danaher	Johnson, Calif.	Taft	

NAYS—46

Andrews	George	Mead	Sheppard
Ashurst	Green	Miller	Slattery
Barkley	Hayden	Minton	Smith
Bilbo	Herring	Murray	Stewart
Bone	Hill	Neely	Thomas, Okla.
Brown	Hughes	O'Mahoney	Thomas, Utah
Bulow	Johnson, Colo.	Pepper	Van Nuys
Byrnes	King	Pittman	Wagner
Caraway	La Follette	Reynolds	Walsh
Chandler	Lee	Russell	Wheeler
Connally	Lucas	Schwartz	
Ellender	McKellar	Schwellenbach	

NOT VOTING—19

Bailey	Donahey	Guffey	Overton
Bankhead	Downey	Harrison	Radcliffe
Chavez	Frazier	Hatch	Smathers
Clark, Idaho	Gerry	McCarran	Truman
Clark, Mo.	Glass	Maloney	

So Mr. AUSTIN's amendment was rejected.

Mr. PEPPER obtained the floor.

Mr. LODGE. Mr. President, will the Senator yield for the purpose of my offering an amendment?

Mr. PEPPER. I yield.

Mr. LODGE. I offer an amendment to the bill, which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to insert the following new section:

SEC. —. The last sentence of section 2 of the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, as amended, is amended by striking out the words "two hundred and eighty thousand" and inserting in lieu thereof "not to exceed seven hundred and fifty thousand."

NAVAL APPROPRIATIONS—CONFERENCE REPORT

Mr. BYRNES. Mr. President, will the Senator from Florida yield to me?

Mr. PEPPER. I yield.

Mr. BYRNES. I send to the desk the conference report on the naval appropriation bill and ask for its consideration at this time.

The PRESIDING OFFICER. The report will be read.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8438) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1941, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 54, 55, 56, 57, 59, 60, 61, 62, 63, 64, 65, and 66.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 51, 52, 53, 58, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 85, 86, 87, 88, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 106, 107, 108, 109, 110, 111, 114, 116, 117, 123, 124, 129, 130, 131, and 132, and agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the number proposed insert "eleven thousand four hundred and forty"; and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the number proposed insert "nine thousand nine hundred and ninety-three"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 10, 84, 89, 105, 112, 113, 115, 118, 119, 120, 121, 122, 125, 126, 127, 128, and 133.

JAMES F. BYRNES,
CARTER GLASS,
JOHN H. OVERTON,
DAVID I. WALSH,
FREDERICK HALE,
H. C. LODGE, Jr.,
Managers on the part of the Senate.

J. G. SCRUGHAM,
J. O. FERNANDEZ,
JOSEPH E. CASEY,
M. F. CALDWELL,
J. W. DITTER,
CHARLES A. PLUMLEY,
CLARENCE J. MCLEOD,
Managers on the part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. CONNALLY. Mr. President, I am for the bill and do not desire to impede it, but I wish to ask the Senator from South Carolina a question as to an amendment which was inserted in conference, as I understand, with reference to an item of $45,000,000 for the acquisition of sites and facilities for naval aviation. What I have in mind is that there has been authorized, and the appropriation, which is a lump-sum appropriation, carries, not by name, though—the authorization is by name, an item for the establishment of a naval air-training base at Corpus Christi, Tex. There is an appropriation, I understand, of $45,000,000 generally for such sites, and it is understood that the cost of this particular site will come out of that $45,000,000 appropriation; but I understand, although I have not had an opportunity to read the conference report, that the conferees inserted a condition or limitation that was not in either the House or the Senate bill respecting the expenditure of the appropriation for that item.

Mr. BYRNES. Mr. President, I will say to the Senator that amendment will come up later, because it was acted upon on the floor of the House and must be concurred in by the Senate. It is not in the conference report which is about to be agreed to, but will come up separately on a motion to concur in the House amendment.

Mr. CONNALLY. Then this report does not cover all the amendments in disagreement?

Mr. BYRNES. No; in a few minutes I will move to concur in the House amendment to which the Senator has reference.

Mr. CONNALLY. That is satisfactory.

Mr. KING. Mr. President, may I ask the Senator a question?

Mr. BYRNES. Certainly.

Mr. KING. Was there any very large increase in the aggregate amount for the acquisition of lands for air bases?

Mr. BYRNES. There has been no change in the bill in that respect since it was passed by the Senate.

Mr. KING. And $45,000,000 is the amount?

Mr. BYRNES. That is the amount for air bases throughout the country.

Mr. KING. Is that very much of an increase over the original House provision?

Mr. BYRNES. That amount was inserted in the Senate, and, I think, concurred in by the House.

Mr. KING. But as the bill originally passed the House what amount was carried for this purpose?

Mr. BYRNES. I will say to the Senator that amount was inserted as one of the emergency items which were added by the Senate. The bill then went to the House and the House, acting upon it, concurred in the amount for air bases, to which the Senator refers.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 8438, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.,
June 4, 1940.

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 84, 89, 113, 115, 118, 121, and 125 to the bill (H. R. 8438) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1941, and for other purposes, and concur therein;

That the House recede from its disagreement to the amendment of the Senate numbered 10 to said bill and concur therein with an amendment as follows: Restore the amount stricken out by said amendment and in line 8, page 5, of the House engrossed bill, strike out "$60,000" and insert "$160,000";

That the House recede from its disagreement to the amendment of the Senate numbered 105 to said bill and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment insert:

"SEC. 6. No part of any appropriation contained in this act shall be used directly or indirectly after May 1, 1941, except for temporary employment in case of emergency, for the payment of any civilian for services rendered by him on the Canal Zone while occupying a skilled, technical, clerical, administrative, executive, or supervisory position unless such person is a citizen of the United States of America or of the Republic of Panama: *Provided, however,* (1) That, notwithstanding the provision in the act approved August 11, 1939 (53 Stat. 1409), limiting employment in the above-mentioned positions to citizens of the United States from and after the date of the approval of said act, citizens of Panama may be employed in such positions; (2) that at no time shall the number of Panamanian citizens employed in the above-mentioned positions exceed the number of citizens of the United States so employed, if United States citizens are available in continental United States or on the Canal Zone; (3) that nothing in this act shall prohibit the continued employment of any person who shall have rendered 15 or more years of faithful and honorable service on the Canal Zone; (4) that in the selection of personnel for skilled, technical, administrative, clerical, supervisory, or executive positions, the controlling factors in filling these positions shall be efficiency, experience, training, and education; (5) that all citizens of Panama and the United States rendering skilled, technical, clerical, administrative, executive, or supervisory service on the Canal Zone under the terms of this act (a) shall normally be employed not more than 40 hours per week; (b) may receive as compensation equal rates of pay based upon rates paid for similar employment in continental United States plus 25 percent; (6) this entire section shall apply only to persons employed in skilled, technical, clerical, administrative, executive, or supervisory positions on the Canal Zone directly or indirectly by any branch of the United States Government or by any corporation or company whose stock is owned wholly or in part by the United States Government: *Provided further,* That the President may suspend compliance with this section in time of war or national emergency if he should deem such course to be in the public interest."

That the House recede from its disagreement to the amendment of the Senate numbered 112 to said bill and concur therein with an

amendment as follows: Before the amount named in said amendment insert "including three additional officers above the rank of captain in a flight-pay status: *Provided*, That no officer of the Navy or Marine Corps who has been adjudged fitted shall be involuntarily retired during the existing limited emergency,";

That the House recede from its disagreement to the amendment of the Senate numbered 119 to said bill and concur therein with an amendment as follows: After the amount named in said amendment insert ": *Provided*, That no part of this amount or any other amount in this title for temporary housing shall be available for erecting, including utilities, upon any site however acquired subsequent to the calendar year 1938, married officers' quarters at a unit cost of more than $8,500, nor bachelor officers' quarters at a unit cost of more than $1,750, nor student flyers' quarters at a unit cost of more than $550; nor barracks for enlisted men at a unit cost of more than $350: *Provided further*, That no part of this amount, nor of any other amount in this title for temporary housing, shall be available for erecting buildings upon any site acquired subsequent to the calendar year 1938 except of a distinctly temporary character unless structures (such as hospitals, hangars, and storage facilities for inflammable or explosive materials) of a more substantial type are essential to the purpose";

That the House recede from its disagreement to the amendment of the Senate numbered 120 to said bill and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment insert:

"The provisions of section 4 of the act approved April 25, 1939 (53 Stat. 590–592), shall be applicable to all public works and public utilities projects mentioned in this act regardless of location.";

That the House recede from its disagreement to the amendment of the Senate numbered 122 to said bill and concur therein with the following amendments: Page 21, line 8, of the Senate engrossed amendments, after "contracts" insert "and the Secretary of the Navy shall report annually to the Congress on the rental, sale, or disposal of the facilities provided for in this act"; and

Page 21, line 10, of the Senate engrossed amendments, strike out "1942" and insert "1941."

That the House recede from its disagreement to the amendment of the Senate No. 126 to said bill and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment insert:

"Armor, armament, and ammunition: For an additional amount toward the armor, armament, and ammunition for vessels and aircraft heretofore authorized (and appropriated for in part), including the necessary machine tools and other equipment and facilities at naval or private establishments required for expediting ship building, to be immediately available and to remain available until expended, including the same objects and under the same conditions and limitations prescribed under this head in title I of this act, $35,000,000: *Provided*, That all parenthetical clauses in title I of this act in which certain amounts are denominated as 'A' and/or 'B' items shall be disregarded for all purposes, together with section 3 of such title."

That the House recede from its disagreement to the amendment of the Senate No. 127 to said bill and concur therein with the following amendments: Page 23, of the Senate engrossed amendments, strike out line 8 and insert: "For additional amounts for 20,000 naval enlisted men."

Page 24, of the Senate engrossed amendments, strike out lines 13, 14, and 15, and insert:

"Medical Department, $231,000, of which not to exceed $10,000 shall be available for the pay of employees assigned to group IV (b), and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department;

"Care of the Dead, $6,000;

"Salaries, Bureau of Medicine and Surgery, $12,000;"; and

Page 24, line 21, of the Senate engrossed amendments, strike out "$26,538,000" and insert "$26,287,000."

That the House recede from its disagreement to the amendment of the Senate No. 128 to said bill and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment insert:

"For additional amounts for Marine Corps purposes, including 9,000 additional enlisted men on active duty, arms, artillery, ammunition, equipment, housing, and general expenses, including motor-propelled passenger-carrying vehicles, under headings, and for the same objects as specified under their headings in title I of this act, as follows:

"Marine Corps:

"Pay, Marine Corps, $3,200,000;

"General expenses, Marine Corps, $9,327,000;

"Pay of civil employees: Offices of the Major General Commandant and the Adjutant and Inspector, $54,360; Office of the Paymaster, $17,820; Office of the Quartermaster, $127,820; in all, $200,000;

"Bureau of Medicine and Surgery: Medical Department, $12,000.

"Bureau of Yards and Docks:

"Public Works, Bureau of Yards and Docks: For temporary housing, including extensions of existing structures, $4,500,000;

"Bureau of Ordnance: Ordnance and Ordnance stores, Navy, $4,899,000.

"Bureau of Engineering:

"Engineering: For radio material, $100,000."; and

That the House recede from its disagreement to the amendment of the Senate No. 133 to said bill and concur therein with an amendment as follows:

Page 27 of the Senate engrossed amendments, lines 21 and 22 strike out "to be immediately and continuously available until June 30, 1942" and insert "to be immediately available."

Mr. BYRNES. Mr. President, I move that the Senate concur in the House amendments to the amendments of the Senate numbered 10, 105, 112, 120, 122, 126, 127, 128, and 133. For the present I omit the House amendment to Senate amendment numbered 119, referred to by the Senator from Texas, so that he may have an opportunity to make inquiry regarding it.

The PRESIDING OFFICER. The question is on the motion of the Senator from South Carolina.

The motion was agreed to.

Mr. BYRNES. Mr. President, with reference to the amendment providing a limitation upon the construction of houses at bases—amendment numbered 119—let me say to the Senator from Texas that the language inserted by the House is as follows:

Provided that no part of this amount or any other amount in this title for temporary housing shall be available for erecting, including utilities, upon any site however acquired subsequent to the calendar year 1938, married officers' quarters at a unit cost of more than $8,500, nor bachelor officers' quarters at a unit cost of more than $1,750, nor student flyers' quarters at a unit cost of more than $550; nor barracks for enlisted men at a unit cost of more than $350: *Provided further*, That no part of this amount, nor of any other amount in this title for temporary housing, shall be available for erecting buildings upon any site acquired subsequent to the calendar year 1938 except of a distinctly temporary character unless structures (such as hospitals, hangars, and storage facilities for inflammable or explosive materials) of a more substantial type are essential to the purpose.

In the conference, when this amendment was proposed, it was stated by the House conferees that upon a hearing it was learned that there was a proposal to construct quarters of a character which would cost $14,000 in the case of quarters for a married officer. That, according to the information I then secured, is a very high figure. I will say to the Senator that after much discussion in the conference I discussed the matter with Admiral Moreell, in charge of public works; and his thought was at first, making a rough estimate, that the limit should not be placed above $10,000. There was considerable discussion about it; but it was the opinion of Admiral Moreell, expressed to me—not to the conferees—that if the limitation were placed at the figure at which it is placed here it would be adequate for the temporary housing he would expect to build at the bases. The figures which were submitted by the House conferees were much lower. The conferees had more than an hour's discussion upon the matter, and finally compromised on these figures.

As a matter of fact, the housing at most of these bases in Texas and in Florida will necessarily be of frame construction, and will be cheaper than houses constructed in cities or in some places located in the North, where a different character of houses is necessary.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. BYRNES. Yes.

Mr. CONNALLY. While I do not want to delay and do not intend to delay the adoption of the conference report, my concern about this matter was due to the fact that this base is not to be a temporary base at all. It is to be a permanent establishment of the Navy.

The Navy, during a period of years, has given consideration to the establishment of the base on Corpus Christi Bay; and the Hepburn Report—the report of a board of naval officers a year or two ago—recommended the ultimate acquisition of this site for a permanent naval air-training station. A provision was included in the naval bill a year ago, I believe, authorizing the Secretary of the Navy to accept the site which was in part tendered by the people of Corpus Christi.

Last summer a committee from the Naval Affairs Committee of the House visited the site, inspected a great number of other sites, and recommended the adoption of this particular one. Following that up, the Navy has already adopted the project, and it is to be not a temporary estab-

lishment but a permanent establishment. My concern was that there should not be any restrictions or limitations on the Secretary of the Navy to require the construction of mere temporary structures when at this place the structures are to be permanent; but I do not care to delay the matter.

Mr. BYRNES. I will say to the Senator that in this item there is no mention of Corpus Christi.

Mr. CONNALLY. I understand; the appropriation is in a lump sum.

Mr. BYRNES. It is a lump-sum appropriation; and under this provision at places where the naval authorities determine to have temporary housing, it shall not cost in excess of the amounts provided. At places where they determine to have permanent housing, I think they have a right to proceed as they think best.

Mr. CONNALLY. Mr. President, being very anxious that this conference report shall be promptly acted upon, I make no objection to the adoption of the amendment, as I am extremely anxious that the money available under the $45,000,000 item shall be applied at the earliest possible date to the construction of all needed naval air bases.

Mr. BYRNES. Mr. President, I move that the Senate concur in the amendment of the House to the amendment of the Senate numbered 119.

Mr. KING. Mr. President, will the Senator yield?

Mr. BYRNES. Yes.

Mr. KING. Is House bill 4024 the measure under consideration?

Mr. BYRNES. No; this is the appropriation bill, an entirely different measure. The bill referred to by the Senator is the legislative bill.

Mr. KING. I was wondering if this bill dealt in any way with the $80,000,000 item for Guam by way of appropriation.

Mr. BYRNES. Not at all. As a matter of fact, the bill to which the Senator refers passed after this appropriation bill had passed.

Mr. McNARY. Mr. President, will the Senator yield for an inquiry?

Mr. BYRNES. Yes.

Mr. McNARY. How many Senate amendments are not included in the conference report recently agreed to?

Mr. BYRNES. About 10, as I recall; and there was no disagreement as to most of them. They are so-called technical amendments which were offered on the floor of the House; and in the case of the item to which the Senator refers, of course, there was a change of a few words in which we have to concur.

Mr. McNARY. In how many House amendments does the Senator ask that the Senate concur?

Mr. BYRNES. There are 10 amendments in all, but only three items as to which there was a dispute.

Mr. McNARY. Do they materially change the bill from the form in which it passed the Senate?

Mr. BYRNES. They do not. They are what the House likes to call technical amendments, with the exception of three—one with reference to this matter, and another striking out a provision that a contractor under cost-plus contracts should be regarded as the agent of a State. The House struck out that provision, and I moved to concur in the House amendment.

Mr. McNARY. That is a very satisfactory answer. I have no objection.

The PRESIDING OFFICER (Mr. MINTON in the chair). The question is on agreeing to the amendment of the House to the amendment of the Senate numbered 119. Without objection, the amendment is agreed to.

INTERFERENCE WITH DISCIPLINE OF ARMY AND NAVY—SUBSTITUTE REPORT

Mr. CONNALLY. Mr. President, some few days ago from the Committee on the Judiciary I reported favorably with amendments the bill (H. R. 5138) to make unlawful, attempts to interfere with the discipline of the Army, the Navy, and the Coast Guard, to require deportation of certain classes of aliens, to require the fingerprinting of aliens seeking to enter the United States, and for other purposes, and I submitted a report (No. 1721) thereon. Since that time the committee has seen fit to change very substantially the bill to which that report refers. I ask unanimous consent for permission to withdraw that report and to file a substitute report in lieu of the report heretofore filed.

There being no objection, the new report was ordered to be received and be printed, when submitted.

EXPEDITION IN STRENGTHENING THE NATIONAL DEFENSE

The Senate resumed the consideration of the bill (S. 4025) to expedite the strengthening of the national defense.

Mr. PEPPER. Mr. President, although I propose to discuss the subject of national defense, I have on the desk a concurrent resolution which at this time I ask unanimous consent to submit, with permission to have it lie upon the table for further consideration.

Mr. McNARY. Mr. President, I ask to have the resolution read for the information of the Senate.

The PRESIDING OFFICER. The concurrent resolution will be read.

The concurrent resolution (S. Con. Res. 49) was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Senate and the House of Representatives in Congress assembled that the President of the United States, at his discretion, should use the full authority which he now has under existing laws to sell or transfer airplanes and other war material not at present needed in the national defense to any foreign country, to the end that peace and freedom be preserved and protected and to keep war from the Western Hemisphere.

The PRESIDING OFFICER. The resolution will lie on the table.

Mr. PEPPER. Mr. President, the bill under consideration, as all of us are aware, is a bill to provide substantially for the enlargement of our armed forces. The bill specifically removes the restrictions which heretofore have limited the size of our Army, and confers upon the President and the appropriate authorities of the Government very great power toward the enlargement of our Army and Air Corps.

Mr. President, in the current edition of the Evening Star, of this city, the Chief of Staff of the United States Army, General Marshall, makes a proposal which is embodied in the following headlines:

Marshall proposes Regular Army of 400,000 men.
Offers recruiting plan as substitute for calling guard.

And in the body of the article the statement is attributed to the general that the War Department can more quickly expand the Regular Army than they can mobilize the National Guard. The point is that the Chief of Staff recommends to the country, as he no doubt has recommended to the President, that we increase the Regular Army of the United States to 400,000 men. The Congress will by this bill remove the restrictions which the law has heretofore imposed, and therefore has dedicated itself to a policy of enlarging our Army to such extent as may be necessary to preserve our country and its interests.

That action simply indicates that day by day and step by step we are marching toward a colossal armament for the United States of America. The whole country has been gratified that we have made that progress with almost, if not always, the unanimous consent of the Congress. I know that the Congress will not in any particular be remiss in the obligation it owes to America and America's interests in giving to our country a military establishment as large as its needs may require.

What the limit will be, what it will cost, how long it will take to complete it, what shall be the ramifications of it, what are its implications, are things which are contained in the bosom of an uncertain future.

Mr. President, we know likewise that the Italian press in the last few days has been carrying the statement that the United States is relatively impotent because it would take us 2 years to develop a military strength which would make us

a serious contender in the world controversy. What I propose to speak about is the most effective way of vitalizing the national defense.

The headlines of today's paper carry further chapters of the sad story of what is going on in Europe. In the first column of the Evening Star of today, for instance, we find this headline:

Reich warplanes blast 270-mile sector of coast.

Already the coast of Europe from the northern tip of Norway to Abbeville, France, is completely within German control. Already German forces can easily shoot existing guns across the English channel upon the cities and the towns and the countryside of England herself. We see in every headline evidence of the expanding power of the military machine of Hitlerism. The question which every day recurs to the American people is, How can we most effectively defend America, for everyone knows that the Congress conscientiously wants to know how it can most effectively and efficiently assure this country and this hemisphere that our soil will always be sacred against an invader's foot.

What I have been proposing is not a diminution of our existing establishment but an enlargement of it with every possible speed, the money to be poured into it without stint. In fact, we have almost ceased to inquire how much these various measures we are passing really do cost, for the matter of the cost is inconsequential and immaterial. Cost what it will, we shall do it.

I have had advice recently that a country of the size of Australia, for example, is now spending upon its national defense a sum of money which would be the equivalent of $10,000,000,000 a year for us, and I venture to say that before this session terminates, before we go home, we shall have appropriated in excess of $5,000,000,000, and it may run a little later to $10,000,000,000, and in less than 5 years we shall have approximated $50,000,000,000, in my humble opinion, as an expenditure upon the defense of the United States and our interests.

I see that burden of the future staring us in the face, inevitably. I know the implications of it, I know what it will do to our economy, I know what it will do to our liberties, I know what restraints it will impose upon our freedom, I know what it will take away from needed social services in this country, I know how much humble men and women and undernourished children will have to bear of that great burden.

Mr. President, statesmanship, it seems to me, commands us to devote every possible scrutiny to any reasonably sane method which might keep that unhappy day from ever coming to the United States. I think the whole world knows that there is a way by which that eventful day can be kept away from our destiny, and that is to make it possible for the Allies to destroy Hitler; to give them the means by which they can fling back his iniquitous forces, strengthen their arms in this moment of crisis; to give them new courage and new hope, with what would amount to but little diminution in our existing armament.

I know that 500 planes, if they were first-class planes, particularly, would go a long way toward turning the tide of battle in France today. I believe that if those 500 planes were to be sent to the Allies tomorrow, it would assure that Mussolini would not enter the war, if he should know that their destructive force might be turned against his own iniquitous hand if he strove to stab France in the back in her moment of greatest trouble.

If those 500 planes were to be available to the Allies upon the western front, we would not see the headline "Reich warplanes blast 270-mile sector of coast." We would not see in a few days what may come to be our unhappy knowledge, Paris in flames and ruins. We would not see the temples of England, the edifices of old London, crumbled masses of charred ruins, for those very planes would, I believe, be the salvation of civilization and civilization's cause.

Not only would they be that, they would be an assured defense of the Western Hemisphere, including the United States of America. Then we would not have to have 400,000 men in the Regular Army, and two or three hundred thousand more men in the National Guard subject to immediate call if not already in the country's active service. We would not have to have a large reserve waiting for the instant when they, too, might join the armed forces of their country. We would not have to spend these billions in creating an air force of 50,000 planes, or building this great Military Establishment, which is now aborning in Congress, these ships which are being laid down, this Herculean program that is taking the energy of our private enterprise and turning it into the useless enterprise of war. We would not be sapping our whole economy for defense expenditures. We would not need to be raising the debt limit, or imposing additional taxes upon an already-burdened economy.

No, Mr. President, nor would we be under the humiliating shadow, in this time of crisis, of the United States not coming to the fore and saying what is in the heart of every red-blooded American, that it our cause, as well as the cause of the Allies, under attack today in Europe.

Mr. BAILEY. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. BAILEY. I wish to ask the Senator if, in plain language, he is advocating that the Congress declare war on the side of the Allies against Germany.

Mr. PEPPER. Mr. President, I am glad my able friend from North Carolina made that inquiry, for if there was any doubt in anyone's mind about my attitude on that subject, I want definitely to clear it up. The answer is unequivocally "No."

Mr. BAILEY. If the Senator will permit me, he has just declared that it is our duty manfully—I think I use his word—to intervene. If he can distinguish between intervention and a declaration of war, I should be very glad to hear him. I wish to say to him that it is my judgment—and it is based upon all the definitions of the law of neutrality, and we had a great exposition of it here by the late Senator Borah—that intervention by a neutral is equivalent to a declaration of war. We become a participant. If the Senator can make a distinction to the contrary, I should like to have him do it.

I will take my seat with one remark, that if he intends intervention, and intervention means war, then he must take notice that we cannot have a war of limited liability. There is no such thing. If we make war with money, with airplanes, or with any other means, if we intervene in any way, we must intervene all the way—with money, planes, ships, sons. I should like to have the Senator address himself to those propositions.

Mr. KING. Mr. President, will the Senator from Florida yield?

Mr. PEPPER. I gladly yield.

Mr. KING. I was interested in the observation of the Senator from North Carolina. Probably there may be some difference of opinion as to the interpretation which he places upon the word "intervention." I did not understand from the observations made by the Senator from Florida that he was urging intervention. I can differentiate between intervention, using the word in the purely legal and militaristic sense, and giving indirect aid by selling food and food supplies to belligerents. It would not be intervention if today we should send to London or to Paris, if the food supplies could reach either of those cities, flour and other food supplies for the people. It would not be intervention, in my interpretation of the word, if we should send to the three or four million people driven from Belgium and northern France food——

Mr. BAILEY. Mr. President, will the Senator yield?

Mr. KING. The Senator from Florida has the floor, and I am interrupting him.

Mr. PEPPER. I yield to the Senator from North Carolina.

Mr. BAILEY. Mr. President, that is not the proposition here. The Senator from Florida is not asking us to send food for refugees. He is asking us manfully to take the

responsibility and go to the rescue of the Allies. That, in my judgment, is nothing more or less than asking us to become participants in the war, and, if that is the issue, let us have that the issue, let us debate it, but let us not have any mistake about it or any indirection about it. Men who are in the possession of their senses ought at least to know what they are doing when they go about to do something which may get us into a war.

Mr. KING. Mr. President, will the Senator further yield?

Mr. PEPPER. I yield.

Mr. KING. If the Senator from North Carolina had waited a moment he probably would have discovered the field which I am trying to reach and the road on which I am traveling. I have tried to indicate by the suggestions made that it was not intervention to send food to Great Britain and France, particularly if they paid for it, or to send food to the starving people of Belgium and France, starving because of the wicked and indefensible course of the Hitler regime. Nor do I believe that it would be intervention if manufacturers of airplanes and munitions of war in the United States should sell such products to other countries. I do not think it would be an act of war, or an act of intervention, if the manufacturers of airplanes in California were to sell to Canada several hundred airplanes for such utilization as might be desired by Canada. If an American citizen has an airplane and sells it to Canada, Germany, France, or Great Britain, I would not regard that as an act of intervention upon the part of that citizen, or, if permitted by the United States, that that would be an act of intervention on the part of the of the United States.

Mr. BONE. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. BONE. I should like to ask the Senator if that is not precisely what has been going on for months? I certainly have been utterly misled by newspaper stories if that is not exactly what has happened. American airplane manufacturing companies have been selling hundreds of planes to France and England. I take it that that is not the point here. I confess that I believe that if we do what the Senator from Florida suggests, it amounts to a declaration of war.

Mr. President, for one I do not want the United States to declare war until Congress has the guts to stand up here and tackle the question; not do it by indirection, not do it in a half-way manner, not weasel. Congress is accused of weaseling all the time, of fiddling and indulging in obliquities, of never acting directly in doing something, but running around back alleys and arriving in an oblique fashion at an objective. If we are to declare war I want to see Congress stand up and state to the country, "We are going to declare war," and not do it in a half-way fashion. You cannot have a half-way declaration of war. You cannot send military supplies of the United States Government to a belligerent without, in my judgment, committing an act of war.

Mr. President, I shall repeat what I said the other day, at the expense of being tedious. I recall that I had a bill up in the Senate calling for the manufacture of munitions by the United States Government. Objection was registered by a number of very able Senators whose judgment I admire, who said that if Uncle Sam manufactured munitions of war we would make it impossible to sell munitions of war to any nation, even though we wanted to help it, and felt the same impulse stirring in our breasts that are motivating the Senator from Florida, who sincerely wants to aid the Allies. However, the suggestion was made to me that if Uncle Sam manufactured munitions of war, the sale of those to a belligerent power would be an act of war.

Mr. President, I am frank to say that I had the same view myself, and I wanted Uncle Sam to manufacture munitions of war but I did not want Uncle Sam to become an arsenal for the rest of the world. I thought that was not safe. Perhaps I am wrong. I do not invest myself with any vision beyond that enjoyed by my brethren, but I felt that that was perhaps an open pathway to war. I cannot believe other than that the Senator from Florida is suggesting the doing of a thing which goes half way to war, and I never knew a nation to go half way to war without going the full way.

Mr. KING. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. KING. I shall not detain the Senate but for a moment. I wish to say that I dissent from the suggestion of the able Senator from Washington, that Congress is guilty of weaseling by not acting directly when it should act directly.

Mr. BONE. Mr. President, I said Congress is charged by many people with weaseling. Whether it weasels or not will have to be settled as the situation develops.

Mr. KING. I think the American people usually speak plainly. Since I have been in the Senate I have reached the conclusion that the Congress of the United States, by and large, acts with courage, it does not weasel, but indicates where it stands upon important questions which are presented for consideration, whether those questions are domestic exclusively, or whether they have foreign implications.

Personally, with respect to the conflagration overseas, I do not hesitate to state that my sympathies are with France and Great Britain in this contest. If France and Great Britain shall be destroyed, if great temples of liberty and justice are ruined, if millions of people are killed, and millions more rendered homeless, it seems to me that the world would suffer a catastrophe never equaled in the past, and which it is to be hoped would never again be equaled.

Mr. President, judging from conditions in Europe, there are those who believe the world has made but little progress along the pathway of civilization and spiritual development. May I say that I would be very much distressed if the great people of Italy, a country containing millions of men and women noted for their ability and achievements in every field of art and science and industry, and members of the great Catholic Church, whose spiritual head is in the immortal city of Rome, should associate themselves with Hitler in his determination to destroy all democratic government, the foundations of human society, and all religious organizations.

It seems to me that the people of Italy, who love liberty and religion, and the finest things of life, should listen to the voice of that great Christian prelate, the head of the Catholic Church, whose voice rings out for peace and justice and world progress. They should listen to him, and not to Hitler, not to the voice of militarists, not to the voice of Stalin. As I have stated, the people of Italy are a Christian people, and they have in many ways evinced their loyalty to truth and their devotion to the highest spiritual ideals. I shall not believe that Mussolini will yield to the temptations or demands or suggestions of Hitler, and plunge Italy into the conflict.

An opportunity is now afforded for Mussolini and for the people of Italy to rise to great heights. They should dissociate themselves from any understanding, agreement, or plan that may have been indicated by Hitler, and declare that Italy stands for liberty and civilization, and is opposed to the evil and monstrous plans of Hitler to destroy civilization. If Mussolini and Italy would pursue such a course the world would applaud them, and Mussolini would emerge from the chaotic conditions now existing in Europe and appear in shining armor as a great leader, to be acclaimed by the people of the world.

Mr. PEPPER. Mr. President, not only I, but the Senate and the country, are very deeply grateful to the very able Senator from Utah for those stimulating sentiments which he has expressed today.

Mr. President, to those who are disposed to make this controversy a technical one, I might simply enough say that it has not been considered a technical controversy by either Hitler or those who are the victims of his unprovoked aggression. I could show very easily and readily that the concept of international law, which is the basis of the fear that we will commit some technical breach of it, is a concept utterly foreign to the whole mind and spirit and soul of Adolf Hitler, that the legality of what he does to achieve his success and objective is as far from his thinking as the moon

is from this Senate Chamber. It is totally unrelated to his policy or his plans. One is foolish, Mr. President, to think that the German tanks and the German guns and the German airplanes diving with their loads of death from the heavens above, can effectively be stopped by technicalities of an international law which does not exist.

The unreality of that kind of thinking is what has made the great British lion become a frightened cub in face of the onrushing legions of Adolf Hitler. It was that kind of thinking which caused Winston Churchill to pour out his heart to the British people, and later to lament while England slept. That kind of thinking is the result of believing this kind of statement, delivered by Adolf Hitler on January 30, 1937:

> There can be no humanly conceivable object of dispute between Germany and France. The German Government have further assured Belgium and Holland that they are prepared at any time to recognize and guarantee these states as inviolable neutral territories.

That was Hitler speaking. A foolish people believed what he said. Foolish technicians thought that Hitler's guaranty of neutrality inviolate meant something; and upon that faith they waited until the Germans had crossed the Belgian frontier with their invincible machines of war. Then it was too late, Mr. President. They could repent, but they could not restore themselves to their earlier position.

Those who talk about international law must have been asleep for the past few weeks, or must have been living in some other world. Those who talk about international law as related to this conflict must have forgotten about Neville Chamberlain. They must have forgotten about the British boys who now lie dead in Flanders because the people in Great Britain thought that way. Surely they do not recall the French boys who might have been great artists, great thinkers, men who create beauty and good. Their bodies are mingled with the soil, Mr. President, because people thought that way, because they shivered at the prospective punitive damages which might be inflicted upon them if they committed a technical breach of international law.

Some have even mentioned the *Alabama* claims, saying, "Do you not realize that if we were to intervene or make our storehouses available to the Allies Germany could file a claim against the United States and recover from us, as the American Government recovered from Great Britain on account of the *Alabama* case?"

Mr. President, if any court which professed to have a conscience could for one instant—as long as it would take the eye to blink or the sun's rays to manifest themselves through an ion of space—give countenance to a claim of Adolf Hitler against anybody for anything, it would be the most contemptible tribunal that God or man ever created. The counterclaim would be an ocean of tears from mothers whose sons are dead, and from a country whose soil has been profaned by Hitler's bestial foot.

Let him make his claim, and let civilization's torrents of retributive justice drown him in the tears which ought to stifle every breath he draws.

So, Mr. President, I am not afraid of Adolf Hitler recovering on any claim against anyone who might lend an item of aid to the Allies in this controversy, because Hitler wars against the world, and the right of self-defense is the first law of nature. I am speaking about the defense of America, Mr. President, and that is dearer and more precious than any precept or concept about some decadent code which has been destroyed and made antiquated by Hitler.

When we appropriate money and take it out of the pockets of poor people, take it away from hospitals, take it away from agriculture, take it away from public improvements which are necessary, and take it away from education which ought to be bestowed upon boys and girls, I suppose legalists, technicians, and orthodox philosophers, living in an unreal world so far as their orthodoxy is concerned, will say "It is all necessary because we must preserve the technical concept of international law."

Mr. President, what right under international law does a nation have which is ravaged by a conqueror against the conscience of the world and in violation of his pledge, sacredly and solemnly inscribed in a treaty? To what tribunal may such a nation go for redress, if it be not the conscience of the world? Is there a court where the Belgians may say, "In the name of God and God's law we have been wronged and we seek redress"? If so, show it to them and they will go there on their knees begging for any kind of relief. Is there a tribunal to which Holland may go, or Luxemburg, or France, or Denmark, or Norway, or Poland, or Austria, or Czechoslovakia? If so, in the name of justice outraged, Mr. President, where is that tribunal for which men's hearts have ached and toward which their footsteps have wandered endlessly round the world?

If there be no court to which they can appeal for a redress of wrongs, what can they do? They have no forum left this side of the Divine Power, Mr. President; and I suppose if the Lord should withhold his bright face from Hitler's arms, some Senators would say that He had committed a technical breach of His impartial attitude toward men.

Mr. President, if they cannot turn toward a tribunal for redress, and they rely upon human aid, where can they go save to the court of man's conscience? If the court of man's conscience listens to the evidence, hears the plaintive appeal of the wronged one, reviews the history of the case, and applies to it the principles of conscience, justice, law, and decency, and everything civilized man has come to believe in his soul and, having applied those principles, renders a judgment that outrageous wrong has been done, and that the petitioners are entitled, in a court of conscience, to the help of conscience's civilization, would the Senator from North Carolina deny relief in any form because it would be a breach of international law? I hope the Senator would not, and I believe he would not. I hope my country will never be so craven as to take the advice of those who even go so far as to say, "Let us reserve judgment in this controversy. Let us not make up our minds. Let us not take sides. Let us not attitudinize ourselves lest in so doing we may either give expression to an irresponsible hysteria or commit a mental trespass upon inviolable international law."

Mr. President, if I did not pass judgment on this controversy, if I did not express my sentiment on what is going on in Europe now, I feel in my heart that I should be unworthy of my generation and my civilization, let alone my God, for our cause is as holy as the First and Second Commandments—the reverence of God and the brotherhood of man. So I am not afraid to take sides in this controversy. I am not afraid to say, "Let us do what we can, short of war, to lend aid."

Of course, the logician always tries to trap his inquirer with some extreme application of the proposal. He would say, in substance, "If you take a slice of bread you must eat a loaf; if you drink a swallow of water you must consume a bucketful." He imagines that there are no restraints whatever in man's conduct. He says that if we do anything at all to help the Allies or anything intended to help the Allies, that is intervention.

Mr. President, the able Senator from North Carolina voted for the neutrality law in the last session of Congress, which removed the arms embargo and made it possible for the United States, through its private citizens, to lend aid to the Allies. The Senator did not yield to the great Senator on the other side of the Chamber, who argued that that was a breach of international law and a disturbance of our position of neutrality and therefore was wrong. The able Senator from North Carolina did not then quote him or yield to his argument.

Mr. President, I say, as I have said before, that so far as the practicalities of the world are concerned there is no difference between a factory in Baltimore, Md., manufacturing an airplane and sending it to the Allies and the United States Government selling to the Allies one of its airplanes which it feels it can spare, to be used in the same battle with the other plane. I have said before that if international law had any application——

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. LUCAS. In the Senator's last example he states that in his judgment there is no difference between an airplane manufacturer sending a plane to the Allied governments and the United States Government sending a plane. Pursuing that argument, is there any difference between a citizen of the United States seeking to enlist with the Allied armies and the United States Government seeking to send its soldiers to participate in the conflict?

Mr. PEPPER. Mr. President, Mr. Justice Holmes at one time said in a legal case that everything from the 12 tables down to the present day was a question of degree.

There is a distinction in the case my friend from Illinois puts and the one that is being discussed. In the case he surmised he contemplated that the Government itself might send the soldier to the front. That, of course, would be a direct intervention by the Government through its own instrumentality at the battle front. All I proposed, at the most, in the original resolution which I introduced—and the proposal now pending, does not go even that far—was that the Government sell to the Allies or any other party or parties to the Kellogg Pact who were victims of unprovoked aggression any airplanes or war equipment which we felt we could spare for cash, making delivery upon our shores. I would not consider such action to be a breach of international law, insofar as that has anything to do with the case.

But, Mr. President, leaving that question temporarily aside, leaving aside whether or not Hitler could claim the benefit of it, leaving aside what right a nation that is a party to the Kellogg Pact, for example, or a nonaggression pact may have to defend its fellow signers of that pact, by which I imply that each nation has the right to decide its own course, there is no international law that prescribes what one power shall do in aiding another power that is the victim of an unprovoked aggression in violation of a treaty.

So I claim that we have the right to decide what it is reasonable to do, just as I say that, in dealing with Japan, if we thought that the revocation of our commercial relations was the proper way of enforcing the treaty which we thought that country had violated, we would have a perfect right to exercise that authority as our way of making it undesirable for the other party to that treaty to commit a breach thereof.

Mr. LUCAS. Mr. President, will the Senator yield further?

Mr. PEPPER. I yield.

Mr. LUCAS. My only reason for making the inquiry is because, primarily, of what the able Senator from North Carolina [Mr. BAILEY] said a few moments ago with respect to intervention and the reply of the Senator from Florida. It may be that the Senator from Florida will agree with me, but it occurred to me that if the Government had the right, under either one of the three resolutions which have been offered by the Senator from Florida, to sell to the Allies, we will say, a thousand airplanes, or sell to them a half dozen destroyers, and that would not be a breach of international law so far as we were concerned, then the Government would have the right to send, we will say, a regiment of men to Canada to protect the home forces in Canada, knowing that those men would not become involved ultimately in the conflict overseas.

I will say frankly to the Senator I cannot make the distinction between sending a thousand airplanes by this Government itself to the front for the purpose of participation in the war and sending 500 men to England or Canada to protect the home front over there. I may be wrong in that but I merely rose for the purpose of attempting to clarify what seemed to me a most extremely important issue.

Mr. PEPPER. The Senator contemplates, apparently, that the Government, in the case he put, would be taking one of its own men in its own uniform and sending him upon its own mission, which would have the effect of making him an opponent of the German Government in war, in one way or another. As I say, the difference may be one of degree, but I think it is an essential and satisfactory difference. In the case I contemplated in the original resolution which I introduced the Government would merely say to the Allies, "If you will come here to my shores and bring cash with you, I will sell you certain equipment which I own. You can do what you want with it." For that matter, what use the purchaser would make of it is, of course, his own affair. We would commit no act except to sell on our own soil, at a fair price, for cash, to the purchasers, some equipment of this kind. They could take it and use it for civil and peaceful purposes if they wanted to; they could sink it in the Atlantic Ocean if they wanted to; they could send it to the front in France, if they desired to do that. In that way, Mr. President, I say we would essentially be doing nothing different from what we do when we pass a law through the Congress revoking a prohibition that would not have permitted our individual manufacturers to do the same thing. So, in substance, both cases amount to the use of stores in this country to a degree in a transaction which is consistent with commercial usages involving certain commodities.

But, Mr. President, I go a great deal further than that. In the first place I say that is not a violation of international law; and, in the second place, I say that Hitler could not claim against us as a party to the Kellogg Pact that in aiding another power, party to the same pact—not by going on his territory but to resist his own unprovoked aggression—he could not claim the protection of international law against us or anybody else in that case.

Mr. LUCAS. Mr. President, will the Senator yield further?

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator from Florida yield to the Senator from Illinois?

Mr. PEPPER. I yield.

Mr. LUCAS. I appreciate what the Senator has said about the inconsistencies and the unreliability of Mr. Hitler. Obviously, his word is an empty gesture and we know that he has absolutely forgotten everything about international law insofar as the present war is concerned. But let me place this question before the Senator: Assuming that we should do what the Senator says we should do by selling a thousand airplanes to France or a half dozen battleships or destroyers to foreign countries, after having divested ourselves of all right, title, and interest in and to the property, but knowing that they were to be used for the purpose of aiding the Allies—and assuming further that Hitler, under such a procedure, would issue a declaration of war against this country because of intervention, irrespective of whether it was proper to do so—what would our position be?

Mr. PEPPER. Well, Mr. President, our position would be the same as that of all the other countries against whom Hitler has entered a declaration of war in fact, if not by formal action, without justification whatever. In other words, what I have been trying to say all along is that what we do legally has no relationship to what Hitler does. If he wanted to declare war on us, he would do it whether we gave him any legal justification or not. If he did not want to declare war on us he would not do it, whether we gave him any legal justification or not. Legality is totally unrelated to the subject. That is the point I wanted to emphasize.

Mr. LUCAS. Mr. President, I understand the point the Senator has been emphasizing all through the various speeches he has made here from day to day upon this question, that legality, from the standpoint of Hitler, does not amount to anything at all; but I am still asking the Senator what he believes our position would be under the circumstances I have described, if Germany should declare war upon us after we made disposition of war materials to the Allies, which action, according to the argument of the able Senator from North Carolina, who is a great lawyer, would be intervention upon our part and would be the occasion for a war declaration upon the part of Hitler against us. What would be our position if Hitler should take that course of action?

Mr. PEPPER. Does the Senator mean what would be our legal position?

Mr. LUCAS. No; I do not mean what our legal position would be, but what would we do if Germany made a declaration of war under such conditions?

Mr. PEPPER. We would do as we should do in every case—whatever we think is best for our own defense.

Mr. LUCAS. It would mean that we would be at war, would it not, if Germany declared war on us?

Mr. PEPPER. Is Belgium at war? Is Holland or France or Great Britain at war?

Mr. LUCAS. I think they are.

Mr. PEPPER. That depends upon the way one regards it. I will state what our situation would be, Mr. President. Hitler's declaring war would not change the situation a particle. He is already at war with us; he is at war with the world already; he is at war with South America; he has already sent his "fifth columns" there; he has his "fifth column" right here in the United States of America now. That is intervention; that is interference; that is a violation of international law.

Mr. LUCAS. I do not want the Senator to misunderstand me and to think that in this debate I am defending Adolf Hitler at all.

Mr. PEPPER. I understand the Senator's position.

Mr. LUCAS. I have the same purpose, the same objectives, as has the brilliant Senator from Florida, and that is the defense of this country. The Senator may see it a little differently; the approach may be somewhat different, but I am only attempting to bring out a point which has been worrying me somewhat. The Senator has been debating this subject for several days, very few questions have been asked him on this very important issue, and, I think, perhaps, the country has obtained a wrong impression of what the resolutions of the Senator actually propose to do.

I say that because of some telegrams I have received as a result of the debates and the speeches which the Senator has made in the course of the past week.

I should like to ask the Senator another question or two, now that I am on my feet, in regard to his last resolution, which I believe was submitted today. Am I correct in understanding that it was submitted today?

Mr. PEPPER. It was; and is lying on the table.

Mr. LUCAS. Does the Senator believe that the resolution submitted today is as broad as the resolution which was discussed on yesterday?

Mr. PEPPER. No; I think not.

Mr. LUCAS. Will the Senator briefly make a distinction between the two resolutions?

Mr. PEPPER. I shall be glad to do so. If the Senator will, while the inquiry is fresh, let me answer the first part of the question, then I will answer the second; and I am very grateful to my friend the very able Senator from Illinois for the inquiry, because I want an opportunity to clarify the discussion.

Mr. LUCAS. I think the last statement is very important. It is well enough to discuss what is going on in France and England, and all about the humiliation and the despair and the suffering over there, but we have before us these resolutions which if they became the law would vitally affect this country; and I should like to have just a brief discussion of that matter.

Mr. PEPPER. The Senator a moment ago inquired what this country would do if we were to do any of the things I have proposed and Hitler were to declare war upon us. I started to say, in the first place, that he has already declared war upon us, because he sent his "fifth column" into the United States and into South America. He has already definitely indicated designs upon our continent. He has definitely indicated that his plan will not be achieved until he becomes the master of the world, and until his people become the dominant race in the world. Not only that, but he has very definitely set up restrictions upon our own activities which, in substance, amount to closing the doors of great areas of the world to our trade which, if normally done, would itself constitute a breach of international law and a violation of neutrality, and certainly a violation of the comity of nations.

Mr. BAILEY. Mr. President——

The PRESIDING OFFICER (Mr. MCKELLAR in the Chair). Does the Senator from Florida yield to the Senator from North Carolina?

Mr. PEPPER. Not for the time being.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. PEPPER. I desire first to answer this inquiry.

I say that is what Hitler has already done. I say, in the second place, that the legality of what we do has no relationship whatever to what he does as a matter of fact. That is proved by everything he has so far done. Not one of the countries which he invaded gave him any legal justification for attack, and yet he attacked them.

Almost every one of them had a solemn treaty with him that he would not attack it, as, for example, Poland, Holland, and Belgium. At least, every one of them had his solemn assurance that he would not attack it, as sacred an assurance as the head of a government could possibly give. In addition to that, all of the publications, all of the propaganda, all of the public announcements positively stated, even until the day he invaded the various countries, that he was not going to invade them, and yet he did invade them, from which I can only come to the conclusion that the legality of their course had nothing whatever to do with the reality of his course.

So, then, whether we act legally or illegally is not going to affect Hitler's attitude toward us. That would be affected by one thing alone, and that is his idea of what is best for Hitler and Hitler's cause. If he thought it best to make peace with us, he would try to make peace with us. If he thought it best to make war upon us, he would make war upon us. If he thought it best to try to deceive us, to lull us into security so that he could strike us later when we were not expecting his attack, he would do that. So what we would do would depend entirely upon the same principle—what was for our own best interest. If he merely declared war in Europe, but sent no fleet, no air force, no soldiery, then we would decide whether we would wait for him to come here or whether we would go over there, depending entirely on which course we thought was better for our own protection and our own interest.

Mr. BARKLEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Kentucky?

Mr. PEPPER. Will the Senator let me finish answering this question? Then I shall be very glad to yield.

So, Mr. President, the situation actually would not be changed from what it is right now. If you ask me what we would do if Hitler sent ships, that is a military question. If you ask me what we would do if he sent airships, that is a military question. If you ask me what we would do if he sent soldiers, that is a military question; but I tell my friend now that Hitler has not only come to be at war with us, but he has been at war with us, with everything we believe in, with everything we live by, and with everything we die by. From the time he came to power—yea, before that, Mr. President; from the time he conceived this iniquitous world dream of his—he has been at war with us.

I have here a newspaper clipping reading in part as follows:

To the Italians the Germans say that America is a negligible factor, not to be feared in the event of intervention and swiftly to be destroyed in the event of German victory in Europe. A trustworthy Italian, who has seen much of the German missions that come constantly to Rome, reports the German argument as having convinced him as well as thousands of highly placed Italians.

SCOFFS AT UNITED STATES STRENGTH

"You Americans have neither a historical nor military tradition," said this Italian. "You are spending $3,000,000,000 on armaments, but to what purpose? Do you think you can build an army as good as the French Army, or a navy better than Great Britain's? Do you think that you can overtake German supremacy in the air just because you have vast factories?

"The Germans can destroy you militarily, even with your 3,000 miles of Atlantic, but they will have new techniques. They tell us they know already how to apply them to America—new techniques in economic warfare, in propaganda, in sabotage, in civil war."

"How do you mean?" I asked this Italian.

"They will strip you of trade first, they say. Britain has been your best customer.

Let me interpolate here that in 1937 we sold 20 percent of our agricultural products to the United Kingdom alone. In 1939 we sold 16 percent of our total exports to the United Kingdom.

Continuing:

Conquered, she will be your customer no longer. In fact, nowhere in Europe will you find a market. Just as quickly, moreover—in a couple of months, they say—you will find South America and the Far East closed to you.

CIVIL WAR, THEN INVASION

"What can you do when this comes? Can you maintain your famous standard of living without foreign trade? Can you spend billions on armaments and billions on social welfare? Without markets, your armaments and welfare programs will destroy you, for you cannot find these billions as your national income declines.

"Your unemployment will mount. Your social unrest will mount. You will be ready for propaganda and sabotage to bring strife between capital and labor, between Jew and gentile, between Tory and liberal. It will end in collapse and civil war.

"In your moment of turmoil Germany will take over Mexico and Canada. Then you will be partitioned, cut into three or four sectional and divided groups, ruled by national socialist governments recognizing the supremacy of Hitler. You do not think Germany would leave you in peace as the one great democracy opposed to Nazi ideology, do you? They will destroy you.

"This is what the Germans say, and I believe they are right. They say they can do this within 12 months of their victory over France and Britain. They say they can do it whether the British Fleet comes into their hands intact or whether most of the ships are scuttled."

DEPEND ON JAPANESE NAVY

"All this is easier said than done," I demurred.

"Oh, you people of the plutodemocracies are all alike," said my friend. "You are talking and thinking as the British and French were talking and thinking a year ago.

"We in Italy see things differently. That is why we are going in on the German side. And Germany will have the Japanese Navy as well as our own. And don't think for a moment that Russia will betray Hitler. Any move in that direction removes Stalin's last hope of remaining in power. Stalin will carry out Hitler's orders no matter how much he hates them, because betrayal would mean extension, within 6 weeks, of the German flag through the Ural Mountains."

FINDS AMERICA SLIPPING

The Italian concluded somewhat grimly:

"This is a century of power revolutions—fascism and national socialism. We are already destroying your own confidence in your democratic system. You cannot make up your minds and act. You cannot transform your economy against loss of foreign trade. You cannot organize defense against the mighty forces of two revolutions. That is Hitler's secret weapon—the decadence of the 'business as usual' mentality of the plutodemocracies. You people missed the autobus—not us."

Your correspondent reports these two conversations because they reflect the arguments and the confidence of Fascists as well as Nazis in this moment when Europe is waiting for the success or failure of the possible French counterattack.

Mr. BAILEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from North Carolina?

Mr. PEPPER. Not for the time being. Just a minute and I will yield.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. PEPPER. So, Mr. President, the Germans do not have to declare war against us; they have declared war against us. Look at the German Bund, which had its organized legions in this country. Go to the files of the Government, or search the knowledge of almost any citizen in the country, and you will find the slimy, serpentine course of the "fifth columnists" trying in some way or other to find a foothold in this country to sabotage what we have. They have not just begun to turn a greedy eye upon us. It has been upon us for a decade. We are just waking up to it, when it is almost time for them to strike.

Mr. President, talking about Hitler making up his mind to do something to us would be like determining whether or not a serpent had anything against you after it had already planted its fangs in your flesh and started to emit its venomous poison.

Mr. LUNDEEN. Mr. President, will the Senator yield?

Mr. PEPPER. Just a moment. I am speaking about Hitler, not about Great Britain, or France, or others of the decent nations of the earth; not about any country which has an agreement with us which we should not violate.

I am saying that the best way to stifle the "fifth column," the best way to destroy the Trojan horse, the best way to defend our country against Hitler's airplanes and ships and soldiers, the best way to protect our hemisphere, the best way to save our citizens' money, and the best way to save the sacred cause of freedom and civilization's hopes is to do what effectively and reasonably we can do, short of war—and by that I mean short of sending our own ships, our own soldiers, our own airplanes, our own fighting weapons, under our own control, to take part as a belligerent in the war—that is what I mean—short of that—to help the Allies crush Hitler.

I say, Mr. President, that if we do not do that, there will be some day a book called While America Slept that someone will be writing; it will be The Lament of America's Destruction, perhaps, that someone will be telling about in the ages yet unborn. That will be the tragedy of this era in world history, that democracies were so impotent, as this correspondent says, that they could not act in time to be effective.

My God, what a price we paid in the World War, and what a price we have paid in every war, because we could not or would not get ready for it, although we saw it coming. We waited until 3 weeks ago to start building a larger army and a larger navy and a larger air force—3 weeks ago. Where had we been all the time since 1933?

Mr. BONE. Mr. President, will the Senator yield?

Mr. PEPPER. Not for the time being.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. PEPPER. Mr. President, where were our ears, where were our eyes? Could we not hear or see or feel what was going on in the world? Yet we waited until 3 weeks ago to start to build up a real air fleet, to build up a real Navy, to set up a real Army. The chairman of the Committee on Naval Affairs told us that it would take 5 years at least to build anything like the fleet needs we will have to provide.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. PEPPER. In just one moment. It will take a year or two at least to build a part of the airplanes we will have to have, to build the Army, for the enlargement of which we are just providing today.

Mr. BONE. Mr. President, will the Senator advise me when he will yield, so that I can ask him a question?

Mr. PEPPER. Just one second, and I will yield.

The Senator from Illinois asked me to state the difference between the resolution I previously submitted and the one I have submitted today. The original resolution, which was defeated twice by the Senate Committtee on Foreign Relations, provided that the President was authorized, in his discretion, to sell any airplanes or other war equipment, which he thought could be sold without imperiling our own national defense, to any of the Allies, or any of the nations which were the victims of Hitler's unprovoked aggression, or were parties to the Kellogg Pact; provided delivery of those materials took place in this country, and provided the purchasers paid cash for them when they bought them, and paid a fair price for them. The resolution also gave the President the power, if he thought it desirable, to recoup any of those materials which we might have sold out of our existing establishment, out of any goods of that kind which might be in process of manufacture or might be manufactured in the factories of this country for the account of the powers abroad.

Mr. LUCAS. Mr. President, will the Senator yield on that point?

Mr. PEPPER. I yield.

Mr. LUCAS. Because the resolutions of the Senator have intrigued me quite a little, and I have studied them from time

to time, I should like to ask the Senator with respect to the second resolution he presented, which he is just now discussing, as to whether of not, if the resolution were adopted by the Congress of the United States, we would not as a Congress divest ourselves of practically all authority to provide for an adequate national defense, and place the authority solely in the President of the United States to make the determination?

Mr. PEPPER. I answer "No," Mr. President, for clear reasons. In the first place, we would impose a limitation in the law, that is, a limitation that the President must not act to the point where he would imperil our national defense.

Mr. LUCAS. That is the point exactly; in other words, we would lodge the sole discretion and authority with the President of the United States to say what was an adequate national defense, in the event the resolution were enacted.

Mr. PEPPER. Mr. President, I turn it around a little, and state that we would lodge in the President the discretion to determine what might be disposed of without imperiling the national defense.

Mr. LUCAS. It is a distinction without a difference——

Mr. PEPPER. Very well.

Mr. LUCAS. In the opinion of the Senator from Illinois we cannot pass the resolution the Senator has in mind, and which we are discussing now, without Congress divesting itself of all authority it has in respect to a national-defense program.

It seems to me, as I read the resolution, that we would be leaving to the President of the United States to say what our national defense should be. In other words, in a colloquy with the able Senator from Florida I said that in the event this resolution should pass, if the President of the United States wanted to sell a thousand airplanes under the terms of the resolution to the Allies, he could do it. If, following that, it was found the thousand planes were not sufficient to terminate the war, if 500 planes were not sufficient to terminute the war—as the writer said yesterday they would be sufficient to terminate it in favor of the Allies—and the military authorities on the other side and on this side gathered around the President and said:

> Now, if we will sell them 24 destroyers, we believe that that will be sufficient to turn the tide of the war for the Allies.

Under the resolution the President would have the power to do that. Is not that true?

Mr. PEPPER. That is correct.

Mr. LUCAS. If the 24 destroyers failed to turn the tide, and the same military authorities across the water and on this side again sat in conference with the President and said, "Mr. President, we think that if you send 10 battleships across the water they will turn the tide and win a victory for the Allies and democracy," would not the President under the resolution, have the right to do that, provided he believed that our national defense was not impaired in so doing?

Mr. PEPPER. That is correct.

Mr. LUCAS. In other words, he could send everything, under the resolution, if he thought it would win the victory for the Allies, because a victory for the Allies would be protecting our national defense, and our national defense, under the argument of the able Senator, will never be impaired if Hitler is defeated.

Mr. PEPPER. Of course, there are potential dangers to our national defense aside from Hitler; so I would not say that a fair construction of the resolution would include the power to send everything. It would include the power to send a little, indeed a very great deal. Remember, the power would be conferred upon the Commander in Chief of the Army of the United States, so designated by the Constitution itself.

Let me make another inquiry that is equally pertinent. Suppose war were going on, and suppose the Commander in Chief felt that the best way to win the war was to send a certain number of destroyers or a certain number of battleships into battle. He would have authority to do that, and Congress would not have a check on it, either.

Mr. LUCAS. That is a different proposition.

Mr. PEPPER. That would be a military decision, made by the Executive branch of the Government, and not by the legislative. I say that, in substance, we are already at war with Hitler. If the Commander in Chief of our Army and Navy in whom our people have confidence, aided and advised by the best brains in the Army and the Navy and the Air Corps, thought that the thing to do for the defense of our country was to allow 10 planes, or 50, or 500, to be sold for cash, delivered here to the Allies, and used by the Allies to crush Hitler in Europe, I believe that the American people would applaud the decision he made.

Mr. LUCAS. Mr. President, will the Senator yield further?

Mr. PEPPER. I yield.

Mr. LUCAS. The last remark of the Senator brings up a question which has been turning over in my mind. I know how sincere and how devoted the Senator is to the resolution he is now discussing, and the various other resolutions he has offered, but I have never heard anyone yet on the floor of the Senate, not even the Senator himself, say whether or not the State Department, for instance, has peculiar knowledge of what is going on across the water, interested in the resolution, or whether the President of the United States supports his position. I have not heard the able leader on our side at any time say in this debate whether or not the President, or Mr. Hull, the Secretary of State, thought that this was the thing to do. With all due deference to the ability and the powers of persuasion of the Senator from Florida, and his unusual interest in this subject, in which we are all concerned, I cannot follow some of the things he would like to do. I am just as strong in my desires to see the democracies win as is the able Senator from Florida. I have thought that someone somewhere, sooner or later, would advise the Senate and the country whether or not the President of the United States, and whether or not the Secretary of State, Mr. Hull, are in accord with the views of the Senator from Florida upon this far-reaching resolution.

Mr. PEPPER. Mr. President, I think there are two answers to that question, and I am glad to have the opportunity to make them.

The first answer is that the President does not have to do anything under that resolution unless he wants to. The Congress imposes upon him no duty. It merely gives him freedom of action, and tears away from his hands the shackles that might restrain him if he did want to act.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. PEPPER. In just a moment.

The second is, Mr. President, that it seems to me it is time for the Congress of the United States to share a little of the responsibility in this matter with the President. The President for 3 years has been imploring the Congress to help him try to stave off this tragedy that now envelopes the world. He came here and entreated the Congress long ago to remove the discriminatory arms embargo which made us an ally to the German Government. But what did we do? We waited. We listened to the legalists and the constitutionalists who said, "No. In the first place that is illegal. In the second place, it might make Hitler mad, and we cannot venture to do that. In the third place there will not be any war if Roosevelt does not cause it. If Roosevelt will just quit jingoing around over the world, and not stick his nose in Europe's affairs, and quit talking about making democracies work, and quit stirring up things, there will not be any war, and everything will be well with the world." And we know what happened.

Mr. LUCAS. Mr. President, will the Senator yield to me right there on that point?

Mr. PEPPER. I yield.

Mr. LUCAS. I am very happy that the Senator made that last suggestion about the President of the United States. In other words, he has been so uncannily right, in my humble opinion, upon this foreign question that I take off my hat to him. I thought he made a mistake in his "quarantine" speech in Chicago. I thought he made a mis-

take in the speech which he made at the opening session of Congress in 1939, when he talked of measures short of war. But in view of subsequent events I know that he was 100 percent right with respect to the foreign situation then, and that is the reason why I am anxious now to know what the President thinks about this important proposition, for great Senators, such as the Senator from North Carolina [Mr. BAILEY] and others here believe that if the Senator's resolution were adopted it would be tantamount to a declaration of war. I am interested in knowing what the Commander in Chief of our Army and the President of our country thinks about the Senator's resolution.

Mr. PEPPER. Mr. President, may I ask the Senator a question in turn?

Mr. LUCAS. I shall be glad to answer if I can.

Mr. PEPPER. If the President were to come and solemnly ask Congress for this power, can the Senator from Illinois assure him that he would receive it?

Mr. LUCAS. I cannot speak for the Senate.

Mr. PEPPER. Or would he be humiliated and weakened in dealing with foreign powers if he made such a request and the request were turned down?

Mr. LUCAS. I wish to say in answer to that question, that I do not think the President has been humiliated in one iota in this national-defense program which has been started, of course, since the invasion of the Low Countries by Germany, because the Senate of the United States has demonstrated a unanimity of thought on both sides of the aisle in adopting and in helping with this national-defense program. I agree with the Senator that the President of the United States has been far ahead of the Congress and of the people of the country generally, with respect to foreign affairs, and it took something like the invasion of Denmark and Norway, it took something like the rape of Holland by Hitler in order to awaken the people of America generally, as well as Senators and Representatives, from their lethargy with respect to what is going on in the world.

Let me say further in defense of the President: The Senator a moment ago suggested that we had been doing absolutely nothing in this country up to a few weeks ago so far as defense is concerned, and to some extent that is true. But I ask the Senator from Florida: Who is responsible for that apathy upon the part of Congress or upon the part of the people of the country? This country is guided by the sentiment of public opinion. Had the President of the United States made the same speech 60 days ago that he made to the joint meeting of the Congress a couple of weeks ago, after the invasion of the Low Countries, when he boldly declared his position to strengthen our defense, he would have been hooted and jeered and condemned by some Senators, as well as by a Republican press throughout the country, because they would have said that he was making that type of an appeal only in order to take us into war. And now, Mr. President, practically every move that he makes in the White House in connection with this great program of adequate national defense is construed upon the part of some individuals as well as a portion of the press as a barometer for our participation in the present war. And I charge now, at a time when all ought to be solidly behind the President and this program that the taint of politics is still fringing around the edges; at a time when we are attempting to give this country the type of defense that is so necessary if America is to continue on the road of progress and the road of peace and freedom which it has been experiencing for the last 150 years; some individuals and a part of the press are constantly inveighing against the program.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. PEPPER. First I wish to say that I subscribe to every word that the able Senator from Illinois has said about the situation.

I now yield to the Senator from Washington.

Mr. SCHWELLENBACH. Mr. President, I wish to suggest to the Senator from Florida that so far it seems to me his answer to the question of the Senator from Illinois is extremely unfair to the President of the United States. The Senator from Illinois asked the direct and definite question whether or not the position which the Senator from Florida takes has the approval of the President of the United States and the Secretary of State. The only answer that the Senator from Florida gave was in the form of a question propounded to the Senator from Illinois as to whether or not, if the President of the United States came before the Congress and took that position, he would receive favorable consideration from the Congress. No construction can be made of that sort of an answer to a direct question, other than to imply that possibly the President of the United States does approve of the position which the Senator from Florida takes.

I know nothing about the attitude of the President of the United States upon this particular question. I do know, however, that in all of his utterances, public so far as I know and private so far as I know, the President has taken the position that the United States Government should be honest and should conform to the rules of international morality. The position which the Senator from Florida takes is that just because of the fact that there is in the world a great militarist who does not believe in the principles of international morality, who does not believe in the principles of international law, we are justified in being immoral; that we are justified in disregarding international law in our own actions.

I have heard nothing either publicly or privately from the President of the United States to indicate to me that that was his position. I know that probably what I say the Senator from Florida may consider mere simpering sentimentality, but it seems to me that if the Senator from Florida is logical in his position, that if Germany has declared war upon us, the logical thing for us to do is to come out openly and honestly and say that we are at war with Germany, and go the whole limit in trying to fight her.

The Senator made the statement that the Germans were trying to destroy everything in which we believe, everything for which we fought, and everything which we loved. It seems to me the most important thing in which we believe, the most important thing for which we have fought, and the most important thing which we love is the principle of simple common decency and honesty. For us to try to go around through the back door and participate in the war in Europe on the basis that somebody over there does not believe in international honesty, and therefore we should disregard international honesty, would be the first step to the destruction of all the things for which we have fought and all the things which we love in this country.

If we want to fight Hitler, if we want to give up our honesty, if we want to give up our democracy, let us just make a dictatorship out of the United States, and get into the war, and go ahead and do it openly.

Mr. President, why do we want the Western Hemisphere to be protected against Hitler?

Why do we want the United States to be protected against Hitler? Because of the fact that we want to have mantained in this world, as a part of the world, some place in which the principles of democracy and the principles of honesty and morality are recognized. If under the guise of taking steps short of war, in direct violation of every principle of international law, we are going through the back door to participate in a war in Europe, I say that the logical thing for us to do is to go the whole way, have a dictatorship for ourselves, forget about democracy, and go into the matter of world power politics. I am not willing to do that. So far as our Nation is concerned, I think that the most important thing to do is to be honest with ourselves and with our people and honest with the world.

Some day the time will come when the peoples of the world will once more recognize the principles of international morality. We may scoff at international law; we may say that it has been disregarded; we may say that this dictator or that dictator does not pay any attention to it.

I remember that a few years ago out in the city of Chicago—I use Chicago simply because it was the most publicized of all the cities in which the situation existed—gangsters refused to recognize the law. The right-thinking people of the country were very much worried because they thought that possibly our whole principle of law would be destroyed if we did not use a gun on the gangsters.

My personal position is—and I think the position of the United States of America ought to be—that no matter what happens anywhere else we ought to be honest; we ought to preserve our democracy; we ought to preserve the principles of international morality. I do not think that the President has ever said anything which has to the slightest extent deviated from that sort of a position; and when the Senator answers the Senator from Illinois [Mr. LUCAS] by propounding another question, I think he is extremely unfair to the President of the United States.

Mr. BAILEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from North Carolina?

Mr. PEPPER. Not until I have answered the Senator from Washington.

Mr. President, the able Senator from Washington talks very militantly when he is talking about the Japanese, because he lives on the west coast, but not very militantly when he is talking about Mr. Hitler, who may threaten us on the east coast.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. SCHWELLENBACH. On the 22d of October I spoke for 4 hours on the floor of the Senate on the Japanese question. I have spoken on the Japanese question several times in national radio broadcasts. It happens that every speech I have ever made on the Japanese question has been printed in the CONGRESSIONAL RECORD. I presume the Senator would not care to take the time to read them. I do not ask him to read them. But I defy the Senator to find a single word of militancy in any of the language I have used so far as Japan is concerned. I have only asked that we place a restriction upon our own people, and that we comply with a treaty obligation into which we solemnly entered. I have never made an attack upon the Japanese. I have never used any language against the Japanese which to the slightest extent could be considered militant.

Mr. PEPPER. Will the Senator state whether or not he proposed that we should withhold commercial trade and sales of armament, oil, and the like, from the Japanese?

Mr. SCHWELLENBACH. Yes; because of the fact that clearly under the provisions of the Nine Power Pact it is our treaty responsibility, in accordance with the provisions of international law and in accordance with international morality, to take that sort of position.

Mr. PEPPER. In the opinion of the able Senator from Washington international morality is all right to invoke against the Japanese, but not very good against Hitler.

Mr. SCHWELLENBACH. Mr. President, will the Senator further yield?

Mr. PEPPER. I yield.

Mr. SCHWELLENBACH. There is just this distinction between the Senator from Florida and myself. I happen to believe in treaty obligations. I happen to believe that it is the responsibility of this Government to respect its treaty obligations, and I do not think we have any more right to violate a treaty obligation in the Far East than Hitler has to violate a treaty obligation in Europe. I do not think we have any more right to violate a treaty obligation in the Far East than to adopt a resolution such as the Senator from Florida proposes, which is in direct violation of all the principles of international law and morality.

Mr. PEPPER. Mr. President, everything the able Senator has said about my resolution, other members of the Foreign Relations Committee said about his resolution with regard to Japan. I will ask him if his resolution has the approval of the State Department?

Mr. SCHWELLENBACH. Mr. President, I never appeared on the floor of the Senate and evaded the question when I was asked whether or not I was representing the position of the State Department or of the President of the United States.

Mr. PEPPER. The Senator from Florida will make that point very clear as soon as he has an opportunity to answer the remainder of the Senator's question. But what does the Senator from Washington propose to the Senate?

There is a Nine-Power Treaty by which nine different countries guaranteed the territorial integrity of China. Japan was one of the signers. The United States was one of the signers. There was a collateral commercial treaty between the United States and Japan. In the course of ordinary commercial relationships the United States was selling supplies to Japan, just as it would sell them to any other nation in the world. What does the Senator from Washington do? He comes in and regales us with accounts of Japanese cruelties, Japanese aggressions, and unprovoked assaults by the Japanese militarists, and he says that in penalty upon the Japanese for their wrong, and to carry out the spirit of the treaty to which Japan is a party, as well as of the Kellogg Pact, we should punish the Japanese by withholding commercial trade relations from them. He says, "Let us quit helping the Japanese conquer the Chinese."

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. PEPPER. In just a moment.

Yet, Mr. President, when I say "Let us help Holland, Belgium, Luxemburg, Poland, and the other nations which are the unprotected victims of Hitler's unprovoked aggression," and all I propose is that they be permitted to buy supplies here for cash, I am a breaker of international law; I am trespassing upon international morality; I am a militant warmonger; I am not honest. Why did not the Senator propose to declare war against Japan, if he really wanted to protect China and be honest?

Mr. SCHWELLENBACH. Mr. President——

Mr. PEPPER. I yield.

Mr. SCHWELLENBACH. I appreciate the fact that it would impose quite a burden upon the Senator from Florida to read the speeches which I have made with reference to the Japanese question, and I do not expect him to assume that burden. But if he were to assume that burden and read the speeches, or if he had taken the trouble to stay in the Chamber and listen to me while I discussed the question, I am sure the statement which he just made would not be made by him at the present time.

All I ever argued about Japan was that we had a treaty obligation. Apparently the Senator is not familiar with the nine-power agreement, because of the fact that he said that we guaranteed the territorial integrity of China. We never guaranteed the territorial integrity of China. We agreed to respect the territorial integrity of China. All I ever asked was that our Government ask its citizens not to use their rights to violate a treaty. I never proposed that we declare war. I never proposed that we send any arms or ammunition to the Chinese, either directly or indirectly. All I argued for was that we had a treaty obligation. I do not like to impose upon the Senator so much, but if he had taken the time and trouble to read the speeches which I have made upon this question, he would not have made the statement he has just made.

Mr. PEPPER. Mr. President, I have heard the Senator discuss his proposal in the Senate Foreign Relations Committee, and I have heard him discuss it on the floor of the Senate. Moreover, the Senator knows that I have told him that I favor it. I have repeatedly stated publicly in the press that I favor it. Why?

I thought we had a right, as a penalty upon Japan for breaking that treaty, to drop commercial relations with Japan, and to withhold the sale of oil and armaments to Japan. I still say so. But the able Senator is not willing to give me the benefit of that argument when I apply it to Hitler and his conquests.

Mr. SCHWELLENBACH. Mr. President——

Mr. PEPPER. I yield.

Mr. SCHWELLENBACH. The Senator says he thinks we could do it as a penalty. He goes much further than I have ever gone in either public or private statement. I have not said anything about any penalty against Japan. I have merely said that we have a treaty obligation, and that the principles of international morality require that we carry it out. All I ask in dealing with Europe is that we apply the same principles of international morality which I advocate in our dealings in the Far East.

Mr. PEPPER. Mr. President, I make the same request relative to the policy of the United States toward Hitler. I say that the German Government is a party to the Kellogg Pact. We are a party to that pact, as are many of the victims of his aggression in Europe. In that pact the signatories said they would not adopt war as an instrument of national policy. Germany has flagrantly violated that solemn treaty. Therefore, we, as a signer of that pact, have a right to lend something more than moral aid and sympathy to the victims of Hitler's aggression in violation of the pact.

I say that international morality and decency demand that the signers of that kind of a solemn obligation be willing to do something about it when it is violated, and not merely sit by with folded hands, indifferent to whatever may be done in its breach.

Mr. SCHWELLENBACH and Mr. LUNDEEN addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Florida yield, and, if so, to whom?

Mr. PEPPER. I yield first to the Senator from Washington.

Mr. SCHWELLENBACH. Mr. President, I do not like to impose further on the Senator from Florida, but I should like to ask him to read the Kellogg-Briand Pact alongside the Nine-Power Pact. Certainly he cannot claim that there is any comparison between the responsibilities upon the signatories in one pact as compared with the other. As a matter of fact, because of the Monroe Doctrine, we insisted that there be inserted in the Kellogg-Briand Pact the proviso that each nation should have the right to decide for itself whether a war in which it engaged was a war of aggression or a war of defense.

Mr. PEPPER. Mr. President, I am clear about one thing. At least, Hitler makes no distinction between one pact and the other, because all pacts look alike to him.

Mr. LUNDEEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Minnesota?

Mr. PEPPER. I yield.

Mr. LUNDEEN. I am wondering if the Senator from Florida would construe article VI of the Hague Convention of 1907 for the Senate. Germany and the United States were both signatory powers to that convention. Let me read article VI:

> The supply, in any manner, directly or indirectly, by a neutral power to a belligerent power, of warships, ammunition, or war material of any kind whatever is forbidden.

I wonder how the Senator would construe that.

Mr. PEPPER. I would say that that was a covenant that existed B. H.—before Hitler. [Laughter.]

Mr. BAILEY. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from North Carolina?

Mr. PEPPER. I yield.

Mr. BAILEY. I wish to read for the Senator from Florida, not presuming, and for the Senate an extract from the works entitled "International Law, Chiefly as Interpreted and Applied by the United States," by Charles Cheney Hyde, professor of law in the Northwestern University, published by Little & Brown, which can be had in the Senate Library. I read from page 698:

> SEC. 848. Government abstention from participation—miscellaneous activities: The government of a neutral state is obliged to abstain from all participation in the conflict. Participation is none the less censurable because impartial. The duty of abstention becomes applicable to all persons in the public service of the neutral, whether in the civil or military branches thereof. Thus members of its diplomatic corps must refrain from furnishing aid. Members of its navy must not pass and make known resolutions of sympathy for the cause of a particular belligerent.
>
> The extent of the duty of abstention is broad. Every possible field of activity is covered. Thus the sale by a neutral government to a belligerent of any form of war material or of public ships may be said to be forbidden. It is urged with force that the mere consent by a neutral to the sale to a belligerent of vessels privately owned, yet constituting a part of the naval reserve and subject to governmental control, is embraced within the general prohibition. Again, the loaning of money or the extension of credit by a neutral government to a belligerent amounts to participation in the war, and constitutes, therefore, unneutral conduct.

There are footnotes, which I will not undertake to read, citing the precedents of our country. This is not a collection of international law on the part of other nations; it is the international law of this Nation.

The Senator from Florida began his speech this morning by saying that he was not in favor of declaring war, but after lunch I came back and heard him say that Mr. Hitler was already making war upon us. Well, of course, if he is, it is our plain duty to declare war upon him. I take it that the Senator from Florida would agree to that. It seems that he has based his whole argument upon the hearsay testimony of an anonymous Italian printed in an unnamed newspaper.

I must protest that when this body begins to consider thrusting our great people into any war we must have something more substantial than that.

Mr. PEPPER. Mr. President, I shall not forget to come back to the relationship of the President of the United States to this question, but before doing that I desire to answer the able Senator from North Carolina.

Mr. President, when I said that Hitler had already declared war upon us, I did not depend upon hearsay or the statement of some relatively unknown correspondent, although in this case the correspondent happened to be John T. Whitaker, a correspondent for the Chicago Daily News Service.

Mr. BAILEY. Who was the anonymous Italian?

Mr. PEPPER. The anonymous Italian remains anonymous. [Laughter.]

Mr. BAILEY. Let him forever be.

Mr. PEPPER. Like many of those in later years who shall obstruct this great program to defend America in the most effective way.

Mr. President, I started to say that it was not hearsay that there is a "fifth column" in the United States, which was hired, sent here, and paid for by Adolf Hitler's government for one purpose, and that not a peaceful purpose but a warlike purpose, not constructive, but destructive.

The American people do not have to rely upon my testimony or be dissuaded by the doubts of the able Senator from North Carolina which now appear. Nor, Mr. President, is it hearsay that Hitler has already sent his Trojan horses and "fifth columns" into Mexico, and, I believe, every other country south of the Rio Grande. The American people are not going to be dissuaded in their consciousness of that knowledge by the doubts of the able Senator from North Carolina that Trojan horses and "fifth columns" are not down there.

Mr. President, the American people know far too well that Hitler has already made war on us and on this hemisphere, not only by Trojan horses and "fifth columns" but in the very commercial practices described in the newspaper article which I have read.

What did he do? He set up an economy and a method of bargaining which was the antithesis of the democratic method of free trade, which contemplates a mutual exchange of goods and services upon the basis of a decent currency and decent commercial practices. Not Hitler. He does not come and ask for an order; he puts the mailed fist behind the demand for it. He dumps in violation of every decent commercial practice the world over. For what purpose? Not only to build up his own but to break down our economy. Every practice and every policy he has adopted has been at war with

the practices and policies of the United States of America. The farmers in the United States may not know what has happened to their market, where it has gone, who took it, who destroyed it; but they do know their market is gone; they know it is not there; they know somebody is responsible.

I say Hitler has already made war not only upon our democracy and institutions, not only upon our religion, but by his spies and plans for sabotage he has made war actually upon our Army bases, our sea bases, our air bases, our citadels, and places of military value in our country. He has made war upon every man that labors in a factory and every man who works upon a farm by the insidious and vicious commercial practices which, along with his propaganda, are as much a part of his war machine as the soldiers and the tanks at the front. That is what these people have not been able to understand—that the "fifth column" and the parachute troops are a part of the Hitler army.

Mr. HOLT. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from West Virginia?

Mr. PEPPER. Not for the time being.

They have not been able to understand that this is a new kind of war. Has Hitler declared war on anybody? I wish the Senator from North Carolina had turned over to the index and found in the book where it must say "Declarations of war are made publicly according to the code of world decency." Does Hitler declare war on anybody? No; he just marches at dawn, after the "fifth column" has already opened the fortresses of the enemy for him, and already destroyed their integrity, after he has already bought off all purchasable traitors. That is the kind of war he wages. I suppose the Senator from North Carolina, if he lived in Holland or Belgium, would still be there standing at the roadside waving a law book at Hitler and saying, "You violated the law of our country. Will you not stop? Stop in the name of the law." [Laughter.]

Mr. BAILEY. Mr. President, will the Senator permit me to interrupt him further?

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from North Carolina?

Mr. PEPPER. I yield.

Mr. BAILEY. I would wave the CONGRESSIONAL RECORD at him.

Mr. PEPPER. It may be that it would have been a CONGRESSIONAL RECORD the Senator would have been waving.

Mr. BAILEY. Very well. I will let the Senator have it his own way. However, here is the definition of neutrality as determined by the convention of the republics represented at the Sixth International Conference of American States, held at Habana, Cuba, in 1928, to which the United States was a party. Here is the declaration to which we agreed—and I cite the Senator to article 16:

> The neutral state is forbidden:
> (a) To deliver to the belligerent, directly or indirectly, or for any reason whatever, ships of war, munitions, or any other war material.
> (b) To grant it loans, or to open credits for it during the duration of war.
> Credits that a neutral state may give to facilitate the sale or exportation of its food products and raw materials are not included in this prohibition.

That is our declaration of our standards of neutrality, entered into with our sister republics in the New World. I wish the Senator to test his resolution in the light of the collection of the law by Mr. Bates which I read just now, and in the light of our formal declaration in this convention with our sister republics in the New World. It is to be found in the CONGRESSIONAL RECORD for January 28, 1932, at page 2876.

Mr. PEPPER. Mr. President, if a man were in a courtroom, arguing a case before a competent court, in a country which respected law, and dealing with other parties who lived under the law, he would, of course, make a legal argument; but if he were out in the field, and he were attacked by a rattlesnake, he would try to cut off its head regardless of whether he might have acted too quickly, or whether his action might perhaps have constituted, in the opinion of some technician, an unjustifiable attack upon a poor rattlesnake.

Mr. President, when a burglar breaks into your home, he may do so by mistake; but the citizen whose close is being violated has a right to defend it against a marauder, and it is not a legal controversy.

I ask the Senator and I ask the Senate, What does Hitler say about international law?

Mr. BAILEY. Mr. President, I will answer that question.

Mr. PEPPER. Just a minute.

Mr. BAILEY. Does the Senator yield? He asked me a question, and I should like to answer it.

Mr. PEPPER. Just 1 minute. I say that Hitler is the best authority on international law in the world today, because he has determined that there is no international law.

Mr. BAILEY. I am sure Mr. Hitler will greatly appreciate the compliment from the Senator from Florida. There is an international law. The fact that it is violated does not destroy its existence. The international law of neutrals is fixed. The United States is a law-abiding nation; it is a treaty-keeping nation; and we do not propose to follow the example of Mr. Hitler or be seduced with arguments that because Mr. Hitler did thus and so we should do thus and so.

I remind the Senator that at the outset of his speech he avowed that he was not for war with Mr. Hitler; but if during the past hour since I have been here he has said anything contrary to a demand for war with Mr. Hitler, then I have failed in my understanding.

The Senator has repeatedly said that Mr. Hitler is at war with us. If the Senator believes that, it is his duty to ask the Congress to declare war at once. If he does not believe it, he may take the course that we take; but he cannot come here and say at the outset of his speech that he is not advocating war, and throughout the whole last portion of it advocate a course which cannot have any meaning other than war, in the light of our historic policy and our formal declaration in the convention of Cuba, from which I read just now.

I should like to have the Senator take his side. If he is for war, let him say so, and I will respect his position.

Mr. BONE. Mr. President, may I inquire of the Senator for a moment?

Mr. PEPPER. I should like first to answer the question of the Senator from North Carolina.

Mr. President, during the years when Winston Churchill was pleading with the British people to act, I dare say Sir John Simon many times gave to his colleagues in the cabinet the advice which the able lawyer from North Carolina is now giving to his colleagues in the Senate. The only difference is that Winston Churchill was trying to save the British Empire from the folly of the Chamberlains and the Simons; and some of these days, if the Senator continues that course, some brave men will be trying to defend this country against the Senator from North Carolina and others who take the same point of view.

Mr. BAILEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from North Carolina?

Mr. PEPPER. I yield.

Mr. BAILEY. I have not taken any course here. I have not even said that I was opposed to a declaration of war. I have not asserted the slightest conception of policy here. All I have done is to call to the Senator's attention the historic definition of neutrality gathered by the gentleman from Massachusetts [Mr. Bates] as a summary of our whole course, and then to support that with article 16 in the Convention of Cuba of 1928.

The Senator cannot charge me with having any course at all, and I should not think he would suggest that he and Winston Churchill are in the same category; but far be it from me to deny it.

Mr. PEPPER. Mr. President, the one hope that the world has of that law ever again being effective, the one chance the world has of living under law and not force, is for somebody to crush Hitler in Europe. That is the reason why I am saying that what Congress should do is to tell the President of

the United States—our Chief Executive, the constitutional Commander in Chief of our Armies and our Navies—that it is the sense of the Senate—the House of Representatives concurring—

That the President of the United States, at his discretion, should use the full authority which he now has under existing laws to sell or transfer airplanes and other war material not at present needed in the national defense to any foreign country, to the end that peace and freedom be preserved and protected, and to keep war from the Western Hemisphere.

Mr. BAILEY. Mr. President, may I interrupt the Senator?

Mr. PEPPER. Not until I have made another statement.

Mr. BAILEY. The Senator's own interpretation of that language is that the President could send battleships over there.

Mr. PEPPER. Mr. President, I ask the Senator if he will be good enough to repeat the statement. I wanted to make another statement before yielding to him.

Mr. BAILEY. In the colloquy with the Senator from Illinois [Mr. LUCAS], the Senator from Florida stated that under his resolution the President could sell or transfer to a belligerent nation 10 or 12 battleships, and yet the Senator says that is not war.

Mr. PEPPER. Mr. President, the Senator from North Carolina was so interested in reading about international law that perhaps he did not read the resolution which is lying on the table and under discussion.

Mr. BAILEY. Mr. President, I beg the Senator's pardon. The first thing I did was to read very carefully the resolution submitted today. I think I understand it, and it refers to the right to sell or to give away anything we have in the way of warlike materials—sell or transfer.

Mr. PEPPER. Mr. President, to the able legalist from North Carolina I will again read the resolution:

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Senate and the House of Representatives in Congress assembled—

It is a concurrent resolution—

that the President of the United States, at his discretion, should use the full authority which he now has under existing laws—

I propose to give him no new authority, to confer upon him no new power. All I propose is that the Congress of the United States tell him he may exercise the power he has without a lot of backbiting from either technicalists or any other person. I merely do not want him, if he should choose to act under existing law, the next day, to have carping critics here in the Senate or in the country denounce him for being a militarist and a violator of the law and a war monger.

Mr. BONE and Mr. BARKLEY addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Florida yield; and if so, to whom?

Mr. PEPPER. I yield first to the Senator from Washington; then I will yield to the Senator from Kentucky.

Mr. BONE. Mr. President, with this somewhat different slant on the resolution, is it the view of the Senator from Florida that under existing law, without any change whatever, the President of the United States could sell our entire fleet to Great Britain, and could do it without consulting Congress? Is that the law as the Senator from Florida understands it?

Mr. PEPPER. Not in any sense of the word.

Mr. BONE. Then what does the resolution accomplish? What is the purpose of the resolution? It merely refers, as the Senator says, to the power the President now has. If he has the power at the present time under the statute to sell our entire fleet to Great Britain, and should sell it, could there be any question raised?

Mr. PEPPER. Mr. President, the Senator from Florida, of course, has never said or intimated that the President possessed any such power as that under existing law. I was discussing with the able Senator from Illinois [Mr. LUCAS] a few moments ago the resolution which I previously introduced, and I was trying to give a fair construction of that resolution.

Mr. President, because the Senate Committee on Foreign Relations did not like the first resolution, because they did not like the second resolution which proposed to confer upon the President a new power, I respectfully yesterday said, "Will not some other Senator offer some other form of resolution which will achieve the same general purpose, or will not the Senate and the Congress back up the President in the exercise of the power he now has?"

Mr. BONE. Mr. President, what is that power?

Mr. BARKLEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield, and, if so, to whom?

Mr. PEPPER. I yield to the Senator from Kentucky.

Mr. BARKLEY. Mr. President, the Senator may have already done what I am about to ask him to do, but I was absent from the Chamber if he did. Will the Senator explain to the Senate the difference between his first resolution and his second resolution so far as concerns the authority they attempt to confer, and the authority now possessed by the President to do what he speaks of?

Mr. PEPPER. Mr. President, I called the attention of the Senate yesterday to two statutes which are already upon the statute books of this country. The first one is United States Code, title X, section 1262, reading as follows:

Sale of surplus war materials to States and foreign governments: The Secretary of War is hereby authorized, in his discretion, to sell to any State or foreign government with which the United States was at peace on June 5, 1920, upon such terms as he may deem expedient, any matériel, supplies, or equipment pertaining to the Military Establishment, except foodstuffs, as or may be found to be surplus, which are not needed for military purposes and for which there is no adequate domestic market.

That is chapter 240, Forty-first Statutes, 949.

I also called attention to title X, section 1272, reading as follows:

Motor-propelled vehicles, airplanes, engines, and parts thereof may be exchanged in part payment for new equipment of the same or similar character, to be used for the same purpose as those proposed to be exchanged.

Mr. BARKLEY. In other words, under the last statute, the War Department might exchange an old airplane in part payment for a new one, just as one trades in his automobile, but the new airplane must be used for the same purpose for which the old one was used.

Mr. PEPPER. That is correct.

Mr. BARKLEY. So that under that law neither the President nor the Secretary of War could, after exchanging an old airplane for a new one, sell it or give it away to any government.

Mr. PEPPER. I do not think anyone can give away Government property.

Mr. BARKLEY. The word "gift" has been used here. We will eliminate the idea of giving. Under that section neither the Secretary of War nor the President would be authorized to make this exchange for any purpose except to get a new airplane for the use of the United States. That is a proper interpretation?

Mr. PEPPER. Yes.

Mr. BARKLEY. So that the Senator's resolutions, No. 1 and No. 2, did go further——

Mr. PEPPER. Vastly.

Mr. BARKLEY. They did give authority to the President—not to the Secretary of War, but to the President—to do with these new things, after they had exchanged the old ones for the new ones, if they saw fit to do so, what they could not do under the present law?

Mr. PEPPER. That is correct.

Mr. ADAMS. Mr. President, will the Senator yield in connection with that statement?

Mr. PEPPER. I yield.

Mr. ADAMS. Is it clear to the Senator that this power to exchange one bit of machinery for another extends to exchanges with foreign governments? The statute as he reads it does not show that.

Mr. PEPPER. I do not think so.

Mr. BARKLEY. If the Senator will permit, in regard to the other section the Senator read, which authorizes the Secretary of War to dispose of surplus war materials to any nation with which we were at peace in 1920, I think it must be apparent that we were disposing of this material to nations at peace and not to those at war, and not in contravention of our own treaty obligations or our own interpretation of international law. Certainly Congress did not authorize the Secretary of War, under that section of the statute, to dispose of surplus property in a way that would violate international law, or violate our own treaties with other nations.

Mr. PEPPER. Mr. President, I wish to make a very clear-cut statement as to the various attitudes I have expressed on this subject.

The first thing I did was to introduce a resolution which authorized the President of the United States to sell airplanes or aircraft parts or equipment—only those things—to the allied and associated governments, delivery to be made in this country, cash to be paid by the purchasers, and the price to be fixed by the President; with the proviso that the President could recoup the same kind of materials from any contract the purchasers might have in process of construction, or after construction had been terminated upon their order in this country.

Mr. President, that resolution was defeated in the Senate Committee on Foreign Relations by a vote of 12 to 1. The second day after that I introduced another resolution, which recited the Kellogg Pact, and that the German Government, the United States Government, the British Government, the French Government, and other governments in Europe, which are the victims now of Hitler's unprovoked aggression, were parties to it.

It recited further that the United States wanted to give aid to these countries which were victims of that unprovoked aggression, victims of the breach of international law, and of the Kellogg Pact, in any way it could short of war, and those last three words are in those resolutions.

Mr. BARKLEY. Mr. President——

Mr. PEPPER. If the Senator will excuse me until I finish this statement, I will yield.

The resolution proceeded in the resolving part to invest the President with the power, in his discretion, when he thought it could be done without imperiling the national defense, to sell any kind of armament or equipment we had, delivery to be made in this country, cash to be paid by the purchaser, the price to be reasonable and fixed by the President, with the same power in the President to recapture that kind of equipment from any goods which belonged to the purchasers in this country, and put them back in lieu of those they were allowed to get. The resolution came up before the Committee on Foreign Relations yesterday morning, and was defeated by a vote of 19 to 2.

After noon, back on the floor of the Senate, I addressed the Senate and said:

> I do not believe that the excuse that these resolutions would be in technical breach of international law is a justifiable and applicable excuse for not doing what the resolution contemplates.

I stated that I believe that Hitler could not make the defense that we were technically violating international law, for he was the aggressor, Germany was a party to the pact, we were a party to the pact, and surely parties to the pact should be able in some way or other to do something more than just give their sympathy to another party which was the victim of a violator of the pact.

I proceeded to go into the realities of the situation, aside from the technicalities, and to speak about the things Hitler had done and was doing, the danger to Europe, and the consequent danger to the integrity of the United States of America.

I went further, and said that Hitler was the exponent of dictatorship, the chief in the world, and that we were the chief exponent of democracy, that there would inevitably come a time of conflict between those two theories of government; moreover, that we had far too many resources here in this hemisphere for Hitler not to want to get some of them for his own lustful use. Therefore, I said to my fellow citizens and to my colleagues, that the best way to defend the United States, the cheapest way to defend the United States, was to help the Allies crush Hitler in Europe.

But how was that to be done, I said. By all means short of war.

I said to the able Senator from West Virginia a few days ago that if he asked me the question, would I have Congress declare war, I would say unalterably, no.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. PEPPER. I did say that that would depend on the circumstances at a future time, that I did not know what they would be, but that I did know that I contemplated that never in my life would I ever vote to send an American boy to European soil; as William Jennings Bryan said, "to march under European battle flags and die on European battlefields."

I am trying to avoid that. I am trying to avoid having them die over here, and I think we should approach our defense not only upon those moral principles to which the able Senator from Washington referred a moment ago, but upon the self-interest principle of crushing the danger in a reasonable way wherever it is.

I yield to the Senator from Kentucky.

Mr. BARKLEY. The phrase "short of war" has been used rather indiscriminately in this country recently. So far as I know, there has been no legal definition of the phrase "short of war." What is short of war? What can we do or what can we not do and be certain we are doing something that is short of war? And if we do something innocent in itself, as it might appear on the surface, which would lead to war, is that short of war? How far can we go and still be short of war, and how far must we go in order to be "long of war"?

Mr. PEPPER. Mr. President, the Senator will have to excuse me from answering that question until I finish my statement, because every time I have gotten this far in my statement I have never succeeded in completing the statement.

Mr. BARKLEY. The Senator used the term only a moment ago.

Mr. PEPPER. And the Senator in a few moments will be glad to refer to it more particularly.

Mr. President, I stated the appeal the Senator from Florida made in the Senate yesterday. I said, in addition to that, that I claimed no pride of authorship in this matter; that I am merely giving expression to a sentiment in which I believe very earnestly. I said that if Senators did not like my resolution they should offer one of their own, and I would support it; or that they should offer to amend my resolution, and that I would aid them. I have asked Senators to propose something as good, and stated that I would assist them in every way possible. But I have said, Mr. President, that there is something we can do. We can back up the President in the exercise of the power he already has, and not violate international law according to anyone's definition.

For the first time it was read on this floor, I believe, I read yesterday this statute:

> Title X, section 1272. Motor-propelled vehicles, aeroplanes, engines, and parts thereof may be exchanged in part payment for new equipment of the same or similar character, to be used for the same purpose as those proposed to be exchanged.

What does that do, Mr. President? Without any question about international law—and I wish the able Senator from North Carolina would attend to that matter—without any question of international law our Government does have the power to take an old airplane down to an airplane factory and say, "We will turn this old airplane in to you for a new one, delivery to be made within 30 days," for example, just as is done by many people with their automobiles. If you have an old car and a new car is about to come out a month hence, and you take the old car down to the dealer and say, "I want to trade the old car in for a new one, and I will leave the old

car with you and take delivery on the new car when it is ready a month from now," the dealer will say, "Very well."

Under that statute the United States Government can do just that. It can take these old warships or old airplanes of the United States Army or Navy and turn them into an airplane factory. The airplane factory can give the Government a fair allowance for those planes and promise the Government delivery of new planes at an acceptable time, and that bargain can be made without any pretext of violating any international law.

So, Mr. President, I state that all I want to be sure of is that if the President should do that on occasion, that next day some one will not jump up in the Senate and denounce him for getting us into war with Hitler, for violating international law, for violating neutrality and becoming a warmonger, as some persons long ago said he was trying to be. That is the reason I have offered this resolution today, and listen to the reading of it again, Mr. President:

That it is the sense of the Senate, the House of Representatives concurring, that the President of the United States, at his discretion, should use the full authority which he now has—

Whatever it is—

under existing laws—

I propose no change—

to sell or transfer airplanes and other war material not at present needed in the national defense to any foreign country, to the end that peace and freedom be preserved and protected and to keep war from the Western Hemisphere.

It would be a private transaction in this country between Government and citizen. The Government turning in the old, the citizen manufacturer promising to give the Government the new. Then the citizen manufacturer, under the Neutrality Act, under the removed restraints of the old embargo law, can sell that old plane to the Allies for whatever he wants to sell it for—that is for cash, whatever the amount—upon the terms that the neutrality law allows, delivery to be made as the law prescribes in this country, and delivery to the foreign country to be made in their own ships, or the airships to be flown under their own power. So I say to Senators who are standing back on a technicality, the technicality is removed. Now let us see if they will back up the President.

What would Senators say if tomorrow the President turned 10 old bombers back to the factory under this provision? The President is entitled to know, and the country is entitled to know, whether or not the Congress is going to share responsibility for doing something which in our hearts we all want to do, or whether the President has perpetually to be the goat.

I remember very well, and other Senators do also, when the question came up of whether or not we could let the Allies have any of the airplanes that had been contracted for by the United States Government ahead of the United States Government—Senators may remember the storm that swept over this country and over some Senators when that happened. Roosevelt was the goat. He was "warmongering." It was said he was violating neutrality, was violating international law, and helping the Allies. It was said that what he was doing was getting us into the war.

Mr. President, I think the President is entitled to have some assurance from the Congress that the Congress is not going to make him take all the "shootin'," as it were.

Now let us be men enough to say to the President "All right, Mr. President, in our hearts we do want to help the Allies. If you can find any legal and lawful way to do it, go ahead. We are behind you." Just say that and then see what he does.

Mr. President, the English language, and here the President's voice—

Here is what he said, as found in the CONGRESSIONAL RECORD, page 6244, May 16, 1940. I read an excerpt from his message to the joint meeting of the Congress.

For the permanent record, I ask the Congress not to take any action which would in any way hamper or delay the delivery of American-made planes to foreign nations which have ordered them or seek to purchase more planes. That, from the point of view of our own national defense, would be extremely short-sighted.

I say, Mr. President, that what I have proposed is that the Congress show something like the sentiments which have come from the hearts of the American people. As I left my office this morning I picked up this batch of telegrams which came in before I left my office today from people of almost every State in the Union, expressing the sentiment that we ought to do something in this crisis which would be more than futile sympathy from the American people to those who are so hard pressed in that battle for civilization and civilization's gains.

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. ADAMS. My inquiry is rather of the practical kind. The plan which the Senator suggests is, of course, an effort to help the Allies; to help them within the cover of the statutes of this country. I am wondering whether or not the reception on the part of the Germans would be any different if we render aid within the legal rights as distinguished from going outside of them. In other words, war can be declared by one side. It is not like a contract. It does not take two parties to have war. If we deliberately set about within the law to aid one of the parties, will we bring ourselves within the war at the election of the other party in spite of our own declaration?

Mr. PEPPER. That is a fair question and I will try to give the Senator a fair answer. Being a realist about this situation and urging others to be realists, I have said repeatedly, as no doubt the Senator has heard on this floor, that so far as Hitler is concerned, so far as the destructive events on the western front are concerned, it makes no difference whatsoever whether the bombing plane was sold by an American manufacturer as a private citizen under the terms of the neutrality law, or sold by the United States Government from one of its air fields in the United States. It is still an airplane, it is still a destructive agency of war.

But we have our ways of doing things. We have a certain ritualism that we want to follow. We feel better about it if we do it in a certain way. It is said that even a dog can tell the difference between being stepped on and being kicked, but he is hurt just the same. And so we have a feeling that we had better follow the ritualism of the law. Consequently we passed the Neutrality Act in the last session of the Congress, which made it possible for private manufacturers to sell war planes, cannon, ammunition, and any war equipment to anybody.

Now, we knew very well as a matter of fact that the Allies were the ones who were going to get that equipment, and we all understood we wanted them to get it, but it made us feel a little better about it by doing it in just that way. But I say, Mr. President, that if Hitler will not get mad about the airplanes we are now making available to the Allies, because the President says to the Congress, "Do not do anything to stop the Allies getting airplanes"—Hitler must have heard the President's address. It was heard all over the world over the radio. If he did not hear it on the radio he must have read it the next day in the newspapers. He knows about our neutrality law. And if he is not going to get mad about that, this law which I propose is not a bit different in principle—it is in fact the neutrality law under another plan.

Mr. ADAMS. Mr. President, will the Senator again yield?

Mr. PEPPER. I yield.

Mr. ADAMS. The provision which the Senator has in his resolution, is that we shall do what we can short of war. That would be agreeable to me if it could be interpreted this way: "Short of getting us into the war." What I am concerned about is the actual consequence of what we do, and I do not want our country to get into war even though what we do is done legally, and it is not a justification for war.

Mr. PEPPER. Mr. President, under the law that I have referred to here we would not be doing anything at all except turning in old planes for new ones to a private manufacturer

in the United States of America. What the manufacturer does with it is his matter. He has the right now to sell planes which he owns, second-hand or new ones, to the Allies. If the Senator owned a private plane and he took it to a manufacturer of airplanes and traded it in for a new one, the manufacturer could sell that plane to the Allies. If the United States Government took a plane which it owned and traded it in for a new one and the manufacturer took the old one and sold it to the Allies, it would be identical with what he is doing now under the Neutrality Act of 1939.

The purpose of the Neutrality Act of 1939 was to make it possible for the Allies to get help in a legal way from us but get it over here on our terms. The purpose of the President, following the terms of this law, would be twofold. First the United States Government would be getting a good price for second-hand machines. Just as I might get a good price for my second-hand automobile when I turned it in for a new automobile.

In the second place the United States Government would be making it possible for the manufacturer perhaps to carry on his business, and therefore develop his facilities to aid in the national defense by the production of airplanes.

The incidental, but nevertheless desirable, effect of it would be that the Allies would get an old war plane, which they imperatively need. So, Mr. President, I hope I have explained to the Senate—to those who may be interested in an explanation—that the resolution which is now on the table is one which does not purport to confer any new power on the President. It merely says to the President, "If you follow the existing law, we will back you up as Members of the Congress in a morally responsible way." He does not need our legal action so much as he needs our moral help and encouragement in this crucial hour.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. BARKLEY. A moment ago the Senator from Florida, in discussing the attitude of the President on this subject, read an excerpt from his message of May 16, in which he urged that Congress place no impediment in the way of carrying out contracts between the Allied nations and the industries in this country which are making planes and other war material on their order. The Senator from Florida certainly did not mean to imply that in the President's reference in his message of the 16th to contracts between Allied nations and manufacturers in the United States the President had in mind any war material which the Government of the United States owns, which is in the possession of the War Department or the Navy Department.

Mr. PEPPER. I did not.

Mr. BARKLEY. On the surface the Senator's statement might be interpreted to mean that because the President urged Congress to do nothing to interfere with contracts being made between the Allies and private plants in the United States he thereby meant that we ought to authorize him to sell what the Government owns. I do not think the Senator meant that, because certainly the President did not have that in mind.

Mr. PEPPER. The Senator from Florida did not mean that, in any sense of the word. The Senator will remember that there are now two statutes on the books. One is the statute which was passed in 1920, which gives the Secretary of War authority to sell to any state or foreign government with which the United States was at peace on June 5, 1920, any surplus war materials. That law is now on the statute books. I think that authority should be exercised. Others may object for one reason or another—principally for technical reasons. So I say, as an alternative, that the President may exercise the authority which he has under the other act, which I read:

> Motor-propelled vehicles, airplanes, engines, and parts thereof may be exchanged in part payment for new equipment of the same or similar character, to be used for the same purpose as those proposed to be exchanged.

I did say that if the President and the departments of the Government should exchange old airplanes for new, or upon the promise of getting new ones later, of the most modern design, that would be consistent with what is now being done under the Neutrality Act, and with what the President, in the passage I read, asked us not to interfere with now. I think everyone understands that there are several different ways in which we could do the thing if we willed to do it.

I was about to refer to a batch of telegrams which I picked up from my desk. The first one is a little severely critical of the opposition, and I shall not read it. Of course, Senators may honestly differ on these vital matters.

I have a telegram from Atlanta, Ga., from W. L. Stanley, vice president of the Seaboard Air Line Railroad Co., who says:

> Congratulations on * * * the righteousness of your position. We had better spend our money now to save civilization than later on to have to shed our blood to do so.

I have a telegram from Hanover, Pa. I do not know any of these persons. This one is from Mr. and Mrs. Harry N. Gitt, II:

> Approve giving Allies Army-Navy planes immediately. Urge committee reconsider.

The next one is from Joel Gross, 744 Broad Street, Newark, N. J.:

> The people of this country are unquestionably with you. Keep up your persistently good work.

The next one is from J. K. Wells, of Oklahoma City, Okla.:

> Great majority of people in Oklahoma favor furnishing England and France their needed munitions requirements, realizing that if they are destroyed in the present conflict our future is hopeless. Isolationists and pacifists are no more.

The next one is from Chester Boothe Blakeman, of Atlanta, Ga.:

> Although of another political faith, may I congratulate you on your courageous and seemingly hopeless stand. Are other legislators so blind that they cannot realize that we are helping this country just as much as the Allies by sending planes now? The sentiment among those I contact is overwhelmingly in your favor. More power to you, and God give you the power and strength to carry on until successful.

The next one is from Kenneth Outerbridge, of Saunderstown, R. I.:

> Congratulations on your stand for immediate help to the Allies. I have wired my Congressman to support you in this move. Keep right at it, and let us hope that the Allies can hold out and public opinion will come across in time.

The next telegram is from Helen C. Arnoult, of New Orleans, La.:

> Please continue your fight to help the Allies by selling them all the supplies and arms they may require.

A telegram from Sarah O. Fisk, of St. Louis, Mo., says:

> Heartily approve your fight, ship planes and munitions to Allies. Keep on trying.

A telegram from Jessie Lansing, of St. Louis, Mo., says:

> I strongly urge immediate action to ship war materials to Allied armies.

I have additional telegrams from Houston, Tex.; Asheville, N. C.; Los Angeles, Calif.; Summit, Ill.; Pasadena, Calif.; Watsonville, Calif.; Washington, D. C.; Chicago, Ill.; Elmira, N. Y.; St. Petersburg, Fla.; Berkeley, Calif.; New York, N. Y.; Charlotte, N. C.; Chicago, Ill.; Brooklyn, N. Y.; Salt Lake City, Utah; Fairfield, Conn.; New York City; Los Angeles, Calif.; Goshen, N. Y.; West Los Angeles, Calif.; Tuckahoe, N. Y.; Asheville, N. C.; Atlanta, Ga.; Montclair, N. J.; Huntington, N. Y.; Dedham, Mass.; New York City; New York City; Asheville, N. C.; Orlando, Fla.; Kansas City, Mo.; St. Louis, Mo.; Arlington, Va.; New York City; New York City; New Haven, Conn.; Deal, N. J.; New York City; Hollis, N. Y.; New York City; New York City; New Bern, N. C.; Larchmont, N. Y.; Auburndale, Fla.; Plainfield, N. J.; Denver, Colo.; Los Angeles, Calif.; Los Angeles, Calif.; Los Angeles, Calif.; Ridgefield, Conn.; Youngstown, Ohio; Dallas, Tex.; San Antonio, Tex.; Boston, Mass.; Knoxville, Tenn.; San Antonio, Tex.; Miami, Fla.; Tacoma, Wash.; Nashville, Tenn.; Seattle, Wash.; Oklahoma City, Okla.; Jacksonville, Fla.; New York City; Parsons, Kans.; Los Angeles, Calif.; Miami, Fla.; Miami Beach, Fla.; Conago

Park, Calif.; Dallas, Tex.; Alexandria, Va.; Reading, Pa.; Reading, Pa.; San Francisco, Calif.; New York City; Eldorado, Ark.; Sanford, Fla.; Ann Arbor, Mich.; New York City; New York City; Elmira, N. Y.; Chicago, Ill.

Those are just a few, Mr. President. Senators are receiving mail, telegrams, telephone calls, and visitors. The people of America want us to do something in this crucial hour. They believe that our nonaction now affects our destiny, our future, and our glorious opportunity to grow yet greater and greater in this world. They believe that it is our obligation to our race, to democracy, and to our church, whatever it is, to do something. They believe that if we do not do something we shall regret it; that our country will suffer a great sacrifice if we do not do it, something effective. Mr. President, no mortal man can prophesy what may be the consequences of do-nothingness now, to America, to the Western Hemisphere, and to the wide world which loves God and respects man.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. LUCAS. I should like to ask one question, if I may, which seems to me to be of some importance in connection with this debate. The Senator may charge me with having a legalistic mind, and I admit the charge, but I am wondering whether or not the Senator has given any consideration to this question: As I understand the resolution which the Senator now seeks to have the Congress act upon, it is based purely upon a statutory law now in existence, and all he asks for is the moral support of the Senate to carry out those laws if the President so desires. Does the Senator believe that domestic laws passed in time of peace might in anywise conflict with international law when neutrality is involved?

Mr. PEPPER. Well, even if the principle might be so, this cannot be any violation of international law, because the Government is doing nothing but dealing with one of its own citizens, and that is in no possible sense a violation of international law.

Mr. LUCAS. I appreciate that.

Mr. PEPPER. Surely we can trade in an old truck or an old plane to an American manufacturer if we want to, whether war is going on in Europe or not.

Mr. LUCAS. But the Senator knows his entire argument has been directed toward the selling or making disposition of war materials of this country to the Allies for the sole purpose of saving the democracies of the world, and it is beside the point to say that an old plane here, and an old hull there would be disposed of under his proposal simply because there was a surplus and we were attempting to dispose of it because it is not wanted any more. The whole point of the argument the Senator is making is that in some way we must get to the Allies not merely a small quantity of planes and other articles, but a large quantity, in my humble opinion, in order to stop the onrush of Hitler's legions.

Turning the matter over in my mind, it seems to me we are merely using a subterfuge to accomplish indirectly what we cannot do directly, because the ultimate aim and objective—and we have got to be cold and blunt about it—is to do what the Senator wants to do, and the question which was raised in my mind as I was sitting here was whether or not there might be a difference between a law passed in peacetime and one passed in wartime as relating to a conflict with international law insofar as our neutrality is concerned, and whether or not there was enough in the proposal of the Senator to overlook such a situation.

Mr. PEPPER. Mr. President, I would answer the Senator by saying, first, ordinarily the case is put a great deal harder than the Senator puts it to me. Senator Borah and other opponents of the Neutrality Act argued last year in the special session on the Neutrality Act that it would have been all right to have had a law like that on the statute books if it had been passed in peacetime, even if it had been used in wartime, but to change the law when the war was going on so that a given effect would ensue from it would be a violation of international law. Senator Borah, as the Senator will recall, made that argument very strongly and quoted in substantiating it some international-law authorities.

My case is a great deal different from that and a great deal easier. I am saying here that we did not pass this law in wartimes; it was passed away back in 1917. So far as I know, the Government itself has been using it since that time to one degree or another. So to use in wartime in a legitimate way a power conferred in peacetime is certainly no violation of international law. That is one reason I could answer "No" to his inquiry; that is, that the use of this power would not be in violation of international law. The other one is that the use of the power does not affect a third party at all. The use of the power involves only two parties, the Government and the manufacturer. The Government would have a perfect right, if it has some old steel on hand, for example, to sell that steel to an American airplane manufacturer, in spite of the fact that we might know that all the planes he manufactured would be sent to the Allies in Europe. We would be doing a harmless thing and a legal thing. So that if the articles were sold to the Allies, that would be their business, just as if you sell me a pistol and I killed somebody with it, you, of course, are not responsible for the killing, for you had a lawful right to sell me the pistol.

Mr. President, before concluding, at the suggestion of some of my colleagues, I shall take just a few minutes to read a few of these telegrams for I feel that they express the sentiment of the American people, although I merely pick up the batch without any discrimination whatever in the selection of the telegrams.

The PRESIDING OFFICER. The Chair will say to the Senator from Florida that he recognized the Senator from Minnesota [Mr. LUNDEEN], who yielded to the Senator from Illinois [Mr. LUCAS], to ask the Senator from Florida a question.

Mr. PEPPER. I did not realize that the Chair had done so.

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Florida?

Mr. LUNDEEN. If the Senator from Florida wishes to read telegrams which are not too long, I will be glad to yield.

Mr. PEPPER. I appreciate the courtesy of the Senator. I will read a few of them.

I read the telegram from Chester Booth Blakeman, of Atlanta, Ga., also the one from J. K. Wells, of Oklahoma City, Okla., also the one from Joel Gross, of Newark, N. J., also the one from Mr. and Mrs. Harry N. Gitt, II, of Hanover, Pa. I read the one from W. L. Stanley, of Atlanta, Ga. I will read a telegram from H. L. Hollis, of Chicago, Ill.:

> Sentiment here strongly with you in endeavor to furnish immediate aid to Allies. Repeal of Johnson Act would greatly help Allies' morale.

I read another from M. D. Thompson, of Elmira, N. Y.:

> Heartily approve sending United States Army planes to Allies now. Keep at it. Public opinion is with you.

I read a telegram from Mr. and Mrs. F. H. Eldridge, of New York City:

> Again urge immediate shipment all possible war material to Allies.

Here is a telegram from Goodwin Cooke, of New York City, which reads:

> A Yankee Republican heartily endorses your position on aid to the Allies, which must be given if our children are to have a vote or a free life.

I read a telegram from Cary E. Landis, of Ann Arbor, Mich.:

> Congratulations on your stand concerning European situation.

I read a telegram from James H. Vanhoy, of Sanford, Fla.:

> As a veteran of the World War I am in favor of sending every possible aid to the Allies.

Here is one from a personal friend of mine, who might be prejudiced, and I will not read it.

Here is a telegram from Allene Talmey and Richard L. Plaut, of New York City, which reads:

Emphatically urge reconsideration by Senate Foreign Affairs Committee your resolution authorizing sale United States Army planes and materials to Allies.

I read a telegram from Elizabeth Crow McDonald, attorney at law, San Francisco, Calif.:

Vigorously approve your resolution for selling Army and Navy military equipment to Allies immediately. Thank you for expressing sentiments of many.

Here is a telegram from Reading, Pa., signed by Dr. and Mrs. Jesse L. Wagner, which reads:

Congratulations on your patriotic stand for immediate aid to Allies. Feeling in Berks County, Pa., echoes your sentiments. Hope you will continue to urge this vital cause.

Here is another telegram from Reading, sent by Elizabeth Y. Muhlenberg and Frederick A. Muhlenberg, which reads:

Every right-thinking American applauds, supports, and congratulates you and Senator GUFFEY for your courageous and patriotic efforts in behalf of the Allies. We denounce the action of the Foreign Relations Committee—

I do not like to read this—

as cowardly and unintelligent. Do not give up the fight on any account.

I read next a telegram from Ethel B. Simonson, 405 South Washington Street, Alexandria, Va.

This household endorses 100 percent your bill authorizing planes and munitions to the Allies.

Here is another telegram from Dallas, Tex., sent by John, Kate, and Mary Pirie.

Unbounded admiration your magnificent fight for Allies. Their victory our best defense. Continue fighting. You'll win. Country almost unanimously wants Allies aided immediately. Writing Texas Senators.

I suppose the Senators from Texas have heard from them.

I next read a telegram from Conago Park, Calif., signed by Florence Ryerson and Colin Clements, as follows:

Wish we had a man as clear sighted as you representing California.

They make comment, appropriate in their opinion, about the able senior Senator from California not supporting the proposal.

I next read a telegram from Blanche G. Williams, 2008 Alton Road, Miami Beach, Fla.:

Kaltenborn—

He is the great radio commentator—

news analyst, tonight states Foreign Relations Committee 20 to 2 refused Allies aid. Every aid should be given short of war.

This morning's broadcast by Mr. Kaltenborn refers to the thousands of communications he is receiving urging him to aid in cultivating sentiment in Congress for this action.

I will read one from Los Angeles, Calif., which is signed by Helen and Andrew Tombes, 1536 North Stanley, Hollywood:

Heartfelt congratulations for your splendid work. We, as two Americans are backing you 100 percent. Senator, don't let them get you down.

I read one more, from Parsons, Kans., sent by Earle R. Delay, as follows:

Denounce vigorously for me action of committee voting 22 to 2 against selling Army planes to Allies as utterly un-American. Send Allies everything desired.

Mr. PEPPER subsequently said: Mr. President, will the Senator yield to me once more?

Mr. LUNDEEN. I yield to the Senator from Florida.

Mr. PEPPER. I shall not do this any more. I ask that the other telegrams which I have here be printed in the RECORD, instead of my having to read them. I will not ask this any more of the Senate, because I do not want to burden the RECORD every day with communications of that sort, but I thought they were typical expressions from various parts of the country.

The PRESIDING OFFICER. Without objection, it is so ordered.

The telegrams are as follows:

NEW YORK, N. Y., *June 6, 1940.*

Senator CLAUDE PEPPER,
Senate Office Building:
A Yankee Republican heartily endorses your position on aid to the Allies which must be given if our children are to have a vote or a free life.

GOODWIN COOKE.

ANN ARBOR, MICH., *June 6, 1940.*

Senator CLAUDE PEPPER,
Senate Office Building:
Congratulations on your stand concerning European situation.

CARY E. LANDIS.

SANFORD, FLA., *June 6, 1940.*

Senator CLAUDE PEPPER:
As a veteran of the World War I am in favor of sending every possible aid to the Allies.

JAMES H. VANHOY.

NEW YORK, N. Y., *June 5, 1940.*

Hon. CLAUDE PEPPER,
Senate Office Building, Washington, D. C.:
Emphatically urge reconsideration by Senate Foreign Affairs committee your resolution authorizing sale United States Army planes and materials to Allies.

ALLENE TALMEY and RICHARD L. PLAUT.

SAN FRANCISCO, CALIF., *June 6, 1940.*

Senator CLAUDE PEPPER,
United States Senate, Washington, D. C.:
Vigorously approve your resolution for selling Army and Navy military equipment to Allies immediately. Thank you for expressing sentiments of many.

ELIZABETH CROW MCDONALD,
Attorney at Law.

READING, PA., *June 6, 1940.*

Senator PEPPER, of Florida,
Senate Office Building, Washington, D. C.:
Congratulations on your patriotic stand for immediate aid to Allies; feeling in Berks County, Pa., echoes your sentiments. Hope you will continue to urge this vital cause.

Dr. and Mrs. JESSE L. WAGNER.

READING, PA., *June 6, 1940.*

Senator CLAUDE PEPPER,
Senate Office Building, Washington, D. C.:
Every right-thinking American applauds, supports, and congratulates you and Senator GUFFEY for our courageous and patriotic efforts in behalf of the Allies. We denounce the action of the Foreign Relations Committee as cowardly and unintelligent. Do not give up the fight on any account.

ELIZABETH Y. MUHLENBERG.
FREDERICK A. MUHLENBERG.

ALEXANDRIA, VA., *June 5, 1940.*

Senator PEPPER,
Senate Office Building, Washington, D. C.:
This household endorses 100 percent your bill authorizing planes and munitions to the Allies.

ETHEL B. SIMONSON.

DALLAS, TEX., *June 5, 1940.*

CLAUDE PEPPER,
Member, United States Senate, Washington, D. C.:
Unbounded admiration your magnificent fight for Allies. Their victory our best defense. Continue fighting; you'll win. Country almost unanimously wants Allies aided immediately. Writing Texas Senators.

JOHN, KATE, AND MARY PIRIE.

CONAGO PARK, CALIF., *June 5, 1940.*

Senator CLAUDE VINCENT PEPPER,
Congress, Washington, D. C.:
Wish we had a man as clear-sighted as you representing California. We are ashamed of JOHNSON. The country is with you in your fight to help Allies.

FLORENCE RYERSON AND COLIN CLEMENTS.

MIAMI BEACH, FLA., *June 6, 1940.*

Senator CLAUDE PEPPER,
United States Senate, Washington, D. C.:
Kaltenborn, news analyst, tonight states Foreign Relations Committee, 20 to 2, refused Allies aid. Every aid should be given short of war.

BLANCHE G. WILLIAMS.

LOS ANGELES, CALIF., *June 6, 1940.*

Senator PEPPER,
Washington, D. C.:
Heartfelt congratulations for your splendid work. We, as two Americans, are backing you 100 percent, Senator. Don't let them get you down.

HELEN AND ANDREW TOMBES.

CHICAGO, ILL., *June 6, 1940.*

Hon. CLAUDE PEPPER,
Senate Office Building, Washington, D. C.:
Sentiment here strongly with you in endeavor to furnish immediate aid to Allies. Repeal of Johnson Act would greatly help Allies' morale.

H. L. HOLLIS.

ELMIRA, N. Y., *June 6, 1940.*

Senator PEPPER,
United States Senate:
Heartily approve sending United States Army planes to Allies now. Keep at it. Public opinion is with you.

M. D. THOMPSON.

NEW YORK, N. Y., *June 6, 1940.*

Senator CLAUDE PEPPER,
United States Senate:
Again urge immediate shipment all possible war material to Allies.

Mr. and Mrs. F. H. ELDRIDGE.

PARSONS, KANS., *June 6, 1940.*

Senator ARTHUR CAPPER,
Washington, D. C.:
Denounce vigorously for me action of committee voting 22 to 2 against selling Army planes to Allies as utterly un-American. Send Allies everything desired.

EARLE R. DELAY.

BOSTON, MASS., *June 6, 1940.*

Senator CLAUDE PEPPER,
Washington, D. C.:
Congratulations on your standard in Foreign Relations Committee. Please go on urging that we help Allies at once with planes munitions, supplies, money. Nineteen-to-two vote is a disgrace to our democracy. You are on right end of it. Keep it up. Plenty of people are with you.

ELIZABETH and MURRAY FORBES.

NEW YORK, N. Y., *June 6, 1940.*

Hon. CLAUDE PEPPER,
United States Senate, Washington, D. C.:
Press your campaign to send every plane, tank, and gun that can be availably released from Army and Navy supplies for immediate shipment to Great Britain and France. Each plane now will be worth 10 a month hence. This is our best national defense.

John A. Brough, Ezra P. Prentice, Margaret M. Burnet, Arthur M. Mauder, John B. Shaw, William Pellet, Frances Reiners, Anna M. Peterson, Ann G. Blum, Ralph Abercrombie, Thomas E. Stephens, Barclay G. Johnson, Sue L. Johnson, Betty Abercrombie, Ella P. Brough, Charles Farr, Mrs. Charles Farr, Sophia A. Mauder, Carver W. Wolfe, Frieda B. Hatch, Rhea A. Wolfe, Mabel G. Crawford, Eli Ellis, Ruth M. Crawford, Samuel Ellis, George H. Sibley, Alice S. Doyle, Alfred J. Doyle, Henry I. Bernard, Mary Gaynor, Thelma Wolfe, Maude E. Ten Eyck, Lansing V. Ten Eyck, Mary Culver, Margaret Dunne, E. H. Reimers.

JACKSONVILLE, FLA., *June 6, 1940.*

Senator CLAUDE PEPPER,
Senate Office Building, Washington, D. C.:
You are most assuredly right. If we expect to help the Allies with planes, and so forth, now is the time to do it, otherwise it will be too late. And I am voicing the sentiment of majority of people here. Keep up your courage and perseverance and I feel ere long you will have the whole country with you and wholeheartedly we shall be very proud that it was Florida's Senator who suggested and put this bill through. Best regards, and all luck to you.

PLACIDIA EDWARDS.

OKLAHOMA CITY, OKLA., *June 6, 1940.*

Senator CLAUDE PEPPER,
Washington, D. C.:
Never quit. I and many others think you are wholly right.

ROBERT J. SCOTT.

SEATTLE, WASH., *June 6, 1940.*

Senator PEPPER and COMMITTEE MEMBERS,
Washington, D. C.:
Helping the Allies is our first line of defense. Our best protection is to supply them at once with all war materials possible.

D. S. GRAY.
GRACE GRAY.

NASHVILLE, TENN., *June 6, 1940.*

Senator PEPPER of Florida,
Senate Building, Washington, D. C.:
I am sorry, Senator, you are not working with men of the Andrew Jackson type. It is hoped by many you keep your effort up.

M. B. FROST.

TACOMA, WASH., *June 6, 1940.*

Hon. CLAUDE PEPPER,
United States Senate, Washington, D. C.:
Our family of five American-born voters heartily approve your plan to help the Allies at once. The democracies must stand united.

E. A. NOBLE
(And Family).

MIAMI, FLA., *June 6, 1940.*

Hon. CLAUDE PEPPER,
United States Senator, Washington, D. C.:
As strong antinew dealers, permit us to join a stanch new dealer on the high grounds of patriotic duty and humanity and to commend you for your efforts to aid the Allies by every means short of sending men abroad. It is our belief that immediate aid is the best possible American defense and that your proposal meets with overwhelming popular approval.

LEWIS JAMES and MARSHALL G. TWYMAN.

SAN ANTONIO, TEX., *June 6, 1940.*

Senator CLAUDE PEPPER,
United States Senate Building, Washington, D. C.:
Sincerely hope you will succeed in aiding Allies with planes and guns, thereby aiding our country. I wish to God that some of your colleagues had been with myself and others overseas in the last war. If they had, I am sure they would be assisting you today, instead of joining the Lindbergh type of "fifth column."

V. D. ACKERMAN.

KNOXVILLE, TENN., *June 6, 1940.*

Senator PEPPER,
Foreign Relations Committee, Washington, D. C.:
You are right. The people of the United States are overwhelmingly in favor of your plan to let the Allies have every article of military equipment we do not actually need, and at once. They are fighting our fight, and the least we can do is furnish material and forget the cost.

W. C. GILLHAM.

SAN ANTONIO, TEX., *June 6, 1940.*

Senator CLAUDE PEPPER,
Senate Office Building, Washington, D. C.:
Congratulations on your stand. Please send me administration's idea on national defense for congressional platform. Please rush. Regards.

FRANCES HASKELL EDMONSON.

DALLAS, TEX., *June 6, 1940.*

Senator CLAUDE PEPPER,
Senator from Florida, Washington, D. C.:
Thousands of us thoroughly endorse your proposal to sell surplus war materials to Allies. Am wiring SHEPPARD and CONNALLY and am writing you.

G. G. MCDONALD.

YOUNGSTOWN, OHIO, *June 6, 1940.*

Hon. CLAUDE PEPPER,
United States Senate, Washington, D. C.:
Americans demand that Senate committee reconsider and pass your resolution.

NELLIE STRATTON.

RIDGEFIELD, CONN., *June 5, 1940.*

Senator PEPPER,
United States Senate, Washington, D. C.:
If we do not help Great Britain and France fight now we will have to fight by ourselves alone later with the odds against us.

ESTELLE HOSMER.

LOS ANGELES, CALIF, *June 5, 1940.*

Senator CLAUDE PEPPER,
Washington, D. C.:
Dispatch by air 2,000 our planes today. Allied expert states 500 more beats Hitler. Dedicate gift to brave Allies saving our sacred hides.

ARCHIE H. TYRRELL.

LOS ANGELES, CALIF., *June 5, 1940.*

Senator PEPPER,
Washington, D. C.:
Since we cannot supply present Allied air needs strongly urge immediate sending to France our Army airplanes and make replacements later. Will eventually prove cheaper for us in lives and money.

LUCILLE and THEODORE SCHEMPP.

LOS ANGELES, CALIF., *June 5, 1940.*

Senator CLAUDE PEPPER,
Washington, D. C.:
Make German rats crawl—send 2,000 our planes by air now. Dedicate gift to dead Allies. What in h—— is money with billions buried.

FRED STEVER.

DENVER, COLO., *June 5, 1940.*

Hon. CLAUDE PEPPER,
United States Senate, Washington, D. C.:
Strongly endorse every move you are making to help Allies.

BENTLEY M. MCMULLIN.

PLAINFIELD, N. J., *June 5, 1940.*

Hon. CLAUDE PEPPER,
Senate Office Building, Washington, D. C.:
Keep up your fight for immediate aid to Allies. A great many Plainfielders have already expressed their approval.

JEAN JEFFERY.
J. R. FLEISCHMAN.

AUBURNDALE, FLA., *June 5, 1940.*

CLAUDE PEPPER,
United States Senate, Washington, D. C.:
You will earn for yourself the grateful thanks of millions of your fellow countrymen and liberty-loving people throughout the world if you will immediately introduce a resolution in the Senate calling for prompt and unlimited aid to the Allies in the way of thousands of planes, tanks, guns, ammunition, and funds, and the promise of a limitless continuing supply. It will be a cheap price to pay that civilization with the splendid values built up over the centuries might be preserved. Introduce that resolution and you and your stout-hearted colleagues aided by the organized public spirit of all America can force its prompt passage. Do it now, today, and you can immediately send a ringing message to that soulless, merciless, Godless madman who seeks to impose his inhumane rule upon the world that a united America will no longer stand idly by permitting him to continue his fiendish slaughter of innocent men and women and children. To mobilize public opinion without one moment's delay suggest you request the President to appoint at once Committee of Public Information with Col. Frank Knox as chairman assisted by Walter Lippmann and Henry Luce. These appointments of three eminent publicists, students of history and loyal, courageous Americans, will win instant and Nation-wide approval. They can and will immediately enlist the support of the entire American press and so insistent will be the demand for action that a few willful politically minded pseudostatesmen in your midst will not even attempt to resist the tide. The time for debate is past. The time for action is now.

Sincerely and confidently yours,

ALAN FREEMAN.

LARCHMONT, N. Y., *June 5, 1940.*

Senator CLAUDE PEPPER,
Washington. D. C.:
We highly commend your stand on immediate aid to Allies and urge continue your good work with all energy.

MARIAN AND OTTO RICHTER.

NEWBERN, N. C., *June 5, 1940.*

Hon. CLAUDE PEPPER,
United States Senate, Washington, D. C.:
Congratulations on your stand for Allied aid. Please tell Senator BAILEY and Representative BARDEN that many North Carolinians agree with you. Immediate aid is necessary.

LOUISE BELL.

NEW YORK, N. Y., *June 5, 1940.*

Hon. CLAUDE PEPPER,
Committee on Foreign Relations, United States Senate, Washington, D. C.:
Urge immediate material aid to Allies, including release of all existing airplanes our armed forces can spare without endangering our immediate needs for defense.

MILTON ZUCKER.

NEW YORK, N. Y., *June 5, 1940.*

Hon. CLAUDE PEPPER,
Washington, D. C.:
Keep up the good work. We are with you. Have telegraphed our Senators and Congressman to support your views.

Mr. and Mrs. N. MAC D. WILDER,
Goshen, N. Y.

HOLLIS, N. Y., *June 5, 1940.*

Senator PEPPER,
Washington, D. C.:
Keep up the good work. God save America. Planes for the Allies.

ROGERS.

NEW YORK, N. Y., *June 5, 1940.*

Senator PEPPER,
Washington, D. C.:
Urge you keep trying put over immediate aid to Allies. Why not use William Allen White's million names for support. Feel Senate reaction purely political, think it outrageous when issue is matter of life and death for so many innocent people.

B. F. MACDONALD.

DEAL, N. J., *June 5, 1940.*

Senator PEPPER,
Foreign Relations Committee, Washington, D. C.:
In hearty accord with your efforts to aid Allies at once. Am sure continued efforts will be successful.

ANNA AND FRANK GREENWALD.

NEW HAVEN, CONN., *June 5, 1940.*

Senator CLAUDE PEPPER,
United States Senate, Washington, D. C.:
Admire and firmly approve your far-sighted resolution.

G. J. CONKLING.

NEW YORK, N. Y., *June 6, 1940.*

Senator CLAUDE PEPPER,
Washington, D. C.:
Congratulations on your strenuous efforts to get immediate aid to Allies. Wholeheartedly behind you.

GEORGE O. BAER.

NEW YORK, N. Y., *June 5, 1940.*

CLAUDE PEPPER,
United States Senate, Washington, D. C.:
Send planes to Allies immediately before it is too late. Stop exports to Japan, Russia, and Italy.

R. FRENCH.

ST. LOUIS, MO., *June 5, 1940.*

Senator CLAUDE PEPPER,
Florida Senator, Washington, D. C.:
Congratulations your fight to help the Allies with war supplies. Hitler must be defeated to protect our freedom.

ISABEL S. JENKIN.

KANSAS CITY, MO., *June 5, 1940.*

Senator CLAUDE PEPPER,
Washington, D. C.:
Thanks for your stand on aiding the Allies. I urge Congress to act for immediate and effective aid to the Allies. For their sake and ours.

MRS. GLORIA BOEHR.

ORLANDO, FLA., *June 5, 1940.*

Senator CLAUDE PEPPER,
Washington, D. C.:
Heartily endorse complete aid to Allies every way except manpower.

Dr. and Mrs. Louis Orr, Dr. and Mrs. Palmer Kundert, Dr. and Mrs. Aubrey Stabler, Mr. and Mrs. William Roumillat, Mr. and Mrs. Elmer Neff, Luelma and Florence Neff, Mr. and Mrs. Whidden, Mr. and Mrs. George, Mr. and Mrs. Alfred Goodwin.

ASHEVILLE, N. C., *June 5, 1940.*

Senator CLAUDE PEPPER,
Senate Office Building, Washington, D. C.:
Local sentiment favors your efforts to furnish Allies additional arms.

T. M. ISRAEL.

NEW YORK, N. Y., *June 5, 1940.*

Hon. CLAUDE PEPPER,
The Senate, Washington, D. C.:
As a constituent, I appeal to you to use all your influence toward the repeal of the Neutrality Act and toward giving to the Allies all moral and material aid in our power.

ELEANOR SCOTT TEW.

NEW YORK, N. Y., *June 5, 1940.*

Senator CLAUDE DENSON PEPPER,
Senate Office Building, Washington, D. C.:
Urge Congress immediate declaration supporting Allies immediately sending planes, ammunitions.

Mrs. George F. Dittmann, Arizona; Mrs. G. Thompson Seton, Connecticut; Mrs. Gilmore G. Scranton, Michigan; Mrs. Ruth Kinsey Schmuck, New York; Mrs. Allan B. Thrasher, Ohio.

SYRACUSE, N. Y., *June 6, 1940.*

Senator PEPPER,
Washington, D. C.:
America may yet ask (why) of the cowardly 20 whose obstructionist attitude might mean the loss of all it holds dear. Thousands are beginning to think. Stick to it, Senator PEPPER.

RUTH L. REED.

ELDORADO, ARK., *June 5, 1940.*

Senator CLAUDE PEPPER,
Washington, D. C.:

You are receiving a splendid press in Arkansas. Maybe it would be well to coast for a while and be sure about public reaction. I think you are right in a big way, and everything working in your favor, but there is no need in getting out on too long a limb now. Have been awfully busy past 10 days on sale mentioned in my letter.

DONALD TRUMBO.

ELMIRA, N. Y., *June 5, 1940.*

Senator PEPPER,
Washington, D. C.:

Please don't give up your noble fight to send everything possible to the Allies now. God bless you.

JOSEPH BERGER.

CHICAGO, ILL., *June 6, 1940.*

Senator PEPPER,
Senate Office Building, Washington, D. C.:

We wholeheartedly support your efforts to get our Army planes to Allies instantly. Have wired our Senator LUCAS.

Mr. and Mrs. GEORGE NAY.

WASHINGTON, D. C.

Senator CLAUDE PEPPER,
Senate Office Building, Washington, D. C.:

Report from Senate Foreign Relations Committee simply awful and disgraceful. Can nothing else be done to bring them to their senses and gravity of situation and their responsibility to their country and civilization?

JULIEL MORRIS.

WATSONVILLE, CALIF., *June 6, 1940.*

Senator PEPPER,
United States Senate, Washington, D. C.:

We as American citizens and taxpayers urge you to press forward immediately your resolution to aid the Allies materially.

DANA M. TOWNSEND
(and family).

PASADENA, CALIF., *June 5, 1940.*

Senator PEPPER,
United States Senate, Washington, D. C.:

We are with you and Walter Lippmann. Send planes to Allies now. The committee's decision is a disgrace to America.

M. D. LANE
(and others).

SUMMIT, ILL., *June 5, 1940.*

Senator PEPPER,
Washington, D. C.:

As a humane measure and in self-defense we hope that all possible aid will be given the Allies.

Dr. and Mrs. PAUL RUSH.
Dr. and Mrs. F. L. MANN.
Mr. and Mrs. HARRY STONE.

LOS ANGELES, CALIF., *June 5, 1940.*

Hon. Senator CLAUDE PEPPER,
Washington, D. C.:

By all means your resolution to help Allies should be passed. I regard our failure to do so would be calamity and something short of treason.

FRANK D. MAGGION.

ASHEVILLE, N. C., *June 5, 1940.*

Senator CLAUDE PEPPER,
Senate Office Building, Washington, D. C.:

Strongly behind your efforts to send Government-owned arms to Allies. Please push measure.

C. E. HUDSON.

HOUSTON, TEX., *June 6, 1940.*

CLAUDE PEPPER,
United States Senate, Senate Office Building, Washington, D. C.:

We, the undersigned voters of Harris County, Tex., and citizens of the United States, advocate all the material aid in planes, guns, and equipment for the Anglo-French alliance. We also advocate authority for the President to call out the National Guard and Organized Reserves if he deems it necessary.

C. J. Ritchie, Jr., S. L. Austin, W. J. Shawell, Jack Bowman, Clifton Byrd, Emmett A. Shepherd, Rose Janacek, Jos. H. Chew, Mr. and Mrs. W. O. Wilkerson, J. D. Norman, J. A. McDonald, Lamar Noe, W. G. McEniry.

ST. LOUIS, MO., *June 6, 1940.*

Senator PEPPER,
Washington, D. C.:

Heartily approve your fight ship planes and munitions to Allies. Keep on trying.

SARAH O. FISK.

ARLINGTON, VA., *June 5, 1940.*

Senator CLAUDE PEPPER,
Senate Office Building, Washington, D. C.:

Support strongly your resolution empowering President to sell Government-owned airplanes and ammunition to Allies.

MILDRED TERRETT.

DEDHAM, MASS., *June 5, 1940.*

Senator PEPPER,
Senate Chamber, Washington, D. C.

Sir: Do not be discouraged by blindness and thoughtlessness about you. Time will justify you and posterity will hold you up as a great American patriot. America and democracy are one and inseparable and their first defenses lie on the river Somme. May God prosper you.

Respectfully,

HENRY D. SEDGWICK.

HUNTINGTON, N. Y., *June 5, 1940.*

Senator PEPPER, *Washington, D. C.:*

Ninety percent of the people are back of you; fight on; send all help to Allies.

MARGARET JEVONS.

MONTCLAIR, N. J., *June 5, 1940.*

Senator CLAUDE PEPPER,
Senate Office Building, Washington, D. C.:

Congress fiddles while Rome burns. Our Army planes should be flying to France right now. Can we do anything to help?

ADELAIDE CONYNGTON.
HUGH R. CONYNGTON.
JOHN CONYNGTON.

ATLANTA, GA., *June 5, 1940.*

Senator CLAUDE PEPPER,
Senate Office Building, Washington, D. C.:

I feel strongly the wisdom and justice of sending immediately to aid France and Britain not less than 2,000 warplanes and Army and Navy pilots sufficient to fly them into action. Any present danger to us in this hemisphere is nothing to the future danger if Germany is victor.

BESSIE KEMPTON CROWELL.

ASHEVILLE, N. C., *June 5, 1940.*

Senator CLAUDE PEPPER,
Senate Office Building, Washington, D. C.:

Many people here strongly favor your efforts to furnish Government-owned supplies to allied forces.

ANTHONY LORD.

TUCKAHOE, N. Y., *June 5, 1940.*

Senator PEPPER,
Washington, D. C.:

Favor sending all possible aid to Allies.

JOHN S. NUGENT.

WEST LOS ANGELES, CALIF., *June 5, 1940.*

Senator PEPPER,
Washington, D. C.:

I hope you will keep on and finally win over the Foreign Affairs Committee.

Mrs. T. A. GEISSMAN.

GOSHEN, N. Y., *June 5, 1940.*

Hon. CLAUDE PEPPER,
United States Senate, Washington, D. C.:

For God's and this country's sake hammer away on your fellow Senators and the Representatives in Congress until they see the need of immediately sending the Allies all equipment we have. I am planning to send out thousands of reprints of Dorothy Thompson's open letter to Congress.

JOSEPH S. COATES.

LOS ANGELES, CALIF., *June 5, 1940.*

Senator CLAUDE E. PEPPER,
Washington, D. C.:

I again earnestly urge that our Government immediately sell to the Allies as much ammunition, planes, and other implements of war that we can possibly spare without seriously weakening our own defense. This is urged primarily in our own interest.

LOUISE I. ROESSLER.

NEW YORK, N. Y., *June 5, 1940.*

Senator C. PEPPER,
Washington, D. C.:

Your sentiments as expressed before officials coincide with millions including veterans. Keep up the fight for immediate Allied aid.

G. R. BEVAN, *Veteran.*

FAIRFIELD, CONN., *June 5, 1940.*

Senator PEPPER of Florida,
Washington, D. C.:

Heartily endorse sending Allies planes and all help possible, immediately.

I. M. BRADIN.
P. H. BRADIN.
A. S. ROBERTS.

SALT LAKE CITY, UTAH, *June 5, 1940.*

Senator CLAUDE PEPPER,
United States Senate, Washington, D. C.:

Continue efforts to send help to Allies.

Dr. C. M. GOULEY.

BROOKLYN, N. Y., *June 5, 1940.*

Senator PEPPER,
Washington, D. C.:

Congratulations on your uphill fight. I hope you will win.

HENRY M. FEINBLATT,
Lieutenant, A. E. F.

CHICAGO, ILL., *June 6, 1940.*

Senator PEPPER,
Senate Office Building, Washington, D. C.

DEAR SENATOR: Your remarks in the Daily News that no protest against releasing the meager military equipment needed for national defense have been received is in error, for I do so protest. Why not use such equipment for training our own armed forces and when repaired then we need not worry about Europe's old quarrels.

J. E. DECKERT.

CHARLOTTE, N. C., *June 5, 1940.*

Senator PEPPER:

Your attention called to Tom Glasgow letter, Charlotte Observer, June 6. Urge call to attention others of Congress and continue your efforts in that direction.

P. R. MCCAIN.

NEW YORK, N. Y., *June 6, 1940.*

Senator PEPPER,
Washington, D. C.:

As an American citizen I applaud your efforts for helping Allies as best means of providing American defense. Why don't you introduce bill permitting sale of excess Army, Navy airplanes and anything else Allies need, including bomb sight, in exchange for agreement of Allies to make available to our Army and Navy the benefit of their experience and any improvement or patents which they may have? It is idle to think that with the rapid development of the science of war any invention or secrets which we may have developed prior to the war will still have a value after the war.

GEO. SHARP.

BERKELEY, CALIF., *June 6, 1940.*

Senator CLAUDE PEPPER,
Senate Office Building, Washington, D. C.:

Appreciate your effort to aid the Allies. An allied victory is our best defense.

J. N. and L. B. BRIDGEMAN.

ST. PETERSBURG, FLA., *June 6, 1940.*

Senator CLAUDE PEPPER,
Washington, D. C.:

Heartily indorse your stand on shipping planes and materials to Allies immediately. Feel strongly that this should be coupled with immediate declaration of state of national emergency, with resulting full speed ahead on adequate defense of this country we love and want to preserve. Let's stop burying our American heads in the Chamberlain quicksands, face facts, and meet action with stronger action before it is entirely too late.

Dr. ARNOLD ANDERSON.
WALTER C. WICKER.

MIAMI, FLA., *June 6, 1940.*

Hon. CLAUDE PEPPER,
United States Senator, Washington, D. C.:

Congratulations on your stand. Can't you get the rest of the committee to inform themselves about Hitler's plans. They evidently do not understand the situation.

E. B. HUMPHREY.

Mr. PEPPER. Mr. President, those telegrams simply indicate the vigor of the feeling of the people. I do not subscribe, of course, to any statement ascribing un-American sentiments or action to Senators who differ from me—far from it—but I do read those telegrams as actual expressions of public opinion. I say to the Senate that the country is agitated over this subject, and it will be but a little while, in my opinion, until the volume of advice to that effect will leave no Senator in any possible doubt about that question.

Mr. KING. Mr. President——

Mr. LUNDEEN. I yield to the Senator from Utah.

Mr. KING. I merely want to state, as a sort of supplement to the statement made by the Senator from Florida, that I have received a large number of telegrams from various parts of the United States, including perhaps 10 or 15 or 20 from my own State, along the line of the telegrams which the Senator from Florida has called to the attention of the Senate. I agree with him that the country is greatly aroused over the situation in Europe, and there is a very profound feeling that Great Britain and France are fighting not only the cause of civilization but the cause of this Republic.

I shall not ask to have the numerous telegrams I have received inserted in the RECORD; but I desire the RECORD to indicate that I have received a large number of telegrams along the line of those offered by the Senator from Florida.

AMOUNT AND VALUE OF GOODS PRODUCED IN STATE AND FEDERAL PRISONS

The PRESIDING OFFICER (Mr. MCKELLAR in the chair) laid before the Senate the amendment of the House of Representatives to the joint resolution (S. J. Res. 59) authorizing the Bureau of Labor Statistics to collect information as to amount and value of all goods produced in State and Federal prisons, which was, in line 7, to strike out "amount" and insert "character, kind, type, amount,".

Mr. THOMAS of Utah. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the President pro tempore:

S. 3828. An act to amend section 107 of the Judicial Code, as amended, to eliminate the requirement that suitable accommodations for holding the court at Winchester, Tenn., be provided by the local authorities;

H. R. 5584. An act to amend the Canal Zone Code;

H. R. 7019. An act to amend section 1 of the act providing punishment for the killing or assaulting of Federal officers;

H. R. 8429. An act for the relief of Maj. L. P. Worrall, and for other purposes;

H. R. 9700. An act to amend the Agricultural Adjustment Act of 1938, as amended, and for other purposes; and

H. J. Res. 367. Joint resolution to authorize the Secretaries of War and of the Navy to assist the governments of American republics to increase their military and naval establishments, and for other purposes.

AMENDMENT TO FEDERAL AID ACT—AUTHORIZATION TO COMMITTEE TO REPORT DURING RECESS

Mr. HAYDEN. Mr. President, the House has passed House bill 9575, to amend the Federal Aid Act, approved July 11, 1916, as amended and supplemented, and for other purposes. The Senate Committee on Post Offices and Post Roads proposes to meet tomorrow to consider the bill. In the event the committee should decide to report the bill, I ask unanimous consent that the committee may be authorized to report the bill to the Secretary of the Senate.

Mr. MCNARY. Mr. President, I have no objection to the committee reporting the bill, and the bill being placed on the calendar.

Mr. HAYDEN. That is all I desire.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

UNITED STATES DE SOTO EXPOSITION COMMISSION

Mr. BILBO. Mr. President, I ask unanimous consent for the present consideration of House bill 9751. It is a sort of emergency matter which we should like to pass this evening.

The PRESIDING OFFICER. The clerk will state the title of the bill for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 9751) for the creation of the United States De Soto Exposition Commission, to provide

for the commemoration of the four hundredth anniversary of the discovery of the Mississippi River by Hernando De Soto, the commemoration of De Soto's visit to the Chickasaw Territory in northern Mississippi, and other points covered by his expedition, and the two hundred and fifth anniversary of the Battle of Ackia, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Mississippi for the present consideration of the bill?

Mr. KING. How much will it cost?

Mr. BILBO. Nothing.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Library with amendments.

The amendments were, in section 3, page 3, after line 23, to insert an additional paragraph, to be lettered "(b)," and to reletter the succeeding paragraphs, so as to make the section read:

SEC. 3. (a) The Commission is authorized to utilize voluntary and uncompensated services and to receive funds from any State, municipal, or private source for the purposes of this act. Any such funds received by the Commission shall be deposited with the United States Treasury and shall be kept in a separate account. Such funds, as well as any funds appropriated for the puposes of this act, shall be disbursed upon vouchers approved by the Chairman of the Commission or by such person as he shall designate.

(b) Any exposition or celebration to be held pursuant to this act may, if deemed advisable by the Commission and the Secretary of the Interior, take the form of a conservation exposition for the purpose of dramatizing all conservation activities of the Federal and State governments and, for the purposes of this subsection, expositions may be held at such places in the Mississippi Valley as the said Commission shall determine.

(c) The heads of the departments and establishments of the Government are authorized to detail personnel to assist the Commission and to cooperate with the Commission in the procurement, installation, and display of exhibits; to lend to the Commission for exhibit purposes such articles, documents, specimens, or other exhibit materials in the possession of the Government.

(d) The Commission is authorized to enter into contracts with private publishers for such printing and binding as may be deemed advisable in carrying out the purposes of this act. The Commission is authorized to purchase without competitive bidding in quantities not to exceed $100 in cost.

(e) The Commission is authorized to employ, without regard to civil-service laws and the Classification Act, such persons as may be deemed necessary for the purposes of this act.

The amendments were agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

ORDER FOR RECESS TO MONDAY

Mr. BARKLEY. Mr. President, will the Senator yield to me to make a request.

Mr. LUNDEEN. Certainly.

Mr. BARKLEY. I ask unanimous consent that when the Senate concludes its business today, it stand in recess until 12 o'clock noon on Monday next.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

AMERICAN OCCUPATION OF GREENLAND AND ICELAND

Mr. LUNDEEN. Mr. President, for some time past I have sought to call the attention of this great body to the bases along our Atlantic coast which ought to be in the possession of the United States. Of course, we should seek these bases through negotiation with the powers that hold them.

RIDICULE AND BITTER EDITORIALS

When I first proposed this course concerning Greenland, Iceland, Bermuda, and the West Indies—both French and British, Danish and Dutch possessions—I was the subject of much ridicule. Many bitter editorials were written which I could recount and place in the RECORD; but the very newspapers and columnists that were then ridiculing me have apparently seen the light since that day, and are now writing in the reverse. I am glad to note that fact.

At this point, Mr. President, I ask that the various articles to which I am about to refer, and other data and information be inserted in the RECORD. I make that general request at this time so that it will not be necessary to make it specifically in connection with each article.

The PRESIDING OFFICER. Without objection, the articles and data will be inserted in the RECORD.

Mr. LUNDEEN. The first article to which I wish to refer is by Raymond Clapper. It is headed, "United States may be forced to occupy some foreign-held islands," and Mr. Clapper goes so far as to say:

The plain blunt fact is we may have to be using American troops in the Western Hemisphere for protective occupation.

ANDREW JACKSON SAID "SEIZE"

This writer is not the only one who now writes about these islands and who goes a little beyond the position I took. When I mentioned seizure some time ago, I was merely quoting Andrew Jackson, the great Democrat, who threatened the French Government with seizure of the French islands unless the French debt was paid.

The article in part is as follows:

CLAPPER SAYS UNITED STATES MAY BE FORCED TO OCCUPY SOME FOREIGN-HELD ISLANDS

(By Raymond Clapper)

WASHINGTON.—The plain blunt fact is we may have to be using American troops in the Western Hemisphere for protective occupation.

Abrupt changes have taken place and old patterns of thinking and old attitudes have been outmoded. Conditions we could once view with tolerance become, in the new times, dangerous to the security of the Western Hemisphere.

This isn't a matter of hysteria here but is based upon cold calculation, upon recognition of the sharply altered face of affairs.

We might be compelled, upon short notice, to occupy some of these Western Hemisphere islands and mainland possessions of the European powers.

In event of an Allied defeat, we would have to be ready to occupy them promptly, because we will not permit any foreign aggressor power to acquire title to them.

Events have changed the situation not only in Europe but in the Western Hemisphere. What once was of no concern to us is now a matter of defense of this hemisphere.

AMERICAN OCCUPATION OF ISLANDS IMPERATIVE

Mr. President, American occupation of Greenland and Iceland is imperative. I desire to deal particularly today with these two great islands.

The Washington Daily News contains an account of the occupation of Iceland, a Danish possession, by British military forces, after the German occupation of Denmark.

Mr. President, a photograph before me shows the arrest of Dr. Gerlach, German consul general in Iceland, by British troops. Sometime before that Great Britain occupied the Danish Faroe Islands by military force, not far from the British Shetland Islands, and near Iceland.

BRITISH STEPS TO NORTH AMERICA

The British ocean steps to North America now are Scotland, the Orkneys, the Shetlands, the Faroes, Iceland; the next step is Greenland; then Canada. The only step missing under the control of Great Britain is Greenland. Otherwise the British Empire has a complete chain of steps from Europe to North America. None of these steps measures much more than two or three hundred miles. Why are the British occupying Iceland? It is an American island belonging to the Western Hemisphere, and it ought to be under our flag.

PLANES NEED ISLAND BASES

At this point in my remarks I refer to the Washington Daily News again, an article entitled "Poll Shows United States Favors Planes Over Battleships."

Planes need bases for defense and bases for attack. Without bases no ocean fleet or air fleet can attack the United States. Any enemy would have to have bases in the Western American Hemisphere. If we possess these bases, they cannot attack. If we acquire all these possessions and establish naval and plane bases, we will be safe and secure from invasion.

At this point I should like to have the article to which I have referred printed in the RECORD.

POLL SHOWS UNITED STATES FAVORS PLANES OVER BATTLESHIPS

That the American public heavily favors the view that warplanes are a stronger weapon than battleships, and accordingly should be concentrated upon in the national-defense program, has been demonstrated by the American Forum poll on the question, Are warplanes stronger than battleships?

Senator ROBERT R. REYNOLDS (D., N. C.), who argued that stress should be placed upon planes, not battleships, received 77.8 percent of all votes cast. Senator DAVID I. WALSH (D., Mass.), who said the emphasis should continue to be placed upon battleships, received 15.5 percent of the votes.

Since each of the debaters admitted that both planes and ships were necessary for adequate defense, 6.7 percent of the voters took no sides, and said that both were right.

The vote was approximately the same in all regions polled. Ballots were received from New York, Massachusetts, Rhode Island, Connecticut, New Jersey, Pennsylvania, Delaware, West Virginia, Ohio, Kentucky, Tennessee, Texas, Utah, and the District.

Additional returns from Ohio and Illinois on the social-security debate between Dr. Townsend and Senator BYRNES followed the heavily Townsendite pattern of other regions. Dr. Townsend, arguing for large old-age pension, received 98 percent of the vote.

Mr. President, the basic defense of America demands the occupation of Iceland and Greenland—a vital defense which we have overlooked while we appropriate billions for the construction of supernavies. Navies without island bases essential to the protection of our coasts are unable to adequately defend the Western Hemisphere and the American nations.

EXCESSIVE PARTIALITY AND EXCESSIVE DISLIKE

Let us now look to our own welfare and remember that excessive partiality to one group of nations leads us to forget the activities of those nations against our national existence in years past.

Let me read the entire paragraph, and let Senators remember the wisdom of the Father of his Country in times like these. George Washington said:

> Excessive partiality for one foreign nation and excessive dislike for another cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other.

I think that statement of the Father of his Country is exceedingly interesting, when we listen to such debates as we have heard today. These little words that are spoken here today in favor of meddling in Europe are like birdshot on the fortress of truth compared with the words of the first President, the Father of his Country.

I need not remind this able body that in 1776 our forefathers gave their lives and fortunes to cut the tie which sought to bind us to European troubles forever. In 1812 we again had to remind Europe, by force of arms, to cease meddling in America.

AMERICA UNITED, NOT BALKANIZED

That was not the end of European encroachment and European efforts to exert control on this Nation. During the Civil War France established Maxmilian's empire in Mexico, with a view to bounding us on the South. Great Britain actively supported the rebels during the Civil War. If foreign nations had succeeded in dividing us during that period, we would not be a Union of States today. We would be Balkanized and weak. The Old World would be constantly transporting her troubles to our continent and demanding our subservience. This unfortunate situation our statesmen, our soldiers succeeded in keeping from our shores.

BRITAIN VIOLATES MONROE DOCTRINE

We now witness Britain driving into Iceland, which is, geographically, a part of the Western Hemisphere. We see the occupation of the Dutch West Indies by the British and French. All these islands are essential to our defense, vital to our naval strength, and the protection of our coast line.

Our duty is to guard against foreign encroachment, and the extension of European empires into the Western Hemisphere. We cannot afford to permit the spearhead of European trouble to expand in American waters. The Monroe Doctrine prohibits such encroachment, and it is now time for us to restate the Monroe Doctrine in no uncertain terms. Now is the time to assert the Doctrine in the interests of our own defense.

Greenland and Iceland must be American, and remain American.

ARMED UNITED STATES COAST GUARD CUTTER TO GREENLAND

The press now informs us that the Coast Guard cutter *Campbell*, an armed cutter, has sailed for Greenland.

UNITED STATES CUTTER OFF TO GREENLAND—MYSTERY SHROUDS ARMED VOYAGE

NEW YORK, May 30.—The Coast Guard cutter *Campbell* sailed from Staten Island for Greenland today.

Carrying additional armament, recently installed, the cutter, under Commander Joseph Greenspun, was believed headed for Godthaab, Greenland. It was reported the ship carried food supplies sufficient for 8 months for the crew of 150 men and 10 officers, but some of these were believed destined for Greenland.

Armament of the vessel was believed to include 5-inch guns, 3-inch guns, and a number of machine guns. The new armament was not installed especially for the Greenland voyage, but as the result of orders from Coast Guard headquarters covering all ships of the *Campbell* class, it was understood.

The cutter sailed in considerable secrecy. Newspapermen and photographers were not permitted on the pier. Departure had been delayed several days by unfavorable weather.

Mr. President, is it possible that we are actually waking up, that we are taking some sort of action? Let us hope so, and let this action be followed up until we are secure in Greenland and secure in Iceland.

At this time I desire to call to the attention of the Senate the recent moves of European countries to encroach upon territory of the Western Hemisphere in direct violation of the Monroe Doctrine.

MONROE DOCTRINE VIOLATED

The Monroe Doctrine is very plain in stating that there shall be no further encroachment upon American territories by foreign powers. The recent move of the British and French troops in the Caribbean in placing Dutch islands under their "protection" is an absolute violation of the Monroe Doctrine. Yet our State Department made no protest. In fact, under a new and peculiar interpretation of the Monroe Doctrine, the administration directly aided and encouraged the British in occupying the Dutch islands.

Mr. President, I know the conferences going on around the Senate are very important, but I do believe that it is also very important for us to give a little attention to our bases on the Atlantic coast.

The PRESIDING OFFICER. There will be order on the floor of the Senate and in the galleries.

Mr. LUNDEEN. I can assure my fellow countrymen and my colleagues in the Senate that this will not be the last speech made on the Senate floor concerning the acquisition of bases on the Atlantic coast. There will be many speeches made upon the proposition of acquiring these bases—the French and British, the Dutch, and Danish possessions along our coast—where we can base our naval forces and our air forces.

A SEPARATE DEPARTMENT OF THE AIR SERVICE

On February 28, 1919, I introduced a bill for the establishment of a separate department of the Air Service. I have emphasized the Air Service. I went along with General Mitchell on that, and we have stated to our fellow citizens that it was the key to our defense system. But unless we have the bases, we are unable to make full use of that arm of defense.

MAKING A DOOR MAT OF THE MONROE DOCTRINE

We have professed to keep this Western Hemisphere free from further encroachments from Europe. At the same time we permit favored nations to make a door mat of the Monroe Doctrine, and even aid them, directly and indirectly, in occupying islands of the Western Hemisphere.

What kind of blindness leads us to this type of American defense? Our leaders are not acting in the best interests of America by aiding further acquisition of American lands by foreign countries. Real defense of America involves keeping Europe out of America.

Mr. REYNOLDS. Mr. President, will the Senator yield?

Mr. LUNDEEN. I yield to the Senator from North Carolina.

Mr. REYNOLDS. I merely wanted to take this opportunity to make the observation that I happen to know personally that the able Senator from Minnesota, who now holds the floor, discussed with me the acquisition of islands in the Caribbean a number of years ago—as a matter of fact, about

4 or 5 years ago. The Senator talked with me at great length in regard to matters pertaining to our gaining possession of those outposts, and at that time he was reviewing some of his experiences during the World War. He stated that, in his judgment, unquestionably we should unhesitatingly endeavor to secure ourselves by acquiring those possessions.

I wish to say at this time that, relying very largely upon the Senator's fine vision, as it was evidenced years ago, several months ago I introduced in this body two joint resolutions, which were similar. Both authorized the Chief Executive of the United States to enter into negotiations with both Great Britain and France with a view to acquiring those island possessions strung along the coast of the Atlantic from Port of Spain, just across from Venezuela, northward to St. Pierre and Miquelon, the latter belonging to the French Government. For the past several days, if I may be permitted to say so, I have been giving more consideration to those joint resolutions than ever before, for the reason that it does appear to my mind at the present time that in view of the chaotic conditions existing throughout the world, and particularly in view of what has taken place across the broad waters of the Atlantic, the hour may unhappily arrive when we will be forced to take charge of those possessions concerning which we have been talking for years.

By that I mean that we shall have occasion, by and with force of arms, to go into the Leeward Islands, the Windward Islands, and proceeding north take the Bahama Islands, as well as Bermuda, just off the coast of North Carolina, and then northward to Newfoundland, and stepping across to St. Pierre and Miquelon, in order that we may protect ourselves against aggression from European soil, if such aggression should occur.

Mr. President, that being the case, would it not have been much better if the Foreign Relations Committee had given immediate consideration to my resolutions, which were referred by it to the State Department? According to information I have received the State Department has not reported back to the Committee on Foreign Relations as to what its opinion is concerning negotiating with Great Britain and France for the acquisition of those islands.

In other words, I contend that it would be much better even at this late date to acquire even by purchase the islands in the Caribbean, as well as those in the north that I have mentioned, which belong to France—it would be much better at this late hour for us to acquire peacefully all those outposts in the South Atlantic and in the North Atlantic and to permit the price agreed upon them to be credited to the indebtedness of our sister republics across the seas rather than endanger ourselves by taking a step forward into those Caribbean waters with guns upon our shoulders, thus endangering us by involving us in war.

So I take this opportunity to extend my congratulations to the able Senator from Minnesota for having years ago made mention of the matter concerning which I have spoken. I congratulate the Senator as the representative of his people for having had the foresight to have visioned that the hour would come when certainly we would need outposts in that part of the world as a part and portion of that national defense which we are all interested in building. And I am happy indeed to observe in the columns of the press, as a moment ago mentioned by the Senator, statements to the effect that those who laughed at the Senator, those who criticized him, those who jibed at him because of his suggestions, are now saying "He was right. What he then advocated ought to be done." I hope that it is not now too late, and I sincerely hope that the Senator will continue to vote for the acquisition of those islands.

Mr. LUNDEEN. Mr. President, I thank the able Senator from North Carolina for his fine statement, which I much appreciate, and I will say with respect to the resolutions offered by the distinguished Senator from North Carolina, that I have given them every support and I hope they will be passed. I never introduced any resolution concerning the British and the French West Indies. I have introduced resolutions dealing with the Danish and Dutch possessions. I introduced resolutions covering the islands belonging to Latin American nations; I have proposed that we should negotiate for and fortify islands within 1,500 or 1,800 miles of the Panama Canal Zone, or the Nicaragua Canal Zone. But I had not introduced a resolution with regard to the British and French West Indies. I was very happy when the Senator from North Carolina introduced his resolution in respect to those islands. I thought perhaps my vote against American entry into the World War would prejudice such a resolution if I were to introduce it. So I was very glad to see the able patriot, the Senator from North Carolina, introduce his resolution, and I give my hearty support to his ably drawn resolutions, and hope that some day the negotiations therein provided for will be completed, and that those islands will be placed under the American flag.

Mr. LEE. Mr. President, will the Senator yield?

Mr. LUNDEEN. I yield.

Mr. LEE. While the Senate was debating whether or not the United States should sell arms to the Allies, the United States actually started doing it. I read from the late edition of the Evening Star of Washington:

UNITED STATES LIFTS ARMS AID, SELLING SURPLUS WAR STOCKS TO BRITISH—450 75-MM. GUNS AND 500,000 LEE-ENFIELD RIFLES ARE RELEASED

The War Department has informed Arthur Purvis, head of the Allied Purchasing Commission in the United States, that the prohibition on sale of surplus war materials to belligerent nations has been removed.

Mr. President, I heartily applaud that action on the part of the Government. I thank the Senator from Minnesota for yielding.

ADMINISTRATION HELPS BRITAIN INTO AMERICAN ISLANDS

Mr. LUNDEEN. Mr. President, here is an article by Arthur Sears Henning, appearing in the Washington Times-Herald of May 17, 1940, dealing with the matter under discussion:

Consequences of the German invasion of the Netherlands and Belgium have served to disclose the effectiveness with which the Roosevelt administration is supporting measures adopted by Great Britain and France for the prosecution of the war.

In both the Atlantic and Pacific sectors the President is pursuing the policies that the British Government deems most helpful at the moment to further the cause of the destruction of Hitlerism, which no one has more closely at heart than Mr. Roosevelt.

IMPATIENT WITH UNITED STATES

Impatience is being manifested by a portion of the British public with American public sentiment opposing participation of the United States in the war again "to make the world safe for democracy." The same type of British mind that coined the term "Uncle Shylock" in exasperation at the suggestion that Britain pay her war debt to America is now wisecracking that "the next war will be between the yellow countries, Japan and the United States."

The President is well aware, however, that this is not the attitude of responsible Britishers. The British Government, kept informed by Lord Lothian, the keenest mind that has operated at the British Embassy in many a day, is well aware of the state of public opinion in the United States and doesn't expect us to go into the war as the situation now shapes itself.

It realizes America will not go in unless public opinion undergoes a great change as the result of future developments in the war or of such influences as are being quietly exerted by Mr. Roosevelt and Lord Lothian.

EVIDENCE OF SUPPORT

The latest demonstration of the support the President is giving to British and French policy affecting America was afforded by the incident of British occupation of the Dutch Islands in the West Indies. British and French warships on Saturday landed armed forces at the Dutch islands of Curacao and Aruba ostensibly to prevent German submarines or other warships or German nationals ashore from destroying the oil refineries.

THE BRITISH OBTAIN A LARGE PERCENTAGE OF THEIR OIL FROM THESE ISLANDS

Occupation of the islands by the Allies followed a consultation with the Roosevelt administration which readily gave its approval of the move. The British and French sought our consent because these islands are within America's immediate sphere of influence and command the approach to the Panama Canal, and because there was involved a question of possible violation of the Monroe Doctrine.

Under the Monroe Doctrine, the United States would not tolerate the acquisition or occupation of any additional territory on the American continents by a non-American nation. A change of ownership of any American territory from one non-American nation to another would be a clear violation of the Monroe Doctrine. To forestall the occupation of the Danish West Indies by Germany

during the World War, the Wilson administration bought the islands from Denmark for $25,000,000.

PROTECTION REQUESTED

The British and French Governments assured the Roosevelt administration that their occupation of Curacao and Aruba involves no transfer of sovereignty to Britain and France. The Dutch flag will continue to fly over the islands, they stated, and British and French soldiers and marines would assist the Dutch Governor in coping with any depredations attempted by the enemy.

British and French representations to Washington also included the statement that the Dutch Government had requested the Allies to assume protection of these islands.

The Roosevelt administration gave its consent to the action, the State Department declaring no infringement of the Monroe Doctrine was involved because there was no change of sovereignty and because Holland had requested the step.

The status of the islands will become an issue of interest to the United States at the end of the war. If Germany were to gain the islands, or they were to pass to any other non-American power a violation of the Monroe Doctrine would be involved.

ADMINISTRATION VIOLATES ARTICLE VI OF 1907 HAGUE CONVENTION

Mr. President, I wish to read article VI of the Hague Convention of 1907. That convention was signed by both Germany and the United States. It concerns the rights and duties of neutral powers in naval warfare. I read the provision of article VI of the 1907 Hague Convention:

The supply in any manner, directly or indirectly, by a neutral power to a belligerent of warships, ammunition, or war material of any kind whatever is forbidden.

Mr. WHEELER. Mr. President, I ask, what did the Senator just read?

Mr. LUNDEEN. Article VI of the Hague Convention of 1907, subscribed to by Germany and America, concerning the rights and duties of neutral powers in war. I will read the provision again. It is very short.

The supply in any manner, directly or indirectly, by a neutral power to a belligerent of warships, ammunition, or war material of any kind whatever is forbidden.

Mr. BONE. Mr. President, will the Senator yield?

Mr. LUNDEEN. I yield.

Mr. BONE. I think a volume of material that would be as large as a family Bible has come from the State Department and Government officials since I have been in the Senate calling down the blessings of God upon international law as it is understood and defined by the State Department, calling upon the Congress of the United States to abandon this fanciful neutrality reflected by the laws we have passed, and urging us to go back to international law, because that was a moral basis for the official conduct of the United States. I think it is clear that international law forbids the sale of arms, ammunition, cannons, ships, and implements of war by the United States to belligerents. Every work I have gotten hold of dealing with international law so pronounced the law, and the treaties to which we are a signatory so declare.

I wonder now, in view of that, whether our State Department now puts the stamp of blessing and approval upon this transaction, whether the apostolic benediction of the State Department now rests upon the sale of cannon, artillery, and munitions of war by the Federal Government itself to a belligerent, in view of the signature of this Government attached to treaties which declare that, not to be a law, but, on the contrary, a violation of law.

Obviously we cannot in one breath say that we are going to be bound by international law, and that it is the proper and the moral thing for us to follow that law, that that is the right course for us to pursue, and on the other hand deliberately to set it aside. I am not going to pass at the moment on the morals of the transaction, but I think every Senator in the sound of my voice will agree that the State Department has continually preached to us the sanctity of international law, and I doubt if any student of international law or any writer on the subject of international law will be heard to say that that is not a violation of the standards of international law to which this Government itself has adhered.

Mr. LUNDEEN. Mr. President, a treaty between nations is greater than an act passed by a lawmaking body of any one nation. Remember that. It is a mighty serious thing to set aside such a treaty and flaunt our disregard to the whole world.

Mr. BONE. Mr. President, will the Senator yield?

Mr. LUNDEEN. I yield.

Mr. BONE. I do not subscribe to the view that Congress may not set aside a treaty by statute. I think it is clear that we may abrogate a treaty by statute. To be sure, the other party might not agree to an arrangement of that sort, but I think Congress may abrogate a treaty.

I am not attempting to pass upon the merits of the sale of cannon and munitions of war. I am simply pointing out that it has been the studied policy of the State Department to tell Congress, as far back as I can remember in my service in this body, that our duty is not to pass special legislation, but to rely exclusively upon international law. If I am in error in that statement, I hope I may be corrected. I remember that statement as coming from the highest officials in the Government. I wanted to see neutrality legislation passed, and I was told, as were many other Senators, that that was bad business, that we should junk all efforts of that kind and rely exclusively and wholly upon the canons of international law in our relationship both with belligerents and with nations at peace. So, regardless of the merits of this controversy, concerning which I do not care to express an opinion at this time, because I do not think it is of great moment, I merely wish to call attention to the fact that according to every text writer on international law with whose work I am familiar this proposal is a violation of international law, the very thing which the State Department urges us to follow.

Mr. KING. Mr. President, will the Senator yield?

Mr. LUNDEEN. I yield.

Mr. KING. I agree with the Senator that our country has sought to respect international law, and has been meticulous in its observance. But when there is a Hitler dominating a great nation like Germany and flouting international law, destroying democratic nations, and declaring his purpose not only to destroy those in Europe, but to invade nations in the Western Hemisphere, then when he disregards international law so far as he is concerned in his government, I am not so sure that there is an obligation on the part of other governments to respect him when he asserts that we should maintain international law.

Mr. BONE. Mr. President, will the Senator further yield?

Mr. LUNDEEN. I yield.

Mr. BONE. The very point discussed by the able Senator from Utah is the thing which makes me ask these questions: Where are we going? Are we to adhere to international law one moment, and junk it the next? Where do we stand in the field of international law? It is urged, as a justification, that we abandon it because Germany has done violent things, under conditions which we all agree are vicious, and very bad. I never saw a greater exhibition of sadism in my life. But the point is, What are we going to anchor to—international law, or the absence of it? That is the question before us.

Mr. KING. Mr. President, will the Senator yield?

Mr. LUNDEEN. I yield.

Mr. KING. So far as the United States is now concerned, in the light of the attitude of Mr. Hitler, it is our duty, of course, to maintain the integrity of the United States and to pursue the course which will defend its territorial integrity and its international rights. Under the Monroe Doctrine there is some obligation to protect the Latin American republics from attack. We know not only that Hitler aims at the destruction of democratic nations in Europe but that his influence is already exerted in South America, Central America, and Mexico.

In a sense it might be claimed that he is violating international law, and we are not violating international law when we adopt measures to enable us to repel his assaults upon territory which we may be under obligation to protect.

Mr. LUNDEEN. If Hitler is declaring war on us, or making war on us, as I believe the phrase was, then is the Senator from Utah in favor of declaring war on Germany now?

Mr. KING. We do not need to declare war. We can declare a defensive war. That is to say, we are going to defend our rights.

Mr. LUNDEEN. We are going into war by the back door.

Mr. KING. No; we are not going into war at all. We are going to defend our rights. If Hitler lands his troops here, or continues his efforts, subtle or otherwise, to undermine our influence, our territorial interests in Latin America, we are going to repel them on this continent. I do not say we will go across the ocean. I do not say we will declare war. We can defend our rights without declaring war. If the able Senator from Minnesota should strike me, I do not need to declare openly that I am going to strike back. I can resist his assaults without saying anything.

Mr. BARKLEY. Whatever we may call it, it is a fight just the same.

Mr. WHEELER. Mr. President, something like 2 weeks ago, I think, I made the statement on the floor that I thought the Congress of the United States ought to stay in session so as to meet any emergency which might arise. I understand that the Republicans, in their meeting this morning, urged that the Congress stay in session. Since I have listened to some of the speeches on the floor of the Senate today, advocating measures that would lead us into war, much as I dislike Mr. Hitler and everything he stands for, I think it might be well for the Congress to adjourn and go home, and find out what the sentiment of the people is with reference to our entering into the war.

I am sure that if Members of Congress were to get away from the hysteria in Washington and the hysteria which is eminating from New York City and the great newspapers in that metropolis, and were to get out among the people themselves, they would find that the mothers of America, the youth of America, and the laboring people of America are just as determined now as they were 6 months ago that we shall not become involved in war.

Outside of New York City and the city of Washington, there is no sentiment for our getting in, either by the back door or the front door; and in my judgment it is ridiculous for any Senator to stand on the floor of the Senate and say that any country is at the present time attacking the United States, either directly or indirectly. Of course, if Hitler is attacking the United States, then we ought to have a declaration of war.

I appreciate the fact that there is hysteria in the city of Washington; and it seems to me that step by step we are following exactly the same course which we followed during the period from 1914 to 1916, before the last war.

Mr. President, so far as I am concerned, I shall not be a party to leading this country down the road to war; and if any Senator thinks that the masses of the people of this country want war, he is sadly mistaken.

Mr. KING. Mr. President, will the Senator yield?

Mr. LUNDEEN. Mr. President, if I can be assured that these two able gladiators will fight it out on this line, I shall be glad to yield.

Mr. KING. We know, from the news which we read in the newspapers, and from authentic information and from the attitude of our State Department, that in various States in South America the influence of Mr. Hitler is pervasive, and that he is undermining or trying to undermine the integrity of South American republics. I stated that under the Monroe Doctrine it is our duty to defend the Latin-American republics; and if Mr. Hitler or any other individual, or any country, attacks the Western Hemisphere or the territories which come within the periphery of the Monroe Doctrine, the obligation rests upon us—we voluntarily assumed it—to defend them. That does not mean that we shall declare war against Germany or any other country. I am very much opposed to that course, and I do not believe our country will become involved in war. I am just as much opposed to our country becoming involved in war as is the able Senator from Montana.

Mr. WHEELER. Mr. President, will the Senator yield to me for just a minute?

Mr. LUNDEEN. I yield to the able Senator from Montana.

Mr. WHEELER. I entirely agree with what the Senator has last said—that of course if Mr. Hitler attacks some South American country, under the Monroe Doctrine we should protect those countries against Mr. Hitler or anybody else.

Mr. KING. Mr. President, will the Senator yield?

Mr. LUNDEEN. I yield.

Mr. KING. I do not agree with the interpretation placed by the Senator upon my remarks; and I now say that the Senator and I are in agreement. We are going to defend the Monroe Doctrine. I say we will defend the Monroe Doctrine but without being called upon to declare war against Germany or any other country.

Mr. REYNOLDS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from North Carolina?

Mr. LUNDEEN. In just a moment. I will say that so far as I am concerned, when the time comes for the defense of the Monroe Doctrine I can join both distinguished Senators. I believe in defending the Monroe Doctrine.

I yield to the Senator from North Carolina.

Mr. REYNOLDS. Mr. President, as a matter of fact we would not now be hysterical and frightened if the administration had followed the advice of the able Senator from Minnesota in respect to providing for itself outposts in the South and the Middle and the North Atlantic. He suggested those and I have suggested them, because if we are ever attacked we do not want any American blood spilled upon American soil, but if it must be spilled we want it spilled in the briny waters of the Atlantic.

I want to get back to the question of war which has been so ably discussed by Senators. Every time I come into the Chamber of late, some Senator is talking about war. The question is whether it is our war or whose war it is. There is but one question here that we are all thinking about, and that is this: Is this our war? If it is our war, then let us get into it. Let us not beat around the bush.

Let us not try to deceive ourselves. Let us not attempt to deceive the American people. Let us go to it if we believe it is our war.

A couple of days ago I was reading the Washington Daily News, and I read there a very interesting article by the pen of Mrs. Walter Ferguson, who writes daily for that newspaper. She has a great deal of good common sense which is expressed in almost all her articles, particularly in this one, which attracted my attention at the time. She was speaking of war. I will read a couple of paragraphs, if I may take a moment or two more of the time of the Senator from Minnesota:

> As the fortunes of war seem to favor Hitler, a good many Americans, famous and obscure, say we should lend money to the Allies. They believe we ought to furnish them with war materials on credit.
>
> No man need be ashamed of the sentiment, and certainly we cannot quarrel with any man's right to express it. Only we wish these people would voice their opinions in the proper words.
>
> With the Allies owing us several billions for the last war, isn't it rather visionary to talk about lending them more to fight this one? Let us be honest with ourselves and, if that's the way we feel, give them outright the money and goods they need in order to carry on the struggle.
>
> No boy's life is ever paid back. Thousands of fine American lads went to Europe in 1917. We gave generously of their blood, expecting nothing half so precious in return. We did not demand a life for a life, and were not too disappointed when we failed to receive a dollar for every dollar we contributed to the cause of human freedom.
>
> All that generous outpouring was a noble gesture, nothing more. Beautiful, but futile. Nevertheless we are convinced no true American regrets that it was made. It was done because the people then living honestly felt that good would come.
>
> Yet only evil has resulted. Many of our boys and dollars never came back. Some of us managed to work up poetic sentiments about the fact, or could, until the same martial piping began to sound upon the wind. Now the time has come to speak candidly.

I particularly direct the attention of those who are here this afternoon to the closing paragraph of Mrs. Ferguson's article:

> Altruists who wish to lend to the Allies are building a camouflage of words to hide the truth. For lending, in this instance, can only mean giving. And if we are so sure the Allied cause is ours, and believe its loss means our downfall, then how shabby it is to talk about lending them money. Let's give them cash and war materials, asking no security in return. Certainly we owe that much to those who are fighting our war—if it is our war.

That is the question.

I thank the Senator for yielding to me.

Mr. BONE. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Washington?

Mr. LUNDEEN. I will yield for a brief statement; yes.

Mr. BONE. Reference has been made here to telegrams received by Members of Congress; and the astounding thing is that the senders of these telegrams seem to be laboring under the impression that the United States is not making airplanes available to the Allies. As a matter of fact, there is not a barrier anywhere that I know of to manufacturing plants in the United States selling the Allies all the planes they can get, provided they do not interfere with the priority of Government orders.

There is a great deal of misapprehension, and a lot of it has been whipped up. I think it is time that we begin to clarify this whole picture for the people of the United States, and put an end to some of the hysteria that is seizing the people. Otherwise, we are going to be charged with deliberately doing those things which inflame public sentiment to the point that this country is pushed day by day, hour by hour, closer to the vortex of war.

Mr. President, I do not want my party to be justly charged with having led this country into another World War. I think it would ruin the Democratic Party, and blast its last hope in the year 1940, for the American people ever to become possessed of the idea that the Democratic Party is a war party. You may think what you please, but you need only contemplate the effect upon the millions of American mothers and fathers whose boys will surely die and rot on foreign soil if we go into another war. You need only contemplate the unbearable pressure of added debt of billions which would destroy this Republic. You need only contemplate the great new army of veterans who would be here justly asking pensions—pensions added to the already great army of veterans getting them, and needing them—to know what the impact of that debt would do to this Republic.

Such a vast addition to our national debt would, in itself, destroy our republican form of government. I think the Republic would wash up in a vortex of financial chaos. That is what this thing implies; and day after day we sit here and allow a war fever to be fanned into flame.

I think the time has come now to tell the American people some plain, blunt truths about the cost of war in blood and treasure and put an end to this business of allowing people to think we are unmindful of its dreadful significance. If nothing else, the mothers of America ought to rise and protest against the potential butchering of their boys.

Where do you think we will land in another war, with $75,000,000,000 of debt added to the one we have now, and, on top of that, illimitable pension claims that would stretch to infinity? Today we are still paying pensions arising out of the War of 1812. If there is a Member of the Senate of the United States who thinks this Government could stand the torsional, financial strain of another war, I should like to have him rise and explain how that miracle could be achieved. I have yet to find a man who entertains sound views on financial problems who believes that the Republic could survive the financial impact of another costly World War.

We may soon have to decide whether we shall go to war. We are repeatedly assured by the Senator from Florida [Mr. PEPPER] that Hitler has declared war on the United States; and every implication, every inference, every shading, every nuance of his repeated speeches is that we ought to fight back. If that be true, what does he want us to do? Declare war ourselves and plunge into this hell of war? He suggests that we can shoot off a musket halfway. Well, you load one and try it and see if you can fire half the charge. We cannot go halfway into war without soon going completely in. We are either going to war or we are not. We ought to have the moral courage to tell the American people whether or not we intend to plunge this country into the war on the basis of the facts now exploited by the Senator from Florida. We know well that we could not send an army to Europe. Our "half war" presents deadly possibilities.

Why take the hearts and souls of millions and millions of American mothers and fathers in our hands and blast out of their hearts the last hope they have for their boys and their girls? We listen day after day to the flaming oratory of the Senator from Florida, whose every effort seems to be to thrust this country as close as possible to the hell of war without actually taking the fatal leap into the inferno.

My own family suffered enough from war to satisfy me with war for the rest of my life. That is one of the reasons why I support a popular referendum on war overseas. I want the mothers and fathers of America and the potential cannon fodder to be their own executioners, if they deliberately vote to send men to Europe or Asia. I would take out of the hands of Congress the right to be the executioner of two or three million boys in an overseas war, and I would let the victims vote on whether or not they elected to make this terrible sacrifice abroad.

I think the time is upon us to make some decisions. The crossroads of destiny loom before us. If we are going to war, let us prepare for the slaughter and not by slow degrees edge the American people carefully toward the precipice where some day they will wake up and find themselves slipping down the hill into the abyss.

Is there a Senator in this body, is there a man sitting here listening to me, who will rise and tell me now that he believes the Republic could survive another war which would cost forty or fifty or seventy-five billion dollars?

Mr. MINTON. Mr. President, will the Senator yield?

Mr. BONE. Yes; I yield.

Mr. MINTON. Does not the Senator think the situation is more threatening now than it has ever been before? The Senator from Washington has never voted for a Navy appropriation bill until the other day. Is not that correct?

Mr. BONE. Mr. President, I was in the Senate Naval Affairs Committee several years ago when we reported out the Vinson-Trammell bill, which I supported. I have supported every Army and Navy appropriation and every one of these authorizations since I have been a Member of the Senate. I even went further and tried to enlarge our navy yards years ago so that we would have facilities to lay down in them every fighting ship we now need. No living man can charge me with ever pulling back in the traces in the matter of national defense. I believe in making our armament so formidable that no nation on earth would dare approach us, let alone attack us. I have always believed that.

I voted for every one of these measures referred to by the Senator from Indiana [Mr. MINTON]. The record shows it. What I am pointing out is that the cost of war in itself is a prohibition. In Caesar's time it cost 75 cents to kill a man in war. The best present estimate is that it costs $21,000 to kill him in current wars. What lies ahead for future generations in that ghastly financial picture?

If I am in error in this, I want somebody in this presence to rise and tell me I am wrong. We might as well settle some of these questions now. If I am in error, I want some of my brethren here, for all of whom I entertain the highest respect, to rise and tell me so. I have learned to have great respect and admiration for the men in this body. I have heard man after man in this Chamber assert without any challenge that adding more debt to our presently inflated debt structure would be fatal to America. That is correct, is it not? Is there any dissent from that?

A number of gentlemen who are at the present moment candidates for nomination on the Republican ticket are saying to the people of this country from platform after platform, that if we add any more to the present national debt, damnation lies at our door. Many of my own brethern on this side of the aisle, in the Democratic Party, have assured us, time after time, that if we continue to add to our debt we are going to hell financially. What do they mean by that? Is it true? The Senator from Florida talks of doing these things that might lead us into a war which might cost a minimum certainly of $50,000,000,000, and in its aftermath give us a new army of millions of veterans entitled to pensions.

When you draft a boy, you do not draft part of him; you draft 100 percent of him. When you deal with a question of this kind you are dealing with the lives and property of the people of this country, not merely with the views of some Senator. A war would ultimately require a virtual confiscation of all our property as well as the lives of our boys.

Now, when one is careless in handling that sort of thing, he is juggling with the life of the Republic itself. If we love it, we must not lightly consider the serious implications of this thing. That is why I think the time has come to calm the fears of the people of the United States, calm them by saying we are not going to war unless we are attacked here in this western world of ours.

We have already guaranteed the integrity of much of the earth. The Senator from Utah has just pointed out that we have guaranteed the integrity of one-half of the earth, the entire Western Hemisphere. Is not that enough for the United States to take on, with 10,000,000 of our fellow countrymen unemployed? We meet contests in this body over the amount of money we are going to appropriate at this session to feed these our own people, who have to break bread with beggars and sleep in the brush. There is no hope in their hearts. Yet we hear careless talk of going outside of the Western Hemisphere and fixing up the rest of the world by sheer force at a time when our own problems multiply and terrify us.

God knows Europe's troubles are terrifying. But that does not constitute any justification for destroying the Republic, and that is what war means to us.

Mr. LUNDEEN. Mr. President, I thank the able Senator from Washington for his statement, and I assure him that millions of Americans love him for his fighting spirit, for his Americanism.

Mr. REYNOLDS. Mr. President, will the Senator from Minnesota yield to me?

Mr. LUNDEEN. I yield.

Mr. REYNOLDS. I merely wanted to make the statement that I think the thanks of the mothers of America are due the able Senator from Washington for the observations he has made in the Senate this afternoon. It is actually appalling to my mind to find many American people writing me and telegraphing me that they think the war in Europe is our war, and that we should go to war now. It is quite true that people are hysterical, but I cannot help regretting that attitude when we have not by any means liquidated the obligations imposed on us as a result of our brief participation in the last war.

It might be well for me to add at this juncture that even now, 25 years after the end of the last World War, we have not sufficient hospital accommodations for our World War veterans who are entitled to hospitalization. Our participation to date has cost us $67,000,000,000. Before we get through we will have paid out $100,000,000,000. It is really pathetic to find the American people so thoroughly disturbed. Many of them actually believe that Hitler will be over here in 2 or 3 months to attack us.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. REYNOLDS. I have not the floor, but I trust the Senator from Minnesota will yield to the Senator from Illinois.

Mr. LUNDEEN. I yield.

Mr. LUCAS. Mr. President, the Senator from North Carolina made a remark about there not being a sufficient number of hospitals to take care of the veterans of the World War. I hope the Senator does not place upon the Government any condemnation for the treatment which the veterans of the World War in this country have received. I think the country has been quite generous, in view of the tremendous number of hospitals which have been constructed throughout the United States.

There is no comparison between the treatment which the veterans of our country receive and the treatment received by the veterans of other nations.

Mr. REYNOLDS. Certainly not; and, Mr. President, I intended to make no reflection of that kind at all upon our country. I do not understand how the Senator can for a moment gather that I reflected upon the Veterans' Administration of the present administration or the Hoover administration. As a matter of fact, the United States has done more for its veterans than any other government on the face of the earth has done for its veterans. I simply remarked, Mr. President, that now it is 25 years after the World War, and yet we do not have hospital facilities sufficient to accommodate the veterans of the last war, and I know that, because I venture to say unhesitatingly and without personal reflection that my office handles as many veterans' cases as are handled by any other Member of Congress, and time and time again my secretary and I have experienced extreme difficulty in finding accommodations for veterans in whom my office was interested. I agree with the able Senator and I repeat that the United States has treated its veterans better than any other country on the face of the earth has treated its veterans.

I regret, however, to note that the people of the United States are so thoroughly hysterical with respect to Hitler coming here, and this and that.

The other day I was having lunch in the dining room of the United States Senate and one of the colored boys ran up to me with a newspaper in his hand and said, "Senator, do you know that Hitler has took "Cadilas"?

"You mean Calais," I said.

"Yes, Calais. And do you know, Senator, that Mr. Hitler is on the way to Paris?"

"Certainly."

The boy then asked, "When will Hitler be over here?"

I said, "Have not you heard the news yet?"

"No," he replied.

I said, "He is going to address the United States Senate next month." [Laughter in the galleries.]

Many people believe Hitler will be here in a couple of weeks. I received a telegram from a very close friend of mine living in western North Carolina, a man who has had a very large earning capacity, who was so excited that he telegraphed me, "If necessary vote $100,000,000,000 for defense." Another telegraphed me, "If necessary, vote $50,000,000,000 for defense." Another telegraphed, "If necessary vote $10,000,000,000 for defense."

Mr. LEE. The Senator seems to be very sure that Hitler will not come over here if he breaks the Allied line. But does the Senator from North Carolina remember making a statement on the floor of the Senate respecting the neutrality of Norway, which had not heretofore been violated, and yet within a week Norway's neutrality was violated?

Mr. REYNOLDS. Yes. I made the statement on the floor of the Senate that the Scandinavian countries, Norway, Sweden, and Denmark, had maintained their neutrality throughout the entire World War, and yet they were only within a stone's throw of war itself. And I said, "They are going to maintain their neutrality now," and they did. They never violated their neutrality. But who violated it? Hitler himself violated it.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. LUNDEEN. I yield to the Senator for a short statement.

Mr. LUCAS. It will be very short and very much to the point. I wish to ask the Senator from South Carolina——

Mr. REYNOLDS. O Mr. President—North Carolina, if the Senator please. I do not mean by the emphasis I placed on my remark to reflect, and I trust the Senator from Illinois will not think that I thereby reflect upon South Carolina. I have a very deep affection for the people of South Carolina, because as a matter of fact the patriots of South Carolina during the War of the Revolution aided the patriots of North Carolina in winning the Revolutionary War. I may add, since I see the able senior Senator from Tennessee [Mr. MCKELLAR] in the chair, that the patriots of North Carolina during the revolutionary days appreciated immensely the frontiersmen who came from his State to help North Carolina win the Revolutionary War for the American people. If it had not been for North Carolina, today the British flag might be floating over this Capitol instead of the Stars and Stripes.

Mr. LUCAS. Mr. President, I thank the Senator from North Carolina. I regret very much that I made that slight error, and said South Carolina, when I should have said North Carolina. I immediately looked around the Senate Chamber and observed that both Senators from South Carolina were absent, and I was very happy that they were not present in view of that slip of my tongue.

I will state the question I wanted to ask the Senator. In telling his story about the colored boy downstairs, I think the Senator said he told him facetiously that Hitler was going to be here, I think he said, the following month. I wonder whether or not the Senator means that he would be here in the United States Senate if Hitler were to come to the Senate to make an address.

Mr. REYNOLDS. I do not get the inference. I will be very grateful to the Senator if he will be good enough to be a little more explicit.

Mr. LUCAS. I wonder where, in the United States, Senators would be if Mr. Hitler should come to make an address in the Senate.

Mr. REYNOLDS. Of course, there would be no United States Senate if Hitler were to come here and were successful in conquering our country. I wish to state that, in my opinion, I do not think our immediate danger is from without. I think our immediate danger will result from those constituting the "fifth column" who are here in the United States today, the "fifth columnists" and the Trojan horses; in other words, alien enemies. I think our danger is from within. I do not think we are in danger of being assaulted from without for many years to come, because I believe that after the war in Europe is over, all factions who are fighting at the present time will be so thoroughly exhausted that they will not be so foolish as to attempt to cross the Atlantic to make attacks upon this, the greatest Nation upon the face of the earth.

We are preparing now more than ever before, by way of constructing and preparing to construct a perfect national defense. I voted for the defense bills within reason, and I expect to vote for them, because, like the Senator from Illinois, I am desirous of protecting my country from any assault that might come from the south or the north or from the Pacific or across the Atlantic.

I think the sooner we begin to dig down into the pockets of the taxpayers of the United States and withdraw therefrom the cash that is necessary for our national defense, the better, and the sooner that is done the sooner a great deal of this hysteria in America will disappear.

Mr. LUCAS. Mr. President, will the Senator from Minnesota yield to me so I may ask the Senator from North Carolina one more question?

Mr. LUNDEEN. I yield.

Mr. LUCAS. There has been much discussion in the Senate and elsewhere about the hysteria which is prevalent in the United States. I have never heard a single Senator say he was in favor of sending American boys to European soil. Even the distinguished Senator from Florida [Mr. PEPPER] stated he was not in favor of sending American boys to European soil.

I have never yet heard in the cloakroom, in the corridor, or on the floor of the United States Senate, a single Senator say that he would vote to send American boys to fight in Europe. In my opinion that is what the American people are interested in at the present time. They will go the limit to support the American Congress in the defense of this hemisphere or the defense of the Monroe Doctrine, but I have never heard any Senator, either on or off the floor of the Senate, say that he would be in favor of voting for a declaration of war to the point of sending American boys to Europe to fight the battles of some other country. So I do not know where all the war hysteria comes from that we hear so much talk about on the floor of the Senate.

I have never heard it on the floor of the Senate. I have never heard it in the cloakroom; and until some Senator makes an official statement of some kind in the Senate to the effect that he is in favor of a declaration of war, it seems to me that perhaps the talk about hysteria is more talk than anything else. Perhaps it is coming from the floor of the Senate, without any real substance behind it.

Mr. REYNOLDS. I will say to the Senator that I have never heard one Senator say that he would even consider voting for a declaration of war. But the Senator will surely agree that there is war hysteria. I dare say there is hardly a Member of this body who would not agree that there is war hysteria.

Mr. LUCAS. Of course, everyone is concerned about the war, in view of what has transpired across the sea. We see nations which have been neutral for 147 years, as Holland was, and which were spared the wrath of the last war, overrun by German domination. Of course, we are interested in what is going on throughout the world. We are a part of the world. We must be interested. We must discuss war. We must talk about it. We must prepare. But I still think that the people of the United States and the Members of the Senate and House have their feet on the ground so far as this war is concerned, notwithstanding statements to the contrary.

So far as the Senator from Illinois is concerned, I must be convinced of many things before I will ever vote for a declaration of war of any kind. I have made the statement many times—and I now repeat it—"Billions for defense, but nothing for aggression, so far as sending soldiers to Europe is concerned." I am willing to do practically everything within my very limited power as a United States Senator to aid the Allies in their fight short of sending manpower; but I am not willing to support any legislation now before the Senate, or which may come before us in the future, which is tantamount to a declaration of war.

That is the position of the Senator from Illinois: I want my people in the Corn Belt district of Illinois where I come from to know that I am giving every piece of legislation which comes before the committees of which I am a member, and every piece of legislation which comes before the United States Senate, my best and most conscientious judgment, with only one thought in mind, and that is the interest of my country first. Politics is taboo so far as this particular situation is concerned. I honestly believe that America will not participate in the present European war. I am willing to give to this country everything that is within our power to give her so that no hostile foot shall ever tread upon American soil.

Mr. REYNOLDS. I think we are in accord as to that. Billions for defense, but not a drop of blood upon foreign soil.

I thank the able Senator from Minnesota.

Mr. GURNEY. Mr. President, will the Senator yield?

Mr. LUNDEEN. I yield.

Mr. GURNEY. As a matter of information for the Senate, I read an article in the Washington Post this morning which caused me to direct an inquiry to the War Department, and I received the information which I requested. The article had to do with the sale of munitions to the Allies. The information which I requested from the War Department was as to the number of rifles we have on hand at the present time—not on order, but on hand. I find that

there are on hand 40,000 Garand rifles, 895,000 Springfield rifles, and 2,045,000 Enfield rifles.

At this point in my remarks I ask unanimous consent to have printed in the RECORD the article which caused my concern.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TECHNICALITIES ROUTED—DEAL REPORTED TO SEND ALLIES UNITED STATES WORLD WAR GUNS

(By Frank L. Kluckhohn)

The United States will make available at once to the Allies vast stocks of World War rifles, field guns, and ammunition, it was learned yesterday. The way for immediate sale of part of the stocks held by the Army was cleared by a ruling just made by Robert H. Jackson, the Attorney General, who held that the arms could be transferred without violation of international law.

The Army has on hand more than 2,000,000 World War Enfield and Springfield rifles with considerable ammunition for them, and about 5,000 field guns of 75-millimeter caliber with plenty of ammunition. While it is understood that only part of these "obsolete" stores will be made available to Great Britain and France it is reported that at least 600,000 rifles and 2,500 field guns, with ammunition, are included in the program.

While this equipment is regarded as unsatisfactory for the use of this country's Army which is rapidly being modernized, it would permit the British to compensate in part for the losses of equipment the B. E. F. suffered in Flanders. Although old, the rifles and guns are usable. Most of the supplies, it is said in official quarters here, will go to the British.

The Justice and the War Departments refused to comment upon the Attorney General's ruling. It is known to set forth, however, that under a law of July 1919, authorizing the Army to dispose of surplus armaments held at that time, old equipment can be turned over to private American manufacturers in payment for new equipment to be produced. Under American and international law, private manufacturers can sell equipment to belligerent governments.

Under this ruling the question of direct sale of war equipment by a neutral government to a belligerent government will not arise, and competitive bidding in sales to private domestic concerns or individuals will not be required.

In diplomatic circles it was said yesterday that arrangements for the transfer of World War equipment had been completed "in principle." It was not revealed, however, whether details regarding sale and shipment had been fully settled. There was general expectation, however, that shipments would begin shortly.

The Attorney General's ruling applied only to equipment held by the Army in 1919, but it was reported in official circles that moves are under way to make possible the transfer to the Allies of a certain number of planes now in Army service and, perhaps, of naval destroyers.

By a vote of 19 to 2, the Senate Foreign Relations Committee yesterday rejected a proposal by Senator PEPPER, of Florida to authorize sale by the Government of modern military planes, ships, and other equipment to the Allies. This particular proposal never obtained administration support, however, and it was said in some informed circles that the same result might be achieved administratively or through another type of legislation.

In diplomatic circles it was reported that the administration is giving considerable attention to the matter, and several anti-administration Senators were said to be favorable to more general legislation which would permit the Army to dispose of some of its older-line planes and equipment for new equipment now nearing completion if administrative action to attain this result cannot be developed.

Mr. LODGE and Mr. LEE addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Minnesota yield, and if so, to whom?

Mr. LUNDEEN. I yield first to the Senator from Massachusetts.

Mr. LODGE. Mr. President, I should like to say a word of explanation of the amendment which has been before the Senate all the afternoon, of which I am the author, and which strikes out the present limitation of 280,000 on the size of our Army, contained in existing law, and substitutes therefor a top limit of 750,000.

For pressing reasons I shall not be able to be present on Monday, the day on which I understand the amendment will come to a vote. The able Senator from Oregon [Mr. MCNARY] has assured me that he will keep his eye on the amendment, but I should like to have the RECORD contain a very brief statement of my reasons for offering it.

As I said several days ago, I believe we should have an army of 750,000, which would include 176,000 for the Air Corps alone. It would include the number necessary to have mechanized and tank forces of 2,400 vehicles. It is not at all an extravagant figure. It is the Army which I think we should have if we are to go from the small, experimental type of army which we have had to a standing army which is capable of making a major effort immediately.

The theory of our national defense has been that after a declaration of war we would wait weeks and months to get our Army ready. I submit that we must have a force which is available at once, and I have taken the figure 750,000 because it is the figure of the protective-mobilization plan which has been developed by the War Department. It is the figure which the Congress had in mind when it made appropriations during the past 2 weeks for equipment and matériel.

The bills which appropriated money for tanks, machine guns, and all varieties of artillery and ordnance, were to provide the equipment for an army of 750,000 men. I submit it is inconsistent for us to appropriate money for the equipment for such an army and allow a limitation such as exists today to continue on the statute books.

The Chief of Staff, Gen. George Marshall, appearing before a House committee yesterday, said that an enlargement of the Regular Army up to 400,000 men would probably make a mobilization of the National Guard unnecessary in case trouble should arise in the Western Hemisphere. I bring up that point because I know that many Senators are troubled by the proposals regarding the National Guard, and I think it is noteworthy to have the statement of the Chief of Staff that if we build up the Regular Army to a certain extent, then any question of mobilizing the National Guard will be rendered must less likely.

Personally, I strongly believe that we should set the ceiling at 750,000. By voting for my amendment, we merely remove a limitation. We take no practical steps toward such an Army until we appropriate the funds. However, if Senators think that is too much of a jump—and personally I think it is a very modest step——

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. LODGE. I yield.

Mr. WHEELER. Mr. President, instead of increasing the Army at the present time, would it not be much better to give some training to the National Guard during the summer months? There are a number of places where such training can be given, particularly in Massachusetts, where fine equipment is available. I am wholeheartedly in favor of the Government giving training to the National Guard; but I am not in favor of giving anybody the power to send the National Guard out of the country at this particular time. However, I think it would be an excellent thing to call them for duty in the United States and give them some training.

Mr. LODGE. I think it is a good thing to train the National Guard. I agree with the Senator about that.

It has been represented to me that if we were to have the guard under arms for 5 or 6 months it would be a pretty hard thing on a young officer in the National Guard, let us say, who may be married and have a couple of small children. He will be mustered out, and the chances are that he might lose his employment or suffer some other hardship, whereas if we increase the Regular Army we do not have any such difficulties. Moreover, if we increase the Regular Army we do not raise the question which is troubling so many people—of giving the President the discretion in time of peace to call out the National Guard, a function which, if I am correctly informed, has always been a prerogative of the Governors of the States.

I wish to conclude by saying that while I believe that a figure of 750,000 as the strength of the Army is a proper figure, if Senators feel that it would be better to substitute 400,000, of course I should regard that as a step in the right direction.

I am obliged to the Senator from Minnesota for giving me the chance to make this explanatory statement. I hope Senators will read it, and that my amendment will be agreed to.

Mr. LEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Oklahoma?

Mr. LUNDEEN. Mr. President, I have yielded rather freely to others, and there has been an interesting debate

and discussion. While I find myself unable to resist the requests of my persuasive colleagues, I ask that after I yield to the Senator from Oklahoma I may have a few minutes for my own remarks.

Mr. LEE. Mr. President, I must say that the Senator from Minnesota has been most generous with his time, and I thank him.

With regard to the statement of the lovable junior Senator from North Carolina [Mr. REYNOLDS], whose patriotism no one can question, I wish to say that, in my opinion, it is a mistake to belittle a danger which threatens our country. The Senator has made light of the possibility of the Nazis striking at the United States. I believe that is a mistake. He has assured us that there is no danger from Hitler for at least a long time, many years, that he would be too exhausted.

Mr. REYNOLDS. Mr. President, if I may interrupt the Senator——

Mr. LEE. Let me finish the point, and then I shall be glad to have the Senator reply. I merely want to see whether we can rely upon the prophetic ability of the Senator in his assurances of our safety. I read from page 4137 on the CONGRESSIONAL RECORD of April 8, 1940, where the Senator is reported to have said:

> We recall that Norway, Sweden, and Denmark did not get into the last World War. They were within a stone's throw of the war for more than 4 years, but they did not get into it. We were 3,000 miles away, but we got into it. Norway, Sweden, and Denmark are today within a stone's throw of a repetition of the same thing, and they are not going to get into it.

So as a prophet my good friend is still a good friend and a fine man, and his patriotism cannot be questioned; but I doubt the wisdom of making light of the danger which threatens this country. It tends to put the people to sleep. I admire the Senator, but I doubt his prophetic ability.

Mr. REYNOLDS. Mr. President, a few moments ago I was questioned on that very point, and at that time I made an answer which was entirely to my satisfaction. [Laughter.]

OVER A MILLION TRAINED MEN TODAY

Mr. LUNDEEN. Mr. President, I should like to say, concerning the strength of the Army, referred to by the very able Senator from Massachusetts [Mr. LODGE], that there is a misapprehension of the strength of the Army of the United States. Some time ago I wrote a letter to Secretary of War Woodring, and he replied, and I placed his reply in the RECORD. He gave the armed strength of the United States at 624,200, as of January 31, 1940. If we add to that the number in the R. O. T. C. and the C. M. T. C., and the naval strength of the country, we find we have a million fifteen thousand nine hundred and seventy men who can be called to the colors by pressing a button tonight. The figures I have placed in the RECORD are not very generally known. I am in entire sympathy with those who wish to keep the Army in the best of condition. I have served in the Army of the United States and the National Guard for more than 10 years and I believe that we should have a reasonable, sane and sensible defense; but I do not believe in hysterical chatter and all that sort of thing.

AMERICA'S LINE OF DEFENSE—ISLANDS

I think the proposal of the Senator from Massachusetts is a reasonable one considering the times, but there are others who wish to place us in the condition of a nation which is right across the line from some European dictator. The Almighty has placed 4,000 miles of ocean between the dictators and the United States, and if we acquire bases on the Atlantic coast, beginning with Iceland and Greenland, coming down to Miquelon and St. Pierre, down to Bermuda, and down through the British and French West Indies, and past the islands in the Caribbean Sea to the Gulf of Mexico, down to the coast of South America, where we should have defenses in the Guianas—and the military and naval authorities have so requested—if we have that kind of a defense, we will have steeled ourselves against any attack from Europe.

Our naval and air bases will be there, and we will be ready for any attack. We will have the finest aircraft in the world there on land and sea bases. A navy from across the ocean cannot attack land-based planes and the territory they command. These foreign forces must carry their own colliers and refueling vessels with them; they must bring a force three times the naval strength of the United States to attack us over here, as the naval and military authorities have repeatedly said. I cannot conceive of any such strength unless some dictator in Europe should be able to consolidate all the navies. By that time, no doubt, a good part of those navies would be down in Davy Jones' locker. Someone wisecracked the other day about the possibility of the King of England having to review his fleet in a diving suit; and that is perhaps not entirely pleasantry. [Laughter in the galleries.]

NAVIES THREATENED FROM THE AIR

The situation in Europe, as we have watched it, is this—and this is borne out by military and naval authorities—that when a navy approaches within 50 miles or thereabouts, perhaps a hundred miles, of an aircraft base they are in mortal danger. They have to get out of there just as fast as they can—find a way out somehow. They must keep moving. The minute they are stationary they are in great danger from dive bombers and submarines.

I get back now to the question of acquiring these bases. When we have acquired the bases, there is nothing but the great Atlantic Ocean between those bases and Europe.

Now I am straying, perhaps, from the manuscript I had briefly and hurriedly prepared; but I wish to say that every soldier who falls on the western front in France today—and I regret as much as any man in this world the loss of life on both sides, I regret the loss of all these fine young men over there—every soldier who falls weakens the power of his nation just that much. When the war is over, the nations of Europe will be bled white. They will be exhausted and weak beyond their condition at any time in the war up to the signing of peace. They will be in a less favorable position to attack us then than at any other time. World history teaches us that it takes 15, 20, or 25 years for the warring nations, both victor and vanquished, to recover so that they can begin an attack upon a country that is right across their borders.

NO CAUSE FOR HYSTERIA

Well, we are not right across the line. We have the great ice cap on the north. We have the great ice cap on the south.

We have 7,000 miles of Pacific Ocean on the west and 4,000 miles of distance on the east. We have been placed in the most favorable position in which Providence could place any nation on this great earth; and there is no sense in our becoming hysterical, with 130,000,000 people in this country, with a World War army that can furnish several hundred thousand officers. I will not say that that entire army can be put into service now. That would not be fair, although we Spanish-American War men think we could still fight a bit; but perhaps we could only count on several hundred thousand. With an army of over a million that we can call tonight, and with several hundred thousand World War men who can officer an Army, and with the training and the great appropriations we are now making here, I fail to see how any nation or any group of nations can successfully attack this country in this generation.

I have studied the map diligently. Any man who has been an officer in the Army—and there are a number of Senators here who have served in our military forces—knows how we love to study maps. I can find no weak spot, no "Achilles heel" on our map so far as Europe is concerned, except the steps that I have already outlined, from Scotland to the Orkneys to the Shetland Islands to the Danish Faroes, now occupied by the British military forces, and from there to Iceland, now occupied by the British forces, from there to Greenland, and from there to Canada.

ICELAND IS AMERICAN

Those are the only ocean steps from Europe to America. Iceland is a part of the North American Continent, of the

Western Hemisphere—of the American Hemisphere, as I like to call it. I give as my authority for that statement Dr. Vilhjalmur Stefansson, the great Arctic explorer, who wrote the book Iceland the First American Republic. You may go to the geographers in the Congressional Library and they will show you the maps, and they will tell you that Iceland is a part of the Western Hemisphere, and naturally belongs to us; and yet we permit the British military forces there. I am not talking particularly about the British. We should not permit any naval or military establishment there of any country other than our own. Iceland is an American island, and Greenland certainly is an American island.

Let us picture the situation there. Here are Iceland and Greenland. They are only 180 miles apart. You can stand on the mountains of Iceland and see Greenland. You can stand on the deck of a vessel in midchannel between Greenland and Iceland and see them both. That is how close together they are. Iceland is a territory of 39,709 square miles. It has perfect naval and submarine bases. It has a plentitude of land suitable for air bases, and it can absolutely cut off those steps to North America from Europe.

From there you go on to Greenland, an island which is fairly continental in size. It is so wide at its widest point that the distance is the same as from New York to St. Louis. I hope Senators will check my figures. Sometimes we get them wrong. I know I have them right. The length is as great as from the border of Minnesota—my own Minnesota, the North Star State, the 10,000-lakes State—to the Rio Grande. I wish to call the attention of my good friend from North Carolina [Mr. REYNOLDS] to that, and invite North Carolinians to come up to our 10,000-lakes State, and also the residents of other States.

From the north border of Minnesota, where it adjoins Canada, down to the Rio Grande, is the same distance as the length of Greenland. Lindbergh surveyed Greenland. Peary, the great explorer, crossed this great island several times. He sailed around the northern portion of it, and discovered that it was an island. By right of discovery and by right of exploration it is an American island; it belongs to us; and we never should have ceded to Denmark our rights in it when we acquired the Virgin Islands.

It is not too late now, I hope, to negotiate for Greenland.

PAN AMERICAN AIRWAYS SURVEY GREENLAND

I consider the great Pan American Airways one of the finest airway corporations in all the world. Not so long ago it was my pleasure and privilege to participate in the first clipper flight from New York to Ireland and Portsmouth and London, and we flew not far from Iceland and Greenland. I wish to say that the Pan Americans were up in Greenland, and surveyed the situation. They kept men up there watching the meterological conditions, the weather conditions. They found the great central plateau of Greenland perfectly level, just as level as a table. For more than a thousand miles in width and for nearly 1,500 miles in length all the air fleets of the world could land there and be lost in that vast expanse. There are no crevasses in the ice until near the shore line; and the fjords of Greenland are deeper and greater than the jords of Norway. There can be located submarine bases. There are some fjords great enough to hide a fleet; yet we are asleep. Somebody wrote a book about America being asleep. That is where we have been asleep. We should have been wide awake on that subject. We should have acquired this great base.

I will grant that before aviation came, it perhaps was not reasonable, perhaps was hardly sensible, to think of Greenland in connection with development. With advance of aviation, with this great new method of travel, and the all-surrounding air being one mighty ocean around the earth, one traveling from San Francisco to Berlin would cross Iceland and Greenland. Berlin is now approaching 5,000,000 in population, and there will be travel, I hope, in the future, some day, when there is peace.

ACT IN THE LIVING PRESENT

In going to all North Europe, there lies the shortest line of travel, and I highly value the views of the Pan American Airways, of Admiral Peary, and of Colonel Lindbergh. They know—they have the facts. It is time for us to act in the living present.

GERMANY EXPLORES ICELAND AND GREENLAND

Let me say in this connection, that I am not here to try to frighten anyone. However, so long as it is supposed to be in the fashion to frighten people, I suppose I might throw in the remark that the Germans are supposed to be behind every tree, and are going to take us tomorrow morning and fry us for breakfast.

The Germans have surveyed Greenland and Iceland. I have material concerning both Greenland and Iceland which I will place in the RECORD. I was going to read it, but I shall not trespass upon the time of Senators who have been good enough to remain and listen to me, though not much of the time was taken by me in making my statement. We should have American naval bases and American air bases on both islands. The authorities I have cited are unanimous on that subject.

VITAL FACTS ON ICELAND

I wish to say that a few years ago very little had been written about these far distant countries, although Iceland is rather an ancient country. The Irish went to Iceland in 600 or 700, and remained as the only people there for about 200 or 250 years. The Norwegians discovered Iceland through conquest of North Ireland, and the Irish there told them about the island they had up north. Then the Vikings and the Norse went to Iceland. The people are by blood 90 percent Irish-Norwegians. The percentage is 30 percent Irish, 60 percent Norwegian, 2 percent Scotch, 2 percent Swedish, 2 percent English. I have this information from Dr. Stefansson. I do not make this statement based simply on some casual reading. I have had the honor to meet this famous explorer, and he gave me much other valuable information. He has traveled through these regions. The great explorer told me, and those who have studied weather conditions will confirm his statement, that the weather conditions at the southern tip of Greenland are no worse than those of Newfoundland, particularly with respect to fogs. Pan American Airways make flights across the southern tip of Greenland, New Brunswick, and Newfoundland. I presume they have cut off travel there at the present time, but they made many flights there after the flight which a Senate delegation took with members of the Civil Aeronautics Authority, and others. These airways that have been laid out by experts are right along these steps to Europe. Certainly some of these steps are within the western hemisphere, within the North American Continent, and should be under our flag. We should negotiate for them. We should purchase them and take possession before it is too late. If all the threats we are hearing are to be made good some day, then there is all the more reason why we should have our naval bases and our air bases there. That is all the more reason why we should get there first, why we should have them fortified, and have our aircraft there, so that no possible threat to us could be made.

I have stated that it is only 180 miles from Iceland to Greenland, and from Greenland it is only 20 miles to Ellesmereland. Dr. Stefansson told me that he stood in Greenland and through glasses watched an expedition cross over the ice from Greenland and enter Canada. That shows how short the distance is between Greenland and Canada at that one point.

ISLAND BASES FOR DEFENSE

Mr. President, the day and the hour has now arrived when we must survey our coast. We must look to our island bases. I speak not only of the bases to the north, but the island bases around the Panama Canal belonging to Latin-American nations, and within some 1,500 or 1,800 miles of our coasts. These small friendly nations are unable to fortify those islands. They should be surveyed by our naval and aviation authorities, and wherever bases should be planted, they should be established and equipped. We should obtain them by negotiations and purchase, or by some such method, in order that they may be a bastion and a defense for all the American nations.

AMERICAN CONTINENT—POLE TO POLE

Mr. President, I say in all sincerity that I hope the day will soon come when there will be no flags in the American hemisphere, the Western Hemisphere, but American flags. I believe when European flags are out of North and South America, when Europe is once more over in Europe, and all on this hemisphere are Americans, we will have less intrigue, and fewer war plots, and less talk of bringing the capital of England over to Canada, as is suggested in the article written by Pearson and Allen, which I placed in the RECORD of yesterday.

Hysteria has now become so prevalent that we are told that the highest officials in this country are advising the French that they should move their capital to Africa. It is proposed to establish the capital of the French Empire in Africa, and it is suggested that the British may come to Canada and establish their capital there. Very well, if the situation is so serious as all that, we had better look to our Atlantic island bases. We had better look to the Latin-American islands off the west coast of Panama and to the west of Nicaragua.

EUROPE IN THE AMERICAS

Mr. President, in trying to estimate the extent of the territories belonging to European nations we discover that there is some difficulty in finding out how much they own in North and South America. Some surveys do not include the Falkland Islands, which is a key group of islands.

But below the Falkland Islands are the South Shetland Islands, and the South Orkneys, and the South Georgia, and South Sandwich. It may seem that we are traveling a little far south, but we are still in the Western Hemisphere when we consider Antarctica, where Admiral Byrd and other explorers have gone. I believe in insisting on American rights, and seeing that we obtain the territory in Antarctica which belongs to us.

The time is past for America to play Santa Claus to the earth, giving away everything. The time has come to protest the United States and the American people.

Mr. President, when I was interrupted a little while ago I was about to refer to an article by Arthur Sears Henning, which appeared in the Times-Herald of May 17. I intended to read the article, but since I received permission to place it in the RECORD I shall not do so. I will refer to it only briefly. Senators would be particularly interested if they were to read Mr. Henning's statement with reference to the "wisecracking" Britishers who once called us "Uncle Shylock" because we asked payment of their old World War debts. This same type of British mind says the next war will be between the yellow countries——Japan and the United States.

SENDING OUR BOYS TO DIE FOR THEM

That is the thanks we get for lending them billions of dollars and sending our boys to die for them.

Mr. President, my only purpose in calling the attention of the Senate to this matter is to illustrate the words of George Washington, when he warned his country not to show excessive partiality toward some foreign countries and excessive dislike toward others.

Today when our leaders point to the inadequacy of our defense, I remind the Senate that island bases off our shores are necessary for adequate defense. These island bases are of greater defense value than all the billions of dollars we are now so rapidly appropriating. I repeat that these bases which are vital to the defenses of America, are worth all the billions we are now appropriating.

I am proud to support the resolutions offered by the able Senator from North Carolina. I am glad he introduced them, because he is a member of the majority party in the Senate, and a distinguished Senator. I have membership in a minority party. The Senator is more likely to succeed in having his resolution adopted. I wish to see these efforts succeed. I have no pride of authorship in this matter.

To the support of those resolution I give everything I have. In the interest of our country, I hope the resolution may be adopted.

I do not believe that results from the defense appropriations will materialize as we think they will. So far as the appropriations we are now making are concerned, I think that 1940 is out of the picture. I am not alone in that statement. I have authority for it. We shall, indeed, be fortunate if we approach the proposed program in 1941, 1942, 1943, or even later.

PLANLESS DEFENSE

It is now claimed that we have no real defense, after the administration has expended $7,000,000,000 during the past 7 years. In our present hurried, planless defense debacle—and that is what it seems to me to be—no sensible American can take a real pride. It is a planless program. There are no blueprints. Where are we heading, where are we going to wind up, when we cannot even find any real results from the last $7,000,000,000 we appropriated?

We are now talking about lowering the income-tax exemption for a man with a family to $1,800, and for a single individual to $800. We propose to levy an income tax on nearly two and a quarter million people who have never been taxed before. When we do so, let us have something to show for it.

FRONTIERS ON THE RHINE

We could negotiate for these bases and pay for them with a few millions of these enormous appropriations, and really get somewhere. We are slavishly retreating from old-fashioned Americanism, and are patterning after the hysterical statements we have been hearing. The protection and defense of America does not call for foolhardy frontiers on the Rhine, as we have been led to believe. Our frontier of defense calls for island bases off our coasts—the British, Dutch, and French West Indies, and Bermuda. Do not forget, Bermuda is a key to the Atlantic coast. Let me ask the able Senator from North Carolina [Mr. REYNOLDS] how far it is from his State.

Mr. REYNOLDS. It is 534 miles from Kitty Hawk.

BERMUDA, KEY TO UNITED STATES COAST DEFENSE

Mr. LUNDEEN. The distance from North Carolina to Bermuda is 534 miles. The distances from Bermuda run like the spokes of a wheel—toward New York, Baltimore, Philadelphia, and down through the Southern States. Bermuda is a veritable key, and must be under the American flag, with naval bases and air bases.

THE RAMPARTS WE WATCH

These truly American islands must become American possessions and must be established as our first line of defense. They are the ramparts we watch. Some of us are contemplating the day when they will be under our jurisdiction.

Europe must be removed from them by negotiation or seizure. I have before me an article by Raymond Clapper, the columnist, who says we may have to go out with troops and seize these islands. Yet I was ridiculed a short time ago because I quoted Andrew Jackson. The words were not mine. I was quoting Andrew Jackson when he threatened to seize the French West Indies because the French Empire would not pay its debts. Now American columnists in our greatest newspapers are saying that we may have to use troops to go in and take possession of the islands. I am not in favor of doing so unless it becomes necessary. Let us first negotiate peacefully. Let us pay, and give credit, where credit is due, on their World War debt.

Mr. REYNOLDS. Mr. President, will the Senator yield?

Mr. LUNDEEN. I yield.

Mr. REYNOLDS. Let me remind the Senator of a situation which might arise, and which might prove not only extremely embarrassing, but perhaps dangerous. If Hitler should win this war he would claim all the properties in the Western Hemisphere which belong to Great Britain. They include not only the Leeward and Windward Islands, Trinidad, Bimini, Nassau, and Bermuda, but also include British Honduras and British Guiana.

A moment ago the Senator mentioned the Falkland Islands. I understand that there is some misunderstanding between the Republic of Argentina and Great Britain as to the real ownership of those islands. Many persons expect

Hitler to win this war. It is even stated that he has already won, and that it will last only a short time. I will not believe that he has won it until he has actually won it. But, if unfortunately he should win the war, he will claim the islands in the Caribbean, in Central America, and in South America, including Nassau, Bimini, and Bermuda, which the Senator mentioned a moment ago. If we should then attempt to take possession of those islands, of course we should have a war on our hands.

The Senator will recall that after the Spanish-American War in 1898 we seized the Philippine Islands. I believe as a result of that war we also became possessors of Guam, Puerto Rico, and Cuba. We claimed them after the war, because we had won the war. If Hitler should win this war, he will claim the islands about which the Senator is talking, and in addition he will claim British Honduras and British Guiana. He will also claim the Falkland Islands.

Mr. LUNDEEN. Do not forget Dutch Guiana.

Mr. REYNOLDS. That is where the difficulty will arise. Hitler has already conquered the Netherlands, and he will lay claim to Curacao, which, I believe, is the name of the main island, which is being used for refining oil which comes from Venezuela. So, according to the Senator's suggestion, why not carry out negotiations with Great Britain and France, as I suggested to the administration through the introduction of resolutions authorizing such negotiations? The Senator kindly stated that he would support the resolutions.

Mr. LUNDEEN. Mr. President, let me recall that long before this war I submitted resolutions to negotiate with the Netherlands for the purchase of Curacao and Aruba, where there are oil refineries doing an annual business of $125,000,000. A long time ago I suggested that all the Dutch possessions in the Western Hemisphere be acquired by negotiation and purchase. I do not recall receiving very much support for that suggestion until recently. We seem to be regretful of the fact that we did not act some years ago.

MONROE DOCTRINE STRANGELY INTERPRETED

A strange interpretation of the Monroe Doctrine may cause the illegal transfer to foreign lands of Greenland and Iceland. Already Great Britain has occupied Iceland, which is an American island, according to the noted Arctic explorer, Dr. Vilhjalmur Stefansson, who is our greatest expert on these northern territories. The British Ambassador, Lord Lothian, admits through the press that the Monroe Doctrine covers Greenland. So does our President, and so do the geographical experts; but Lord Lothian states that Britain can occupy the island whenever Germany threatens invasion. If we are to judge from the past history of English strategy, Canada, under British direction and as a part of the British Empire, may take over Greenland and perhaps other Western Hemisphere possessions, despite the Monroe Doctrine, which we have established for the protection of this truly American Hemisphere. That is the claim of Lord Lothian. All this will be done under the claim that the Germans threaten invasion.

But suppose the Germans win the war. Where will that leave the islands? Would it not then have been the better part of wisdom to have negotiated for these islands and acquired them at the time I first brought this matter to the attention of the Senate?

This American island would be occupied by a foreign power. It is an American island because it is part of the Western Hemisphere and lies in close proximity to North America.

At this time I wish to quote from the Washington Star of April 16, 1940, relative to Lord Lothian's interpretation of the Monroe Doctrine.

The article in part is as follows:

LORD LOTHIAN SAYS MONROE DOCTRINE COVERS GREENLAND—BRITISH WILL NOT OCCUPY TERRITORY UNLESS NAZIS THREATEN INVASION

Lord Lothian, British Ambassador here, said today he did not expect any British or Canadian occupation of Greenland unless there was a more definite threat of German invasion of the Danish Arctic possession.

The Ambassador said he considered Greenland came well within the Monroe Doctrine, so that possible Canadian occupation of the island would be supporting principles of the doctrine against extension of control in this hemisphere by foreign nations.

He added that there apparently was no immediate danger of Germany attempting to take over Greenland, however, and that he would not expect Canada or Great Britain to act except to protect the island from possible invasion.

SITE FOR AIR BASE

He pointed out that if Germany should gain control of Greenland it might be made an effective base for airplane or submarine warfare in the North Atlantic, which the Allies would be prepared to prevent.

HULL INDICATES AGREEMENT

Secretary of State Hull indicated at his press conference later that this Government agrees that Greenland comes within the scope of the Monroe Doctrine. In response to questions, Mr. Hull said he believed the President indicated the slant of opinion last week when Mr. Roosevelt remarked that from the point of view of ancient history and other considerations, Greenland belongs much more closely to the American than to the European Continent.

The President emphasized at that time, however, that he was viewing the situation more from the humanitarian than the political point of view.

Secretary Hull said he had heard of no plans for extension of United States protection to Greenland, or of any plans for landing forces there by any other powers.

Lord Lothian was asked about reports concerning Greenland when he called at the State Department to confer with Under Secretary of State Sumner Welles and Assistant Secretary of State Henry F. Grady, who is in charge of the reciprocal trade-agreement program.

DISCUSSIONS NEAR COMPLETION

The Ambassador said discussions looking toward settlement of numerous pending disputes between this country and the Allies, growing out of the Allied blockade of Germany, mail censorship, and restrictions on certain imports from this country to conserve foreign exchange, were nearing completion.

He said the British and French economic experts who have been conferring with Government officials here on details of the problems, expected to return to Europe next week and that a joint statement on results of their mission here probably would be issued before they left.

AMERICA MUST BE FREE FROM EUROPE

Mr. President, the Monroe Doctrine seeks American independence from Europe. The Monroe Doctrine is an effort on the part of Americans to resist the web of European politics and the insidious hand which attempts to draw us back into the British Empire orbit, from which we declared our independence in 1776. There are those in that nation who have attempted to align us once again with the so-called mother empire. There are those who predict that we will dutifully go back to the "English wing."

Our ancestors gave their blood, their lives, to create a new country, free from Europe. They established in 1823 a Monroe Doctrine which eventually would enable them to live in the Americas free from European governments and European wars. Now is the time to remember the Monroe Doctrine and apply it in the spirit in which it was conceived.

HENRY CABOT LODGE AND THE MONROE DOCTRINE

Henry Cabot Lodge, a Senator of long experience in foreign relations, and a well-known American historian, stated his conception of the American doctrine, as follows:

It is not a doctrine of international law, and the attempt to discuss it or to oppose it on that ground is a waste of words. Like the independence of this country, it is a question of fact and not of law. The independence of this country is unquestioned, because, having declared it, we compelled the world to recognize it. In the same way we have always acted on the declaration of Mr. Monroe as the guiding principle of our foreign policy. We shall now, I hope, declare it again with the formal sanction of Congress, representing the people of the United States. It is idle to argue either for or against it as a matter of international law, for it requires no such support. We stand by the Monroe Doctrine for the same reason that England upholds Afghanistan and takes the Shan States from China, because it is essential to our safety and our defense. The Monroe Doctrine rests primarily on the great law of self-preservation.

We declare the Monroe Doctrine to be a principle which we believe essential to the honor, the safety, the interests of the United States.

We declare it as a statement of fact, and we must have it recognized as our independence and national existence are recognized by all the world. It must be recognized, because we sustain and support it, and we can no more permit it to be a matter of discussions with other nations than we can afford to discuss with them our national welfare or our forms of government. It embodies for us the same principle as the balance of power so jealously

maintained by the nations of Europe. They will not allow that to be disturbed, and we hold to our balance of power with equal tenacity.

The Monroe Doctrine interferes in no wise with the rights which the principles of international law give to all nations. It does not touch the question of reparation for injuries inflicted upon the subjects of any European power by any of the Central or South American states. We cherish that right jealously ourselves; we do not deny it to others. * * *

The Monroe Doctrine * * * is merely the declaration that no foreign power must establish a new government, acquire new territory by purchase or force or by any method whatever, or seek to control existing governments in the Americas. That is the principle which Mr. Monroe declared. If there is any dispute as to the meaning of his language, it is not needful to dwell upon it. That is what the American people believed he meant. That is the way American statesmen have interpreted it, and that there may be no future misunderstanding, that is what we should declare it to be and have always been by this resolution.

Senator Lodge introduced, and the Senate passed, in 1912, a resolution known as the Lodge corollary to the Monroe Doctrine, which states that no new foreign naval or military stations can be established in America. I quote:

Resolved, That when any harbor or other place in the American continents is so situated that the occupation thereof for naval or military purposes might threaten the communications or the safety of the United States, the Government of the United States could not see without grave concern the possession of such harbor or other place by any corporation or association which has such a relation to another government, not American, as to give that government practical power of control for naval or military purposes.

I have before me a complete history of the Monroe Doctrine and its application, as compiled by the Library of Congress. Their conclusion is that Greenland, as a part of the Western Hemisphere, must be included in our application of the Monroe Doctrine.

Let me call special attention to the evidence we have found which clearly establishes the fact that England wants Greenland, and would seize it at the first opportunity.

GREAT BRITAIN WANTS GREENLAND

In 1917, when we purchased the Danish Virgin Islands, we turned over to Denmark all claims to Greenland which we had established by right of discovery and exploration.

In 1920, before Great Britain recognized the Danish sovereignty over Greenland, Great Britain asked that she have pre-emptive rights in receiving Greenland when and if Denmark wished to dispose of it.

Evidence of Britain's asking for these prior rights to Greenland, which would enable Britain to spread again her control in the Western Hemisphere, are contained in a letter from the Ambassador in Great Britain (Davis) to the Secretary of State. The letter, dated May 20, 1920, states:

Lord Curzon has informed Danish minister that the geographical position of Greenland makes the question of ownership a matter of great importance to the British Empire as a whole and to Canada in particular, and that His Majesty's Government therefore feel obliged to attach to their recognition of Danish sovereignty over it the condition that in the event of Denmark wishing to dispose of the territory she will grant the British Empire the right of pre-emption. Subject to this condition His Majesty's Government are prepared at once to recognize officially the sovereignty of Denmark over Greenland.

AMERICAN STATESMEN OBJECT TO FOREIGN ENCROACHMENTS

To this letter the American Secretary of State (Colby) replied in no uncertain terms. The letter, June 5, 1920, reads:

You may inform the foreign office that at the time the treaty cession of Danish West Indies was signed, August 4, 1916, the Government of United States declared that it would "not object to Danish Government extending their political and economic interests to the whole of Greenland."

The Government, however, is not disposed to recognize the existence in a third government of a right of preemption to acquire this territory if the Danish Government should desire to dispose of it, and accordingly reserves for future consideration what position it may take in the event of a specific proposal for such a transfer.

Charles Evans Hughes, now Chief Justice of the United States, declared that the United States would not recognize or tolerate a third foreign government in Greenland. I quote his letter to the Danish Minister—Brun—dated August 3, 1931:

In this connection, however, I desire to state that owing to the importance of its geographical position, this Government would not be disposed to recognize the existence in a third government of the right of preemption to acquire the interests of the Danish Government in this territory should the latter desire to transfer them.

Of recent date, Representative EDITH NOURSE ROGERS said before the House of Representatives, April 25, 1940:

To so declare our interest prevents any other government from taking possession of Greenland, an act which automatically forces us into difficulties with that government because of our responsibilities under the Monroe Doctrine.

I insert in the RECORD at this point, under the permission heretofore granted me, further matter prepared for me by the Library of Congress on the subject of Greenland.

The matter referred to is as follows:

THE APPLICATION OF THE MONROE DOCTRINE TO GREENLAND

The Monroe Doctrine states:

"The American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by European powers. * * * We should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power we have not interfered and shall not interfere. But with the governments who have declared their independence and maintained it, and whose independence we have on great consideration and on just principles acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power in any other light than as the manifestation of an unfriendly disposition toward the United States * * *."—Bingham, Hiram. The Monroe Doctrine, an Obsolete Shibboleth, p. 3, Yale University Press, New Haven, 1915, (JX1425.B66).

GREENLAND AND ICELAND IN WESTERN HEMISPHERE

By these express terms an attempt by a foreign power to extend its system of government to any portion of this hemisphere would be a contravention of the policy of the doctrine.

However, looking at this language, consideration must be given to what constitutes "this hemisphere." Although there are some inferences that Greenland is not in the Western Hemisphere as far as the application of this doctrine is concerned, the weight of authority would indicate otherwise. Col. Lawrence Martin, Chief of the Maps Division of the Library of Congress, states that—

"The international date line, as the western limit of the Western Hemisphere, solves the problem concerning Siberia, New Zealand, etc., and that the four departures from the meridian of 20° west longitude take care of the situation with respect to the Cape Verde Islands, the Azores, and northeastern Greenland, as well as the view of Stefansson with respect to Iceland * * *." (Appendix of the CONGRESSIONAL RECORD, p. 2188.)

This view places not only Greenland but also Iceland within the Western Hemisphere.

MONROE DOCTRINE NOT A DEAD LETTER

Another argument upon which it might be said that the Doctrine would not apply is the contention that the Monroe Doctrine is a dead letter, no longer effective. Senator Hiram Bingham in substantiation of this theory stated in 1913:

"The very words 'Monroe Doctrine' are fraught with a disagreeable significance from our neighbors' point of view. There is no one single thing, nor any group of things, that we could do to increase the chances of peace and harmony in the Western Hemisphere comparable with the definite statement that we have outgrown the Monroe Doctrine, that we realize that our neighbors in the New World are well able to take care of themselves, and that we shall not interfere in their politics or send arms into their territory, unless cordially invited to do so, and then only in connection with, and by the cooperation of, other members of the family." (Bingham, op. cit., p. 112.)

However, in a later paper Senator Bingham changed his position concerning the doctrine, saying:

"Since we are the only world power in the Western Hemisphere, our duty to ourselves, our desire to preserve our own institutions, and our own independence, as well as our duty to protect the other powers in this hemisphere against possible aggression on the part of European or Asiatic powers, and to prevent such powers from securing bases from which we or any other American republics might be successfully attacked, becomes evident. If Argentina, Brazil, and Chile were world powers, the problem would be different. But they are not yet world powers, nor are they likely to become such until they have followed a rough and rugged road and given proof of their faithful adherence to the cause of liberty as well as of their ability to take their place in world movements. Until such time we must not be accused of selfishness if we deem it our duty to maintain the Monroe Doctrine alone against all comers. (Hiram Bingham, the Future of the Monroe Doctrine, the Journal of International Relations, vol. 10, No. 4, pp. 397–398, April 1920.)

Citing the Monroe Doctrine, by T. B. Edgington, we find instances in which the United States has not interfered where colonization has been made in this hemisphere:

"There are a number of occasions in which the Monroe Doctrine has been asserted, and some occasions in which any assertion of it was omitted or neglected altogether.

"Geographers, in dividing the globe into hemispheres, have placed the dividing line 20° west of Greenwich. This throws all Europe and Africa and the greater part of Asia into the Eastern Hemisphere.

"The Western Hemisphere contains the continents of North and South America, Greenland, a part of Iceland, a part of Siberia, including a portion of Kamchatka and one-half of each of the polar regions. It also contains a large number of islands, some of which, like the West Indies, are near to us, while others are widely scattered.

"Among the distant islands of the Western Hemisphere may be mentioned the Cape Verde, the South Shetland, the Samoan group, the Hawaiian group, the Fiji group, and the New Zealand Islands. Some of the questions which present themselves to the American citizen and statesman are as to what the duties of the Government of the United States would be in respect to the Monroe Doctrine in its application to the colonization and government of these remote islands and sections. There are ice-bound regions so worthless in an economic point of view and so dreary in their isolation that our Government could feel no interest in them. There are islands of the Western Hemisphere so inconsequential and so remote from the lines of ocean traffic that our ships would never visit them. The question is, In case European governments should colonize these regions, some of which are inhabited by cannibals and naked savages, and should they, by their control and management, dedicate them to Christianity and to progress, would it be the duty of the United States to assert the Monroe Doctrine, and, if necessary, go to war with all Europe in its vindication? There can be but one answer to this question, and that a negative one.

"We will refer here briefly to some of the practices of this Government on this question, and in order to avoid partisan bias or prejudice take our illustrations from the practices of both the Democratic and Republican Parties.

"In the year 1840, during the administration of Martin Van Buren, the islands of New Zealand, and in 1871, during the administration of General Grant, the Fiji Islands, passed under the control of Great Britain. They were peopled by cannibals. Great Britain has colonized them and they are now the homes of industry, culture, and refinement.

"Here are two striking examples of the construction of the Monroe Doctrine in the same manner by the Government when respectively administered by each of the great political parties of the country. These two acts of colonization by Great Britain seem to have passed unnoticed by our Government. Not even so much as a protest was offered. The Fiji Island group passed under the dominion of Great Britain only 4 years after the expulsion of the French from Mexico." (T. B. Edgington, The Monroe Doctrine, pp. 302–303, Little, Brown & Co., Boston, 1904.)

The difference seems to be in the position of the territory under consideration. This may be seen from the resolution of Senator LODGE, which was supplemented to the policy of the United States Government.

LODGE COROLLARY TO MONROE DOCTRINE

Mr. Lodge introduced into the Senate, July 31, 1912, Resolution 371 (which subsequently was passed), which read:

"When any harbor or other place in the American Continents is so situated that the occupation thereof for naval or military purposes might threaten the communications or the safety of the United States, the Government of the United States could not see without grave concern the possession of such harbor or other place by any corporation or association which has such a relation to another government, not American, as to give that government practical power of control for national purposes." (J. Reuben Clark, Memorandum on the Monroe Doctrine, p. 176, December 17, 1928.)

If this outlook governs the applicability of the Doctrine to near or distant territories, Greenland would still be a subject of the Doctrine because of its nearness to the United States and its strategic position.

The question as to whether or not the Doctrine would apply to a transfer of Greenland from Denmark to Great Britain by mutual agreement has been considered. At the inception, the Doctrine presented to Congress by President Monroe in 1823 is silent as to the transfer of a colony from one European nation to another. It states only—

"• • • With the existing colonies or dependencies of any European power we have not interfered and shall not interfere." (See J. Reuben Clark, Memorandum on the Monroe Doctrine, p. 180 (S. Doc. No. 114, 71st Cong., 2d sess.), and Albert Bushnell Hart, The Monroe Doctrine: An Interpretation, p. 74.)

However, the principle that such transfers should not be made had been suggested in 1803 and 1810. Prof. Dexter Perkins, the authority on the Monroe Doctrine, says in his study, The Monroe Doctrine, 1826–67, pages 93–94, that the "so-called no-transfer principle" of 1803–10 did not become engrafted to the doctrine until President Polk tied it up with the original doctrine in his message to Congress in 1845, when he stated:

"That it should be distinctly announced to the world as our settled policy that no future European colony or dominion shall with our consent be planted or established on any part of the North American Continent."

Apparently from this interpretation there is no waiver of the policy even for a transfer by mutual consent of the countries that are parties thereto.

It might be of significance to note that Greenland has in the past been within the scope of the interest of the United States. This may be seen from the declaration of Secretary of State Robert Lansing at the time the Virgin Islands were ceded to the United States by Denmark:

"DECLARATION

"In proceeding this day to the signature of the convention respecting the cession of the Danish West Indian Islands to the United States of America, the undersigned Secretary of State of the United States of America, duly authorized by his Government, has the honor to declare that the Government of the United States of America will not object to the Danish Government extending their political and economic interests to the whole of Greenland.

"ROBERT LANSING.

"New York, August 4, 1916."

GREAT BRITAIN WANTS GREENLAND

In 1920, before Great Britain recognized the Danish sovereignty over Greenland, the request was made asking that she have preemptive rights in receiving Greenland if Denmark wished to dispose of it. I quote:

"The Ambassador in Great Britain (Davis) to the Secretary of State

"LONDON, *May 20, 1920.*

"Lord Curzon has informed Danish Minister:

"That the geographical position of Greenland makes the question of ownership a matter of great importance to the British Empire as a whole, and to Canada in particular, and that His Majesty's Government therefore feel obliged to attach to their recognition of Danish sovereignty over it the condition that in the event of Denmark wishing to dispose of the territory she will grant the British Empire the right of preemption. Subject to this condition His Majesty's Government are prepared at once to recognize officially the sovereignty of Denmark over Greenland." Source: Papers relating to the foreign relations of the United States, 1922, page 1 [vol. II] Department of State Publications, No. 1156. Government Printing Office, 1938.

To this the American Secretary of State replied in certain terms:

"The Secretary of State to the Ambassador in Great Britain (Davis)

"WASHINGTON, *June 5, 1920.*

"You may inform the Foreign Office that at the time the treaty cession of Danish West Indies was signed, August 4, 1916, Government of United States declared that it would 'not object to Danish Government extending their political and economic interests to the whole of Greenland.'

"This Government, however, is not disposed to recognize the existence in a third government of a right of preemption to acquire this territory if the Danish Government should desire to dispose of it; and accordingly reserves for future consideration what position it may take in the event of a specific proposal for such a transfer.

"COLBY."

[Foreign Relations, op. cit., p. 2.]

In the same vein, Charles E. Hughes later made statements relative to the possibility of considering the transfer of Greenland to Great Britain:

"The Secretary of State to the Danish Minister (Brun)

"WASHINGTON, *August 3, 1921,*

"In this connection, however, I desire to state that owing to the importance of its geographical position, this Government would not be disposed to recognize the existence in a third government of the right of preemption to acquire the interests of the Danish Government in this territory should the latter desire to transfer them.

"CHARLES E. HUGHES."

Foreign Relations (op. cit., p. 3).

Contemporary interpretations of the applicability of the Monroe Doctrine accord largely with the view that a transfer or taking of Greenland by a foreign power would be a contravention of the policy. In a statement by Representative EDITH NOURSE ROGERS before Congress, she said:

"To so declare our interest prevents any other government from taking possession of Greenland, an act which automatically forces us into difficulties with that government because of our responsibilities under the Monroe Doctrine" (CONGRESSIONAL RECORD, April 25, 1940, p. 5054).

The present official statements regarding this problem are indicative of this same interpretation.

The President's press conference of April 12, 1940, is reported in the New York Times, page 3, column 1:

"The President told his press conference that all questions bearing on application of the Monroe Doctrine to Greenland were hypothetical and premature.

"Referring to the conversation, the President said he was entirely satisfieed from a scientific standpoint that Greenland belonged more to the American Continent than to the European. He told of studying the encyclopedia and other works on Greenland, of having

talked with geologists and geographers. From earliest history and from the character of its flora and fauna, it appeared that the island belonged to the American Continent, Mr. Roosevelt said."

From the Department of State, we find:

"Secretary of State Cordell Hull also put aside all questions, such as regarding the possible future position of Greenland under the Monroe Doctrine and policies that this Government would follow toward Norway and Denmark, as premature." (New York Times, April 12, 1940, p. 3.)

There will undoubtedly be in the near future a further interpretation of the applicability of the Monroe Doctrine to Greenland. From the historical standpoint, the concensus of opinion would indicate that Greenland is one of the countries of the Western Hemisphere that comes within the policy of the doctrine. (M. M. Bennett, May 24, 1940.)

GREENLAND AND ICELAND

Mr. President, in the light of the Monroe Doctrine, and realizing the fact that it was conceived and established for the protection of the Americas from further encroachments of foreign powers into the Western Hemisphere, I wish to dwell at some length on Greenland and Iceland.

I have already placed in the CONGRESSIONAL RECORD of June 15, 1939, fairly complete data on Greenland; and I want to say that at that time I was taken to task by eminent and distinguished Senators because I dared mention the subject of Greenland; yet now we are in a panic about Greenland. I think I am justified in calling our attention to the matter.

Before I proceed any further, let me call your attention to a map drawn by the National Geographic Society, an institution which has gained reputation as an authority on matters of geography. This map, available at the Library of Congress, places Greenland and Iceland within the Western Hemisphere.

GREENLAND—FACTS AND FIGURES

Greenland is American: Greenland belongs to the New World rather than to the Old for several reasons, among them that it is nearer to the continent of North America (Hebron, Labrador to Frederikshaab, W. Greenland, 510 statute miles) than to the continent of Europe (Scoresby Sound to Norway, 1,000 miles), that it is nearer to considerable American islands, such as Baffin (210 miles) and Ellesmere (20 miles) than to any considerable European islands, such as Scotland (950 miles) or Ireland (1,150 miles). When discovered by Europeans it was inhabited by people who had come from the mainland of America, Eskimo Indians.

CHARACTER OF GREENLAND

Interior Greenland is a mass of ice because there are coastal ranges on the east and the west which have captured the snow that makes up the Greenlandic Inland Ice, the only true ice cap now remaining in the northern hemisphere from the ice ages of the past. This ice mass rises somewhat abruptly, from the sea or from coastal lands which are snow-free in summer, to a height of 5,000 to 6,000 feet; and then almost imperceptibly inland to a height of 9,000 and 10,000 feet.

Having the ice there is no doubt in the main a drawback, but it has one important compensatory advantage—through it, interior Greenland is the largest and most nearly perfect airplane landing field in the northern hemisphere (to find anything larger and equally good you have to go to the snow fields of the Antarctic). The margins of the inland ice are crevassed, but there remains an interior plateau "as level as a billiard table" averaging a north-south length of 1,200 or 1,300 miles and an east-west width of 500 or 600 miles. The total length of Greenland from north to south is about 1,600 miles.

Although Greenland is 84 percent ice-covered, by recent estimates, the remaining 16 percent—which changes from winter snow to summer green, like the prairies of Dakota—amounts to about 118,000 square miles, which is more than the total area of the British Isles. The land is prairie in the sense that the prevailing vegetation is grasses and sedges, among them bluegrass and timothy; but it is not a true prairie except in a few places, for most parts are rugged.

There is far more snow-free land each summer near the low north tip of Greenland than near the high south tip; for Greenland snow does not last from one year to the next except in the mountains, or where it has gathered upon a nearby mountain and slid out upon the lowland as a glacier.

Glaciers feed into many of the fjords of Greenland, producing icebergs that drift seaward and are a menace to navigation. There are in Greenland, however, a number of fjords which are not reached by glaciers. Which they are can be seen readily from any of the good new maps; for instance, from the 1937 map published by the Geodaetisk Institut of Copenhagen. These fjords are generally suitable for naval bases, including submarine bases.

CLIMATE

Much of the coastal climate of Greenland is comparable to that of Nome, Alaska—there are parts of the coast which are less barred with ice during winter, others that are more barred, and the north coast inaccessible to ship the whole year. The lowest temperatures taken on the Greenland coast are about like the lowest recorded in New York State and Minnesota. No records yet taken on the Greenland coast are as low as the lowest for Havre, Mont., and Riverside, Wyo.

Aviation: Most authorities seem to agree that flying conditions average good for the year in the northern two-thirds of Greenland, deteriorating southward and being worst at the south tip. However, flight conditions are probably not so bad on the average the year around even in southern Greenland as they are around most coasts of Newfoundland. The very best Greenland flying is probably in Peary Land. Scoresby Sound is recognized as good, and that is about 1,000 miles from Norway; the southwest coast is good between Godthaab and Holsteinsborg. It is some 500 miles from Godthaab to Labrador and a little more from Holsteinsborg to Labrador. Flight conditions are not so good right out on the seacoast where the towns are located, but much better 25 and 50 miles up different fjords. This statement is the average opinion of those who have studied Greenland and would perhaps amount to saying that in winter a strip of coastal land 30 to 50 miles wide would be comparable in average flying conditions to a similar strip along the coast of Maine—except, of course, that Maine is forested inland while Greenland is prairie. In some places the snow-free land on the Greenland west coast is as much as 125 miles wide.

Generally speaking, the coast of Greenland is not well suited to flying boats because there float around in the water ice fragments which, although not a danger to ships, would be a danger to flying boats. Airplanes operating out of Greenland would therefore be chiefly land planes. It is considered, however, that pontoon planes can descend upon the inland ice and take off again with ease and safety. Whether a flying boat could take off similarly from a level snow surface is debated.

NAVIGATION

The ship commerce of the Danes customarily begins during March, reaching then only the southwest coast, and continues on that coast until during October. The season appears to be shorter the farther up you go on the west coast, when once you get north of Disko.

It has been considered that the only feasible ship cultivation of the east coast is around midsummer; but this statement is for small ships not particularly designed for ice work. If there were in use around Greenland craft of the style and size used by the Soviet Union for its northern work, the southern half of the west coast of Greenland could probably be supplied, whether for peace or war, every week during the year. It seems likely also that ships of that type could reach the east coast of Greenland even in winter, though perhaps not at all times.

However, it is not meant that battleships, cruisers, and such ships could work in and out of Greenland harbors in winter—merely that ships could bring in during winter supplies for carrying on airplane or submarine work. For submarines it may even prove that the harbor ice is in winter an advantage, for battleships could not approach near enough to submarine bases to shell them, while the submarines themselves could work freely through submerging in an inner basin artificially kept free from ice, not

taking the surface again until well at sea. (These are not the average views of naval authorities; but they are views strongly held by some good submarine men, both in Europe and America.)

THE HUMAN SITUATION

The current population of Greenland is about 20,000, all but a few hundred, Eskimos. However, many of these Eskimos would remind you, to look at them, more of Will Rogers or Vice President Curtis than of that Chinese type which is typically Eskimo. Natives are self-supporting, so far as food and native-style fuel is concerned, although it is no doubt safer to have a small backlog of staples, cereals, with a few extras to fall back upon in case of local hard luck in hunting on a given fjord.

If a humanely managed limited-profit trading company were to operate in the future somewhat as the Royal Danish Trading Co. has done in the past, Greenland, as it now stands, would just about pay its way.

RESOURCES

No doubt the chief resource of Greenland is the exceptionall rich ocean which surrounds it. Through suitable cultivation, seals, walrus, and other mammals will produce not merely local food but a great deal for export of that fat which, through such methods as those of Denmark, makes margarine so fine that it takes an expert to distinguish it from butter. Then there are in the sea the ordinary North Atlantic fishes. Experimental fishing by the Faroese on the southwest coast of Greenland has demonstrated in recent years the commercial feasibility of developing the industry along lines similar to those of the Newfoundland Banks.

Although there has been export of cryolite, marble, and a few other things, the chief known resource of the land is grazing. Sheep did well in the Middle Ages, when the Norsemen were there, and they are doing well again now—it appears to be a mistake to think that Greenland climate is more severe than it used to be in pre-Columbian times. Then a reindeer industry could be developed similar to that of Lapland. Caribou are, of course, the same animal as reindeer, only with a different name—we call them reindeer if they are domestic and caribou if they are wild; and caribou were found in large numbers both on the east and west coasts formerly. They have been exterminated in some parts by the Eskimos, a few survive in others.

HISTORY

Greenland, visible from Iceland, was sighted by colonists bound for Iceland around 900. It was first extensively explored by Icelanders during the years 908–985, and colonized by some 400 of them who came to the southwest coast in 14 ships during the summer 986. A republic was established about 990. The National Parliament of Greenland adopted Christianity in the year 1000, and the Roman Church was in contact with Greenland thereafter, so that bishops of Greenland were still holding office when Colombus sailed, the last bishop dying in Europe during 1537. The last published official reference to the Greenland Church was by Pope Alexander VI who wrote about it in the winter of 1492, about when Columbus was starting back from the West Indies.

EARLY COLONIZATION

The colonies along the southern half of the west coast of Greenland had eventually a maximum population of about 10,000, according to Professor Finnur Jonsson, of the University of Copenhagen, a foremost authority on the history of Greenland. They had 16 churches, a monastery, a nunnery, and 290 farms. They cultivated sheep specially, but archaeologists have examined stable ruins which show stalls for 100 cows.

Sailings between Europe and Greenland may or may not have ceased completely around 1500 or 1520—on this, see the Stefansson and McCaskill 130-page introduction to The Three Voyages of Martin Frobisher, London, 1938, which summarizes most of the known evidence.

There are two theories of what eventually happened to the Europeans of Greenland. The view is held by many Danes that they became extinct through a combination of causes, while many Norwegians, among them Fridtjof Nansen, consider that the people did not die out, but only their culture—that they intermarried with the Eskimos and became Eskimo in ways of life. Some scholars of other lands follow the Danes and so do a few Norwegians; foreign scholars frequently, and Danes occasionally, side with the Norwegian (Nansen) school.

Danish control of Greenland is usually dated from the arrival there of the Norwegian-born missionary, Hans Egede, in 1722.

Denmark has one of the most creditable records, perhaps the most creditable, in modern history for the relation of a white people with a native race. They have administered Greenland wholly from the point of view of the Eskimos—the interests of individual Danes, or of Denmark as a whole, always being subordinated to what was considered to be the welfare of the natives. Incidentally, what change in policy toward Indians, including the Alaska Eskimos, which there has been during the administration of Mr. Ickes, has been largely in the direction of profiting by the Danish Greenland example.

Admiral Peary, the great explorer of the north region, and through whose explorations we established claims to Greenland, foresaw trouble if an enemy occupied Greenland. I had intended to read extracts from an article written by him in 1916. They are incorporated in an article written by his daughter, Marie Peary Stafford, of Washington, D. C. It is a very able article, and I regret that the hour is so late. Therefore, I will not inflict upon the Senate the reading of the article but will place it in the RECORD.

The article is as follows:

[From the Washington Evening Star of April 21, 1940]

PEARY, IN 1916, FORESAW TROUBLE IF ENEMY OCCUPIED GREENLAND—EXPLORER POINTED OUT VALUE OF DEEP FJORDS IN NAVAL OPERATIONS AND ISLAND AS AIR BASE

(By Marie Peary Stafford)

In view of Germany's complete absorption of Denmark, various questions arise regarding the Danish colony of Greenland.

First of all, what effect on the United States and the rest of the world would a possible Nazi occupation of Greenland have? Second, did the United States overlook an opportunity when, in 1916, we traded to Denmark our rights in Greenland, plus $25,000,000 for the Danish West Indies? And, lastly, what effect would German rule and the breaking of relations with a benevolent Danish Government have on the sturdy race of Eskimos which has so long and so peaceably inhabited this vast island?

The first two of these questions are partly answered by an article written by Rear Admiral Robert E. Peary in 1916, before the negotiations had been completed. Although the claims of the United States to the northern part of Greenland were based on the explorations and discoveries of a series of American explorers, among them Kane, Hall, Hayes, and Greely, Peary's work was by far the most extensive. He twice transected the northern part of Greenland and by his journeys along the northern shore determined its insularity. Therefore, it may be supposed that he wrote with knowledge and authority.

The following is a quotation from his article:

"Greenland is the largest island in the world. Its total length from Cape Farewell, its southern extremity, in latitude 60° N., to Cape Morris Jesup, its northern extremity, in latitude 83° N., is in round numbers 1,500 miles, almost exactly the same length as the United States on the ninety-seventh meridian, from the mouth of the Rio Grande to where our northern boundary crosses the Red River of the North.

"LARGE AS EASTERN UNITED STATES

"The greatest width of Greenland is about the same distance as from New York to St. Louis. In regard to its area, the figures of various authorities vary widely. It may be sufficient to say that as regards area it can be grouped in size with the United States east of the Mississippi, Alaska, Mexico, Colombia, Persia, or Portuguese West Africa. Its interior is covered with a great sheet of ice rising to elevations of probably 10,000 feet in places and several thousand feet in thickness. The available ice-free land is a strip of varying width along the coast, intersected by numerous deep fjords.

"When one turns the pages of American Arctic exploration, Greenland is found more or less intimately associated during over 60 years with all American expeditions except the Jeannette expedition. Americans have lifted nearly all its northern and northwestern coasts out of the Arctic night and fog and have twice crossed its northern part. American names stud its coasts and the name of an American marks its northern extremity, the most northern known land in the world.

"Geographically Greenland belongs to North America and the Western Hemisphere, over which we have formally declared a sphere of influence by our Monroe Doctrine. Its possession by us will be in line with the Monroe Doctrine and will eliminate one

more possible source of future complications for us from European possession of territory in the Western Hemisphere. Will turning Greenland over to Denmark now mean our repurchase of it later, or will obtaining it now mean closing the incident and placing Greenland where it must ultimately belong?

"TRADE WITH PHILADELPHIA

"Greenland is comparatively near to us. For years American ships have conveyed cryolite from the Ivigtut mines to Philadelphia. There is coal and cryolite, probably graphite and mica, possibly gold, in its rocks. With our unlimited means it may, like Alaska, prove a sound and most valuable business investment. The abundance of native coal and the numerous glacial streams which come tumbling into the southern fjords from the great interior ice sheet represent enormous potential energy which might be translated into nitrate and electrical energy, to make Greenland a powerhouse for the United States. Greenland represents ice, coal, and power in inexhaustible quantities.

"And stranger things have happened than that Greenland, in our hands, might furnish an important North Atlantic naval and aeronautical base. A North Pacific naval base for the United States in the Aleutian Archipelago is a recognized possibility. Why not a similar base in the North Atlantic? Cape Farewell in Greenland is but little north of Sitka. It is in the same latitude as St. Petersburg, Christiania, Great Britain's naval base in the Orkneys, and the northern entrance to the North Sea, which Great Britain has patrolled with her warships, incessantly now, summer and winter, for 2 years.

"There are fjords in southern Greenland which would hold the entire Navy, with deep, narrow, impregnable entrances. Thirty hours' steaming due south from Cape Farwell by 35-knot war craft would put them in the trans-Atlantic lanes midway between New York and the British channel. With the rapid shrinkage of distance in this age of speed and invention, Greenland may be of crucial importance to us in the future.

"The present war has shown most strikingly how far-flung may be the regions having a bearing on the struggle. Great Britain's coaling station in the Falklands spelled destruction for Germany's squadron of commerce destroyers. Russia's port of Archangel has been an invaluable gateway for her. Greenland in our hands may be a valuable piece of our defensive armor. In the hands of a hostile interest it could be a serious menace."

Today, 25 years after the above article was written, the points made in it seem so farsighted as to be almost prophetic. By a wise and kindly system of government Denmark has developed a fur and ivory trade with Greenland, which has been immensely valuable. Her chief source of income from this colony, however, has been in the working of the cryolite mines. Although cryolite occurs, to a limited extent in the Ilmen Mountains, at Pikes Peak, and in the Yellowstone, it is in such small quantities that it might almost be said to be found exclusively at Ivigtut. It is of great economic importance and among its many uses is that of a flux for aluminum.

But it is not the potential wealth which we inadvertently let slip through our fingers which concerns us most at the present time. Lindbergh, when he landed in Greenland, commented on the fact that the inland ice made an ideal landing field for planes. With a German air base established in Greenland, what of Canada, and, as far as that goes, what of the United States, since neutrals apparently are not respected except when convenient? It is being demonstrated every day that the fjords of Norway make ideal hiding places for destroyers and battleships. The fjords of Greenland are very similar to those of Norway. With a German submarine base in Greenland, what of shipping and the seacoast towns of Canada and the United States?

PROBLEM OF WHITE INHABITANTS

Looking at a possible Nazi occupation of Greenland from a slightly less personal and selfish point of view, what is to happen to the people of Greenland? Are the Eskimos, who have survived privations, hunger, and rigors of the climate to go down before a ruthless invasion of civilization?

There is still another point to consider. Suppose the Germans are prevented from making any strategic use of Greenland. How much better off will her people be? It would probably be only a short time before the Eskimos themselves would learn to do without the luxuries and delicacies to which they have become accustomed through years of contact with the white man. Tea, sugar, ship's biscuit, even tobacco can be foregone if necessary, and the Eskimos would revert to the simple, healthy, carefree lives which they led before they knew of a world beyond their own snow-covered domain. But there are white people living in Greenland, not just explorers—although there is at least one Danish expedition in the field at present—but Danes who make their homes there as teachers, missionaries, doctors, governors, and nurses. They are more or less dependent on supplies and medicines from the outside world.

If Germany allows no ships to leave Denmark, who is to take care of these people? Outside of the Danes themselves and the Dundee whalers, long extinct in Arctic waters, and a rapidly diminishing handful of navigators, few people know the waters and ice conditions surrounding Greenland well enough to take a ship there.

Perhaps airplanes will be the answer, and perhaps the answer will be that history can and does repeat itself. In the fourteenth century, what had been a fairly prosperous Scandinavian colony in Greenland disappeared completely, and the manner of its disappearance is still one of the mysteries of the Arctic upon which learned men ponder and write articles. Some say it was due to a break-down of commerce with Europe and the consequent impossibility of obtaining what, for Europeans, would have been the essentials of life. Others maintain that the colonists, no longer having behind them the moral support of contact with the outside world, were murdered by the Eskimos. There are several other theories, but no one knows what actually happened, except that the colony, men, women, and children, disappeared completely and forever. Is it possible that this could happen again?

After giving these various matters careful consideration, it may be borne in upon us that Peary spoke truly when, in the same article already quoted, he said:

"Would it not be better if the treaty provisions as to Greenland were reversed and the bargain should take the form of Denmark transferring to us her rights in Greenland and giving us the Danish West Indies and Greenland for $25,000,000?"

Mr. President, under the permission heretofore given me, I place in the RECORD at this point two articles concerning the value of Greenland to America from the point of aviation and economics.

The articles are as follows:

[From the Johnstown (Pa.) Tribune of May 8, 1940]

GREENLAND IN AVIATION PICTURE

Army, Navy, and diplomatic officials are hurriedly imbibing all the scanty information available on Greenland, Iceland, and the American far north. Belatedly they have come to a realization that the polar region may be of vital strategic significance to aviation.

Thomas Burke, the energetic chief of the State Department's Division of International Communications, has been a couple of jumps ahead of his colleagues on this score. His office deals with the foreign aspects of American flying. Some time prior to the German conquest of Denmark and the subsequent general interest in Greenland, he enlisted the services of Vilhjalmur Stefansson, the noted polar authority, to get a "fill-in" on flying conditions in the Arctic area. They are rather different from popular assumptions.

Greenland is more than 80 percent covered by ice. But this ice, so far from being a handicap, is a help to aviation. It provides a vast and almost perfect emergency landing field. Moreover, its climate is one of the best in the world for flying. Save at the margins of the inland ice, fogs and blizzards are extremely rare. Danger from the icing of plane wings is held to be virtually negligible. According to Stefansson, there is less danger in blind or other descents on this enormous landing field than anywhere else in the northern hemisphere. He, along with other experts who have studied it, looks upon Greenland as a safety zone, instead of a barrier, for great circle flights over the polar regions as, for example, from Chicago to Moscow or from San Francisco to Berlin.

In view of what has been learned, aside from the significance of the area in wartimes, it may well be that the intercontinental airways of the future will be over the roof of the world, rather than by the more southerly route over the open Atlantic.

To military men, however, Greenland begins to look like an indispensable bastion for the defense of North America.

GOLD AND SILVER IN GREENLAND ENOUGH TO PAY DENMARK'S NATIONAL DEBT

At a meeting recently held in Viby in Denmark, arranged by the society Open Greenland, a man who has been occupied with Greenland matters for 30 years, Valdmar Madsen, advanced the startling information that fantastically rich gold and silver outcroppings are to be found in Greenland. Mr. Madsen, among other things, made the statement:

"I permit myself to advance the fact that gold and silver sufficiently rich to quickly pay the entire Danish national debt is located at a certain place in Greenland."

It is possible that the field may be yet larger than perhaps even the world's richest field. I can prove my contention and I believe that the prime minister, who never misses a chance to heap contempt upon us, now ought to give me permission to go to Greenland this summer so that I may be able to document the correctness of my arguments with gold in my hands. I therefore hope that the Greenlands Administration will favorably receive my application for permission to enter, which I already have sent in.

A Copenhagen newspaper has submitted the matter to the almighty Greenlands Administration, which, with short shrift, has turned thumbs down on the project of Mr. Madsen who, incidentally, is a master baker by profession. He will not be granted the opportunity to place his feet on Greenland's soil unless a scientific expedition of 20 members jointly with the Greenlands Administration may find him worthy for the undertaking. And there is little possibility that this will ever happen in the "democratic" Denmark of today.

As previously mentioned in this paper, Greenland is to be subjected to a systematic exploration this and the ensuing summers.

Source: Norrona, Winnipeg, Canada, May 25, 1939. Translated by A. W. Nelson.

GREENLAND TEMPERATURES

Mr. President, I shall place in the RECORD a brief table drawn up by the Navy Department giving the comparative temperatures of cities in the United States and various harbors of Greenland and Iceland. It is interesting to note that the January temperature of Duluth, Minn., is 10 degrees below the lowest temperatures for any of the listed cities of Greenland and Iceland. Duluth is in my home State, and is situated at the head of Lake Superior. The annual temperature of Duluth is only 11 degrees above the lowest annual temperature of any Greenland or Iceland harbor listed; whereas we have been led to believe, because we hear the words "Iceland" and "Greenland" associated with a great ice cap, that, of course, no human being can live there, and no life can exist there.

The table is as follows:

Temperatures and precipitation in Greenland and Iceland

Place	Average temperature, degrees Fahrenheit			Precipitation (inches per year)
	January	July	Annual	
Boston, Mass	28	72	50	43
New York, N. Y	31	74	52	43
Seattle, Wash	40	64	51	31
San Francisco, Calif	50	59	56	22
Duluth, Minn	9	65	39	28
St. Paul, Minn	12	72	44	27
South Iceland, Reykjavik	32	52	40	[1] 54
North Iceland, Grimsey	28	45	35	11
Greenland:				
Angmagsalik	17	44	29	36
Ivigtut	19	50	33	45
Godthaab	14	44	28	24

[1] At Vestmano.

Due to the fact that all the stations in Iceland and Greenland are coastal stations they have a maritime climate. The temperature range from winter to summer is not great and changes at a fairly regular rate; compare for example with Duluth. Precipitation is comparable to maritime stations in the United States, except in northern Iceland where it is markedly reduced.

SHOULD WE BUY GREENLAND?

Mr. President, permit me to call the attention of the Senate to an article in Harper's magazine of May 1940, entitled "Should We Buy Greenland?" written by Earl P. Hanson, also a noted authority on the Arctic regions.

Of particular importance is the following statement by him:

One significant difference between the epidemic of flights over the Greenland-Iceland route and the similar one over the open and much stormier Atlantic, was that while dozens drowned in the Atlantic, nobody was even hurt along the more northerly route. Cramer and Pacquette, its only casualties, were drowned in the North Sea in 1931 after successfully flying the route and reaching the Shetlands.

Of Iceland he says:

In Washington Army men scaled off their maps and discovered that Iceland comes within the thousand-mile limit, that Greenland is closer yet, that Greenland is visible from Iceland, Canada from Greenland, that the latter's ice cap is the world's largest and finest natural landing field for airplanes.

I urge all Senators to read this article by Earl P. Hanson, which I place in the RECORD under the permission already granted me.

The article is as follows:

SHOULD WE BUY GREENLAND?

(By Earl P. Hanson)

Rumors have recently appeared in the papers that the United States is thinking of buying Greenland from Denmark. For the time being they will probably come to nothing; this is an election year, and the storm that was once raised over the purchase of "Seward's folly" on the other side of the continent showed that there is political dynamite in the purchase of a supposed mere "useless" clump of arctic ice and snow. Nevertheless, to those who have for years labored tooth and nail for the awakening of public consciousness to the real value of the polar regions in general and the Arctic in particular, our eventual acquisition of Greenland seems almost inevitable.

Seemingly farfetched as an isolated venture, the possible purchase of Greenland begins to take on a measure of sense when considered together with: (1) Our present national efforts in relation to turbulent world affairs; (2) the past 15 years of stirring history in the polar regions; and (3) a glance at a terrestrial globe instead of one of those confounded Mercator projection maps that lose themselves in infinite space when they reach the far north and south.

The recent war in Finland's Arctic is only one of many indications that the world's thinking and pushing have lately marched into the polar regions with seven-league boots. Our own Government expedition to Antarctica is an indication that Washington is not unaware of that movement. In two previous Harper articles—Geography Goes Fluid, and Stefansson: 20 Years After—I have tried to make clear that the polar regions are no longer the ends of the earth; they have become parts of the "inhabited" world, to be included in the inhabited world's political, economic, strategic thinking. How much closer that brings us to Greenland is immediately apparent from a consideration of our major efforts elsewhere.

DEFENSE OF THE WEST

Predominant in our national consciousness today is the thought that we must not only stay out of the modern Thirty Years' War, but must take the lead in doing everything possible to keep the whole Western Hemisphere out of it. The world has shrunk; we are directly concerned with everything that concerns our half of it, and our defense is in a large measure the defense of the West. Military men have proclaimed the principle that modern advances in aviation demand that we prevent the establishment of an air base by any possibly hostile foreign power within a thousand miles, not of the United States proper, but of the North American continent as a whole.

In the north we are showing a fast-growing awareness of Alaska. In 1935 the War Department quietly commissioned Stefansson—by far the world's greatest authority on all things pertaining to the Arctic—to prepare a guide to the Far North and a manual on how our soldiers might get about there and take care of themselves; the war in Finland was an indication of their foresight.

Then, last year, came the Interior Department's famous Slattery report, demanding that something be done about the development of our northern territory. At about the same time the Army and the Navy announced their desire to make Alaska "the most highly fortified region on earth." All that is not done merely to protect the reindeer industry, the salmon fisheries, and Charley Brower's collection of picturesque Eskimos at Point Barrow. It is done in the realization that Alaska is one of the gateways to the American continent, and that its development and defense would safeguard us against aggression from a whole 14 points of the compass, ranging from the north, through the west, to the southwest.

GREENLAND IN THE PICTURE

So Greenland comes into the picture. Balanced against Alaska, on the other side of the continent, it controls the approaches from the north, northeast, and east.

A few years ago such reasoning would have been laughed out of court. The supposedly terrible Arctic was a natural barrier, fit only for the sporting antics of Robert W. Service's heroes and the press agents' intrepid explorer clients, doing dangerous things for science, the movies, and the newspapers. In previous articles I have told something of the course of events and observations through which that illusion was gradually dispelled. Here we need only remember that in 1927 Wilkins made three safe airplane landings on the supposedly forbiding ice of the Arctic Sea; that Wilkins, Amundsen, Byrd, and Nobile all agreed that this sea is remarkably free from storms and not nearly so bitter cold as most people had thought; that there has been an epidemic of land and air expeditions to Greenland to study conditions there, Pan American Airways being especially interested and seeking concessions in 1932; that in 1937 the Russians landed four heavy freight planes not only at the North Pole but all over the floating ice as well, between there and Siberia, and sent two planes on successful nonstop flights to our west coast; and that later Wilkins conducted a 33,000-mile search for Levanevsky, in fall and in the dead of winter, over the very heart of the Polar Sea, and as a matter of everyday unheralded routine.

So the Greenland icecap and the floating ice of the Arctic Sea, although indisputable barriers to surface transport, and therefore natural protections against naval attack, have been revealed as positive boons to aircraft loaded with the materials of peace and war. One significant difference between the epidemic of flights over the Greenland-Iceland route and the similar one over the open and much stormier Atlantic, was that while dozens drowned in the Atlantic, nobody was even hurt along the more northerly route. Cramer and Pacquette, its only casualties, were drowned in the North Sea in 1931, after successfully flying the route and reaching the Shetlands.

Greenland, which faces the Arctic Sea in one direction, and toward Europe in another, is rapidly being changed from a barrier into a gateway to our continent. Those Americans who want to buy it want only to be sure that we can close it, when and if necessary, against undesirable aliens bearing bombs.

VIKING ROUTE

Two reports came over the wires recently that make the potential acquisition of Greenland a matter of more urgent interest. One came from Iceland in March 1939; the other, more recently, came from Canada.

The report from Iceland, since it concerns the Germans, requires a little preliminary explanation. In 1928 an old-time barnstorming flier named Bert ("Fish") Hassell got the idea that he would like to fly from Rockford, Ill., to his ancestral home of Sweden by way of the old Viking route. He came to New York to talk to Stefansson about it. I was privileged to get into things, having just returned from a trip to Iceland to investigate the route's possibilities there. We urged him to look for good weather by keeping well north, near the Arctic Circle, and to remember that the Greenland ice cap,

inside its serrated edges, is as flat as a billiard table and about as hard.

Hassell and Cramer started out, aiming for the Greenland fjord where Hobbs, of the University of Michigan, had prepared a landing field for them. Something went wrong with their navigation, and they hit Greenland too far south. For safety's sake they headed for the interior, ran out of gas, made a safe landing on the ice cap, and spent some 10 days walking out into Hobbs' arms—the first men ever to walk out from a forced landing in the middle of a trans-Atlantic flight. That failure to fly to Sweden gave them opportunity to study Greenland conditions in detail and convinced them of the feasibility of the route.

Over here we saw only the failure; in Germany they recognized the success. Hassell and Cramer were taken to Copenhagen on a Danish ship, together with the University of Michigan expedition. They no sooner got there than an invitation came from Berlin to go down and talk things over. Cramer and Hobbs accepted and went to Berlin to talk about Greenland in glowing terms while officials of the Lufthansa were all ears. It would be foolish to imply that the Americans were the first to make the Germans aware of Greenland's possibilities; but the fact that they called Hobbs and Cramer to Berlin for a conference does indicate the intensity of their alert interest. After that conference the Germans got busy.

The next year, in 1929, the Lufthansa went to Iceland and told its people that it was too bad that they didn't have internal aviation across their own country. (The Germans, who would have loved an air and submarine base near Reykjavik in the last war and the present one, have long had a touching concern for the physical and spiritual progress of the Icelanders.) One thing led to another, and so the Flugfjelag Islands, the Icelandic Aviation Co., was founded, with the Germans owning the major part of the stock. It didn't make money and was dissolved in a few years. But that was a minor matter. The Icelanders, Cramer, and some of the rest of us, were pretty certain that all the Germans wanted was control of the Greenland-Iceland route through control of its focal point. Sure enough, when they went to Iceland last year to make some rather terrifying demands, they invoked an obscure most-favored-nation clause that they had slipped into their contract of 10 years before. Fortunately the Icelanders found a loophole in the contract, by means of which they could legally refuse Hitler.

GERMAN FLIGHTS OVER GREENLAND AND ICELAND

The German flier, Von Gronau, made two flights between Europe and America over Greenland and Iceland. Publicly, he said over here that the route was no good, but it is well known that his official report to Berlin said just the opposite. The eminent German scientist, Alfred Wegener, made two important expeditions to Greenland, making a thorough study of conditions along the edges and on top of the ice-cap. He died up there—of heart failure (he was an elderly man)—but the results of his work are of extreme significance nevertheless.

Hitler has long been interested in Iceland, strategically located only about 600 miles from Britain's northern exposure. For years he has managed a cultural infiltration there that included teaching the Icelanders the grand sport of gliding. If the modern descendants of the Vikings took to the sport with uproarious enthusiasm they were not unaware that Hitler's altruism in bringing it to them also enabled him to take back home a thorough knowledge of Iceland's entire terrain, including the location of every possible landing field. Then, about a year ago, their suspicions were justified.

With a gunboat in nearby waters "to inspect German fisheries," a German commission suddenly appeared in Reykjavik to demand that Iceland give Germany an air base, together with exclusive aviation privileges. The resounding "no" with which the little nation of a hundred and thirty thousand unarmed and unprotected citizens told the bogeyman of Europe to go to hell deserves to be recorded as one of the most courageous acts in modern history, but it didn't prevent a flurry of apprehension here in America.

In Canada the Dominion Government suddenly realized that the establishment of air power in Iceland would put Germany within striking distance of Quebec, Montreal, and Ottawa—with Greenland, so far from intervening as a barrier, serving as a stepping-stone. In Washington, Army men scaled off their maps and discovered that Iceland comes within the 1,000-mile limit, that Greenland is closer yet, that Greenland is visible from Iceland, Canada from Greenland, that the latter's ice-cap is the world's largest and finest natural landing field for airplanes, and that things were getting a little too close for comfort. There perhaps was born the present-day thought that it might be well for us to purchase Greenland.

AIR ATTACK FROM THE NORTH

Then, recently, the report was published in the Saturday Evening Post that the Canadian Government is considering the establishment of aerial arctic patrols stretching from Labrador to Alaska, because the Russian trans-Polar flights proved this continent to be vulnerable to air attack from the north. The fact that such attack must come via the Arctic Sea may also have something to do with the possible purchase of Greenland. The northernmost part of that island, beautiful, low-lying Peary Land, discovered and explored by Americans, covered with grass, flowers, grass-hoppers, and bumblebees in summer, dominates the Polar Sea because it is closer to the Pole than any other land.

Today's rapidly changing ideas about those matters are well illustrated by a couple of conversations that I had in recent years with the famous Canadian, Air Commodore Herbert Hollick-Kenyon.

CANADIAN ARCTIC PRAIRIES

A sane and able technician, one of Canada's oldest and foremost fliers, Hollick-Kenyon has for some 15 years played a leading part in the Dominion's northward expansion by air. Thousands of miles of routine flying to the Arctic coast had convinced him that there is nothing to stop commercial and military aviation in any part of Canada's North at any time of year, summer or winter, except that there are some special short-term difficulties during spring breakup and fall freeze-up. But, like many Canadian fliers, he was nevertheless sure that only fliers near the lunatic fringe would venture out over the Arctic Sea or the Greenland ice cap.

I met him shortly after his return from Antarctica, where he had flown Lincoln Ellsworth part of the way from Graham Land to Little America, and walked with him the rest of the way. He dismissed that expedition with the pertinent remark that he had had much tougher jobs on the Canadian Arctic prairies. Then he added: "Sort of makes you think, though. Now I know that I've been all wrong about Greenland. Antarctica is just like the Greenland ice cap, only larger. Since the job was so easy down there, the Greenland-Iceland flying route may well be by far the best between Europe and America except for the southern one by way of the Azores, and it's much shorter than that."

BETTER FLYING CONDITIONS

That was one significant change of mind, but still Hollick-Kenyon thought that all this talk about flying over the Polar Sea was pure nonsense insofar as any commercial or military implications were concerned. Then Wilkins hired him, in the fall and winter of 1937, to help search for Levanevsky over the very "pole of inaccessibility." On that remarkable job, that covered a distance in the farthest north equivalent to one and a third times around the world at its thickest part, Hollick-Kenyon discovered that flying conditions are not only better in the polar winter, by moonlight, than in summer, but that they are apt to be better at any time of year than at the same time over the northern Canadian mainland, which he had long come to regard as the flyer's natural habitat.

When he returned he said to me: "If the Russians are crazy for talking about an air line from Moscow to San Francisco by way of the Pole, then we Canadians should have been put in padded cells long ago for flying millions of miles and carrying 10 times as many millions of pounds of freight and passengers all over our north in the last 10 years or so. One of these days that story is going to break, and somebody is going to do something about it."

According to recent reports, the story seems just about to break, and the United States seems on the verge of doing something very realistic about it.

SEWARD—ALASKA AND GREENLAND

This is not the first time by any means that Washington has given thought to the acquisition of Greenland, though it may well come close to being the last insofar as this time the thought may be translated into positive action. In 1867, having won the Civil War to the chagrin of England which had sided with the South, Seward spent $7,200,000 of the taxpayers' money on the purchase of Alaska from Russia. He burned his fingers on it too, as on dry ice, because the public couldn't see any value in that "useless" expanse of Arctic wastes. Nothing daunted, he turned to Denmark and made arrangements for the purchase of the Virgin Islands, which for some reason came to nothing for 50 years. Then he turned his attention to the acquisition of Greenland and Iceland—which in those days were both Danish colonies.

The State Department's "A report on the resources of Iceland and Greenland," compiled by Benjamin Mills Peirce, is rare today but can still be found. It was prepared at Seward's request as the first step toward purchase and is an excellent summary of everything then known about those lands. It mentions Greenland's low-lying fringe of grassy meadows, beech and willow, where the ancient Norsemen had once maintained a sheep- and cattle-raising culture for some four centuries, and which today is known to have an aggregate snow-free [in summer] area bigger than England. It goes into what little was then known about Greenland's enormous resources, coal, cryolite, with "indications [since proven] of great mineral wealth." It deals at length with the island's vast store of marine and land animal wealth.

BRITAIN VS. GREENLAND

Most revealing, however, from the historical point of view, is the main reason given for urging the purchase of Greenland. In his letter of transmittal to Seward, Benjamin Walker says: "The proof has heretofore been submitted by me, that the government, recently established in British America, called the Dominion of Canada, was gotten up by England in a spirit of bitter hostility to the United States. * * * By this purchase (of Alaska) we have flanked British America on the Arctic and the Pacific. * * * Now, the acquisition of Greenland will flank British America for thousands of miles on the north and east, and greatly increase her inducements, peacefully and cheerfully to become part of the American Union."

Today there is no need to induce Canada to join us, but there is need to make common cause with her for the defense of the Western Hemisphere.

The political entity that Seward wanted to buy in Greenland was the southern half. The northern half was terra incognita, far less well known that any part of Antarctica is now. Petermann, the world's leading geographer, thought that it reached across the Pole and down the other side, ending in what is now known to be Wrangel Island. Hence, if Seward accepted that geographical reasoning, he thought of buying Wrangel Island just as much as Greenland, and, through purchase, of acquiring the commanding position on the Arctic Sea that Russia now holds through years of intensive development, exploration, and experience.

WRANGLE ISLAND

In 1926 we tacitly gave up the strong rights to Wrangel Island that we once held by virtue of exploration and colonization. A tabloid history runs as follows: The island was first sighted by the British under Kellett in 1849; Captain Long, American, was the first to land on it in 1867; the American, DeLong, proved its insularity in 1879. In 1881 an American naval officer, Lieutenant Berry, spent 3 weeks on it preparing the only map available for 33 years. In 1914 members of Stefansson's Canadian expedition spent several months on it and claimed it for Great Britain. Because of the island's strategic position in relation to future Arctic air lines, this was followed up in 1920 by a British "colonizing" expedition, planned by Stefansson and commanded by Crawford. But Britain didn't want the island, and her interests were therefore taken over by Americans headed by Carl Lomen. We didn't back up Lomen either, and made no objections when, in 1926, Russia sent a gunboat to remove his colony and replace it with one of her own. We saw no "value" in the island.

Today Russia has a colony of some 60 people there, greenhouses, a radio station, a weather station that is of great value to our aviation in Alaska through improving Alaskan weather forecasting, and an excellent airport, which may constitute one of many reasons why our Army and Navy are now intensely interested in the fortification of Alaska.

Just before and after the publication of Seward's report a long string of heroic American explorers firmly established our rights to northern Greenland—rights that were far stronger than those we now have to our part of Antarctica by virtue of discovery and exploration. Kane, Hayes, Hall, and Greeley were names to be conjured with in the long and stirring cycle of Greenland explorations in the latter half of the nineteenth century. Peary crossed northern Greenland in 1892, and again in 1895. The most important of all his life work as an explorer, not even barring his attainment of the Pole, was done in 1900 when he sailed around northernmost Greenland, established its insularity, and thus settled once and for all a baffling geographical problem.

In 1916 the Panama Canal had been completed for some years and we were again interested in the acquisition of the Virgin Islands. As part of the bargain Denmark asked that we grant official recognition to her sovereignty over Greenland.

To her the term, insofar as it indicated a political entity, still meant the southern part where she had for some centuries exercised governmental, police, and economic jurisdiction. She didn't press the point about northern Greenland, but Admiral Peary did. He bombarded members of our Government with letters, explaining our rights there, and begging Washington's statesmen not to give away with a flourish of the pen what we had won in the preceding 50 years through the expenditure of heroic American effort, of thousands of American dollars, and a number of American lives.

But only now is the United States beginning to lose its past reputation for failing to give official recognition to the work of its great explorers with anything but medals and parades. Few nations have been as lax as we in following up the work of those citizens who risked their lives and their fortunes in carrying our flag to the far north and south. To the men in Washington, Greenland was still a mere forbidding clump of polar ice. In the treaty of New York, signed August 4, 1916, we acquired an important strategic base in the Caribbean Sea, and grandly gave away another in the north that may soon prove as important and a thousand times as wealthy.

ICELAND FIRST AMERICAN REPUBLIC

In 1939 Stefansson published a book called Iceland, the First American Republic. There he made the claim that Iceland is in the Western Hemisphere and geographically a part of America. In fact, he gave credit for the discovery of America to the Irish, who reached the American island of Iceland before 795 A. D. as Columbus reached the American island of San Salvador in 1492. The implication of that reasoning is that Iceland, and especially Greenland, comes within the territory covered by the Monroe Doctrine.

As had happened before, his reasoning was widely dismissed as fantastic; later it was found to be not at all new. At the time of his writing, Stefansson was not aware that our own State Department had published similar reasoning some 70 years earlier. In the Seward report referred to occurs the statement that Iceland, which today figures so often in European shipping and naval news, and which is now, because of the war, sending her steamers to New York instead of to Europe, "is 130 miles east of Greenland and 850 miles west from Norway. By location, then, it belongs to the Western Hemisphere, and is an insular dependency of the North American continent."

In his history of the United States Woodrow Wilson advances as the reason for the purchase of Alaska our desire to extend the Monroe Doctrine to still another part of the Western Hemisphere. Apparently he wasn't far off. Today the Monroe Doctrine is being tightened for the progressive isolation of the west from the fighting of Europe and Asia, and the potential purchase of Greenland looms as an important step toward extending it still farther in the north and the east.

The one country that has not been heard from in all this is the present owner of Greenland. Nobody seems to know as yet if Denmark wants to sell, but few people believe that she could hold out if approached or that we can afford to let things go too far along their present course. In every day's newspaper we read that the war is encroaching more and more on the Scandinavian countries; every letter I get from my friends and relatives in Denmark carries the firm conviction that it won't be long before Hitler gobbles up their country. What will happen to Greenland if he does is anybody's guess. Certainly neither Britain nor the United States will let Hitler run it, even through the Danish Greenland office, and certainly we should hate to see Britain carry the war to our very shores by taking it away from him in case he takes Denmark.

In authoritative but unquotable circles in Washington there exists the conviction that we should have to step in and take charge of Greenland if Germany stepped in and took charge of Copenhagen. At the same time there exists the conviction that such action would come regrettably close to being a hostile act in the midst of our present efforts to stay out of the war. Similarly, the story appeared in our newspapers only a few months ago that Secretary Lansing, while negotiating for the purchase of the Virgin Islands, gave the Danes a strong hint that their refusal to sell might compel us to take the islands by force in the event of a German victory in the World War.

The alternative seems to be to take no chances on what the future may bring and to buy while the buying is good. How the Greenland Eskimos would like it is another question. Under Denmark they have had the finest treatment that any aboriginal people has ever had at the hands of a modern nation—with the possible exception of Soviet Russia in her dealings with the Siberian primitives. Under us, unless the frightfulness of our past Indian and Eskimo policies has taught us some lessons, they may well, by being allowed to stay out of the war, become major casualties of the war. That, however, calls for enlightenment of policy rather than for blindness to pressing world issues.

ICELAND IS AMERICAN

Mr. President, I next insert in the RECORD excerpts from a book by Vilhjalmur Stefansson entitled "The First American Republic."

The matter referred to is as follows:

There is much in common, though perhaps more in contrast, between the first American democracy and the greatest American democracy.

The Republic of Iceland is dated from 930, the year in which sectional governments were replaced by a national parliament. We date the United States either from 1776 or 1789—from the Declaration or from the Constitution—so Iceland became a republic either 846 or 859 years ahead of the United States.

It has been contended that Iceland is part neither of Europe nor of America but a midway house between them—or, to use a figure with truer and more picturesque historical meaning, that Iceland is a stepping stone between the Old and New Worlds.

By the convention of Eastern and Western Hemispheres Iceland comes near being a halfway mark; for the line between them is usually drawn through Iceland. That line, however, cuts east of the middle of the island, and there are textbooks which show part of Iceland on the map of the Eastern Hemisphere but all of it on the map of the Western.

To reach Iceland from Europe you must cross a wide sea, long out of sight of land—the distance is more than 500 miles from southeastern Iceland to the nearest large European island, Scotland. But from northwestern Iceland children at play see Greenland when they scramble up the mountains that are only 180 miles from the still higher mountains of the Blosseville coast. In northwestern Greenland you do not have to climb a hill to see the next island west, which is Ellesmere—you do not even have to sail to it, but can walk across, as many Europeans and Americans have done the last hundred years, and as the Eskimos have been doing for one or more thousands of years.

RESOURCES IN ICELAND

Here and there throughout the country are extensive bogs yielding a fair quality peat that is used for fuel, especially in the rural districts. During the present century, up to the Great War, more than 20,000 tons were dug each year. During the war the quantity dug reached a maximum of 48,000 tons, due to the high price of coal and the risk about getting it to the country. Peat output declined to 14,000 in 1935 and has continued dropping since.

That the use of peat declined instead of growing with the increase in population has several reasons. People have more money now than before the war and are better able to purchase coal from abroad. Roads have improved and have been extended so that trucks are used instead of pack horses for bringing coal from the harbor to a farm. Hot water piped to buildings has decreased the need for fuel. Cities have developed municipal electric plants with current so cheap that it is used for cooking as well as for light, and even for heating, particularly on chilly days that come in a generally warm part of the year. Many farmers have developed their

own small electric plants, usually through water power. Between large developments and small individual (farmer) production, Iceland now has probably a higher percentage of electric cooking than any other country in the world.

The forests (brushland most of them would be called in America) are used not only for sheep runs but for fuel. During the first decade of the present century it is considered that 700 tons of firewood were cut, on an average, every year. In 1918 this reached a maximum of 2,600 tons, but has decreased until it has now been at about 1,300 tons for the past few years.

The first hothouse was built in 1913. Now such buildings cover an area of 55,000 to 65,000 square feet. They are chiefly used for growing flowers, tomatoes, and cucumbers. They are kept at optimal temperatures by piped hot water from the thermal springs. In some places the hot water is conducted through the soil to warm it for plants which are in other respects grown in the usual way out of doors.

However, no more than a beginning has been made in the use of subterranean heat for agriculture. There are great possibilities.

The livestock consists mainly of sheep, cattle, and horses, mostly descended from animals brought by settlers from Norway, Ireland, and Scotland.

In proportion to the number of inhabitants, Iceland has more sheep than any country north of the Equator—six to each person—whereas in Bulgaria (which comes next) the average is only one and five-tenths per capita. Iceland is, of course, surpassed in this respect by Australia and New Zealand.

Mr. President, I next call the attention of the Senate to a very able discourse on Iceland written by the noted explorer, Stefansson, already referred to, entitled "Iceland Has a Way!" I have permission to place that article in the RECORD.

The article is as follows:

ICELAND HAS A WAY

(By Vilhjalmur Stefansson)

"Iceland has accomplished more per capita than any other country in the world." Those are words of Fiorello H. LaGuardia, Mayor of New York City, on June 17, 1939. But he said them while sharing in the dedication of the Iceland Pavilion on Iceland Day at the world's fair. One is sometimes extravagant upon such occasions.

Still there are many who have concluded that, within limited spheres, Iceland, with its 117,000 population, is, if not the greatest, at least a remarkable country. One of these is James Bryce, who wrote what many Americans still consider about the most discriminating book on their form of government, The American Commonwealth. He showed in his later book Studies in History and Jurisprudence that many institutions, such as trial by jury, that are commonly supposed to have originated in Britain were borrowed from Iceland by the English. Through his and other studies one sees that it is Iceland and not England which should be called the Mother of Parliaments, for Iceland had a parliamentary government from A. D. 930—one, incidentally, which is still functioning, now in its 1,011th year.

ICELANDIC LITERATURE

It was Bryce, also, who said that there were three great pre-Renaissance literatures in Europe, developed in Greece, in Rome, and in Iceland; and that Icelandic literature, although in his opinion not equal to that of Greece, was superior to the literature of Rome.

As a historical record, this early Icelandic literature is priceless. Small indeed would be our knowledge of the pre-Christian religion that was general over northern Europe were it not for the poetic Edda and the prose Edda. The poetic Edda was composed in part abroad, the rest in Iceland; it was preserved only in Iceland. The prose Edda was both composed in Iceland and preserved only there. Without these two books we would know little of Odin and Thor, Baldur and Freyja, of the ethics, morals, and philosophy of the "Teutonic" religion, its doctrines of fate and of the destiny of men and gods.

EARLY RECORDED HISTORY

Not only do the historians and critics of the ancient religion find their main source in the books of Iceland, but that is true also of those who need the information for lighter purposes; as, for instance, Wagner when he had to turn to Iceland for the literary material behind his Nibelung operas. The history of Norway up to the tenth century is taught in Norwegian schools less from the Norwegian than from Icelandic sources.

In fact, many countries of Europe would have gaps in their histories but for the sagas that were composed, written down, and preserved in Iceland. Russia owes a considerable debt to the sagas. Their value holds even as far southeast as Istanbul (formerly Constantinople), where Icelanders were court poets or bodyguards under the Empire of the East and returned in their middle or old age to have the information which they brought back recorded in what became material for one or another of the Icelandic sagas.

North America, too, is indebted. Icelanders discovered the island of Greenland off the coast of North America, colonized it after 982, established there a republic (functioning through a parliament) about 990, adopted Christianity in 1000, and maintained continuous relations between America and Europe at least to 1347. This relation was partly through trade with northwestern Europe. The Vatican retained its contact until some years after Columbus' time.

DISCOVERIES OF EIRIK THE LUCKY

As said, this relation goes farther south and west than Greenland. For in the year 1000 a man who had been born in Iceland, but who was now a citizen of the Greenland Republic, discovered the North American mainland, in southern Labrador. This discoverer has been well named "Leif the Lucky." Part of the luck of Leif the Lucky was to be the son of a really great man, Eirik the Red, the first polar explorer whose achievements and character are known to us.

All previous explorers, of whatever zone, whose doings found their way into records that have been preserved, journeyed to lands known in considerable detail through hearsay. They were even accompanied by interpreters. The voyage to Greenland was nothing like that. The mountain tops of the island had been seen, true enough, at least as early as 900 by ships voyaging along the west coast of Iceland, and doubtless had been seen also from the mountains of northwestern Iceland. But nothing was known about the country except that it lay to the west.

This makes Eirik the first man whose name we know who sailed to investigate what was, properly speaking, an unknown land. His was also the first known voyage that ever encountered pack ice and made systematic attempts to penetrate it. All previous voyagers had retreated from this form of menace which, so far as we know, had been unknown to all sailors of the British Isles and Scandinavia until after Iceland's discovery.

Like the sailors of later times, Eirik found he could not penetrate the belt of pack ice that tumbles in the polar current flowing southwestward along the Atlantic coast of Greenland. So, like hundreds of ships in later centuries, he had to follow around Cape Farewell to where the ice scattered and he could get ashore.

Eirik's crew were his family and the families of some of his friends; their equipment was their tools of husbandry; provisions were the farm animals on hoof and wing—cattle and sheep for certain, and fowl; goats and swine in all likelihood. Overland transport was to be horses—Iceland ponies.

After being for three summers and winters the first explorer of land farther west than Iceland, Eirik the Red decided to attempt securing colonists for the new land, and, as a first step in his campaign, chose a good selling title. The record has it that "he conceived people would all the more readily colonize the land if it had an attractive name, and so he called it Green Land."

This article is the story of Iceland, not of the vicissitudes of Greenland or of the discovery of North America. But it is part of Iceland's history that for centuries it maintained Europe's contact with the North American mainland and Greenland.

Leif, as said, was a Greenlander when he reached Labrador in 1000. Neither he nor any other Greenlander is known to have been a leader in attempting the colonization of the mainland; but Icelanders, 160 in number, led by Thorfinn Karlsefni, tried to colonize the southward extension of Labrador, called Vinland, from 1004 to 1007. They had spent the winter of 1003–4 in Greenland and reached the mainland by Leif's directions—up the west Greenland shore to Disko (Bear Island), then southwest and south to Baffin Island, Labrador, and the coast southward. With them were a few Greenlanders.

The Indians whom they met, perhaps Algonquins, were almost as well armed as the Norsemen—they were at least equal with the bow and arrow, inferior only as to sword and armor. They had better judgment, too, than their more southerly cousins of later centuries, who first welcomed the Puritans and other Europeans, and began to resist them only when it was too late. The wiser North Americans of the eleventh century started attacking the Europeans during their second year and drove them away at the end of the third season, in 1007.

COMMERCE THROUGH ICELAND

But that did not end the relation between the North American mainland and Europe, for commerce through Iceland remained. The chief item of that commerce no doubt was that ships left Greenland empty, took on cargoes of timber in southern Labrador (perhaps sometimes Newfoundland), and returned with these to Iceland, where they were sold for Irish cloth, Norwegian weapons, and wares from other European countries. Then the ships returned to Greenland.

We do not know how late these triangular voyages continued, for they were so commonplace as not to be mentioned in the annals just as voyages. That they were still going in 1347 we know, because a ship engaged in this trade is recorded as having been wrecked on the coast of Iceland.

Except that the island continued to be literary, preserving through books the religion, history, novels, and poetry of the viking period, Iceland fell into the general backwash of the Dark Ages. With much of the rest of northwestern Europe it shifted from Roman Catholicism to Lutheranism during the sixteenth century. Through two or three centuries thereafter it was, as far as we can tell, a more impoverished land than any in Europe materially, although it always maintained a lead over Europe in percentage of literacy. This literacy was unique in the wide use of pen and ink for the native tongue.

ICELAND ABOLISHING POVERTY

If we accept the common premise that prosperity depends on natural resources, then the economic situation of modern Iceland is a near miracle. For the land has fewer natural resources than any of the democracies, but nevertheless has come nearer than any other democracy to abolishing poverty.

Iceland, a high land in a warm sea, has mountains which capture snow enough to create larger glaciers than any of Europe or of the mainland of Asia. Large parts of the country have a surface of lava too recent for vegetation, while in other parts the grass has been buried in volcanic ash. The coldest seaport town of Iceland is not so cold in January as Portland, Me., and Reykjavik, the capital, is as warm as Philadelphia; but it is nevertheless true that the summers are too cool for agriculture, and the meager soil of Iceland therefore supports no economic vegetation except grass for pasture and hay for winter feed.

In spite of this, the land produces enough meat and milk for its own use, with some products of both for sale to Europe. Wool is a considerable export, and so were horses until recently. Still and all, when we realize that Iceland cannot grow cereals and has none of the important economic minerals, we think of it as a land practically devoid of resources.

ICELAND FISHERIES

But if Iceland's soil is poor, the waters which surround it are rich. To excel them one might have to go to the icy seas that border the Antarctic Continent. This wealth of Iceland's sea not only draws large fishing fleets from many European nations each year but also (and crucially for Iceland) has caused a development through which Icelanders have won per capita leadership in the capture and export of fish and their products.

Before the outbreak of war in Europe, according to an international bureau of fish statistics, the Germans caught 15 pounds of fish for each individual of their population, the French 24 pounds, the English 44, the Scots 70, the Norwegians 815. Icelanders caught 5,104 pounds per inhabitant.

Naturally, the fishing industry is well represented in the memberships of the three Rotary Clubs of Iceland; so also are such allied businesses as ocean shipping, shipbuilding, marine salvage, and marine biology. It was the writer's pleasure to be guest at a meeting of Iceland's first Rotary Club, the Rotary Club of Reykjavik, 4 years ago. The club, then 3 years old, had 29 members; latest reports give it 32. Two more Rotary Clubs have since been established in Iceland—one at Isafjordur, the other at Siglufjordur. It is a safe assumption that the fishing industry is proportionately even better represented in these new Rotary Clubs, for they are located in cities even more dependent upon the sea and its harvests than is the capital city.

SOCIALISTIC ICELAND

It is from almost the sole resources of grazing and fishing that Iceland has abolished poverty. Its percentage of unemployment for several years has been lower than that of France, England, or the United States. Unemployment insurance, old-age insurance, and similar measures are in force. Iceland is advanced also in the effectiveness of its public-health measures. This country which in 1810 had less than one hospital bed for each 10,000 persons now has a free bed for every 110. It is, perhaps, significant that an Icelander, Niels R. Finsen, was the third to win the Nobel Prize in medicine and won it 9 years before a similar honor came to the United States.

The term "the middle way," popularized for the Scandinavian countries by Marquis W. Childs in his book Sweden—The Middle Way, applies to all Scandinavian countries. It is an Americanism for what Scandinavians themselves call socialism. By their own way of looking at it, they have been socialistic for a decade, some of them longer.

In Iceland no single left party has ever had a majority. There were governments of a coalition between a party which featured the development of cooperatives and a party which, though not hostile to cooperatives, favored a gradual development of outright State ownership. At present, however, there is a national government composed of mild capitalists who work with the somewhat larger combined number of the cooperative party and the State-ownership party.

An upper house and a lower house compose the Althing, or parliament. Executive power theoretically rests with the King of Iceland, but he exercises it only through his ministers. Denmark acknowledged Iceland as a sovereign state 22 years ago—in 1918. By that arrangement, Iceland was united with Denmark only in that the King of Denmark was also the King of Iceland. That tie was severed on April 10 when, the Germans having invaded Denmark, the Iceland Parliament declared that the King of Denmark, being a prisoner of a foreign power, was unable to function as King of Iceland and that they would no longer employ the Danish diplomatic service.

Taxes in Iceland are high, much higher than in the United States. Various other methods are employed, however, to distribute and equalize wealth and to keep money in circulation. If one may judge from Government and other figures, a third or a quarter of the people of the United States, potentially the wealthiest nation in the world, live at a lower level (measured in food, clothing, housing, education, medical attendance, etc.) than that of perhaps even a single family in Iceland.

The average well-being of the other Scandinavian countries is about as high as that of Iceland—perhaps higher in one or two cases. But that is not surprising, for some of those countries are rich both in soil and in economic minerals. It is the abolishing of poverty by a land poor in resources which is Iceland's glory.

Perhaps that was what Mayor LaGuardia meant when he said, "Iceland has accomplished more per capita than any other country in the world."

Mr. President, I insert in the RECORD at this point part of an article from the Washington Times-Herald of June 3, and an article from the Washington Evening Star of June 2.

[From the Washington Times-Herald of June 3, 1940]

EUROPE BARRED FROM AMERICAS IN BLOOM BILL—ROOSEVELT PLANNING ECONOMIES IN NONDEFENSE ITEMS

Refusal of the United States to "recognize" or "acquiesce" in the transfer of any portion of the Western Hemisphere from one non-American power to another is provided in a bill introduced late today by Chairman BLOOM of the House Foreign Affairs Committee—with the approval of the State Department, he said. * * *

PROVISIONS OF BILL

The Bloom bill, to be accompanied by a companion measure in the Senate by Chairman PITTMAN of the Foreign Relations Committee, would provide:

"1. That the United States would not recognize any transfer, and would not acquiesce in any attempt to transfer any geographic region of the Western Hemisphere from one non-American power to another non-American power; and

"2. That if such transfer or attempt to transfer should appear likely, the United States shall, in addition to other measures, immediately consult with the other American republics to determine upon the steps which should be taken to safeguard their common interests."

[From the Washington Evening Star of June 2, 1940]

GERMANS HAVE EYES ON ICELAND AS AIR BASE, SAYS STEFANSSON—ISLAND IS IMPORTANT STEPPING STONE TO UNITED STATES, EXPLORER DECLARES

(By Ira Wolfert)

NEW YORK, June 1.—With a British garrison now settled on it, Iceland's character as a powder barrel in an exploding world becomes more discernible.

It is a powder barrel with fuse attached and Vilhjalmur Stefansson, the explorer, historian, and geographer whose most recent book is called "Iceland: The First American Republic," explained in an interview today about the fuse.

Dr. Stefansson made it clear that the Germans have their eyes on Iceland and that the island's major value is as a stepping stone between North America and Europe for airplanes.

President Roosevelt, in his first defense message to Congress, mentioned that Greenland is only 6 hours by air from New England. Iceland, an island about as large as Ohio and with a population of 120,000—90 percent of whom are Norwegian or Irish descent—is less than 1 hour from Greenland.

ALL-YEAR AIR BASE

"It is, also, because of its temperate climate, an excellent all-year-around air base," said Dr. Stefansson. Its average temperature for the coldest month is about that of Philadelphia. In addition, the latest maps of the Danish Geodetic Survey, which would be the most accurate, show that Greenland extends 50 miles farther east than the most easterly point of Iceland."

That would be what makes it a powder barrel. The fuse is an ancient but now more than ever aggravated difference in concept between the United States and Germany as to the place Iceland occupies in world affairs.

"Not many seem to be aware of this," said Dr. Stefansson, "but Secretary of State Seward, at the time of the purchase of Alaska, advocated the simultaneous purchase of both Iceland and Greenland—Alaska to dominate the North Pacific, Greenland and Iceland to dominate the North Atlantic. He was acting on a report compiled at his request by Benjamin Mills Pierce, then head of our Coast Survey. Professor Pierce offered evidence to prove that 'by location, it (Iceland) belongs to the Western Hemisphere, and is an insular dependency of the North American Continent * * *.'

"CALLED NAZI HOLY LAND

"On the other hand, high Nazi officials, in the course of their attempt to oust Christianity from Germany, have described Iceland as their holy land, and in a speech last summer, one of them—Joseph Goebbels, the Minister of Propaganda, I believe—said that Germans of the type who had once made pilgrimages to Jerusalem should make pilgrimages to Iceland to see the shrine of the Teutonic religion."

The Nazis have not let it go with that. In Iceland they have practiced what is now a familiar technique of penetration. Here it can be described as an attempt to make sure that if the god they worship cannot be on the side of the heaviest battalions, the heaviest battalions can be put on his side.

"Under Hitler," said Dr. Stefansson, "Germany began to send teachers—paid by Germany—to lecture at the university and the technical colleges. After that they sent over many athletic instructors who formed classes and vereins and initiated friendly international competitions. Iceland football teams toured Germany, and German football teams toured Iceland.

"Suddenly the Nazis took to encouraging the sport of gliding—flying with motorless airplanes. They sent over instructors and tools and materials. Two years ago they sent over two airplanes, which proceeded carefully to survey and map all of Iceland and its innumerable harbors. Their announced purpose was to aid the sport of gliding The newspapers became alarmed and pointed out at that time that Iceland had confidence in the British Navy.

"GOOD RAIDING BASE

"Iceland is the best raiding point, next to Ireland, against shipping between the United States or Canada and northern Europe. Its harbors offer wonderful protection for seaplanes and submarines and destroyers, and that very likely is why Great Britain garrisoned it during the Norwegian campaign."

Dr. Stefansson, who is consultant on northern operations for Pan-American Airways, pointed out that it was only the outbreak of war which has interfered with the adoption of Iceland as the way station en route across the Atlantic. He said pan American has maintained a meteorological station there for a year now and that the country's "indefinite number of ice-free harbors" offer better opportunities for on-schedule operations all year round than the Azores.

"The fact that the Germans are alert to this is indicated by the interesting history of a certain lost letter," he said. "Long before Hitler, Lufthansa, the German aviation company, was engaged with Icelanders in the operation of a commercial air service in Iceland. The company went bankrupt in 1932, I believe, and the Prime Minister of Iceland, out of gratitude for Lufthansa's efforts, sent a letter promising Germany most-favored-nation treatment in the establishment of commercial air bases.

FEW LAND AIR FIELDS

"In March 1939 a report came to the attention of the German Government that another country was preparing to set up a base in Iceland. The Germans promptly sent a note reminding Iceland of the promise contained in the letter from its former prime minister. They sent the note in the cruiser *Emden*, and two other warships were reported to have come along, perhaps to help carry it.

"The filing system in Iceland, no doubt, is not the best. The prime minister was no longer in office. In fact, he was dead. The Icelandic Government could not find the letter at all. It reported that and added politely that the information of the German Government anent the establishment of an air base by another nation was erroneous. The Germans withdrew."

Dr. Stefansson said that while the great number of harbors were perfect for big flying boats, of the type used as long-range bombers now, there were few land airports in Iceland.

"The Icelanders were deterred from building any by the natural feeling that land airports would merely make their country all the more desirable to a foreign nation."

Mr. President, while I cannot join Dr. Stefansson in his expressed and implied hostility to a friendly power with which we have full diplomatic relations, nevertheless, the article is worth reading, especially the part devoted to scientific data. When the good doctor departs into the diplomatic and international field, he is not quite so successful.

While we are busy berating and lecturing Germany, let us never forget that Great Britain by force of arms occupied Iceland. It is time for America to serve notice on that Empire to get out of Iceland and stay out.

HEMISPHERE DEFENSE

"Hemisphere Defense Is Speeded by the United States." This is an article from the Washington Daily News; and that is really the point I have been driving at in all the months and years that I have made a careful study of the acquisition of these islands. We should take care of hemisphere defense, and another word should be added, so as to make it "American Hemisphere defense." It is the Western Hemisphere, of course; but in time it must become the American Hemisphere. The greatest and most powerful nation in the Western Hemisphere must carry the burden of the defense of these air bases and naval bases.

I place in the RECORD at this point the article to which I have just referred.

The article is as follows:

[From the Washington Daily News of June 4, 1940]

HEMISPHERE DEFENSE IS SPEEDED BY UNITED STATES

The United States today prepared military, economic, and political moves to make the declaration of solidarity of the 21 American nations something more than a scrap of paper.

The major attempt to preserve the status quo in the Western Hemisphere comes at a meeting of the House Foreign Affairs Committee today. It considers a resolution by Chairman SOL BLOOM which would have the effect of writing Monroe Doctrine into law by laying down a policy of nonrecognition by the United States of transfers of Western Hemisphere territory between non-hemisphere nations.

DANGER SPOTS STUDIED

Moves on other fronts included:

1. A survey, in conjunction with Latin American governments concerned, of potential danger spots where "fifth columnists" might seek to undermine a country's stability.

2. A speeding up of machinery to find new markets for Latin-American products to replace those lost as a result of the war.

3. Extension of assistance to Latin American countries to establish new industries.

Representative BLOOM's resolution has State Department approval. Representative HAMILTON FISH (Republican, New York), ranking Republican member of the House Foreign Affairs Committee, approved and said he believed Congress should take steps toward acquisition of all Western Hemisphere islands owned by European governments, "from Greenland to Trinidad."

The British blockade has cut off Argentina's and Uruguay's former markets in central Europe and Scandinavia for wheat, meat, and wool; German submarine activity and the scarcity of ships has seriously curtailed the markets in Great Britain for the same products.

COFFEE MARKETS LAST

The same causes have virtually eliminated the European markets for coffee from Brazil, Colombia, Venezuela, and Costa Rica. Lack of shipping facilities has seriously affected Chile's exports of minerals and nitrates; of Peru's exports of sugar and cotton.

The Inter-American Development Committee is actively studying ways of creating new industries. Brazil is negotiating with United States steel interests for the establishment of a steel plant to work her vast iron-ore deposits and produce steel for industrial development.

NEGOTIATING FOR BASES

The Inter-American Financial and Economic Committee plans to hasten establishment and operation of an inter-American bank which would help to finance development of new industries in Latin America.

Meanwhile, the Army and Navy Journal revealed in its current issue that negotiations are being conducted by the State Department, assisted by Army and Navy missions, to establish naval and air bases in South America, and perhaps in the Portuguese-owned Cape Verde Islands, and to eliminate Germans from the operation of air lines which they control.

Mr. President, I wish to thank the Chair and the Senate for their indulgence at this late hour. I speak in all seriousness to my colleagues. I hope those who are not present may do me the honor at least to examine the information, statistics, and data, which I have placed in the RECORD.

ISLAND BASES FOR DEFENSE

The day may come at some future time when the very life of America will hang in the balance, and the decision may rest on these bases. I may be mistaken; I am only one individual, and of course, my judgment may be at fault. We make many mistakes. I have fortified my files with the statements of admirals and generals and able authorities in aviation and naval affairs that no nation or group of nations can successfully attack us if we have these bases. On the other hand, if we permit foreign countries to take over, for instance, the Orkneys, which might happen if the British Empire were defeated, and the Shetland Islands, then the Faroes, each step only 150 or 200 miles from the next, then another 200 miles from the Faroes to Iceland, then across from Iceland 180 miles to Greenland, and from there only 20 miles to Canada to Ellesmere Land, step by step the European powers would be carried into North America.

Mr. President, that can be prevented. It is not too late, and I am pleading with the State Department and the Chief Executive that we may not be too late in this matter.

In Proverbs we are told that "Where there is no vision the people perish," and I think it is time for a little vision on our part. There were those of us in 1917 who visualized the poverty and destitution and hunger, the malnutrition, the huge burden of debt that would press down upon the shoulders of our children and our grandchildren. We foresaw the pensions; we foresaw that if the United States entered the World War in 1917 we would be drawn perhaps into a succession of wars, and I so stated on April 6, 1917, on the floor of the House of Representatives. Today, no one disputes my words of that hour. Though we passed through the fires of persecution, we were correct, because we stated the truth.

EUROPE OUT OF AMERICA

We must have an American policy, and that American policy must be the policy of Washington and Jefferson, and Madison and Monroe, it must be the policy which every great statesman in this country has pursued like a golden thread down through the decades of American history. We have laid down the policy, "Europe, keep out of South and North America, and we will keep out of Europe." That has

been our policy, and the minute we depart from that policy we are in difficulty, and endanger the Republic.

Whenever I go down Pennsylvania Avenue and pass the old National Hotel, the old structure where the National Guard of the District of Columbia is now housed, I think of Henry Clay when he used to live there. History tells us that once there came to him the great Hungarian patriot, Louis Kossuth, who pleaded with Henry Clay to use his powers of eloquence and his great talents of persuasion to convince the American people that they should help the Hungarian patriots on to liberty and independence. The great orator from Kentucky listened, and when the Hungarian patriot had concluded his remarks, I cannot recall the exact words, but in effect Henry Clay said:

We, the American people, sympathize with the Hungarian patriots. We wish them well in their endeavor to achieve liberty and independence. But, if we entered the European scene with our armed forces, if we threw our might and strength into the balance over in Europe, what if we should sink with the European powers with which we allied ourselves? Who then would hold aloft the light of liberty to the world?

"WORLD POLICING"

Of course, we have come upon other days, and we are now in an era of world saving. We are going to save the world; we are going to police the world, and we are building battleships costing approximately $100,000,000 apiece. We should remember that every time we build a battleship costing $100,000,000 we have to multiply that dollar for dollar, because of the necessity of having submarines, aircraft, and fast surface vessels, to protect the dreadnaught from being sunk. That is the statement of the naval authorities.

Perhaps Henry Clay was right, that we should not endanger the liberty and strength and power of this great American Republic, which was handed down to us by our forefathers great and strong and powerful, and practically without debt at one time. During Andrew Jackson's administration there was no national debt. I recently visited the Hermitage, in the State of the able senior Senator from Tennessee [Mr. McKELLAR], who now presides, and I have great reverence and great respect for the glorious history of Jackson. I should like to have Senators and the Nation follow his ideas in regard to foreign affairs. They were the ideas of Jefferson and Madison and of Monroe. But perhaps the world saviors, the world police, will not listen to that.

If we pursue any other policy, our boys will be dying upon the battlefields of every nation around this great globe. What I am trying to do now is to bring back American thought to our own hemisphere, to our own island bases, to our own shores. If I had my way about it, I would bring every one of our warships home from Europe, Asia, and Africa, and I would station our fleet on our own shores. I would have our great strength around this beloved American continent and this great American Republic, instead of sending our ships roving over the earth, where they may get into the line of fire. We are an emotional people, and are easily stirred, and we may be drawn into war because of incidents. So far as I am able, with whatever strength I may have, I will urge that we return to our own country and to the interests of our own people at home.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. LUNDEEN. I yield.

Mr. WHEELER. I understand from some of the newspapermen that the Navy has just announced that 50 airplanes have been turned back to one of the airplane companies so that they may be sold to the British Government. These were planes which were being built for the Government of the United States.

I stated a while ago that we were following in our footsteps of the period between 1914 and 1916. I am afraid that I was not correct in that, because I know of no occasion when the administration in charge of the Government of the United States between 1914 and 1917 either sold munitions directly to one of the belligerents, or sold to some private individual so that he in turn could sell to one of the belligerents.

Mr. LUNDEEN. I thank the able Senator from Montana for his statement and for directing the attention of the American public to this subject. I especially appreciate what he has said because of his eminence in American affairs.

Let me say in all seriousness that there may be some truth in the statement of Henry L. Mencken, published in the Baltimore Sun not long ago, when the headlines read, "Do not tie up to England. You may be tying up to a corpse."

THE HISTORY OF EMPIRES

Mr. President, we do not hope for that to occur. We want to see England live. We in America, where there are so many good people of British blood, hope that will not occur; we wish no ill to any nation. But why should we imperil this great Nation by tying up with an empire which may be dying?

All empires rise and then go down. That has been true throughout all the history of the world. Are we to load their troubles and burdens upon this great Republic and carry them down through the ages? As much as we respect the glorious part that Britain has played in history, it certainly is not the duty of the American Republic to assume such burdens. And certainly we are not going to give any blood or money to any of these contestants if I can prevent it by my vote.

So, when we come to the question of protecting America, let me say that the most important act, the most important negotiation, that can be had in this hour is to acquire island bases on the east coast and the west coast and put our ablest aviation experts at work to develop such bases—air bases and naval bases—so as to make this great Nation of ours invincible from any and all foreign attack.

RELIEF OF CERTAIN DISBURSING OFFICERS OF THE ARMY

Mr. REYNOLDS. Mr. President, on April 10, 1940, the Senate, during a call of the calendar, passed Senate bill 3195 for the relief of certain disbursing officers of the Army of the United States and for the settlement of individual claims approved by the War Department, which was transmitted to the House, and on April 12 was referred to the Committee on Claims in that body. On May 29, 1940, the House of Representatives passed an identical House bill, H. R. 8096, instead of taking up and passing the Senate bill, which had been sent over to that body 6 weeks previously.

In order that the same bill may pass both Houses, and be presented to the President, I ask unanimous consent that the House bill may be taken up for consideration and passed. The two bills are identical.

Mr. LODGE. Mr. President, will that require action on the Senate bill?

Mr. REYNOLDS. No; I do not think so. What I ask is merely the passage of the identical House bill. We passed the Senate bill, according to the information I have received from the clerk. We sent it to the House, and as they sometimes do, they passed an identical bill, and sent it to the Senate.

The PRESIDING OFFICER. The Senate bill is in the House. Of course, the House bill is here, and it can be acted upon if it is desired to act upon it.

Mr. LODGE. And the bill which the Senator desires passed is identical with the one which was previously passed by the Senate?

Mr. REYNOLDS. Yes; identical.

Mr. LODGE. I have no objection.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Carolina?

There being no objection, the Presiding Officer laid before the Senate the bill (H. R. 8096) for the relief of certain disbursing officers of the Army of the United States and for the settlement of individual claims approved by the War Department, which was read twice by its title.

The bill was considered, ordered to a third reading, read the third time, and passed.

EXECUTIVE SESSION

Mr. HATCH. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. McKELLAR in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

Mr. HERRING, from the Committee on Banking and Currency, reported favorably the nomination of Edward C. Eicher, of Iowa, to be a member of the Securities and Exchange Commission for the term expiring June 5, 1945 (reappointment).

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state in order the nominations on the calendar.

DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk read the nomination of Harold L. Williamson, Foreign Service officer of class 4 and a secretary in the Diplomatic Service, to be also a consul general.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Roy L. Perkins, Foreign Service officer of class 8 and a secretary in the Diplomatic Service, to be also a consul.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. HATCH. I ask unanimous consent that the nominations of postmasters on the calendar be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

IN THE NAVY

The legislative clerk proceeded to read sundry nominations in the Navy.

Mr. HATCH. I ask that the nominations in the Navy be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Navy are confirmed en bloc. That concludes the calendar.

RECESS UNTIL MONDAY

Mr. HATCH. As in legislative session, and in accordance with the order previously entered, I move that the Senate take a recess until Monday next.

The motion was agreed to; and (at 6 o'clock and 45 minutes p. m.) the Senate took a recess, the recess being under the order previously entered, until Monday, June 10, 1940, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate June 6 (legislative day of May 28), 1940

DEPARTMENT OF COMMERCE

Charles E. Jackson, of South Carolina, to be Deputy Commissioner in the Bureau of Fisheries. Reappointment.

PROMOTIONS IN THE NAVY

MARINE CORPS

Lt. Col. John M. Arthur to be a colonel in the Marine Corps from the 14th day of August 1939.

Lt. Col. James T. Moore to be a colonel in the Marine Corps from the 1st day of October 1939.

The following-named captains to be majors in the Marine Corps from the 14th day of August 1939:

William P. Kelly	Robert J. Straub
Pierson E. Conradt	Robert O. Bare
John W. Lakso	Raymond A. Anderson
William R. Hughes	Walter J. Stuart
Thomas B. White	James H. N. Hudnall
Maxwell H. Mizell	Alexander W. Kreiser, Jr.

Capt. Thomas C. Perrin to be a major in the Marine Corps from the 21st day of August 1939.

The following-named captains to be majors in the Marine Corps from the 1st day of October 1939:

Lenard B. Cresswell
Thomas J. McQuade
Kenneth B. Chappell

The following-named captains to be majors in the Marine Corps from the 1st day of November 1939:

Arthur W. Ellis
Edwin C. Ferguson
Homer L. Litzenberg, Jr.

Capt. Wilburt S. Brown to be a major in the Marine Corps from the 1st day of January 1940.

The following-named captains to be majors in the Marine Corps from the 1st day of April 1940:

Floyd A. Stephenson
Samuel S. Ballentine
David K. Claude

First Lt. Clyde R. Nelson to be a captain in the Marine Corps from the 1st day of July 1939.

The following-named first lieutenants to be captains in the Marine Corps from the 14th day of August 1939:

John P. Condon	Lawrence B. Clark
Joseph P. Fuchs	Lehman H. Kleppinger
Bennett G. Powers	John E. Weber
Harry W. G. Vadnais	

The following-named second lieutenants to be first lieutenants in the Marine Corps from the 3d day of June 1940:

John G. Walsh, Jr.	Robert F. Ruge
Arthur W. Fisher, Jr.	John R. Lirette
Joseph A. Gerath, Jr.	Owen A. Chambers

CONFIRMATIONS

Executive nominations confirmed by the Senate June 6 (legislative day of May 28), 1940

DIPLOMATIC AND FOREIGN SERVICE

Harold L. Williamson, now a Foreign Service officer of class 4 and a secretary in the Diplomatic Service, to be also a consul general of the United States of America.

Troy L. Perkins, now a Foreign Service officer of class 8 and a secretary in the Diplomatic Service, to be also a consul of the United States of America.

PROMOTIONS IN THE NAVY

TO BE CAPTAIN

Robert S. Haggart

TO BE COMMANDERS

Adrian O. Rule, Jr.	Francis P. Old
John L. Reynolds	William H. Wallace
Dorrance K. Day	Forrest M. O'Leary
Paul L. Mather	Benjamin P. Ward
Clarence H. Pike	John F. Rees
Henry S. Nielson	James B. Carter
Alf O. R. Bergesen	John B. Mallard
Lyman S. Perry	James L. Wyatt
Paul R. Heineman	Hugh W. Turney
Maurice E. Curts	Russell C. Bartman
Allen Hobbs	Robert Holmes Smith
William H. Buracker	Oscar A. Weller
Harold F. Fick	Robert E. Melling
Paul W. Steinhagen	

TO BE LIEUTENANT COMMANDERS

Ernest St. C. von Kleeck, Jr.	William G. Beecher, Jr.
Donald C. Beard	Hamilton L. Stone

Thomas G. Reamy
Knowlton Williams
William C. Schultz
Charles A. Bond
Harry F. Miller
John O. Lambrecht
Thomas Burrowes
Donald C. Varian
Harry H. Henderson
Charles S. Weeks
Kenneth C. Hurd
Hunter Wood, Jr.
Joseph H. Wellings
William R. Headden
Barton E. Bacon, Jr.
Paul C. Crosley
James M. Hicks

TO BE LIEUTENANTS

Joel C. Ford, Jr.
John H. Kaufman
William R. Franklin
William L. Richards
Francis D. Foley
Paul H. Harrington
William M. Ryon
Richard V. Gregory
Alfred L. Cope
Richard C. Williams, Jr.
Harold L. Sargent
George W. Kehl
Wallace H. Weston

TO BE LIEUTENANTS (JUNIOR GRADE)

Carl H. Amme, Jr.
Charles E. Gibson
Henry A. Rowe
Terrell H. W. Connor
Carl R. Hirschberger
Warren W. Ford
Harvey P. Lanham
Oliver M. Ramsey
Patrick H. Hart
Joseph A. Dodson, Jr.
Morton H. Lytle
David E. Dressendorfer
Vincent F. McCormack
Raymond A. Moore
Donald D. Patterson
Charles E. Lake
Theophilus H. Moore
Robert F. Farrington
Stockton B. Strong
Thomas E. Edwards, Jr.
Warren C. Hall, Jr.
Harold D. Shrider
Lloyd F. Jakeman
Robert L. Savage, Jr.
Frank A. Patriarca
Leonce A. Lajaunie, Jr.
John M. De Vane, Jr.
John C. Kelly
Robert M. Ware
Francis W. Ingling
Paul J. Riley
William A. H. Howland
Geoffrey P. Norman
Thomas J. Nixon 3d
James N. Mayes
Charles R. Dodds

TO BE PAY INSPECTOR

Louis A. Puckett

TO BE ASSISTANT PAYMASTER

John W. Neel

TO BE NAVAL CONSTRUCTOR

Frederick G. Crisp

TO BE ASSISTANT PAYMASTERS

Robert W. Carter
Ira F. Haddock

POSTMASTERS

GEORGIA

Alene W. Moxley, Cobbtown.
Alma Bustle, Coolidge.
John L. Callaway, Covington.
Robert A. Fowler, Fort Gaines.
Helen U. Kent, Glenwood.
Ursuline Belcher Ingersoll, Industrial College.
Arthur G. Williams, Jesup.
Pearl E. Hughs, Stillmore.
Claude M. Proctor, Summit.
William H. Freeman, Toomsboro.

INDIANA

Clyde B. Oberlin, Butler.
C. Dudley Watson, La Crosse.
Jeannette Manifold, Mooreland.
Albert E. Sewell, Pleasant Lake.
Guy R. Sears, Red Key.
Fonzo Martin, Shelburn.
Elijah A. Gebhart, Warren.
Dorothy B. Schirr, Westville.
James D. Arnold, Winslow.

LOUISIANA

Albert B. Coroy, Gonzales.

MARYLAND

M. Elizabeth Acree, Capitol Heights.
Morgan H. Baldwin, Crownsville.
Benjamin F. Johnson, Denton.
Clayton F. Porter, Greensboro.
Herbert A. Wrenn, Lanham.
Alfred F. Gough, Leonardtown.
Charles E. Nikirk, Middletown.
Ethel W. Gallagher, Preston.
Madeleine L. Bosher, Riverdale.
Elizabeth E. Wood, Sandy Spring.
Basil Frank Dorsey, Woodbine.

NEW HAMPSHIRE

Arthur A. Croteau, Marlboro.
Edward A. Davis, North Conway.
Edward W. Clement, North Woodstock.
Louis T. Pike, Pike.
Charles L. McGinness, Troy.

NEW YORK

Barthold C. Hadel, Amagansett.
Agnes G. Polley, Andes.
Curtis Van Valkenburgh, Arkville.
Chester T. Burnett, Burdett.
Timothy B. Ryan, Chateauguay.
Purdy A. Kinkaid, Cohocton.
Melvin C. Bundy, Cooperstown.
John H. S. Griffin, Delhi.
Frank P. Morstatt, Garnerville.
Anna C. Allen, Groveland.
Ethel M. Martin, Hamlin.
Rita McGoey, Hartsdale.
Antoinette Ducharme, Lyon Mountain.
Albert A. Morse, Moravia.
Lewis N. S. Rockwell, Otisville.
Bernard H. Powers, Oyster Bay.
Eugene B. Gormley, Phoenicia.
Frank P. Bakutis, Quogue.
Cecile G. Taylor, Sloatsburg.
James J. Collins, Water Mill.
Oliver Townsend, West Coxsackie.
George M. Allen, Worcester.

NORTH DAKOTA

John Urbon Pavlik, Buffalo.
Joseph M. Moen, Galesburg.
Ethel E. Hall, Hettinger.
Bernhard C. Hjelle, Mercer.
Mary J. Dunbar, Souris.
Alice G. Russell, Thompson.
Anna F. Jones, Verona.
Mae Scollard, Watford City.

PENNSYLVANIA

Charles Gubin, Northumberland.

VERMONT

Dora W. Brown, Lunenburg.

HOUSE OF REPRESENTATIVES

THURSDAY, JUNE 6, 1940

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou, our everlasting portion, at Thy footstool we offer our tributes of praise and gratitude. Thou who canst hear the falling of a tear and the whisper of a sigh, read our hearts, purify our purposes, and cleanse us from all hidden motives which are contrary to Thy righteous will. As the work of life is too long and too arduous to be borne alone, we beseech Thee, dear Lord, to direct us with Thy counsel and make plain for us the definite outlines of duty. Go with us through all the scenes of life and be with us when we reach the end. In the name of our holy Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 9700. An act to amend the Agricultural Adjustment Act of 1938, as amended, and for other purposes.

The message also announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 48. Concurrent resolution relating to the enrollment of H. R. 9326, to provide educational employees of the public schools of the District of Columbia with leave of absence, with part pay, for purposes of educational improvement, and for other purposes.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 3959. An act authorizing the Secretary of the Treasury to grant to the city of Fort Lauderdale, Fla., an easement or easements authorizing such city to construct and maintain a highway and utility facilities over the United States Coast Guard reservation known as base 6 at Fort Lauderdale, Fla.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9243) entitled "An act to provide for the promotion of promotion-list officers of the Army after specified years of service in grade, and for other purposes."

DEPORTATION OF HARRY RENTON BRIDGES

Mr. COLMER, from the Committee on Rules, submitted the following privileged resolution, which was referred to the House Calendar and ordered printed:

House Resolution 511

Resolved, That immediately upon adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for consideration of H. R. 9766, a bill to authorize the deportation of Harry Renton Bridges. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Immigration and Naturalization, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

DIVISION OF INTELLIGENCE, BUREAU OF INTERNAL REVENUE

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. COCHRAN. Mr. Speaker, yesterday I advised the House, following a discussion of the so-called "fifth column" by the gentleman from Oklahoma [Mr. NICHOLS] that the President had asked the Appropriations Committee, through the Speaker of the House, for a very liberal additional appropriation for the Department of Justice, the greater part to be used by the Federal Bureau of Investigation and the Immigration and Naturalization Service for combating subversive activities.

Today it is my purpose to refer to another enforcement activity of the Government, one that for a period of many years has been prosecuting public enemies, gangsters, and racketeers through the medium of our income-tax laws. I refer to the Division of Intelligence of the Bureau of Internal Revenue.

Many times I have told the House that this agency, working on an appropriation of less than a million dollars, annually has brought into the Treasury in additional tax assessments over 30 times the amount that it is allowed for operations.

We now read where Moses L. Annenberg, of Philadelphia, with activities in many other cities, has agreed to pay the United States Government $9,500,000 in back taxes and penalties. Aside from this, the agreement provides for interest which will bring the amount well above $10,000,000. This one case alone brings to the Treasury the expenditures of this agency for the past 10 years or more.

Again I say, Would it not be wise for us to provide the Division of Intelligence with at least 100 additional agents?

We are widening the tax base; many will endeavor to gain excess profits out of our national-defense program. It will be the Division of Intelligence who will see that they do not.

Hon. Elmer L. Irey, Chief of this Division, is rarely heard of, but it was Irey and his men who were responsible for the Annenberg case, and it was Irey and his men who sent Capone and many other leading gangsters to the penitentiary for evasion of income taxes. It was Irey and his men who broke up political machines in many large cities of the United States and sent their leaders to the penitentiary through the cooperation of the United States judges and district attorneys.

Mr. Speaker, a deficiency bill is now under consideration. I rise this morning to urge those in authority to prepare a supplemental estimate providing for sufficient funds to grant the Division of Internal Revenue at least 100 more agents. Let me say every man in this organization is a civil-service employee. There are no politics in this Division. Its employees are forced to work day and night. They do not bother with the little fellow, but their prey is the big fellow. Only this week the leading movie producer in the United States, Joseph Schenck, has been indicted in New York; and, if what we hear is true, many other leaders in this industry will soon be called upon to answer for income-tax evasions. Now is the time to increase the personnel of this agency. By so doing, our tax receipts will increase and the burden on the honest taxpayer will be lessened.

Our citizens who are able to meet their tax bills should be made to pay, and the way to insure payment is to give Mr. Irey more men. [Applause.]

[Here the gavel fell.]

PRESERVE THE BILL OF RIGHTS

Mr. HENNINGS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HENNINGS. Mr. Speaker, not since 1776, when our forefathers won their right to freedom from the tyranny of the political autocracy of the eighteenth century, has the very foundation of our Bill of Rights been so seriously threatened.

This condition has been brought about by the widespread social unrest, agitation, and violent dislocation so generally prevalent throughout the world.

We, in this generation, take that outstanding and all-important privilege of free expression and a free press as something for granted and close our eyes to the persecution, imprisonment, and death that was suffered by those faithful servants of humanity, from practically the beginning of civilization, who manifested the courage of their convictions by fighting for and wresting from tyrants that sacred heritage we now enjoy.

Never has there been a time in the history of the world when a review of the historical background, which led to the attainment of that right to a free exchange of views, either oral or written, which is the very lifeblood of democratic form of government, has been so important and in bringing into focus the long and tortuous climb of mankind to the new vistas of freedom and progress made real by incorporation into our organic law, these affirmed doctrines and vested rights.

So that we might more adequately appreciate this blessing, I believe it timely to devote a few words in a general way to show how men of all ages have fought and struggled to protect and keep it inviolate from all who have attempted to harm and obliterate it, and to show that if we are to continue to protect minorities against the intolerance of ma-

jorities and to protect the majorities from being overthrown by minorities, it is necessary that we at once take cognizance of the fact that it would be fatal to our civilization, as we know it today, to have the right of free speech and press taken from us or in any wise limited or abridged.

For many generations, prior to the renaissance of learning and the introduction of the printing press by William Caxton in 1476 in England, men had sacrificed their very lives in the quest of securing for themselves and their posterity the inalienable right of freedom of speech.

Long before even the birth of Christ, Socrates, that great Greek philosopher and teacher, said:

> The sun might as easily be spared from the universe as free speech from the liberal institutions of society.

Also, at about the same time, that famous Greek orator and statesman, Demosthenes, in stressing the importance of freedom of speech to the very existence of free government, proclaimed:

> No greater calamity could come upon the people than the privation of free speech.

In the Republic of Athens only two kinds of writings were banned, those blasphemous and those libelous of individuals.

Our statutes today provide that defamation consists of the false publication of any statement or any figure or drawing tending to disgrace or ridicule the person of whom it was published or any statement imputing criminal or dishonest conduct. If communicated through the sense of hearing, such defamation is slander, if through the sense of sight it is libel.

It is interesting to note the striking similarity between the laws of the ancient states with those of our own land in respect to this right which has become so fundamental.

Following this period in which the rights of men were recognized to a considerable extent, there followed a period of regression which is heartrending to all who are interested in the historical development of the advancement of mankind.

The pages of history are full of the persecution and hardships suffered by those patriots in every generation who have dared to advance the cause of free men upon this earth.

To such influences and leaders as the early church—Augustus and Justinian—is civilization indebted for the invocation of extensive censorship on reading and the right to think.

For example, for 200 years there were virtually no contributions in the annals to the store of Greek literature. Boccaccio asserted that not a single scholar of Italy understood the Greek alphabet. In fact, from the fifth to the eleventh centuries there was such a deterioration in learning, literature, art, and science in Europe that it resulted in the people's becoming an almost illiterate race. This condition was brought about mainly because of the devastating wars of extinction and the intolerable conditions to which the people were subjected and because of the tyrannical attitude of their rulers.

From the twelfth to the fourteenth centuries these conditions slowly improved, culminating in the renaissance of learning in western Europe, despite the obstacles directly placed in the way by unstable governments and the censorship by church authorities.

Freedom of speech and press was subjected to strict control in Spain from the reign of Ferdinand and Isabella in 1481, until 1808, when Napoleon issued an order for the suppression of such control.

France invoked strict and harsh penalties in order to control its people. Francis I prescribed the death penalty in 1535 for the printing of unauthorized books. It was not until the French Revolution that conditions improved in France. At that time the Declaration of the Rights of Man was adopted, which proclaimed that—

> The liberty of communicating thoughts and opinions is one of the most precious rights of man; every citizen has the right to speak and write freely, without being liable in damages for the abuse of the privilege, except in cases provided by law. This constitution guarantees all rights, natural and civil, including the liberty of all men to speak, write, and publish their thoughts without inspection prior to publication.

This declaration proved to be nothing more than an oratorical gesture, but it is interesting for what it is worth, especially when we take into consideration the conditions existing at that particular time.

This noble doctrine had been placed on the scrap pile when Louis XIV issued a proclamation which provided for the persecution and suppression of all literature that was not entirely devoted to extolling the virtues and omniscience of the King and the ruling classes.

Similar restraints upon free thought and speech were in effect in France until 1830, when formal censorship was abolished by the French Constitution.

From the time of the introduction of the printing press, in 1476, until the last effort to reestablish censorship in 1797, there existed, in England, a continuous internal struggle to gain the right of free expression through the spoken and written word.

The printing press came into use during the reign of Henry VIII, when there existed no such thing as freedom of speech or freedom of the press.

His successor, Queen Elizabeth, who was more liberal in her views, permitted only that printing that "should first be seen and allowed."

Notwithstanding the almost insurmountable obstacles that were placed in its way, the art of printing advanced to such an extent that in 1586 the Star Chamber deemed it necessary to impose additional regulations upon the press, reciting as an excuse therefor—

> The enormities and abuses of disorderly persons professing the art of printing and selling books, and the fact that the enormities and abuses had increased despite the former rules and regulations, because the penalties had not been sufficiently severe.

It is interesting to observe that in most cases the penalties were execution, after a trial where the defendant was not permitted to produce witnesses nor to introduce or offer evidence in support of his innocence.

This oppression by the crown continued to exist in one form or another until the Revolution of 1688, when the Declaration of Rights and the Bill of Rights were adopted as a part of the British constitution. Therein were contained a number of guaranties for the protection of individual rights, but there was no mention of the right of freedom of speech or freedom of the press, other than the right of Parliament to freedom of debate.

Following the revolution, during the reign of William and Mary, the condition of the press was somewhat improved over that of the years immediately preceding.

History again repeated itself during the reign of Anne, when freedom of speech and press was again subjected to despotic control.

Notwithstanding the fact that during the reigns of George I and George II the Government was more tolerant of criticism and gave lip service to "freedom," changes of little or no significance took place to the benefit of the rights of man.

The ideas of freedom under George III are so well known to the American people that they speak for themselves without any amplification.

The conclusion is inescapable and definite, which results from a searching analysis of the struggles between despotic governments and the popular will of their people, and also being impressed with the fact that the more despotic, autocratic, and arbitrary the methods that are used to suppress certain fundamental rights, the greater will be the resistance to overcome such control.

Not only in Europe did men struggle for freedom of speech and freedom of the press but in our own American Colonies internal war was waged, which was very similar to that of old England.

Some of the views entertained by our own distinguished forefathers are worthy of note and especially interesting in light of the events leading up to the adoption of our Constitution, and the first 10 amendments, known as our Bill of Rights.

Governor Berkeley, of Virginia, reporting to England on the printing situation in the Colony, said:

> I thank God we have no free schools, nor printing; and I hope we shall not have these hundred years, for learning has brought disobedience and heresy and sects into the world and printing has divulged them and libels against the Government. God keep us from both.

However, after the signing of the Declaration of Independence each of the Colonies adopted written constitutions, containing provisions similar in nature to the declaration contained in the constitution of Maryland in 1776, that is, "that freedom of speech and debates on proceedings in the legislature ought not to be impeached in any other court of judicature."

Other States went so far as to include specific guaranties called bills of rights in which freedom of speech and the press was guaranteed.

In the year 1787, the great war for independence over, the people of this Nation came to the vital realization that the sacrifices and sufferings of that immortal combat should not have been made and fought in vain. Therefore, purified by a struggle of privation, suffering, and death, which had lasted for 7 long years, and being free from the tyrannical control of England, a convention was called to meet at Philadelphia for the sole purpose of drafting a set of rules called a constitution, which at first provided for government by a majority.

The first draft seemed good, but as has been said, it only described how a majority should rule and did not show how a minority should not be disregarded by the ruling majority.

The fathers of our country knew only too well the annals of the tyrannies down through the ages. They had not forgotten how they had suffered under despotic and oppressive control. It was still fresh in their minds how they had fought against the absolutism of the monarch and against the injustices of a majority. It was now their resolve to mark a line over which a majority could not pass.

As a consequence of these experiences, there resulted the adoption of the first 10 amendments to our Constitution, known as the Bill of Rights, which guaranteed to all people, among other things, freedom of speech and freedom of the press.

The resolutions dealing with search and seizure, and right of castle, which came from the new border State of Kentucky, were the motivating force behind the Bill of Rights, which was written into our Constitution under the guiding hand of Thomas Jefferson.

The first attempt to violate this constitutional guaranty was by the enactment of the Sedition Act of 1798, which was only of a temporary nature as it happily expired with the Congress that adopted it.

Notwithstanding the fact that there were numerous prosecutions under the act and that the constitutionality of the act was challenged, none of the case ever reached the Supreme Court for final decision.

The resentment of the general public to such legislation was made manifest by the election of 1800 when Thomas Jefferson was elected President of the United States, and as a result of such public reaction the Federalist Party disappeared from national politics forever.

The challenge that was met by the people of this country at the election of 1800 is not the only time during our history as a Nation when the danger of speaking and writing freely was increased by repressive legislation, but on all of these occasions the American system has proved itself to be a mighty citadel.

The attitude of our Nation, as a whole, may be summed up in those famous words of Voltaire when he wrote to Helvetius, "I disapprove of what you say, but I will defend to the death your right to say it."

Following the World War No. 1 Germany adopted a constitution providing for what was considered to be a democratic form of government. In it there was a provision that "every German has the right, within the limits of common law, to express his opinion by word of mouth, in writing, in print, or in any other way."

Under the present regime in Germany this guaranty, like all the other provisions of that constitution, has been disposed of. Today the press in that country has been placed under the rigid censorship and a minister of propaganda has been created, whose duty it is to furnish the people only such information as he in his benign wisdom desires them to have.

In Italy, prior to the assumption of Mussolini, who was a former editor of a paper which was opposed to the government, the press enjoyed a considerable freedom, but the law has now been changed to such an extent that severe punishment is imposed even for publishing criticism of the present regime.

Every thoughtful and right-minded American agrees that no one should be free to slander or libel his neighbor with impunity and we all draw the line on utterances that incite murder or rebellion.

However, we do recognize that no democracy could possibly function effectively without free speech and a free press, and the results of suppressing both as unsafe, by those three notorious tyrants of the day—that is, Hitler, Mussolini, and Stalin—are only too fresh in our minds.

On the other hand, the reactions of the general public to so much that is being said and printed in these days of turmoil and unrest would almost lead one to believe that there is a large group of people who do not want free speech and press, but who are actually afraid of it.

Let us demonstrate, beyond cavil, that we as a people are not afraid of freedom. Let us prove to the world, and for the ages, that the ramparts of democracy are safe and strong.

When a statement is made that subverts or criticizes our conventional social order and popular ideals, our resentment is so great that we at once form a desire to silence the person responsible for such a remark. Most of us upon hearing a foreign-born agitator attack American institutions feel a strong impulse to see that legislation is enacted that will compel the deportation of such person. A person entirely tolerant by instinct has probably never been born and it has not been conclusively proved that such a person would really be an asset to humanity. However, it is distressing to observe the recent outward manifestations of intolerance toward our neighbors of foreign birth and ancestry, merely because they were not so fortunate as to have their origin in the land of the free. It is, therefore, incumbent upon those of us of native blood to constantly keep in mind that we at one time had ancestors who came to this country from a foreign shore in search of freedom of one kind or another. When we think back on the thrifty and industrious settlers of foreign extraction that played such an important part in the development of our land, we at once grasp a picture of how well the English, Germans, French, Italians, and many others of foreign birth and ancestry adjusted themselves to the new order, and the record of recent years speaks for itself in depicting the patriotism of a high order and good citizenship exemplified by those adopted sons and daughters when the crucial moment was at hand.

It is my earnest plea that we will not permit ourselves to lose sight of the fact in our fight for the preservation of democracy, that all of our citizens, whether naturalized or of native birth, are true sons of the Revolution, so long as they are willing to do their part to preserve those things that are so close to the hearts of all men.

The line must be drawn somewhere, and it would seem, rather than to install some new and wholly untried theory, to be in the best interests of the American public for us to see to it that our Bill of Rights is preserved intact for our posterity.

There are certain things which public opinion will not tolerate to be done or said in public. This has been true in all generations. These things, under our form of government, are denounced by statute, and adequate punishment has been provided for their violation.

The courts of our land in the vast majority of cases brought to their attention in which freedom of speech or of the press has been the question for adjudication, have seen to it that our essential liberties have not suffered. In fact, we might say that they have been more than reasonably responsive to changing public opinion in such matters. Therefore, it would seem only fitting and proper that we should continue to have faith in the judiciary of this land in attaining a solution for the problems relating to our basic rights and essential liberties.

However, we must not be unmindful of the fact that there are certain individuals and groups in our country which will not be tolerated by our people, and the activities of these sinister borers-from-within elements are entitled to no protection whatsoever by any provisions of our fundamental law. I am referring especially to those "fifth columnists" whose activities are similar to those of rats and termites, who by their subversive activities are gnawing at the very life line of our national security. With all of these spies, sabateurs, and traitors, to quote from the recent words of the President, "we must deal vigorously."

Freedom of speech and press is the only way that truth can be separated from error.

During Patrick Henry's speech before the convention of delegates, the most famous of all his orations at Richmond, Va., 1775, he said:

> The question before the house is one of awful moment to this country. For my own part, I consider it as nothing less than a question of freedom or slavery; and in proportion to the magnitude of the subject ought to be the freedom of debate. It is only in this way that we can hope to arrive at truth and fulfill the great responsibility which we hold to God and our country. Should I keep back my opinions at such a time, through fear of giving offense, I should consider myself as guilty of treason toward my country and of an act of disloyalty toward the majesty of heaven, which I revere above all earthly things.

From the beginning of civilization, through all the centuries, men and women have made the supreme sacrifice in pursuit and for the attainment of freedom of thought and expression, which is essential to the existence of democracy; and again at this very moment, upon the sea, in the air, and on the land, throughout more than half the surface of the earth, they are sacrificing their very lives to regain a small portion of that freedom that is still ours to enjoy.

With Europe's swift return to the Middle Ages, with human and property rights denied and trampled upon ruthlessly, and without apology or question, it is my fervent prayer, in this hour of trial for democracy throughout the world, that those blessings contained in our Bill of Rights will be so preserved that they may be used as a guiding light and foundation upon which the governments of our brothers abroad may be reestablished in a world of law, order, and justice to mankind.

For the last decade we have gone through a great period of transition and of readjustment within our own borders. But whatever needed to be done, we have done without dictatorship; without conscription of labor; without confiscation of capital; without concentration camps; without a scratch on freedom of speech, freedom of the press, freedom of worship, or the rest of the Bill of Rights; without one single abrogation of the orderly processes of democratic government. And never before have the American people been so conscious of their interrelationship and interdependence—the sense of a common destiny and a common need of one another. We cannot continue to grow soft and complacent and expect to keep our free institutions and ideals of liberty intact.

There are unquestionably darker days ahead across the sea. We may be the sad witnesses of the end of European civilization. No one may now foretell the outcome. May we not then be humbly grateful that here on the western horizon a star, once acclaimed, has not set and the strength of a hope and the shape of a vision, died for, and sung for, and fought for, and worked for, is living yet. [Applause.]

DEPORTATION OF HARRY RENTON BRIDGES

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SABATH. Mr. Speaker, I am informed that in my absence yesterday some criticism was made to the effect that the rule making in order the consideration of the bill providing for the deportation of Harry Bridges was not filed. I desire to say that this rule has been delayed for a couple of days because we have now 10 rules that have been reported, and on which no action has been taken. I knew that we have conference reports before us and other extremely important legislation that the House desires to consider, and I knew there was no chance of calling up that rule, consequently I delayed giving it to the gentleman from Mississippi [Mr. COLMER]. I wish to say that it was not the fault of the gentleman from Mississippi that the rule was not reported. If anyone is to blame, I assume the responsibility and the blame for it.

EXTENSION OF REMARKS

Mr. DISNEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein statements by Fayette B. Dow and Russell B. Brown before the Committee on Ways and Means.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MAGNUSON and Mr. THOMAS of Texas asked and were given permission to extend their own remarks in the RECORD.

PERMISSION TO ADDRESS THE HOUSE

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD and include therein a short newspaper dispatch from the Washington Star of yesterday.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SWEENEY. Mr. Speaker, yesterday my good friend the gentleman from Massachusetts [Mr. MCCORMACK] arose to protest a statement made by the German consul in Boston with respect to an editorial published in the Boston Traveler concerning the head of a warring nation in Europe, and characterizing the action of the German consul as a violation of international law and an attack upon the freedom of the press.

The gentleman from Massachusetts [Mr. MCCORMACK] may be absolutely right in his premise; and if he is, a thorough investigation should be had of this incident. I rise at this time, however, to call to the attention of the House an article appearing in the Evening Star of Washington, January 5, 1940, by William H. Stoneman, in which he recites that the Washington correspondent of the London Daily Telegraph describes the failure of the United States to act more swiftly in providing the Allies with guns and materials as due to Harry H. Woodring, American Secretary of War.

I enclose herewith the entire article, which I believe every citizen of the United States will resent. I do not know our present Secretary of War, but I have implicit faith in him as an American. He does his duty as his conscience dictates, and follows a course that preserves our neutrality after the fashion that Congress intended it should be preserved.

> LONDON, June 5.—Failure of the United States to act more swiftly in providing the Allies with guns and materials is attributed by the Washington correspondent of the London Daily Telegraph largely to Harry H. Woodring, American Secretary of War, whom he describes as the leader of the obstructionist group.

"Political mischance," he writes, "has placed him at the head of his country's War Department at the most critical stage in world history.

"Before the war began Woodring was working with isolationist leaders in Congress to prevent the sale of planes to the French and British purchasing commissions. After the war broke out he began intriguing with congressional dissidents to nullify the lifting of arms embargo and making it impossible for any modern planes to be sold. Not until March 27 was this plan defeated and the policy adopted of releasing modern planes for export.

"Though thwarted over plane sales, Woodring has been able to maintain the departmental order of March 14 blocking any sale by the War Department of its surplus goods to any Allied agent or any one suspected of being an Allied intermediary. Actually there is nothing in international law nor in the United States Neutrality Act forbidding such sales.

"About 2,000,000 Enfield rifles, 1,500 field guns, and other arms in smaller quantities would be available if this departmental order were withdrawn. The President, as Commander in Chief of the Army, could rectify this anomalous situation by a stroke of the pen."

This article is a sample of the newspaper propaganda and radio dispatches that are emanating from London and Paris. In my opinion, subsidized articles that seek to have us without delay turn over to the Allies, so-called, all our military weapons of defense and the youth of America to once more get them out of the bloody mess which was not brought about by any action of our Government nor the inhabitants of this country.

In a colloquy with the gentleman from Massachusetts [Mr. MCCORMACK] yesterday, the gentleman from Massachusetts [Mr. CASEY], a member of the Dies committee, stated that the Dies committee had sent an investigator to investigate the matter, having reference to the article appearing in the Boston Traveler.

Mr. Speaker, for over 2 years substantial groups of Americans have urged the Dies committee to investigate British propaganda in this country. Up to date, despite the fact they have the money and the facilities, nothing has been done in this direction. I do not indict the Dies committee as a whole for its failure to act. They are doing a good job in running down nazi-ism and communistic propaganda in the United States. The American public will never be satisfied with their activities unless they turn the spotlight of investigation on the vicious British propaganda that is stronger now than it ever was, even preceding our entrance into the World War. It is designed chiefly to bring about a repeal of the Johnson Act, and the conscription of American youth to aid the warring European nations, who by their assistance, aid, and comfort permitted the German nation to arise from the ashes of defeat to the strongest military power in the world.

Many appeals have I made to the Dies committee, but once more I invite them to investigate the more dangerous "fifth column" activities in our midst, to wit, the subversive influence registered by the paid agents of Britain and France in this country, led by the Marquis of Lothian, the British Ambassador to the United States. I challenge the Dies committee to summon the British Ambassador to appear before their body and explain the many conferences had with newspaper publishers, prominent journalists, and leaders of industry which took place at the British Embassy during the past 6 months. This may be a refined "fifth column" activity under the guise of sociability but nevertheless, in my opinion, are more dangerous activities that if not checked will ultimately draw us into world conflict. Already the effect of these conferences are seen in the subsidized press of America, whose editorials shriek with hysteria in demanding that our boys become pro-Ally or be stigmatized as cowards.

Recently it was my privilege to address the Nation—on May 11, 1940—over a Nation-wide hook-up on the subject Let Us Be Pro-American and Keep the United States Out of War. From the communications received as a result of that address—approximately 15,000 pieces of mail to date—I am satisfied that 99 percent of the people of the United States will not stand for repeal of the Johnson Act extending further credit to bankrupt nations, nor will they stand for one American boy losing his life in a war to which he was not a party in the first instance.

Our defense program should go on, but not to the extent to make us the foremost military power in the world under the flimsy pretense of an invasion by a country already exhausted from its many "blitzkriegs," which have taken place in the past few months. The American people will do well to watch with careful scrutiny the expenditure of this huge national-defense fund. We are entitled to know what became of the billions during the past 10 years spent on national defense. Mr. Speaker, it is common knowledge that in many of our Army forts evidence of the expenditures is clear to anyone who cares to investigate. In many of these forts you will find scores and scores of beautifully built, well-equipped homes for officers, splendid barracks, air-conditioned theaters and other buildings, but a total lack of armament to protect them, if perchance they ever should be invaded. I fully agree that some incident, designed or otherwise, could give aid and comfort to this vociferous minority in the country that demands we enter the war at once. The sinking of one of our ships with loss of life, the throwing of a shell into Miami Beach or Atlantic City, might serve to be the very purpose that the warmongers are seeking. A strong determination on the part of the great majority of the American public to never again become the money lenders and policemen of the world, and a constant reminder that the nations of Europe are in default to poor old Uncle Sam, who needs the money, to the extent of over $14,000,000,000 will check some of this hysteria now existing and enable us to continue our defense program in an orderly and sensible manner, checking on all spy activities without resorting to the witch-burning tactics of a Mitchell Palmer, which disgraced our Nation during the last World War period.

Personally I have a strong conviction that there will not be flagrant abuse of the civil liberties under the direction of our Attorney General, the Honcrable Robert Jackson. One never knows when the insanity of war propaganda takes hold what can happen. I await with interest, and I am sure that interest is shared with millions of American citizens who are only concerned with the preservation of our own democracy and not with the preservation of the tottering empires of Europe.

Once more we challenge the Dies committee with its duty to inaugurate a comprehensive investigation into British and French propaganda, as well as nazi-ism and communistic "fifth column" movements we hear so much about.

Because of this newly created war hysteria and the proposed tremendous defense program, it is now suggested in the new tax bill to lower income-tax exemptions to married persons from $2,500 to $2,000, single persons from $1,000 to $800. It is proposed to tax all incomes an additional 10 percent, reduce the salaries of all Federal employees 10 percent. No doubt the cost of living will advance an additional 10 percent, thereby making in all a 30-percent tax on all Government employees and a 20-percent tax on all other citizens. What a price we will have to pay in an attempt to save the synthetic democracies of Great Britain and France, who are somehow able to establish a $10,000,000,000 credit over here for war materials but refuse to pay one red cent on their war debts. Undoubtedly they will try once more to make an Uncle Sap out of Uncle Sam. If the intelligence of the great majority of the people of the United States asserts itself, they can prevent a vociferous minority, who are the mouthpieces of the munitions makers and the international bankers, from bringing this country once more to the brink of a foreign war.

THE PASSING OF A GREAT MAN, DR. R. R. MOTON, SUCCESSOR TO DR. BOOKER T. WASHINGTON

Mr. MITCHELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MITCHELL. Mr. Speaker, I rise to announce the passing of Dr. Robert Russa Moton, who was the worthy successor of Dr. Booker T. Washington in the leadership of the Negro race in America. On the 31st of May Dr. Moton's labors

ended and he was called to a well-earned rest. I think the worth and services of Dr. Moton to America are recognized by every informed and well-thinking man and woman of our Nation. He was a contemporary of the late Dr. Washington. They attended and graduated from the same school, were lifelong friends, and worked together in the great cause of bringing about a better understanding and a more harmonious and friendly relationship between the racial groups of our great Nation.

While it is true that Dr. Booker T. Washington laid the foundation of the racial structure and built nobly, it was for Dr. Moton to assist him during the lifetime of Dr. Washington, and, like Elisha, take up the mantle and responsibility of carrying forward the work at the passing of Dr. Washington. Dr. Moton did a real job. He went into the heart of the South and gave every ounce of strength and ability he possessed to carry forward the program initiated by Dr. Washington and the promoters of Tuskegee.

Our Nation has lost a great man, a man whose heart was filled with sympathy and love toward mankind. Dr. Moton knew no color; he had no prejudice. He was a simple, God-fearing servant, dedicated to the task of character building and uplift. For more than a quarter of a century his advice was sought and followed by lawmaking bodies in scores of our States and in our Nation where the interests and welfare of the Negro was thought to be at stake. He was ever true to his friends and honest in his convictions, standing courageously for the right and was concerned only with duty and achievement.

While the President of the United States, Governors of States, mayors of cities join with Dr. Moton's family and close friends in mourning his passing, I know it is the sense of this House that we, too, express our feelings in the Nation's and the world's loss in his passing, and that we join the innumerable host that honor the noble life which he lived and the great service which he rendered mankind.

EXTENSION OF REMARKS

Mr. BRYSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an exchange of letters with the Secretary of War.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. JONES of Texas. Mr. Speaker, I ask unanimous consent that on Wednesday, after the disposition of the legislative business for the day, I may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

EXTENSION OF REMARKS

Mr. NELSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a Memorial Day address by Harry R. Daniels, adjutant, V. F. W. Post, Moberly, Mo.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. DIMOND. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD with reference to the fisheries of Alaska and to include therein a telegram and excerpts from other relevant documents and papers.

The SPEAKER. Is there objection to the request of the Delegate from Alaska?

There was no objection.

Mr. HILL asked and was given permission to revise and extend his own remarks in the RECORD.

Mr. HAVENNER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the San Francisco Chronicle.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article appearing in Liberty, a recent issue, by the Honorable Herbert Hoover, on the subject Two Great Reasons Why We Should Keep Out of This War.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that on Tuesday next, at the conclusion of all legislative business and any prior special order, I may be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

Mr. HARTER of New York. Mr. Speaker, I have two unanimous-consent requests: First, that I may include an editorial from the Buffalo Courier of June 4 entitled "Chance to Save Lives," and, second, an editorial from the same paper, the same date, entitled "Frankness Required."

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

THE NATIONAL DEFENSE COMMISSION

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, when the President appointed a National Defense Commission, he appointed William S. Knudsen, president of General Motors Corporation, one of the greatest corporations in our country, to direct industrial production; he appointed Ralph Budd, chairman, Burlington Railway Co., in charge of transportation; Edward R. Stettinius, Jr., chairman of the United States Steel Corporation, a great large corporation, to supervise production and delivery of raw materials; Leon Henderson, of the Securities and Exchange Commission, to watch price trends, and so forth; Miss Harriet Elliott, dean of women, University of North Carolina, adviser on consumer protection; Chester C. Davis, member, Federal Reserve Board, supervision over farm products, and so forth; and Sidney Hillman, president of Amalgamated Clothing Workers' Union, in charge of employment problems, and so forth.

Mr. Knudsen and Mr. Stettinius are at the head of two of the greatest corporations in America. Why did the President forget two great industries in America, small business and agriculture. He did not see fit to appoint any small-business man to this Commission to represent this great body of business people, and no wonder that Alfred C. Gaunt, of Massachusetts, criticized a commission of this kind because the small-business men of this country make up the greater number of employers of labor and more laborers. The President also left out any direct representative of agriculture on this Commission. Small business and agriculture should be and must be represented in national defense. They are great factors in our national defense.

It seems to me that these two great branches of American business should be represented so that we may bring into our national defense any and all people who would be directly affected or directly interested, so that the greatest amount of good for the American people might be brought forth in the work of this Commission, in order that America may go forward as one great mass unit for the protection not only of American democracy but of world democracy. Mr. Speaker, we should put our shoulder to the wheel at this

time in an effort to preserve this great democracy which we have enjoyed. The great freedom we have enjoyed shall not perish from the earth, and we can only do this by including the small-business men of the country. These small-business men came to Washington not long ago and they made certain requests of the President, and he should now recognize small business and agriculture on the national-defense committee. America must preserve its independent small-business concerns or free competitive enterprise cannot exist. [Applause.]

EXTENSION OF REMARKS

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a speech delivered by Hon. Sumner Welles.

The SPEAKER. Is there objection?

There was no objection.

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD with quotations from the daily press.

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent that on Monday next, after the disposal of business on the Speaker's table and the legislative program of the day, I be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection?

There was no objection.

PROTECTION OF AGRICULTURE—DEFEND AMERICA

Mr. BREWSTER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute, and to incorporate in my remarks a memorial of the Legislature of the State of Maine and a brief excerpt from the morning press.

The SPEAKER. Is there objection?

There was no objection.

Mr. BREWSTER. Mr. Speaker, in carrying out the policy of defending America the State of Maine has stood steadfastly against reciprocal-trade agreements. The Maine Legislature in special session has just adopted a memorial to this Congress urging "immediate steps to establish and maintain an agricultural and tariff policy that will best safeguard the State of Maine and its people."

I desire at this point to insert this memorial in the RECORD:

Memorial to the honorable Senate and House of Representatives of the United States of America assembled petitioning for the adoption of an adequate agricultural and tariff policy in furtherance of the welfare of the State of Maine

Whereas Maine is primarily an agricultural State and the prosperity of its farms being vital to the prosperity of the State as a whole; and

Whereas reciprocal-trade agreements with foreign nations have been entered into by the Government of the United States under the authority granted to the President by Congress that have conceded tariff reductions on imports of agricultural products produced in Maine; and

Whereas such concessions in tariff reductions have resulted in an influx of agricultural products in competition with such products produced in Maine; and

Whereas thousands of Maine farmers and their families, as well as a substantial portion of business interests in Maine, depend for their livelihood on the production and favorable marketing of agricultural products and must rely upon reasonable protection of their home markets by the adoption of favorable foreign-trade policies and tariffs to retain such markets: Now, therefore, be it

Resolved, That the Eighty-ninth Legislature of Maine in special session assembled, respectfully petition and urge the Congress of the United States to take immediate steps to establish and maintain an agricultural and tariff policy that will best safeguard the State of Maine and its people; and be it further

Resolved, That a copy of this memorial, duly authenticated by the secretary of state, be immediately transmitted by the secretary of state to the proper officers and committees of the United States Senate and House of Representatives, the President of the United States, and to each of the Representatives and Senators representing the State of Maine in the United States Congress.

ARGENTINE CORN

The New York Times this morning carries an Associated Press dispatch from Washington which I desire to insert at this point.

"DIPLOMATIC ISSUES" SEEN IN ARGENTINE CORN CASE

WASHINGTON, June 5.—International difficulties arose today to complicate the Agriculture Department's search for methods to absorb the shock of heavy corn imports landing on a market beset by prospects of a record domestic surplus.

Reports that about 500,000 bushels of Argentine corn had been sold for delivery to Pacific coast points this month had caused officials to consider taking steps to invoke import-quota provisions of the Crop Control Act of 1938.

However, a few hours after the quota proposal was advanced, officials indicated that "diplomatic issues" had been raised against it, although they said that the plan was "still under consideration."

For the time being the Department decided to make Government-owned corn available in the Pacific coast markets at prices competitive with foreign grain.

Foreign corn is subject to import duty of 25 cents a bushel. Officials explained that inasmuch as Government loan programs had pegged American prices considerably above world levels, Argentine shippers apparently were able to pay the duty and sell grain in the American market.

Presumably the "diplomatic issues" are concerned with reciprocal-trade agreements and obligations assumed thereunder to others than American farmers.

Maine looks hopefully to the corn growers of the West to cooperate in defending America against these corn borers from the Argentine.

With the Government holding millions of bushels of corn in corn cribs all over the West, it is astounding to read that Argentine corn is being dumped on our west coast.

Almost a year's supply of corn is already in storage. The Government has in substance taken it off the grower's hands. Yet now the same Government allows foreign corn to flood our market.

Such a policy can only lead to disaster. A sound economy is the first step in defense.

Duties have been cut from 25 percent to 50 percent on 163 competitive farm products in spite of the President's pledge in 1932 "that such duties shall not be lowered."

DEPRECIATED CURRENCIES

Now come depreciated currencies to complete the destruction of our tariff protection. This makes possible these imports.

Our entire foreign-trade program must be reconsidered in the light of present world conditions. Every policy of America now must be shaped for American defense.

Let us demonstrate that a democracy can be as intelligent as a totalitarian state and develop trade policies that are calculated in the first instance to strengthen America.

Certainly policies developed and designed for a world at peace are not suited to the conditions that prevail in the world today.

In the current chaos in the world the President has the power to terminate each and all of these trade agreements.

While the Argentine has at the present time no trade agreement and will not have one at least until after the fall election—yet the Argentine is in the class of the most-favored nations so that any reduction in duties to other countries is instantly available to the Argentine.

In the case of corn, however, the difficulty arises first from depreciated exchange and second from diplomatic difficulties associated with our assurances to other countries as to privileges to be accorded them in the American market.

FIRST DAIRY COOPERATIVE

Mr. HAWKS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to include in my remarks a resolution that I am submitting today to provide for the observation of the one hundredth anniversary of the founding of the first dairy cooperative in the United States.

The SPEAKER. Is there objection?

There was no objection.

The resolution is as follows:

Whereas the one hundredth anniversary of the first dairy cooperative in the United States will be commemorated at Lake Mills, Wis., on July 20, 21, 22, 1940; and

Whereas it is authentically established that in the year 1840 Ann Picket's plan for a backwoods cheese-making cooperative was put in operation; and

Whereas this was the first dairy cooperative successfully to function in America, and was the world's pioneer farm cooperative of any kind; and

Whereas the Lake Mills Cooperative Centennial Committee has planned an observance of said anniversary, to be held at Lake Mills, Wis., on the dates before mentioned; and

Whereas such an important event in the history of the development of the dairy industry, and of cooperatives in the United States, is one that should be recognized by the Nation, dependent as the people of this country are upon this essential branch of agriculture for their health and sustenance: Therefore

Resolved by the House of Representatives (the Senate concurring), That a committee of two Senators and four Representatives be appointed by the President of the Senate and the Speaker of the House of Representatives, respectively, to represent the Congress of the United States at said celebration.

The expenses of said committee, not to exceed $3,000, shall be paid, one-half out of the contingent fund of the House of Representatives, and one-half out of the contingent fund of the Senate.

The Secretary of Agriculture is hereby requested to furnish every possible facility, such as exhibits, etc., depicting the development of cooperatives in the dairy industry, under such regulations as he may prescribe, for exhibition purposes in connection with said celebration.

Mr. HAWKS. Mr. Speaker, it was in 1840 that Ann Picket established a backwoods cheese factory cooperative in Lake Mills, Wis. Not only was it the first dairy cooperative in America but it was the first farm cooperative of any kind. On July 20, 21, and 22 next the city of Lake Mills will celebrate the centennial of this first Picket foundation with a Nationwide broadcast and many other events commemorating this eventful date.

EXTENSION OF REMARKS

Mr. McGREGOR. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a short article written by one of the young students of Ohio.

The SPEAKER. Is there objection?

There was no objection.

Mr. PLUMLEY. Mr. Speaker, the other day in connection with certain remarks I made as I offered an amendment to the conference report on the naval appropriation bill, I neglected to ask for authority to extend my remarks. I now ask that I may have permission to include in my remarks the remarks I had prepared in lieu of those which now appear in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. ANGELL. Mr. Speaker, yesterday I had leave to address the House for 10 minutes. The adjournment prevented it. I ask unanimous consent that I may be permitted to address the House for 10 minutes today at the conclusion of business.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my remarks and to include a short address.

The SPEAKER. Is there objection?

There was no objection.

LAWYERS' GUILD AND COMMUNISM

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute, and to extend my remarks in the RECORD and include a news article from today's Times-Herald.

The SPEAKER. Is there objection?

There was no objection.

Mr. JENNINGS. Mr. Speaker, when in the course of human events it becomes necessary for an individual to sever the ties that bind him to another—or to a kindred group—when those traveling together must for the time being part company—we are led to speculate on the anguish that must fill their hearts. Today's Times-Herald tells us that no less a personage than A. A. Berle, Assistant Secretary of State, resigned from the National Lawyers Guild because, he said, it is "not prepared to take any stand which conflicts with the Communist Party line."

This news item also states that there are also reports that another star in the galaxy of its membership is about to go into eclipse, and that Thomas G. Corcoran, special counsel for the R. F. C., and famed Presidential adviser, would also drop his membership in the guild.

Attorney General Robert H. Jackson and Nathan Margold, solicitor for the Interior Department, resigned last week from the organization.

Why all this scattering of the clan—this parting of the ways? Who flushed the covey? What brought this "change over the spirit of their dreams"?

Did they not know when they joined the guild, and during their travels with it, that among its membership are many "fellow travelers"? That its hue ranges from pink to red? Why have they suddenly concluded that "he who plays with pitch shall be defiled," and that "he who lies down with dogs will get up with fleas"?

It grieves us to contemplate the "sadness of farewell" when they separated, the "moaning of the bar" when they embarked. We can visualize them falling on one another's necks, the scalding tears, the severed heart strings, when their comrades said "au revoir but not good-bye."

To behold this dissolution, for public consumption, of the bonds between "souls with but a single thought," and "hearts that beat as one," is a source of wonderment to the country. [Applause.]

[From the Washington Times-Herald]

BERLE QUITS LAWYERS GUILD FOR STAND ON COMMUNISM—CORCORAN, OTHERS MAY FOLLOW SUIT

A. A. Berle, Jr., Assistant Secretary of State, today resigned from the National Lawyers Guild because he said it is "not prepared to take any stand which conflicts with the Communist Party line."

Berle's resignation was by letter to John Gutknecht, national president of the guild, and Merle D. Vincent, president of the District of Columbia chapter. It said:

"I hereby resign from the National Lawyers Guild, and also from the District of Columbia chapter, resignation to take effect at once.

"The National Lawyers Guild was formed in the hope that expression might be given to the liberal sentiment in the American bar.

"It is now obvious that the present management of the guild is not prepared to take any stand which conflicts with the Communist Party line. Under these circumstances, and in company, I think, with most progressive American lawyers, I have no further interest in it."

Simultaneously there were reports in Washington that Thomas G. Corcoran, special counsel for the R. F. C. and famed Presidential adviser, also would drop his membership in the guild. Attorney General Robert H. Jackson and Nathan Margold, Solicitor for the Interior Department, resigned last week from the organization.

PERMISSION TO ADDRESS THE HOUSE

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to extend my remarks in the RECORD and to include certain tables.

The SPEAKER. Is there objection?

There was no objection.

Mr. RICH. Mr. Speaker, I dislike to ask for a second minute at this time——

The SPEAKER. The Chair is not inclined to recognize anyone twice the same morning.

EXTENSION OF REMARKS

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to extend my remarks and include a copy of a chain letter I have received.

The SPEAKER. Without objection it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. BOLLES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. BOLLES. Mr. Speaker, up at a place in Wisconsin called Wyeville, a railroad junction point, one day there was a freight wreck. The wreck turned the trains upside down and the passenger train which came after was delayed. A hobo on the freight train had been killed. His body was taken over to a mortician. We call them "morticians" up in Wisconsin and not "undertakers." We are quite civilized and modernized. There was no place for the passengers on the train to go except over to the mortician's place. The

undertaker, in his frock coat, said: "Is there anybody here who would like to say a few words for the deceased?" Nobody responded until a short, handsome, gray-haired man rose and said he was from Tupelo, Miss. He said, also, "If there is no one here who wants to say a few words about the dead, I would like to take a few minutes to speak to you about the glories of the T. V. A., the R. E. A., and the machinations of Power Trusts. [Laughter and applause.]

[Here the gavel fell.]

Mr. RANKIN. Mr. Speaker, a point of order. That was the Republican Party that was being buried. [Laughter.]

HARRY BRIDGES

Mr. FISH. Mr. Speaker, pursuant to rule XI, paragraph 2, chapter 45, I call up for consideration the report of the Committee on Rules providing for the consideration of the bill, H. R. 9766.

The SPEAKER. The unfinished business, the Chair will state to the gentleman, is the gentleman's resolution offered upon yesterday.

Mr. FISH. As I understand the parliamentary situation, the gentleman from Mississippi [Mr. COLMER] has reported that rule to the House already.

The SPEAKER. The gentleman is correct.

Mr. FISH. Now, therefore, under the rules as I have quoted them, rule XI, paragraph 2, clause 45, I am calling up that report for consideration.

The SPEAKER. Has the gentleman been authorized by the Rules Committee to call up the rule?

Mr. FISH. I am calling it up under the rules of the House, realizing that the rules require a two-thirds vote to bring it up for consideration immediately under rule XI. That I consider the privilege of any member of the Rules Committee.

The SPEAKER. The Chair cannot recognize the gentleman from New York to call up the resolution unless the RECORD shows he was authorized to do so by the Rules Committee. The Chair would be authorized to recognize the gentleman from Mississippi [Mr. COLMER] to call up the rule in the event the resolution offered by the gentleman from New York, which was the unfinished business, is not called up.

Mr. FISH. Will the Chair permit me to read this rule?

The SPEAKER. The Chair would be glad to hear the gentleman.

Mr. FISH. Rule XI reads as follows:

> It shall always be in order to call up for consideration a report from the Committee on Rules (except it shall not be called up for consideration on the same day it is presented to the House, unless so determined by a vote of not less than two-thirds of the Members voting).

I submit, according to that rule and the reading of that rule, Mr. Speaker, that any member of the Rules Committee can call up the rule, but it would require the membership of the House to act upon it by a two-third vote in order to obtain consideration.

The SPEAKER. The precedents are all to the effect that only a Member authorized by the Rules Committee can call up a rule, unless the rule has been on the calendar for 7 legislative days without action.

Mr. FISH. Of course, there is nothing to that effect in the reading of the rule.

The SPEAKER. The Chair is relying upon the precedents in such instances.

Mr. FISH. I am not familiar with any precedents in such a case, but it seems to me the rule is very clear.

The SPEAKER. For the gentleman's information the Chair will be glad to insert some of the precedents in the RECORD upon which the ruling is based.

The Chair recognizes the gentlewoman from New Jersey.

EXTENSION OF REMARKS

Mrs. NORTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a letter from the Honorable Charles Edison, Secretary of the Navy, to the President of the United States, and the President's reply.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AMENDMENTS TO NATIONAL LABOR RELATIONS ACT

Mrs. NORTON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 9195), to amend the National Labor Relations Act.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 9195, with Mr. JONES of Texas in the chair.

The Clerk read the title of the bill.

By unanimous consent the first reading of the bill was dispensed with.

The CHAIRMAN. The Chair recognizes the gentlewoman from New Jersey for 1 hour under the rule.

Mrs. NORTON. Mr. Chairman, as the opposition has 2 hours of general debate and the chairman of the Committee on Labor has but 1, I suggest that the opposition use some of its time.

Mr. HEALEY. Mr. Chairman, will the gentlewoman yield?

Mrs. NORTON. Gladly.

Mr. HEALEY. Will the gentlewoman from New Jersey tell the Committee how the time is to be apportioned?

Mrs. NORTON. Under the rule—and I may say that the chairman of the committee had nothing whatsoever to do with it—the chairman of the Committee on Labor is permitted 1 hour of the time for general debate. Two hours of the time is allotted to the Smith committee and 1 hour to the minority of the Labor Committee.

The CHAIRMAN. Does the gentlewoman from New Jersey desire to reserve the balance of her time?

Mrs. NORTON. Mr. Chairman, I yield myself 10 minutes and reserve the balance of my time.

The CHAIRMAN. The gentlewoman from New Jersey is recognized for 10 minutes.

Mrs. NORTON. Mr. Chairman, much has been said about the rule under which this bill was brought before the House and I am not going into that again, but I challenge the majority of the Smith committee in the matter of the charges they have made here under congressional immunity to repeat them in an open forum where the accused would be on equal grounds. They would not dare to slander honorable men where the men could face them and defend themselves.

Mr. HOFFMAN. Mr. Chairman, will the gentlewoman yield?

Mrs. NORTON. No; I do not yield.

Mr. HOFFMAN. The statements I have made here I have repeated openly half a dozen times.

The CHAIRMAN. The gentlewoman from New Jersey declines to yield.

Mrs. NORTON. The sort of personal abuse that has been going on here is what I think you men usually consider hitting below the belt.

The gentleman from Virginia contends that his proposed amendments are designed to benefit the operation of the act. I and the majority of the Labor Committee emphatically reject his conclusions knowing that the proposals will accomplish the exact opposite and render the act futile. Let us see what the great labor organizations which, according to the majority of the Smith committee would be benefited, have to say about their proposals.

In a statement released to the press on March 15, 1940, President William Green stated:

> It is the opinion of the American Federation of Labor that the amendments offered by the Smith committee as a whole strike at the vital, fundamental principles of the National Labor Relations Act in a destructive way.

In a letter received from the Congress of Industrial Organizations, dated March 12, 1940, that organization stated the following:

It is the judgment of our organization that the amendments proposed in H. R. 8813 would destroy the fundamental rights guaranteed to labor under the National Labor Relations Act.

In order to evaluate the recommendations made by the majority of the Smith committee, I think it necessary that we briefly consider the source from which those proposals emanated. All legislation necessarily reflects the attitude and philosophy of its author. The gentleman from Virginia who is sponsoring these amendments has a record of antilabor activities that is almost without parallel in the House. Elected from a district where labor is denied the right to vote, he can and does freely and openly oppose any and all measures designed to aid or comfort labor.

By his own admission, the gentleman from Virginia voted against the National Labor Relations Act. He registered his vote against the wage and hour law and other progressive measures introduced in the House. The Republican members of the Smith committee who joined the chairman to constitute a majority have records on labor and progressive matters equally as bad as the gentleman from Virginia. In the light of the parentage, the Members of the House in justice to themselves must consider their proposals with at least a healthy skepticism if not actual distrust. The minority of the Smith committee composed of men whose labor records stand out in bold relief against those of the majority of the committee have denounced the Smith proposals in a most convincing manner, in fact, the language of the minority report though not intemperate, is as strong an indictment as I have ever seen in a congressional report. The minority pointed out instance after instance of unwarranted conclusions, unsupported statements, and on occasion, actual distortion of fact made by the majority.

The resolution creating the Smith committee instructed its members to conduct an investigation along broad lines. The committee in its operation has completely disregarded the mandate of the House and has confined itself to a witch hunt within the files of the Board, painstakingly searching out isolated instances of indiscreet action on the part of relatively few Labor Board employees. The obvious purpose of this was to stimulate newspaper headlines for the purpose of concealing their real purpose. The conclusions drawn by the majority of the committee, are, as the minority points out, fabricated from whole cloth finding no support either in fact or legitimate inferences from their own record. The only conclusion that can be drawn establishes that their entire effort has been a vain search for evidence to support preconceived conclusions they hoped to foist upon their fellow members. It is more than apparent to any unprejudiced observer that their entire investigation has utterly failed to disclose any evidence to support the proposals advanced.

One example will suffice to indicate the completely unfair attitude of the Smith committee. One feature of the resolution creating the committee instructed its members to determine whether the Board has been fair and impartial in its administration of the law with particular reference to the definition of the term "interstate commerce." Twenty-five decisions of the United States Supreme Court and more than 120 decisions of circuit courts of appeals have sustained the Board's conclusions in this respect, and in but one instance did a circuit court of appeals overturn the Board's conclusion. The majority of the Smith committee failed to treat this phase of the investigation. That committee failed to investigate or treat any of the mass of affirmative evidence to answer the Board's critics. When they were confronted with the really vital facts such as the Board's record before the courts or the fact that over 90 percent of the cases brought to the Board's attention are disposed of without formal proceedings, they carefully brushed aside these points hoping that they would not come to light and in complete disregard to the instructions of the House itself, continued only to smear individual employees. When the Board, given a week to answer the months of mud slinging against it, brought these important facts to light and put them into the record to the dismay of the majority of the committee, the majority attempted to conceal them by disregarding this evidence in their report to Congress. It remained for the minority Members to present the true picture. Can we, in the face of such evidence, rely upon the wholly unsupported and distorted conclusions of a committee that has disregarded the evidence, concealed the facts, and perverted the purpose for which it was created? Are we willing to underwrite this attempted "blitzkrieg" against the hard-won rights of labor?

In contrast to the thoroughly undemocratic and partisan investigation carried on by the Smith committee is the record of the Labor Committee of the House. Our investigation has been honest and extensive. From the outset we had in mind the congressional policy as declared in the act.

The National Labor Relations Act itself is a very simple piece of legislation seeking to accomplish three primary objectives. First, it seeks to protect the right of employees to self organization. Second, it requires employers to respect this right; and third, it provides the machinery for the determination of the appropriate bargaining agent if any. The procedure in the act itself has been patterned after and follows almost verbatim the procedure established and still followed by the Federal Trade Commission Act.

Nobody, today, openly advocates repeal of the act with the exception of a small group which has recently sprung up. It has been conceded by the public the legislative assemblies and the judiciary that the right of self organization and collective bargaining requires and should be protected and safeguarded through Federal legislation. The enemies of this act dare not attack in the open but have used and are still using subterfuge and hypocrisy as their weapons. The most perfect example of this is the amendment contained in H. R. 8813 offered here in the guise of necessary and perfecting amendments. For that reason, I wish to impress upon you the necessity of scrutinizing all amendments that may be offered with the utmost care so that whatever action is taken will be based upon a thorough understanding of what the results will be. The protection of the rights of more than 8,000,000 organized workers in this country will go out the window if the Smith amendments are adopted.

The National Labor Relations Act was soundly conceived in principle and is one of the best drafted pieces of legislation ever passed by Congress. Its mandates are clearly and concisely stated; its procedure carefully framed. Now, more than ever before, it is important that the integrity of the act remain unimpaired. We are embarking upon a gigantic national-defense program. It is a task never before in the history of this country approached with such earnestness and such unity of purpose. It is far larger than any task that has recently confronted both industry and labor. During the last war, the employer-employee problem was considered so important that a War Labor Board was established to treat with the identical problems that the National Labor Relations Board was set up to consider some 15 or 16 years later. The objectives of the two Boards were identical and among the principals announced at the time were the following:

Right to organize: The right of workers to organize in trades unions and to bargain collectively through chosen representatives is recognized and affirmed. This right shall not be denied, abridged, or interfered with by the employers in any manner whatsoever. Employers shall not discharge workers for membership in trade unions nor for legitimate trade-union activities.

Then, for the first time, Congress recognized the necessity that the rights of labor be defined categorically and that labor have the opportunity to assert its just claims in a manner not involving industrial stoppages. But, today, we

are faced with a much larger though identical problem. And now, as always, the enemies of labor are using the crisis as a camouflage because of their own blind, selfish interests, in an effort to take away those rights which have become an essential part of our philosophy of government. If the present rights of labor are taken away, if they no longer have a tribunal capable of effecting a just and peaceful settlement of disputes to which they can turn, they will be forced to resort to economic weapons. Industrial uncertainty and interferences with production will be the result and now as never before we must have a steady and peaceful flow of industry if we are to guard our national welfare. This act is well established. Its purpose and application have been endorsed by over 20 decisions of the Supreme Court and more than 100 decisions of the circuit courts of appeals. We should unite more than ever to uphold this act and turn back efforts to put labor relations of the Nation into utter confusion. Those who advocate the weakening and even the destruction of this act are deliberately attacking the cause of the national defense.

There can be no doubt that the act has accomplished the main objectives sought by Congress in its enactment. Throughout the country it has made employees free, for the first time, to form and join labor organizations without fear of losing their livelihood through discharge or blacklisting. In 1935, there were only about three and one-half million workers in labor organizations and in 1939 union membership totaled about eight and one-half million. Concurrent with this increase in union membership, there has been an enormous decrease in labor strife and a large increase in the number of collective agreements establishing better wages, hours, and working conditions for the workers. The actual statistics on the decrease of labor strife are contained in the minority report of the Smith committee so I will not go into that here. I would like to call the attention of the House to one outstanding illustration of the operation of the act which has taken place in the last few weeks. Three years ago, when the act was unable to function because of widely publicized doubts as to its constitutionality, the workers in our automobile industry sought to achieve collective bargaining. The results were a series of bitter sit-down strikes, resulting in both loss of wages and business and in the destruction of property. Last month, a similar question arose in the automobile industry and this time with the act in operation it was solved in a peaceful and orderly manner. This time, instead of forming a picket line, 130,000 General Motors employers went quietly to the polls and in a peaceful election settled the question in true democratic fashion. These major accomplishments of the act are not given enough emphasis. They are being ignored or suppressed in the general "smear" campaign which is and has been raging for some time.

The task of the Board in the performance of its history-making duties of preventing unfair labor practices condemned by Congress and in deciding the difficult question of appropriate bargaining units has been fraught with tremendous opposition, including opposition from many employers and employer spokesmen, every variety of legal obstacle which could be raised has been directed against the law, the Board, and the operations of its staff. Added difficulties arose from the division in the ranks of labor. Notwithstanding all this, the Board, from its inception to June 30, 1939, disposed of 18,788 cases, and in doing so found it necessary to institute formal proceedings under the statute in only about 9 percent of the cases. It made orders against employers in unfair labor practice cases in only about 5 percent of all unfair labor practice cases brought to it, or a total of 667 orders. The overwhelming majority of all disputes submitted to it have been disposed of amicably by dismissal or withdrawal without industrial unrest.

I bring to your attention also that review by the Federal judiciary of the decisions and orders of the Board has shown a notable degree of correctness in the performance by the Board of its quasi-judicial duties and that, judged by the most final and objective test of this character, namely, review by the Supreme Court of the United States, that Court has decided and considered in the past 3 years 25 cases arising under the act. It has sustained the Board's position completely 21 times, modified its orders twice, and set aside its orders twice. This is the best litigation record in the history of government and one of which Congress should be proud. Faced with the task of developing the application of the statute to the protection of self-organization and collective bargaining throughout a large part of our industry, the Board has been under the necessity of building up and training a large staff. It was not to be expected nor is it true that no mistakes have been made within the organization, but it is unquestionably true that remarkable progress has been made in the development of the principles of self-organization and collective bargaining, by the decisions and operations of the Board, and by the decisions of the courts. These gains must be preserved.

I believe that, considering the afore-mentioned facts, the act should have no drastic changes. I do not take the position that the act cannot be improved, but that can only be done by the addition of strengthening amendments.

The Labor Committee of the House, as you know, has held extensive hearings upon the subject of amendments to the National Labor Relations Act. We have listened to scores of witnesses representing labor, industry, and the general public. We have taken several thousand pages of testimony and have had access to the records of the Senate and Smith committee hearings. In addition, over a period of several weeks we have discussed and argued over amendments in executive session. As a result of this intensive study of the subject, certain general conclusions stand out in my mind. In stating these conclusions to the House I believe that I am not only speaking for myself but also for the majority of the committee who sat with me during the consideration of the amendments.

The Labor Committee rejected the proposed amendments submitted by the majority of the Smith committee. We did so for a very obvious reason. Those of the Smith amendments which deal with the substantive provisions of the act are almost without exception designed to restrict the rights of labor guaranteed by the act. I challenge emphatically the assumption that the rights protected by the act are excessive or should be curtailed. In my opinion, they constitute the minimum guaranties necessary to carry out the underlying policy of the act. Those of the Smith amendments dealing with the procedural provisions of the act are designed to accomplish far-reaching changes in the administrative process. These proposals would inevitably increase legalistic technicalities in the administration of the act and greatly reduce operating efficiency. Such amendments seem to me entirely unnecessary to safeguard the rights of employers under the act. In any event, I see no reason to discriminate against labor by creating such procedural hazards in a statute designed to protect the rights of labor when legislation for the protection of property rights is not so handicapped. If the administrative process is to be revolutionized, the experiment should not be made at the expense of labor alone.

I come, then, to the amendments proposed by the majority of the Committee on Labor. These are four in number. In our judgment, they are the only proposals which are worthy of consideration by any group which is genuinely without reservation interested in the preservation and strengthening of the principles now embodied in the National Labor Relations Act.

The first proposal is that the Board be enlarged by the addition of two new members. In dealing with labor problems speed is of the essence if the rights of workers are to be preserved. Nevertheless the Board has found it difficult to keep abreast of its work under present conditions. Perhaps the greatest defect in the administration of the act to date has been the delay in the issuance of Board decisions. Undoubtedly, with the addition of two new members to the Board, it will be possible to dispose of its business more promptly. It is to be noted that the Securities and Exchange Commission, as well as other quasi judicial agencies having

a large volume of business, are composed of five or more members.

Enlargement of the Board will accomplish another important objective. Perhaps no agency in the history of the Government has been the unwarranted object of such sustained and bitter criticism as has the National Labor Relations Board. I am convinced that most of this criticism arises fundamentally out of bitter-end opposition to the law itself. However much we may deplore this situation or feel that the Board has been unjustly treated, the fact remains that the addition of two new members would bring a fresh viewpoint to the difficult problems confronting the Board. At the same time, by the retention of the present members, who have established the law and brought the right of self-organization and collective bargaining into reality, the proposed amendment would have the advantage of continuity in the administration of the act.

The second proposed amendment deals with the troublesome question of the appropriate bargaining unit. The controversy over this issue has centered mainly around the question whether a craft unit or an industrial unit should be held appropriate. The problem is perhaps best illustrated by taking a concrete example: The X Y Z plant employs 100 production workers. Of these 100 there are 10 who are skilled craft workers, such as machinists, electricians, or pattern makers. The A union is an industrial union and admits to membership all the 100 production workers in the plant; the B union, on the other hand, is a craft union, admitting to membership only the 10 craftsmen. The question is whether the 100 employees, including the 10 craftsmen, should be considered an appropriate unit, as the A union claims, or whether the 10 craftsmen should be considered a separate unit by themselves, as the B union contends. In support of the argument for a single industrial unit it is said that the splitting of the employees of various crafts from the main unit weakens the bargaining strength of the employees and results in less effective bargaining. In support of the argument for a craft unit it is said that the employees have organized in craft unions for many years and that to establish the large industrial unit as the only appropriate unit would in effect prevent the craft union from organizing in the plant at all, since it would not be permitted to bargain on a craft basis for the craft employees alone.

The National Labor Relations Board, up to the appointment of Dr. Leiserson, solved this problem by the application of the so-called Globe doctrine. Under this doctrine, the Board would permit the 10 craft employees to vote separately whether they wished to be represented by the A industrial union or by the B craft union. If a majority of the 10 craft employees voted for the A union the Board grouped all the 100 employees together in a single industrial unit. On the other hand if a majority of the 10 craft employees voted for the B craft union, then the Board found the smaller craft unit appropriate. Under this plan the choice of appropriate unit was left to a vote of the craft employees themselves. After appointment of Dr. Leiserson a majority of the Board did not apply the Globe doctrine in certain cases where the industrial union had previously secured a contract on an industrial basis. In all other cases, however, the Board continued to apply the Globe doctrine.

The amendment proposed in H. R. 9195 has the effect of writing into the act the principles of the so-called Globe doctrine. It provides that in any case where the majority of the employees of a particular craft wish to bargain through a craft unit the Board will designate such craft unit as the appropriate one. Under this amendment the craft employees would be permitted to decide for themselves whether they wished to bargain through a craft unit or to be merged into a larger industrial unit.

Objection has been made that the proposed amendment favors American Federation of Labor unions to the prejudice of C. I. O. unions. It is also argued that Congress should not fix a rigid, inflexible rule but should leave the issue to be decided by the Board on the facts of each case. These objections must be seriously considered. Nevertheless the majority of the Labor Committee has felt that the issue has created such a controversy, resulting in constant attack on the Board by both contending parties, that the matter should be resolved by Congress itself. It will be noted that a very similar provision is contained in the New York State Labor Relations Act where it seems to operate very satisfactorily.

The third amendment proposed in H. R. 9195 confers upon employers the right to petition the Board for an election in cases where two or more unions not established or assisted by unfair labor practices each claim to represent a majority of the employees. Upon the filing of such a petition the Board must investigate and certify which representative, if any, the employees have chosen. This proposal is designed to assure that an employer who is caught between the rival claims of two contending unions has the right to appeal to the Board to settle the controversy. The proposal incorporates in the statute the provision for employer petitions already embodied in the Board's rules and regulations, with one important addition. Under the present Board rules and regulations it lies within the discretion of the Board whether to act upon the petition filed by the employer. The proposed amendment makes it mandatory on the Board to take action upon the filing of such a petition. Regardless of the Board's rules and regulations, however, the matter is of sufficient importance to require congressional action.

The fourth and final amendment proposed in H. R. 9195 provides that where an employer has entered into a contract with a bona fide labor organization representing a majority of his employees, the loss of a majority by the labor organization or a change in its affiliation does not impair the validity of such a contract provided it does not run more than a year, the Board is prevented from certifying a new representative. The purpose of this amendment is to stabilize labor relations by expressly providing that a contract shall remain valid despite the shift of a majority of the employees from the contracting union to another union.

These four amendments are distinguishable from the Smith amendments and from most of the other amendments that have been proposed from time to time, in that they strengthen the act rather than weaken it. The enlargement of the Board will enable it to speed up its work, will give it new prestige, and will bring a fresh point of view. The craft-unit amendment will settle in a fair and practical manner a controversy of long standing that has seriously interfered with the work of the Board. The amendment on employer petitions will afford the employers relief from situations which have frequently troubled them. And the contract amendment will stabilize and promote harmonious industrial relations. Taken together, the amendments carry out and perfect the basic policies of the act.

Let us examine the character of some of the charges made against the Board and its staff. In debate on the rule on Tuesday the gentleman from Georgia undertook to lay 29 charges against the National Labor Relations Board. I cannot supply answers to those of his charges which were presented in purely rhetorical form. I can and will make answer to those of his accusations which bear sufficiently close relation to facts upon the record. The gentleman prefaced his charges by stating that they were made upon the basis of the record of the National Labor Relations Board and of the findings of the Smith committee. He has chosen to disregard the careful and thorough investigations made by the House Labor Committee and by the Senate Committee on Education and Labor. I choose, in making answer, to draw upon these at least equally reliable sources.

The gentleman tells you that the Board had thwarted the maintenance of stable industrial relations. I remind him that one of the matters which the Smith committee was entrusted by this House to investigate was whether or not the Board's activities tended toward industrial peace. I further remind him that the only substantial evidence presented to the Smith committee on that point appears in the testimony of J. Warren Madden, the Chairman of the

Board. No one on the Smith committee or outside of it has as yet challenged Chairman Madden's statement that strikes decreased one-half and the number of workers involved decreased two-thirds during the first year after the National Labor Relations Act was declared valid by the Supreme Court. No one has challenged his statement that strikes have decreased much faster in those interstate industries over which the Board has jurisdiction than in the intrastate industries which it cannot touch; nor his statement that sit-down strikes, fomented largely by resistance to worker organization during the period just prior to validation of the act, disappeared like snow under a hot sun as soon as workers knew they could turn to the protection of the act instead of to violent means of forcing their employers to obey the law; nor his statement appearing in the CONGRESSIONAL RECORD only last Tuesday that strikes have so continued to decrease that this past winter saw fewer workers involved in industrial strife than during any winter since the first black winter of the depression in 1932.

The gentleman from Georgia does not challenge the fact that the past 3 years of Labor Board intervention in labor relations are the same 3 years in which the habit of employers entering stable working agreements with their employees has developed to the highest state in our industrial history. In fact, the gentleman from Georgia contents himself with charging that the Board has deliberately fomented industrial strife in the face of facts exactly to the contrary. Instead of giving way to fear-inspiring utterances, I should like to hear the gentleman address himself to a concrete explanation of why the record shows that we have had a minimum of labor disturbances during the past year while at the same time there were twice as many workers organized into unions and thus potentially organized to strike if they so desired. There is no escaping that evidence that the Labor Act and the Labor Board has been a stabilizing force; there is no escaping; that is, except in repeating contrary charges so often that people think with their emotions instead of with their heads.

The gentleman from Georgia charges that the employees of the Board are generally incompetent, and he embodies this assertion with stale accusations against some of its personnel. Against the Board's legal employees the gentleman lays the charge of—and I quote him—"lack of training and experience in law requisite to perform their duties." I admire the gentleman for being able with a straight face to direct that accusation against a legal staff which has established the greatest record for competency in the circuit courts of appeals and in the Supreme Court of the United States of any agency ever operating under the American flag. I challenge the gentleman to deny that statement. I challenge him to explain why the Supreme Court has upheld the Board in 24 cases and denied it in only 2; why the circuit courts of appeals have upheld the Board in 86 cases and denied it in only 19; how it happens that 307 consent decrees were entered in circuit courts to uphold Board cease-and-desist orders; why it is that in all these cases the Board's assumption of its jurisdiction was only denied in 1 case.

This House 5 years ago handed over to this Board one of the hardest assignments in our national history. All industrial lawyers said the act was illegal. One hundred and two industrial lawyers tried to prove so by entering injunction suits on the grounds of its unconstitutionality. More than a hundred of the best legal minds industry could find have fought through contested cases on the merits before the highest courts in the land.

From this legal maelstrom the Board staff has emerged with its head high and its colors flying, with collective bargaining and Board procedure sustained in hundreds of test cases. And as its reward for this unparalleled record, the gentleman from Georgia describes those who established it as—again I quote—"unfit for the duties they perform" and "guilty of gross irregularities in the conduct of the public business." If they are guilty, so is the judiciary of the United States, and that must apply not only to the Supreme Court as constituted but also to the Supreme Court as constituted on April 12, 1937, when the first five Board cases were upheld. If they are "unfit for the duties they perform," what scorn shall we pour upon the heads of the Federal Trade Commission and the Interstate Commerce Commission for their infinitely poorer records in the courts during their first 5 years of existence? The gentleman from Georgia blandly tells you that the Board "violated all the rules of evidence" and that it has substituted "surmise, suspicion, and guess for proof." This, I take it, he bases on a decision of a circuit court of appeals, which once used such language in regard to a Board decision. To complete the picture, he should have informed you that the Supreme Court itself made painstaking review of the evidence and saw fit to reverse the court below. I cite the Waterman Steamship decision, in which the Supreme Court, in reversing the circuit court, stated:

> All of the Board's findings, far from resting on mere suspicion, are supported by evidence which is substantial.

Again the gentleman charges that the Board has "unscrupulously exercised arbitrary powers." Under the Constitution of the United States, the protection against the exercise of arbitrary power is entrusted to the judiciary. Has the Supreme Court been caught napping or has it been hoodwinked? What does the gentleman suppose the Chief Justice of the Supreme Court had in mind when he said on this very point, in the case of the Board against the Jones & Laughlin Steel Corporation—I quote the Chief Justice:

> We construe the procedural provisions as affording adequate opportunity to secure judicial protection against arbitrary action in accordance with the well-settled rules applicable to administrative agencies set up by Congress to aid in the enforcement of valid legislation.

In my turn I charge the gentleman from Georgia with having marshalled 29 charges against the Labor Board in a manner calculated to arouse prejudice without any regard for easily discoverable facts. The gentleman gives a certain statistical polish to his charges by placing a number before each one of them, but when you come right down to it, what for instance, does his carefully enumerated twenty-eighth charge mean? I quote him:

> I charge that the Board is guilty of the daily infliction of wrongs upon labor, industry, and the American people.

What wrong? Whenever the gentleman has been specific about these alleged wrongs, you find that they disappear under the bright light of facts. Has labor suffered because during the 5 years under the Labor Act it has doubled its membership, improved its conditions, and raised its wages? Has industry suffered because its chiseling fringe has been made to deal with its employees instead of imposing sweatshop wages, or because it has stabilized its labor relations under known contracts instead of having terms fought out between itself and restless, dissatisfied, unorganized workers? Have the American people suffered because their expressed desire for collective bargaining has been realized, or because strikes have decreased in numbers, intensity, and duration?

It is not possible to prevent the gentleman from Georgia from calling the personnel of the Board "professional trouble makers," but it is possible, and I think I have succeeded, in proving to him on the record that he is wrong when he says so.

The easiest way to discredit a public official nowadays is to tar him with the brush of alleged communism. The gentleman from Georgia has been liberal with that brush in respect to Edwin S. Smith, a member of the National Labor Relations Board. He has set down in the record of this House assertions that Mr. Smith's communist leanings were demonstrated by a trip which Mr. Smith took to Mexico in the summer of 1938. The entire incident of that Mexican trip was made the subject of thorough investigation by the Senate Committee on Labor and Education during its hearings last June. That record was open to the gentleman from Georgia and should have given him pause in making the statements regarding Mr. Smith which appear in the Appendix of the RECORD at page 3550. The gentleman accepts as manifest of Mr. Smith's communist leanings that he attended the conference in Mexico

City of the International Industrial Relations Institute. By the same token then the gentleman must bring the same accusation against Owen D. Young, chairman of the board of the General Electric Co.; Percy Straus, president of R. H. Macy & Co.; Morris L. Cooke, distinguished engineer and planner; and against others who were at that time members of the Industrial Relations Institute. And he did address that gathering. So also did Josephus Daniels, the Ambassador from the United States to Mexico. So also did Fred H. Colvin, editor emeritus of the American Machinist of New York, a McGraw-Hill publication. A paper by John Carmody was read in absentia. The gentleman from Georgia might have mentioned these facts which appear in the record of the Senate hearings. Instead he chose to give a Communist coloring to the institute's session by describing Leon Jouhaux, the French labor leader, as a man who—I quote the gentleman from Georgia:

Was subsequently jailed in France as the leader of the Communist Party.

If the gentleman had consulted any authority on the French labor movement, he would have learned that Leon Jouhaux is one of France's most active anti-Communists and could not have been and was not jailed in France for something he never was.

Mr. Smith is reproached by the gentleman from Georgia for being seated on the speakers' platform while the President of Mexico delivered a speech which the gentleman assumes was unfriendly to the United States. In point of fact, Mr. Smith did not understand a word of the language in which the President of Mexico was speaking. When a man is charged with not protesting the speech of the head of a foreign government, which speech he did not understand, that is drawing criticism out about as thin as you can get it.

Mr. Smith is credited by the gentleman from Georgia with having been selected at Mexico City as secretary for the United States of the League Against War and Fascism. In point of fact, Mr. Smith was never a member of the League Against War and Fascism and was never selected in Mexico by anybody for any office.

The trip of Mr. Smith to Mexico City has been hashed over in publications hostile to the Labor Act and in Senate hearings long before the gentleman from Georgia chose to bring it to the attention of the House. I cannot hope to have the last word on this subject, but if that were my privilege I would sum it up by saying that a Government official chose to spend his vacation in Mexico and incidentally addressed a gathering there of a scientific economic body, at which gathering he made a speech on the National Labor Relations Act.

[Here the gavel fell.]

Mrs. NORTON. Mr. Chairman, I yield myself 5 additional minutes.

I have scanned the testimony produced by the Smith committee, and may I say that there was nothing that could have been said against the National Labor Relations Board that was left unsaid, but I have not found one single valid charge against any member of the Board or against any of its personnel. It is true that there have been mistakes of judgment, but those mistakes are the kind that are apt to be made in the administration of any new law. Isolated errors of judgment certainly present no reason why we should try to destroy the entire act by adopting the destructive Smith amendments.

I predict that if this Board is enlarged every criticism that has been made against the Wagner Labor Relations Act will lose its effect. I believe that with a change in administration—and I say this without any feeling against the present members of the Board for I think they have done a very good job under the circumstances, but I do believe the job is too much for any three men—I think we should add at least two members to that Board.

Your committee has brought before you a bill well thought out. It does not destroy a single right conferred by the Wagner Act. Not a single thing that is fundamental to the act is destroyed by our bill. We ask you to give it consideration. It has been well thought out and it has been brought to you by the friends of labor, not the enemies of labor.

I feel very keenly about this, Mr. Chairman, because long before I came to the Congress I was interested in welfare work. I know something about the troubles of industry and the problems of the workers. In the days before the passage of the Wagner Act the workers had no legal protection of their democratic right to organize and bargain collectively.

They have a chance now to organize and to back that organization by law. Do not take this opportunity away from them. Do not destroy the rights of labor—rights they have worked for and struggled for during many years. Continue the protection they are entitled to and have under the Wagner Act. If you will adopt the Labor Committee bill you will have a good bill.

Mr. HALLECK. Will the gentlewoman yield?

Mrs. NORTON. I yield to the gentleman from Indiana.

Mr. HALLECK. The gentlewoman has referred to the bill reported by the Labor Committee. Is she in favor of the passage of that bill?

Mrs. NORTON. Most decidedly.

Mr. MURDOCK of Utah. Will the gentlewoman yield?

[Here the gavel fell.]

Mrs. NORTON. Mr. Chairman, I yield myself sufficient time to answer the question.

Mr. MURDOCK of Utah. Mr. Chairman, I have asked for this time to propound a question to the gentleman from Virginia [Mr. SMITH], of the investigating committee. As I understand it, 2 hours of the time under the rule is accorded the gentleman from Virginia?

Mr. SMITH of Virginia. Yes.

Mr. MURDOCK of Utah. It seems to me that that time must have been accorded him with the idea that at least half of it should be yielded to the opposition or to the minority of the Smith committee. I ask him at this time if he is willing to make the agreement that half of the time accorded him as chairman of the Smith committee be accorded to the gentleman from Massachusetts [Mr. HEALEY] and myself, of the minority?

Mr. SMITH of Virginia. Will the gentlewoman yield?

Mrs. NORTON. I yield to the gentleman from Virginia.

Mr. SMITH of Virginia. Mr. Chairman, it is true that under the rule one-half of the time is given to the Smith committee and one-half to the Labor Committee. I propose to yield one-half of the time yielded me to the ranking minority Republican member of the Smith committee to be in turn yielded by him. I want to see a fair division of all time between those in favor of the bill and those who oppose the bill. I will cooperate to that extent, but I will not make any definite agreement at this time other than to say that I will endeavor to see that the time is equally divided between those for and those against. I assume that the Labor Committee which announced itself as opposed to amendments will yield its time to the opponents.

Mr. MURDOCK of Utah. Mr. Chairman, the other day we saw what some people thought was fair play on the floor of the House. We saw at least 25 minutes, as I recall it, of the time under the rule used by the chairman of the Committee and the two Republican members, both of whom joined with him in the minority report. The gentleman from Massachusetts [Mr. HEALEY] and I had 5 short minutes as against 25 for the majority. I am wondering whether today there will be the same sort of cooperation, if there is going to be the same sort of fair play accorded the minority on the Smith committee as was accorded us the other day?

Mr. SMITH of Virginia. I am astounded at the charge of my colleague that the division of time was unfair on the rule. He knows, and the other Members of this House know, that I had 30 minutes of that time, that I used 13 minutes of it for those who favored the rule and I gave 15 minutes to those who opposed the rule. [Applause.] Mr.

Chairman, I expect to be fair. I regret that personalities should so early creep into this debate, but I reiterate the statement I made a while ago. I am willing to go as far as the Labor Committee will go in seeing to a fair division of the time. If the Labor Committee yields half of its time to the proponents of amendments, then I will yield half of mine to the opponents.

Mr. MURDOCK of Utah. Certainly I have not injected into this debate any personalities.

Mr. SMITH of Virginia. The gentleman charged us with being unfair.

Mr. MURDOCK of Utah. I said that the division of the time was unfair, and if there is any Member in the House today who will stand in his place and tell me that 5 minutes accorded the opposition as against 25 minutes for the proponents of the rule is a fair division of time, then I do not understand what fair means.

Mr. SMITH of Virginia. I yielded 15 minutes of my 30 minutes to the opposition.

Mr. MURDOCK of Utah. The gentleman gave 15 minutes to the gentleman from Indiana.

Mr. SMITH of Virginia. I gave 30 minutes to the gentleman from Indiana and I had 30 minutes left. Of the 30 minutes I yielded 13 minutes to the proponents of the rule and 15 minutes to the other side.

Mr. MURDOCK of Utah. I am not saying there is anything unfair in what the gentleman did, but the division of time was unfair, and if the gentleman wanted to be fair today he would say to the minority of his own committee that they are entitled to half of the time accorded the Smith committee. That is what we think is fair, and that is what we think we are entitled to.

Mrs. NORTON. Mr. Chairman, this is not taken out of my time, is it?

The CHAIRMAN. Yes, it is.

Mrs. NORTON. The chairman of the Labor Committee has been given very little time. I was given 3 minutes on the rule. I do not know what the gentleman from Virginia [Mr. SMITH] is talking about when he refers to division of time, but I do know that the chairman of the Labor Committee received 3 minutes on the rule, and that the minority members of the Smith committee were given 3 minutes each. Do you call that a fair division of time?

Mr. SECCOMBE. Will the gentlewoman yield?

Mrs. NORTON. I yield to the gentleman from Ohio.

Mr. SECCOMBE. An extension of time was requested by unanimous consent, but was objected to by a Member on the other side. If the request had not been objected to, we would have had more time.

Mrs. NORTON. I asked for an extension of time.

Mr. SECCOMBE. There was a request to extend the time by 20 minutes, but it was objected to.

Mr. MURDOCK of Utah. The gentlewoman must understand that she is losing a lot of time now.

The CHAIRMAN. The Chair recognizes the gentleman from Virginia [Mr. SMITH] for 2 hours.

Mr. SMITH of Virginia. Mr. Chairman, I yield 1 hour to the gentleman from Indiana [Mr. HALLECK].

Mr. Chairman, I yield myself 30 minutes, and I yield now to the gentleman from Mississippi [Mr. COLMER].

Mr. COLMER. Mr. Chairman, I think it only fair in view of what transpired here yesterday afternoon and this morning to announce that as the Member who is handling the so-called Bridges resolution I am working in cooperation with the leadership, and I can say to the House that that resolution will be taken up at an early date in cooperation with the leadership of the House.

Mr. HEALEY. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I want to make a statement, and after I have made my statement I will try to reserve sufficient time to yield for questions. I hope the committee will cooperate with me to the extent of permitting me at least to explain the bill we have before us.

Mr. HEALEY. Will the gentleman yield briefly?

Mr. SMITH of Virginia. I yield briefly.

Mr. HEALEY. Just so we may have an understanding as to how we may proceed. I know the gentleman from Utah and I are anxious to know what time, if any, we can get.

Mr. SMITH of Virginia. I will not yield further at this time for a discussion of the division of time. I will try to work that out with the gentleman when I get through with my remarks.

Mr. Chairman, we have at long last reached that stage in dealing with the National Labor Relations Act when this House is permitted to deal with the subject of amendment. I am not going to be turned aside to discuss personalities with my colleague. The subject I regard as entirely too important for that. I am sorry that some of my colleagues seem to have no better argument for their position than to attack those who do not agree with them on this floor.

I want to run briefly through these amendments and let the House know what we are proposing, and let the House itself decide whether these amendments are destructive of the National Labor Relations Act. I will run through them as they appear in the bill.

The first amendment to which I want to refer is that which prohibits violence and destruction of property in connection with strikes. It prohibits it, however, only to the extent that the Labor Board shall not have the power to reinstate persons who have been guilty of willful violence or destruction of property. The language of this amendment is taken almost verbatim from the famous Fansteel case, decided by the Supreme Court of the United States, where that Court found it necessary to reverse and rebuke the Labor Board for its repeated efforts to place its stamp of approval upon the epidemic of infamous sit-down strikes which ran over this country at one time. That is all there is to this amendment. It leaves to the discretion of the employer whether he shall or shall not reinstate persons who have been guilty of violence.

The next amendment is that defining agricultural workers. In the consideration of the Social Security Act the Committee on Ways and Means worked out a definition of agricultural workers which was satisfactory to the House and the Senate and has become the law and is part of the Social Security Act. All we do is, in the interest of uniformity, attempt to write into the Wagner Act the same definition of agricultural labor which has been heretofore approved by this House and is the law so far as the Social Security Act is concerned.

The next amendment, Mr. Chairman, is that amendment to section 3 (a) which provides for a new Board, and that is the most vital and important amendment proposed by our special committee. This Board has been the trouble about this whole situation. I am now prepared to say that if we had a Board that paid some attention to the ordinary rules of common fairness and common justice and American jurisprudence we could get along very well with this act without further amendment. I know there will be an attempt to defend this Board on the ground that they have done well, and there will be an attempt to throw a lot of mud on those who do not agree with them; but I want to tell you some of the things that have been said about them.

You know, without my saying it, that industry in this country has unanimously condemned this Board. I am not going to read you or tell you what industry says about this Board, because I am afraid it would not be fit to print in the CONGRESSIONAL RECORD, but you all know what industry thinks about it.

Mr. KELLER. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I decline to yield.

I want to read you a couple of little statements. I will tell you later who made them. Listen to this one:

> But our complaint is against the administration of the act. We believe that the act has been administered contrary to both its spirit and letter. We charge the Board with maladministration, with bias, with an attempt to apply their own peculiar philosophy in the disposition of cases, rather than the plain provisions of the act.
>
> The Board, in our judgment, is anything but a judicial body.

It was not the National Association of Manufacturers that said that, it was not the United States Chamber of Commerce, and it was not some of us reactionaries or so-called labor

haters. This statement was made by President William Green himself on the record on oath before the Smith committee.

I want to read you another little statement. Listen to this one:

> But when the act is so administered as to thwart the development and maintenance of stable industrial relations, then it becomes necessary to consider and weigh carefully whether the benefits of the act outweigh the dangers which its administration inflicts upon organized labor.

That statement was not made by the Association of Manufacturers nor the Chamber of Commerce nor the labor haters; it was made to the annual convention by the outstanding militant labor leader of this country, John L. Lewis.

There is the condemnation of both great branches of American labor. The condemnation of the industry of this country is too well known to all of you for me to discuss that subject. I want to pass to the next amendment.

The next amendment, to section 3 (d), separates the judicial and the prosecution functions of this Board. It prevents this Board from going out into the field and investigating charges, then having its own attorneys prepare those charges, then the same agency prosecuting those charges before itself as a court, and then itself deciding its own case.

To be brief with you, I am merely going to read you one sentence from the opinion of Judge Earl Major, whom many of you will remember as a former distinguished Member of this body, in his opinion rendered in the *Inland Steel case*, when he reversed that Board and reprimanded them very sharply, and here is what Judge Major said about it:

> What this record as a whole convincingly discloses is the danger of imposing upon a single agency the multiple duties of prosecutor, judge, jury, and executioner.

The next amendment is one that ought not to be necessary. It is an amendment which prohibits in express langauge this Board from continuing its Economic Division with David J. Saposs, of whom you have heard, at its head. I do not wish to take your time on that because we discussed that here when the labor appropriation bill was under consideration. I spoke on it then, and I read to this House from his own writing, and that is in the RECORD. I read you his own writings where he came out flat-footedly and opposed the capitalistic system of government upon which our whole system is based. He demanded its destruction and that the workers of this country rise up in their power and destroy it, and that man is carrying on the same activities down in the Labor Board today, notwithstanding the act of Congress which cut out the appropriation for his salary; carrying on those activities at the expense of your taxpayers and mine at a salary of $5,700 a year.

Mrs. NORTON. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I decline to yield at this time.

Now, the next amendment proposed is the so-called free-speech amendment. Under the act the employer is prohibited from interfering with the employee in the formation or conduct of its union. The American Federation of Labor has been so outraged by the strained construction of that provision, by which the Labor Board manages to destroy A. F. of L. unions, that it proposed an amendment to the act itself, and we do not propose an amendment devised by us, but we propose a modified amendment, stricter than the American Federation of Labor amendment, and with the exception of merely cutting down and restricting the A. F. of L. amendment, we have presented to you word for word the amendment proposed and advocated by the American Federation of Labor. And why do they advocate it? Have you any conception of what innocent statements made by employers have been declared by this Board to be unfair labor practices? Let me read you two or three of them.

Why, they have held it to be an unfair labor practice to say that John L. Lewis is "more or less using people as suckers and getting rich from it."

They have said that it is an unfair labor practice for an employer to state to his employee that "wages depend on the relationship between cost and selling price, and nothing can be done about it regardless of union affiliations." This has been held to be an unfair labor practice.

They have held it to be an unfair labor practice for an employer to say that "there is no law in the world that would force the company to sign a closed-shop contract"; and, of course, there is not any such law.

Now, the employer cannot open his mouth to tell his employees the truth, but any labor agitator, any organizer, any Communist, any criminal may come into his plant and make statements absolutely false and slanderous, and under this act as now written and as construed by the Board, the employer's mouth is closed and he cannot deny those false statements.

Now, this is utterly indefensible, and I am not going to take any more of your time on the subject except to remind you that this is an American Federation of Labor amendment. There are two small amendments which I believe the Labor Committee has done us the honor to include in the Norton amendments and those are the right of employer to petition for an election, and that the election shall hold good for 1 year, so I shall not discuss them.

We have placed an amendment in the bill which makes the Board apply the rules of evidence of the United States court as far as practicable. That is the language. We do not undertake to reverse them or permit the court to reverse them if they do not follow the rules of evidence, but we merely caution them that they ought to follow the rules of evidence as far as they can practically do so. We have also put in a provision that when these cases are decided the Board must decide them upon a preponderance of the evidence.

Of course, they must decide them upon a preponderance of the evidence and nothing in the act relieves them of that duty, but they have not been doing it, and so we write it into law. I remind, gentlemen, that it will probably be said that the amendment is emasculatory of the act, but I also remind, gentlemen, that the same provision regarding preponderance of evidence is contained in the Walsh-Healey Act, and if it is emasculatory here, then we are just following the example of our good friend the gentleman from Massachusetts [Mr. HEALEY].

We have provided that decisions cannot be reversed by the courts unless they are not supported by substantial evidence, or unless clearly erroneous. We took that amendment bodily out of the Logan-Walter bill, which passed this House a few weeks ago by a tremendous majority. We took the words out of that bill, and put them into this bill for the sake of uniformity.

Mr. Chairman, we have put into this bill something that never should have been omitted in the first place, and that is the right of labor unions to appeal from the decisions of this Board in what is known as representation cases, and let me illustrate briefly. Where there is a dispute between two labor unions, the Board holds an election to determine which has a majority, or they may use some other method to determine the unit of representation. That is, how many plants or how many men shall be in a certain organization, and shall vote on the right of representation. When the Board has taken that action and has decided, let us say, that five separate plants in separate parts of the country constitute one unit, and which may and does often wipe out completely labor unions, and legitimate labor unions, under this law they have no right of appeal to the courts. Did you know that? They can be absolutely destroyed and have been absolutely destroyed because their right of appeal to the courts has been taken away. That is very important. I shall read to you what has been said about that in the famous Pacific Longshoremen's case by Chief Justice Hughes in deciding that case. In the Longshoremen's case this Board decided that every dock along the Pacific coast, the whole outfit, should be included in one union, dominated by the Communist, Harry Bridges. The result of that was to destroy a large number of American Federation of Labor unions which had

been in existence for years, and they undertook to appeal and here is what the Supreme Court had to say about that:

The Supreme Court has held in a number of cases that mere preliminary or procedural orders of an administrative body are not reviewable by the circuit court of appeals.

* * * * * * *

Accepting, as we must, this restrictive definition and applying it to the case at hand, we hold that, though the decision here was required by the act to be made and to be made on the evidence and argument after judicial hearing, and though it was definitive, adversary, binding, final, and in this case struck at the very roots of the petitioner's union and destroyed its effectiveness in a large geographical area of the Nation, it was not an order because the act did not require it to be made in the language of command.

Mr. MURDOCK of Utah. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. For a brief question.

Mr. MURDOCK of Utah. Is the gentleman reading from a decision of the Court?

Mr. SMITH of Virginia. Yes; I am reading from the decision of the Supreme Court. There is just one more amendment I want to talk about, and that amendment makes it mandatory on the Board to permit both the defendant and the plaintiff to summon their witnesses into court. Did you ever before hear of Congress having to fiddle with such a ridiculous proposition as telling this Board that it must permit these people who are prosecuted to have the right to subpena their witnesses into court? That is all that amendment does. Now we have a lot of self-appointed, self-constituted, self-anointed guardians of the great masses of the laboring people in this country.

I wonder who gave them their commission? I wonder who gave them the right to judge those of us who do not agree with them. They have undertaken to say what was the position of the American Federation of Labor and what was the position of the C. I. O., and they have undertaken to speak with authority that their position was the only right position, and those who disagreed were undertaking to destroy the sacred rights of labor.

I am going to read to you in a minute a letter from the President of the American Federation of Labor, but before doing so I want to remind you that old Sam Gompers and Bill Green and John Frye were fighting valiantly for the rights of organized labor, when it was not so popular many years ago, when some of these self-appointed guardians of labor were wearing swaddling clothes. [Laughter and applause.]

Now let us see what is the position of William Green. I have a letter from him this morning which, at his request, I want to read to you. It is addressed to me and reads as follows:

JUNE 5, 1940.

MY DEAR CONGRESSMAN SMITH: On the 15th day of March 1940, the American Federation of Labor issued a document containing, among other things, the following statement:

"Some of these (SMITH) amendments are practical and constructive. However, it is the opinion of the American Federation of Labor that the amendments offered by the Smith committee as a whole strike in a destructive way at vital fundamental principles of the Labor Relations Act."

In view of the fact that some misunderstanding has arisen as to the meaning of this statement, I desire now to clarify the same by stating specifically the amendments to which we referred.

1. We object to the proposed change suggested in section 1, which declares the fundamental principles and purposes of the act, and firmly believe that this section of the law should remain unchanged.

2. We believe that the proposed definition of section 2 of the term "collective bargaining" narrows the meaning of that term to the extent that it presents the danger of being so construed as to impair the fundamental purposes of the act, and therefore believe that this section should remain unchanged.

3. We oppose the so-called Garrison amendment to section 9 of the act as not affording protection against the excesses heretofore indulged in by the Board in fixing the unit of representation to the destruction of bona fide trade-unions and, in substitution therefor, we recommend the adoption of the attached amendment to this section.

4. We believe that the amendment to section 10 (c) putting a limitation of 6 months on back pay is too restrictive and would have no objection if the limitation were extended to 1 year, as contained in the proposed amendments to the Walsh-Healey Act.

While there are some remaining amendments which we cannot endorse, we are firmly convinced that, taken as a whole, the amendments proposed by the Smith committee, if modified as above suggested, will remedy in a large measure the excesses and abuses in the administration of the act, of which we have heretofore complained. We therefore urge your support of the amendments to the Smith bill, as outlined above; and if such amendments are adopted, we further ask you to support and vote for the bill as a whole.

Respectfully submitted.

WM. GREEN,
President, American Federation of Labor.

[Applause.]

Mr. Chairman, I ask unanimous consent to include the proposed amendment in my remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The amendment is as follows:

Page 14, strike out lines 3 to 18, inclusive, and insert:

"(e) Whenever in a proceeding under this section it is proposed—

"(1) to include any plant of a particular employer in a bargaining unit containing more than one such plant; or

"(2) to include the employees of a particular employer in a bargaining unit containing employees of one or more other employers; or

"(3) to include employees of a particular employer or employers in any craft in a bargaining unit containing employees other than employees in such craft;

the Board shall take a secret ballot of the employees at such plant, or of the employees of such employer, or of the employees in such craft, as the case may be, for the purpose of determining whether such employees desire to be so included. If a majority of the employees voting vote to be so included, the Board may by order include such employees in a bargaining unit containing more than one such plant, or containing employees of one or more other employers, or containing employees other than employees in such craft, as the case may be. If a majority of the employees voting vote not to be so included, the Board shall by order designate such plant, or the employees of such employer, or the employees in such craft, as the case may be, as a separate bargaining unit. For the purposes of this subsection, 'employer' does not include any association of employers, or any other organized group of employers."

Mr. SMITH of Virginia. Mr. Chairman, I am not going to talk about what this Board has done to industry. That sad tale is too well known to everyone. I am going to talk about what it has done to labor. I could give 50 illustrations, but I am going to take up only 3 or 4, because I do not have the time.

Mr. WOOD. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. Not at this time.

Let us take the Donnally garment workers' case. There was a union where the workers—1,200 of them—had gotten together of their own volition and formed their own union. They had done it because they had been threatened with physical violence by the organizers of a national union. Charges were brought that they were a company union. They went into the United States court and got an injunction against this threatened violence. The evidence showed, and was undisputed, that those organizers had gone into the street at some of these plants and absolutely stripped good, respectable women naked in the streets. Those women were frightened, and they formed their own organization. At the behest of the national union the Board comes and says, "You are a company union"; so they had a trial. There were 1,200 women who knew more about that situation than anybody on earth. Do you know what happened to them? When the case came to trial they brought the first one up and asked her to tell under oath whether she was dominated by the employer. The Board said, "No; you cannot be a witness in your own case."

Counsel in that case proffered every one of the 1,200 employees of that plant who would come forward and testify that their employer had nothing to do with the formation of that union. This Board says, "No; you can't testify in your own case." And they did not let them testify in their own case. And we talk about Russia. They have a better method in Russia. They call a fellow in when he is charged with a crime and say, "Now, if you don't confess, some very unpleasant things are going to happen to you." And he confesses, and the case is all over in 10 minutes.

No; we have got to persecute them and prosecute them through this sham, kangaroo court for years before they are destroyed.

Now, I want to tell you about another case, the Duffy Silk Mill case. That was a case where the employees had some trouble with the employer and went on strike. The Board had a Catholic priest up there, Father Boland, who was a fine, common-sense man, and who was the regional director of this Board we are talking about. He worked out an arrangement with the employers by which the employees were to go back to work. They got all the wages they were asking for. Then on top of that they got an arrangement by which the employer said, "We will enter into a contract that after your wages are paid and at the end of the year we will give you as a bonus 75 percent of the profits of this company." That agreement went into effect under the auspices and with the approval of the Board. It worked along all right until the C. I. O. found out there were some good pickings there that they were not getting. They sent their organizers there and attempted to organize the plant; brought charges against them. Notwithstanding the Board's previous approval of the plan, they actually ordered that arrangement dissolved, and disavowed their own act which they had approved, and at the behest of the C. I. O. destroyed that organization and took away from those employees, right out of their pockets and out of their pay roll, something like $50,000 a year. Is that helping the workingman? Is that what my friends over here opposing our amendments are defending? Is that the kind of conduct they approve? Is that the thing they want to saddle on the individual worker of this country? If it is, let them say so when their time comes to speak.

Now, the longshoremen's case on the west coast, to which I referred briefly a while ago: There was a case where the American Federation of Labor had had local unions all up and down that great stretch of coast. But the C. I. O. and Harry Bridges came into the picture. The Board comes along and arbitrarily on its own ipse dixit says to those people: "No; we are going to put you in one union." They called an election of the longshoremen on the west coast. When that election was held, naturally, the C. I. O. outvoted the A. F. of L. That was the case in which the A. F. of L. went to the Supreme Court and the Supreme Court said, "You are entitled to relief and ought to have it, but Congress has given this Board this arbitrary power and fixed it so as to tie our hands and we cannot give you any relief."

As a result of that decision the Board—this National Labor Relations Board—crowned that infamous Communist, Harry Bridges, king of all the longshoreman on the west coast of this country.

I would like to tell you about the progressive miners' case, where it was testified by the president of the A. F. of L. union that 80,000 of his men were deprived of their bargaining rights and made to go into the C. I. O. and pay tribute to that organization against their will in order to work by the sweat of their brow for a living for themselves and their families.

I would like to discuss other cases with you to tell you about the blacklist, where this Board writes to another Government agency of this country and asks them, simply because a charge has been made against somebody of violation of the Wagner Act, not to give them any more Government contracts. They did not even wait to give them a trial. Is that helping the workers?

How do they expect the workers to be employed, how do they expect the employers to pay them their pay roll on Saturday when they are blacklisting them on the one side and boycotting them on the other?

Is that what the self-anointed guardians of labor of this House want? Is that what they are looking for? Is that the kind of treatment they want to see meted out to the masses of the working people of this country?

Mr. WOOD. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. In just 2 or 3 minutes. I ask the gentleman to hold his question for a little.

In conclusion let me say we are confronted by the gravest emergency of our national life. All of our energies are directed to preparation to defend ourselves against modern mechanized warfare. Every resource must be marshaled to produce guns, planes, tanks, ships, and ammunition. Without these things in great abundance we are helpless and defenseless.

We have appropriated hundreds of millions of dollars for the purpose of defense, but I say to you that all of the dollars minted since the birth of the Republic will not repel one invader. To be effective these dollars must be converted into bombs and bullets, ships, and planes, and tanks.

We may draft the best of the youth of our Nation into the armed service. We may call your brave sons and mine to the colors, but if we do, we will merely condemn them to useless slaughter unless we first convert those dollars into modern engines of warfare.

We hear discussions as to the location of our first line of defense. I say to you that today our first line of defense and our last line of defense is in the factories and shops and in the great industries of this country. Our safety as a nation depends upon their efficient operation, and that in turn depends upon friendly cooperation and relationship between capital and labor. Neither capital nor labor must be permitted to take advantage of each other or of the Nation.

But, above all, no agency of this Government must be permitted to stir up strife or to strafe, or hamstring, or persecute the industries of the country upon which our safety now depends.

The evidence adduced before our special committee is irrefutable and overwhelming:

That the Labor Board as now constituted is definitely partial to the radical C. I. O. labor movement.

That the Labor Board persistently seeks to punish and persecute the industries of the country, sometimes to the point of bankruptcy.

That the Labor Board destroys legitimate, independent labor unions because they refuse to become affiliated with the national unions.

That the Labor Board is honeycombed with employees who do not even believe in our system of private ownership of property, upon which our whole industry is based.

That the Labor Board itself, with full knowledge of the distorted philosophy of these employees, persists in retaining them in key positions.

There is no more dangerous "fifth column" in this country this minute than some of the employees occupying important positions with the Labor Board and conducting their efforts to destroy capitalism, at the expense of our own taxpayers, under the shadow of the Capitol, and under the protection of the present Labor Board.

I make no specific charges against any member of the Board, except that I cannot fail to be disturbed by the apparent over-friendly relationship of Board member Smith with the notorious Communist, Harry Bridges.

I cannot help being disturbed by the overwhelming mass of evidence of Board partiality to the radical C. I. O. group, confessedly infiltrated with communism.

But the members of the Board themselves know better than you and I do the truth of the situation, and their stubborn refusal to clean house in defiance of congressional mandate—notably in the case of Saposs—can leave no other belief in the minds of the American people than that they are equally guilty with those they shield, protect, and foster.

The activities of this Labor Board have been condemned in the editorial columns of every metropolitan newspaper worthy of the name. They have been condemned in the eyes of an overwhelming majority of the American citizens. They have been condemned by all industry. They have been condemned by the American Federation of Labor. They have been condemned by the C. I. O. If they have any friends left outside of Washington I do not know who they are.

I appeal to you, I appeal to the coordinate branch of this Legislature, to which, God willing, this bill will soon be presented, and I appeal to the Democratic administration responsible for the orderly conduct of our defense preparations, to do something about this situation before it is too late.

Mr. WOOD. Will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Missouri.

Mr. WOOD. I have a copy of the letter from President William Green, of the American Federation of Labor, that the gentleman just read, and it refers to the recommended adoption of the attached amendment to section 9. The amendment is attached to the letter.

Mr. SMITH of Virginia. I have put it in the RECORD.

Mr. WOOD. The amendment deals with unit representation.

Mr. SMITH of Virginia. Yes.

Mr. WOOD. May I ask the gentleman if he would accept that amendment?

Mr. SMITH of Virginia. I would rather discuss that at a later time. I have not had the opportunity to read the amendment. In reply, may I ask the gentleman from Missouri if he will accept the amendment and support the bill if it is agreed to?

Mr. WOOD. The amendment is a part of the original bill.

Mr. SMITH of Virginia. I do not yield further.

Mr. WOOD. I was merely asking for information. If the gentleman does not want to tell me, that is all right.

Mr. SMITH of Virginia. If the gentleman does not want to tell me, that is all right, too.

Mr. WOOD. The gentleman seems to believe that the bill would be perfect with his suggested amendments.

Mr. SMITH of Virginia. I shall be glad to yield to any other Member who wishes to ask me questions. If not, I reserve the balance of my time.

Mr. HARTLEY. Mr. Chairman, I yield 10 minutes to a member of the Labor Committee, the gentleman from Indiana [Mr. LANDIS].

Mr. LANDIS. Mr. Chairman, I believe it was unfortunate that the Smith amendments were not thoroughly discussed by the Labor Committee.

According to the hearings of the Labor Committee over 90 percent of the trouble has been with the administration of the act and not the act itself.

In my opinion the main provisions brought out in the hearings were: The employer's right of petition, broken contracts, a five-man board, the appropriate bargaining unit, the delay in decisions, and free speech.

Mr. Chairman, there are many persons standing on the side lines who believe the Congress of Industrial Organizations and the American Federation of Labor could get together if it were not for the clash in personalities of William Green and John L. Lewis. There is a tendency to seek simplification by merely finding a way of disposing of the chief persons involved. The cleavage between the C. I. O. and the A. F. of L. is deeper than mere personalities. This is not the controlling factor. It goes to fundamental issues. Whoever leads the C. I. O. will have to boost and fight for industrial unions and likewise the A. F. of L. leader will have to boost and fight for craft unions. However, both the industrial and craft unions should be allowed to exist and enjoy the rights of collective bargaining.

It is our duty to see that governmental authority should not favor one form of labor organization as against another, whether it be industrial or craft. The choice of the type of organization should be left as a matter to be determined by the workers themselves.

I have a deep regard for the welfare of 8,500,000 workers in organized labor. Mr. Chairman, some will say that we have many radicals in all of our labor organizations. That may be true, but according to the Dies committee, we also have them on the Federal pay rolls. We find them in many other organizations in our land. It is our business to look after America and see that no radicals attempt to destroy by propaganda, sabotage, or force the kind of a government we have chosen ourselves. If any radicals in our country insist on destroying our form of government, we should put them on the first boat and send them back where they belong.

It is not my desire to stir up class hatred nor foment unrest between the worker and his employer. We have all witnessed too much of this in the past. The average employer is not a Tory, and his employee is not a radical. Both are entitled to prosper.

One of the primary purposes of the Wagner Act is the promotion of industrial peace and the reduction of industrial warfare. I know the Wagner Act is not perfect, but we have had fewer strikes since its adoption than we had before it became a law.

I would like to quote the hearings before the Labor Committee, one paragraph:

> From 1933 to 1937 the number of strikes per year rose steadily from 1,695 to 4,740. As just stated, although the act was passed in 1935, it did not actually become effective until after its validation by the Supreme Court in April 1937. It is significant, therefore, that strikes shortly thereafter commenced to decline. In 1938, the first full year after validation of the act, strikes decreased to 2,772, a decrease of over 40 percent of the number for 1937. At the same time the number of workers involved in strikes decreased from 1,860,621 in 1937 to 688,376 in 1938, a decrease of about 63 percent. Man-days of idleness due to strikes, the most accurate reflection of the effect of industrial strife, decreased from 28,424,857 in 1937 to 9,148,273 in 1938, a decrease of about 68 percent.

I realize that the Labor Board has made mistakes. Two of their major mistakes were in regard to broken contracts and the employer's right to petition for an election. The Labor Board made new rulings to rectify these mistakes long before we ever had the Smith committee.

Let us now turn our attention to the discussion of a five-man board. Would a five-man board, similar to the one we have now, help the situation? The President will appoint them and I believe the Senate would confirm any one he appoints. Why then should we take $20,000 from the taxpayers' pockets to hire two new members?

With five members, it would take three to make a quorum, thus requiring more time to make a decision. In cases involving important policy issues, the agreement of all five members would be necessary. Therefore, there would be more delay with a board of five members. Employers and employees want action—not delay.

In regard to free speech, it should be made clear that nothing in the act forbids expressions of opinions by employers which do not in fact interfere with, restrain, or force employees in their right to self-organization. No court has ever held that any infringement of this precious right has yet resulted from this act.

The problem of determining the appropriate bargaining unit has been the most perplexing and most troublesome that the Board has had to face. Numerous factors are involved, such as the desires of the employees, the history of collective bargaining in similar plants in industry, the mutual and conflicting interests of employees, and geographical location of different units of business.

The application of the Globe doctrine has been used in cases of conflict between craft and industrial unions. It permits the employees in the craft group, by vote or other expression of their wishes, to decide for themselves whether they desire to be in a separate craft unit or to be part of a large unit, including the craft group. If a majority of the craft employees express their preference for the craft union, then the Board holds the craft unit to be appropriate. If a majority of the craft employees express a preference for the union claiming the larger unit, then the Board includes the craft employees in the larger unit.

In 81 cases out of 100 the Board decided that the craft unit was appropriate. In most of the 19 cases turned down by the Board the craft unit had no members, or substantially no members, among the craft employees, and the craft employees had indicated no desire to be included in the craft

unit, or the craft unit had never been historically considered a separate craft group.

If you vote for section 2 of the Norton bill you would establish a hard and fast rule which the Board would be required to follow, regardless of other circumstances. While the amendment purports to grant free choice to the workers to decide which form of unionism they wish, its actual operation, in fact, nullifies any free choice of the majority. If you vote on this section you will be compelled to take sides with one of the great labor organizations. Members of Congress should not be forced to take sides between industrial and craft unions. Furthermore, Mr. Speaker, some of the employers are against adoption of this section.

We should not be too hasty in amending this act. No one wants to destroy it or take away from labor the right of collective bargaining. In times like these, with a great defense program in process in America, we want industrial peace. Labor, industry, and Government must go forward with a united front.

Mr. HEALEY. Will the gentleman yield?

Mr. LANDIS. I yield to the gentleman from Massachusetts.

Mr. HEALEY. The gentleman concedes that the administrative changes in the Norton bill can be put in force under the present language of the act?

Mr. LANDIS. That is right.

[Here the gavel fell.]

Mrs. NORTON. Mr. Chairman, I yield 10 minutes to the gentleman from Utah [Mr. MURDOCK].

Mr. HEALEY. Mr. Chairman, I make the point of order there is not a quorum present.

The CHAIRMAN (Mr. WHITTINGTON). The Chair will count. [After counting.] One hundred and thirty-seven Members are present, a quorum.

Mr. HALLECK. Mr. Chairman, I yield 5 minutes to the gentleman from Utah [Mr. MURDOCK].

Mr. SMITH of Virginia. Mr. Chairman, I yield 5 minutes to the gentleman from Utah [Mr. MURDOCK].

Mr. MURDOCK of Utah. Mr. Chairman, I do not believe that we will consider at this session of Congress a bill of more importance than this one. We can talk here from now until doomsday with all the eloquence that is so abundant in this Chamber, but we cannot build a battleship, we cannot build any motorized equipment, we cannot thread the smallest bolt that will go into our national defense. The Chamber of Commerce of the United States can criticize today, tomorrow, and for weeks to come, as it has in years gone by, labor and the Labor Board, as well as the National Labor Relations Act, but it is just as impotent as we are when it comes to building the national defense. The great metropolitan newspapers of the United States have been going at top speed since the enactment of the National Labor Relations Act in 1935 down to the present time in their criticism of labor, in their criticism of the National Labor Relations Act, and in their criticism of the National Labor Relations Board, but they, too, are just as impotent as we are here with all our eloquence when it comes to building the national defense. You can pile up all the millions of dollars that there are in the length and breadth of America, but those dollars cannot build one battleship, they cannot weld one seam, or thread one bolt in building the national defense of America.

We need today in this international crisis a united country. We need every group and we need every citizen. Now, what group in America will we look to, what group in America will we depend on, not only to build the battleships for America, the airplanes for America, the rifles for America, but everything else that goes into national defense?

The man in the overalls, the laborer, he is the man on whom we must all depend if we fortify and build a national defense that is formidable, that is adequate, and that is invincible. So I say to you today, Mr. Chairman, that we are treading on rather sacred ground if we begin kicking labor in the face, if we begin taking from labor the legislation they consider sacred and which they have been trying to get for the last three-quarters of a century. I hope that in anything I say today I will not offend any group or any person in the United States.

I want to answer the distinguished chairman of the Smith committee in respect to his reference to the A. F. of L. case, in which the Supreme Court held that action by the Board in certifying a representative for collective bargaining was not reviewable by the Supreme Court. Why did Congress pass a law that precluded court review in representation cases? The distinguished gentleman from Virginia failed absolutely to give you the history behind that legislation. He did not even refer to one little paragraph that might have been a full, conclusive, and complete explanation of why Congress failed to give the courts the power of review in representation cases.

If you will be kind enough to give me your attention while I read from that Supreme Court decision I shall give you the reason stated by Congress, and relied by the courts, why we did not grant to the courts the power of review in representation case. This is what Justice Stone said in his opinion on that point, and I hope that the Members will listen to this. I hope they are anxious enough today to find out why we took that action. I hope they will not take the statement of the gentleman from Virginia as to the reason for Congress taking what he said was a right away from the workers. This is Justice Stone of the Supreme Court speaking and telling you the reasons Congress gave and that the court predicated its decision on.

Upon the introduction of the bill which was enacted as the Wagner Act, Congress had pointedly brought to its attention the experience under Public Resolution 44 of June 19, 1934.

What was that resolution? That was the resolution creating the labor board to which the present Board is successor.

That resolution authorized the National Labor Relations Board, the predecessor of respondent, "to order and conduct elections" by employees of any employer to determine who were their representatives for bargaining purposes. Section 2 provided that any order of the Board should be reviewed in the same manner as orders of the Federal Trade Commission under the Federal Trade Commission Act. The reports of the congressional committees upon the bill which became the Wagner Act refer to the long delays in the procedure prescribed by Resolution 44, resulting from applications to the Federal appellate courts for review of orders for elections, and in considering the provisions of section 9 (d) the committee reports were emphatic in their declaration that the provisions of the bill for court review did not extend to proceedings under section 9 except as incidental to a review of an order restraining an unfair labor practice under section 10.

The bill was similarly explained on the Senate floor by the committee chairman who declared: "It provides for review in the court only after the election has been held and the Board has ordered the employer to do something predicated upon the results of that election." The conclusion is unavoidable that Congress, as the result of a deliberate choice of conflicting policies, has excluded representation certifications of the Board from the review by Federal appellate courts authorized by the Wagner Act except in the circumstances specified in section 9 (d).

After 1 year's experience with court review in representation cases, Mr. Chairman, under Public Resolution No. 44, Congress and labor had had their fill of dilatory proceedings to thwart the will and intent of Congress and the hope of labor. One year had gone by and not one single election had been reviewed by the courts and a decision handed down. Is it any wonder, then, that Congress in its wisdom said that the conduct of an election, the counting of ballots, and certifying the result is merely and exclusively an administrative act, an administrative act which should not be reviewed by the court? Hence after our experience of 1 year, when not one election had been decided under the law, Congress decided that that was enough, that that experience was emphatic as to the error of review of elections by the courts, and so we struck it out. The gentleman from Virginia would have you believe that we did it to injure labor, to deprive them of a right, when the truth is just the opposite is true. Labor was being robbed and deprived of its rights by dilatory, destructive court appeals. We eliminated

from the present act court review of representation cases. Why? Because the lamp of experience has shown us the light; we knew the injustice, we knew of the failure, we knew of the impotence of that type of legislation, and by our experience were guided in enacting the new law. That is what happened. The gentleman from Virginia would now have us turn back; shut our eyes to experience; return to delay and dilatory tactics and again introduce the injustice of the past. He proposes the return to this practice in an assumed attitude of friendship to the principles of the present act, yet he voted against it. I say beware of such friendship.

Let us now look at one further thing in connection with the A. F. of L. case, and what is it? All up and down the Pacific coast the employers of longshore employees had organized themselves into one great big employers' association. Why did they do it? The better to thwart and offset the efforts for collective bargaining of the laborers who were employed by them, they formed a great, gigantic organization of employers, and then they wanted to deal with their employees in little units. The Labor Board said, "No. If employers in this country are going to form gigantic employers associations, then in order to give the employee equality he should be entitled to the same unit in his collective bargaining." So all up and down the Pacific coast the longshore employees were designated as an appropriate collective bargaining unit. As a result, the election included every longshore employee along the coast. Probably the only trouble is that instead of one labor organization being certified the other was, and the loser, as is traditional in human relations, was not satisfied and has been complaining ever since. I do not criticize these complaints as they are only human.

Let us refer to the Donnelly Garment case. What were the facts there? Oh, they—the Smith committee—had the distinguished ex-Senator from Missouri there. Why? In my opinion, he was called just at that time for the purpose of getting the Labor Board and the Smith committee back into the headlines. That is why the ex-Senator from Missouri was called over here at what was considered a very propitious time, because other important matters had crowded the Labor Board and the Smith committee into the background and they had to have some headlines. The Smith amendment was soon to be considered.

The evidence in that case is what? That the lawyers and the owners of the Donnelly Garment Co. had concluded, like many, many other employers opposed to the National Labor Relations Act, that the act was unconstitutional. They had first resorted to injunction to stop the act, and then all of a sudden while the injunctive proceedings were going on the act was held constitutional. Then what happened? Immediately the employees were called into a meeting and the employer, Mrs. Reed, formerly Mrs. Donnelly, was called down to the plant to make a speech and tell her employees how magnanimous and generous she was in her support of labor, except she would not tolerate an outside union, and what she wanted to do with her employees.

They asked her, according to the evidence, what to do, and she said the thing to do was to ask her attorneys what to do, and they did that; and what attorneys did they get? In my opinion they got the attorneys specified by the employer, and they came down there to the Donnelly Garment Co., and did what? They organized a company-dominated union, and as soon as they got a company-dominated union organized, then immediately what did they do? Oh, they caused to be entered into a closed-shop contract with the Donnelly Garment employees and with the company organized and dominated union, organized and sponsored by the firm. They tried first to thwart the act by injunction, and when it was held constitutional, then they jumped in, as was done by so many employers, and organized a company union and then immediately entered into a closed-shop contract to do what? To protect the employees under this act? No, but to thwart the efforts of the employees in taking advantage of the act and to undo what Congress had done.

Now, that is the answer in the Donnelly Garment case, and when Mr. Dubinsky came down and answered Senator REED on it, I believe he made a complete and a conclusive answer, and if you will read the record I am sure you will agree on it.

I called your attention in particular to the American Federation of Labor case; why? Because the chairman of the Smith committee had attempted to lead you to believe that Congress had acted erroneously; that we had acted hurriedly; but what we did was to correct, in the light of our experience, an error that was made under the former bill and to give the employees of this country the right by election to get the thing done in a hurry without the shackles of court review and put this act to work for them and not to be dragged into the courts and have it thwarted as it was under Public Resolution No. 44.

Oh, Mr. Smith told you there was no appeal in that kind of case. Let us see if there is. Suppose that the employer, Mr. Chairman, after the bargaining representative has been designated by the Labor Board, thinks there was something unfair about the election, suppose he thinks a majority did not vote for a designated union, all he has to do is to refuse to bargain, and when he does that the Labor Board is absolutely helpless until they get a court order enforcing their order, which brings the matter into the courts, and not only the unfair labor practice order can be reviewed, but every step in the election can be reviewed from the beginning down to the designation of the representative. So they do have an appeal if there is anything very unfair about it, and I might say that up to this time, as I recall, there has not been one representation case contested in court where the action of the Board has been reversed. This, in my opinion, is a very eloquent tribute to the legality and fairness of the Board's procedure in representation cases.

Now, when they say that all these amendments do—and I will not have time to go into them in detail—is to make the act more effective, here is a typical example, Mr. Chairman, of what they mean by that, if I can turn to it here in a hurry. On collective bargaining they do what? In this very innocuous, in this very simple, innocent-looking amendment included as one of the Smith amendments, they define collective bargaining, and they say what? "That nobody shall be compelled to enter into an agreement." That is in the act now and it has been so construed by the Supreme Court of the United States. Why then should we waste our time here today writing something into the act that is already there and has already been interpreted by the Supreme Court of the United States as being there? Oh, it helps to hide the other thing, and the other thing is what? The other thing is that the "employer shall not be compelled to submit counter proposals." There is nothing in the act today that says that he must submit counter proposals, but, Mr. Chairman, is there a man in this House, is there a Member here who can say that you can have collective bargaining without both parties making counter proposals? Any other type of negotiation would be a sham and a fraud, but they say to the employer, affirmatively, "You do not need to submit counter proposals," or in other words, all the employer would have to do is to come in—and I would suggest under the Smith amendment he buy a nice box of cigars—all he would have to do is to come in and smoke those good cigars while the laborers or his employees try to get him to negotiate a contract by collective bargaining. How can there be collective bargaining without the submission of counter proposals by both sides?

[Here the gavel fell.]

Mrs. NORTON. Mr. Chairman, I yield 5 additional minutes to the gentleman from Utah.

Mr. MURDOCK of Utah. Now, Mr. Chairman, as to the necessity just at this time for a Labor Board, what was the first thing that was done in this respect when the United States went into the last World War?

The first thing we did was to organize a labor board, right at the outset, and if we need anything just at this time we need a potent labor law, like the National Labor Relations Act, and we need a potent, courageous Labor Board to

enforce it. Under the Smith amendments, we do what? If there is a dispute as to the appropriate unit, then the Labor Board would say, under the Smith amendments, there is a dispute between rival unions as to the appropriate unit, so we will sit back here and refuse to assume jurisdiction. Is that what we want? Is that why we passed the present act? Was it to guard the Labor Board, to guard them against critcism by either the C. I. O. or the A. F. of L.? The reason we passed the law was to create a forum for the employees of the United States, where they could go and have a representative designated and also the appropriate bargaining unit.

I say to you, Mr. Chairman, that to adopt that amendment, which would absolutely deprive the employees of America of obtaining a settlement on the question of appropriate unit as between conflicting unions, would be a mistake. If we ever did need it, we need it now, even though it does bring criticism on the National Labor Relations Board and I say that instead of weakening that provision of the Act it should be strengthened. Do you want to deprive the employee of going to the forum created by the Congress and submitting the facts or do you want to tell that Board that as long as there is a dispute they do not need to take jurisdiction. What would be the result of that type of amendment? There is only one result left, only one redress, only one remedy left to the employees of America if you destroy that phase of the act, and it is what? It is to resort to strike. If they cannot get the question of the appropriate unit settled, if they cannot by legal authority have a bargaining representative designated, then what is going to happen? They are going to resort to the only other remedy they have, and that is to strike. We did not pass this law to foster strikes. We passed this law to encourage peace in labor relations, and if any of you will take the time to look at the statistics submitted for the record before the Smith committee, you will find that these figures bear out the facts that the National Labor Relations Act and the administration of the National Labor Relations Board have been conducive to peaceful relations between labor and employer. This is a poor time, in my opinion, to tamper with that act, and to make it any weaker than it is already.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. MURDOCK of Utah. Yes.

Mr. KEEFE. We have under discussion presently the so-called Norton bill, which the gentlewoman from New Jersey has indicated she is giving her full support. Does the gentleman from Utah support that bill?

Mr. MURDOCK of Utah. In its present form I do not.

Mr. KEEFE. Does the gentleman support any of the so-called Smith amendments?

Mr. MURDOCK of Utah. I think if there is anything wrong with the present act, which I am not willing to admit, it is in the administration of the act; and I say this—that after the 5 years' experience of the present Board members this is a poor time to add new men that have not had experience. I say this—to continue the present Board and to add two members to it, which will absolutely guarantee to all of us that we will at least get some fresh viewpoints down there and guarantee that no two men on the Board will constitute a majority. This, in my opinion, is as far as we should go at this time.

Mr. KEEFE. Will the gentleman indicate, if he will—and I am seeking information, the gentleman has made a good statement—what portions of the Norton amendments he thinks bad and which portions he accepts as proper?

Mr. MURDOCK of Utah. My answer to that is that the Norton bill in its present form is not acceptable to me, and to speculate on what is going to happen to it I am unwilling to do at this time. I think, however, that the purpose of the debate today is not to consider the Norton bill, but to bring the enactment of all the amendments proposed by Chairman Smith. [Applause.]

The CHAIRMAN. The time of the gentleman from Utah has again expired.

Mr. HARTLEY. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. HOFFMAN.]

Mr. HOFFMAN. Mr. Chairman, so many things are said in the course of debate on this bill which are not borne out by the record that at this time I call attention to one statement made by the gentleman from Utah [Mr. MURDOCK], who said, if I understood him correctly, that not one representation case has been contested in court.

Mr. MURDOCK of Utah. Oh, I think I said that not one representation case had been handled by the Supreme Court. That is, no representation case except as connected with unfair labor practices, but, of course, that is the only way it could get into court.

Mr. HOFFMAN. The last half of the statement of the gentleman is quite correct, but why the statement that "not one representation case has been handled by the Supreme Court," as an indication that either employers or employees were satisfied with the handling of that kind of case by the Labor Board?

Mr. MURDOCK of Utah. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. No.

Mr. MURDOCK of Utah. I would like to read what the act does say.

Mr. HOFFMAN. Ah, the circuit court of appeals held in the so-called Longshoremen's case, reported in One Hundred and Third Federal Reports, second edition, page 933, and affirmed by the United States Supreme Court on the 2d day of January 1940, Sixtieth Supreme Court Reports, page 300, that a certification of representatives for collective bargaining made by the Board was not reviewable in the courts.

Nothing is gained by the statement of the gentleman from Utah [Mr. MURDOCK] that "not one representation case has been handled by the Supreme Court." When reading the decision of the Supreme Court, we find this statement:

> The single issue which we are now called on to decide is whether the certification by the Board is an order, which, by related provisions of the statute, is made reviewable upon petition to the Court of Appeals of the District, or in an appropriate case, to a circuit court of appeals.

There is a statement by Justice Stone, who delivered the opinion of the Court, that but the one issue was before the Supreme Court. That issue was whether employees—members of a union, for example—could appeal to the courts for a review of the order of the Board depriving them of representatives for collective bargaining; and that case was "handled" by the Supreme Court when it decided, as it did, that the employees had no right to review such an order in the Court.

The Court then said:

> It seems to be thought that this failure to provide for a court review is productive of peculiar hardships, which were perhaps not foreseen in cases where the interests of rival unions are affected. But these are arguments to be addressed to Congress and not the courts.

There was a similar holding in the Harris case, both in the circuit (*Harris* v. *N. L. R. B.*, 100 Fed. (2d) 197) and in the Supreme Court (59 S. C. R. 584), although in this latter case other issues were involved.

At least a dozen times in the circuit courts of appeal a like decision has been made and now it is frankly admitted that hundreds of thousands of employees, whether they belong to a union or whether they are unorganized, may be, and have been, denied the right to bargain collectively through representatives of their own choosing—a right expressly given them by section 7 of the act.

Those who are in favor of the right of collective bargaining should join in amending the law so that employees may have the right which section 7 says they have, but which the Supreme Court in the Longshoremen's case said they did not have.

The law is supposed to let employers exist, because without an employer what is an employee going to do? In the Longshoremen's case it was pointed out how the employees could not bargain collectively. In the Zirkin case it was pointed

out how the business of the employer might be destroyed by employees claiming to act under this law.

In the Zirkin case, which was decided by the Circuit Court of Appeals for the District of Columbia on the 27th day of March 1939 (105 Fed. (2d) 1), and affirmed by the Supreme Court on the 11th day of December 1939 (308 U. S. 522), the circuit court of appeals, among other things, said:

> The argument is that unless injunction can issue in such a situation, the employer may well, for lack of other remedy, see his business destroyed.

And then further said:

> It is clear further that in such a situation there is no remedy for the employer under the National Labor Relations Act. * * * The result is an inequality before the law as between an employer and employees in this particular, namely, that while the employer has a substantive right to carry on his business, he lacks a legal remedy for protecting the same against injury through the struggle of competing unions, even though he be indifferent as to the choice of his employees between them.

That case is also authority for the proposition that a majority of the employees working for one employer are themselves deprived of the right of collective bargaining.

Then the Court, shirking its responsibility under the Constitution, its responsibility to declare the law unconstitutional if due process of law and equal protection under the law was not given to all citizens, said:

> Such argument of hardship must be addressed to Congress in respect of the possibility of an amendment of the National Labor Relations Act in such manner as will give to employers a right to invoke the jurisdiction of the Board for a settlement of disputes concerning rights of representation.

Now, this matter being before us, I ask you, are we going to refuse to amend a law which the highest Court in the land says deprives the employees of the right to bargain collectively, which we said they should have; to amend the law which deprives the employer of the right to do business, which the Supreme Court said this act did; and when that Court has said that it could not, under the circumstances, extend a remedy? Where the Supreme Court said the remedy was by an appeal to the Congress?

Mr. MURDOCK of Utah. Will the gentleman yield?

Mr. HOFFMAN. I cannot yield. The gentleman spoke about unity, and, referring to the statement I made on the floor yesterday about the Supreme Court, intimated at least that my criticism of the Court was not conducive to unity. That statement was as follows:

> He (the President) has over in the Supreme Court Building, Justices, so-called judicial interpreters of the law, who one day decide that an employer who has a dispute with his employees is, under the National Labor Relations Act, engaged in interstate commerce and that the dispute affects interstate commerce—a court which, on a subsequent day, in the case involving the same acts, transpiring on the same day, holds that those acts are not in restraint of interstate commerce.
>
> Those puppet Justices make themselves objects of derision by holding on one day that, under the Labor Act, the employer is engaged in interstate commerce, and, on a subsequent day, on the same set of facts, holding, under the Sherman Act, that it is not engaged in interstate commerce.

And I here and now repeat that there can be no unity under a decision which today says that black is white and tomorrow insists that white is black. Read the dissenting opinion of Chief Justice Hughes in that case and you will see the absurdity of the decision rendered by the puppet Justices—the New Deal spokesmen.

Let me say something more about unity, for I agree that now we must have a unity of purpose and of effort if our country is to survive.

I am glad to know that some of those who have been supporting the New Deal have at last discovered that it alone cannot save us. I regret that the New Deal and its philosophy is so great a handicap in this our time of trial; and I hope and I pray that out of this foreign situation may come to us here in America a realization of the great wisdom, the sound principles laid down by our forefathers when they subscribed to our Constitution.

FAILURE TO COOPERATE WILL BRING DISASTER—BLIND COOPERATION MAY GIVE US A DICTATOR

We are agreed that to bring about other than ordinary results cooperation is necessary. All too often by cooperation we mean that others should accept our views and cooperate with us. We are somewhat reluctant, as energetic and independent Americans, to accept the other fellow's plans, to follow his methods.

Nevertheless, if it be true that the safety of this Nation and its people depends upon the adequate and immediate acquisition of an enormous number of aircraft, antiaircraft guns, immense quantities of ordnance, munitions of war of all kinds, air bases, motor transportation, the building of fortifications, of ships of all kinds, the accumulation of great stores of materials essential in all warfare, intelligent cooperation on the part of every citizen must be had.

This does not mean that we should, or that we safely can, follow the guidance of one man. History shows that course of procedure ends always in the same way—temporary absolute power for the one; the denial of prosperity, independence, and liberty to the many.

Hence it is that, in this day, while we strive for cooperation, drive with the whole force of our being to bring the Nation as quickly as possible to a condition where it is prepared to meet any and all dangers which may come, we must not, in either our fright or fear or apprehension or singleness of purpose, lose sight of the fact that we must at all hazards preserve our constitutional form of government, so that, coming to the end of the road, we do not find ourselves under the heel of a dictator, rather than under a government of the people, by the people, and for the people.

Across the pages of history has stridden many a great man; many a man who has left his name behind him. All too often these men left with the peoples of their time want, misery, suffering, bloodshed, and death. Great men may be a blessing; sometimes they are a curse to those who live in their day and age; who follow after.

THE PRESIDENT HAS INCURRED ILL-WILL

President Roosevelt has taken a course which quite naturally has incurred the ill-will of the German rulers and no doubt of the German people. If, as seems probable at the moment, the German war machine is victorious in the present war, Roosevelt seemingly expects the logical result of his own action, that is, an attack upon this country by the victor.

Having assumed that the British and the French were fighting our war, that our national safety was dependent upon their success, that those in authority in Germany intended at the end of the conflict with their present enemies to engage the United States, he has now brought about a situation where the country, whether or not it approves of his policy, is under the necessity of preparing for the possibility of an attack from abroad.

PREPAREDNESS IS VITAL

Such being the fact, we must prepare. That means that our people must make sacrifices by way of taxation; through the giving up of things which heretofore we have deemed to be necessities; through longer hours of employment. All must do with less of the nonessentials; produce more of those things which are necessary.

If attack comes, we will, as a Nation of free and independent people, cease to exist unless we awaken and now prepare. Unless industrial leadership, private capital, executive ability, inventive genius, all those qualities possessed by management which have made us the most efficient industrial nation in the world, and the manpower of America—that, too, unequaled by the manpower of any other nation—are joined and welded together into one cohesive whole, we cannot meet the call which is now made upon us.

THE PRESIDENT HAS CAUSED DISCORD

Unfortunately, Franklin D. Roosevelt, the President of the United States, whether his purpose has been good or bad, for the benefit of the people as a whole or for the ad-

vancement of his own political fortune, has consistently followed a course of conduct which tended to fix in the mind of the public the thought that business executives, businessmen, industrial leaders, men of great wealth, were unpatriotic and a menace to the Nation; stood between the people and their goal of a better, more complete, and more prosperous life.

That class to which I have just referred has, by the President, some of his supporters, and the Senate Civil Liberties Committee, been stigmatized as economic royalists, princes of privilege, enemies of the common man, and oppressors of labor.

Having so characterized them, Roosevelt, in one of his speeches, and evidently referring to them as a class, said that, in his first administration, they had met their match; that he hoped that it could be said that in his second they had met their master.

THAT MAN HAS UNDERMINED EFFECTIVE PRODUCTION

Through the activities of the Senate Civil Liberties Committee, by persecution of a large number of our patriotic citizens, through the activities of the National Labor Relations Board, by means of Federal legislation, rules and regulations of Federal agencies, and in no small part by the decisions of his packed puppet court the President's hope has, to a large degree, come true and business in America lies prostrate at the feet of the present administration.

Now comes danger to the Republic itself—danger from without—and the President finds that he cannot meet that danger without the cooperation of those he has so unjustly berated—of those whose character, patriotism, and loyalty he has besmirched and created a doubt.

INDUSTRY WILL COOPERATE

Notwithstanding the abuse which he has heaped upon them, these men without exception turn now gladly and enthusiastically and ask for the opportunity to help. They are ready; they are willing; they are begging that use be made of their resources, of their ability, of their facilities. But all their beseeching, all their efforts, all their work will not meet the present need unless labor cooperates.

Just as willing to sacrifice self and all they have as are these men—and no one could be more willing—are the rank and file of labor. But in between, preventing coordination and cooperation, have come certain enemies of our country.

You may recall that on one occasion, not so many years ago, Professor Tugwell, who then was Presidential adviser No. 1, made the statement, and I quote:

Business will logically be required to disappear.

He continued:

This is not an overstatement for the sake of emphasis. It is literally true. * * * The future is becoming visible in Russia.

Weigh that statement of a high Government official, "Business will logically be required to disappear."

BUSINESS HAS BEEN MADE TO DISAPPEAR

This administration has gone a long, long way, through the Senate Civil Liberties Committee, through the National Labor Relations Act, through the Labor Board, toward making come true that prophecy of Tugwell—"Business shall be made to disappear."

By means of strikes, unjust prosecutions, vicious persecutions, vilification, ruinous orders, and actual sabotage by the Labor Board and those in whose interests it was working, business all too often has been made to disappear, and empty factories and empty stores and homes have followed in the wake of its persecutions. Even a circuit court of appeals has designated it as the "executioner."

Secretary Wallace, still in office and in high favor with the President, had ideas for making America over. He generously expressed the hope "that such action can be taken as bloodlessly as the Constitution was enacted."

But those enemies of our Republic, some of those who advocated the making over of America, while they may have had the hope of doing it bloodlessly, were determined to do it at all hazards. They are the ones who were active in the sit-down, in the slow-down strikes; who defied the United States to make its mail go through; who dynamited railway tracks and public buildings; defied the courts and the peace officers of city and of State.

The sit-down strikers, although they drove thousands of people from their jobs, destroyed hundreds of thousands of dollars' worth of property; caused millions of dollars of loss to the wage earners, were never rebuked by the President or Federal Government officials.

It is not strange then that, with this record of the administration before them, the record of its tolerance for Communists and communistic doctrines, that public enemies like R. J. Thomas feel justified in calling a strike in the Timken-Detroit Axle Co. at Detroit, Mich., a part of whose business is the making of axles for gun carriages, on a demand for a wage increase, and in making the statement that the men will not work on Government orders, which are a part of our national preparedness program, unless his demands are granted.

It is no surprise that men desirous of overthrowing our Government, of striking at us from within, when we are in danger from without, should feel free to instigate a strike in the shipyards at Kearny, N. J., and, although they were receiving a wage of from 62½ cents to $1 per hour, that they should prevent the construction of warships which may become necessary for defense of our land.

PRESIDENT DISREGARDS DEFIANCE OF NAVY

This administration, without effective protest, permitted an affiliate of the organization which now objects to any changes in the bill now before us, to defy the United States Navy, the War Department, permitting a picket line of the C. I. O. to refuse to deliver to agents of the Navy materials which were necessary for the continuance of its program for national defense in the Navy Yard at Philadelphia.

Such an affront in any other country in the world would have been met by at least a prison sentence. Here, the Federal Government, your Government and mine, tamely submitted.

Is it small wonder that members of that organization now assume that they can stand in the way of a defense program? That they can say that they will work when and where, and only when and where, they will, while other citizens of this country may be subject to call to active service? That they will do, in places that are secure and comfortable, work that is at least pleasant, while the average man, serving in the Regular Army or with the National Guard, may, if the President's plan goes through, be sent to fight, without, because of the arbitrary attitude of these union leaders, the guns or ammunition to enable them to perform that duty?

Yes, while these strikers and their leaders live in peace and security here at home, demanding ever-shorter hours of toil, ever-increasing wages, in some other place, on some other day, American citizens who once were men may be but bloody pulp, flesh and bone ground into the dirt and dust by the tanks that have rolled over them because they lacked the tanks and the bombers and the pursuit planes which would have prevented the disaster: means of defense which would be at hand were it not for the activities of some few so-called friends of labor.

Contrast the pay of these strikers in the Timken-Detroit Axle plant, and I append here a statement showing the wages prior to the strike, with the wage received by the National Guard men.

The wages in the Timken-Detroit Axle Co. were as follows:

GROUP 1	*Per hour*
Shop truckers and elevator operators	$0.79
Receiving and stockkeeping	.82
Receiving and inspection	.875
Stock chasing	.87
Millwrights	.89
Toolroom	1.15
Machine repair and oilers	1.055
Tool design	1.183
Tool grinding	.99
Axle engineering	.855

GROUP 1—continued	Per hour
Janitors and watchmen	0.784
Timekeepers	.889
Tool stores	.834
Inspection	.92
Shipping	.877
Truck driver	.85
GROUP 2	
Axle repair	.887
Plating	.91
Screw-machine operators	1.163
Carrier machining	1.20
Rough grinding	.986
Shot blast	891
Heat-treating department	.908
Housing machining	1.025
Spider machining	.976
Differential-case machining	.991
Brake-shoe-service machining	1.071
Axle setters	1.057
47 classifications for the plant average	.981

By the strike, the first group obtained a wage increase of from 8 to 10 percent; the second group, an increase of from 5 to 8 percent.

At the shipbuilding yard at Kearny, there was a 4-cent increase per hour for those receiving $1 an hour.

A tool designer in the Timken-Detroit plant, after the increase, received $1.38 per hour, or for 40 hours' work, $55.20; and if he worked 8 hours on the following Saturday at time and a half, the total weekly wage would be $71.76, and if he worked 4 weeks a month the total monthly wage would be $287.04.

But you or your neighbor who serve with the National Guard, far mor hazardous service, at places of danger, would receive, if you were a private, $21 per month base pay; if a private, first class, $30 base pay per month, and you would be subject to call for duty 24 hours a day.

The unfairness, the injustice of the President's course in insisting that there must be no interference at the present time with labor legislation, with the activities of the Labor Board, is demonstrated when we remember that he is now asking Congress to call out the National Guard, composed of citizens of our country who are engaged in business; whose businesses and whose incomes may be totally destroyed by service with the guard; a guard whose members will be called upon to go when and where, and to work at the tasks, prescribed by commanding officers.

Will they be granted the right of collective bargaining? Will these boys and these men from your town and mine work on a 40-hour week, with time and a half for overtime and double pay for holidays and Sundays, and vacations? Will they? You know they will not.

Yet the President—and why does he do it, unless he is seeking political advantage through the so-called labor vote—insists that men like Thomas and Lewis and their Communist companions should say when and where and for how long and at what rate of pay men in this country should work on Government contracts; on the guns and matériel and munitions on which the sons and husbands and fathers may be dependent for life in time of war.

The gentleman from Utah [Mr. MURDOCK] spoke nothing but the truth and he did well to call to our attention the fact that manufacturers, men of great wealth, executives of big business, General Motors, Chrysler, Ford, Steel, big or little, or both, could not, without the help of labor provide us with the things which were necessary for our national defense.

Equally true is it that labor leaders alone cannot accomplish the task. John L. Lewis and his asssociates have had a great deal to say about when and where and how long and at what wages men should work. But did Lewis ever produce so much as a toothpick? Did he ever give a job?

If our employers are to be destroyed, put out of business, as Tugwell suggested, who then is to furnish the jobs at which the employee shall work? The fool who killed the goose that laid the golden egg has nothing on the so-called labor leader who destroys the business which gives work to the men who pay him the dues on which he lives.

How long will it be before the man who works recognizes his true friends, as distinguished from those who use him to advance their own interests; to fatten their own pocketbooks; who, in fact, live upon him and exist because of his toil? How long will it be before American labor realizes what British labor, by the recent victories of Hitler, has been forced to understand; that is, that this is not a 40-hour-a-week war; that no country with a 40-hour week, with half-hearted industrial efforts, can hope to compete with a country where, under Hitler, men and women—yes, and the children—work day in and day out, almost incessantly.

Of course, no one here approves of the methods of Hitler. No one here in America would willingly live under the conditions which he has brought about. But, if the President knows whereof he speaks, we must meet the armament which Hitler has created under his system. We can do it without oppression, without the loss of liberty, if all are willing to sacrifice, if all are willing to cooperate.

But before it can be done we must have a leader who forgets his own political ambition. We must have, as we have, businessmen who are willing to give all they possess. We must have, as we have, labor which is willing to make any necessary sacrifice for the common good.

But we must do away with those false, pretended friends of labor who are but parasites, leeches, not only on labor but on our Nation. We must come to realize, as have the English, that there is now no question of hours or wages, but a question of accomplishment.

Listen to and consider and let those who claim to represent labor in this country read again and consider these authorized statements of British labor:

> This is not the Tories' war. It is labor's war—a people's war. * * *
>
> Hitler's concept is that the people exist for the Government. Ours is that the Government should be of, by, and for the people. Abraham Lincoln might well be the patron saint of British labor, for his brand of democracy runs strong in our ideals of statecraft.
>
> * * * * * * *
>
> Wars made by mere governments are easily lost, but a war backed by an entire free people can end only in victory. * * *
>
> The fact that British labor has voluntarily given up benefits which it took us a hundred years to win proves how much in earnest we are. We are working unlimited hours, 7 days a week, and doing it gladly.
>
> Capital is giving up all its war profits and labor is pulling its full share of the load without thought of increased pay. We refuse to take advantage of the situation to force higher wages or win advantages, even where these are long overdue.
>
> We refuse to do anything that might in any degree imperil the cause for which the Allies are fighting—for that cause is really ours.
>
> There are no racketeer leaders in British labor. We do not say that to reflect upon the American labor movement, which we know is inspired by ideals as high as ours. But apparently the rank and file of American labor has not been able to keep some unworthy men who are not really workers from gaining power in their movement. It is fortunate for us that this has not happened here, for confidence in our leaders is one great factor in enabling British workers to get unanimously behind the war effort.
>
> * * * * * * *
>
> British labor thoroughly understands the position of the United States. We don't want America to come into the war. We don't need American manpower. But we do need American planes and materials in vast quantity, and we do want America's moral support.
>
> British labor hopes that American labor will answer our appeal.

Quite true, these United States are not now engaged in a war. We do not propose to become involved in a war. But we have determined that, come what will, we shall not be found unprepared.

So well prepared must we be to protect our Nation that even a madman will not dare to attack us. To accomplish that end we must in this country have cooperation; put an end to the Government's assault upon business; to the internecine strife in labor.

Because their country was not prepared; because labor or the leaders of labor, more properly, insisted upon a shortened workweek, 100,000 soldiers of France have died in Belgium and on the soil of their native land. One hundred thousand Englishmen have perished in Flanders Field, in Belgium, in

the Netherlands, ground into the dirt by the tanks, blown out of existence by the bombers, produced by the workers of Germany, who knew no hours; who thought not of wages; considered only their nation's weal.

When the truth comes home to American labor, they will work as the people of no other nation, and they will work, not because of a shortened workweek; not because they desire a higher wage. They will work as Americans always have worked, for home, for fireside, for country, and for God, and may the devil take those who would prevent.

Does the President now insist that this Labor Board, which has shown itself to be an enemy of just industrial peace, shall not be abolished, because he believes that only certain labor leaders can deliver the vote? That they will again, as once before, contribute to his campaign fund? Surely he is not so dumb as to believe that we can have production and industrial strife at the same time.

The President calls for unity and cooperation. Gladly and willingly will every American lend his aid, make any and all sacrifices necessary, but he will first demand that the President forget himself, his political ambition, the views of his communistic friends, of those subversive groups who would destroy our Nation by force or without force, and devote himself, and compel others to devote themselves, to the preservation of our Nation under the Constitution.

One of the greatest obstructions to cooperation, and, therefore, to preparedness, is the unfairness of the National Labor Relations Act and the arbitrary and unjust acts of the N. L. R. B. The thing which we have an opportunity to do here today, the thing which we should do, and which will add vastly to the possibility of adequately preparing for any and all danger which may come to us in the future, from without or from within, is to vote to abolish this Labor Board, which, for the past 2 years at least, has been a powerful contributor to the objectives of the subversive groups which would destroy our country.

Let us abolish that Board and enact provisions which will make this law an instrument of justice, an instrument which will tend to fulfill its purpose—the lessening of causes of industrial dispute; which will bring to us in our time of need cooperation, and which will result in making it possible for us to become impervious to attack from any source. [Applause.]

[Here the gavel fell.]

Mrs. NORTON. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. BRADLEY.]

Mr. BRADLEY of Pennsylvania. Mr. Chairman, I have no quarrel with those who state definitely that they oppose certain types of legislation. I may disagree with them but I admire the courage they have in their convictions. I have no quarrel, for instance, with the gentleman from Georgia [Mr. COX]. We know that he opposes these things. No one is ever in doubt as to what his stand is.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of Pennsylvania. My time is limited.

Mr. COX. Does not the gentleman oppose racketeering?

Mr. BRADLEY of Pennsylvania. I beg pardon?

Mr. COX. I say, does not the gentleman himself oppose racketeering?

Mr. BRADLEY of Pennsylvania. I oppose racketeering, but the gentleman from Georgia opposes very many legislative measures that I approve. I do not quarrel with him for that. I always know where he stands. But I do quarrel with those who under the guise of friendship for labor assume the role of infracaninophiles and then proceed to sabotage everything that means anything to labor. We have just listened to the gentleman from Michigan [Mr. HOFFMAN]. I really do not think that he believes in collective bargaining. I do not think he believes in any rights for organized labor. I heard him here the other day in the debate on the Navy bill in support of an amendment he introduced say—at least if he did not advocate it he implied it—that perhaps we could emulate certain dictators in Europe. He said that they were not handicapped with any Walsh-Healey Act, that they had no wage and hour law, that they had no National Labor Relations Act, and they did not have any National Labor Relations Board; and he gave the impression that he believed because they did not have those things they were able to create their diabolical instruments of destruction.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of Pennsylvania. I yield for a question but not for a statement, for I have only 5 minutes.

Mr. HOFFMAN. Does the gentleman think that we, working on a 40-hour week, can compete with another nation working on a 60-hour week?

Mr. BRADLEY of Pennsylvania. That is quite true, we cannot; but I would like the gentleman to get excited about the profits being made.

Mr. HOFFMAN. Wipe them out.

Mr. BRADLEY of Pennsylvania. I would like to say to the gentleman from Michigan that there are certain other things they do not have in these totalitarian states. They do not have the right of free speech. They do not have freedom of religion. They do not have the right to worship God as their consciences dictate. They do not have any representative body wherein a representative can do as the gentleman does in this forum, criticize to his heart's content and denounce those who administer the laws of the United States at the present time. They do not have any of the things we have in America, and I am not willing to sacrifice these things to achieve any of the objectives which have been achieved by those who control the totalitarian states in Europe. I would like to say to the gentleman that if he wants to sacrifice one phase of democracy he will have to make up his mind to sacrifice all phases, because that is only the first step; and in this time of emergency I do not think anyone can be really concerned about unity when they take this opportunity to assail these measures which were achieved only after long years of effort.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of Pennsylvania. I cannot yield, I have only a moment. The Governor of my State, the Governor of Pennsylvania, the other day in a statement to the public press, demanded the repeal of the Wage and Hour Act because of this national emergency. In other words, he thought that we should again condemn men and women to work for less than $12 a week, yet he hopes to instill in their hearts loyalty and devotion to the flag.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of Pennsylvania. No; I cannot yield.

I do not think this is the time to attack these measures. I am not willing to admit that we have to repeal the wage-hour law, the Walsh-Healey Act, or the National Labor Relations Act; and I question sometimes the objectives of those who would nullify every feature of the National Labor Relations Act by way of amendments, and who would repeal these other labor laws. [Applause.]

[Here the gavel fell.]

Mr. HARTLEY. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. BARTON].

Mr. BARTON of New York. Mr. Chairman, the hearings of the Labor Board, which I was privileged to attend, cast a very interesting light on the texture and the operation of the bureaucratic mind; at least it was very interesting to me. That mind apparently is entirely different from the scientific mind or the business mind with which in the past I have had occasion to have some experience.

The scientist and the business executive are necessarily critical of the past, necessarily are reaching out all the time for new ideas, new products, and new processes, the impetus in the case of the scientist being the search for new truth, and in the case of the businessman the knowledge that no matter how strong a business is, unless it keeps improving its processes, products, and operations, it cannot hold its place in the modern competitive world. A scientist has no hesitation in appearing before his scientific associates and saying:

> I came here last year and told you of certain researches I had been carrying on and pointed out certain conclusions I thought could be drawn from those researches. But I come back to you this year and tell you that I have made further research and that the conclusions I gave you last year are not justified.

He does not feel that he has lost any standing in his profession by an honest confession like that.

The president of a business company has no hesitation in saying to his stockholders, "We spent so many thousands or tens of thousands of dollars this year on a new product which we though would be profitable, but we have found it is no good. We have written off the expenditure to profit and loss." If he did not do that the stockholders would throw him out because they would know he was not keeping the business abreast of progress in the industry.

But when you come to the bureaucrat you have an entirely different creed—an obstinate resistance to all criticism, a determination to defend the record of the past as being absolutely flawless, and an uncompromising insistence that the operations and the personnel of the bureau are beyond any reproach. We had the chief counsel of the Board before us one day and I said to him:

Mr. Fahy, you have read all the amendments that have been submitted by various Members of Congress?

He said:

Yes.

I said:

You know that these come from men representing various sections of the United States who have given a lot of thought to this matter. Are there any of those amendments or is there anyone of those amendments that you think would help the law or would produce a more harmonious effect in its administration?

He said:

No.

He did not think that any single one of those amendments could possibly do any good.

I said:

Let us take it from another angle. You have had now 4 or 5 years of experience in the administration of this law. You know that there has been a great deal of criticism, and a great deal of friction throughout the country. Have you, out of your practical experience, anything to suggest to us on the committee which would make this law more effective, would remove this criticism, make it a better law from the point of view of labor and industry alike?

He said:

No.

As a result of his 4 or 5 years experience he just could not think of any single thing that could be done to make the law any better, or to make its administration any more effective.

Mr. Chairman, the trouble with the Board is that it is closed-minded. Its determination to stand against all criticism and all suggestion is, I think, its principal defect. That arbitrary closed-mindedness reflects itself all the way down through the personnel. I said to Mr. Madden one day when he was before us:

What kind of people do you pick for you regional representatives and your agents in the field?

He said:

Mostly lawyers.

I said:

What kind of lawyers are they?

He answered:

Well, you know, Congressman, you cannot get good lawyers for the salary that the Government pays.

Our late lamented colleague, Mr. Heinke, interposed:

If you cannot get good lawyers, what kind of lawyers do you get?

Mr. Madden replied:

Mostly young men right out of law school.

Mr. Chairman, I submit to the membership of this House that all of us on the male side can remember when we graduated from college, law school, or wherever it was that we received our education. We have a picture in our minds of the kind of young fellows we were at that time. Most of us, I imagine, and I hope, were radicals. I know I was. Somebody has said, "Anybody who is not a radical at 21 and a conservative at 45 is either a fool or a failure." I think most of you recall that we were impatient with the world which our parents and our ancestors had produced. We were not for reform. We were long on knowledge of books and short on knowledge of human nature. We were well fitted by our education for the jobs we got, which were jobs as shipping clerks or law clerks, or as, in my case, timekeeper in a construction camp. We were thoroughly competent to enter the business or professional world at the bottom, which was where we did enter. But suppose when we graduated we had been put immediately on the public pay roll, suppose we had been furnished with a liberal expense account and given carte blanche to go into little businesses and big businesses, having ourselves never seen a laborer or met a labor leader, never having been in business and having no idea of what makes a business run, having no conception of the difficulties of showing a profit in a business; suppose we had been sent out into the industries of the country to dictate to them in respect to their labor relations. What a lot of public nuisances we would have been.

That is exactly what has happened in the N. L. R. B. I believe that any three Members of this House who have had any sort of reasonable experience in business and in dealing with labor problems could have been put in as members of the Board and we would not have had 10 percent of the trouble that has attended the administration under the Board that was selected.

While I voted to bring the Norton amendments on the floor for consideration, I served notice in the committee that I would not support the first amendment, that I intended to speak against it on the floor. The first amendment would merely add two members to the present Board, which is tantamount, it seems to me, to a vote of confidence in the present Board. It is equivalent to saying to the present Board, "You have done very well and we are going to add two more fellows just like you so that you can carry on and not work so hard." I do not want to give a vote of confidence to the present Board. I want to abolish it.

Mrs. NORTON. Will the gentleman yield?

Mr. BARTON of New York. I will if I can get another minute.

Mrs. NORTON. I know the gentleman wants to be fair. I have listened to his remarks with a great deal of interest. Will he explain to us why, if this Board is so incompetent and the young men they employ are so incompetent, the Supreme Court has upheld the Board in 24 cases and overturned the Board in but two cases. Is there any explanation that the gentleman can give us for that record? It seems to me that it is an exceptionally good record, and reflects credit on the staff of the Board.

Mr. BARTON of New York. Does the gentlewoman expect me to explain what the Supreme Court does and why it has been doing it in these latter days? [Applause and laughter.]

Mr. HEALEY. Will the gentleman yield?

Mr. BARTON of New York. I yield to the gentleman from Massachusetts.

Mr. HEALEY. May I add that the record of the Board before the circuit courts has been just as impressive as it has been in the Supreme Court of the United States. It has been more impressive, as a matter of fact, than any other agency of the Government.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. BARTON of New York. I yield to the gentleman from Minnesota.

Mr. KNUTSON. May I call attention to the fact that the appellate courts are taken under the same basket these days as the Supreme Court.

Mr. BARTON of New York. May I say to the gentlewoman from New Jersey that the thing that sums up the record of this Board more effectively and damningly than anything else is the fact that the Congress of the United States should now be considering an amendment to guarantee to an employer the right to appeal to the Board, and that we should feel it necessary to have written into law the assurance that the employers of this country are entitled to free speech.

It is almost incredible that a board should so maladminister the law that Congress should find it necessary to write into the law a guaranty that under the law the employer is not to be deprived of the right of free speech.

[Here the gavel fell.]

Mr. HARTLEY. Mr. Chairman, I yield 5 additional minutes to the gentleman from New York.

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield?

Mr. BARTON of New York. I yield to the gentleman from Illinois.

Mr. DIRKSEN. After all, is not the measure of the effectiveness of the Board what it has done for the country rather than the technical perfection registered over in the Supreme Court?

Mr. BARTON of New York. I would think so. If it were a business that would be true.

Mr. JOHNS. Mr. Chairman, will the gentleman yield?

Mr. BARTON of New York. I yield to the gentleman from Wisconsin.

Mr. JOHNS. I was interested in the question the gentlewoman from New Jersey asked with reference to the Supreme Court. Most of these cases are tried without a jury, of course, and they are tried before a lower court. The court listens to the testimony and draws its own conclusions from that testimony. All the Supreme Court of the United States does is review that testimony, and if there is any credible evidence, the Supreme Court sustains the verdict of the lower court. It happens that the lower court is the judge of the credibility of the witnesses as they appear before the court, so that the Supreme Court of the United States in passing on these cases passes only upon evidence that some other court has already said was credible evidence.

Mr. BARTON of New York. I thank the gentleman.

Mr. HEALEY. Mr. Chairman, will the gentleman yield?

Mr. BARTON of New York. I yield to the gentleman from Massachusetts.

Mr. HEALEY. In view of what the gentleman has just said, of course the gentleman knows that the full record is certified to the Supreme Court, and when the case goes to the Supreme Court a full record of the proceedings is certified to the Court, and the Court has an opportunity to refer to the record of the proceedings.

Mr. JOHNS. The gentleman is also familiar with the rule of the Court that they do not reverse these cases if they feel there is any credible evidence there to sustain them.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. BARTON of New York. I yield to the gentleman from Pennsylvania.

Mr. RICH. Is it not pretty bad law that an employer is prohibited from conversing with his employees in reference to things that are for the interest of both the employer and the employee; but if he does so and a case comes before the Board, then, because the employer has talked to an employee, the evidence is all thrown out?

Mr. BARTON of New York. I think that question answers itself.

If I may take 1 minute to conclude, may I say that my hope is that we may not wind up in this important matter in the same spot we wound up on the wage and hour bill. We were told repeatedly in the Committee on Labor and I think on high authority that if this Wagner Act were radically amended the amendments would not pass another body, and if they should pass another body, they would be vetoed. The matter is so important that in trying for perfection or in trying to write in everybody's idea of an amendment we run the risk of having no amendment to the act at all. I wish we could content ourselves with the very simple action of changing this Board, because I believe if we did that the members of the Board themselves would come back to us at another session and point out to us what changes in the act they had found from their experience were necessary, and that there would be very few changes because the procedure of the Board would have removed most of the causes of criticism. If we can concentrate on this one amendment, which I understand is going to be offered by the gentleman from New Jersey as a substitute for the first Norton amendment, an amendment which has the approval of the A. F. of L., an amendment which would get rid of this Board and set up a new Board, I believe if we would make that one important bit of progress most, if not all, of the other gains we desire would automatically be added unto it.

Mrs. NORTON. Mr. Chairman, will the gentleman yield?

Mr. BARTON of New York. I yield to my chairwoman.

Mrs. NORTON. Of course, the gentleman knows that the American Federation of Labor endorsed the bill that was reported from the Committee on Labor.

Mr. BARTON of New York. I know that is true, and I know that the bill which was submitted last year by the federation had an amendment abolishing the Board, which I believe the federation would prefer, but they are willing to take your amendment as a second choice.

Mrs. NORTON. The committee has in its files a complete recommendation from the American Federation of Labor for the bill submitted by the Committee on Labor, and today, I understand, a letter was sent to the chairman of the Smith committee endorsing his amendments; so it is going to be left to the House to choose whatever they like.

Mr. BARTON of New York. Apparently the A. F. of L. very much wants some amendments.

[Applause.]

[Here the gavel fell.]

Mr. HALLECK. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. ANDERSON].

Mr. ANDERSON of California. Mr. Chairman, I am sure no Member of the House has less regard for the National Labor Relations Board and its administration of the Wagner Act than I have. I am heartily in favor of abolishing the present Board, and I intend to support most of the Smith amendments.

Let us take a look at some of the dismissals that are occurring down at the National Labor Relations Board at the present time. I make particular reference to one of the trial examiners who has recently conducted a case out in my district in California, Mr. Madison Hill, whose service goes back to November 1, 1937, and who was listed in point of service as No. 16 in a roster of 38. He has received notice that his dismissal becomes effective tomorrow. His efficiency as of January 1, 1940, was rated as very good. On February 27, 1940, he was recommended for a raise in pay. He is a veteran with 3 years of service in the armed forces of this Nation, but he is going to be dismissed.

Let us take a look at a few of the recommendations that have been given Mr. Hill. The following excerpt is from a letter sent to me by the respondent in the case conducted in my district:

> Have just noticed by a newspaper clipping that the Labor Board has dismissed half a dozen of its examiners, including Mr. Madison Hill, who tried our case. We were impressed, as were our attorneys, that Mr. Hill was both able and fair; and understand his record, as far as court reversal, etc., is concerned, is A–1. In fact, I think that from any rating worked out he is about first on the list. He has not rendered a decision as yet in our case, so you will realize that the results in this have not influenced my feelings for him.

During the above-mentioned trial, a very conservative paper that has no more regard for the National Labor Relations Board as presently constituted than I have, wrote the following editorial, which I would like to read in its entirely:

[From the San Jose Mercury-Herald]

AN N. L. R. B. ASSET

The National Labor Relations Board hearings of the Security Warehouse case is still in progress here, so comment on its issues would be improper at this time. But as the hearing enters its eighth week, praise is long overdue for the fair and judicial manner in which it is being conducted by Examiner Madison Hill.

His rulings excluding hearsay and immaterial testimony and his suggestions for efficient and speedier presentation of evidence have shown him to be a sound and conscientious lawyer. His patient good nature in curbing and soothing irrelevant and angry colloquies reveal him to be a man of common sense and balanced emotions.

Though the Wagner Act does not bind him to strict court procedure, Examiner Hill has contributed a legal example in the present

hearing that should assist the N. L. R. B. in meeting current criticisms. In the live-and-let-live discipline he has brought to the Security Warehouse case he aids the evolution of civilized labor relations.

But, nevertheless, Mr. Hill is going to be dismissed. I became interested in his case. I contacted Mr. Hill and I looked up further references in regard to other trials which he has conducted. He has a splendid record. I understand only two or three of his cases have been reversed, and I would like to insert here a letter submitted by the C. I. O. attorneys in the Maytag case, one of the most difficult cases that Mr. Hill had to act on as trial examiner.

LAW OFFICE, JOHN CONNOLLY, JR.,
Des Moines, Iowa, May 28, 1940.

To Whom It May Concern:

This office has had the privilege to appear as counsel before Mr. Madison Hill, who acted as trial examiner for the National Labor Relations Board in the Maytag case. We were in constant attendance of this case from July 18, 1938, until October 19, 1938.

This case was conducted under very trying circumstances. At one time the Governor of the State of Iowa attempted to adjourn the hearing. This case involved many witnesses and something like 11,000 pages of transcript. We especially desire to commend the trial examiner, Madison Hill, upon his conduct of this case. This case was the outgrowth of a very bitter labor controversy wherein the community of Newton took a very active part. The community was divided in its sentiments and thereby contributed to the bitterness of the struggle. The so-called Mohawk Valley plan had been streamlined by the Maytag management. We mention these things in order to point out the extreme difficulties encountered by the trial examiner.

We found Mr. Hill to be a man of splendid judicial temperament. At no time during the hearing did he in any manner display any unjudicial attitude. The hearing was conducted in a calm, businesslike manner. From the hearing and the ruling on the evidence we discovered that Mr. Hill was a lawyer of great ability, that he well understood the rules and principles of evidence and made his rulings in a fair and impartial manner. We can frankly say that we have never encountered any court or judge who was able to keep the facts straight in its or his mind as was Mr. Hill. At the conclusion of the hearing all counsel involved, including ourselves, counsel for the Government, and counsel for the Maytag Co., publicly and in the record expressed their appreciation for the fairness and the ability of Mr. Hill in conducting the examination.

We believe Mr. Hill was an outstanding trial examiner. We believe that he possesses all capabilities of an excellent lawyer, a man with a judicial turn of mind, and has a high regard for the responsibility placed upon him. We cannot too highly recommend Mr. Hill for a position of trust.

Very truly yours,

JOHN CONNOLLY, JR.
C. I. MCNUTT.

I would also like to insert here a letter from ex-Senator Loftin, of Florida, which refers to Mr. Hill in most complimentary terms:

LAW OFFICES, LOFTIN, CALKINS, ANDERSON & SCOTT,
Jacksonville, Fla., May 29, 1940.

To Whom It May Concern:

In the case of National Labor Relations Board against The Peninsular & Occidental Steamship Co. hearings were had in Miami and Tampa, Fla., between November 11 and 20, 1937. Madison Hill, Esq., presided over these hearings as trial examiner for the Board; and as general counsel for the steamship company I had opportunity to observe his conduct and demeanor.

I think I can say that all counsel in the case were impressed with the manner in which Mr. Hill presided over the hearing and with his fair, dispassionate, and impartial attitude as between the parties. Certainly his conduct of the hearings reflected credit upon the Board. Mr. Hill's rulings showed that he was not only familiar with the rules of evidence but that he was able to separate the wheat from the chaff and concentrate on the real issues involved.

I understand that Mr. Hill has presided over many important hearings for the Board, and I can say that from my personal experience in the P. & O. case I was very favorably impressed with him.

Very truly yours,

SCOTT M. LOFTIN.

But Mr. Hill is going to be released from the National Labor Relations Board, while Mr. Saposs and his satellites, against the expressed will of Congress, are going to be retained.

Now, the Smith committee has investigated the case of Mr. Madison Hill——

[Here the gavel fell.]

Mr. HALLECK. Mr. Chairman, I yield the gentleman from California 1 additional minute.

Mr. ANDERSON of California. The Smith committee had no criticisms from either the respondents or the unions in the case of Mr. Hill, but they have definite proof that he was criticized by employees of the Labor Board for his fairness. Now, are we going to continue to let the National Labor Relations Board, an autocratic bureaucracy, administer this law as they are intent on administering it, or are we going to change the act so that it can be administered as Congress intended it should be? [Applause.]

Mr. HALLECK. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. KEEFE].

Mr. KEEFE. Mr. Chairman, to me this situation presents a distinct paradox. I have listened to the gentlemen, who are so devout in their desire to protect labor, stand here in the Well of the House and say that they are speaking for 8,000,000 organized workers and that these 8,000,000 organized workers are to be stabbed in the back if there is any amendment of the National Labor Relations Act.

Now, I assume that the C. I. O. does represent some 3,000,000 workers, or so I am advised, and I have received from members of that organization threats that if I voted to dot an "i" or cross a "t" or put in an exclamation mark or wipe out a comma or put one in, that I would be considered unfair to labor. I have received hundreds of cards with the simple words on them, "Watch out"; "Beware of any change in the National Labor Relations Act." They are speaking for the C. I. O.; and those, if you please, who stand in the Well of this House and say that organized labor is opposed to any amendment of the National Labor Relations Act are very definitely and clearly reflecting the sentiment only of those people who have been sending you and me those cards threatening us with political extinction unless we vote exactly as the dictators of the C. I. O. say.

Now, on the other hand, as to the representatives of the American Federation of Labor. You heard the letter from Mr. Green read here on the floor of this House this afternoon. I have here a transcript of an interview delivered by Mr. Green to Fulton Lewis, Jr., and put over the radio by him on April 5 of this year, in which Mr. Green takes up these Smith amendments, item by item. I do not have the time to read it at this time. Under leave to extend my remarks, I include it herein.

INTERVIEW WITH WILLIAM GREEN RE SMITH AMENDMENTS

Now, the much-discussed question of proposed changes in the National Labor Relations Act seems to be heading toward a final showdown, in the House of Representatives, tonight.

As you know, the House has had a special investigation of the National Labor Relations Board under way for some 5 or 6 months * * * that is the so-called Smith committee. About 4 weeks ago, that committee finally made a report to the House of Representatives, recommending various amendments and changes in the present system; and those amendments, in the regular routine of procedure, were referred to the Labor Committee of the House for consideration.

The chairman of that committee, Mrs. MARY T. NORTON, the Congresswoman from New Jersey, said at that time that she was vigorously opposed to any changes in the labor law, as it now stands, and most of the members of her committee took the same position. But Mrs. NORTON was called to the White House, for a conference with the President, and thereafter she modified that position, to some extent. Her committee began holding sessions, to study all proposed amendments—the ones proposed by the Smith committee, and all others as well—and those hearings have been going on for about 3 weeks.

The committee has approved several minor amendments—one to increase the Labor Board from three to five members, so as to take control out of the hands of two members who now have control.

The strategy behind that has been to provide a few slight corrections, here and there, which will leave the Labor Board very much as it is now, but the hope is that these minor changes will be enough to appease the general membership of Congress, and to reduce the demand for the Smith amendments.

And that strategy was plainly brought out today, when the Labor Committee adopted a motion by Representative WELCH, of California, to the effect that these substitute proposals, by the committee, shall be brought to the House floor, under what is known as a closed rule—that is to say, Mrs. NORTON will bring them up for consideration by the House as a whole, only on condition the House agrees to accept them in full, without changes or additions, or reject them on the same basis.

For your information, that's a bit childish, from a practical standpoint—because the only way she can get that permission is by a two-thirds vote of the House as a whole, and the chances are about one in a hundred of getting that. When that fails, Mrs. NORTON'S only course is to say that she declines to bring any amendments to the House floor at all, and in that event,

Representative SMITH can take the reins away from her, on a moment's notice, by merely getting a petition, signed by 218 Members of the House, which will bring his own set of amendments to the House floor.

From my own poll of the House, there's no question that Representative SMITH can get those 218 signatures. He probably can get them within 48 hours. So the long and short of it is, that the present deep-strategy work by Mrs. NORTON and the Labor Committee is like a small boy, sitting on the ocean beach, and arguing with the tide. Whether she likes it or not, the House of Representatives—one way or another—is going to vote on the Smith amendments.

Now, a great deal has been said by Members of Congress about organized labor being solidly opposed to the Smith amendments. The C. I. O. has come out against them, with a blanket disapproval. Mrs. NORTON has done the same thing * * * and a great deal of loose talk has been tossed around in the newspapers, and in radio news, that the American Federation of Labor also is solidly opposed to them.

So, in order to check that last angle for you, I spent about an hour and a half today in a personal interview with the president of the American Federation of Labor, Mr. William Green. I went over the Smith amendments with him, one at a time, item by item, and I found these reports are entirely untrue. Instead of being solidly opposed to them the American Federation of Labor is friendly to a large part of them, and in numerous cases it is vigorously supporting the Smith amendments.

To begin with, Representative SMITH wants to abolish the present Board completely, and set up a new Board of three new members in its place, in order to get a change of personnel. Mr. Green said the Federation of Labor is in favor of that one. If it cannot get that, it's willing to take the increase in membership, from three to five members, to accomplish the same general purpose * * * but the Federation prefers the Smith amendment.

On the proposal to separate the present Board so that there will be a sort of labor court, distinct and separate from the administrative functions of the Board, Mr. Green told me that he doesn't oppose that particularly. He merely thinks it's unnecessary, because he thinks that would have difficulty getting through Congress. He believes that the troubles which that plan is designed to cure will be cured automatically when the Labor Board is in the hands of men of higher caliber. "If it is not cured," he said, "the Federation of Labor probably would support that proposal some time in the future."

Then there's another proposal by Representative SMITH that any striker who is guilty of "willful violence or unlawful seizure or destruction of property" forfeits the right to be reinstated to his job by order of the Labor Board.

Mr. Green said the last part of that—"unlawful seizure or destruction of property"—refers to the sit-down strike * * * and the Federation of Labor is in favor of that much * * * he said he's a little afraid of the part that refers to "willful violence" because that might be used unfairly. The employer might send thugs to pick a fight with peaceful pickets, and if the pickets defended themselves they might lose their right to reinstatement * * * but he said that if due protection can be written into the amendment, to protect against that, the Federation of Labor is in favor of that one, too. In any event, it's in favor of the amendment, insofar as it applies to sit-down strikes and destruction of property.

On the Smith amendment to give the employer the right to speak to his employees and tell them his views on unions and labor problems—which the employer cannot do at the present time—Mr. Green said the Federation of Labor is in favor of the amendment. There's a provision there that says that the employer does not have the right to make any statement in the nature of threats, or coercion, or intimidation * * * but otherwise, he can talk to his employees as he sees fit.

Mr. Green said the Federation of Labor is also in favor of the Smith amendment to give the employer the right to ask the Board for an election among his employees, just as the worker or the union has that right.

And he told me that the Federation of Labor also is in favor of two more of the Smith amendments. One of them gives the courts the power to overrule actions by the Labor Board from the very outset of a given case, even preliminary actions. At the present time the Supreme Court has ruled that the courts can only consider the final decision of the Board in a given case; it cannot go behind that to decide whether the steps that led up to the decision were fair and proper. And the other one has to do with the issuance of subpenas calling witnesses for a hearing. With certain restrictions, it provides that the Board must subpena all witnesses for both sides in any controversy.

Of course, there are some of the Smith amendments which the Federation of Labor does not approve.

One is a provision that exempts agricultural workers from the terms of the Labor Relations Act. Mr. Green said the Federation of Labor does not believe that the farmer should be required to bargain collectively with his regluar farm hands, but he said the Smith amendment on that score is too broad as it now stands. He believes it would take cannery workers and other groups of trained agricultural labor out from under the protection of the labor law.

There's another provision by Representative SMITH that the term "collective bargaining," which is required under the Labor Act—in fact, that term is the backbone of the whole law—it says that collective bargaining means that the employer shall confer with employees and make every effort to reach an agreement with them, but it shall not mean that he must sign a contract with them.

As a matter of fact, that is the situation, really, as it stands today. Mr. Green said he agrees in principle, but he believes that amendment is not necessary, because the policy already is in effect, and he thinks a change in the personnel of the Board will be sufficient guaranty that it remains in effect in the future.

So there it is. The American Federation of Labor does not approve, completely and entirely, of all of the Smith amendments, but it does approve of a large number of them, statements to the contrary notwithstanding.

Let it be said, however, that the evidence is cumulative by an overwhelming degree that the representatives of the great American Federation of Labor are in favor of amending the National Labor Relations Act, and are in favor of the Smith amendments with the exception of possibly two, which Mr. Green discusses in his interview with Fulton Lewis, Jr. What a paradoxical situation for these people to shed their tears so volubly for labor, when as a matter of fact the greatest body of organized labor is coming to this Congress through its representatives and demanding that this National Labor Relations Act be amended. I have had requests coming to me that I support the rule and vote for the amendments demanded by the American Federation of Labor. Such requests come from A. F. of L. unions in my district.

I have been told by the C. I. O. that if I vote for a single amendment to this act I will receive the wrath of that organization. I have stated publicly to the membership of both organizations that I conceive it my duty as a Member of Congress to be a man in this situation and not a mouse, and to go straight down the line and give consideration to the requests of both bodies, but not to forget that there are still 32,000,000 employables in this Nation who are not within the ranks of either organization, and that there are many millions more of people that are affected by this act that we should also give consideration to. I feel that there should be some Members of Congress who are courageous enough to come into the Well of this House and speak for the great rank and file of the people who are demanding some relief from the intolerable administration of this act by the present Board.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I do not yield at this time. It seems to me that it is perfectly clear and obvious that with labor itself divided upon this situation, common sense dictates and indicates that we as Members of Congress should use our simple, honest judgment and do the thing which we as Members of Congress feel will be in the best interest not only of labor, but of the Nation itself.

I understand that the Norton amendments which have been submitted here by that committee were reported out by a very close vote, and at least one member of that committee has taken the floor and has stated that he is in opposition to even the Norton amendments. The gentleman from Utah [Mr. MURDOCK] failed to answer my question when I asked him where he stood on the Norton and Smith amendments, but I gathered that he takes the position of the C. I. O., and that he is opposed to any amendment of any kind or character. It seems to me that in the interest of the unity that is being asked for by the President today, we as Members of this body ought to intelligently pass upon this question and give to labor the things that labor itself wants that are compatible with the public interest.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. Yes.

Mr. COX. Has the gentlewoman from New Jersey, chairman of the Committee on Labor, indicated her part as to whether she herself is for or against the amendment which her committee has reported?

Mr. KEEFE. The chairman of the Committee on Labor this morning in the Well of this House indicated that she is wholeheartedly supporting the committee amendments.

Mr. COX. I say in that connection that I happened to see a letter she wrote to some C. I. O. organization sometime ago in which she declared her opposition to her own amendments.

Mr. KEEFE. Just a moment, and see how ridiculous that is, because if there is one thing that the C. I. O. is fighting,

it is the second amendment in the Norton amendments which attempts to give this craft union representation, and that is the thing that the A. F. of L. is fighting for and that the C. I. O. is bitterly opposed to.

Mr. COX. I think the thing the C. I. O. is most interested in is in keeping this present Board down there.

Mr. WOOD. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. Yes.

Mr. WOOD. The gentleman does not contend that any official of any American Federation of Labor organization threatened him in any way in case he should vote one way or the other on the Smith amendments.

Mr. KEEFE. Oh, the gentleman knows I did not make any such statement as that. I have simply said that in my files——

Mr. WOOD. Then I must have misunderstood the gentleman.

Mr. KEEFE. That my files are full—and so are yours though perhaps not the gentleman's because I understand he is closely identified with union activities—but I have hundreds of letters from organizations all over this country demanding that I support certain legislation in these amendments. And so have you.

Mr. BARTON of New York. Will the gentleman yield?

Mr. KEEFE. I yield to the gentleman.

Mr. BARTON of New York. The gentleman spoke of one member of the Labor Committee who had been on the floor and said he was not going to support the amendments and the gentleman pointed in my direction——

Mr. KEEFE. Oh, I did not point in the direction of the gentleman. I was referring to the speech made by the gentleman from Indiana [Mr. LANDIS].

Mr. BARTON of New York. I just wanted to make it clear that I am supporting the committee amendments.

Mr. KEEFE. I listened with a great deal of interest to the exposition of the gentleman's position and I understand he does favor amendments to the National Labor Relations Act.

Now, it seems to me that our duty is plain. The obvious technique is to blitzkreig this act the same as was done with the wage and hour law; load it up with amendments, make it look ridiculous; and perhaps we will fall into the same trap we did then. I hope not.

I thank you. [Applause.]

[Here the gavel fell.]

Mr. HALLECK. Mr. Chairman, I yield 15 minutes to the gentleman from Ohio [Mr. ROUTZOHN].

Mr. ROUTZOHN. Mr. Chairman, after having participated in hearings that started as early as the 11th day of December last year, running as they did into May of this year, during which time a large volume of testimony was taken, testimony that should be presented to this Congress in order for it to intelligently vote upon this question, it is rather difficult for me to even scratch the surface or get anywhere at all by talking merely for 15 minutes. So, if I am obliged to hurry through a few of the things that I would like to discuss today, that I feel you should know, I trust you will understand the reason.

I am glad to note this afternoon that we are settling down to a discussion of the facts rather than personalities. On last Tuesday afternoon when the rule was being discussed, about all that certain individuals discussed was the attitude of those who did not agree with them. I heard the statement made, the same statement that comes in some of these letters that my friend, the gentleman from Wisconsin [Mr. KEEFE], has talked about, that those who are supporting the Smith amendments are enemies of labor.

Mr. Chairman, I had to sit and hear the charge made directly against me that I was an enemy of labor. I was not born with a silver spoon in my mouth. My father was a laboring man. My entire relationships were laboring men. I am the only professional man among all of my relationships today. I was born in a little three-room cottage, and my father at that time was a streetcar driver, working for $1.25 a day. I have continued to live in the same neighborhood—I was going to say in the same environment, but I will change that, because it is not the same environment. The laborers who were making $1.25 a day then are making much more today and they are living under better conditions. I am not living in the same house I was born in because they erected a monument to me by putting a post office where I was born. The Democrats did that, the only good thing that I know they have ever done for me so far. [Laughter.]

So if the lady would have just explained herself why I am an enemy of labor, I would have felt a lot better about it.

I represented labor for 10 years—organized labor, an international brotherhood of labor, for 10 years—before I came here. Evidently they did not think I was an enemy of labor or they would not have had me on their pay roll during all that time. I could take the lady back to that same neighborhood where I live today and where I was born and raised, and nearly all of them are laboring people, and I believe she would not get very far back there by charging me as being an enemy of labor.

I came here with the understanding and feeling—and I still have it, notwithstanding the charge that has been made on this floor by a number of individuals—that there are no enemies of labor in the membership of this House, that we are all here friends of labor. Of course, there is such a thing as being a false friend. Labor has had its false friends. The Knights of Labor, if you please, that went out of existence back in the eighties, had some false friends, and the false friends are what put the Knights of Labor out of business. Then there have been some enactments that organized labor thought were wonderful things, which proved not to be. Labor has found the fruits of victory turn to ashes on its lips on two, if not three, different occasions that I know of. I remember the Sherman Antitrust Act, that was considered at the time of its enactment a great boon to labor—and I say that advisedly, because that statement was made by none other than Samuel Gompers, the president of the A. F. of L. Then later on they found that was not such a boon to labor, but, like Banquo's ghost, it comes back intermittently, and today is still haunting the ranks of organized labor.

Then we had the Clayton Act, which Samuel Gompers declared as the Magna Carta of labor. Surely they have found some fault with the Clayton Act today, and organized labor is not finding it what it was supposed to be.

Then we had the Wagner Act. That was brought on, sponsored, and advocated by the American Federation of Labor. You have heard the statements—I will not attempt to repeat them today—indicating that it has not proven to be the "bill of rights" that William Green said it was at the time of its enactment.

I would like to refer you to what was stated by the gentleman from New York [Mr. BARTON] in his argument, that we do not pass perfect bills in this House at any time and that anyone who says we cannot improve our legislation is just too stubborn, if you please, to realize that changes can become necessary in the working out and application of the legislation we pass.

I agree with some of the statements that have been made heretofore by those who are attempting to keep us from having any enactment of amendments. I agree with them that it is the administration of the act which has caused all this trouble. That has been and will be the bone of contention on the floor of this House throughout the consideration of this bill. We stand divided here today on the proposition of whether or not we shall have amendments to the bill. Those who are advocating no amendment to the bill are those who are striving to save the Board personnel who are now administering the act. Those advocating changes in the act maintain that the one thing that is needed above everything else is a change in the Board, that if we accomplish this there will be some chance of having proper administration of this act.

I would like to answer a question that was asked Tuesday by my friend the gentleman from Utah. He wanted to know what was wrong with the Board. He stated that the Board

was all right; that the difficulty was that some of the staff had committed things that were not entirely proper, but the Board itself was immaculate and nothing the Board had done could be criticized. In the brief time remaining to me let me call attention to some acts of the Board which I believe you should know—acts which show how it has been maladministering this law. I have in my hand a letter that was written by Edwin S. Smith, a member of the Board, which explains this wonderful record about which you have been hearing so much. Before I read a portion of this letter, let me explain why they have a good court record. Those who compiled statistics on the court record of the National Labor Relations Act have included the cases that were taken into court upon purely procedural matters—cases that did not have a thing to do with the Board's conduct, or, rather, misconduct. In other words, the cases did not review the judgments of the Board or its administration of the act. Before we are through you will find that it is a record built up mostly on procedural matters.

What about their other records? They started out with the purpose—and all these bureaus do the same thing—of making everything a matter of record. If you write a letter to the Board, that is made a matter of record, and they proceed to make a case file out of it. Such instances repeated a great number of times make a big record. Let me reveal the attitude of the Board in this respect by reading a portion of a letter written by Edwin S. Smith, a member of the National Labor Relations Board, under date of October 30, 1935, to Charles W. Hope, regional director of the Board in Seattle, Wash. Mr. Smith in this letter is taking the regional director to task because the regional director was not building up a record that satisfied the Board. In this letter Mr. Smith said:

> It seems to me that you are still somewhat laboring under a misapprehension about the matter of filing charges. There is no reason at all why any regional board should not accept any charge even though later it persuades the party bringing the charge to withdraw it on the basis of obvious lack of jurisdiction, etc. Technically, under the law we are not supposed to be proceeding on cases unless we have formal charges. The charge in and of itself is merely a piece of paper without any special significance, which starts our machinery going. In other words, there is no special virtue in making the unions feel it is a difficult thing to file a charge with the Board. Anyone should have a right to do so merely by requesting the proper form to fill out.
>
> If at the end of a month you have 100 charges and 50 of them have been withdrawn because of the complainant having decided that he really has no case, or because the matter has been settled, this looks like a substantial record of business done by the Board.

That is the manner in which they built up their record, and this is only one of a number of letters I could cite to you.

[Here the gavel fell.]

Mr. HARTLEY. Mr. Chairman, I yield 5 additional minutes to the gentleman from Ohio.

Mr. ROUTZOHN. I call your attention in particular to the postscript of this letter reading as follows:

> Another reason why it is valuable to have charges filed is that in an attempt to get compliance you will have more of a grip on the employer if you can tell him a charge has been filed against his company and you are anxious to straighten the matter out.

A grip on the employer is what they were after from start to finish.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. ROUTZOHN. I have not time, for I want to read something else that is interesting. Let me tell you another thing about Edwin Smith.

Edwin Smith has been consorting with this fellow Bridges a long while, too long to remain a member of this Board. [Applause.] Prior to this date, January 11, 1938, Edwin Smith sent a telegram to the regional director out in California for the regional director to get in touch with Harry Bridges and to have Harry Bridges call Edwin Smith in Washington on the long-distance telephone and charge the call to the United States Government. I do not know, of course, what he wanted to discuss with Bridges at that time, but he sent the wire, and the call was made, according to Smith's own admission. And then Bridges, the alien from Australia, writes to the Board and tells the Board he does not like the assignment they have made of a regional director to Hawaii. He did not like him, he was not strong enough, as this letter shows. I am going to put it in the RECORD, for I have not time to read it to you.

He was not strong enough to deal with the employer interests in Hawaii, so he says, "We must have a different man out there. How about Bert Edises?" Mr. Smith writes back and states, "I have taken it up with the Board and we are sending Edises to Honolulu." That is what they actually did. They took orders, if you please, from Harry Bridges.

I wish I had time to read all the nice, fine, congenial correspondence that has been going on between Harry Bridges and Edwin S. Smith.

These letters are as follows:

JANUARY 11, 1938.

Mr. H. R. BRIDGES,
Regional Director, Committee for Industrial Organization, San Francisco, Calif.

DEAR MR. BRIDGES: Thank you for your letter of January 8.

I agree with you as to the importance of having the right sort of man in Hawaii, and the Board has this very much in mind. We had intended to send Edises to Hawaii to hear the pending case of the Plantation Owners' Association, not to keep him there, and we have not sent him simply because of pressure of matters around San Francisco. The problem is not an easy one to solve.

I am sorry to hear what you have to say about the dissatisfaction with the San Francisco office. I had hoped that the personal difficulties which seemed to have arisen there had been straightened out at the time of our regional conference.

If you ever get to Washington, I should be glad to talk these matters over with you.

Sincerely yours,

EDWIN S. SMITH.

COMMITTEE FOR INDUSTRIAL ORGANIZATION,
WEST COAST REGION,
San Francisco, Calif., January 8, 1938.

Personal and confidential.

Mr. EDWIN S. SMITH,
National Labor Relations Board, Shoreham Building, Washington, D. C.

DEAR MR. SMITH: I recently had a discussion with our attorneys here in regard to the local Regional Labor Board and the demand from Honolulu for a representative of the Board to be stationed there.

I am told that the National Board contemplates, or has ordered, Bert Edises to go to Honolulu to take charge. I am further advised that Mr. Larson has just returned from there and that frankly his whole stay on the islands accomplished little or nothing for the workers there. You will possibly be better able to judge from his report which you will receive no doubt.

The question now is this: Honolulu and Hawaii is in need of a good man who will be able to resist the employer arguments much better than Mr. Larson, and no doubt Mr. Edises will be the ideal person. However, on the other hand, there appears to be a lot of dissatisfaction with the local Board as it is here in the San Francisco area and to take Mr. Edises away from the local Board would also create a bad situation.

There is no doubt about the dissatisfaction of the unions in this area, at least the C. I. O. unions, with the local Regional Board. It appears there is much unnecessary red tape and apparent differences of opinion on the Board itself. From what I know, and from the opinions of others who are somewhat acquainted with the entire matter, possibly forces are at work on the local Regional Board who would be very glad to see Mr. Edises go to Honolulu and have the Regional Board run smoothly although possibly not to the very great advantage of the unions and the workers.

I am, therefore, passing this information on to you to acquaint you with our opinion here and at the same time what we think might best be done in the matter. We definitely would deem it a loss if Mr. Edises did not remain with the local board—at the same time we wish to urge the National Board, because of the complex problems in Hawaii and the immediate necessity of having the Board permanently established there, to dispatch a man to take charge in Hawaii.

It is evident from all accounts that Mr. Larson did not do a very satisfactory job there. At the same time, because of the employers' iron control over the whole situation in the islands, it needs a strong man and one who is not susceptible or easily swayed by the arguments, intimidation, etc.; and I hope you will do what you can to see that somebody of the type of Mr. Eagen or Mr. Edises can be immediately selected for Hawaii.

Our attorneys have been communicating with Lee Pressman along the same lines, although I am not aware at this time if Lee has discussed the whole matter with you.

Hoping you will be able to help us out on this matter and will be able to understand our point of view, I am,

Yours sincerely,

H. R. BRIDGES,
Regional Director.

That is not all. You have heard of Saposs. If he is not a Communist, then we have not any Communists in this country or in Russia. Do you know what they have done with Saposs? We decided we did not want Saposs to be retained any longer by the Board. The House took that action by refusing to grant an appropriation for his department. The Senate changed that, but in the conference report the Senate amendment was taken out. So it was finally decided by both the House and Senate through the conferees that we would do away with the department headed by David Saposs. But this action of the House and Senate did not do away with him. The Board has discharged other employees since that time in order to cut their expenditures, but Saposs is still on the roll. He is still a consultant to the Board. Did you ever hear of a court having a consultant? I have, and perhaps some of you lawyers have. Such a one is not officially a consultant, and we do not think much of a court that does have a consultant to tell the court how to decide cases. This man was put in there as a consultant to whom? To the Board, I presume, in the first instance; and, in the second instance, he was the lecturer to the unsophisticated youth employed by the Board to hear, determine, and review Board cases.

Let me read you something that comes from a man who was connected with the Board and resigned because he could not stand it any longer. I will put the whole letter in the RECORD. The gentleman from Massachusetts [Mr. HEALEY], who will follow me in a few minutes, protected this man, Davidson, when he was on the stand, saying he was an excellent member of the staff of that Board; but after Davidson wrote this letter the gentleman from Massachusetts [Mr. HEALEY] and the Board changed their minds about him.

The letter follows:

JERSEY CITY, N. J., *March 17, 1940.*

NATIONAL LABOR RELATIONS BOARD,
Shoreham Building, Washington, D. C.

GENTLEMEN: Yielding to no man in my respect for the Wagner Act and the illustrious Senator whose name it bears, I nevertheless desire to submit my resignation as a trial examiner for the reason that a majority of the members of your Board continue brazenly and openly to foster Communists and kindred radicals as they have done in the past. This statement is not directed at Dr. Leiserson, minority member, nor is it intended to reflect upon General Counsel Charles Fahy, Assistant General Counsel Robert Watts, and many other Board officials and employees for whom I have the highest respect.

Neither would I have you believe that this letter is written on the impulse of the moment and without mature consideration. Upon the contrary, I have contemplated this step for months, and only thoughts of home responsibilities and economic security have stayed my hand heretofore. However, in the last analysis the right is more precious than peace, and self-respect is preferable to smug financial safety.

Your entire record is replete with rotten radicalism, but the crowning touch of perfidy was added last Friday afternoon when all trial examiners then in Washington were obliged to listen to a lecture by Dr. David Saposs, chairman of your Economics Division and a known Communist, on what should be gotten into the record at a Labor Board hearing, aside from direct evidence, to show by inference that employers are fostering company-dominated unions. This, notwithstanding the fact that trial examiners as quasi-judicial representatives of the Board, from the very terms of their oath are expected to be fair and impartial judges of the evidence. Primarily the responsibility for this outrage rests upon your shoulders. In a secondary sense it is chargeable to Frank Bloom, acting chief trial examiner and an incompetent radical if ever there was one. Only disinclination to use profane and obscene language in a serious communication of this sort prevents me from painting a true-word picture of this individual Bloom. Suffice it to say that I have known polecats of better odor. He would stink in a frigidaire.

Returning to the subject of Dr. Saposs and his beliefs, surely the record of this man's past is not unknown to you. Some years ago he wrote articles advocating the seizure of factory property by workers under certain circumstances. Of course this is quite in keeping with your smelly Fansteel decision in which you sought to bestow a paternal benediction on sit-down strikes. Doubtless you know also that Dr. Saposs is said to have been a teacher in the 100-percent Communist organization, Commonwealth College, which was investigated by the State Legislature of Arkansas, and that his wife is said to be an enrolled Communist.

Now, if by some chance you would have me distinguish a so-called dyed-in-the-wool Communist and a fellow traveler or sympathizer, my answer is that a traitor to the flag and a sympathizer with treason are to be regarded as one and the same menace. In the vocabulary of any local citizen the old-fashioned noun —— —— has three synonyms, viz, Communist, Nazi, and Fascist. Yet you who hold high office under our Government employ a man like Saposs as chief economist at $6,500 a year and wonder why a scandalized Nation cries aloud for your blood in a figurative sense.

All of which recalls another matter of some significance to my mind. During the first few months of my employment as trial examiner you thought I was quite a fellow and treated me accordingly. Suddenly I became a poor relation, and this change of status dates back to the time in 1938 when I excluded a corporate chart drawn up by Dr. Saposs from the evidence in the Detroit Times case because of patent inaccuracies. Soon thereafter Bloom became assistant chief trial examiner by the grace of his fellow "red," Nathan Witt, secretary of your Board. Conditions never have been quite the same since.

Now that the subject has been raised, why do you have in your libraries the periodic bulletin of the International Juridical Institute, a Communist front outfit if ever there was one? Could it be because Witt is said to hold rank as one of the nine charter members of that organization, the latter now gloating openly over the escape of the filthy Pacific coast Communist, Harry Bridges, from deportation proceedings?

Of course, it is scarcely necessary for me to tell you that the Review and Economics Divisions of the Board are loaded with "reds" of varying shades, and that this communistic vermin infests even some of the regional offices. Not very long ago I had lunch with a certain attorney for the Board who lost no time in bewailing the plight of the perjured Earl Browder, Communist Party head, who now faces a long term in prison. Browder was then awaiting trial. When I said in reply that Browder was a 24-carat scoundrel and that I hoped the judge would stick him in jail and throw the key in the Hudson River, the "red" sympathizer fell strangely silent. What enraged my sensibilities was the thought that he must have mistaken me for one of his kind.

A great deal more could be written on this subject, but you must know more about such conditions than I do, for the simple reason that you must be responsible therefor. My resignation is to take effect at the close of whatever unused annual leave I have coming. I received a slip stating the actual time only the other day. For me the future is uncertain, but at least it will be free from intellectual prostitution.

Very truly yours,

—— ——.

[Here the gavel fell.]

Mr. HARTLEY. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. ROUTZOHN. Mr. Chairman, here is a man acting not only as a consultant to the Board but as a lecturer, telling young folks just come out of law school how they should conduct themselves as members of the staff.

Mr. Chairman, the President is asking for money now to investigate subversive activities. He has just found out that we have a "fifth column" in this country. Why, bless you, my colleagues the gentleman from Virginia, Judge SMITH, the gentleman from Indiana, CHARLIE HALLECK, and I have known, and I also think the gentleman from Utah, ABE MURDOCK, and the gentleman from Massachusetts, ARTHUR HEALEY, know, although they will not admit it, ever since last December when we started our hearings, that we have had a "fifth column." No extra appropriation is necessary to find out about the "fifth column" in the Labor Board. There is ample proof in our testimony, and all anyone has to do is to go to the testimony to find out about the "fifth column," if you please, in a governmental agency here in Washington, which administers the labor law.

Mr. Chairman, there are many other things I would like to bring out to show the misconduct of the Labor Board, but time does not permit. [Applause.]

[Here the gavel fell.]

Mr. ROUTZOHN. Mr. Chairman, I ask unanimous consent to revise and extend my own remarks in the RECORD, and to include therein the letters I referred to.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mrs. NORTON. Mr. Chairman, I yield 15 minutes to the gentleman from Massachusetts [Mr. HEALEY].

Mr. HARTLEY. Mr. Chairman, I yield the gentleman from Massachusetts [Mr. HEALEY] 10 additional minutes.

Mr. HEALEY. Mr. Chairman, we have listened this afternoon to a number of men who have spoken in debate, mostly favoring the Smith bill. As one of the members of the Smith committee who disagrees with the majority on the recommended changes included in H. R. 8815, I now have an opportunity to answer some of the statements of gentlemen who have preceded me.

This is a very serious issue. The whole matter vitally affects not only the 8,000,000 members of organized labor but it affects all workers throughout the length and breadth of this country. It vitally affects every phase of their existence, their employment, their security, and the welfare of their families. It is of equal importance to employers, and presents one of the most far-reaching problems of our national economy. It calls for the most serious consideration, particularly at this time, when a great part of the civilized world is aflame with the fires of war, and when our own national security requires good will, unity, and solidarity among our entire citizenry.

As I stated on Tuesday when I spoke briefly on the rule, I felt honored to be appointed by the Speaker of this House as a member of this very distinguished committee. During the entire time I spent with the committee I experienced toward my associates on the committee the utmost good will. I have the highest regard and respect for them, their opinions, and their views, even though they differ with mine. I say unqualifiedly that every one of the five men who served on that committee, and it was a difficult assignment, have worked conscientiously to discharge their duties. I am sure that they have done their best in endeavoring to solve the difficult problems presented. My associations with these gentlemen in the work of the committee have been very pleasant indeed.

All of my colleagues on the committee are distinguished lawyers. They know the value of evidence. They know the importance of adhering to the record. They realize that when they come before this Congress—the great body of representatives of all of the people of this great Nation—to ask their fellow Representatives to adopt fundamental changes in an act of such vital importance to the workers of this country, the largest element of our population, their proposals should be supported by the record.

The distinguished chairman of my committee, for whom I have the highest respect and regard, read during his remarks, a letter written to him by the eminent president of the American Federation of Labor. To what extent this letter supports the chairman's contention is open to question. I believe the testimony of Mr. Green before the committee which appears on page 287 of volume 2 of the verbatim record, will serve to clarify that point. I asked the chairman of the committee during Mr. Green's testimony if I could ask a few questions, and he permitted me to do so. I am now going to read out of the record some of that testimony:

By Mr. HEALEY:

Question. Mr. Green, when your organization met in convention in Cincinnati last year, that represented the fifty-ninth annual convention of the American Federation of Labor?

Answer. The fifty-ninth; yes, sir.

Question. Now, from the number of representatives that were present at that convention, chosen, I presume, by their local unions to be present and represent them, did it indicate that there had been a great growth in the membership of the American Federation of Labor in the past year?

Answer. Yes; a substantial growth in membership. The paid-up membership was in excess of 4,000,000, as shown by the books in our office.

Question. And that 4,000,000 membership that you have today indicates that there has been a great tendency in the last few years by workers to join unions; is that right? Is that correct?

Answer. That is correct. This act is responsible very largely for that new spirit.

Question. That is just——

Answer (interposing). There is no argument between you and me on that, Congressman HEALEY.

Question. I asked you whether or not, in your judgment and opinion, during the past 7 years great strides have been made in legislative enactment for the benefit of workers in general throughout this country.

Answer. The record shows that; makes that quite clear. The passage of the Norris-LaGuardia Act, which was of great benefit to labor, the social-security legislation, the Wagner Labor Relations Act, the Hour and Wage Act, and some others that I could name—the Walsh-Healey Act itself, of which you were a joint author. I feel that all of that legislation has been in the interest of labor, and labor has greatly benefited by reason of the enactment of that legislation.

Question. Is it fair to say that this legislation which you have just enumerated represents a greater accomplishment during that period, that 7-year period, than any other 7-year period in the history of your organization?

Answer. The legislation that I have just referred to?

Question. That legislation which you have just enumerated.

Answer. Yes, sir: I would say that affirmatively.

Question. During the entire life of your organization, the American Federation of Labor has sought continuously for the passage of legislation to benefit working conditions and standards of workers in general, not alone your own members, but of workers in general, has it not?

Answer. Yes, sir; and we appreciate what Congress has done, the way in which Congress has responded; and I refer to the Members of Congress not in an exact political sense, but to the Members of Congress—what they have done for labor in the enactment of this legislation to which I have referred. I would classify it as outstanding in the history of the Nation.

Question. Now, throughout the existence of the American Federation of Labor, the organizations affiliated with this great body of labor unions have forged a continuous struggle to better working conditions, to raise standards of the American workers, have they not?

Answer. Yes, indeed.

Question. And they have met with bitter and stiff resistance all the way, every step of the way in their achievement of the many humanitarian and progressive pieces of legislation that they have sponsored, have they not?

Answer. It has been a bitter struggle, Congressman.

Question. But underlying the whole philosophy of legislation which you sponsored and sought for the workers of America, was the elementary principle of the right to bargain collectively, was it not?

Answer. Positively so. That was basic.

Question. That represented more than perhaps any other desire that labor had, that represented their desire perhaps more than anything else—the right to bargain collectively, is that correct?

Answer. To bargain collectively, and they couldn't bargain collectively without organizing into unions.

Question. Throughout all of this struggle for the recognition of that right, you have been faced with injunctive processes in the courts which amounted to frustration of the efforts of the workers to accomplish that purpose, have you not?

Answer. Yes.

Question. And because of legislation which you agitated, your organization, and sponsored, you have been able to eliminate a lot of that resistance which you have had to confront constantly in your struggle for the recognition of these rights?

Answer. That is right.

Question. Now, then, Mr. Green, you stressed four points that you think ought to be accomplished to facilitate the administration of this particular act in your direct statement.

Answer. I emphasized four points in my statement to your honorable committee this morning.

Question. Now, as I understand it, the purpose of those four changes that your organization is advocating goes more toward the administration of the act than toward any change in the fundamental principles.

Answer. I would say wholly, fully, and completely to the administration of the act.

Question. So that, insofar as you as a representative of your organization, the American Federation of Labor, are concerned, is it fair to say that you do not desire to see any fundamental change in the purposes of this act?

Answer. Yes, you are right, Congressman HEALEY, and I wish just to expound on that a moment. We are not only asking that these amendments that we offer be adopted in order to facilitate proper administration of the act, and for that purpose alone, but, in addition we are standing, watching, guarding against the submission of destructive amendments. For instance, we are uncompromisingly opposed to the amendments offered by Senator BURKE, of Nebraska, amendments of that character. We stand for these amendments. We are opposed to destructive amendments; and we shall appeal to Congress to stand with us and guard carefully against the acceptance of destructive amendments.

Question. Are you familiar with the amendments that are advocated by the National Manufacturers' Association?

Answer. Well, to some extent, and we feel they are destructive and highly objectionable.

Question. And therefore you are opposed to those amendments.

Answer. We are opposed to them.

Now, let me go just a little further down in the testimony:

By Mr. HEALEY:

Question. But Mr. Green, aside from these administrative amendments—and I think it is fair to characterize them as administrative amendments—that you advocate, you do believe in the efficacy and the purpose and principles of this Wagner Labor Relations Act?

Answer. Yes; we would sooner endure the troubles and punishment we are now forced to undergo and maintain the act, and even its administration, than we would to repeal or destroy it.

Mr. Chairman, that is the considered testimony given by Mr. Green at the time the need for legislation was being considered by us and when he was a witness before our committee.

On Tuesday I stated that after the majority of this committee had recommended these amendments and had issued

their explanation of them, Mr. Green expressed his unalterable opposition to the body of Smith amendments included in H. R. 8815, and there has been no denial of that fact. My eminent colleague, the gentleman from Utah [Mr. MURDOCK], who followed me, read the full statement of Mr. Green condemning the Smith amendments and opposing their adoption. And at approximately the same time, other national leaders of great A. F. of L. unions expressed their opposition to the Smith amendments in equally emphatic terms.

Now, of course, we know the position of the other branch of organized labor on these amendments. I have no partisanship toward either of these branches. I have voted consistently for labor legislation because I believe that the welfare of our country and of our whole political and social economy demands a sound, progressive, and humane program of employer-employee relationships. I do not seek any credit for that. I was only doing my duty as a Representative in the Congress in doing what I believed to be for the best interest of all of the people. The labor legislation we have enacted has been designed to protect not only those who are organized in labor unions, but also that great group of workers who have no voice, who have no lobbies, and who have no representatives to advance their cause here except those elected by the people.

My friend from Ohio states that he is the son of a workingman. I do not think that it should be necessary to take any time in this debate, limited as the time is, to state that I am also the son of a workingman and a union man, back in the days of Samuel Gompers and the days of Mr. Frey and the days when Mr. Green started, when the fight was fierce and the struggle hard. He sought neither power nor emolument but served humbly in the front ranks as a man who believed in the principle of unionism and the just aspirations of those who must labor. I know from him and from my own studies of the long fight that had to be made against relentless opposition for the recognition of the rights of those persons in our economy who have had to work for a living by the sweat of their brows. And this act has had to meet, at every step, the same unyielding hostility that has sought to obstruct every advance in labor's welfare. It was signed by President Roosevelt in July 1935. A board was appointed in August of 1935. Two weeks later a committee of 58 lawyers, self-constituted, self-appointed, and self-anointed, undertook to pass upon the constitutionality of this act, and this group of 58 legalistic vigilantes declared without reservation that this act was unconstitutional.

Oh, they did not wait to submit it to the courts, but with indiscreet haste, held that a law that had been duly enacted by the House and the Senate was unconstitutional, and this opinion was widely distributed to manufacturers, industrialists, and other employers of labor throughout the length and breadth of this country. As a result, immediate and general resistance sprung up to compliance with this act, and whether or not this Labor Board has been justly criticized, it can be well stated that no group that ever served in high office in this country was faced with a greater task. No group ever was confronted with more serious problems or met greater obstruction or fiercer resistance in the administration of an act.

Until the validity of the act was finally and conclusively upheld by the Supreme Court, every attempt to administer the act was blocked by the same formula of resistance. Everywhere employers were advised, "Do not obey; do not conform with it; fight it; resist it; go to the courts and pursue dilatory proceedings, but do not obey it."

This was before the Board had any opportunity to function whatsoever, and this is a little bit of the history, the background of the fight that was made and carried to the courts; and finally the Supreme Court, in 1937—this was the old Court, if my recollection is correct—upheld the validity of this act in a series of decisions. Only after these decisions did this Board have any real opportunity to act or receive any real cooperation.

Mr. Chairman, this is the history of the National Labor Relations Act. You know, of course, the necessity which brought about the adoption of the Norris-LaGuardia Anti-injunction Act. You know the necessity which caused Congress to pass the act vitiating the so-called yellow-dog contracts, and that was met with the same opposition. So, having failed in their attack on the courts, the attack is now back here in the legislature.

We were commissioned as a group of Members of Congress, chosen, I assume, because of our backgrounds of legal training, to examine the National Labor Relations Act, investigate its administration, study all the problems involved in the operation of the act, and to bring back to you recommendations that were based upon a well-rounded and thorough investigation. I want to say, with due deference to my colleagues, that we have not had that kind of an investigation. We started right out going into certain abnormalities, certain indiscretions in the administration of this act. The counsel for the committee has gone through the files of the Board with a fine-tooth comb.

Every indiscretion, every abnormality that could be found has been brought here and put in the 50,000-word report written by the majority of this committee. My colleague the gentleman from Utah [Mr. MURDOCK] and myself wrote a dissenting report of 45,000 words. We fell about 5,000 words short of the majority report, but I submit to you that both the majority and minority of that committee devoted a great deal of time, effort, and energy in presenting this matter to the Congress. I don't know whether you will ever have the opportunity or time in your busy lives to read these reports, but I hope that you may have occasion to do so.

I do wish to say, without bias or prejudice, that I believe you will find the minority report to be founded on the record. We made no attempt to assemble only the evidence most favorable to our contention, but strove to make it a full and fair statement of the facts based upon the evidence taken before our committee, which, after all, is what should concern us most. With due humility, I wish to state that I believe that if we went into a court of law with those two records, on the evidence, the side that opposed the majority report would be successful.

Let me see if I can in the remaining time get down to what some of these recommendations are. The gentlemen of the majority want to eliminate certain language from the preamble of the act. Oh, this sounds so innocuous. Section 1 of the preamble reads:

> The denial by employers of the right of employees to organize and the refusal by employers to accept the procedure of collective bargaining lead to strikes and other forms of industrial strife or unrest.

The majority proposes to amend this provision to read as follows:

> The failure to bargain collectively between employers and employees leads to strikes and other forms of industrial strife and unrest.

The reason given for the change is that, first, it indicts all employers, and, second, it promotes industrial strife and unrest. The majority can point to no evidence in the record which supports such a charge. We did not go into that. There is not a scintilla of evidence on which to base this statement, although, of course, the historical record confirms the fact that it has been the refusal of employers to bargain with employees that has caused industrial strife.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mrs. NORTON. Mr. Chairman, how much time have I left?

The CHAIRMAN. Five minutes.

Mrs. NORTON. I yield the remaining time to the gentleman from Massachusetts.

Mr. HEALEY. Mr. Chairman, we all know that it has not been the refusal of the employees to bargain with the employers and that has caused industrial strife. It has been the other way around. Now, of course, this language does not indict all employers. It indicts only those employers who refuse to bargain collectively with their employees.

Here is another apparently harmless little amendment proposed by the Smith committee majority:

It is hereby declared to be the policy of the United States to eliminate the causes of certain substantial obstructions to the free flow of commerce and to mitigate and eliminate these obstructions when they have occurred by encouraging the practice and procedure of collective bargaining and by protecting the exercise by workers of full freedom of association, self-organization.

Mr. Chairman, the gentlemen of the majority want to eliminate the clause "by encouraging the practice and procedure of collective bargaining." They say that Congress, by leaving in those words, is attempting to unionize all employees. Of course, that is not the fact, but it is a fact there is only one way by which you can eliminate industrial strife by democratic means, and that is by encouraging the practice of collective bargaining.

There is only one sound method known for doing away with these great industrial strikes, which result in tremendous social and economic loss, and that is by representatives of employers and employees sitting around the conference table, discussing their differences, and settling their disputes by the peaceful and sensible method of collective bargaining. That is the only way that industrial peace can be accomplished. And while I am on that subject, let me say just a word for the Board. The Board has just completed an election in the General Motors Corporation, at Detroit, and wherever their other plants are located. One hundred and forty-six thousand employees voted freely in the democratic way. They exercised a right to express their own will in the selection of representatives. They deposited their ballots for the representatives of their own choosing, according to the good old American tradition. This right was secured to them under the National Labor Relations Act. That election was carried out with efficiency and dispatch.

The men took only a few moments away from their work, and that was carried out through the instrumentality of this Board. Was not that a triumph of democracy, and was it not better than having those men engage in all sorts of strife and trouble in order to achieve that particular accomplishment? [Applause.]

My friends, there is another amendment which my friend, the chairman of the committee, dismissed with very few words, and said it ought to be in the act. That is the amendment denying the privileges of this act to persons who have been guilty of willful violence.

Judging this on the ordinary meaning of the language, it would seem to be fair and reasonable. But the language has a specific legal meaning, and that legal meaning would control in administration. That would mean that if somebody were on the picket line and a hired provocateur should provoke some sort of a fight with that person, no matter how trivial or harmless it should be, that man would be denied forever the rights of this act.

You do not say that because an employer violates some of the provisions of this act he shall be punished. Oh, no. It is just these fellows who are on the picket line, who may get into an altercation, who may get into a fight.

That can be termed "willful violence" and they would be denied the privileges of this act. The majority contend that this proposed amendment merely enunciates the effect of the Supreme Court's decision in the Fansteel case, which held that sit-down strikers are not now and never have been entitled to the protection of the act. If this were so, I would not oppose the amendment, although it is difficult to understand why Congress needs to enact legislation to make that law which is already law. But this amendment goes far beyond the sound doctrine of the Fansteel decision. It penalizes every manifestation of ordinary human temper, however slight or trivial, however flagrantly and deliberately provoked, with a sentence of virtual economic death. I hope you do not accept these Smith amendments. I wish I had time to go into all of them, and I hope that I may have an opportunity to discuss them as they arise. But I say to you, after a conscientious study, that they are destructive of the principles of this act and ought to be defeated. [Applause.]

[Here the gavel fell.]

Mr. HALLECK. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman is recognized for 22 minutes.

Mr. HALLECK. Mr. Chairman, we are rapidly coming to the close of the time allotted under the rule for general debate on the proposals now before us. I cannot refrain from calling attention to the fact that I think the different members of our committee and the different people who have been working on this legislation have all been given a very fair allocation of the time.

The special committee, on which it was my privilege to serve, as well as the Labor Committee—both committees being charged with the consideration of these troublesome subjects—has had a real job and a difficult job. As far as my work on the Smith committee is concerned, I want to say here now that I have enjoyed it. I have enjoyed the association with my colleagues on that committee. Never at any time have I observed any personal differences or matters of personality indulged in. Our committee worked diligently and harmoniously in an effort to do something to help solve this difficult problem. The time finally came, however, when we could not all agree upon recommendations to be made to the House. The majority made certain recommendations.

I want to say to you people here now, and to everyone who must pass upon these questions, that the recommendations for amendment of this act, submitted by the majority of our committee, in my sincere judgment and opinion, represent a very modest approach to the matter of amendment of the act. The amendments proposed do not contain even a small percentage of the amendments that have been asked for by the Chamber of Commerce or the Association of Manufacturers. They do not represent the views of any particular person or group of persons who have been urging amendments.

I would like to call this to your attention: They do contain a number of amendments that were adopted and proposed by the convention of the American Federation of Labor at Houston, Tex., in 1938. I will just skim through this pamphlet from the Federation of Labor and say to you that at that time they advocated the creation of a new board. They advocated the adoption of an amendment providing for free speech and for a unit rule. They advocated a provision which would take care of the right of employers to petition for elections under certain conditions. They asked for appeal to the courts in representation cases. They asked that 15 days elapse between the service of a complaint and the time that a person should be called in for hearing. They submitted that the substantial-evidence rule that is proposed in our bill should be adopted, and they asked for a provision which would make it possible for the respondent on trial before the Labor Board to have the right to subpena his witnesses to prove his case.

Now, it is easy to talk about letters and conflicting letters. As a matter of fact, the letter from Mr. Green which my colleague the gentleman from Virginia [Mr. SMITH] read to you contained references to his statement on March 15, which has just heretofore been referred to, and he said:

Some of these amendments are practical and constructive.

Why, of course, they are.

Now, for myself, I said in the argument on the rule that I was not wedded to any language or any amendment, but our committee made recommendations to this House that we believed at the time were proper and fair and at least deserving of consideration by the House. We are here today to consider them.

Before I talk more specifically about some of the amendments I would like to comment upon another thing that has been brought forcibly to my attention, touched upon in the remarks of my colleague the gentleman from New York [Mr. BARTON].

I happen to be a member of the House Committee on Interstate and Foreign Commerce. That committee drafts

legislation for the Interstate Commerce Commission, the Federal Trade Commission, and a number of other great agencies of the Government. Do you know that when a proposal for amendment of the basic law that sets up one of those agencies comes before our committee—and I see some of my colleagues on that committee here today—there is no violent opposition from that agency. They do not come in and say, "No, you can't adopt one single amendment." Oh, no. They are the representatives of this Government and of the people, and they cooperate with our committee to the end that we have the benefit of their advice and counsel in drafting amendments. Is that not the better way to proceed? I have communicated that same view to some of the employees and some of the members of the Board operating under the National Labor Relations Act. I say that is the situation that should prevail throughout all our Government. We should have a spirit of cooperation between the agency, which after all is the creature of the Congress and the people, and the Congress itself, to the end that the best judgment in the country, the most expert judgment, can be invoked in the making of necessary amendments.

Sound and equitable labor legislation is always a major concern of Congress. This is particularly the case in the present session, because of complaints from so many sections and groups in the country to the effect that certain of our existing laws have worked a hardship on some divisions of labor, have retarded full economic recovery in various industries, and in other lines have tended to create more unemployment. An increasing number of our people want more jobs rather than more laws.

I shall not carry my discussion into the field of partisan debate. Industrial relations, and the smooth, orderly working of national labor policies are matters far above narrow partisanship.

As a member of the special investigating committee, I have heard voluminous evidence and examined many exhibits bearing on the difficult day-to-day problems of administration. As a Member of Congress I have given much thought and study to the relationships of employer and employee, capital and labor, and the responsibilities of government in respect thereto. The extended hearings before our special committee have demonstrated clearly that prompt action is desirable if the country is to avoid further unnecessary and costly labor strife flowing directly from imperfections in the National Labor Relations Act and its administration, and if the fundamental objectives of that act are to be attained.

Our committee was scrupulously careful to get facts and to avoid prejudiced conclusions and opinions which would be of no value. Most of the evidence in the record comes from the files of the Labor Board itself.

The investigating committee did not hasten its report. It sent out more than 60,000 questionnaires, directing one of them to every person who ever had been a party to a case before the Labor Board. These included employers, unions, individual employees, attorneys, and many interveners. More than 10,000 answers were received and tabulated by the committee. By the end of February of this year our hearings made up 10,000 typewritten pages of transcript, supported by some 1,300 exhibits presented through various witnesses. I mention these facts merely to demonstrate that the whole inquiry has been conducted on a judicial basis, directed by a conscientious effort to serve the national interest through the sound promotion of labor welfare, the elimination of bitter and demoralizing industrial strife, and the stabilization of labor relations generally.

The resolution under which our committee was acting directed us to make recommendations for amendment of the law. Acting on that direction, the committee carefully considered the many and varied proposals then before Congress and the country.

Let me make it clear at the outset that the demand for amendment of the Labor Act comes with vigor and insistence from both organized labor and the employers. The issue before us distinctly is not one in which labor stands on one side of the discussion and employers on the other. In fact, I think it is fair to say that there is throughout the country a clear majority which demands changes both in the law and its administration.

I realize that there are some who say we pretend to believe in collective bargaining, we pretend to be friends of labor, but somehow or other we are around trying to sabotage labor and to destroy it. I resent that kind of implication, and I resent any person, Member of this body or not, here or anywhere else, arrogating to himself the sole interest in the people of this country who work. We all labor and we all work, doing whatever work there is for us to do. This problem is bigger than class against class; it is as big as the problem of all humanity itself. [Applause.]

For myself I believe implicitly in the right of workers to organize and bargain collectively through representatives of their own choosing. Only in that way can labor achieve a balance of bargaining power with the employer. That such is the view of an everwhelming majority of the House of Representatives cannot be disputed.

Now let us talk a little about some of these amendments. I heard the letter from Mr. Green read by my colleague, and I heard the discussion by the gentleman who preceded me on the floor about the amendments to the preamble, being section 1. I also heard the criticisms directed at the redefinition of collective bargaining contained in the Smith proposal. Whether or not these proposals stay in the bill as a part of the amendments to the act, is a question for the House to decide.

The matter of back pay for a year or 6 months is one for the House to determine.

The power of the Board under section 9 to fix the unit for collective bargaining is a problem with which this House must deal. Whatever the House does on these amendments will be a judgment that I believe is sound and proper.

Now let us talk a little about the amendment which provides for the reinstatement of employees. We took the language of the Fansteel case, decided by the Supreme Court, when they had to overrule the Board and say to the Board that if a man engages in a sit-down strike—unlawful seizure of his employers' property—he forfeits his right to be reinstated as an employee. Is there one here today who will stand in his place and say that a sit-down striker under the circumstances about which we have all known should retain his right to be reinstated as an employee? The words in respect to "willful violence" are in there, and we hear that "willful violence" might mean a little innocent scuffle on a picket line. I do not believe the Board would so construe such a provision. As far as I am concerned, willful destruction of person that is contemplated in willful violence is just as bad and just as important as willful destruction of property. I am not so sure, Mr. Chairman, that any real argument can be made against that amendment.

You might say to me that since the Supreme Court has decided it why put it in the law. That does seem strange, but the reason for that stems from the fact that the Board itself has indicated its obstinacy in going along with the judgment of the Court, and in a subsequent decision to the Fansteel case was rebuked by the Court for its failure to observe the doctrine of the Fansteel case; and even after that one member of the Board in a dissenting opinion still urged the right of the Board to order the reinstatement of an employee who had engaged in a sit-down strike.

Before I leave the subject, there have been a lot of people, good people, in this country who have argued for amendments that would put labor on trial in a lot of ways, such as to regulate their unionizing activities, to prevent the use of the blackjack and the goon-squad operations to force men into unions whether they want to belong or not. Our committee did not attempt to draw that sort of amendment. It is a difficult thing to draw. I do not like blackjack operations any more than the rest of you do, but we recognized that it is a difficult thing to try to handle. It and a lot of similar proposals are not in here, yet there are those who say we are trying to destroy the Labor Act.

A lot has been said about the necessity for a new Board. I realize that this Board has had a big job; that it has not been lightened any by the division in the ranks of labor. They have been operating under a piece of pioneering legislation. They had to set the organization up rapidly and quickly. But I have reached the conclusion with considerable reluctance, after hearing the evidence before our committee, that much of the argument that is made by so many people that the big part of this trouble comes from the administration of this act is supported by the evidence. I believe the Labor Committee reached that same conclusion, because how else can they justify the placing of two new members on the Board? Is it for any reason other than to dilute the faulty judgment of a Board already constituted with the untried judgment of two additional members?

Oh, Mr. Chairman, I could discuss the action of a Board member who joined in a boycotting operation against the Berkshire Knitting Mills, absolutely outside the authority of the law. I could talk about the blacklisting of firms for Government contracts, against whom there had been adjudged no guilt under this law or any other law. I could talk about lobbying activities stemming down from the Board itself in direct contravention of the statutes of the United States.

I would like to say, however, that maybe we had better make a new start. Possibly the confidence of the people in this Board and its operations and the employees whom they insist on keeping in their jobs may be restored in this way and confidence in this act restored to preserve its good and beneficial results to the people of this country. Why, do you know they have a system down there of review attorneys. The trial examiner hears the case. The transcript of the testimony is written up and sent in to the Board to be decided. One of these review attorneys looks it over. The Board does not read the transcript because the members have not the time to read the thousands of pages of testimony that are taken. The review attorney undertakes to tell the Board what the facts in the case are and what the evidence is. One of the members of this Board is so dissatisfied with that system he will not even go to those interviews or those sessions when the review attorneys go over the transcript.

Mr. SMITH of Virginia. Will the gentleman tell the House who writes the opinions of the Board?

Mr. HALLECK. There was a lot of discussion and contention about that. The actual work of writing up the decisions or opinions is done by the review attorneys. They report orally to the Board. They testified that the Board tells them what the decision shall be.

Mrs. NORTON. Will the gentleman yield?

Mr. HALLECK. I yield to the gentlewoman from New Jersey.

Mrs. NORTON. I just want to observe that, of course, the gentleman knows that clerks write up decisions for members of the Supreme Court even.

Mr. HALLECK. Of course, that was pointed out to us a great many times. Fortunately or unfortunately when some procedure or practice followed in the courts can be invoked to support the practices of the Board, it is a good thing, but when you talk about rules of evidence or a lot of these other things that have been tried in our courts for years and have proven to be good, then the Board says, "Oh, no; we are an administrative agency and we have to do this our own way."

Mr. HAWKS. Will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Wisconsin.

Mr. HAWKS. Can the gentleman give the House any idea with reference to the qualifications of these review attorneys?

Mr. HALLECK. You all read the newspapers when these hearings were going on. I do not indict youth, because when I first ran for Congress a lot of people said I was too young. They may have been right, I do not know. The fact of the matter is these review attorneys average something under 30 years of age, and on the whole are inexperienced. But they have positions of tremendous responsibility. So if you want to talk about their being law clerks or that they just simply write up what somebody tells them, if you can tell me how they can avoid coloring the judgment of a board on a record of 3,000 pages when their session with the Board is only an hour or two, I would like to have the answer pointed out to me.

Mr. Chairman, I want to refer for a minute to the separation of functions that the Smith proposal would provide. You have heard it charged that the Board is judge, jury, prosecutor, and executioner. This stems from the fact that the Board and its employees investigate the case, determine whether or not a complainant should file the complaint, then prosecute it and finally decide it.

In case after case it was disclosed in our hearings that the Board and its employees who would subsequently be charged with deciding the case on its merits were active and aggressive in the preparation of the case for trial and presentation. As a lawyer for the plaintiff or the defendant, as you lawyers all well know, you become prejudiced and biased and intent on your client's case. If you do not, you are not worth much as a lawyer. Such a lawyer could not possibly disassociate himself from the opinions formed.

[Here the gavel fell.]

Mr. HARTLEY. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. HALLECK. Mr. Chairman, this separation of powers is not a subtraction of power. It is a separation of powers. Every power that now exists is either in the Administrator who would be appointed or in the Board, who would decide the case. The Administrator would be charged with presenting the cases, investigating them, prosecuting them, and then a separate board would decide them. Is that not a better practice? We set a precedent for it in the Civil Aeronautics Act, and it has worked out very well. Some have said that the Administrator would not do a good job. Under our proposal he would be appointed by the President, with the consent of the Senate. How long would he last in his job if he did not get down to business?

Mr. Chairman, I want to talk about the right of free speech. This was advocated by the American Federation of Labor. The statute says that no employer shall interfere with the right of his employees to organize. I believe in that. But in determining what that "shall not interfere" means, in interpreting that language, the Board, in my opinion, went clear out of bounds and invaded the right of free speech as guaranteed by the Constitution. Some may ask, If it is in the Constitution, is that not sufficient protection? A person should not have to go to court to get protection of his right to free speech. If the Board does not protect that right, I say the Congress must do so by specific mandate.

What is wrong with an employer expressing his views on public questions or on matters of importance to his employees so long as such expressions of opinion are not accompanied by acts of coercion, intimidation, discrimination, or threat thereof? Why, under that sort of provision the right of employees to organize could not be interfered with.

The right of an employer to petition for an election is in the Labor Committee's bill. It is in our bill. It was advocated by the American Federation of Labor and has been since 1938. What is the matter with that? Why should not an employer have a right to get out from the middle?

I want to talk for a minute or two about the rule-of-evidence proposal in our bill. The present law says that the rules of evidence applicable in court of law shall not be controlling. The testimony is that that has been taken as something of a mandate to a trial examiner to pay no attention at all to rules of evidence. What do we say? We do not clamp them down to a hard and fast law on the rules of evidence. Oh, no.

We changed it, rather, to an invitation that the rules of evidence be followed so far as practicable. What is the matter with that? Why, to let in hearsay evidence, to let in rumor, to let in matter that has nothing to do with the issue loads up the record and makes people spend money that they should not have to spend.

After all, the rules of evidence have grown up throughout all of our history as the best method by which people can learn what the true facts are. It is like a screen set in the channel of a stream to strain out the impurities so that the water below runs clear. I say that that rule of evidence proposal will not destroy this act. Somebody said, "Why, that would mean that everybody has to hire a lawyer. We are dealing with ignorant people who do not know the law." Under this law the Government provides a lawyer for every person who has a case before the Board. Why cannot they prove their cases in reasonable compliance with the rules that have been established throughout all of our history as fair and reasonable?

We took two provisions of the Walter-Logan bill that passed this House by a 3 to 1 vote not so long ago. We would provide that on an appeal from the Board to the courts the decision of the Board shall be final unless it is shown, first, to be clearly erroneous, or second, that there is not substantial evidence to support it. I do not know whether anyone is absolutely sure just what "clearly erroneous" means. I for one am confident that it does not contemplate the weighing of the evidence and the establishment of a preponderance all over again. I am not for that because the courts would bog down under that sort of a requirement. [Applause.]

[Here the gavel fell.]

Mr. SMITH of Virginia. Mr. Chairman, I yield 5 minutes to the gentleman from Georgia [Mr. COX].

Mr. COX. Mr. Chairman, I of course cannot undertake the discussion of this important question, considering the brevity of the time at my disposal. It has been pleasing to me that others interested might have first claim upon the time. You understand as well as the country the business that we are about at this moment. It is the tyrannous, the arrogant, and oppressive villains who outrage public justice, foment strife, promote revolution, and ravage the rights of the people that we now propose to drive out of places of trust and power in this Government. We are at this hour beginning with the National Labor Relations Board, which is the worst rascal nest in this entire Nation.

This Board as constituted at the present moment is the spearhead of the "fifth column" in this country. We are hearing a good deal of talk about the "fifth column." That is not a new story. The Dies committee and the Smith committee have been telling you about it for more than a year. Those who are now loudest in their insistence that something be done to suppress this movement are those who heretofore have exercised every possible means to sabotage those two committees.

You talk about the good work of the National Labor Relations Board, you talk about the good job that has been done—the job of sabotaging business and undertaking to establish a labor despotism in America. The names of Edwin Smith and Nathan Witt blister my tongue. Read the record that they have made, made in the name of the law, in the name of your country, and then wonder how such things could have been done by men whom some have heretofore thought to be honest.

Edwin Smith? Who is Edwin Smith? What is the philosophy he embraces, what is the purpose uppermost in his mind, what is he undertaking to do to our American system? We find him down in Mexico at a meeting of the International Congress Against War in 1938, a convention assembled for the purpose of spreading communism throughout the Western Hemisphere. We find him addressing that convention, upholding the policy of the Mexican Government in the seizure and the expropriation of the property of our own American nationals. We find him receiving election as the committee representing the United States at the hands of that convention. Yet the chairman of the Committee on Labor stands here before you and tells you that the Board has done a good job.

Mrs. NORTON. Mr. Chairman, will the gentleman yield?

Mr. COX. Yes; I yield.

Mrs. NORTON. I just wanted to suggest to the gentleman that he take his vile charges to a public forum where the gentlemen he accuses can meet him face to face and answer the charges that the gentleman brings in the House, where he is protected by congressional immunity. I dare the gentleman to do that.

Mr. COX. I make that statement here, I make it everywhere, and to all the world. The chairman of the Labor Committee is fooling no one in her endeavor to shield and to protect this aggregation of public outlaws. They are a disgrace to the whole American system of jurisprudence. They are a stench in the nostrils of all honest men, and the public good demands that they be thrown out and thrown out now.

[Here the gavel fell.]

Mr. SMITH of Virginia. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. ANDERSON].

Mr. ANDERSON of Missouri. Mr. Chairman, on this occasion I am filled with a sense of great personal satisfaction, for a cause that I long pleaded has finally come to the floor for action. The occasion serves also to strengthen the faith of our people in our capacity to carry out their direction, for it has long been recognized that the overwhelming sentiment of the American people is in favor of reasonable and restrained amendment of the National Labor Relations Act. Now, after a long and bitter battle we are about to dispatch ourselves to a task which should have been approached long ago.

It took a special committee of this House and the expenditure of a large sum of money to enable truth to emerge victorious and I want to pay tribute to the splendid work of the Smith committee. I attended many of its sessions and was deeply impressed with the fair and judicial manner in which it was conducted at all times.

It is difficult to believe that any agency or board of our Federal Government clothed with the dignity of law could be so brazen in its outright violation of law and in its utter and ruthless disregard for the elementary principles of justice and fair play as this Board has been. Even more difficult of belief is the fact that momentous and far-reaching decisions of the Board affecting thousands of workers and millions of dollars in investments are influenced and on occasion the handiwork of mere boys and girls only a few months out of school and who have never seen the inside of a courtroom. I was amazed, to put it mildly, as I think the Smith committee must have been also, by the constant and endless parade of witnesses called by committee counsel from the review section and legal department of this Board, not one of whom was an experienced attorney. Some were employed by the Board before passing their bar examinations. In addition to the incompetence and total inexperience of these employees it was clearly established by the committee that these persons were employed because they professed certain beliefs and because they had exhibited certain tendencies of a radical nature bordering in many instances on communism and outright revolution. But at no time did the Board ever attempt to justify or explain its conduct in this respect.

I was particularly impressed and somewhat astonished one day while a young lady member of the Board's Review Division testified before the Smith committee. Aside from the fact that this individual could speak the English language only with great difficulty, it appeared that she was employed by the Board when only a few months out of school and actively engaged in the preparation of a vastly important Board decision which dwelt at great length upon a 25-year labor policy of a certain respondent when there was not one iota of evidence on that point in the transcript of the case. Can we expect a Board employee fresh from a foreign country to have personal knowledge outside the record of a labor policy of a respondent for years before? Is it fair to subject American industry to such treatment? Will Congress permit this Board to continue such conduct?

High-ranking officials of the Labor Board admittedly participated in the perpetration of schemes which are utterly

indefensible from a legal standpoint and which would be more than ample to bring about the disbarment of any private practitioner of law anywhere in this country. I refer especially to the champertous, corrupt, and dispicable conduct of a certain Board official in setting "phony" dates for trial of cases to harass, intimidate, and browbeat respondents. The Board willingly admitted that it authorized this kind of conduct by its officers.

Wholly ignoring the first principles of the National Labor Relations Act, "to diminish the causes of labor disputes," Board officials, upon the advice and consent of Board members, actually traveled hundreds of miles at their own initiative to aid in unionization programs, and in another instance to plan a trap by which to ensnare a respondent who as yet had not the slightest indication that a dispute was impending. Not only did the Board's secretary plan for the union and with the union the strategy of the attack to be made on the respondent, but a complaint had been prepared and a trial examiner actually designated before the respondent heard one single word of any action contemplated against him. Is that the Board's conception of diminishing the causes of labor disputes? No matter what the final outcome of that case, the reprehensible action of the Board and its officials merits the severest condemnation.

Volumes of uncontradicted testimony before the Smith committee prove that the Board and its employees agitated, fomented, fabricated, and created labor strife, and that they openly announced themselves as agents of a certain labor group rather than employees of the United States Government. Not only did this Board stir up strife and create trouble but once it began the trial of its fabricated cases, this licentious and corrupt Board gave further evidence of its campaign of malice and hate. Invariably there was one rule of evidence for the Board in collaboration with the unions which permitted anything and everything, including the rankest hearsay to be spread upon the record. Then there was another rule for the respondents who were denied the right of even calling the persons to the stand whom the Board alleged had been discriminated against.

The Board conducted a case down in my district not so long ago where almost a score of the persons used by the Board as complainants had never been employed by the respondent. In this case the Board ruled through its trial examiner that the complainants need not ever have been employed by the respondent because the Board was making the charges in the interest of the people. In the same case the Board's own attorney admitted under oath that he permitted one of the Board's witnesses to give false testimony, which he knew to be absolutely untrue in every respect. Further along in that case the trial examiner permitted the Board's witnesses to testify to every conversation they could think of or manufacture regarding their relationships with the employer. But he steadfastly refused to permit the respondent's employees to give testimony of their conversations with Board officials. It was another splendid example of the Board's understanding of justice.

Since the present Labor Act specifically provides that the rules of evidence shall not apply, and since it further provides that the findings of this Board are conclusive upon the courts if supported by evidence—yes; evidence with no mention of preponderance and substantiality—it becomes extremely important that this Board be fair, that it be unbiased, and that it apply the same rules to all the litigants. The record is replete with innumerable examples of the rankest unfairness, prejudice, and bias on the part of the Board and its employees, yet the courts are bound under the present law to accept the Board's finding of fact.

This Board has not been content to stir up labor strife, fabricate cases, and try them on rules that would have provided the Spanish inquisitors with a lesson or two, but it has gone on to seek the political extinction of Members of Congress who dare to criticize and expose it. In open and deliberate violation of Federal statute, this Board has expended large sums of money to lobby for itself and the causes which it espouses. It ably represents the very fullest growth of bureaucratic arrogance. It has, and quite successfully to date, told Congress what it will and will not take from us. I venture the opinion that the hour of reckoning has arrived.

In my own district the regional director and members of her official staff openly opposed my reelection to this House, even to the extent of the regional director keeping the Chairman of the Board in Washington informed of the progress being made by certain insignificant labor agitators and thugs that were opposing my reelection along with the regional board employees. This combination of conspirators met with very little success and many of the individuals whom the regional director benevolently regarded as worth-while labor leaders are now reposing in various jails throughout the Nation. Does any Member of this House feel that such conduct is a justifiable and reasonable function of the National Labor Relations Board?

We have before us now a very comprehensive bill drafted upon the basis of months of tireless effort by a special committee of this House which we set up for the specific purpose of investigating the Labor Board and recommending legislation based upon its findings. That investigation was confined to actual Board cases and the files of the Board; not once did the committee permit itself to be used as a sounding board for disgruntled litigants. This House would do well to accept the bill proposed just as it is written.

We are not going to repeal the Labor Relations Act and leave nothing in its stead. What is offered is a comprehensive act that is designed to follow the primary concepts of judicial procedure. The opponents of this bill would like to have you believe that we propose to emasculate the Wagner Act, but let them show how and where and on what they base such assertions.

The sole argument of the opposition amounts to nothing more than an attack upon the courts of this country that have stood for years as the greatest guarantor of liberty and freedom and of human rights. The opponents of this bill reecho the prattle of the Labor Board in its continuous and ruthless assault upon the courts in its attempt to defile and slander our judicial system. Remember always that the courts have stood guardian over our liberty and freedom for generations, and only when we strayed from the system of law and administration of justice that has worked so well in our courts did we bring about a monster such as we behold in the Labor Board. The Labor Board has persistently sought to discredit the courts, as will be amply proved by reference to testimony before the Smith committee. The opposition of this bill is fashioned along the same lines.

In this hour when the destiny of our Nation depends upon national unity, it is our sworn and sacred duty to rid our Government of a creature of our own making, which is ever widening the chasm between labor and capital. The Labor Board is a "fifth column" in every sense of that term as applied to the field of labor relations. It no longer holds the respect and confidence of the American people. To permit its further depredations is to encourage and foster criticism of our Government and to exhibit a disregard for the overwhelming sentiment of public opinion. [Applause.]

Mr. HARTLEY. Mr. Chairman, I yield such time as he may desire to use to the gentleman from Michigan [Mr. LESINSKI].

Mr. LESINSKI. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD in regard to the Norton and Smith amendments and to include therein expressions in regard to the labor situation in the industrial areas of Michigan, as well as communications I have received from Mr. William Green, president of the American Federation of Labor, and my reply thereto.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HARTLEY. Mr. Chairman, I yield the balance of my time to the gentleman from Illinois [Mr. KELLER].

Mr. KELLER. Mr. Chairman, the whole argument, if it can be called such, in favor of the Smith amendments, has

been one entirely of prejudice and not of reason. The proof of that lies in the extended attack that the gentleman from Georgia [Mr. Cox] made upon Saposs, upon which I am going to comment in due course and show the relative abilities and education and opportunities for service of the two men.

The Labor Committee has been condemned in the appointment of this special committee, as everybody understands. We were held up to scorn and misrepresentation to get the passage of the bill creating this special committee by saying that the Labor Committee had not performed its duty, that it had fooled its time away, and now I have the pleasure of calling the attention of this body to the fact that the Labor Committee took less time in reporting a bill than the Smith committee has done; that we did that without any cost to the people of this country, while the Smith committee has spent or is to spend $100,000 to get this remarkable bill, which amounts only and purely and simply to the emasculation and destruction of the National Labor Relations Act.

This law has been working about 3 years out of the 5 years it has been on the statute books, because we ought to recall that immediately following its enactment, 58 corporation lawyers, among the noted ones of the country, at the behest of the Liberty League, made the pronouncement that the law was entirely unconstitutional, recommended the disobedience of it to the employers of the country, which resulted in the formation of about 100 injunctions against the law by the little district courts, which had absolutely no power in the case.

During the 21 months that the law was held up before the Supreme Court finally decided that the 58 lawyers did not know what they were talking about, that period was the cause of all the misunderstanding that has resulted about this law. If the employers of this country had accepted the law honestly and decently and fairly, as they were under every obligation in the world to do, there would have been no necessity for the Smith committee or any other committee—not a bit—and if any of you will read the record on that subject and read the names of the men who were guilty of the conspiracy against the Government of the United States, as they were; traitors as they were, we would have had none of this.

Ninety-three percent of all the men engaged in the business of the United States of America are obeying this law, 7 percent are behind the Smith committee, and that makes that committee a committee of representatives of the lawbreakers of the country and not the men who want to obey the law. Whatever remonstrances or whatever objections you have received about it have come from the companies refusing to obey the law and not from those who have obeyed it. This is the lawbreakers' bill. [Applause.]

[Here the gavel fell.]

Mr. KELLER. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD and to include therein certain excerpts.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SMITH of Virginia. Mr. Chairman, I yield the balance of my time to the gentleman from Pennsylvania [Mr. ALLEN].

Mr. ALLEN of Pennsylvania. Mr. Chairman, as I have listened to the opponents of this measure this afternoon I am reminded of the man who, engaged in futile controversy, finally capitulated with these remarks

> In matters controversial,
> My perceptions are quite fine;
> I always hold two points of view:
> The one that's wrong and mine.

[Laughter.]

Now, those who favor the Smith amendments, in whole or in part, cannot be honestly accused of prejudice or of bias. A cursory perusal of the transcript of the hearings reveals glaring derelictions in the conduct of the Board and shortcomings in the act itself. When the law was originally passed, it was realized that it was a pioneering effort. The attitude of its proponents was just this: When experience proved that change and amendments were necessary, those changes would be made in due constitutional process, and that is what we are trying to do here this afternoon. I stand in very much the same position as the gentleman from New York [Mr. BARTON]. I was one of those who voted against the creation of the Smith committee because I thought ample testimony had been taken by the Labor Committee as a basis on which to build corrective amendments to the original Wagner Act. When the Smith committee was finally created I was in Washington. The hearings were held across the hall from my office.

I attended those hearings day after day. I never saw an investigation conducted in a more judicial or fairer manner than this one. Nobody can honestly accuse the Smith committee or its chairman of prejudice or bias in any respect. Their attitude was objective. They attempted to glean facts as their guide, and facts they did get. After listening to the hearings and reading the transcript of the hearings I have come to two conclusions. The first is that the Board itself, well meaning as its members may be, has proved itself inadequate and prejudiced in administering the Labor Act. In the second place, I have concluded that the act itself is full of loopholes, and that some of these amendments now before us will plug up those loopholes, I am not an extremist one way or the other. I shall oppose on this floor any attempt to emasculate the fundamental rights of labor which we guaranteed under the original act. And, by the same token, I shall work against those who are trying to saddle a biased Board and a one-sided law onto the employers of this Nation.

Mr. HEALEY. Mr. Chairman, will the gentleman yield?

Mr. ALLEN of Pennsylvania. I believe that the democratic attitude toward matters of this kind is this: We cannot advance the general welfare of the American people by pitting one group against another or by arraying one class of our people against another. The only legislation which in the long run will benefit labor, industry, and the American people as a whole is that kind which imposes its provisions equally and fairly on all groups involved. Such is not the case under existing circumstances. I now yield to the gentleman from Massachusetts.

Mr. HEALEY. The gentleman stated that he listened to hearings and read the transcript of the testimony. Does the gentleman think there is any evidence in the transcript to justify all of the Smith amendments?

Mr. ALLEN of Pennsylvania. I am not thoroughly conversant with all of the Smith amendments. I am opposing now in a general way the attitude of some of my colleagues who, in the face of indisputable testimony, want to whitewash the Board itself, and cover the shortcomings in the act in toto. [Applause.] That is an unfair attitude, in my opinion. I hope that out of this controversy amendments can be passed which will perfect this legislation in the interest of all concerned. By parking our prejudices at the door tomorrow we can find common ground on which labor, industry, and the Government can meet to solve the perplexing riddles of modern industrial relations. In my opinion, we must amend this act and change the complexion of the Board, lest the ultimate welfare of labor, as well as industry, be irreparably harmed.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired. All time has expired, and the Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the National Labor Relations Board is hereby enlarged so as to consist of five members. Such enlargement shall be accomplished through appointment by the President, by and with the advice and consent of the Senate, of two additional members of the National Labor Relations Board, one for a term expiring August 26, 1942, and one for a term expiring August 26, 1944, as designated by the President at the time of nomination. The successors of the two additional members shall be appointed for terms of 5 years each except that any individual chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he succeeds. Effective as of the time both of the additional members have qualified and taken office three members of the Board shall at all times constitute a quorum.

Mrs. NORTON. Mr. Chairman, I move that the Committee do now rise.

Mr. SMITH of Virginia. Mr. Chairman, will the gentlewoman withhold that for a moment, to permit the amendment to be offered? It would add a good deal to the convenience of Members if we would have the amendment offered and printed in the RECORD. The Members would then have it in the RECORD.

Mr. HEALEY. Mr. Chairman, will the gentlewoman yield?

Mrs. NORTON. Yes.

Mr. HEALEY. Mr. Chairman, I suggest that there are not very many Members present on the floor at this time, and I think that as many of the Members as possible ought to be present when the amendment is offered.

Mr. SMITH of Virginia. Oh, I just want to offer the amendment for the information of all Members, so that the amendment will be printed in the RECORD.

Mr. HEALEY. I think it is highly desirable that as many Members be present as possible when the amendments are read.

Mr. MAY. Mr. Chairman, will the gentlewoman yield to me for a moment?

Mrs. NORTON. Yes.

Mr. MAY. In my own behalf I would like to say that I have not had an opportunity to study these amendments as I would like to. So far as I am concerned, I would like to see them all printed in the RECORD so that we could all have a chance to study them. I have never read them. I think that would be the proper procedure.

Mr. COX. I hope this House will vote down the motion to rise in order to allow these amendments to go in.

Mrs. NORTON. Oh, Mr. Chairman, I demand the regular order. This discussion is between the chairman of the committee and the gentleman from Virginia. I yield to his request.

Mr. SMITH of Virginia. Mr. Chairman, I offer the amendments which I have at the Clerk's desk, in accordance with the terms of the rule.

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. SMITH of Virginia offers the following as a substitute for the provisions of the bill——

Mrs. NORTON (interrupting the reading). Mr. Chairman, I ask that the reading of the amendment be dispensed with and that it be printed in the RECORD.

The CHAIRMAN. Is there objection?

Mr. HOOK. Mr. Chairman, I object. Let it be read.

The Clerk read as follows:

That this act may be cited as the National Labor Relations Act Amendments of 1940.

SEC. 2. Section 1 of the National Labor Relations Act (including the heading thereof) is amended to read as follows:

"FINDINGS AND POLICY

"SECTION 1. The failure to bargain collectively between employers and employees leads to strikes and other forms of industrial strife or unrest, which have the necessary effect of burdening or obstructing commerce by (a) impairing the efficiency, safety, or operation of the instrumentalities of commerce; (b) occurring in the current of commerce; (c) materially affecting, restraining, or controlling the flow of raw materials or manufactured or processed goods from or into the channels of commerce, or the prices of such materials or goods in commerce; or (d) causing diminution of employment and wages in such volume as substantially to impair or disrupt the market for goods flowing from or into the channels of commerce.

"The inequality of bargaining power between employees who do not possess full freedom of association or actual liberty of contract, and employers who are organized in the corporate or other forms of ownership association substantially burdens and affects the flow of commerce, and tends to aggravate recurrent business depressions by depressing wage rates and the purchasing power of wage earners in industry and by preventing the stabilization of competitive wage rates and working conditions within and between industries.

"Experience has proved that protection by law of the right of employees to organize and bargain collectively safeguards commerce from injury, impairment, or interruption, and promotes the flow of commerce by removing certain recognized sources of industrial strife and unrest, by encouraging practices fundamental to the friendly adjustment of industrial disputes arising out of differences as to wages, hours, or other working conditions, and by restoring equality of bargaining power between employers and employees.

"It is hereby declared to be the policy of the United States to eliminate the causes of certain substantial obstructions to the free flow of commerce and to mitigate and eliminate these obstructions when they have occurred by protecting the exercise by workers of full freedom of association, self-organization, and the designation of representatives of their own choosing, for the purpose of negotiating the terms and conditions of their employment or other mutual aid or protection."

Mr. HEALEY (interrupting the reading of the amendment). Mr. Chairman, I ask unanimous consent that the further reading of the amendment be dispensed with.

Mr. HOOK. Mr. Chairman, I object.

Mr. SMITH of Virginia. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SMITH of Virginia. Mr. Chairman, as I understand the rule under which we are operating, the amendment which I have proposed will be read as one amendment, and it will then be subject to any amendment that any Member of the House desires to offer to any part of it.

The CHAIRMAN. The Chair understands that is correct. The Clerk will continue reading the amendment.

The Clerk read as follows:

SEC. 3. (a) Section 2 (3) of the National Labor Relations Act is amended to read as follows:

"(3) The term 'employee' shall include any employee, and shall not be limited to the employees of a particular employer, unless the act explicitly states otherwise, and shall include any individual whose work has ceased as a consequence of, or in connection with, any current labor dispute or because of any unfair labor practice, and who has not obtained any other regular and substantially equivalent employment, but shall not include any individual employed as an agricultural laborer, or in the domestic service of any family or person at his home, or any individual employed by his parent or spouse, and for the purposes of the provisions of section 10 (c) relating to reinstatement by any employer, does not include any employee who a preponderance of the testimony taken shows has willfully engaged in violence or unlawful destruction or seizure of property in connection with any current labor dispute or unfair labor practice involving such employer, or in connection with any organizational activities of a labor organization among employees of such employer. For the purposes of this subsection, 'agricultural laborer' means any person employed in performing 'agricultural labor' as that term is defined in section 1426 (h) of the Internal Revenue Code, as amended."

(b) Section 2 (11) of such act is amended to read as follows:

"(11) The term 'Administrator' means the Administrator of the National Labor Relations Act provided for in section 3 (d)."

(c) Section 2 of such act is amended by adding at the end thereof the following:

"(12) The terms 'collective bargaining' and 'bargain collectively' shall be deemed to include the requirement that an employer or his representatives meet and confer with his employees or their representatives, listen to their complaints, discuss differences, and make every reasonable effort to compose such differences, but shall not be construed as compelling or coercing either party to reach an agreement or to submit counterproposals."

Mrs. NORTON (interrupting the reading of the amendment). Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. JONES of Texas, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 9195) to amend the National Labor Relations Act, had come to no resolution thereon.

PROMOTION LIST OF OFFICERS OF THE ARMY

Mr. MAY. Mr. Speaker, I call up the conference report on the bill (H. R. 9243) to provide for the promotion of promotion-list officers of the Army after specified years of service in grade, and for other purposes, and I ask unanimous consent that the statement may be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9243) to provide for the promotion of promotion-list officers of the Army

after specified years of service in grade, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 3, and 4.

A. J. MAY,
EWING THOMASON,
DOW W. HARTER,
L. C. ARENDS,
THOS. E. MARTIN,
CHAS. H. ELSTON,
Managers on the part of the House.

MORRIS SHEPPARD,
ROBERT R. REYNOLDS,
ELBERT D. THOMAS,
WARREN R. AUSTIN,
STYLES BRIDGES,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to H. R. 9243, "To provide for the promotion of promotion-list officers of the Army after specified years of service in grade, and for other purposes," submitted the following:

The Senate receded from all of its amendments to the bill.

A. J. MAY,
EWING THOMASON,
DOW W. HARTER,
L. C. ARENDS,
THOS. E. MARTIN,
CHAS. H. ELSTON,
Managers on the part of the House.

Mr. MAY. Mr. Speaker, I move the adoption of the conference report.

The conference report was agreed to.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. St. Claire, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8438) entitled "An act making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1941, and for other purposes," and that the Senate agrees to the amendments of the House to the amendments of the Senate numbered 10, 105, 112, 119, 120, 122, 126, 127, 128, and 133 to said bill.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 4026) entitled "An act providing for the reorganization of the Navy Department, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. WALSH, Mr. TYDINGS, and Mr. HALE to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9109) entitled "An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1941, and for other purposes," and that the Senate agrees to the amendments of the House to the amendments of the Senate numbered 34, 36, and 133 to said bill.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1759) entitled "An act granting the consent of Congress to the States of Montana, North Dakota, and Wyoming to negotiate and enter into a compact or agreement for division of the waters of the Yellowstone River."

The message also announced that the Senate agrees to the amendments of the House to the bill (S. 3683) entitled "An act to remove the time limit for cooperation between the Bureau of Reclamation and the Farm Security Administration in the development of farm units on public lands under Federal reclamation projects," with an amendment.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 9848) entitled "An act to authorize the construction or acquisition of naval aircraft, the construction of certain public works, and for other purposes"; disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. WALSH, Mr. TYDINGS, and Mr. HALE to be the conferees of the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 8026) entitled "An act to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes"; disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. WALSH, Mr. TYDINGS, and Mr. HALE to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendment to the bill (H. R. 6044) entitled "An act to regulate the number of warrant and commissioned warrant officers in the Marine Corps"; disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. WALSH, Mr. TYDINGS, and Mr. HALE to be the conferees on the part of the Senate.

EXTENSION OF REMARKS

Mr. COLLINS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and insert a newspaper release on the training of the youth of the country in mechanical and industrial lines, by Hon. Aubrey Williams.

The SPEAKER. Is there objection?

There was no objection.

Mr. BYRON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an address by Hon. Louis Compton, Assistant Secretary of the Navy, at Antietam Battlefield on May 30, 1940, and also the address of Mr. Joseph A. Cantrel upon the same occasion.

The SPEAKER. Is there objection?

There was no objection.

THE HATCH ACT

Mr. DEMPSEY, from the Committee on Rules, submitted the following privileged resolution (Rept. No. 2414) on House Resolution 514, for printing in the RECORD:

House Resolution 514

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of S. 3046, an act to extend to certain officers and employees in the several States and the District of Columbia the provisions of the act entitled "An Act to Prevent Pernicious Political Activities," approved August 2, 1939. That after general debate, which shall be confined to the bill and shall continue not to exceed 4 hours, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on the Judiciary, the bill shall be read for amendments under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

APPROPRIATIONS FOR MILITARY ESTABLISHMENT FOR FISCAL YEAR 1941—CONFERENCE REPORT

Mr. SNYDER, from the Committee on Appropriations, submitted a conference report and statement on the bill (H. R. 9209) making appropriations for the Military Establishment for the fiscal year ending June 30, 1941, and for other purposes, for printing in the RECORD.

EXTENSION OF REMARKS

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a speech by the senior Senator from Wyoming delivered at the Insurance Federation of Pennsylvania.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent to extend my remarks in regard to the Norton-Smith amendments and include therein an expression in regard to the labor situation in the industrial areas of Michigan, as well as communications I have received from Mr. William Green,

president of the American Federation of Labor, and my replies thereto.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mrs. O'DAY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD and include therein a short editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SCRUGHAM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD at this point on the subject of national defense.

The SPEAKER. Is there objection to the request of the gentleman from Nevada?

There was no objection.

Mr. SCRUGHAM. Mr. Speaker, the chief difficulties facing us in the national-defense situation are those related to industrial mobilization. The House has recently voted vast sums of money to strengthen the Navy and Army organizations. During the past two decades the country has been peaceminded, with isolationists and idealists swaying public sentiment against large appropriations for armaments.

From 1929 to 1933 there occurred a literal paralysis of our great industrial machine, from which we have not yet entirely recovered. Due to aggressive measures taken by President Roosevelt and the Congress, commencing in 1933, our great resources for mass production are again being geared up to efficient operation.

I agree with my colleague from Pennsylvania [Mr. DITTER] that our immediate task is to open all available avenues by which industry and the Government can be brought into teamplay. This does not involve letting down the bars for acquisition of large profits, but rather a mobilization of the initiative and the endeavor and the dynamic power that has made the Nation strong and prosperous.

The ghastly details of death and devastation from the highly mechanized instruments of warfare which are today savagely sweeping over the fields of France, crushing and maiming the flower of European people, may well jolt us into realization of a fate that may be ours.

It is the solemn obligation of this Congress to keep America out of war, and to keep war out of America. We must strengthen our defenses so that no rash foe will dare to attack us with any hope of success. We must unitedly strive for a reincarnation of the spirit of patriot American pioneers, who cheerfully went about their work of conquest of the forests and prairies and deserts with a loaded rifle close at hand to protect them from savage enemies.

We must also further inculcate the understanding that national defense is a universal obligation, and not something affecting only professional soldiers, sailors, and munition workers.

The question naturally arises, From what direction should we anticipate an attack? To my mind it will come from our obligation to enforce the Monroe Doctrine. Thanks to the protection given by the United States, no foreign yoke rests on Latin America, in spite of the fact that there has been but little cooperation in the matter from rulers of countries affected. Frequently they are even resentful of this protection and are more fearful of the domination of the United States than of European interference with their affairs.

In every Latin-American country the Nazi political propaganda flourishes in fertile ground, and there is no lack of aspiring local leaders of that persuasion, who are only waiting for further internal dissensions to promote grabs for power and change of government. These people certainly are not averse to agitate against the United States and encourage all potential enemies, even to the extent of accepting pay for spreading hostile propaganda.

The situation in Mexico is typical of what we may expect elsewhere. Oil from properties seized from American owners is being openly supplied to Germany and Japan. In the past such expressions of lack of friendship have been of but little concern to the average citizen, but future acquisition of air bases in Latin-American locations by hostile European powers would certainly bring the threat of total warfare extremely close to home. Aggressive measures are needed to insure safety from such attack.

In the field of industrial preparedness insufficient attention has been given to the acquisition of stocks of the so-called strategic minerals, which include manganese, tin, tungsten, chromite, mercury, and nickel.

There is an abundance of manganese ore in this country but of lower grade than commercially used for the manufacture of ferromanganese. Authorities on the subject have recommended the purchase and storage of 1,000,000 tons of high-grade manganese ore as a war reserve.

As a more practical proposal, and on behalf of the House conference committee, I inserted the following language in the conference report on the recent naval appropriation bill:

> With respect to Senate amendment No. 133, relating to an emergency fund for the President, the managers on the part of the House recommend that $2,000,000 of such fund shall be made immediately available to the Bureau of Mines, Department of the Interior, for the erection, equipment, and operation of a pilot plant for the beneficiation of manganese ores and the production of metallic manganese therefrom by the electrolytic process, including expenses in the District of Columbia and elsewhere, for the preparation of plans and specifications, advertising, and supervision of construction; and for all expenditures requisite for and incident to the exploration of manganiferous deposits, in accordance with Public, No. 117, approved June 7, 1939.
>
> This recommendation is made in the belief that provision should be made immediately to beneficiate domestic low-grade manganese ores, deposits of which are favorably located with respect to large and cheap sources of electrical energy Resulting high-grade manganese can thus be produced and stored for future use, and domestic supplies developed without the Government competing with industry for the existing stocks of high-grade manganese of commercial grade.

The Boulder Dam area is an ideal site for location of such a beneficiating plant. In the nearby Las Vegas Wash, approximately a half million tons of 30-percent manganese have been blocked out. On the Arizona side of the Colorado River, near Artillery Peak, lies a much larger deposit of similar grade ore which has been recently developed. Ample low-cost electric power is available and the Government already owns facilities for storage at the place of production. The possibility of a tin shortage is more serious. A substitute for tin in bearing metals successfully used in German practice is made of an alloy of lithium and lead. The lithium metal, in the form of an ore called spodumene, is said to occur plentifully in pegmatite dikes in the Ruby Mountains in Elko County, and the Virgin Mountains in Clark County, Nev.

Tungsten is the strategic mineral next in importance. There are numerous occurrences of the ores in Nevada, and the State now furnishes the major part of the domestic production, with potentialities of further profitable developments.

Most of our nickel supply has of late years been produced in Canada from the mines of the International Nickel Co. This metal is especially necessary for strengthening armor plate. The United States Bureau of Mines is now developing what appears to be a large low-grade deposit of nickel ore near Bunkerville in Clark County, Nev., and which promises to take care of any emergency requirements.

Mercury, or quicksilver as it is more commonly called, in recent years has been principally derived from mines in Italy and Spain, and sold here at prices around $75 per flask. With the practical cessation of imports from these countries, the price has advanced to about $200 per flask, at which price numerous Nevada deposits can come into profitable production. The needed war reserve is about 18,000 flasks. The principal domestic chromite deposits lie in the State of Montana. If the problem of metallurgically beneficiating the low-grade ores can be solved, these deposits can probably supply our wartime requirements.

There is but little doubt that in case of national need, with proper encouragement to domestic producers, this country can become self-sufficient in all of the strategic minerals, with the possible exception of tin.

In the broader phases of industrial mobilization, we must guard against loading up the Nation's manufacturing capacity with orders requiring a long time for production, such

as will involve material for battleships, additional lock mechanisms for the Panama Canal, and so forth. The urgent need is for procurement of more combat and training airplanes, antiaircraft guns, tanks, antitank guns, and their accessories.

It is well to again emphasize that all of the appropriations made by Congress and all of the defensive equipment manufactured by our industries will be of no avail if we lack a trained personnel for operation. For every pilot flying a ship in the air, 10 trained ground mechanics are required. For every artilleryman operating an antiaircraft gun, 10 trained men behind the lines are necessary to transport and manufacture the ammunition and other supplies needed, not to speak of the additional personnel required by the gun itself.

In my opinion the C. C. C. organization should be greatly expanded to provide for a largely increased measure of technical training, such as has given the Germans such a tremendous advantage in their pending struggle with the Allies, especially in their mechanized warfare.

This training should not be confined to sons of families needing relief, but should be open to all who wish to enlist.

In the Appropriations Committee we are considering another emergency naval appropriation of over $500,000,000, in addition to the $1,308,000,000 recently granted by vote of Congress.

In conclusion, I wish to most strongly urge upon the House the necessity of using at least a substantial portion of these great sums of money appropriated for national defense to build up the ambitions and the character, as well as to develop the technical skill of millions of young men who will be so much needed by the Nation in the immediate years to come.

To put this recommendation in concrete form, I am today introducing a resolution which is supplementary to House Joint Resolution 544 and to the national defense appropriation bills. I trust that the resolution will receive favorable action from this body.

Mr. MURDOCK of Utah asked and was given permission to revise and extend his own remarks.

EXTENSION OF REMARKS

Mr. SHORT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include therein a brief article by William Philip Simms in today's Washington News.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ALLEN of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include therein a peech by myself on the Bituminous Coal Act.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SMITH of Virginia. Mr. Speaker, on May 13 I obtained leave to extend in the RECORD the decision of the Circuit Court of Appeals, Ninth Circuit, in the case of the National Labor Relations Board against the Sterling Electric Motor Co. I am advised by the court on the 25th day of May that the court subsequently amended its decision.

In the interest of fairness to all concerned I ask unanimous consent to revise and extend my remarks, and to include the amended opinion of the court.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. KEEFE. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made in the Committee of the Whole today, and to include as a part of my remarks an interview referred to by Fulton Lewis, Jr., with William Green on the subject of labor relations.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting in the Appendix of the RECORD an address delivered last night by Chairman John Hamilton, of the Republican National Committee, before the Italian Republican League of Waterbury, Conn.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made in the Committee of the Whole this afternoon and to include therein letters from interested parties in the case I discussed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend the remarks I made in the Committee of the Whole this afternoon and to include therein an editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include therein an editorial from the Chicago Tribune on the subject Foreign Policy.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER. The Chair designates the gentleman from New York [Mr. GAVAGAN] to preside over the session of the House tonight.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. MAGNUSON, from June 6 to June 10, on account of official business.

The SPEAKER. Under the special order of the House heretofore made, the Chair recognizes the gentleman from Oregon [Mr. ANGELL] for 10 minutes.

CONSERVATION OF WILDLIFE RESOURCES IN OREGON

Mr. ANGELL. Mr. Speaker, I desire to take this opportunity to commend the outstanding service that has been and is being rendered by the Honorable A. WILLIS ROBERTSON, Representative from Virginia, as chairman of the Select Committee on Conservation of Wildlife Resources. He has brought to his work as chairman of that committee an appreciation of the underlying values of this great resource in our national life. Not only in legislation which he has presented to the Congress and his fine service on this select committee, but as a citizen he has, through his wide knowledge of the values involved, performed a public service which will redound to his credit throughout the years. As a member of this special committee I have found the task one not only of pleasure but one affording an avenue for being helpful in a small way in preserving this great asset we in America possess.

The youthful Bryant truly said:

> To him who in the love of Nature holds
> Communion with her visible forms she speaks
> A various language.

It has been very aptly observed that the love of nature is a matter of aesthetics, the understanding of nature is a science, while the correct use of natural resources is economics. I feel certain that this committee appreciates these three fundamental characteristics in pursuing their work in the conservation of wildlife resources. A proper appreciation of wildlife values not only adds materially to a larger life in the matter of living, but it also helps in the utilization of these assets for material gain through the application of scientific processes.

Time was when there were 75,000,000 buffalo roaming the American plains. Great flights of wild pigeons darkened the sun in their passing. The rivers and lakes teemed with fish. With ruthless unrestricted "kill and take" we have permitted many of the species of wildlife to disappear and others to become depleted almost to extinction. We are now coming to realize the full force of our wanton neglect to conserve our natural wildlife resources. We now appreciate fully the close relationship between the conservation of these resources and the problems of soil, water, and forest conservation. Unrestricted hunting and fishing for recreation and sport and the spoliation of the habitat of our fish

and game through erosion, destruction of natural cover and feed sources, and pollution of streams and lakes have almost doomed to extinction the natural supply of wildlife. Fortunately, the public has at last been aroused to the danger confronting us in the rapid depletion of wildlife, and is now showing a desire to cooperate with all the conservation forces to conserve and rebuild the diminishing stocks. The various departments of Government having to do with conservation are also working with State agencies to restore our wildlife resources. Based on research and studies conducted by the Biological Survey, with funds provided under the Bankhead-Jones Act, plans have been formulated and projects are now being carried forward with proceeds from the Pittman-Robertson Act and from State and other sources.

In Oregon, my own State, we are fortunate in having a natural habitat for wildlife not exceeded, perhaps, any place in the Union. We have great areas of forest lands in the several mountain ranges of our State, with abundant rainfall and a mild, equable climate, where the virgin forests and natural cover for wildlife and food sources give an ideal setting for the preservation of this great resource. Along the western portion of the State we have 400 miles of ocean shore, with many wooded, mountainous areas and precipitous cliffs reaching to the oceanside, with virgin forests of fir, cedar, hemlock, and other species, which provide a natural habitat for the many species of wildlife living in that area. In the eastern portion of the State are extensive uplands with scattering timber and undergrowth, and plateaus and broad prairies, giving an entirely different setting for wild creatures, such as antelope, deer, and upland game birds. We also have many rivers, lakes, and mountain streams abounding with fish life, which, if properly conserved, will furnish a bountiful supply indefinitely. In the larger streams we have the Royal Chinook salmon and steelhead trout. The people of my State appreciate fully the values in this great resource, not only as a means of making life worth while to our own citizens but also as a source of pleasure and recreation to the sojourners from other States who may desire to spend a holiday in this ideal vacation land.

We appreciate the effective work that has been rendered to our State by the Bureau of Biological Survey, so ably presided over by Dr. Ira N. Gabrielson and his staff. This Bureau, through the cooperation of the Oregon State College and the Oregon State Game Commission, has performed a service in Oregon that is a real contribution to the conservation of wildlife resources in the State. I call attention to some of these accomplishments.

WILDLIFE RESOURCES IN OREGON

In 1935 the Oregon Cooperative Wildlife Research Unit was organized at the Oregon State College, Corvallis, with the financial cooperation of the Oregon State Game Commission, the college, the American Wildlife Institute, and the United States Bureau of Biological Survey. This unit is supported by financial contributions totaling $18,000 annually.

The work was designed first, to carry on research in problems dealing with wildlife management and conservation; second, to offer specialized training for graduate students in the field of conservation; and third, to try out on large areas of the State practices that have been evolved from research on a smaller scale.

The cooperative unit has been in operation almost 5 years and has contributed greatly to an understanding of the wildlife problems in Oregon. The program undertaken includes work on the mule and black-tailed deer, antelope, California Valley quail, ring-necked pheasant, and sage grouse; problems of small-game management on agricultural lands in the Willamette Valley; and the suitability of Oregon streams for restocking of beaver. Many minor problems have been undertaken, as well as a considerable amount of technical service work for the Oregon State Game Commission.

The cooperative unit in Oregon has given special training, through the aid of the agricultural college, for 10 advanced students, all of whom have been employed in wildlife management work following their graduation.

There are more than 25,000 acres involved in trial demonstration areas on game species, and about 18,000,000 acres of the State are being used as a study area on wildlife problems. Outstanding accomplishments for this work include the management of deer in certain congested areas of southeastern Oregon and orderly hunting of antelope when it was shown that the herds were rapidly increasing. The antelope are being maintained in good condition.

A game-management study has been completed in Benton County, Oreg., as a basis for future Federal-aid projects in wildlife restoration. The research work has pointed the way for a beaver-restoration program and improvement of water supplies on eastern Oregon ranges, and has developed techniques for restoring and distributing quail throughout suitable areas of the State.

The Oregon Cooperative Wildlife Research Unit is one of 10 similar units distributed regionally over the United States with a view to furnishing information not only for Oregon but her sister States as well.

FOREST-WILDLIFE RELATIONSHIPS

In cooperation with the United States Forest Service, research has been carried on by the Biological Survey since 1937 in Oregon on national forests, State forests, and private timber and grazing lands to determine first, the animal factors in forest regeneration and what techniques are necessary to meet this animal factor; second, the effect of silvicultural operations, logging practices, forest fires, and many other similar factors affecting wildlife; and third, the relationships of wildlife, including rodents, and their effect on livestock ranges in eastern Oregon.

As a result of this research program in Oregon, the animal factor has been appraised affecting the reproduction of Oregon forests, and work is now under way to see what can be done about it. Small mammals, principally mice and shrews, have been found responsible for consuming much of the Douglas fir seed crop, accounting for thousands of burned-over acres not being naturally reseeded. The effect of wild rabbits on forest plantations has been determined, and methods worked out with the Federal and State foresters for bringing these plantations through to the age when rabbits no longer do damage. The work at present on Oregon livestock ranges is designed to determine what rodent populations are destructive in ranges and where control work would be justified.

RESEARCH IN WATERFOWL MANAGEMENT

Research work at the Malheur National Wildlife Refuge, Burns, Oreg., has been under way for 2 years. This includes a study of the nesting success of waterfowl in that area and the effect of certain types of vegetation on nesting and what steps are necessary to build up an adequate food supply for the resident and migrant waterfowl. Studies also include the effects of coyotes, ravens, crows, magpies, skunks, snakes, and other possible sources of predation; others are also made to determine the relationship of grazing to management of areas set aside for waterfowl production.

Research work on refuges in Oregon has been designed to make these areas more effective in producing wildlife and to provide for their proper maintenance and protection. Money expended on this project totals $2,800 annually.

FEDERAL AID IN WILDLIFE RESTORATION

Through the enactment of the Federal Aid in Wildlife Restoration Act of September 1937, a method was provided whereby the Federal Government could cooperate with the States in wildlife-restoration projects. As provided in that act, funds for Federal contributions are derived from the Federal excise tax on arms and ammunition. Collections from this tax amount to approximately $3,000,000 annually. The act authorizes the appropriation of this money for use in effectuating the wildlife restoration program in cooperation with the States. All projects are selected by the States, and all work on projects is performed by personnel employed by the States. The Biological Survey is responsible for seeing to it that projects are substantial in character and design within the meaning of the act, that costs are reasonable, and that personnel employed by the States are competent to perform the work outlined. During the fiscal years 1939 and 1940 Federal apportionments to the State of

Oregon amounted to $49,531.48. The addition of the 25 percent that the States are required to contribute brought the total available for wildlife-restoration projects in Oregon for the fiscal years 1939 and 1940 to the sum of $66,041.97.

To date five projects submitted by the Oregon State Game Commission and involving a total expenditure of $31,467.20 have been approved by the Biological Survey. These approved projects are concerned with the redistribution of nuisance beaver from agricultural lands to sites where the activities of these valuable fur animals may be utilized to insure stream stability, improve and expand fish habitat, provide dependable water supplies for wild and domesticated animals, and contribute to the allevation of flood and erosion conditions. Sage grouse, once abundant throughout eastern Oregon, have received attention through activities designed to insure dependable water supplies and by fencing around springs and water holes to provide attractive cover. These projects provide for the piping of water from springs and water holes to troughs installed outside the fences so that range livestock will not be deprived of water but at the same time will not be able to tramp out and contaminate water sources.

Portions of the 200,000-acre Tillamook Burn have been seeded to reestablish food and cover for black-tailed deer, ruffed grouse, blue grouse, elk, and mountain quail. This activity has been designed not only to make promptly available a food supply for these birds and mammals but also to act as a deterrent to erosion pending the reestablishment of native vegetation.

In addition to the projects already approved, two projects have been submitted and further attention will be accorded to them by the Biological Survey as soon as additional supporting data has been assembled and submitted by the State game commission. According to preliminary information now available on these projects, the State will expend about $80,000 on this work. Under these projects the State will establish seed-stock refuges in Willamette Valley primarily for the benefit of pheasants and will purchase lands elsewhere for migratory waterfowl and upland game birds.

Except the beaver-redistribution activities, these projects are designed to insure a continuing supply of game for harvesting by Oregon sportsmen. As an essential preliminary to the apportionment of wildlife restoration funds for the fiscal year 1941, the Biological Survey has solicited advice from the Oregon Game Commission as to the number of paid hunting-license holders for the year ending June 30, 1939, and the Commission reported 78,057 hunters.

The Interior Department appropriation bill now awaiting final attention by Congress contains the sum of $2,500,000 for expenditure under the Federal Aid in Wildlife Restoration Act. If that sum is made available, Oregon's apportionment will amount to approximately $50,000. With the State's contribution of 25 percent to the cost of restoration projects, the total to be expended for wildlife restoration purposes by the State will be increased to approximately $67,000.

NATIONAL WILDLIFE REFUGES

The program of wildlife refuge development has utilized the major portion of emergency work funds and manpower made available to this Bureau in Oregon.

Both the McKay Creek Bird Refuge, a 1,813-acre project established by an Executive order of June 7, 1939, and the Cold Springs Bird Refuge, a 2,677-acre area established by Executive order of February 25, 1909, are in Umatilla County and are administered in cooperation with the Bureau of Reclamation. Bureau-sponsored State W. P. A. projects were approved in the amounts of $3,952 on August 2, 1938, and $16,478 on March 2, 1939, to provide a total of $20,430 of W. P. A. funds and 193.5 man-months of employment. Development work accomplished on these two refuge areas includes the fencing of the reservoirs with juniper posts that were obtained by W. P. A. labor in the vicinity of Redmond; the construction of an overnight cabin, with garage; the building of 15 miles of patrol trail and fire breaks; and the improvement of a recreational and parking area, including brushing, leveling, and the construction of benches, fireplaces, and toilets. Both areas have been posted and the nesting cover has been greatly improved.

The Malheur National Wildlife Refuge, in Harney County, was established by an Executive order of August 18, 1908. To the original 95,155 acres there was added during March 1935 the 64,717-acre Blitzen Valley, including the famous "P" Ranch. A lease-purchase agreement has now been made for the 14,751-acre Double O Ranch also to be added to the Malheur Refuge.

Three Civilian Conservation camps have been utilized in the development of the Malheur Refuge, bringing it to its place as one of the most important and effective units in the Nation-wide system of refuges. These camps, two of which are continuing at present, have provided a total of 138 camp-months of work.

To conserve the water supply by preventing the lake from spreading to a very shallow depth over the extensive lake bed, a dike 70 feet wide at the base and 20 feet at the top was constructed for 10 miles across the east end of Malheur Lake. Other water-conservation development included the construction of a reinforced concrete dam with two spillways and a fishway. A complete system of dikes and control gates is being provided for the efficient impoundment of successive units of marsh and open water to provide food and cover for waterfowl. The extensive work program includes fence repair, vehicle bridges, truck and patrol trails, telephone lines, posting the area, directional signs, towers, as well as administrative buildings.

The Hart Mountain Antelope Refuge, in Lake County, was established by an Executive order of December 21, 1936. This refuge of 222,038 acres was obtained primarily to protect and perpetuate antelopes, but it also has an ample population of mule deer, sage grouse, and fur animals, as well as some waterfowl. A Civilian Conservation Corps camp has spent 30 camp-months of work in developing more than 50 miles of truck trails, in constructing several administrative buildings, fencing, posting, installing cattle guards, building a 30-mile telephone line, and developing springs and water-conserving pools.

There are several other wildlife refuges administered by the Bureau of Biological Survey in Oregon but neither C. C. C. nor W. P. A. help has been utilized on them. These areas are the Upper Klamath Wildlife Refuge, an 8,140-acre area in Klamath County, established on April 3, 1928, and administered in cooperation with the Bureau of Reclamation; Goat Island Migratory Bird Refuge, a 21-acre area in Curry County, established on May 6, 1935; Cape Meares Migratory Bird Refuge, a 139-acre area in Tillamook County, established on August 19, 1938; Three Arch Rocks Bird Refuge, a 17-acre tract in Tillamook County, established on October 14, 1907, and the Klamath Lake Bird Refuge, established August 8, 1908, of which 61,139 acres of a total of 81,619 acres is located in Klamath County.

PREDATORY ANIMAL AND RODENT CONTROL

Cooperative predatory animal- and rodent-control projects are carried on by the Bureau of Biological Survey throughout the State of Oregon, together with control methods research investigations to perfect methods of controlling predatory animals and injurious rodents. The following table indicates the amount of money (Federal, cooperative, and emergency) expended in Oregon for these projects during the fiscal year 1939, together with the number of man-days of employment provided. The second part of the table includes the same information for the fiscal year 1940 (July 1, 1939, through June 30, 1940), the funds shown representing those available

for the entire fiscal year but the man-days of employment indicated representing those for the first 9-month period only:

	Control methods	Rodent	Predator	Total
FISCAL YEAR 1939				
Federal funds	$2,200	$11,198	$29,952	$43,350
Cooperative funds		$15,321	$72,376	$87,697
Emergency funds		$17,631	$61,934	$79,565
Man-days labor:				
Federal	220	1,450	4,976	6,426
Cooperative		1,652	15,234	16,886
Emergency		5,095	11,074	16,169
FISCAL YEAR 1940				
Federal funds		$11,610	$32,000	$43,610
Cooperative funds		$6,500	$60,350	$70,850
Emergency funds [1]				
Man-days labor (to Mar. 31, 1940):				
Federal		1,072	4,625	5,698
Cooperative		1,430	10,775	12,205
Emergency		1,888	7,980	9,868

[1] Not available at this time.

The following table indicates the work accomplished in Oregon by the Biological Survey in predatory-animal control during the fiscal year 1939 and during the first 9 months of the fiscal year 1940. The predatory animals were taken for the protection of livestock, poultry, and game species ranging on the vast grazing areas within the State.

Predatory animals taken

	1939	1940 to Mar. 31
Bears	107	120
Coyotes	11,492	9,211
Bobcats	1,040	879
Wolves	3	1
Mountain lions	26	6
Total	12,668	10,217

In addition to the predatory-animal-control work conducted in Oregon, there were 1,014,556 acres of land treated for the control of injurious rodents, such as ground squirrels, pocket gophers, jack rabbits, kangaroo rats, and field mice, during the fiscal year 1939. During the first 9 months of the fiscal year 1940, 378,510 acres have been treated for the control of injurious rodent species. In addition to this, 1,668 premises were treated during the fiscal year 1939 for the control of the common house rat.

GAME MANAGEMENT

Oregon, with its marshes, inland lakes, rivers, and coastal bays, is an important State for waterfowl and other migratory game birds. To enforce the Federal game laws in this State the Bureau of Biological Survey has one United States game-management agent working out of Portland and a deputy agent patrolling from Klamath Falls. Other agents are temporarily assigned to Oregon as required. These officers work closely with the game division of the Oregon State police, most of whom have cooperative appointments as United States deputy game wardens.

The Bureau's agents and deputy agents, working alone or with State police, arrested or furnished evidence against 143 violators of Federal and State laws in Oregon during the past year which were tried in State courts. Penalties assessed amounted to fines of $4,320.45, costs of $564.80, and jail sentences totaling 21 months. Eight cases were tried in Federal courts, resulting in fines of $250.

From July 1, 1939, to March 15, 1940, the post offices of Oregon sold 24,669 migratory-bird hunting stamps. Each person over the age of 16 years who hunts migratory waterfowl is required to have one of these stamps.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3107. An act for the relief of Perkins Gins, formerly Perkins Oil Co., of Memphis, Tenn.; to the Committee on War Claims.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 5584. An act to amend the Canal Zone Code;

H. R. 7019. An act to amend section 1 of the act providing punishment for the killing or assaulting of Federal officers;

H. R. 8429. An act for the relief of Maj. L. P. Worrall, and for other purposes;

H. R. 9700. An act to amend the Agricultural Adjustment Act of 1938, as amended, and for other purposes; and

H. J. Res. 367. Joint resolution to authorize the Secretaries of War and of the Navy to assist the governments of American republics to increase their military and naval establishments, and for other purposes.

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 3828. An act to amend section 107 of the Judicial Code, as amended, to eliminate the requirement that suitable accommodations for holding the court at Winchester, Tenn., be provided by the local authorities.

RECESS

Mrs. NORTON. Mr. Speaker, I move that the House stand in recess until 8 o'clock.

The motion was agreed to; accordingly (at 5:01 p. m.) the House stood in recess until 8 o'clock p. m.

EVENING SESSION

The recess having expired, the House was called to order by the Speaker pro tempore, Mr. GAVAGAN, at 8 o'clock p. m.

THE PRIVATE CALENDAR

The SPEAKER pro tempore. Pursuant to the order of the House yesterday, the Clerk will call the first bill on the Private Calendar.

CHARLES MOLNAR

The Clerk called the first bill, H. R. 7749, for the relief of Charles Molnar.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws the Secretary of Labor is hereby authorized and directed to cancel the warrant of arrest and the order of deportation against Charles Molnar heretofore issued on the ground that admission to the United States had been fraudulently gained, and that he shall hereafter be deemed to have been lawfully admitted to the United States for permanent residence as of April 12, 1936.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FREDERICK BECK

The Clerk called the next bill, H. R. 8910, providing for the extension of nonquota status to Frederick Beck.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding section 4 (d) which limits the right of a male minister or professor to secure a nonquota status for his wife and unmarried children, the Secretary of State is hereby authorized and directed to issue a nonquota visa to Frederick Beck, the husband of Prof. Vera F. Beck.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GUS ROTH

The Clerk called the next bill, H. R. 382, for the relief of Gus Roth.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Gus Roth the sum of $137 in reimbursement for the amount of loss of postal funds charged to the said Gus Roth on account of the cashing of a forged Treasury check by him in October 1927 as a clerk in the post office at New York, N. Y. The said Gus Roth is hereby released from any liability to the United States on account of the cashing of such check out of postal funds.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BLANCHE W. STOUT

The Clerk called the next bill, H. R. 8785, for the relief of Blanche W. Stout.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Blanche W. Stout, widow of Kenneth S. Stout, late American vice consul at Lisbon, Portugal, the sum of $3,000, such sum representing 1 year's salary of her deceased husband who died while in the Foreign Service.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ORVILLE WRIGHT

The Clerk called the next bill, S. 2735, authorizing the issue to Orville Wright of honorary aircraft certificate No. 1.

There being no objection, the Clerk read the bill, as follows:

Be it enacted etc., That the Civil Aeronautics Authority is authorized to issue to Orville Wright honorary aircraft pilot's certificate No. 1, in recognition of the outstanding service rendered by him in advancing the science of aeronautics.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN A. FARRELL

The Clerk called the next bill, S. 1977, for the relief of John A. Farrell.

There being no objection, the Clerk read the bill, as follows:

Be it enacted etc., That the Secretary of the Interior is authorized and directed to (1) permit John A. Farrell to withdraw the final proof made by him upon his homestead entry Great Falls, 076763, (2) rescind the cancelation of such entry, (3) restore such entry to a pending status, and (4) extend for 3 years from the date of enactment of this act the period during which said John A. Farrell may submit final proof with respect to compliance with residence requirements applicable to such entry.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KURT WESSELY

The Clerk called the next bill, S. 2598, for the relief of Kurt Wessely.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws Kurt Wessely shall be held and considered to have been lawfully admitted to the United States for permanent residence on August 3, 1937, at Ellis Island, N. Y.

Upon the enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct two numbers from the nonpreference category of the quota during the current year.

Mr. COSTELLO. Mr. Speaker, I offer an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. COSTELLO: Page 1, line 8, after the words "to deduct" strike out "two" and insert "one."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

D'ROSEY C. CABELL ET AL.

The Clerk called the next bill, H. R. 6365, to correct the military records of DeRosey C. Cabell, McFarland Cockrill, James N. Caperton, Junius H. Houghton, Otto F. Lange, Paul B. Parker, James deB. Walbach, and Victor W. B. Wales.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the following-named officers and former officers of the United States Army shall be entitled to count all their service as cadets at the United States Military Academy in computing for any purpose length of service of any officers of the Army: DeRosey C. Cabell, McFarland Cockrill, James N. Caperton, Junius H. Houghton, Otto F. Lange, Paul B. Parker, James deB. Walbach, and Victor W. B. Wales: *Provided*, That this act shall not be construed as authorizing the payment of any back pay and allowances that may have accrued prior to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALICE C. WAINWRIGHT

The Clerk called the next bill, S. 3338, for the relief of Alice C. Wainwright.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alice C. Wainwright, widow of John T. Wainwright, late American vice consul at Matanzas, Cuba, the sum of $2,750, such sum representing 1 year's salary of her deceased husband, who died while in the Foreign Service.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CAPT. FRANK N. ROBERTS

The Clerk called the next bill, S. 3009, authorizing the President to present the Navy Cross to Capt. Frank N. Roberts, United States Army.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the President is authorized to present the Navy Cross provided for by section 3 of the act of February 4, 1919 (40 Stat. 1056; 34 U. S. C. 356), to Capt. Frank N. Roberts, United States Army, in recognition of extraordinary heroism displayed by that officer incidental to the bombing and loss of the U. S. S. *Panay* on December 12, 1937.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PENSIONS TO CERTAIN WIDOWS, FORMER WIDOWS, AND DEPENDENT CHILDREN OF VETERANS OF CIVIL WAR

The Clerk called the next bill, H. R. 9390, granting pensions and increase of pensions to certain widows, former widows, and dependent children of veterans of the Civil War.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Luvenia J. Myrick, widow of Theodore Myrick, late of Company F, Ninety-first Regiment Indiana Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Anna Belle La Fay, widow of Edward La Fay, late of Company A, Second Regiment New York Veteran Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Maude Moody, widow of Thomas W. Moody, late of Company A, One Hundred and Forty-fourth Regiment Indiana Infantry, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Ellar Bales, widow of Stephen Bales, late of Company A, Forty-seventh Regiment Kentucky Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Lucy A. Rose, former widow of Ross Reed, late of Company D, Sixty-eighth Regiment Illinois Infantry, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Lillie Wood, widow of Henry Wood, late of Company D, Seventh Regiment Kentucky Infantry, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Winnie Alexander, helpless and dependent daughter of Edwin R. Alexander, late of Company G, Forty-second Regiment

Missouri Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Willie D. Nelson helpless and dependent son of Horatio Nelson late of Company G Fifty-first Regiment Ohio Infantry, and pay him a pension at the rate of $20 per month.

The name of Marion Van Natta, helpless and dependent son of George O. Van Natta, who served and was pensioned as George O. Vannatta, late of Company E, Ninety-ninth Regiment Indiana Infantry and pay him a pension at the rate of $20 per month.

The name of Isabel Lawhorn, former widow of McKager Lawhorn, late of Company C, First Regiment Kentucky Cavalry, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Adele Evans, helpless and dependent daughter of James B. Evans, late of Company C, One Hundred and Twentieth Regiment Indiana Infantry, and pay her a pension at the rate of $20 per month.

The name of Alice E. Bailey, widow of Harvey E. Bailey, late of Company G, Twenty-seventh Regiment Connecticut Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Adah M. Locklin, widow of Davis A. Locklin, late of Company E, Second Regiment Connecticut Heavy Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Ida I. Goldman, helpless and dependent daughter of William H. Goldman, late of Company H, Twenty-third Regiment Indiana Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Hiram Russell Griffith, helpless and dependent son of Jacob C. Griffith, late of Captain Griffith's Independent Company, Pennsylvania Militia Infantry, and pay him a pension at the rate of $20 per month.

The name of Alice G. Townsend, helpless and dependent daughter of Joseph G. Townsend, late a lieutenant colonel, One Hundred and Eighty-ninth Regiment New York Infantry, and pay her a pension at the rate of $20 per month.

The name of Mary P. Oliphant, widow of William Alexander Oliphant, late of Company K, Twenty-fourth Regiment Indiana Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Charles E. Curl, helpless and dependent son of Peter Curl, late of Company K, Thirty-eighth Regiment Indiana Infantry, and pay him a pension at the rate of $20 per month.

The name of Amanda Hart, helpless and dependent daughter of Absolom Hart, late of Company D, Seventeenth Regiment Ohio Infantry, and pay her a pension at the rate of $20 per month.

The name of Augusta Lambert, helpless and dependent daughter of Andrew Lambert, late of Company A, First Regiment Ohio Heavy Artillery, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Emma Blosser, helpless and dependent daughter of William H. Blosser, late of Company F, Ninetieth Regiment Ohio Infantry, and pay her a pension at the rate of $20 per month.

The name of Emma L. Briggs, widow of William W. Briggs, late of Company G, Two Hundred and Eleventh Regiment Pennsylvania Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Jennie Christiana Rohrbacker, helpless and dependent daughter of Moses K. Rohrbacker, late of Company N, One Hundred and Ninety-eighth Regiment Pennsylvania Infantry, and pay her a pension at the rate of $20 per month.

The name of Clarence Leslie Skipper, helpless and dependent son of Nathan Skipper, late of Company G, Eleventh Regiment Illinois Infantry, and pay him a pension at the rate of $20 per month.

The name of Minnie L. Clark, helpless and dependent daughter of Adolphus P. Clark, late of Company B, Eleventh Regiment West Virginia Infantry, and pay her a pension at the rate of $20 per month.

The name of Elizabeth Earnshaw, former widow of Peter Fisher, late of Company E, Ninth Regiment New York Infantry, and Company B, Tenth Regiment Veteran Reserve Corps, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Corrillia Silver, helpless and dependent daughter of Thomas W. Silver, late of the United States Navy, and pay her a pension at the rate of $20 per month.

The name of Katie Caine, widow of Joseph H. Caine, late of Company K, One Hundred and Thirty-second Regiment New York Infantry, and Company K, Twenty-first Regiment Veteran Reserve Corps, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sarah Conrad, widow of George W. Conrad, late of Company I, One Hundred and Forty-fourth Regiment Indiana Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of James C. Riley, helpless and dependent son of John D. Riley, late of Company H, Seventy-seventh Regiment New York Infantry, and pay him a pension at the rate of $20 per month.

The name of Nancy E. Allen, widow of Joel Allen, late of Company C, Ninety-second Regiment Ohio Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Fred L. Lindsey, helpless and dependent son of William B. Lindsey, late of Company A, One Hundred and Thirty-fourth Regiment Pennsylvania Infantry, and pay him a pension at the rate of $20 per month.

The name of Maggie Canter, former widow of Mitchel A. C. Canter, late of Company K, Ninety-first Regiment Ohio Infantry, and Sixty-sixth Company, Second Battalion, Veteran Reserve Corps, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Mary E. Carney, widow of Joseph C. Carney, late of Company K, One Hundred and Fourth Regiment Illinois Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Agnes P. Scram, widow of John Scram, late of Company D, One Hundred and Eighty-fourth Regiment New York Infantry, and pay her a pension at the rate of $30 per month.

The name of Lulu May Craig, helpless and dependent daughter of Thomas C. Craig, late of Company G, Fifth Regiment Illinois Cavalry, and pay her a pension at the rate of $20 per month.

The name of Grace E. Butler, widow of Jacob Butler, late of Company E, First Regiment Ohio Heavy Artillery, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Nancy Jane Berry, former widow of Orelius S. Ware, late of Company I, Forty-ninth Regiment Missouri Infantry, and pay her a pension at the rate of $30 per month.

The name of Elva Midkiff, widow of Josephas Midkiff, late of Company C, One Hundred and Fortieth Regiment Ohio National Guard Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sophia M. Webster, former widow of Eleazer B. Howard, late of Company H, Twenty-fourth Regiment Michigan Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary E. Lewis, widow of Louis L. Lewis, late of Company G, Nineteenth Regiment New York Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Annie McClean, widow of Joseph McClean, alias William Smith, late of Company G, Second Regiment Connecticut Heavy Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Arellia E. Ferguson, helpless and dependent daughter of Green C. Ferguson, late of Company F, Twentieth Regiment Iowa Infantry, and pay her a pension at the rate of $20 per month.

The name of Clara B. Mathews, former widow of George M. Bascom, late of Companies K and E, Seventh Regiment Indiana Cavalry, and pay her a pension at the rate of $30 per month.

The name of Isabel F. Easum, widow of Charles L. Easum, late a second lieutenant and captain, Company E, Fifteenth Regiment Kentucky Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Louise E. Stockwell, helpless and dependent daughter of David Stockwell, late of Company K, Fourteenth Regiment Vermont Infantry, and pay her a pension at the rate of $20 per month.

The name of Helen C. Barnds, widow of William H. Barnds, late of Company A, and commissary sergeant, Forty-sixth Regiment Illinois Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Claude Stine, helpless and dependent son of Abraham Stine, late of Company K, One Hundred and Eleventh Regiment Illinois Infantry, and pay him a pension at the rate of $20 per month.

The name of James Hord, helpless and dependent son of Hugh Hord, late of Company B, Forty-eighth Regiment Illinois Infantry, and pay him a pension at the rate of $20 per month.

The name of Nettie Stout, widow of Daniel Stout, late of Company H, Third Regiment North Carolina Mounted Infantry, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Emma Gehr, widow of Cyrus R. Gehr, late of Company K, One Hundred and Fifty-first Regiment Pennsylvania Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Jessie Myrtle Bennett, helpless and dependent daughter of Jonathan Bennett, late of Company H, Eighth Regiment Indiana Cavalry, and pay her a pension at the rate of $20 per month.

The name of Harry C. B. Frets, helpless and dependent son of George Frets, late of Company E, Eighty-eighth Regiment Indiana Infantry, and pay him a pension at the rate of $20 per month.

The name of Mary Elizabeth Beaver, widow of William M. Beaver, late of Company B, One Hundred and Fifty-sixth Regiment New York Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Gilbert Walton, helpless and dependent son of Lewis F. Walton, late of Companies K and F, Fourteenth Regiment

Kentucky Cavalry, and pay him a pension at the rate of $20 per month.

The name of William B. Ludlow, helpless and dependent son of Daniel Ludlow, late of Company B, Second Regiment District of Columbia Infantry, and pay him a pension at the rate of $20 per month.

The name of Mary Agnes Hill, helpless and dependent daughter of James H. Hill, late of Company A, One Hundred and Fifty-fifth Regiment Indiana Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Charles Smith, helpless and dependent son of John Fletcher Smith, late of Company E, One Hundred and Twenty-third Regiment Indiana Infantry, and pay him a pension at the rate of $20 per month.

The name of Peter Russell Eikenberry, helpless and dependent son of Henry Eikenberry, late of Company K, Fifth Regiment Ohio Cavalry, and pay him a pension at the rate of $20 per month.

The name of Zack Pool, helpless and dependent son of Jeremiah Pool, late of Company D, Thirty-eighth Regiment Indiana Infantry, and pay him a pension at the rate of $20 per month.

The name of Sarah E. Priest, widow of Ezra Priest, late of Company L, First Regiment United States Veteran Engineers, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Laura Moore, widow of Amos J. Moore, late a captain, Company H, One Hundred and Eighteenth Regiment Ohio Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary Warren, widow of Jerome Warren, late of Company B, Ninth Regiment New York Heavy Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Amelia Niswender, widow of Abraham Niswender, late of Company K, One Hundred and Twelfth Regiment Illinois Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sadie E. Goshorn, helpless and dependent daughter of George Goshorn, late of Company I, One Hundred and Forty-ninth Regiment Pennsylvania Infantry, and pay her a pension at the rate of $20 per month.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JANE A. BAKER

The Clerk called the next bill, H. R. 5060, granting a pension to Jane A. Baker.

Mr. VORYS of Ohio and Mr. COSTELLO objected and, under the rule, the bill was recommitted to the Committee on Invalid Pensions.

JETHRO H. MIDGETT

The Clerk called the next bill, H. R. 2369, granting a pension to Jethro H. Midgett.

Mr. VORYS of Ohio and Mr. HANCOCK objected and, under the rule, the bill was recommitted to the Committee on Invalid Pensions.

GLORIA D. DOWNING

The Clerk called the next bill, H. R. 7495, for the relief of Gloria D. Downing.

The being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That from and after date of the approval of this act Gloria D. Downing, who was admitted into the Territory of Hawaii for a temporary stay and who is the Russian wife of a citizen of the United States, shall be deemed to have been lawfully admitted as an immigrant for permanent residence.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LAURA TRICE CONVERSE

The Clerk called the next bill, H. R. 9518, for the relief of Laura Trice Converse.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. GIBBS. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 3887) may be considered in lieu of the House bill.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Laura Trice Converse, widow of Charles A. Converse, late American consul at Manchester, England, the sum of $3,600, such sum representing 1 year's salary of her deceased husband who died while in the Foreign Service.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A House bill (H. R. 9518) was laid on the table.

VICTORIA KESSEL

The Clerk called the next bill, S. 1608, to repeal the provisions of Private Law No. 347, Seventy-first Congress, pertaining to Victoria Kessel.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That nothwithstanding any provisions of Private Law No. 347, Seventy-first Congress (act of February 17, 1931), entiled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and so forth, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors", the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to remove from the pension roll the name of Victoria Kessel, widow of Leon J. Kessel, late of Company L, Twenty-first Regiment United States Infantry.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DAVID MORGENSTERN

The Clerk called the next bill, H. R. 8226, for the relief of David Morgenstern.

Mr. SCHAFER of Wisconsin and Mr. SECCOMBE objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

IZAAK SZAJA LICHT

The Clerk called the next bill, H. R. 8379, for the relief of Izaak Szaja Licht.

Mr. SCHAFER of Wisconsin and Mr. THILL objected and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

LOUIS ROSENSTONE

The Clerk called the next bill, H. R. 7955, for the relief of Louis Rosenstone.

Mr. VORYS of Ohio and Mr. HANCOCK objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

HARRY HUSTON

The Clerk called the next bill, S. 3095, for the relief of Harry Huston.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the pension laws or any laws conferring rights, privileges, or benefits upon persons honorably discharged from the United States Army, Harry Huston shall be held and considered to have been honorably discharged on February 10, 1900, as an artificer, Battery B, Fourth Artillery, United States Army: but no pension, pay, bounty, or other benefit shall be held to accrue by reason of this act prior to its passage.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN TOKO

The Clerk called the next bill, H. R. 541, for the relief of John Toko.

Mr. VORYS of Ohio and Mr. HANCOCK objected and, under the rule, the bill was recommitted to the Committee on War Claims.

LIZZIE BERRY

The Clerk called the next bill, H. R. 3204, for the relief of Lizzie Berry.

Mr. COSTELLO and Mr. COCHRAN objected and, under the rule, the bill was recommitted to the Committee on War Claims.

PERKINS GINS

The Clerk called the next bill, H. R. 7573, for the relief of Perkins Gins, formerly Perkins Oil Co., of Memphis, Tenn.

Mr. VORYS of Ohio, Mr. HANCOCK, and Mr. BOLLES objected and, under the rule, the bill was recommitted to the Committee on War Claims.

ACME DIE-CASTING CORPORATION

The Clerk called the next bill, S. 1635, for the relief of the Acme Die-Casting Corporation.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $8,166.50 to the Acme Die-Casting Corporation, as equitable reimbursement and in full and final settlement and satisfaction of the damages and losses incurred and suffered by it, and for which it has not yet been reimbursed, in complying with the United States Navy commandeer order No. N–3255, dated June 18, 1918: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THERMAL SYNDICATE, LTD.

The Clerk called the next bill, S. 1638, for the relief of Thermal Syndicate, Ltd.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $2,093.29 to Thermal Syndicate, Ltd., as equitable reimbursement and in full and final settlement and satisfaction of the damages and losses incurred and suffered by it, and for which it has not yet been reimbursed, in moving its equipment from the space in the Bush Terminal Buildings to its new location, and in otherwise complying with United States Navy commandeer order No. N–3255, dated June 18, 1918: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHARLES B. CHRYSTAL

The Clerk called the next bill, S. 1678, for the relief of Charles B. Chrystal.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $1,830.99 to Charles B. Chrystal as equitable reimbursement and in full and final settlement and satisfaction of the damages and losses incurred and suffered by him, and for which he has not yet been reimbursed, in moving his equipment from the space in the Bush Terminal buildings to his new location, and in otherwise complying with the United States Navy commandeer order No. N–3255, dated June 18, 1918: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KURT FRINGS

The Clerk called the next bill, S. 3673, to enable Kurt Frings to enter and remain permanently in the United States.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding any provisions of the immigration laws Kurt Frings, a native of Cologne, Germany, shall be admitted into the United States from Tia Juana, Mexico, and shall be permitted to remain in the United States permanently as though he had in all respects complied with the immigration laws, and that the residence in the United States of the said Kurt Frings shall date from the approval of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALBERT W. GABBEY

The Clerk called the next bill, S. 163, directing the Secretary of the Interior to issue to Albert W. Gabbey a patent to certain lands in the State of Wyoming.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to issue to Albert W. Gabbey, of Jenny Lake, Wyo., a patent in fee to the following described lands (comprised in stock-raising homestead entry No. 015468, Evanston land office): The west half northeast quarter, the north half northwest quarter, and the southeast quarter northwest quarter and the northeast quarter southwest quarter, section 7, township 44 north, range 115 west, sixth principal meridian.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LASZLO KARDOS, MAGDOLNA KARDOS, AND GABY KARDOS

The Clerk called the next bill, H. R. 6680, for the relief of Laszlo Kardos, Magdolna Kardos, and Gaby Kardos.

Mr. VORYS of Ohio and Mr. MOTT objected; and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

SAM ALEXANDER

The Clerk called the next bill, S. 505, authorizing the President of the United States to summon Sam Alexander before an Army retiring board, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized to summon Sam Alexander, formerly a field clerk, Quartermaster Corps, United States Army, and major, Signal Corps, United States Army, before a retiring board for the purpose of hearing his case and inquiring whether at the time of his separation from the service he was incapacitated for active service, and whether such incapacity was a result of an incident of service and if, as a result of such hearing and inquiry, it is found that he was so incapacitated, the President is authorized to appoint the said Sam Alexander a warrant officer, Regular Army, and place him immediately thereafter upon the retired list of the Army, with the same privileges and retired pay as are now or may hereafter be provided by law or regulation for warrant officers of the Regular Army: *Provided*, That the said Sam Alexander shall not be entitled to any back pay or allowances by the passage of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HAROLD W. KINDERMAN

The clerk called the next bill, S. 2782, for the relief of Harold W. Kinderman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the President of the United States be, and is hereby, authorized to summon Harold W. Kinderman, a major, United States Army, retired, before a retiring board, to inquire whether at the time of his retirement under act of July 31, 1935, as amended, he was incapacitated for active service, and whether such incapacity was a result of an incidence of service, and if, as a result of such inquiry, it is found that he was so incapacitated, the President is authorized to nominate and appoint, by and with the consent of the Senate, the said Harold W. Kinderman, a major in the Medical Corps of the Regular Army, setting aside his retirement under act of July 31, 1935, and immediately thereafter place him upon the retired list of the Regular Army, for physical disability incurred in line of duty, and said retirement shall be held and considered to have taken place on December 31, 1936 (the date of his retirement under act of July 31, 1935), and he shall receive the full retired pay and allowances of an officer of his grade from December 31, 1936 (the date of his separation from active duty): *Provided*, That the amount of the retired pay already received by him since December 31, 1936, shall be deducted from the amount due him under this act.

With the following committee amendment:

On page 2, at the end of the bill, change the period to a colon and insert "*Provided*, That no back pay, pension, bounty, or other emoluments shall be held to accrue prior to the passage of this act."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN L. HINES

The Clerk called the next bill, S. 3038, to provide for the advancement of John L. Hines on the retired list of the Army.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That John L. Hines, formerly Chief of Staff of the Army of the United States and now major general on the retired list of the Army, shall, beginning with the date of the enactment of this act, have the rank of a general on the retired list of the Army: *Provided*, That the said John L. Hines shall receive no increase in retired pay, allowances, or other pecuniary benefits by reason of the enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DAVID J. SAWYER

The Clerk called the next bill, S. 2295, authorizing the President to reappoint and honorably discharge David J. Sawyer, second lieutenant, National Army, as of May 11, 1919.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the President be, and he is hereby, authorized to reappoint David J. Sawyer, a second lieutenant of infantry, National Army, as of May 11, 1919, the date on which his dismissal by sentence of court martial took effect; and that the President be, and he is hereby, further authorized to grant said officer an honorable discharge to become effective as of that date: *Provided*, That no pay or emoluments, either heretofore or hereafter, shall become due or payable by virtue of the enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WALTER BALLHAUS

The Clerk called the bill (S. 897) to correct the military record of Walter Ballhaus.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Walter Ballhaus, who was a private in the One Hundred and Sixteenth Ammunition Train, United States Cavalry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of that organization on the 28th day of March 1918: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STANLEY M'MAHAN

The Clerk called the bill (H. R. 8140) for the relief of Stanley McMahan.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Stanley McMahan shall hereafter be held and considered to have been honorably discharged from his first and second enlistments in the United States Army.

With the following committee amendment:

Line 7, strike out the period, insert a colon and the following: "*Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act."

The committee amendment was agreed to and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

IRA ELLIS VEAL

The Clerk called the bill (H. R. 6358) for the relief of Ira Ellis Veal.

Mr. VORYS of Ohio and Mr. MOTT objected and the bill was recommitted to the Committee on War Claims.

FRANZ LAND

The Clerk called the bill (H. R. 5110) for the relief of Franz Land.

Mr. VORYS of Ohio and Mr. MOTT objected and the bill was recommitted to the Committee on Immigration and Naturalization.

BETTINA BERNSTEIN

The Clerk called the bill (H. R. 7459) for the relief of Bettina Bernstein.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws the Secretary of Labor be, and is hereby, authorized and directed to record the lawful admittance for permanent residence of Bettina Bernstein, and that she shall, for all purposes under the immigration and naturalization laws, be deemed to have been lawfully admitted to the United States as an immigrant for permanent residence.

With the following committee amendment:

After line 9, insert the following new paragraph:
"Upon the enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that the said quota is available."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RACHIB SHRIAY

The Clerk called the bill (H. R. 7552) for the relief of Rachib Shriay.

Mr. VORYS of Ohio, Mr. MOTT, and Mr. HANCOCK objected, and the bill was recommitted to the Committee on Immigration and Naturalization.

FELIX BERNSTEIN

The Clerk called the bill (H. R. 5352) for the relief of Felix Bernstein.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws, the Secretary of Labor be, and is hereby, authorized and directed to record the lawful admittance for permanent residence of Felix Bernstein, and that he shall, for all purposes under the immigration and naturalization laws, be deemed to have been lawfully admitted to the United States as an immigrant for permanent residence.

With the following committee amendment:

Page 2, insert the following new paragraph:
"Upon the enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the German quota for the first year that the said German quota is available."

The committee amendment was agreed to and the bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTHER KLEIN

The Clerk called the bill (H. R. 4656) to record the lawful admission to the United States for permanent residence of Esther Klein.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Labor be, and is hereby, authorized and directed to record the lawful admission to the United States for permanent residence of Esther Klein, at New York, N. Y., on November 1, 1928, and that the said Esther Klein for all purposes, under the immigration and naturalization laws, shall be deemed to have been lawfully admitted to the United States as an immigrant for permanent residence.

With the following committee amendment:

At the end of the bill insert a new paragraph, as follows:
"Upon the enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the Hungarian quota for the first year that the said Hungarian quota is available."

The committee amendment was agreed to and the bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARIE EGLICK

The Clerk called the bill (H. R. 5926) to authorize the cancelation of deportation proceedings in the case of Marie Eglick.

Mr. VORYS of Ohio and Mr. MOTT objected, and the bill was recommitted to the Committee on Immigration and Naturalization.

RAMON ZAPIEN

The Clerk called the bill (H. R. 6765) to authorize the cancelation of deportation in the case of Ramon Zapien.

Mr. VORYS of Ohio and Mr. MOTT objected, and the bill was recommitted to the Committee on Immigration and Naturalization.

LUDWIG BAUR

The Clerk called the next bill, H. R. 7178, for the relief of Ludwig Baur.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws the Secretary of Labor is hereby authorized and directed to cancel the warrant of arrest and the order of deportation heretofore issued against Ludwig Baur, father of two American-born children and husband of a legally resident alien, who has filed an application for a declaration of intention to become an American citizen. Hereafter for the purpose of the immigration and naturalization laws such alien shall be deemed to have been lawfully admitted to the United States for permanent residence on September 1, 1930.

With the following committee amendment:

Page 2, after line 2, at the end of the bill, insert:
"That upon the enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the quota of his native land during the current year or whenever such quota is available."

Mr. BARDEN of North Carolina. Mr. Speaker, I would like to inquire of the Member sponsoring the bill what is the job that this party holds that he could not hold without citizenship? It is my understanding that unless this bill is passed this alien cannot hold the job which he now holds. I want to know what kind of a job it is. If it is a job in the Government and he is a German alien we should at least be cautious about that.

Mr. DICKSTEIN. Mr. Speaker, will the gentleman yield to me?

Mr. BARDEN of North Carolina. I yield.

Mr. DICKSTEIN. I do not know anything about any alien who is privileged to be holding a job. I do not know anything about a job. I do not know anything about the case at all, except to tell the gentleman that we give no hearings or report them out if it is a question of a job.

Mr. BARDEN of North Carolina. If the gentleman does not know anything about the case, I am going to object.

Mr. HANCOCK. Mr. Speaker, I make a point of order. The objection comes too late. Consent has already been granted.

The SPEAKER pro tempore. The point of order is sustained.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. STEFANIDA SZEWCZUK-OMELCHUK (KOVALCIK)

The Clerk called the next bill, H. R. 7277, for the relief of Mrs. Stefanida Szewczuk-Omelchuk (Kovalcik).

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws the Secretary of Labor is hereby authorized and directed to cancel the warrant of arrest and the order of deportation heretofore issued against Mrs. Stefanida Szewczuk-Omelchuk (Kovalcik). Hereafter, for the purposes of the immigration and naturalization laws, such alien shall be deemed to have been lawfully admitted to the United States for permanent residence on January 24, 1933, at the port of New York.

With the following committee amendment:

Page 2, after line 2, insert a new paragraph, as follows:
"Upon the enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the Polish quota for the first year that the said Polish quota is available."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

XENOPHON GEORGE PANOS

The Clerk called the next bill, H. R. 8551, for the relief of Xenophon George Panos.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Labor be, and he is hereby, directed to cancel forthwith the outstanding warrant of arrest, order of deportation, warrant of deportation, and bond, if any, in the case of the alien, Xenophon George Panos, and is directed not to issue any further such warrants or orders in the case of such alien, insofar as such future warrants or orders are based on the unlawful entry of such alien into the United States prior to the enactment of this act. Hereafter, for the purpose of the immigration and naturalization laws, such alien shall be considered to have been, at New York, N. Y., on February 22, 1926, lawfully admitted to the United States for permanent residence.

With the following committee amendment:

Page 2, after line 3, insert:
"Upon the enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the Greek quota for the first year that the said Greek quota is available."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BESSIE SINGER WEINMAN

The Clerk called the next bill, H. R. 4354, for the relief of Bessie Singer Weinman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws, the Secretary of Labor be, and is hereby, authorized and directed to record the lawful admittance for permanent residence of Bessie Singer Weinman, June —, 1928, and that she shall, for all purposes under the immigration and naturalization laws, be deemed to have been lawfully admitted to the United States as an immigrant for permanent residence.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTHER JACOBS

The Clerk called the next bill, H. R. 6888, for the relief of Esther Jacobs.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Labor is hereby authorized and directed to record the admission of Esther Jacobs for permanent residence. This act shall not be deemed to create a record of the admission of the said Esther Jacobs for immigration or naturalization purposes, and if the said Esther Jacobs is a quota immigrant, the quota of her nationality as determined by the Immigration Act of 1924 for the current year, or if the quota for that year be exhausted, then the quota for the following year shall be reduced by one. The said Esther Jacobs shall not hereafter be subject to deportation for the same cause or causes upon which the order of deportation is based.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ERNEST LYLE GREENWOOD AND PHYLLIS JOY GREENWOOD

The Clerk called the next bill, H. R. 8744, for the relief of Ernest Lyle Greenwood and Phyllis Joy Greenwood.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws the Secretary of Labor be, and is hereby, authorized and directed to record the lawful admittance for permanent residence of Ernest Lyle Greenwood and Phyllis Joy Greenwood, subjects of Canada, upon the date of the enactment of this act, and that they shall, for all purposes under the immigration and naturalization laws, be deemed to have been lawfully admitted to the United States as immigrants for permanent residence.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LENA HENDEL, NEE LENA GOLDBERG

The Clerk called the next bill, S. 1328, for the relief of Lena Hendel, nee Lena Goldberg.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws the Secretary of Labor is hereby authorized and directed to cancel the warrant of arrest and the

order of deportation against Lena Hendel, nee Lena Goldberg, heretofore issued on the ground that on October 4, 1926, admission to the United States had been fraudulently gained pursuant to the commission of a passport or visa offense which, subsequent to such admission, has heretofore been held by the Attorney General of the United States to be within the purview of "crimes involving moral turpitude" and thereupon Lena Hendel, nee Lena Goldberg, shall hereafter be deemed to have been lawfully admitted to the United States for permanent residence at New York, N. Y., on October 4, 1926. Any declaration of intention to become a citizen or any petition for citizenship heretofore filed by, or any admission to citizenship ordered and certificate of naturalization heretofore issued to, Lena Hendel, nee Lena Goldberg, which were predicated upon the claim of lawful admission to the United States for permanent residence on October 4, 1926, shall hereafter be deemed valid, unless the original 7-year period of validity of such declaration of intention has heretofore expired or Lena Hendel, nee Lena Goldberg, has heretofore been found otherwise not eligible to such benefit under the naturalization laws.

SEC. 2. Upon the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the nonpreference category of the quota during the current year.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 3847) was laid on the table.

JANET HENDEL, NEE JUDITH SHAPIRO

The Clerk called the next bill, S. 1326, for the relief of Janet Hendel, nee Judith Shapiro.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in the administration of the immigration and naturalization laws, the Secretary of Labor is hereby authorized and directed to cancel the warrant of arrest and the order of deportation against Janet Hendel, nee Judith Shapiro, heretofore issued on the grounds that on December 1, 1926, admission to the United States had been fraudulently gained pursuant to the commission of a passport or visa offense which, subsequent to such admission, has heretofore been held by the Attorney General of the United States to be within the purview of "crimes involving moral turpitude", and thereupon Janet Hendel, nee Judith Shapiro, shall hereafter be deemed to have been lawfully admitted to the United States for permanent residence at New York, New York, on December 1, 1926. Any declaration of intention to become a citizen or any petition for citizenship heretofore filed by, or any admission to citizenship ordered and certificate of naturalization heretofore issued to, Janet Hendel, nee Judith Shapiro, which were predicated upon the claim of lawful admission to the United States for permanent residence on December 1, 1926, shall hereafter be deemed valid, unless the original 7-year period of validity of such declaration of intention has heretofore expired or Janet Hendel, nee Judith Shapiro, has heretofore been found otherwise not eligible to such benefit under the naturalization laws.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 3848) was laid on the table.

GEORGE A. CARDEN AND ANDERSON T. HERD

The Clerk called the next bill, H. R. 7230, to provide for an appeal to the Supreme Court of the United States from the decision of the Court of Claims in a suit instituted by George A. Carden and Anderson T. Herd.

The SPEAKER pro tempore. Is there objection?

Mr. COSTELLO. Mr. Speaker, in view of the fact that the Committee on Rules has reported a rule concerning this bill, I am going to ask unanimous consent that the bill be allowed to remain on the calendar.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

GEORGE M. LOUIE

The Clerk called the next bill, H. R. 9754, for the relief of George M. Louie.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SCHAFER of Wisconsin and Mr. BENDER objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

ATLANTIC REFINING CO.

The Clerk called the next bill, H. R. 9453, to provide a license to the Atlantic Refining Co., and for other purposes.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and empowered, under such terms and conditions as are deemed advisable by him, to grant to the Atlantic Refining Co., its successors and/or assigns, a license to construct and maintain a pile dolphin and walkway thereto in the Delaware River at the Fort Mifflin Military Reservation, in the State of Pennsylvania: *Provided*, That such license shall be granted only upon a finding by the Secretary of War that the same will be in the public interest and will not substantially injure the interest of the United States in the property affected thereby: *Provided further*, That all or any part of such license may be annulled and forfeited by the Secretary of War if the property is needed for governmental purposes or for failure to comply with the terms or conditions of any grant hereunder, or for nonuse or for abandonment of rights granted under authority hereof.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HARRY RENTON BRIDGES

The Clerk called the next bill, H. R. 9766, to authorize the deportation of Harry Renton Bridges.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COFFEE of Washington and Mr. MARCANTONIO objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

MARIA TERESA VALDES THOMPSON

The Clerk called the next bill, S. 3245, for the relief of Maria Teresa Valdes Thompson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws, the Secretary of Labor be, and is hereby, authorized and directed to record the lawful admittance for permanent residence of Maria Teresa Valdes Thompson, wife of an American citizen, in August 1939, and that she shall, for all purposes under the immigration and naturalization laws, be deemed to have been lawfully admitted to the United States as an immigrant for permanent residence.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MEIER LANGERMANN

The Clerk called the next bill, H. R. 9651, for the relief of Meier Langermann, his wife, Friederike, and son, Joseph.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Meier, Friederike, and Joseph Langermann, formerly of Germany and natives of Poland, now temporarily in this country shall be admitted to the United States of America for permanent residence here, notwithstanding any provisions of the immigration laws of the United States now in effect. That upon the enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct three numbers from the Polish quota for the first year that the said Polish quota is available.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOE CARTER

The Clerk called the next bill, H. R. 3713, for the relief of Joe Carter.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Joe Carter, the sum of $9,000. Such sum shall be in full satisfaction of all claims against the United States for injuries received by him in line of duty while employed as project superintendent for the Wintersmith and Byrds Mill Civilian Conservation Corps park projects near Ada, Okla., in 1934.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That notwithstanding the provisions and limitations of sections 15 to 20, both inclusive, of the act entitled 'An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes,' approved September 7, 1916, as amended, the United States Employees' Compensation Commission be, and same is

hereby, authorized and directed to receive and consider, if filed within 6 months after the enactment of this act, the claim of Joe Carter, of Ada, Okla., for disability alleged to have been incurred in the performance of his duties as junior foreman for the Wintersmith and Byrds Mill Civilian Conservation Corps park projects near Ada, Okla., in 1934: *Provided,* That no benefits shall accrue prior to the approval of this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EVELYN L. RATCLIFFE

The Clerk called the next bill, H. R. 3925, for the relief of Evelyn L. Ratcliffe.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement of all claims against the United States, the sum of $2,000, for personal injuries and medical and hospital expenses resulting from injuries sustained by her on June 17, 1938, as a result of an automobile collision on United States Highway 25–W with a truck which was being negligently operated, said truck belonging to the United States Department of the Interior, and driven by a Civilian Conservation Corps enrollee.

With the following committee amendments:

Line 6, strike out the sign and figures "$2,000" and insert in lieu thereof "$1,500 to Evelyn L. Ratcliffe, of La Follette, Tenn."

At the end of the bill add: ": *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARY S. ARTHUR, EXECUTRIX

The Clerk called the next bill, H. R. 4148, for the relief of Mary S. Arthur, as executrix of the estate of Richard M. Arthur, deceased.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mary S. Arthur, of Morgantown, W. Va., as executrix of the estate of Richard M. Arthur, deceased, the sum of $906.39. The payment of said sum shall be in full settlement of all claims against the United States for household equipment, furniture, grain, feed, livestock, tools, farm implements, and any and all other personal property sold in or about the year 1933 by Richard M. Arthur to the United States officials in charge of a project located at Arthurdale, W. Va., then under the jurisdiction of the Division of Subsistence Homesteads of the Department of the Interior, and now under the jurisdiction of the Farm Security Administration of the Department of Agriculture.

With the following committee amendments:

Page 1, line 7, strike out the sign and figures "$906.39" and insert in lieu thereof "$593.84."

At the end of the bill add: ": *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BEATRICE LOIS RUCKER

The Clerk called the next bill, H. R. 4412, for the relief of Beatrice Lois Rucker.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. THILL and Mr. SECCOMBE objected and, under the rule, the bill was recommitted to the Committee on Claims.

THOMAS LEWELLYN AND DRUSILLA LEWELLYN

The Clerk called the next bill, H. R. 5388, for the relief of Thomas Lewellyn and Drusilla Lewellyn.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Thomas Lewellyn and Drusilla Lewellyn the sum of $5,000 in full settlement of all claims against the Government for injuries received by them on account of being struck by a Government-owned truck which was being operated by the Civilian Conservation Corps: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Line 6, strike out the sign and figures "$5,000" and insert in lieu thereof "$3,500."

Line 7, strike out the word "Government" and insert in lieu thereof "United States."

Line 8, after the word "struck", insert a comma and add "on December 30, 1935."

Line 10, after the word "Corps", insert "in Indianapolis, Indiana."

Beginning with the word "*Provided*" in line 10, strike out the remaining language of the bill and insert in lieu thereof the following: "*Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STUART BASTOW

The Clerk called the next bill, H. R. 5569, for the relief of Stuart Bastow.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Stuart Bastow, of Lincoln, R. I., the sum of $200 as compensation for services rendered to the Department of Justice in 1935 at the request of said Department for the payment of which services no funds were or are available.

With the following committee amendments:

Line 6, strike out the word "as" and insert in lieu thereof the following language: "in full settlement of all claims against the United States for."

Lines 8 and 9, strike out the language "for the payment of which services no funds were or are available" and insert in lieu thereof: ": *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EDWARD P. GLENN, JR.

The Clerk called the next bill, H. R. 6730, for the relief of Edward P. Glenn, Jr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edward P. Glenn, Jr., of Pittsburgh, Pa., the sum of $44.50, as reimbursement for the loss of personal property belonging to him when left in care of

United States Army authorities for transportation from Fort Slocum, N. Y., to the Philippine Islands, per paragraph 10, Special Order No. 209, Headquarters Third Corps Area, dated August 28, 1934: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$44.50" and insert "$26.63."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLARENCE D. GREEN

The Clerk called the next bill, H. R. 6737, for the relief of Clarence D. Green.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Clarence D. Green the sum of $5,363.85 in full settlement of all claims against the United States for personal injuries received when the private car in which Clarence D. Green was a passenger was struck by a Veterans' Administration facility ambulance on December 22, 1933, on Main Street near the intersection of Bowman Street with Main Street, in Danville, Ill.

With the following committee amendments:

Page 1, after line 5, insert "of Danville, Ill."
Page 1, line 6, strike out "$5,363.85" and insert "$1,863.85."
Page 2, line 1, after "Illinois" insert a colon and the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANCES M. HANNAH

The Clerk called the next bill, H. R. 6889, for the relief of Frances M. Hannah.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frances M. Hannah, of Madera, Calif., the sum of $2,000, in full payment of all claims against the United States for injuries received when the streetcar upon which she was a passenger was in collision with a United States Department of War truck No. 16320 assigned to Civilian Conservation Corps company duty on May 2, 1938, at Fresno, Calif.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$2,000" and insert "$949."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the time, and passed, and a motion to reconsider was laid on the table.

L. S. JONES

The Clerk called the next bill, H. R. 7098, for the relief of L. S. Jones.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $500 to L. S. Jones, rural free delivery route No. 4, Meridian, Miss., to reimburse him for damages to a motor vehicle belonging to him which was rendered practically worthless as the result of a gun battle between special agents of the Department of Justice, aided by local peace officers, and two malefactors, James Earlie Holland and Armand Clay Davis, on April 16, 1939, near Lauderdale, Miss.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 5, strike out "$500" and insert "$400."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FLORENCE CONJARD

The Clerk called the next bill, H. R. 7490, for the relief of Florence Conjard.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HALLECK and Mr. MOTT objected and, under the rule, the bill was recommitted to the Committee on Claims.

EDWARD SMITH

The Clerk called the next bill, H. R. 7852, for the relief of Edward Smith.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that the bill S. 3578, for the relief of Edward Smith, be substituted for the House bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California [Mr. COSTELLO]?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the superintendent of the Tomah Indian Agency, out of any money in the Treasury not otherwise appropriated, the sum of $450 for disbursement under the individual Indian money regulations of the Department of the Interior for the benefit of Edward Smith, or his heirs and assigns, for loss sustained by failure to obtain title to the south half of the southeast quarter of the northeast quarter of section 33, township 24 north, range 3 east, of the fourth principal meridian, in Wisconsin.

Mr. COSTELLO. Mr. Speaker, I ask that the bill be amended by putting in the customary attorney's fee proviso.

The Clerk read as follows:

Amendment offered by Mr. COSTELLO: On page 1, line 12, change the period to a colon and insert the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

A House bill (H. R. 7852) was laid on the table.

A motion to reconsider was laid on the table.

EDWARD C. MACKENROTH

The Clerk called the next bill, H. R. 7856, for the relief of Edward C. Mackenroth.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COSTELLO and Mr. HANCOCK objected and under the rule, the bill was recommitted to the Committee on Claims.

JOHN OWEN

The Clerk called the next bill, H. R. 8252, for the relief of John Owen.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to John Owen, of San Antonio, Tex., out of any money in the Treasury not otherwise appropriated, the sum of $2,712.55 in full settlement of all claims against the Government for rent due and damages to his ranch and cattle in Bexar County, Tex., as a result of the Third Army maneuvers during the period between August 6 and 20, 1938.

With the following committee amendments:

Page 1, line 6, strike out "$2,712.55" and insert "$1,512.30".
Line 7, strike out "Government" and insert "United States".
Line 8, strike out "rent due and".
After line 10, insert a colon and the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time; was read the third time and passed, and a motion to reconsider was laid on the table.

CHARLES E. MOLSTER, J. L. SUMMERS, AND GUY F. ALLEN

The Clerk called the next bill, H. R. 8414, for the relief of Charles E. Molster, former disbursing clerk for the Department of Commerce and the National Recovery Administration; J. L. Summers, deceased, former chief disbursing clerk, Division of Disbursement, Treasury Department, and Guy F. Allen, chief disbursing officer, Division of Disbursement, Treasury Department.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the accounts of Charles E. Molster, former disbursing clerk for the National Recovery Administration, with sums not exceeding $1,901.88, in the aggregate, covering disallowances in his accounts for the period from August 14, 1933, to and including February 28, 1934; the accounts of J. L. Summers, deceased, former chief disbursing clerk, Division of Disbursement, Treasury Department, with sums not exceeding $3,042.90, in the aggregate, covering disallowances in his accounts for the period from March 1, 1934, to and including June 30, 1934; and the accounts of Guy F. Allen, chief disbursing officer, Division of Disbursement, Treasury Department, with sums not exceeding $3,968.13, in the aggregate, covering disallowances in his accounts for the period from July 1, 1934, to and including March 31, 1936.

SEC. 2. That the Comptroller General be, and he is hereby, authorized and directed to credit the accounts of Charles E. Molster, former disbursing clerk of the Department of Commerce, with sums not exceeding $19.33, in the aggregate, covering disallowances in his account during the December quarter, 1931, and with sums not exceeding in the aggregate $316.05, covering disallowances in his accounts for the period from December 8, 1932, to and including February 28, 1934.

SEC. 3. No provision of this act shall relieve any payee from any indebtedness to the United States of America resulting from the disallowances by the Comptroller General of the United States included in the above set forth sums and which are charged against disbursing officers named herein.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADAM JANIEC

The Clerk called the next bill, H. R. 8605, for the relief of the estate of Adam Janiec.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $6,500 to the estate of Adam Janiec, of Passaic, N. J., in full settlement of all claims against the United States Government on account of the death of the said Adam Janiec on August 1, 1939, from injuries sustained while riding on a motorcycle on July 28, 1939, on River Drive, Passaic, N. J., because of negligence on the part of employees of the Work Projects Administration engaged in work on Work Projects Administration project No. 6114–16: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, strike out "$6,500" and insert "$5,000."
Line 8, strike out "the said" and insert "her son."

The committee amendments were agreed to.

The Clerk read as follows:

Committee amendment: Page 1, line 6, strike out "the estate of Adam Janiec" and insert "Mary Janiec."

Mr. COSTELLO. Mr. Speaker, I offer a substitute amendment to the committee amendment.

The Clerk read as follows:

Substitute amendment offered by Mr. COSTELLO to the committee amendment: In line 6, strike out "the estate of Adam Janiec" and insert in lieu thereof "Mary Janiec and Ignatz Janiec," and amend the title.

The substitute amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Mary Janiec and Ignatz Janiec."

HAROLD C. PREBLE

The Clerk called the next bill, H. R. 8708, for the relief of Harold C. Preble, naval architect.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed $79.17, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, Harold C. Preble, naval architect, for the value of personal effects lost in the disaster to the United States submarine *Squalus*, on May 23, 1939: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHARLES F. KEGEL

The Clerk called the next bill, S. 764, for the relief of Charles F. Kegel.

Mr. BOLLES, Mr. MOTT, and Mr. HANCOCK objected and, under the rule, the bill was recommitted to the Committee on Claims.

DR. HUGH G. NICHOLSON

The Clerk called the next bill, S. 881, for the relief of Dr. Hugh G. Nicholson.

Mr. BOLLES and Mr. MOTT objected and, under the rule, the bill was recommitted to the Committee on Claims.

HARRIETT BOSWELL

The Clerk called the next bill, S. 1024, for the relief of Harriett Boswell, guardian of Betty Fisher.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harriett Boswell, of Paducah, Ky., guardian of Betty Fisher, the sum of $3,000 in full settlement of any claim of Harriett Boswell, guardian of Betty Fisher, against the United States for personal injuries caused Betty Fisher on January 21, 1937, by the negligent operation of a truck owned by the United States Government and driven by one of the employees in the Soil Conservation Service, which was at the time using said truck: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding.

Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 7, strike out "$3,000" and insert "$2,500."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EARLE EMBREY

The Clerk called the next bill, S. 2209, for the relief of Earle Embrey.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BOLLES. I object, Mr. Speaker.

There being no further objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Earle Embrey, of New Albany, Ind., the sum of $679.86, in full satisfaction of his claim against the United States for a refund of social-security taxes paid by him during the year 1938, under a misinterpretation of the provisions of title IX of the Social Security Act with respect to credit for the amount of contributions paid into an unemployment fund under a State law: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. COSTELLO. I object, Mr. Speaker.

Mr. EBERHARTER. Mr. Speaker, a point of order. The objection comes too late. There was only one objection, and the Clerk had read the bill.

The SPEAKER pro tempore. The Chair will state that when the Chair asked if there was objection to the present consideration of the bill only one Member rose in his place and objected. In the opinion of the Chair, the second objection came too late.

The bill was ordered to be read a third time, was read the third, and passed, and a motion to reconsider was laid on the table.

JOSEPH F. TONDRE

The Clerk called the next bill, S. 2250, for the relief of Joseph F. Tondre.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General is authorized and directed to allow credit in the accounts of Joseph F. Tondre, former United States marshal for the district of New Mexico, in the sum of $145.27, representing certain payments made by him during the period 1930 to 1933, inclusive, credit for which was disallowed by supplemental certificate of settlement No. G–88033–J, dated March 23, 1938.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NADINE SANDERS

The Clerk called the next bill, S. 3044, for the relief of Nadine Sanders.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Nadine Sanders, Santa Fe, N. Mex., the sum of $500. The payment of such sum shall be in full settlement of all claims against the United States for damages sustained by the said Nadine Sanders on account of personal injuries received on February 13, 1937, when the automobile in which she was riding was struck in Santa Fe, N. Mex., by a Soil Conservation Service truck: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANDREW OLSON

The Clerk called the next bill, S. 3061, for the relief of Andrew Olson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Andrew Olson, of Port Townsend, Wash., the sum of $26, in full satisfaction of his claim against the United States for compensation for services rendered while employed as a laborer at the Marrowstone Point Light Station, Washington, from September 7 to September 15, 1939, such compensation having been withheld from him for the reason that he was not a citizen of the United States during such period: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMISION MIXTA DEMARCADORA DE LIMITES ENTRE COLOMBIA Y PANAMA AND FOR THE RELIEF OF JOSE ANTONIO SOSSA D.

The Clerk called the next bill, S. 3196, to amend the act approved May 24, 1938, entitled "An act for the relief of the Comision Mixta Demarcadora de Limites Entre Colombia y Panama," and for the relief of Jose Antonio Sossa D.

Mr. BOLLES. Mr. Speaker, I object.

There being no further objection, the Clerk read the bill as follows:

Be it enacted, That the Act entitled "An act for the relief of the Comision Mixta Demarcadora de Limites Entre Colombia y Panama," approved May 24, 1938 (52 Stat. 1317, ch. 271), be and the same is hereby, amended to read as follows:

"That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Government of Colombia the sum of $1,981.30, and to the Government of Panama the sum of $550.25, amounting in all to $2,531.55, in full settlement of all claims against the United States by the Government of Colombia, by the Government of Panama, and by the Comision Mixta Demarcadora de Limites Entre Colombia y Panama, an agency now dissolved, heretofore created by and functioning under and on behalf of such Governments, for damages to cargo sustained and expenses incurred by said commission as a result of a collision on December 7, 1936, in the Bay of Panama between the motor launch *Don Bosco*, chartered by the commission, and Panama Railroad barge No. 205, operated by the Signal Corps, United States Army."

SEC. 2. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jose Antonio Sossa D, owner of the motor launch Don Bosco, the sum of $1,398.46, such payment to be made as an act of grace and not to be construed as a precedent, in full and final settlement of all claims against the United States for damages, including the cost of repairs to the hull, machinery, and other equipment of the said motor launch Don Bosco, and for other damages sustained by the said owner, resulting from and due to the same collision described in section 1 of this Act.

With the following committee amendment:

Page 2, line 19, strike out the language "$1,398.46, such payment to be made as an act of grace and not to be construed as a precedent" and insert in lieu thereof "$699.23."

At the end of the bill add: ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

Mr. COSTELLO. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. COSTELLO as an amendment to the committee amendment: On page 2, line 19, strike out "$1,398.46, such payment to be made as an act of grace and not to be considered as a precedent," and insert in lieu thereof "$1,398.46."

The amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROY F. LASSLY

The Clerk called the next bill, S. 3306, for the relief of Roy F. Lassly, former Acting Chief Disbursing Clerk, Department of the Interior.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Roy F. Lassly, former Acting Chief Disbursing Clerk, Department of the Interior, the sum of $500.70 public funds for which he is accountable, and which were paid to the Union Paving Co. for construction work and disallowed by the Comptroller General of the United States: *Provided*, That no part of this amount shall be charged to any person other than the payee.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEWIS STATE BANK OF TALLAHASSEE, FLA.

The Clerk called the next bill, S. 3337, for the relief of the Lewis State Bank of Tallahassee, Fla.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any available "outstanding liabilities" appropriation, the sum of $117.27 to the Lewis State Bank of Tallahassee, Fla., in full satisfaction of its claim against the United States arising out of two checks drawn upon the Treasurer of the United States, payable to William Davis, one for $42.90, dated August 26, 1933, and numbered 307502, and the other for $74.37, dated September 9, 1933, and numbered 313059, such checks having been assigned and delivered to the bank in 1933 as security for a loan made in that year to the said William Davis, who disappeared shortly after receiving the loan and whose endorsement on said checks the bank has therefore been unable to secure: *Provided*, That the Lewis State Bank of Tallahassee, Fla., shall file with the Secretary of the Treasury a bond, to indemnify the United States, in such form and amount and with such surety, sureties, or security as the Secretary of the Treasury shall require: *Provided further*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to cancel any claim which William Davis may have under section 21 of the Permanent Appropriation Repeal Act, 1934 (48 Stat. 1235; U. S. C., title 31, sec. 725t), on account of two United States Treasury checks payable to William Davis, one for $42.90 dated August 26, 1933, and numbered 307502, and the other for $74.37 dated September 9, 1933, and numbered 313059.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

WILLIAM SINNOTT

The clerk called the next bill, S. 3813, to authorize the presentation of a Congressional Medal of Honor to William Sinnott.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the President is authorized to present, in the name of Congress, a medal of honor to William Sinnott, a detective, who in guarding Franklin D. Roosevelt, then President-elect of the United States, at Miami, Fla., on February 15, 1933, was shot and wounded by Guiseppe Zangara, who attempted to assassinate said Franklin D. Roosevelt.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That the President is authorized to present a special gold medal to William Sinnott, a detective, who in guarding Franklin D. Roosevelt, then President-elect of the United States, at Miami, Fla., on February 15, 1933, was shot and wounded by Guiseppe Zangara, who attempted to assassinate said Franklin D. Roosevelt."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill to authorize the presentation of a special gold medal to William Sinnott."

EDWIN FORSMAN

The Clerk called the bill (H. R. 2070) for the relief of Edwin Forsman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edwin Forsman, Mound, Minn., the sum of $600. Such sum is the amount of a fine paid to the United States by the said Edwin Forsman, pursuant to a conviction in the United States District Court for the District of Minnesota prior to the receipt of the remission of such fine, signed by the President of the United States. The said Edwin Forsman served an additional period of imprisonment in lieu of the payment of such fine, but, nevertheless, was compelled to pay the fine before receiving the remission in order to secure a loan to prevent the loss of his farm.

With the following committee amendments:

Page 1, line 6, strike out "such sum is the amount of" and insert, "in full settlement of all claims against the United States growing out of."

At the end of the bill change the period to a colon and insert: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANGIE WARD

The Clerk called the bill (H. R. 2489) for the relief of Angie Ward.

The SPEAKER pro tempore. Is there objection?

Mr. BOLLES. Mr. Speaker, I object.

The SPEAKER pro tempore. Only one objection. The Clerk will report the bill:

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Angie Ward the sum of $1,000 in full settlement of all claims against the Government of the United States for injuries received by her on account of and resulting from injury received on October 22, 1934, by a tractor running over her foot, said tractor being driven by Victor Preece, an employee of the Civilian Conservation Corps; said accident and injury occurring near the residence of Paris Penix in Johnson County, Ky.

With the following committee amendments:

Page 1, line 5, after the word "Ward", insert "of Boones Camp, Ky." and in line 6, strike out "$1,000" and insert "$500."

Page 2, at the end of the bill, strike out the period and insert a colon and the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

ELIZABETH L. RILEY

The Clerk called the bill (H. R. 6145) for the relief of Elizabeth L. Riley.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Elizabeth L. Riley, of Buckhorn, Perry County, Ky., the sum of $10,000 in full satisfaction and payment of her claim for personal injuries and impairment of her personal appearance, as well as mental and

physical suffering, and the destruction of her power to perform labor and earn money, resulting from injuries received by her in a collision with a Civilian Conservation Corps truck on a highway on Luckhorn Creek, in Perry County, on May 15, 1937.

With the following committee amendments:

Page 1, line 6, strike out "$10,000" and insert "$3,500", and in line 7, after the word "claim", insert "against the United States."

Page 2, at the end of the bill, strike out the period, insert a colon, and the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLARA E. FREEMAN

The Clerk called the bill (H. R. 6703) for the relief of Clara E. Freeman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Clara E. Freeman, the sum of $30,000 for damages sustained while in the employ of Ernest P. Leavitt, superintendent of the Lassen Volcanic National Park, Calif., in the capacity of nurse, from an explosion of liquefied petroleum gas, which demolished the home of the superintendent which he was renting from the National Park Service.

With the following committee amendments:

Page 1, line 5, after the word "Freeman" insert "of Tehama County, Calif.", and in line 6, strike out "$30,000" and insert "$5,000 in full settlement of all claims against the United States" and in line 11, after the word "gas" insert "on February 5, 1937".

Page 2, after the word "Service", strike out the period, insert a colon and the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

Page 2, strike out the remainder of the bill.

The committee amendments were agreed to, and the bill as amended was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

C. S. HOBSON

The Clerk called the bill (H. R. 7825) for the relief of C. S. Hobson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to C. S. Hobson, of Rison, Ark., the sum of $5,000. The payment of such sum shall be in full settlement of all claims against the United States by the said C. S. Hobson for damage sustained as a result of arsenical poisoning contracted while employed in the field service of the Bureau of Animal Industry, United States Department of Agriculture, during the period from March 10, 1931, to November 30, 1931.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That notwithstanding the provisions and limitations of sections 15 to 20, both inclusive, of the act entitled 'An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes,' approved September 7, 1916, as amended, the United States Employees' Compensation Commission is hereby authorized and directed to receive and consider, when filed, the claim of C. S. Hobson, of Rison, Ark., for disability alleged to have been incurred by him as a result of arsenical poisoning contracted while employed in the field service of the Bureau of Animal Industry, United States Department of Agriculture, during the period from March 10, 1931, to November 30, 1931: *Provided*, That such claim be filed within 6 months after the passage of this act: *And provided further*, That no benefits shall accrue prior to the approval of this act."

The committee amendment was agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EDNA EMERY

The Clerk called the next bill, H. R. 7880, for the relief of Edna Emery.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edna Emery, of 271 Stevens Street, North Andover, Mass., the sum of $2,500 in full settlement of all claims against the Government of the United States for personal injuries and losses sustained by her as a result of an accident September 11, 1937, when her automobile was struck by a United States Army truck from Fort Williams, Maine, at the intersection of Highway 125 (Chickering Road) and Massachusetts Avenue, Andover, Mass., the truck being operated by a member of the Army while in the performance of his duties as a member of said organization:

With the following committee amendments:

Page 1, line 7, strike out "$2,500" and insert "$541.65";

Page 2, after the word "Avenue", insert the word "North";

Page 2, line 4, after the word "organization", insert a colon and the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

NICHOLAS G. KARAS

The Clerk called the next bill, H. R. 8906, to record the lawful admission to the United States for permanent residence of Nicholas G. Karas.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Labor be, and is hereby, authorized and directed to withhold and suspend further proceedings in the case of Nicholas G. Karas, of Pittsburgh, Pa., who has been directed to voluntarily depart from the United States in lieu of an order to deportation; and further that the Secretary of Labor be, and is hereby, authorized and directed to record the admission for permanent residence of the said Nicholas G. Karas in the United States on May 20, 1912, and that he shall for all purposes under the immigration and naturalization laws be deemed to have been admitted as an immigrant for permanent residence.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROY F. LASSLY

Mr. COSTELLO. Mr. Speaker, I ask that the Clerk now call Calendar No. 842, H. R. 7493, which was skipped in the reading.

The SPEAKER pro tempore. Without objection, the Clerk will report the bill.

The Clerk called the bill (H. R. 7493) for the relief of Roy F. Lassly, former Acting Chief Disbursing Clerk, Department of the Interior.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Roy F. Lassly, former acting chief disbursing clerk, Department of the Interior, the sum of $7,533.50, public funds, for which he is accountable, and which were paid by him on fraudulent vouchers prepared by a trusted employee of the National Park Service, Department of the Interior.

With the following committee amendments:

Page 1, line 6, after the figures "$7,533.50," strike out the remainder of the bill and insert: "and in the accounts of Guy F. Allen, chief disbursing officer, Division of Disbursement, Treasury Department, the sum of $20,012.20, public funds for which they are accountable, and which were paid by them on fraudulent vouchers prepared by a trusted employee of the National Park Service, Department of the Interior."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Roy F. Lassly, former Acting Chief Disbursing Clerk, Department of the Interior, and Guy F. Allen, Chief Disbursing Officer, Division of Disbursement, Treasury Department."

FELIX FRANK, ET AL

The Clerk called the next bill, H. R. 4357, for the relief of Felix Frank, his wife, Sarah, and children, Jacob and Pauline.

There being no objection the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws, the Secretary of Labor be, and is hereby, authorized and directed to record the lawful admittance for permanent residence of Felix Frank, his wife, Sarah, and children, Jacob and Pauline, February 1927, and that they shall, for all purposes under the immigration and naturalization laws, be deemed to have been lawfully admitted to the United States as immigrants for permanent residence.

With the following committee amendment:

Page 1, after line 10, insert:
"Upon the enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the Polish quota for the first year that the said Polish quota is available."

Mr. LESINSKI. Mr. Speaker, I think the amendment should cover four people instead of one.

Mr. COSTELLO. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. COSTELLO to the committee amendment: In line 2, page 2, strike out the word "one" and insert the word "four."

The amendment to the committee amendment was agreed to.

The committee amendment was agreed to.

Mr. COSTELLO. Mr. Speaker, I offer a further amendment.

The Clerk read as follows:

Amendment offered by Mr. COSTELLO: Page 1, line 7, after the word "Pauline", strike out "February 1927" and insert in lieu thereof "at El Paso, Tex., on or about July 15, 1927."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GIACOMA CICILA

The Clerk called the next bill, H. R. 5218, for the relief of Giacoma Cicila.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BARDEN of North Carolina and Mr. HANCOCK objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

MARY ALEXINA M'KINNON

The Clerk called the next bill, H. R. 6333, for the relief of Mary Alexina McKinnon.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MOTT and Mr. HANCOCK objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

MRS. O. A. DANNEBERGER

The Clerk called the next bill, H. R. 8304, for the relief of Mrs. O. A. Danneberger.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws Mrs. O. A. Danneberger, of Bethlehem, Pa., the wife of a regularly ordained minister of the gospel, shall be deemed to be entitled to all the benefits of Public Law No. 349, chapter 610, Seventy-sixth Congress, first session, in the same manner and under the same rules and regulations as her husband, O. A. Danneberger.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARTHA PACE

The Clerk called the next bill, H. R. 2117, granting a pension to Martha Pace.

There being no objection, the Clerk read the bill, as follows:

Be it enacted etc., That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Martha Pace, widow of Abner Pace, late of Troop A, Second United States Cavalry, and pay her a pension at the rate of $50 per month.

With the following committee amendment:

Line 8, after the word "of", strike out the figures "$50" and insert in lieu thereof the figures "$30."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARY MERRILL SCOTT

The Clerk called the next bill, H. R. 7860, granting an increase of pension to Mary Merrill Scott.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MOTT and Mr. HANCOCK objected, and, under the rule, the bill was recommitted to the Committee on Invalid Pensions.

AMELIA EISENSTEIN

The Clerk called the next bill, H. R. 4353, for the relief of Amelia Eisenstein.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws, the Secretary of Labor be, and he is hereby, authorized and directed to record the lawful admittance for permanent residence of Amelia Eisenstein, June 7, 1936, and that she shall, for all purposes under the immigration and naturalization laws, be deemed to have been lawfully admitted to the United States as an immigrant for permanent residence.

With the following committee amendment:

Page 1, line 9, add an additional paragraph as follows:
"Upon the enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the Rumanian quota for the first year that the said Rumanian quota is available."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOSEFINA ALVARADO

The Clerk called the next bill, H. R. 4066, for the relief of Josefina Alvarado.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws the Secretary of Labor is hereby authorized and directed to cancel the warrant of arrest and the order of deportation heretofore issued against Josefina Alvarado. Hereafter, for the purpose of the immigration and naturalization laws, such alien shall be deemed to have been lawfully admitted to the United States for permanent residence.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WALTER SITTNER

The Clerk called the next bill, H. R. 9593, for the relief of Walter Sittner.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MOTT and Mr. HALLECK objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

ANTONIO SABATINI

The Clerk called the next bill, H. R. 8163, for the relief of Antonio Sabatini.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws the Secretary of Labor is hereby authorized and directed to cancel the warrant of arrest and the order of deportation heretofore issued against Antonio Sabatini. Hereafter, for the purpose of the immigration and naturalization laws, and notwithstanding the commission of the offense with which he was charged in his native land, that if he can meet the requirements of the naturalization laws, he may be admitted to citizenship and such offense shall not be considered a bar to his naturalization.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FLORENCE CHUMLEY

The Clerk called the next bill, H. R. 8432, for the relief of Florence Chumley.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws the Secretary of Labor be, and is hereby, authorized and directed to cancel the deportation order issued against Florence Chumley, and that Florence Chumley shall not hereafter be subject to deportation for the same cause or causes upon which the present order of deportation is based.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. GUSTAV WEIL ET AL.

The Clerk called the next bill, H. R. 9027, for the relief of Dr. Gustav Weil, Irma Weil, and Marion Weil.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That for the purposes of the immigration and naturalization laws, Dr. Gustav Weil, his wife, Irma Weil, and their minor daughter, Marion Weil, all of New York City, shall be considered to have been lawfully admitted at New York City on September 24, 1938, to the United States for permanent residence.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANCES FOLSOM CLEVELAND PRESTON

The Clerk called the next bill, H. R. 9589, granting a pension to Frances Folsom Cleveland Preston.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to place on the pension roll, the name of Frances Folsom Cleveland Preston, former widow of Grover Cleveland, late a President of the United States, and pay her a pension at the rate of $5,000 per year.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DORA ZLOTNICK

The Clerk called the next bill, H. R. 4383, for the relief of Dora Zlotnick.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BOLLES and Mr. THILL objected and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

JOSEPH BRUEHL

The Clerk called the next bill, H. R. 7823, for the relief of Joseph Bruehl.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MOTT and Mr. HALLECK objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

LOUIS ROSENSTONE

Mr. BATES. Mr. Speaker, I ask unanimous consent to return to No. 717 on the Private Calendar, and the consideration of the bill (H. R. 7955) for the relief of Louis Rosenstone.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts [Mr. BATES]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of the immigration laws, Louis Rosenstone, whose wife and family are permanent residents of the United States, shall be granted a visa and admitted into the United States.

Mr. HANCOCK. Mr. Speaker, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. HANCOCK: Strike out all after the enacting clause, and insert the following: "That notwithstanding the provisions of the Immigration Quota Act of May 26, 1924 (43 Stat. 153), Louis Rosenstone, a native of Rumania, whose wife and family are permanent residents of the United States, shall be granted a visa by an American consul: *Provided*, That he is admissible under all provisions of the immigration laws other than the quota acts referred to herein. Upon the issuance of the visa to the said Louis Rosenstone the Secretary of State shall make appropriate deduction of one quota number from the Rumanian quota."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DAVID MORGENSTERN

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to return to Private Calendar No. 715 and the consideration of the bill (H. R. 8226) for the relief of David Morgenstern.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. DICKSTEIN]?

Mr. BARDEN of North Carolina. Mr. Speaker, reserving the right to object, what is the nature of the bill?

Mr. DICKSTEIN. This is a gentleman who is going to college here studying chemistry. He is a chemist already, as a matter of fact.

Mr. BARDEN of North Carolina. Is there any fraud or perjury connected with this matter?

Mr. DICKSTEIN. No; no fraud or anything of that kind.

Mr. BARDEN of North Carolina. He has not been convicted of murder?

Mr. DICKSTEIN. No.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. DICKSTEIN]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws the Secretary of Labor be, and is hereby, authorized and directed to record the lawful admittance for permanent residence of David Morgenstern in March 1938 and that he shall, for all purposes under the immigration and naturalization laws, be deemed to have been lawfully admitted to the United States as an immigrant for permanent residence.

With the following committee amendment:

On page 2, after line 2, add a new section as follows:

"Upon the enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the Polish quota for the first year that the said Polish quota is available."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

IZAAK SZAJA LICHT

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to return to Private Calendar No. 716, and the consideration of the bill (H. R. 8379) for the relief of Izaak Szaja Licht.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. DICKSTEIN]?

Mr. BARDEN of North Carolina. Mr. Speaker, reserving the right to object.

Mr. DICKSTEIN. The same applies to this bill. There is no criminal record. He came into the country legally.

Mr. BARDEN of North Carolina. He entered the country without committing perjury?

Mr. DICKSTEIN. No perjury, fraud, or anything of that kind.

Mr. BARDEN of North Carolina. Does the gentleman know what reason was assigned for objecting to this bill the first time it was called?

Mr. DICKSTEIN. I cannot say. We filed a supplemental report. We brought the man down here and he appeared before us. We unanimously reported this bill.

Mr. BARDEN of North Carolina. There was practically no information in the report.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. DICKSTEIN]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws, the Secretary of Labor be, and is hereby, authorized and directed to record the lawful admittance for permanent residence of Izaak Szaja Licht on July 21, 1939, and that he shall, for all purposes under the immigration and naturalization laws, be deemed to have been lawfully admitted to the United States for permanent residence.

Upon the enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the Polish quota of the first year that the Polish quota is available.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DEPORTATION OF HARRY RENTON BRIDGES

Mr. SCHAFER of Wisconsin. Mr. Speaker, following the parade, I ask unanimous consent to return to Calendar 762 and the consideration of the bill (H. R. 9766) to authorize the deportation of Harry Renton Bridges, an alien Communist and racketeer.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin [Mr. SCHAFER]?

Mr. MARCANTONIO. Mr. Speaker, I object.

BEATRICE LOIS RUCKER

Mr. GEYER of California. Mr Speaker, I ask unanimous consent to return to Calendar No. 813, the bill (H. R. 4412) for the relief of Beatrice Lois Rucker, for immediate consideration.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Beatrice Lois Rucker or legal guardian of 1824 One Hundred and Fifth Street, Los Angeles, Calif., the sum of $6,000. The payment of such sum shall be in full settleemnt of all claims against the United States on account of personal injuries sustained by Beatrice Lois Rucker when she was struck by the towline of a Navy airplane *7CS9* piloted by Aviation Cadet Moulton B. Taylor, United States Navy, retired, on July 11, 1938.

With the following committee amendments:

Page 1, line 5, strike out "Beatrice Lois Rucker or legal guardian of 1824 One Hundred and Fifth Street" and insert "the legal guardian of Beatrice Lois Rucker, a minor."

Line 8, strike out "$6,000" and insert "$1,000."

Line 9, strike out "settleemnt" and insert "settlement."

Line 11, after "by", insert "the said."

Page 2, line 2, strike out "Navy, retired" and insert "Naval Reserve."

Line 3, after "1938", insert a colon and the following: *"Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LASZLO KARDOS, MAGDOLNA KARDOS, AND GABY KARDOS

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent to return to Calendar No. 727, the bill (H. R. 6680) for the relief of Laszlo Kardos, Magdolna Kardos, and Gaby Kardos, for immediate consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

Mr. BARDEN of North Carolina. Reserving the right to object, Mr. Speaker, will the gentleman explain this bill?

Mr. LESINSKI. These people are motion-picture people brought to California and kept here by the war. They cannot go back to their own country. They are legally here. There is nothing against them. The only thing is that there is no way of their getting back to Europe.

Mr. BARDEN of North Carolina. Does the gentleman mean the boats have quit running?

Mr. LESINSKI. They have quit running there, yes.

Mr. SCHAFER of Wisconsin. Reserving the right to object, Mr. Speaker, was this bill reported out by a unanimous vote of the committee?

Mr. LESINSKI. Yes.

Mr. SCHAFER of Wisconsin. I shall not object.

Mr. BARDEN of North Carolina. Is there not a whole family involved?

Mr. LESINSKI. No; a man, his wife, and a child.

Mr. BARDEN of North Carolina. A man, his wife, and his children?

Mr. LESINSKI. One child; a man, his wife, and one child.

Mr. BARDEN of North Carolina. Where is the hardship involved?

Mr. LESINSKI. There is no way of getting back. They are still here legally. They have their visa and passport and everything. They have no way of getting back to Europe.

Mr. BARDEN of North Carolina. Does the gentleman have a solution to the unemployment problem in this country?

Mr. LESINSKI. These people are independently wealthy, so there will be no hardship.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There being no objection, the clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws, the Secretary of Labor be, and is hereby, authorized and directed to record the lawful admittance for permanent residence of Laszlo Kardos, Magdolna Kardos, and Gaby Kardos, in January 1939, and that they shall, for all purposes under the immigration and naturalization laws, be deemed to have been lawfully admitted to the United States as immigrants for permanent residence.

With the following committee amendment:

At the end of the bill insert a new paragraph, as follows:

"Upon the enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the Czechoslovakian quota, one number from the Rumanian quota, and one number from the Hungarian quota for the first year that said quotas are available."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOSEPH BRUEHL

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to return to Calendar No. 861, the bill (H. R. 7823) for the relief of Joseph Bruehl, for immediate consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. SCHAFER of Wisconsin. Reserving the right to object, Mr. Speaker, will the gentleman briefly explain the bill?

Mr. DICKSTEIN. This alien is legally in the country. He has been before the committee.

Mr. HANCOCK. Mr. Speaker, I demand the regular order. This discussion is entirely out of order.

Mr. MOTT. Mr. Speaker, I object. I think this bill was brought up once and disposed of, and I object.

ADJOURNMENT

Mr. COSTELLO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 4 minutes p. m.) the House adjourned until tomorrow, Friday, June 7, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON MINES AND MINING

The Subcommittee on Mines and Mining that was appointed to consider S. 2420 will continue hearings on Friday,

June 7, 1940, at 10 a. m. in the committee rooms in the New House Office Building.

COMMITTEE ON FOREIGN AFFAIRS

The Committee on Foreign Affairs will meet at 10:30 a. m., Friday, June 7, 1940, to consider H. J. Res. 557, authorizing the President of the United States to purchase or otherwise acquire by peaceful means islands or possessions of non-American nations within the Western Hemisphere.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold a public hearing on Tuesday, June 11, 1940, at 10 a. m., on the following bill:

H. R. 9982, to require, during an emergency, the shipment and discharge of seamen on certain vessels of the United States before shipping commissioners, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1726. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1941 in the sum of $700,000 for salaries and expenses of the Lands Division, Department of Justice (H. Doc. No. 810); to the Committee on Appropriations and ordered to be printed.

1727. A communication from the President of the United States, transmitting an estimate of appropriation for the Prison Industries Reorganization Administration for the fiscal year 1941, amounting to $50,000 (H. Doc. No. 811); to the Committee on Appropriations and ordered to be printed.

1728. A letter from the Acting Secretary of the Interior, transmitting one copy each of certain legislation passed by the Legislative Assembly of the Virgin Islands; to the Committee on Insular Affairs.

1729. A letter from the Acting Secretary of the Interior, transmitting one copy each of certain legislation passed by the Municipal Council of St. Croix; to the Committee on Insular Affairs.

1730. A letter from the Acting Secretary of the Interior, transmitting one copy each of certain legislation passed by the Municipal Council of St. Thomas and St. John; to the Committee on Insular Affairs.

1731. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated May 13, 1940, submitting a report, together with accompanying papers, on a preliminary examination of western shores of Chesapeake Bay from Plum Tree Point, York County, Va., to waters at Hampton Roads, with a view to protecting the navigable waters of Chesapeake Bay and Hampton Roads from shoaling, authorized by the River and Harbor Act approved August 26, 1937; to the Committee on Rivers and Harbors.

1732. A letter from the Secretary of Labor, transmitting a report on Labor in the Territory of Hawaii; to the Committee on the Territories.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. COLMER: Committee on Rules. House Resolution 511. Resolution for the consideration of H. R. 9766, a bill to authorize the deportation of Harry Renton Bridges; without amendment (Rept. No. 2401). Referred to the House Calendar.

Mr. DISNEY: Committee on Ways and Means. H. R. 6207. A bill to amend section 2810 (a), Internal Revenue Code, to exclude petroleum stills from the requirement of registration; without amendment (Rept. No. 2403). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANDOLPH: Committee on the District of Columbia. S. 1128. An act to regulate the practice of professional engineering and creating a board for licensure of professional engineers in and for the District of Columbia; without amendment (Rept. No. 2404). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 9907. A bill to provide for the recording and releasing of liens by entries on certificates of title for motor vehicles and trailers and for other purposes; without amendment (Rept. No. 2405). Referred to the Committee of the Whole House on the state of the Union.

Mr. KELLER: Committee on the Library. House Joint Resolution 369. To provide for the erection of a shrine or monument to the memory of Gen. Andrew Pickens; with amendment (Rept. No. 2406). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROGERS of Oklahoma: Committee on Indian Affairs. S. 2983. An act to authorize the sale of lumber and other forest products obtained from the forests on Indian reservations by Indian enterprises; without amendment (Rept. No. 2407). Referred to the Committee of the Whole House on the state of the Union.

Mr. BUCKLER of Minnesota: Committee on Indian Affairs. S. 3352. An act to amend the act of August 27, 1935 (49 Stat. 2194), and for other purposes; without amendment (Rept. No. 2408). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROGERS of Oklahoma: Committee on Indian Affairs. H. R. 9887. A bill to provide for the disposition of trust or restricted estates of Indians dying intestate without heirs; with amendment (Rept. No. 2410). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANDOLPH: Committee on the District of Columbia. S. 2013. An act to amend the Code of the District of Columbia to provide for the organization and regulation of cooperative associations, and for other purposes; without amendment (Rept. No. 2411). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANDOLPH: Committee on the District of Columbia. H. J. Res. 559. Joint resolution authorizing a reduction in the rate of interest to be paid on certain loans and advances made to the District of Columbia by the United States of America through the Public Works Administration; without amendment (Rept. No. 2412). Referred to the Committee of the Whole House on the state of the Union.

Mr. DEMPSEY: Committee on Rules. House Resolution 514. Resolution for the consideration of S. 3046, an act to extend to certain officers and employees in the several States and the District of Columbia the provisions of the act entitled "An act to prevent pernicious political activities," approved August 2, 1939; without amendment (Rept. No. 2414). Referred to the House Calendar.

Mr. SNYDER: Committee of conference on the disagreeing votes of the two Houses. H. R. 9209. A bill making appropriations for the Military Establishment (Rept. No. 2415). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. RANDOLPH: Committee on the District of Columbia. S. 1560. An act for the relief of Amos B. Cole; without amendment (Rept. No. 2402). Referred to the Committee of the Whole House.

Mr. ROGERS of Oklahoma: Committee on Indian Affairs. S. 3794. An act for the relief of certain Navajo Indians, and for other purposes; without amendment (Rept. No. 2409). Referred to the Committee of the Whole House.

Mr. REES of Kansas: Committee on Immigration and Naturalization. H. R. 4954. A bill for the relief of Rosa Paone; with amendment (Rept. No. 2413). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BATES of Kentucky:

H. R. 10009. A bill to amend section 13 (d) of the Railroad Unemployment Insurance Act; to the Committee on Interstate and Foreign Commerce.

By Mr. BROOKS:

H. R. 10010. A bill to increase the size of the Regular Army of the United States; to the Committee on Military Affairs.

By Mr. DIRKSEN:

H. R. 10011. A bill to prohibit the sale in the District of Columbia of products of convict labor; to the Committee on the District of Columbia.

By Mr. RAMSPECK:

H. R. 10012. A bill to amend the act of June 25, 1938, extending the classified civil service to include postmasters of the first, second, and third classes, and for other purposes; to the Committee on the Civil Service.

By Mr. LEA:

H. R. 10013. A bill to amend the Securities Act of 1933 and the Bankruptcy Act; to the Committee on Interstate and Foreign Commerce.

H. R. 10014. A bill to amend the Transportation Act, 1920, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. BLOOM:

H. R. 10015. A bill to provide for the disposition of estates of American citizens who die abroad; to the Committee on Foreign Affairs.

By Mr. SCRUGHAM:

H. J. Res. 562. Joint resolution to provide within the Civilian Conservation Corps such training of enrollees therein in noncombatant subjects essential to the operations of the Military and Naval Establishments as the President may consider contribute materially to the interests of national defense; to the Committee on Labor.

By Mr. HAWKS:

H. Con. Res. 74. Concurrent resolution to provide for the observance of the one hundredth anniversary of the founding of the first dairy cooperative in the United States; to the Committee on Rules.

By Mr. RANKIN:

H. Con. Res. 75. Concurrent resolution providing for the printing of 20,000 additional copies of the National Electric Rate Book; to the Committee on Printing.

By Mr. HARRINGTON:

H. Res. 512. Resolution to amend certain rules of the House of Representatives; to the Committee on Rules.

By Mr. CANNON of Missouri:

H. Res. 513. Resolution authorizing the printing of the prayers of the Chaplain of the House of Representatives; to the Committee on Printing.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Maine, memorializing the President and the Congress of the United States to consider their memorial concerning agriculture and the tariff policy; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COLE of New York:

H. R. 10016. A bill granting an increase of pension to Mary Jane Tallmadge; to the Committee on Invalid Pensions.

By Mr. CURTIS:

H. R. 10017. A bill granting an increase of pension to Maryette E. Wanamaker; to the Committee on Invalid Pensions.

By Mr. FLANNAGAN:

H. R. 10018. A bill for the relief of Zebulon V. Speas; to the Committee on Claims.

By Mr. GEHRMANN:

H. R. 10019. A bill for the relief of Ernest C. Nolan; to the Committee on Claims.

H. R. 10020. A bill for the relief of Guy W. Paulson; to the Committee on Claims.

H. R. 10021. A bill for the relief of Frank W. Marino; to the Committee on Claims.

By Mr. PATRICK:

H. R. 10022. A bill for the relief of Margaret J. Pow; to the Committee on Claims.

H. R. 10023. A bill to record the lawful admission for permanent residence of Leo Melowski; to the Committee on Immigration and Naturalization.

By Mr. WOODRUM of Virginia:

H. R. 10024. A bill for the relief of Woody L. Craft; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8598. By the SPEAKER: Petition of Morrill Cody Publications, New York City, N. Y., petitioning consideration of their resolution with reference to war and foreign affairs; to the Committee on Military Affairs.

8599. Also, petition of the Hotel and Restaurant Workers Union, Local No. 16, New York City, N. Y., petitioning consideration of their resolution with reference to House bill 9858, concerning immigration legislation; to the Committee on Immigration and Naturalization.

8600. Also, petition of the National Woman's Party, Michigan Branch, Detroit, Mich., petitioning consideration of their resolution with reference to constitutional rights; to the Committee on the Judiciary.

8601. Also, petition of the United States Wholesale Grocers' Association, Inc., Washington, D. C., petitioning consideration of their resolution with reference to House bill 1 and the 1937 Sugar Act; to the Committee on Ways and Means.

8602. By Mr. BUCKLER of Minnesota: Petition of R. R. Livingston, of Moorhead, Minn., and 216 other citizens of that community, petitioning Congress to take such action on House bill 8264, known as the Townsend-plan bill, as shall bring it to a vote before adjournment; to the Committee on Ways and Means.

8603. By Mr. HART: Memorial of the New Jersey State Legislature requesting Congress and the War Department to investigate the conditions at Newark Airport, Newark, N. J., and the feasibility of this airport being placed under Government control as an integral part of the United States national-defense program; to the Committee on Military Affairs.

8604. By Mr. KEOGH: Petition of the Chamber of Commerce of the State of New York, favoring the amended Townsend silver-purchasing bill; to the Committee on Ways and Means.

8605. Also, petition of the Alex Smith Democratic Club, Inc., New York City, urging legislation to outlaw the Communist Party; to the Committee on Rules.

8606. Also, petition of the Broadway Merchants' Chamber of Commerce, Inc., Brooklyn, N. Y., favoring sugar legislation that will protect the jobs of the Brooklyn sugar-refinery workers; to the Committee on Agriculture.

8607. By Mr. PFIEFER: Petition of the Alex Smith Democratic Club, Inc., New York City, urging enactment of suitable legislation to outlaw the Communist Party; to the Committee on Rules.

8608. Also, petition of the United States Wholesale Grocers' Association, Inc., Washington, D. C., urging limitation on tropically refined sugar; to the Committee on Agriculture.

8609. Also, petition of the Broadway Merchants' Chamber of Commerce, Inc., Brooklyn, N. Y., for legislation prohibiting further expansion and curtailing the importation

of tropically refined sugar, thereby protecting the jobs of Brooklyn workers; to the Committee on Agriculture.

8610. Also, petition of the Chamber of Commerce of the State of New York, New York City, urging passage of the Townsend bill to end Government purchase of foreign silver; to the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES

FRIDAY, JUNE 7, 1940

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

For the beauty of the earth, for the glory of the skies, for the vale and tree and flower, for the joy of human love, for its pure and heavenly sacrifice, be pleased, dear Heavenly Father, to accept our prayer of thanksgiving and praise. O Thou who art without beginning and without end, come with us and lead us with a gentle restraint to bear and forbear; deliver us from any mistaken notion concerning Thee, and let us see Thy fatherhood in the likeness of Thine only begotten Son, continuing His revelation to our grateful and wondering hearts. May tomorrow cause us no serious anxiety, but help us to be men of today—strong, urgent, and prompt to serve—that the richest blessings and the greatest good may come to our Republic. In the name of our Saviour, our Elder Brother. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 8096. An act for the relief of certain disbursing officers of the Army of the United States and for the settlement of individual claims approved by the War Department.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 9751. An act for the creation of the United States De Soto Exposition Commission, to provide for the commemoration of the four hundredth anniversary of the discovery of the Mississippi River by Hernando De Soto, the commemoration of De Soto's visit to the Chickasaw Territory in northern Mississippi and other points covered by his expedition, and the two hundred and fifth anniversary of the Battle of Ackia, and for other purposes.

The message also announced that the Senate agrees to the amendment of the House to a joint resolution of the Senate of the following title:

S. J. Res. 59. Joint resolution authorizing the Bureau of Labor Statistics to collect information as to amount and value of all goods produced in State and Federal prisons.

The message also announced that the Vice President had appointed Mr. BARKLEY and Mr. GIBSON, members of the joint select committee on the part of the Senate, as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of executive papers in the following departments and agencies:

First. Department of Agriculture.
Second. Department of Justice.
Third. Department of Labor.
Fourth. Department of the Treasury.
Fifth. Federal Loan Agency.
Sixth. United States Food Administration.
Seventh. Work Projects Administration.

REORGANIZATION OF NAVY DEPARTMENT

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 4026) providing for the reorganization of the Navy Department, and for other purposes, with a House amendment, insist on the House amendment and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. VINSON of Georgia, DREWRY, and MAAS.

CONSTRUCTION OF NAVAL AIRCRAFT AND CERTAIN PUBLIC WORKS

Mr. VINSON of Georgia submitted a conference report and statement on the bill (H. R. 9848) to authorize the construction or acquisition of naval aircraft, the construction of certain public works, and for other purposes.

COMPOSITION OF THE NAVY AND CONSTRUCTION OF CERTAIN NAVAL VESSELS

Mr. VINSON of Georgia submitted a conference report and statement on the bill (H. R. 8026) to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes.

WARRANT AND COMMISSIONED WARRANT OFFICERS IN THE MARINE CORPS

Mr. VINSON of Georgia submitted a conference report and statement on the bill (H. R. 6044) to regulate the number of warrant and commissioned warrant officers in the Marine Corps.

ZOOK PALM NURSERIES, INC.

Mr. CANNON of Florida. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 808) to confer jurisdiction upon the District Court of the United States for the Southern District of Florida to hear, determine, and render judgment upon the claim of Zook Palm Nurseries, Inc., a Florida corporation, with Senate amendments, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 7, after "of", insert "alleged."

Page 2, line 6, strike out "Department. Suit" and insert "Department: *Provided*, That the district judge shall, at a separate hearing, first determine whether or not any release signed by claimant, Zook Palm Nurseries, Inc., and particularly a release dated May 3, 1935, is a complete release of the claim against the Government which the claimant alleges; and whether or not the release agreement contemplated the construction of a dike by the United States Government. Should the judge find that the release was a full and complete one as to the claims herein alleged, or if the judge finds that the release agreement did not contemplate the construction of a dike by the Federal Government, no further proceedings shall be had: *Provided further*, That suit."

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. KEFAUVER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a short speech.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. ANDERSON of Missouri. Mr. Speaker, I ask unanimous consent to extend by remarks in the RECORD and to include therein an editorial from the Times-Herald and a radio speech of Fulton Lewis, Jr.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. BROWN of Georgia. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including a letter regarding national defense and preparedness, which I have received from Dr. John A. Hunnicutt, chairman, and Hon. Dan Magill, secretary of an organization of World War veterans, of Athens, Ga.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

UNIVERSAL SERVICE

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, in the course of an editorial printed by the New York Times this morning on the general subject of universal service, I find the following sentence:

> We believe this should be accompanied by a well considered but drastic kind of taxation designed to prevent a single penny of excess profits from accruing to those manufacturers who fill our Government's defense orders. This is a time for universal service.

One more thought, Mr. Speaker, that has been more and more at the forefront of my mind. There is only one nation in the world for whose destiny we can be wholly responsible. Its defense, its welfare is our duty, and its strength rests in the last analysis on full employment of its people.

COMMITTEE OF SEVENTY MEMBERS ON UNEMPLOYMENT

Mr. IZAC. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. IZAC. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include the report of the Subcommittee on Taxation and Unemployment of the Committee of Seventy.

The SPEAKER. Is there objection?

There was no objection.

Mr. IZAC. Mr. Speaker, about 3 months ago 70 Members of this House united to form an unemployment conference, and we met every Monday night during those 3 months. We divided up into subcommittees. The committee to which I was assigned had to do with taxation affecting unemployment. About a month ago we submitted our final report. I believe it is well worth the perusal of every Member of the House, and I am today taking the liberty of sending to the Committee on Ways and Means the result of our conclusions, which may aid that committee in the formulation of the legislation it is about to present to us. I append hereto the report referred to:

Mr. Chairman and members of the conference, the subcommittee on taxation and unemployment of which I have the honor to be chairman, has made as thorough a study of our subject as is possible in the limited time available prior to the deadline for submitting reports to the conference.

The field of taxation is so broad and so intricate that a comprehensive report would require at least a volume. The brevity of this report should be conclusive proof of our inability to master this subject to which has been given a lifetime of study by those qualified to call themselves experts.

In our preliminary report to the conference we stated that among our studies were included such taxes as gross income and the so-called techno tax. On the latter the committee has reached no conclusion and on the former—the tax on gross income—the committee is in disagreement due partly to the fact that it has been impossible to obtain any convincing figures on the amount of revenue such a tax would produce and the lack of precedent other than the limited experience of Indiana and Hawaii.

A study of the Federal revenue shows that the principal sources for carrying on the functions of the Federal Government are as follows, in round numbers: Corporation taxes, one and one-half billions; individual income, one and one-fourth billions; pay-roll taxes, three-fourth billion; and the following five special taxes each producing around one-half billion dollars annually: (1) Estate and gift; (2) tobacco; (3) liquor; (4) sales; (5) customs.

That gives a total revenue of $6,000,000,000, with a larger amount needed for current Government expenses.

It is evident that unless taxes are to be punitive in nature, no more should be levied than is necessary to run the Government. We agree that in order to keep expenditures in balance with income two steps are necessary: (1) The practice of rigid economy in the conduct of Government, and (2) the levying of sufficient taxes to produce the needed revenue. Some types of taxation, however, are more fruitful of revenue to the Federal Government than of jobs to the unemployed; as for instance pay-roll taxes and such taxes as prevent industry or the individual from freely increasing their business, or making investments which permit the expansion of business.

The necessity for adequate Government revenues being generally accepted, we have limited our research to an examination of the various types of taxation, the imposition of which would increase employment or the exemption from which would have a similar effect.

The subcommittee subscribes to the theory that any just tax should be based first on ability to pay and, second, on benefits received.

It seems obvious to us that where income is, there must be the tax, and we deplore the wholesale practice of political subdivisions and taxing bodies to resort to any tax which, at the moment, seems most likely to yield the needed revenue regardless of equity or the ultimate effect on employment.

We cannot fail to take other than a condemnatory attitude toward those local taxing bodies who resort to this practice. Therefore, in addition to suggesting that most of the recommendations applying to Government taxes be likewise applied to local taxes, we further believe that a most salutary effect on reemployment could be produced by the exemption from all property taxes of a home or farm equity of at least $1,500 for each home owner.

In this same category we might mention the common practice of imposing hidden taxes on the one hand and sales taxes on the other. Both reduce the actual consuming power of the Nation since fully 80 percent of the people could and would consume more if they had more purchasing power. The corollary to this, of course, is that by consuming more of the products of agriculture and of industry, those two great pillars of our national economy will require more hands to furnish the needed supplies.

Rather do we believe that those who receive the greater share of the national income should assume the greater share of the burden of government, both local and national. Therefore we are convinced that one of the surest ways to increase employment is to assure to the family of the low-income group every penny of its hard-earned income that it may buy and consume the maximum of food and clothing and shelter and thus provide jobs for those whom agriculture and industry must hire to furnish that family with these things.

This necessarily will entail an increase in taxes if the legitimate needs of Government are to be met. We are further of the opinion that individual income taxes can be increased without undue hardship. We suggest both a broadening of the base and a rate increase in certain brackets.

By reducing the single person's exemption to $600 of earned income per year and the married couple to $1,000, and by increasing the rate for the middle-income brackets, it is believed that practically all the sales and hidden taxes might be reduced, or even eliminated, and that a balanced Budget would result.

There is no doubt in anyone's mind that the recipient of a net income of $25,000 could well afford to pay a higher rate and still be in a relatively more secure position than is the taxpayer in any other country in the world. A comparison between our present rate and that of the cititzen of Great Britain shows this very conclusively. For instance, a $25,000 net income pays a Federal tax of $2,327. The taxpayer could afford to pay in addition to this the California State income tax and the District of Columbia tax and still pay a total tax to three taxing bodies of just one-half what the resident of London pays, or $3,800 against $7,600.

Other recommendations to equalize and increase the taxes on individuals are as follows:

1. Require husband and wife to file a joint return.
2. Limit the deductibility of taxes and interest on owned homes to a maximum of $500.
3. Replace the present method of allowing interest received from tax-exempt securities as a deduction from gross income by a tax credit on tax-exempt securities.

The same arguments advanced in favor of increased income taxes on individuals hold good in consideration of corporate income taxes. The subcommittee mentions several effective proposals to bring about an increase of revenue from these sources:

1. Revise the corporation income tax on life-insurance companies. Under the present system, life-insurance companies pay only a negligible amount of Federal corporate income taxes.
2. Include in taxable income all interest paid on long-term obligations (beyond 5 years).
3. Treat the interest received on tax-exempt securities as advocated in individual income.

The subcommittee believes that nothing is to be gained by lowering or abolishing such taxes as those on liquor and tobacco, and therefore suggests their retention. Likewise custom duties. However, we are agreed that estate and gift taxes could well be revised upward and that the tax-exempt limit of $40,000 on estates should be reduced to $25,000, and that of $4,000 on gifts be reduced to $2,500.

It is proper at this point to advance the proposal that hereafter the issuance of tax-exempt securities be prohibited. The committee feels thoroughly convinced on this point. There is, of course, no sure way of compelling wealth or those in receipt of the major share of the national income to invest their funds in such a way as to produce greater employment. We believe, however, that it is a most indefensible practice to permit accumulations of wealth to obtain the greatest security in the Nation and at the same time as receiving this protection to pay not one cent for the support of Government which provides this protection.

The magnitude of this tax evasion is understood when it is pointed out that there are billions of tax-exempt securities outstanding today, of which governments alone account for $49,355,900,000.

And of the Government securities thirty-five billions are partially tax-exempt and fourteen and one-half billions completely and entirely tax-exempt. In other words, an individual owning

$1,000,000 worth of these latter securities, from which he receives an income of, say, $30,000 per year, pays not a dollar in taxes. An individual owning $50,000,000 worth of these securities has an income of $4,000 a day and does not contribute a cent to the support of his Government. So it can readily be seen from the figures which we have obtained from the Treasury that these fourteen and one-half billion dollars worth of completely tax-exempt Government securities outstanding today provide an avenue of escape from taxation that is in reality a boulevard.

The members of this subcommittee feel that unless we tax the incomes of those people of the United States who have incomes, neither will we be able to carry on the legitimate functions of Government nor will we ever increase the purchasing power of all the people, which alone can give jobs by increasing the demand for goods and services.

The following two suggestions advanced by certain members of the committee have not received the approval of the majority; but because of their originality and far-reaching effect are offered as part of this report in the hope that their objectives may some day be reached by methods both just and universally approved.

It is estimated that there are at present fifty-seven billions of idle bank deposits in this country, of which thirty billions are time deposits and twenty-seven billions demand deposits. A large proportion of these deposits represent accumulated income which, if put to work in business channels, would give employment to hundreds of thousands of men.

During the period from 1920 to 1930 there was an average annual sum of over $4,200,000,000 that flowed from investors through investment banks into the purchase of newly issued bonds and stocks of business corporations. Undoubtedly these new capital funds created millions of new jobs. But since 1930 there has been an average of only $700,000,000 flowing annually into industries through investment in new securities. This is only one-sixth of the previous amount.

We have wrestled with the problem of how the income held as idle bank deposits and other secreted and idle funds could be released to legitimate enterprise and have come to the conclusion that the only legal way would be by the imposition of a tax on only that share which remains inactive and a suspension of the tax from that share used in productive enterprise.

In order that this tax may not interfere with the building up of a rainy-day reserve for the average citizen, it could be imposed only on those with $10,000 a year or more of taxable income. It would naturally remain with the revenue-imposing body to determine what the mininmum income would be to escape this tax and also to set up a yardstick to determine what share of the taxpayers' income was not respent in a manner that would produce income to others, so that thrift would be encouraged and the mere acquisition of wealth discouraged.

The final suggestion is for the imposition of a tax on debt instruments. When it is considered that practically the whole complicated set-up of courts of equity, and most of civil law, is for the protection of instruments of debt, it seems that the security the holders of such instruments receive should be worth the imposition of a small tax. Especially is this true of short-term debts, which are usually accompanied by high rates of interest and quick turn-over.

While it is true the holders of this debt paper are subject to the regular income tax, a special tax could well be imposed which could be both equitable and just.

The Subcommittee on Taxation thus concludes its final report to the Conference on Unemployment.

Respectfully submitted.

WILLIAM T. BYRNE.
JOHN D. DINGELL.
MERLIN HULL.
ROBERT F. RICH.
ED. V. IZAC, *Chairman.*

EDUCATIONAL EMPLOYEES, PUBLIC SCHOOLS OF DISTRICT OF COLUMBIA

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent for the present consideration of Senate Concurrent Resolution 48, which I send to the desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Senate Concurrent Resolution 48

Resolved by the Senate (the House of Representatives concurring), That the Clerk of the House of Representatives be, and he is hereby, authorized and directed, in the enrollment of the bill (H. R. 9326) to provide educational employees of the public schools of the District of Columbia with leave of absence, with part pay, for purposes of educational improvement, and for other purposes, to make the following change, namely: On page 4, lines 8 and 9, of the engrossed bill, strike out "July 1, 1938", and insert "July 1, 1940."

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the resolution.

The Senate concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

UNITED STATES DE SOTO EXPOSITION

Mr. KELLER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9751) for the creation of the United States De Soto Exposition Commission, to provide for the commemoration of the four hundredth anniversary of the discovery of the Mississippi River by Hernando De Soto, the commemoration of De Soto's visit to the Chickasaw Territory in northern Mississippi, and other points covered by his expedition, and the two hundred and fifth anniversary of the Battle of Ackia, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Illinois asks unanimous consent to take from the Speaker's table the bill H. R. 9751, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference. Is there objection?

Mr. TABER. Mr. Speaker, I object.

Mr. KELLER. What is the reason for the objection?

Mr. TABER. There is an amendment of the Senate to put the Government in the show business, and I do not think we ought to agree to it.

Mr. KELLER. But there is no cost or any money involved.

Mr. TABER. Oh, you cannot tell me that when the Government goes into the show business it does not cost anything. These are times when we ought to avoid going into the show business and fooling away our money.

The SPEAKER. Is there objection?

Mr. TABER. I object.

EXTENSION OF REMARKS

Mr. GILLIE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an editorial from the Fort Wayne News-Sentinel.

The SPEAKER. Is there objection?

There was no objection.

SHIPMENT OF PLANES TO THE ALLIES

Mr. THILL. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

ROOSEVELT LEADING UNITED STATES TO BRINK OF WAR

Mr. THILL. Mr. Speaker, my heart is sad today because President Roosevelt has ordered our modern defense planes shipped to certain of the European belligerents. Now, I detest nazi-ism, fascism, communism, and my hatred for un-American forms of government is only surpassed in intensity by the love I have for my country. But I see my country through inept leadership taken to the brink of war. No specious legal reasoning can put a halo of neutrality around Roosevelt's order to place the equipment of our fighting forces at the disposal of certain warring nations, because such action signifies an intent to create a state of war. It is our sacred duty to stay in session, and I have introduced a resolution to that effect so we might remain here and do all in our power to preserve peace for the United States. [Applause.]

FINAL ADJOURNMENT

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. TREADWAY. Mr. Speaker, I was very much surprised to read in the morning paper that the President recommends that the Congress adjourn sine die 2 weeks from tomorrow. I object to following that advice. He added to that statement that if there was a need for it he would call us back into session. Mr. Speaker, I prefer to have my constituents, rather than the President, judge whether there is need of our being in session or whether we should go home and simply wait to have him call us back. We know he will not do it, because all he wants is the authority to run the country without any aid from this body. I seriously object to acceding to any such proposal.

The President for a long time has been telling the country that it is in the midst of a great emergency. We fully agree with that admonition and feel that Congress should remain in session to share the responsibility. If the situation becomes more alarming there is no telling what grave questions will arise which must be resolved promptly. It takes time to reconvene Congress once it has adjourned sine die, and I submit the public welfare necessitates our remaining in session. [Applause.]

The SPEAKER. The time of the gentleman from Massachusetts has expired.

REPRESENTATIVE JENKS OF NEW HAMPSHIRE

Mr. PLUMLEY. I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. PLUMLEY. Mr. Speaker, I am pleased to announce, and I know the Members will all be glad to hear, that reports with respect to our colleague the gentleman from New Hampshire [Mr. JENKS] are exaggerated insofar as the seriousness of his illness is concerned. Everyone to the contrary notwithstanding, the facts are that he sat around here yesterday in this air-cooled Chamber and in the latter part of the afternoon took a ride out through the different areas here. As the medicos say that ride in the intense heat superinduced an intestinal and stomach upset. If he had his way, he would be up here now. I hope they will be able to keep him for a day or two down at the hospital. [Applause.]

The SPEAKER. The time of the gentleman from Vermont has expired.

NO MORE DEMOCRATS

Mr. BARTON of New York. Mr. Speaker, I ask unanimous consent to proceed for 15 seconds.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BARTON of New York. Mr. Speaker, this morning I received a communication from a valued constituent, a colored lady in my district who is a cook. She utters this piece of profound wisdom:

Every time we gets a Democrat we gets a war. We can't have no more Democrats.

[Laughter and applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. STEARNS of New Hampshire. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial from the Louisville Courier-Journal.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SCHIFFLER. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial from the Wheeling Intelligencer.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HESS. Mr. Speaker, I ask unanimous consent to extend my remarks and include two editorials in the Appendix.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AERIAL WARFARE TRENDS PREDICTED 47 YEARS AGO

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks by including therein a brief excerpt.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HINSHAW. Mr. Speaker, at a meeting of the International Congress of Engineers held in Chicago, Ill., during August 1893, which was 47 years ago, an Englishman, Maj. J. D. Fullerton, of the Royal Engineers, accurately predicted the military significance of aerial warfare, although the first airplane did not leave the ground until 10 years later, in 1903. The following quotations, being Major Fullerton's conclusions at the close of his address, delivered in 1893, were copied from the printed copies of the proceedings reporting the meeting of the International Congress of Engineers immediately after the meeting in 1893, and the original copies are now on file in the library of the War College at Washington, D. C.:

11. To sum up:

First. It seems quite probable that in the near future aerial warfare will have to be counted upon.

Second. This will, practically speaking, revolutionize the art of war.

Third. Owing to the high rate of speed which airships will attain, it will be necessary for all nations to maintain themselves ready for war at very short notice.

Fourth. The nations most affected by the introduction of aerial warfare will be those who depend for their defense upon navies.

Fifth. As the aerial ships will be, comparatively speaking, inexpensive, the small nations will be able to equip themselves with them.

Sixth. Owing to the possibility of war at very short notice, a larger proportion of the nation will have to be kept under arms.

Seventh. Warfare by sea and land will only be possible when a nation has command of the air.

Mr. Speaker, if a military engineer could so accurately foretell the effect of aircraft upon warfare 10 years before the first aircraft left the ground, is there any excuse for the present muddling and blind misunderstanding and apparent bullheaded disregard on the part of some high ranking strategists in our armed forces, to say nothing of other armed forces in the world, of the absolute necessity for reorganization of our defense plans. A powerful fleet is still a necessity, but a fleet is no more important to aerial warfare than is Boulder Dam to a flock of birds, and to follow that simile, I say we need fighting eagles not trumpeter swans. [Applause.]

[Here the gavel fell.]

OUR FOREIGN POLICY

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CURTIS. Mr. Speaker, I rise to point out to the country and to the House that up to this hour foreign nations have committed no act against the United States, yet we are being rapidly plunged toward war. The present administration are and have been interfering with the internal affairs of Europe. America cannot attempt to police Europe and remain at peace. America is today violating international law.

On September 21, 1939, this Nation was urged to go back to international law, and a solemn promise was made that "our acts must be guided by one single, hard-headed thought—keeping America out of this war." Is that going to be just another broken promise?

I want the mothers and fathers and the young men of my district to know that I am opposed to America entering the war, and I do not want a single American boy sacrificed on Europe's battlefields. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein an editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DOUGLAS. Mr. Speaker, I ask unanimous consent to extend my remarks and include a letter.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

INFORMATION FROM THE WAR ZONES

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I am a member of the Foreign Affairs Committee, and as a member I feel we should not have to depend upon radio commentators from abroad and newspapers in this country for our information as to what is going on in the war zones. We should

be given even hourly bulletins by the State Department to keep us in touch with all phases of the situation. Therefore I have introduced a resolution of inquiry, which is as follows:

Resolved, That the President of the United States is hereby requested, if not incompatible with the public interests, to transmit to the House of Representatives for the information of its Committee on Foreign Affairs the essential substance of all reports and communications received by him or by the Department of State, from diplomatic sources, or otherwise, concerning conditions in war zones in foreign countries and their repercussions upon neutral and nonbelligerent countries, including those within the Western Hemisphere.

I expect that information within a week, Mr. Speaker, as it is a privileged resolution. [Applause.]

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. MILLER. Mr. Speaker, I ask unanimous consent that on next Tuesday, at the conclusion of the business on the Speaker's table and the legislative program of the day, I may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. WILLIAMS of Delaware. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein two editorials from the Journal-Every Evening, a Wilmington paper.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

NEWARK AIRPORT

Mr. VREELAND. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. VREELAND. Mr. Speaker, on Monday last I brought to the attention of the House the closing of what was once the world's foremost airport, known as the Newark Airport, at Newark, N. J. In closing it, it represents an expenditure of $11,000,000 of the taxpayers' money that is lying idle at the present time, with no use except for the National Guard units. I am today introducing a resolution requesting the War Department to make immediate negotiations for the control and operation of this airport. In my limited knowledge of military operations, I believe it to be a strategic airport for the defense of the port of New York, it being the only adequate and completely equipped airport within close proximity to Fort Hancock, the coast defense of the entrance to that harbor. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a letter I have received from the vice president of the Columbia Broadcasting System, together with regulations which the radio industry has imposed upon themselves for the handling of war news. I am advised by the Committee on Printing that this will be just within or just over the limit, but I ask unanimous consent to extend those remarks if they do exceed the limit.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

By unanimous consent, Mr. BENDER was granted permission to revise and extend his own remarks.

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address recently delivered by the president of Harvard University.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ROUTZOHN asked and was given permission to extend his own remarks in the RECORD.

Mr. LANDIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article on vocational education.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

HARRY R. BRIDGES

Mr. THOMAS F. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include therein an editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. THOMAS F. FORD. Mr. Speaker, I rise to make a few observations on the so-called Allen bill on the grounds that this measure is a bill of attainder and clearly violates article I, section 9, of the Constitution of the United States. I quote:

Article I, section 9, of the Constitution says: "No bill of attainder or ex post facto law shall be passed. A bill of attainder is defined as follows:

A bill of attainder is a legislative act which inflicts punishment without a judicial trial. If the punishment be less than death the act is termed a bill of pains and penalties. Within the meaning of the Constitution bills of attainder include bills of pains and penalties. A bill of attainder may affect the life of an individual or may confiscate his property, or may do both. In passing such an act the legislative body, in addition to its legitimate functions, exercised the powers and office of judge; it assumes, in the language of the textbooks, judicial magistracy; it pronounces upon the guilt of the party, without any of the forms or safeguards of trial; it determines the sufficiency of the proofs produced, whether conformable to the rules of evidence or not; and it fixes the degree of punishment in accordance with its own notions of the enormity of the offense.

The issue is clearly stated in the following editorial from the Washington (D. C.) Post of May 30, 1940. Again I quote:

STRIKING AT DEMOCRACY

A bill by Representative ALLEN of Louisiana calls for the deportation of Harry R. Bridges, west coast labor leader. Naturally protests have come from the defense committee formed when Bridges was facing deportation proceedings. But the larger issue raised by this proposal is whether a breach shall be made in the Constitution to strike at a leader of the C. I. O.

James M. Landis, dean of the Harvard Law School, presided for many weeks at hearings to determine whether Mr. Bridges was deportable as an enemy of the established political order. Mr. Landis concluded that the tactics followed by the C. I. O. labor leader were not revolutionary but in accord with democratic principles. The case against Mr. Bridges was accordingly dropped and there is no excuse for treating him as other than a law-abiding citizen.

The Allen bill is plainly unconstitutional and it seems entirely unlikely that it will receive serious consideration. However, it is well to call attention to the extremes to which some Members of Congress are prepared to go to rid the country of aliens whom they regard as undesirable.

The framers of the Constitution were aware of the dangers of permitting the legislature to punish individuals without benefit of trial. Hence they forbade Congress to pass bills of attainder—bills that are species of extrajudicial procedure, for the direct punishment of political offenders.

It does not require a knowledge of constitutional law to realize the enormity of a proposal that would condemn a man to deportation by a mere legislative decree. Lightning thus invoked might strike anybody who happened to incur the displeasure of Congress. It would not be necessary to limit attacks to aliens whose radical views and union activities have made them objects of dislike and suspicion to influential groups.

Even Mr. Bridges' worst enemies would have cause to regret his departure if it were effected by ignoring constitutional prohibitions against the kind of legislation Representative ALLEN has proposed.

TAX ON BRANDY AND WINE SPIRITS

Mr. BUCK. Mr. Speaker, I call up the bill (H. R. 9117) to eliminate the tax on brandy and wine spirits used in the fortification of wine; to increase the tax on wine; to compensate for the loss of revenue occasioned by the elimination of the tax on brandy and wine spirits used in the fortification of wine; and for other purposes, and ask for its consideration in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman from California kindly explain the bill?

Mr. BUCK. This is a bill that has been reported unanimously by the Committee on Ways and Means. Its purpose is to simplify procedure in the collection of taxes on sweet wine. This will benefit the wine producers and Treasury Department alike. We propose to eliminate the present tax on the brandy which is used in fortifying sweet wines. The present tax on brandy is 10 cents a gallon. One gallon of brandy is used in fortifying about 3 gallons of wine. The tax

on finished sweet wine at the present time is also 10 cents a gallon. This makes the tax on the finished product about 13½ cents a gallon, including the fortifying tax.

It is proposed in this bill to consolidate these two taxes and to raise the tax on the finished sweet wine product to 15 cents a gallon. The bill has the approval of the wine interests who have been bothered by the fact that the collection of the tax on brandy has been postponed for 18 months by law. The Treasury Department is also concerned over the failure to collect a great many of these taxes due to the deferring of this tax for 18 months.

The net increase in revenue, let me tell the gentleman, who I see is on the floor, the net increase in revenue to the Government will be about $750,000 a year; perhaps after the first year much more than that.

The reason our committee wants to get this bill through at the present time ahead of the general tax bill that we expect to introduce is that in that tax bill we propose to increase all excise taxes by at least 10 percent. The wine people are perfectly agreeable to an additional tax for 5 years for defense purposes of 10 percent over and above the increase we are putting on in this bill.

Mr. JENKINS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. BUCK. I yield.

Mr. JENKINS of Ohio. So there may be no misunderstanding, some of the Members talked to me about this and I have tried to explain it to them in this way—that there is no controversy between any groups of spirit makers, or between the champagne people, or anyone else.

Mr. BUCK. This has nothing to do with champagne at all.

Mr. JENKINS of Ohio. It is simply a proposition to combine these two taxes and make the final product more readily taxable.

Mr. BUCK. It makes the tax payable at one time when the wine is withdrawn from bonded warehouses.

Mr. JENKINS of Ohio. What effect will it have with reference to the proposed tax bill?

Mr. BUCK. The point of passing this bill at the present time is to make this a law before the passage of the general tax bill so we can use the changed base structure as the base upon which we will impose the additional percentage to be levied by the new tax bill.

Mr. JENKINS of Ohio. By doing it in this way no one escapes any taxes.

Mr. BUCK. No. This is an increase of revenue to the Government.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield further?

Mr. BUCK. I yield.

Mr. MARTIN of Massachusetts. The Department made certain recommendations which they said should be incorporated in the bill if it was to receive their support. Were those recommendations carried out in the bill?

Mr. BUCK. Certain amendments were proposed to the bill with reference to the effective date and the addition of section 5 giving the Department power to enforce regulations.

Mr. MARTIN of Massachusetts. Were the Department's suggestions carried out in the bill?

Mr. BUCK. Their suggestions were carried out.

Mr. FISH. Mr. Speaker, will the gentleman yield?

Mr. BUCK. I yield.

Mr. FISH. I would like to inquire whether on completion of this bill we shall go back to the 1-minute rule? Several Members were denied opportunity to submit their requests.

Mr. BUCK. Mr. Speaker, I do not understand what the gentleman is driving at.

Mr. FISH. To approach it in another way, how much time will this bill take?

Mr. BUCK. Not any time at all. I am going to move the previous question as soon as Members on your side are through asking questions.

Mrs. ROGERS of Massachusetts. Mr. Speaker, reserving the right to object——

Mr. BUCK. Mr. Speaker, I believe this is a privileged bill.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. BUCK. I yield.

Mrs. ROGERS of Massachusetts. If this bill is passed will it expedite consideration of the resolution to keep Congress in continuous session? I feel that the Congress should be in session continuously. I offered the first resolution to that effect and I am very anxious that it should be considered and that we should remain in session.

Mr. RAYBURN. Will the gentleman yield?

Mr. BUCK. I yield to the gentleman from Texas.

Mr. RAYBURN. About these resolutions to prevent Congress from adjourning, may I say that if the majority of the House does not want to adjourn, all it has to do is vote down the resolution for a sine die adjournment, which I hope will be offered within 10 days.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. BUCK]?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 3030 (a) (1) (A), Internal Revenue Code, is amended to read as follows:

"(A) Imposition: Upon all still wines, including vermouth, and all artificial or imitation wines or compounds sold as still wine produced in or imported into the United States after February 24, 1919, or which on February 25, 1919, were on any winery premises or other bonded premises or in transit thereto or at any customhouse, there shall be levied, collected, and paid taxes at rates as follows, when sold or removed for consumption or sale:

"On wines containing not more than 14 percent of absolute alcohol, 5 cents per wine-gallon, the percent of alcohol under this section to be reckoned by volume and not by weight;

"On wines containing more than 14 percent and not exceeding 21 percent of absolute alcohol, 15 cents per wine-gallon;

"On wines containing more than 21 percent and not exceeding 24 percent of absolute alcohol, 25 cents per wine-gallon;

"All such wines containing more than 24 percent of absolute alcohol by volume shall be classed as distilled spirits and shall pay tax accordingly.

"Any such wines may, under such regulations as the Commissioner may prescribe, with the approval of the Secretary, be sold or removed tax-free for the manufacture of vinegar, or for the production of dealcoholized wines containing less than one-half of 1 percent of alcohol by volume.

"The taxes imposed by this subparagraph (A) of this paragraph shall not apply to dealcoholized wines containing less than one-half of 1 percent of alcohol by volume; nor, subject to regulations prescribed by the Commissioner, with the approval of the Secretary, to wines produced for the family use of the duly registered producer thereof and not sold or otherwise removed from the place of manufacture and not exceeding in any case 200 gallons per year."

SEC. 2. Section 3030 (a) (2), Internal Revenue Code, is amended to read as follows:

"(2) Sparkling wines, liqueurs, and cordials: Upon the following articles, which are produced in or imported into the United States, after June 26, 1936, or which on the day after such date, are on any winery premises or other bonded premises or in transit thereto or at any customhouse, there shall be levied, collected, and paid, in lieu of the internal-revenue taxes imposed thereon by law prior to such date, taxes at rates as follows, when sold or removed for consumption or sale:

"On each bottle or other container of champagne or sparkling wine, 2½ cents on each one-half pint or fraction thereof;

"On each bottle or other container of artificially carbonated wine, 1¼ cents on each one-half pint or fraction thereof;

"On each bottle or other container of liqueurs, cordials, or similar compounds, by whatever name sold or offered for sale, containing sweet wine, citrus-fruit wine, peach wines, cherry wine, berry wine, apricot wine, prune wine, plum wine, pear wine, or apple wine, fortified, respectively, with grape brandy, citrus-fruit brandy, peach brandy, cherry brandy, berry brandy, apricot brandy, prune brandy, plum brandy, pear brandy, or apple brandy, 1¼ cents on each one-half pint or fraction thereof.

"Any of the foregoing articles containing more than 24 percent of absolute alcohol by volume (except vermouth, liqueurs, cordials, and similar compounds made in rectifying plants and containing tax-paid sweet wine, citrus-fruit wine, peach wine, cherry wine, berry wine, apricot wine, prune wine, plum wine, pear wine, or apple wine, fortified, respectively, with grape brandy, citrus-fruit brandy, peach brandy, cherry brandy, berry brandy, apricot brandy, prune brandy, plum brandy, pear brandy, or apple brandy) shall be classed as distilled spirits and shall be taxed accordingly.

"The Commissioner, under regulations prescribed by him, with the approval of the Secretary, is authorized to remit, refund, and pay back the amount of all taxes on such liqueurs, cordials, and similar compounds paid by or assessed against rectifiers at the distilled-spirits rate prior to June 26, 1936."

SEC. 3. Section 3031 (a), Internal Revenue Code, is amended to read as follows:

"(a) Withdrawal of spirits for fortification: Under such regulations and official supervision and upon the giving of such notices

and entries as the Commissioner, with the approval of the Secretary, may prescribe, any producer of wines defined under the provisions of this subchapter may withdraw from any fruit distillery or internal-revenue bonded warehouse grape brandy (hereafter in this section included in the term 'brandy'), or wine spirits, for the fortification of such wines on the premises where actually made, and any producer of citrus-fruit wines, peach wines, cherry wines, berry wines, apricot wines, prune wines, plum wines, pear wines, or apple wines (hereafter in this section included in the term 'wines') may similarly withdraw citrus-fruit brandy, peach brandy, cherry brandy, berry brandy, apricot brandy, prune brandy, plum brandy, pear brandy, or apple brandy (hereafter in this section included in the term 'brandy') for the fortification of wines as set forth in section 3032, Internal Revenue Code, on the premises where actually made. The amounts of tax at the rate imposed by law on such brandy or wine spirits shall be charged immediately upon withdrawal against the producer withdrawing the same: *Provided*, That whenever such brandy or wine spirits shall be lawfully used in the fortification of wines and accounted for in the manner provided by law and regulations, the producer shall be credited in the amount of the internal-revenue tax on so much of the brandy or wine spirits so withdrawn as was so used. Every producer of wines who withdraws such brandy or wine spirits shall give bond to fully cover at all times the payment of the internal-revenue tax at the rate imposed by law due on such brandy or wine spirits, which bond shall be in such form as the Commissioner, with the approval of the Secretary, shall, by regulations, prescribe. On and after the effective date of this act, the internal-revenue tax on such brandy or wine spirits shall be assessed against the producer of such wines who has withdrawn brandy or wine spirits for use in the fortification of such wines when such brandy or wine spirits are not lawfully used in the fortification of wines, or when such brandy or wine spirits are not so accounted for in the manner provided by law and regulations as to warrant remission of the tax.

"Nothing contained in this section shall be construed as exempting any wines, cordials, liqueurs, or similar compounds from the payment of any tax provided for in this subchapter.

"Any such wines may, under such regulations as the Commissioner may prescribe, with the approval of the Secretary, be sold or removed tax-free for the manufacture of vinegar, or for the production of dealcoholized wines containing less than one-half of 1 percent of alcohol by volume.

"The taxes imposed by this subchapter shall not apply to dealcoholized wines containing less than one-half of 1 percent of alcohol by volume."

SEC. 4. Upon the filing of a claim therefor by the proprietor of any bonded winery or bonded storeroom in which there was stored on June 30, 1940, or to which there was in transit on that date, wine lawfully fortified with brandy or wine spirits, and containing 14 percent or more of absolute alcohol by volume, but not more than 24 percent or more of absolute alcohol by volume, the Commissioner of Internal Revenue is authorized to issue to such proprietor suitable documents entitling such proprietor to a credit of 5 cents per gallon in respect of each gallon of such fortified wine which the Commissioner shall find was on such proprietor's bonded winery or bonded storeroom premises on June 30, 1940, or in transit thereto. The amount of such credit shall be allowed in whole or in part in the purchase of wine stamps. The claim shall be supported by an inventory, prepared and filed by the proprietor in such form and manner as the Commissioner of Internal Revenue shall prescribe by regulations, approved by the Secretary of the Treasury, and by such other proof as the Commissioner may from time to time require. The aforesaid credit to the proprietor may be transferred by the proprietor to whom issued to the proprietor of any other bonded winery or bonded storeroom. All claims under this section must be filed on or before October 1, 1940.

With the following committee amendments:

Page 1, line 3, strike out "That" and insert "That, effective July 1, 1940."

Page 1, line 8, strike out "February 24, 1919" and insert "June 30, 1940."

Page 2, line 1, strike out "February 25, 1919" and insert "July 1, 1940."

Page 3, line 8, strike out "Section" and insert "Effective July 1, 1940, section."

Page 3, line 13, strike out "June 26, 1936" and insert "June 30, 1940."

Page 3, line 14, strike out "the day after such date" and insert "July 1, 1940."

Page 4, line 25, strike out "Section" and insert "Effective July 1, 1940, section."

Page 6, line 8, strike out "the effective date of this act" and insert "July 1, 1940."

Page 7, line 7, strike out "14 percent or more of absolute alcohol by volume, but not more than 24 percent or more" and insert "more than 15 percent of absolute alcohol by volume, and not exceeding 24 percent."

Page 8, at the end of the bill, add a new section, as follows:

"SEC. 5. The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe and publish all needful rules and regulations for the enforcement of this act."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXPORTATION OF WAR MATERIALS

Mr. FISH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. FISH]?

There was no objection.

Mr. FISH. Mr. Speaker, article VI of the Hague Convention of 1907, concerning the rights and duties of neutral powers in naval war, provides:

> The supply, in any manner, directly or indirectly, by a neutral power to a belligerent power, of warships, ammunition, or war materials of any kind whatever is forbidden.

Both the United States and Germany are parties to this convention. The Senate of the United States ratified it as a treaty and it is therefore the law of the land.

The action of President Roosevelt yesterday in opening wide our Government-owned arsenals to the Allies is a direct violation of our treaty obligations and puts us in the class with other treaty violators. We have always prided ourselves in upholding treaty obligations and have condemned nations that have broken them.

President Roosevelt's action is a most dangerous step, and the last step that can possibly be taken before being involved in the war. The people of America should know that the Congress is overwhelmingly opposed to our entrance into any foreign war unless we are attacked by some foreign nation.

The Senate of the United States gave its advice and consent to the adherence of the Hague Convention on April 17, 1908. The adherence was declared by the President on February 23, 1909, and the instrument was deposited with the Netherlands Government on November 27, 1909. It is still in full force and effect as a treaty of the United States. [Applause.]

PERMISSION TO ADDRESS THE HOUSE

Mr. SECREST. Mr. Speaker, I ask unanimous consent to address the House for 15 minutes today at the conclusion of the legislative business in order for the day and after any previous special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. SECREST]?

There was no objection.

EXTENSION OF REMARKS

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein certain newspaper articles.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

PROTECTION OF THE NATION'S INTERESTS AND INSTITUTIONS

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my own remarks and to include copy of a bill I am about to introduce.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. SNYDER]?

There was no objection.

Mr. SNYDER. Mr. Speaker, last week I introduced a bill calling for a certain protective set-up for the Mexican border, which was referred to the Committee on Immigration. The chairman of that committee tells me that that committee cannot act on the bill because of other bills. My bill will not be acted upon until some time next year in that event, so today I am revising the bill and I think it will be referred to a real active committee. I am including in my proposed bill not only the Mexican border but the Canadian border.

After we heard what J. Edgar Hoover told us yesterday in reference to what is going on, I want to ask the Committee on Military Affairs to give this bill immediate consideration.

The bill I propose to introduce today is as follows:

> *Be it enacted, etc.*, That with a view to providing more effectively and more efficiently for the care and protection of the Nation's rights, liberties, and institutions, the Secretary of War, in cooperation with the Attorney General, is hereby authorized and directed to establish or build, under the supervision of the United States Army Engineers, such number of observation stations or guard posts

as may be necessary to be built on the territory of the United States adjacent to the border line of the United States and Mexico and the border line of the United States and Canada, and that such observation establishments or guard stations be manned with enlisted men of the United States Army and sufficient Federal Bureau of Investigation agents to properly carry out the intents and purposes of this provision.

SEC. 2. Such station shall be made adequate for the accommodation of such force of observers or guards as may be necessary to insure constant vigil, and shall be provided with such equipment as the Secretary of War in consultation with the Attorney General may determine to be necessary for the purpose for which established, including an intercommunicating system.

SEC. 3. Such appropriation as may be necessary to comply with the provisions of this act are hereby authorized, not to exceed $2,125,000.

EXTENSION OF REMARKS

Mr. PATRICK asked and was given permission to revise and extend his own remarks in the RECORD.

Mr. FADDIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article from the St. Paul Pioneer Press.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. FADDIS]?

There was no objection.

Mr. KELLER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short address by the Assistant Secretary of State.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. KELLER]?

There was no objection.

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a statement from the teachers of my State.

The SPEAKER. Is there objection to the request of the gentleman from Washington [Mr. COFFEE]?

There was no objection.

RESTRICTION OF IMPORTATION OF FOREIGN SECURITIES

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my own remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. CRAWFORD]?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, in the Evening Star of today the headline reads: "United States restricts imports of foreign securities to prevent German dumping," and in the article it is stated:

> Treasury officials said that they were active to prevent dumping in this country's markets of securities that may have been seized from rightful owners in Belgium, Holland, Denmark, Norway, and Luxemburg.

Although coming late, I congratulate the administration on taking this important step.

May 21, 1940, I took the floor of the House under special order and pointed out rather specifically some of the losses our people were suffering and called upon the officials of Government to check selling of captured securities and to furnish us with information as to foreign holdings. Those who are interested will find my remarks on pages 6575 to 6577 of the RECORD. Again on Monday evening June 3, from New York City, I delivered an address over the radio—see the Appendix of the RECORD, pages 3574 and 3575—and again made an appeal for action on the part of our officials to further control this foreign dumping of securities taken from rightful owners though conquest. The Securities Exchange Commission and the Treasury Department know full well that the nationals of conquered countries such as Belgium and Holland have been and are now holders of American securities in vast quantities and this action to restrict imports has not come one moment too early. Let the restrictions be rigidly applied.

PERMISSION TO ADDRESS THE HOUSE

Mr. VORYS of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VORYS of Ohio. Mr. Speaker, in view of the President's unparalleled action in stripping our national defense to send so-called deteriorated or obsolete planes abroad, I would like an answer to two questions from the majority. The first is, Is there any chance that our President is going to send some similarly deteriorated or obsolete soldiers abroad? The second is, Can we receive any assurance as to when these planes that have been taken from our national defense will be replaced? I ask these questions of the majority.

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. VINSON of Georgia. Mr. Speaker, in view of the query made by the gentleman who just preceded me, I will state that the Navy Department has turned back to an aviation company some 50 dive bombers, for the reason that these planes were assigned to reserve aviation units throughout the country, and the officer personnel of these units have been called to active duty, so that there is no need for these planes to be housed at this time at their bases. Whenever the Government needs those planes they will be restored by the aviation company to whom they have been turned back.

Mr. KNUTSON. When will they be restored?

Mr. VINSON of Georgia. It will take about 6 months to get the aviation program under way. The Curtiss Co. can restore them immediately.

Mr. VORYS of Ohio. Will there be no emergency for 6 months?

Mr. BARTON of New York. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from New York.

Mr. BARTON of New York. How old are these planes?

Mr. VINSON of Georgia. These planes are a year old. It is the best trade the Government has made, because we will get modern, up-to-date, improved planes.

[Here the gavel fell.]

Mr. FADDIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FADDIS. Mr. Speaker, I believe anyone who listens to the radio, who reads the press, or who reads the mail that comes across his desk today will have no difficulty in determining that the opinion of this country is overwhelmingly to the effect that the President was right sometime ago when he said the frontiers of this Nation were on the Rhine. [Boos from the Republican side.] You can boo if you want to. Of course, you are attempting to justify the attitude your leaders adopted 20 years ago when for partisan purposes they ruined the chances of peace for this Nation and all the world. You can boo at that if you want to, but you will have to produce more reason and logic than mere boos when you try to convince the American people this fall that the French Army and the British Navy were not important parts of our line of defense, and that we are not justified in assisting them in furnishing them with matériel. [Applause.]

AMENDMENTS TO NATIONAL LABOR RELATIONS ACT

Mrs. NORTON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 9195) to amend the National Labor Relations Act.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 9195, with Mr. JONES of Texas in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. At the time the Committee rose yesterday the Committee had under consideration the Smith amendment. Without objection, the further reading of that amendment will be dispensed with and the amendment will be printed in the RECORD.

There was no objection.

The amendment is as follows:

That this act may be cited as the National Labor Relations Act amendments of 1940.

SEC. 2. Section 1 of the National Labor Relations Act (including the heading thereof) is amended to read as follows:

"FINDINGS AND POLICY

"SECTION 1. The failure to bargain collectively between employers and employees leads to strikes and other forms of industrial strife or unrest, which have the necessary effect of burdening or obstructing commerce by (a) impairing the efficiency, safety, or operation of the instrumentalities of commerce; (b) occurring in the current of commerce; (c) materially affecting, restraining, or controlling the flow of raw materials or manufactured or processed goods from or into the channels of commerce, or the prices of such materials or goods in commerce; or (d) causing diminution of employment and wages in such volume as substantially to impair or disrupt the market for goods flowing from or into the channels of commerce.

"The inequality of bargaining power between employees who do not possess full freedom of association or actual liberty of contract, and employers who are organized in the corporate or other forms of ownership association substantially burdens and effects the flow of commerce, and tends to aggravate recurrent business depressions, by depressing wage rates and the purchasing power of wage earners in industry and by preventing the stabilization of competitive wage rates and working conditions within and between industries.

"Experience has proved that protection by law of the right of employees to organize and bargain collectively safegards commerce from injury, impairment, or interruption, and promotes the flow of commerce by removing certain recognized sources of industrial strife and unrest, by encouraging practices fundamental to the friendly adjustment of industrial disputes arising out of differences as to wages, hours, or other working conditions, and by restoring equality of bargaining power between employers and employees.

"It is hereby declared to be the policy of the United States to eliminate the causes of certain substantial obstructions to the free flow of commerce and to mitigate and eliminate these obstructions when they have occurred by protecting the exercise by workers of full freedom of association, self-organization, and the designation of representatives of their own choosing, for the purpose of negotiating the terms and conditions of their employment or other mutual aid or protection."

SEC. 3. (a) Section 2 (3) of the National Labor Relations Act is amended to read as follows:

"(3) The term 'employee' shall include any employee, and shall not be limited to the employees of a particular employer, unless the act explicitly states otherwise, and shall include any individual whose work has ceased as a consequence of, or in connection with, any current labor dispute or because of any unfair labor practice, and who has not obtained any other regular and substantially equivalent employment, but shall not include any individual employed as an agricultural laborer, or in the domestic service of any family or person at his home, or any individual employed by his parent or spouse, and for the purposes of the provisions of section 10 (c) relating to reinstatement by any employer, does not include any employee who a preponderance of the testimony taken shows has willfully engaged in violence or unlawful destruction or seizure of property in connection with any current labor dispute or unfair labor practice involving such employer, or in connection with any organizational activities of a labor organization among employees of such employer. For the purposes of this subsection, 'agricultural laborer' means any person employed in performing 'agricultural labor' as that term is defined in section 1426 (h) of the Internal Revenue Code, as amended."

(b) Section 2 (11) of such act is amended to read as follows:

"(11) The term 'Administrator' means the Administrator of the National Labor Relations Act provided for in section 3 (d)."

(c) Section 2 of such act is amended by adding at the end thereof the following:

"(12) The terms 'collective bargaining' and 'bargain collectively' shall be deemed to include the requirement that an employer or his representatives meet and confer with his employees or their representatives, listen to their complaints, discuss differences, and make every reasonable effort to compose such differences, but shall not be construed as compelling or coercing either party to reach an agreement or to submit counterproposals."

SEC. 4. (a) The heading of section 3 of the National Labor Relations Act is amended by adding at the end thereof the following: "; Administrator of the National Labor Relations Act."

(b) Section 3 (a) of such act is amended to read as follows:

"SEC. 3. (a) There is hereby created a board, to be known as the National Labor Relations Board (in this act called the 'Board'), which shall be composed of three members, who shall be appointed by the President, by and with the advice and consent of the Senate. One of the original members shall be appointed for a term of 1 year, one for a term of 3 years, and one for a term of 5 years, but their successors shall be appointed for terms of 5 years each, except that any individual chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed. The President shall designate one member to serve as chairman of the Board. Not more than two of the members of the Board shall be members of the same political party. Any member of the Board may be removed by the President, upon notice and hearing, for neglect of duty or malfeasance in office but for no other cause. It shall be the duty of the Board, as hereinafter provided, to hear and determine complaints made and filed with it by the Administrator charging persons with engaging in unfair labor practices, to hold and supervise elections to ascertain representatives who have been selected for the purposes of collective bargaining, to determine units appropriate for the purpose of collective bargaining, and to exercise such other functions as are conferred upon it by this act."

(c) Section 3 of such act is amended by adding at the end thereof the following:

"(d) There is hereby established an Administrator of the National Labor Relations Act. The Administrator shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate of $10,000 per annum. He shall not engage in any other business, vocation, or employment. The Administrator may appoint, without regard to the provisions of the civil-service laws but subject to the Classification Act of 1923, as amended, an executive secretary, and such attorneys and regional directors, and may appoint such other employees, with regard to existing laws applicable to the employment and compensation of officers and employees of the United States, as he may from time to time find necessary. The Administrator may establish or utilize such regional, local, or other agencies, and utilize such voluntary and uncompensated services, as may from time to time be needed. Attorneys appointed under this subsection may, in the discretion of the Administrator, appear for and represent the Administrator in any case in court. In case of a vacancy in the office of Administrator, or in case of the absence of the Administrator, the President shall designate the officer or employee of the Administrator who shall serve as Administrator during such vacancy or absence. Expenses of the Administrator, including all necessary traveling and subsistence expenses incurred by the Administrator or employees of the Administrator under his orders while away from his or their official station shall be allowed and paid on the presentation of itemized vouchers therefor approved by the Administrator or by any employee he designates for that purpose. It shall be the duty of the Administrator, as hereinafter provided, to investigate charges of unfair labor practices, to issue complaints if he has reasonable cause to believe such charges are true, to prosecute such complaints before the Board, to make application to the courts for enforcement of orders of the Board, and to exercise such other functions as are conferred on him by this act. The Administrator shall be made a party to all proceedings before the Board, and shall present such testimony therein and request the Board to take such action with respect thereto as in his opinion will carry out the policies of this act. Any function which may be exercised by the Administrator may also be exercised by any officer or employee or agency of the Administrator designated by the Administrator for that purpose."

SEC. 5. Section 4 of the National Labor Relations Act is amended to read as follows:

"SEC. 4. (a) Each member of the Board shall receive a salary of $10,000 a year, shall be eligible for reappointment, and shall not engage in any other business, vocation, or employment. The Board may appoint, without regard for the provisions of the civil-service laws but subject to the Classification Act of 1923, as amended, an executive secretary, a secretary to each member, and such attorneys and trial examiners, and may appoint such other employees with regard to existing laws applicable to the employment and compensation of officers and employees of the United States, as it may from time to time find necessary for the proper performance of its duties and as may be from time to time appropriated for by Congress. Nothing in this act shall be construed to authorize the Board or the Administrator to appoint or employ individuals for the purpose of conciliation or mediation or for statistical work.

"(b) All of the expenses of the Board, including all necessary traveling and subsistence expenses outside the District of Columbia incurred by the members or employees of the Board under its orders, shall be allowed and paid on the presentation of itemized vouchers therefor approved by the Board or by any individual it designates for that purpose."

SEC. 6. Section 5 of the National Labor Relations Act is amended to read as follows:

"SEC. 5. The principal offices of the Board and of the Administrator, respectively, shall be in the District of Columbia, but they may exercise any or all of their respective powers at any other place. The Board may, by one or more of its members or by such trial examiner or examiners as it may designate, conduct hearings in any part of the United States. The conducting of any such hearing by a member shall not disqualify such member from subsequently participating in a decision of the Board in the same case."

SEC. 7. Section 6 of the National Labor Relations Act is amended to read as follows:

"SEC. 6. The Board and the Administrator, respectively, shall have authority from time to time to make, amend, and rescind such rules and regulations as may be necessary to carry out their respective functions under this act. Such rules and regulations shall be effective upon publication in the manner which the Board or the Administrator, as the case may be, shall prescribe."

SEC. 8. (a) Section 8 (1) of the National Labor Relations Act is amended to read as follows:

"(1) To interfere with, restrain, or coerce employees in the exercise of the rights guaranteed in section 7, but nothing in this section or in this act shall be construed or interpreted to prohibit any expressions of opinion with respect to any matter which may be of interest to employees or the general public, provided that such expressions of opinion are not accompanied by acts of coercion, intimidation, discrimination, or threats thereof."

(b) Section 8 (5) of such act is amended to read as follows:

"(5) To refuse to bargain collectively with the representatives of his employees, subject to the provisions of section 9 (a), except that such refusal to bargain collectively with any such representative shall not, unless a certification with respect to such representative is in effect under section 9, be an unfair labor practice in any case where any other such representative (not established, maintained, or assisted by any action defined in this act as an unfair labor practice) has made a claim that it represents a majority of the employees in a conflicting bargaining unit."

SEC. 9. Section 9 (including the heading thereof) of the National Labor Relations Act is amended to read as follows:

"REPRESENTATIVES AND ELECTIONS

"SEC. 9. (a) Representatives designated or selected for the purposes of collective bargaining by the majority of the employees in a unit appropriate for such purposes shall be the exclusive representatives of all the employees in such unit for the purposes of collective bargaining in respect to rates of pay, wages, hours of employment, or other conditions of employment: *Provided*, That any individual employee or a group of employees shall have the right at any time to present grievances to their employer.

"(b) The Board shall upon application under, and subject to the provisions of, subsection (c) of this section determine in each case whether, in order to insure to employees the full benefit of their right to self-organization and to collective bargaining, the unit appropriate for the purposes of collective bargaining shall be the employer unit, craft unit, plant unit, or subdivision thereof.

"(c) Whenever written application is made to the Board under oath:

"(1) By an employer alleging that two or more representatives have each presented to him a claim with respect to the same bargaining unit that it represents a majority of his employees in such bargaining unit, that none of such representatives is a labor organization established, maintained, or assisted by any action defined in section 8 as an unfair labor practice, and that such employer intends to bargain collectively with the representatives designated for that purpose by the majority of his employees in the unit determined by the Board to be appropriate for the purposes of collective bargaining when such representatives are ascertained; or

"(2) By employees, or a representative representing employees, of any employer who constitute not less than 20 percent of the employees in the bargaining unit claimed to be appropriate for the purpose of collective bargaining, alleging (A) that a controversy has arisen among the employees in the unit so claimed as to who have been designated their representative or representatives for collective bargaining, or whether the majority of the employees in such unit have designated a representative or representatives for collective bargaining, or (B) that a controversy has arisen as to the unit or units appropriate for the purposes of collective bargaining, and (C) that they are not members of, or that such representative is not, a labor organization established, maintained, or assisted by any action defined in section 8 as an unfair labor practice—the Board shall give due notice to interested persons of the filing of such application and set the question for hearing within a reasonable time either in conjunction with a proceeding under section 10 or otherwise. Any interested person may file with the Board an intervening application, which shall be under oath and be in such form and contain such allegations as the Board may by rules and regulations prescribe. If upon the evidence adduced at the hearing the Board finds that the allegations of the application are true and that the question is one affecting commerce, it shall, subject to the provisions of subsection (e), by order determine the unit appropriate for the purposes of collective bargaining, which shall in no case be larger than the largest unit claimed in an application filed by employees or representatives in the proceeding. After determining the unit appropriate for collective bargaining, the Board shall take a secret ballot of employees in the unit so determined and by order certify the name or names of the representatives which a majority of the employees voting have designated or selected as their representative or representatives for collective bargaining. Such certification shall be effective for 1 year from the date of the entry of such order.

"(d) Whenever an order of the Board made pursuant to section 10 (c) is based in whole or in part upon facts certified following an investigation pursuant to subsection (c) of this section, and there is a petition for the enforcement or review of such order, such certification and the record of such investigation shall be included in the transcript of the entire record required to be filed under subsections 10 (e) or 10 (f), and thereupon the decree of the court enforcing, modifying, or setting aside in whole or in part the order of the Board shall be made and entered upon the pleadings, testimony, and proceedings set forth in such transcript.

"(e) Whenever two or more representatives in applications filed in a proceeding under subsection (b) have each alleged with respect to conflicting bargaining units that a majority of the employees therein have authorized such representative to be their representative for collective bargaining, the Board shall make a finding to that effect and shall not have any power to determine the unit appropriate for the purposes of collective bargaining until such representatives have by written agreement settled the dispute between them as to the appropriate unit, or to determine any unit to be appropriate for such purposes which is not specified and agreed upon in such agreement as being appropriate for such purposes. For the purposes of this subsection 'representative' does not include a labor organization established, maintained, or assisted by any action defined in this act as an unfair labor practice."

SEC. 10. Section 10 (including the heading thereof) of the National Labor Relations Act is amended to read as follows:

"PREVENTION OF UNFAIR LABOR PRACTICES

"SEC. 10. (a) The Board is empowered, as hereinafter provided, to prevent any person from engaging in any unfair labor practice (listed in sec. 8) affecting commerce. This power shall be exclusive, and shall not be affected by any other means of adjustment or prevention that has been or may be established by agreement, code, law, or otherwise.

"(b) Whenever it is charged that any person has engaged in or is engaging in any such unfair labor practice, the Administrator shall investigate such charge, and if he has reasonable cause to believe such charge is true, he shall issue and cause to be served upon such person a complaint stating such charge, except that the Administrator shall not have power to issue a complaint stating a charge of any unfair labor practice which occurred more than 6 months prior to the date on which such charge was filed with the Administrator. Upon the filing by the Administrator of such complaint with the Board, the Board shall set the case for hearing before the Board or a member thereof, or before a designated trial examiner or examiners, at a place which the Board shall fix, not less than 15 days after the serving of such complaint. Any such complaint may, with the approval of the Board, or with the approval of the member, examiner, or examiners conducting the hearing, be amended by the Administrator at any time prior to the issuance of an order based thereon. The person so complained of shall have the right to file an answer to the original or amended complaint and to appear in person or otherwise and give testimony at the place and time fixed by the Board. In the discretion of the Board, or the member, examiner, or examiners conducting the hearing, any other person may be allowed to intervene in the said proceeding and to present testimony. Any such proceeding shall, so far as practicable, be conducted in accordance with the rules of evidence applicable in the district courts of the United States under the Rules of Civil Procedure for the District Courts of the United States, adopted by the Supreme Court of the United States pursuant to the act of June 19, 1934 (U. S. C., title 28, secs. 723–B, 723–C).

"(c) The testimony taken by the Board, member, examiner, or examiners shall be reduced to writing and filed with the Board. Thereafter, in its discretion, the Board upon notice may take further testimony or hear argument. If upon the preponderance of the testimony taken the Board shall be of the opinion that any person named in the complaint has engaged in or is engaging in any such unfair labor practice, then the Board shall state its findings of fact and shall issue and cause to be served on such person an order requiring such person to cease and desist from such unfair labor practice, and to take such affirmative action requested in the complaint, which may include reinstatement of employees with or without back pay, as will effectuate the policies of this act. Such order may further require such person to make reports from time to time to the Administrator showing the extent to which he has complied with the order. If upon the preponderance of the testimony taken the Board shall not be of the opinion in the case of any person named in the complaint that such person has engaged in or is engaging in any such unfair labor practice, then the Board shall state its findings of fact and shall issue an order dismissing the said complaint as to such person. No order of the Board or of any court requiring the payment by an employer of money by reason of a finding that such employer has engaged in or is engaging in any unfair labor practice shall require such payment with respect to a period longer than 6 months, or with respect to a period which when added to any previous period with respect to which such payment was required either by the Board or by any court by reason of the same finding, is longer than 6 months. In case the testimony taken is taken before a member of the Board, or before an examiner or examiners thereof, such member, or such examiner or examiners, as the case may be, shall issue and cause to be served on the parties to the proceeding a proposed report, together with a recommended order, which shall be filed with the Board, and if no exceptions are filed within 20 days after service thereof upon such parties, or within such further period as the Board may authorize, such recommended order shall become the order of the Board and become effective as therein prescribed.

"(d) Until a transcript of the record in a case shall have been filed in a court, as hereinafter provided, the Board may, at any time, upon reasonable notice and in such manner as it shall deem proper, modify or set aside, in whole or in part, any finding or order made or issued by it or by any member, examiner, or examiners thereof.

"(e) The Administrator shall at the request of the Board, or may on his own motion, petition any circuit court of appeals of the United States (including the United States Court of Appeals for the District of Columbia), or, if all the circuit courts of appeals to which application may be made are in vacation, any district court of the United States (including the District Court of the United States for the District of Columbia) within any circuit or district, respectively, wherein the unfair labor practice in question occurred or wherein such person resides or transacts business, for the enforcement of such order and for appropriate temporary relief or restraining order, and shall file in the court a transcript of the

entire record in the proceeding, certified by the Board, including the pleading and testimony upon which such order was entered and the findings and order of the Board. Upon such filing the court shall cause notice thereof to be served upon such person, and thereupon shall have jurisdiction of the proceeding and of the question determined therein, and shall have power to grant such temporary relief or restraining order as it deems just and proper, and to make and enter upon the pleadings, testimony, and proceedings set forth in such transcript a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the Board. No objection that has not been urged before the Board, its member, examiner, or examiners shall be considered by the court, unless the failure or neglect to urge such objection shall be excused because of extraordinary circumstances. The findings of the Board as to the facts shall be conclusive unless it is made to appear to the satisfaction of the court (1) that the findings of fact are clearly erroneous, or (2) that the findings of fact are not supported by substantial evidence. If either party shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the hearing before the Board, its member, examiner, or examiners, the court may order such additional evidence to be taken before the Board, its member, examiner, or examiners and to be made a part of the transcript. The Board may modify its findings as to the facts, or make new findings, by reason of additional evidence so taken and filed, and it shall file such modified or new findings, which shall be conclusive unless it is made to appear to the satisfaction of the court (1) that such findings are clearly erroneous, or (2) that such findings are not supported by substantial evidence, and the Board shall file its recommendations, if any, for the modification or setting aside of its original order. The jurisdiction of the court shall be exclusive and its judgment and decree shall be final, except that the same shall be subject to review by the appropriate circuit court of appeals if application was made to the district court as hereinabove provided, and by the Supreme Court of the United States upon writ of certiorari or certification as provided in sections 239 and 240 of the Judicial Code, as amended (U. S. C., title 28, secs. 346 and 347).

"(f) Any person aggrieved by a final order of the Board (including a final order under section 9) granting or denying in whole or in part the relief sought may obtain a review of such order in any circuit court of appeals of the United States in the circuit wherein the unfair labor practice in question was alleged to have been engaged in or wherein such person resides or transacts business, or in the United States Court of Appeals for the District of Columbia, by filing in such court a written petition praying that the order of the Board be modified or set aside. A copy of such petition shall be forthwith served upon the Administrator, and thereupon the aggrieved party shall file in the court a transcript of the entire record in the proceeding, certified by the Board, including the pleading and testimony upon which the order complained of was entered and the findings and order of the Board. Upon such filing, the court shall proceed in the same manner as in the case of an application by the Administrator under subsection (e) and shall have the same exclusive jurisdiction to grant to the Administrator such temporary relief or restraining order as it deems just and proper, and in like manner to make and enter a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the Board; and the findings of the Board as to the facts shall in like manner be conclusive, unless it is made to appear to the satisfaction of the court (1) that the findings of fact are clearly erroneous, or (2) that the findings of fact are not supported by substantial evidence.

"(g) The commencement of proceedings under subsection (e) or (f) of this section shall not, unless specifically ordered by the court, operate as a stay of the Board's order.

"(h) When granting appropriate temporary relief or a restraining order, or making and entering a decree enforcing, modifying, and enforcing as so modified or setting aside in whole or in part an order of the Board, as provided in this section, the jurisdiction of courts sitting in equity shall not be limited by the act entitled 'An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes,' approved March 23, 1932 (U. S. C., Supp. VII, title 29, secs. 101–115).

"(i) Petitions filed under this act shall be heard expeditiously, and if possible within 10 days after they have been docketed."

SEC. 11. Section 11 (including the heading thereof) of the National Labor Relations Act is amended to read as follows:

"INVESTIGATORY POWERS

"SEC. 11. For the purpose of any proceeding before the Board, or before a member, examiner, or examiners thereof, or for the purpose of any investigation provided for in this act—

"(1) The Board, or any member thereof, or any trial examiner shall, upon application of the Administrator or of any party to such proceeding, whether before or during any hearing in the case of any such proceedings, forthwith issue to the Administrator or to such party, as the case may be, in the name of the Board, subpenas requiring the attendance and testimony of witnesses or the production of any evidence in such proceeding or investigation requested in such application. Within five days after the service of a subpena on any person requiring the production of any evidence in his possession or under his control, such person may petition the Board or its duly authorized agent or agents to revoke, and the Board, or such agent or agents, shall revoke, such subpena if in its, his, or their opinion, as the case may be, the evidence whose production is required does not relate to any matter under investigation, or any matter in question in such proceeding, or if in its, his, or their opinion, as the case may be, such subpena does not describe with sufficient particularity the evidence whose production is required. The Administrator or any member of the Board or any examiner or examiners designated by the Board for such purposes may administer oaths and affirmations, examine witnesses, and receive evidence. Such attendance of witnesses and the production of such evidence may be required from any place in the United States or any Territory or possession thereof, at any designated place of hearing.

"(2) In case of contumacy or refusal to obey a subpena issued to any person, any district court of the United States or the United States courts of any Territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the person to whom such a subpena was issued by the Board shall have jurisdiction to issue to such person so guilty of contumacy or refusal to obey an order requiring him to appear before the Board, its member, examiner, or examiners, or before the Administrator if the subpena so directs, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

"(3) No person shall be excused from attending and testifying or from producing books, records, correspondence, documents, or other evidence in obedience to the subpena of the Board, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

"(4) Complaints, orders, and other process and papers provided for in this act may be served either personally or by registered mail or by telegraph or by leaving a copy thereof at the principal office or place of business of the person required to be served. The verified return by the individual so serving the same setting forth the manner of such service shall be proof of the same, and the return post-office receipt or telegraph receipt therefor when registered and mailed or telegraphed as aforesaid shall be proof of service of the same. Witnesses summoned before the Administrator or before the Board, its member, examiner, or examiners, shall be paid the same fees and mileage that are paid witnesses in the courts of the United States, and witnesses whose depositions are taken and the persons taking the same shall severally be entitled to the same fees as are paid for like services in the courts of the United States.

"(5) All process of any court to which application may be made under this act may be served in the judicial district wherein the defendant or other person required to be served resides or may be found.

"(6) The several departments and agencies of the Government, when directed by the President, shall furnish the Administrator, upon his request, all records, papers, and information in their possession relating to any matter before the Board."

SEC. 12. Section 12 of the National Labor Relations Act is amended to read as follows:

"SEC. 12. Any person who shall willfully resist, prevent, impede, or interfere with the Administrator or any member of the Board or any of their agents or agencies in the performance of duties pursuant to this act shall be punished by a fine of not more than $5,000 or by imprisonment for not more than 1 year, or both."

EFFECTIVE DATE

SEC. 13. (a) As used in this section:

(1) The term "old act" means the National Labor Relations Act in effect prior to the enactment of this act.

(2) The term "new act" means the National Labor Relations Act, as amended by this act.

(3) The term "old Board" means the National Labor Relations Board created by section 3 (a) of the old act.

(4) The term "new Board" means the National Labor Relations Board created by section 3 (a) of the new act.

(b) The amendments made by this act shall take effect on the ninetieth day after the date of its enactment, except that prior to such ninetieth day the President may appoint the new Board and the Administrator, and they may exercise their respective powers under such amendments of employing necessary personnel and making rules and regulations to carry out their respective functions.

(c) Effective as of the expiration of the eighty-ninth day after the date of enactment of this act, the old Board is hereby abolished.

(d) All orders issued by the old Board and in effect at the time the old Board is abolished shall continue in effect until superseded or revoked by the new Board, or if modified by the new Board, shall continue in effect as so modified, and all such orders may be enforced by the Administrator or reviewed by any person aggrieved thereby in the same manner and to the same extent as if issued by the new Board under the new act, except that the validity of such orders and the effect given to the findings of fact (including new or additional findings of fact by the new Board) upon which they are based shall be governed by the old act in the same manner and to the same extent as if this act had not been enacted. All proceedings and investigations pending before the old Board under section 9 of the old act at the time

of the abolition of the old Board shall be continued by the new Board in the same manner, and shall be subject to the provisions of the new act to the same extent, as if an application had been filed with the new Board under section 9 (c) of the new act, and all petitions for such investigations shall, within 20 days after the abolition of the old Board, be amended accordingly, or dismissed. Subpenas issued by the old Board under section 11 of the old act shall remain effective, but the issuance of such subpenas may be revoked by the new Board, and such subpenas may be enforced by the persons to whom they are issued, in the same manner and to the same extent as if issued by the new Board under section 11 of the new act. No proceeding in any court for the enforcement or review of any order of the old Board shall abate by reason of the abolition of the old Board, but the Administrator shall be substituted as petitioner or respondent, as the case may be, and the validity of such order, and the effect given to the findings of fact (including modified or new findings of fact by the new Board in case the court orders additional evidence to be taken before the new Board) shall be governed by the old act in the same manner and to the same extent as if this act had not been enacted. In the case of any proceeding pending before the old Board under section 10 (b) of the old act at the time of the abolition of the old Board in which a charge has been made but no complaint issued, such charge shall be transferred to the Administrator, and shall be acted upon by him under, and shall be governed by, the new act in the same manner and to the same extent as if such charge had been made to him under the new act. In the case of any proceeding pending before the old Board under section 10 (b) of the old act at the time of the abolition of the old Board in which a complaint has been issued but in which a hearing has not been commenced, the time and place of hearing fixed in such complaint, or such time or place as extended or modified by the old Board, shall be ineffective. The Administrator shall file such complaint with the new Board, and the new Board shall fix the time and place for a hearing thereon in accordance with the new act. Such proceeding, and every other proceeding pending before the old Board under section 10 (b) or 10 (c) of the old act at the time of the abolition of the old Board in which no order has been issued shall be governed by the provisions of the new act, except that in any such proceedings wherein a hearing has been commenced or completed prior to the abolition of the old Board, the rules of evidence prevailing in the courts of law or equity shall not be controlling. In the case of any proceeding pending before the old Board under section 10 (b) or 10 (c) of the old act at the time of the abolition of the old Board wherein an order has been issued and wherein the new Board directs the taking of additional testimony, and in the case of any proceeding for the enforcement or review of any order of the old Board pending in any court at the time of the abolition of the old Board wherein the court orders the taking of additional testimony before the new Board, the rules of evidence prevailing in the courts of law or equity shall not be controlling in the taking of such testimony.

(e) All files, reports, records, documents, papers, and property (including office furniture and equipment) under the control of the old Board shall be distributed, upon the abolition of the old Board, between the new Board and the Administrator in such manner as the President may determine.

Mr. SMITH of Virginia. Mr. Chairman, the amendment now pending is the substitute amendment which is recommended in the report of the majority of our special committee to investigate the National Labor Relations Board. If you will turn to page 101 of the majority report you will find a comparative print of the proposed bill of the so-called Smith committee. I believe you will find it useful in the consideration of the amendment.

Mr. Chairman, it is the desire of the leadership of the House, which I understand is concurred in by the Labor Committee and by our special committee, in order to convenience the Members and the program, to complete the consideration of this bill today. If the Members will give us close attention we can accomplish that very laudable purpose. I myself shall take very little of your time.

I was saying that you will find on page 101 of the majority report a comparative print of the existing law and this amendment. It will be the desire of our committee, in which we hope the House will concur, to endeavor to prevent emasculatory amendments from being adopted to our committee's amendment.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Georgia.

Mr. COX. Is it the purpose of the gentleman to accept the so-called A. F. of L. amendments and urge upon the House that no other amendments be adopted?

Mr. SMITH of Virginia. Mr. Chairman, the question propounded to me by the gentleman from Georgia is an important question, the reply to which I am sure the Members want to hear. The gentleman asked me whether our committee would accept the four amendments suggested yesterday by the American Federation of Labor. I can speak only for myself and say to you that those four amendments will be offered right away, that personally I shall interpose no objection to them, and I am sure no member of the majority of our committee will interpose any objection to those amendments. If and when those four amendments are adopted, it will be our effort to prevent this bill from being sabotaged by a lot of amendments that we know will weaken the bill when it comes to a final vote on it. I hope that the House will go on record today as accepting these amendments, and let us have a vote up or down on them as amended, and decide what the House wishes to do.

Mrs. NORTON. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentlewoman from New Jersey.

Mrs. NORTON. Will the gentleman tell us what those four amendments are?

[Here the gavel fell.]

Mr. SMITH of Virginia. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. SMITH of Virginia. Mr. Chairman, the first one of these four amendments is to section 1 of the existing National Labor Relations Act, which is the recital of policy part. We make what we regarded as some minor changes in that, and the first amendment will be to restore the present language of the act, and I have no objection to that.

As to the second amendment we propose in our amendments a definition of the term "collective bargaining." I think, pretty generally speaking, organized labor has misunderstood the purpose and the effect of that amendment. I do not think it amounts to a great deal one way or the other and have no objection to its being deleted from our amendments, and will support that amendment.

I will next go to the fourth amendment, because the third amendment will take some more time.

As to the fourth amendment, in our suggested amendments we provide that the Labor Board shall not have power to reinstate an employee with back pay for a period in excess of 6 months; in other words, if after a strike the Board reinstates an employee and orders the employer to give him back pay, we limit the back pay to 6 months. The suggestion of the American Federation of Labor is that that statute of limitations be extended to 12 months instead of 6 months, and I have no objection to that amendment.

Mr. HEALEY. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I am glad to yield to the gentleman from Massachusetts.

Mr. HEALEY. How about the statute of limitations with respect to bringing a claim?

Mr. SMITH of Virginia. That is not involved in the A. F. of L. amendments.

Mr. HEALEY. And the gentleman's amendment making it 6 months is not affected by the proposed amendment?

Mr. SMITH of Virginia. No.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman.

Mr. HALLECK. The gentleman understands and knows that the Board itself has been following a policy of requiring some showing before a claim now may be filed after a lapse of 6 months.

Mr. SMITH of Virginia. Yes.

Mr. MURDOCK of Utah. Mr. Chairman, will the gentleman yield with respect to the statement just made by the gentleman from Indiana [Mr. HALLECK]?

Mr. SMITH of Virginia. I will yield, but I think that subject had better be discussed later, but go ahead.

Mr. MURDOCK of Utah. It seems to me that if the Board has adopted a policy of being very circumspect about claims that antedate 6 months, that that policy indicates that the discretion to consider or not to consider should lie with the

Board, and that the 6 months' period, if made arbitrary, will certainly react adversely to a lot of employees, and, in my opinion, Mr. Chairman, that 6 months' period should at least be increased to 1 year.

Mr. SMITH of Virginia. That is a matter for the House to consider. However, it is not involved in the A. F. of L. amendment concerning which the gentleman from Georgia asked me and which I am trying to reply to.

The fourth amendment of the American Federation of Labor, and one which, frankly, will be quite controversial, is similar to the proposed amendment in the Norton bill, but it goes considerably further and I would like to defer a discussion of that until we get to that amendment. I shall be pleased to discuss it at that time, but this is what the four amendments referred to by the gentleman from Georgia provide, and so far as I am personally concerned they are entirely satisfactory to me.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. JENKINS of Ohio. I would like to make one very brief observation. We have here the Norton amendments and we have the Smith amendments and now we come along with the four amendments by the American Federation of Labor. I wish the gentleman would bear in mind that there are a lot of Members here, like myself, who do not know so much about this matter as the gentleman from Virginia. Has the gentleman these four amendments printed and will we have any chance to read them and study them?

Mr. SMITH of Virginia. Has the gentleman a copy of the Smith committee report?

Mr. JENKINS of Ohio. Yes.

Mr. SMITH of Virginia. If the gentleman will turn to page 101, he will find there a comparative print of the bill.

Mr. JENKINS of Ohio. I studied that this morning.

Mr. SMITH of Virginia. At page 17, line 12, there will be an amendment to strike out the term "6 months" and insert "12 months."

[Here the gavel fell.]

Mr. ALLEN of Pennsylvania. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ALLEN of Pennsylvania: On page 4, line 13, after the word "amended", insert the following:

"(b) Section 2 (4) of the National Labor Relations Act is amended to read as follows:

"'(4) The term "representatives" includes any individual or labor organization, but in the case of an individual, does not include every individual who is not a citizen of the United States.'"

Mr. ALLEN of Pennsylvania. Mr. Chairman, I ask unanimous consent that these amendments be deferred for a few moments until the so-called A. F. of L. amendments are acted upon, with the understanding, of course, that I shall be recognized after that time.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that action on the amendment just reported be deferred and remain pending until after the other amendments he has referred to have been disposed of. Is there objection?

There was no objection.

Mr. BARTON of New York. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. BARTON of New York: Page 1, line 5, strike out everything down to and including line 9 on page 3.

Mr. BARTON of New York. Mr. Chairman, this is the first of the so-called A. F. of L. amendments; if adopted, it will restore the opening language of the original National Labor Relations Act. The amendment is acceptable, I understand, to the members of the Labor Committee on our side of the aisle and to the minority members of the Smith committee as well. The gentleman from Virginia [Mr. SMITH] has said that he has no objection to it. I hope that it will be acceptable to the chairman of the Labor Committee. If so, I need make no further remarks about it.

Mr. SMITH of Virginia. This is one of the A. F. of L. amendments?

Mr. BARTON of New York. This is the first of the A. F. of L. amendments.

Mr. MURDOCK of Utah. Mr. Chairman, I move to strike out the last word. I am rather shocked this morning at the smoothly working machinery that appears to have been constructed and evolved between the majority of the Smith committee and, apparently, the president of the A. F. of L. My position on labor is not, nor is my mind, so versatile that I can keep up with the fast-moving changes of the president of the A. F. of L. and the majority of the Smith committee, as just enunciated by the chairman of that committee. If gentlemen will turn to the majority report of the committee, they will find that the striking out of the language in the preamble to the bill was referred to as a very important amendment, and they will also find, Mr. Chairman, in the majority report and in the statement previously issued by the majority of the Smith committee, that the amendment on collective bargaining is another very serious amendment, and that it had to be included. But now, what do we find? That almost overnight the majority of the Smith committee and the president of the A. F. of L. have agreed that if Mr. Green will accede to the violence amendment, the so-called freedom-of-speech amendment, the separation-of-functions amendment, and a compromise on the limitations amendment, the majority of the Smith committee will agree to his unit amendment; that these shall be the amendments, and the trade has been made and it is agreed by the parties to the trade that they will go through here today without the dotting of an "i" or the crossing of a "t." This may suit some leaders of organized labor, but in my opinion if the trade goes through, the rank and file of labor are sold down the river. I wonder if that spells unity in the United States of America. I wonder if it is procedure like this that will cause all members of all labor groups in the United States to join hands and march down the road in a unified effort to fortify and defend the United States. What about labor that had nothing to do with and knew nothing of such a trade? I do not believe that the laboring man approves of such tactics. In my opinion it just will not work. It is not the type of procedure that is conducive to labor peace here in the United States.

Mr. Chairman, I call attention to something that happened here yesterday with reference to the statement, appearing on page 7714 of the CONGRESSIONAL RECORD, of the chairman of the Smith committee, the distinguished gentleman from Virginia [Mr. SMITH], wherein he claimed to be quoting from a Supreme Court decision. I have quite carefully read most of the Supreme Court decisions on the Labor Relations Act, and what he read seemed very foreign to me, nor do I remember ever finding anything of the kind in the Supreme Court decisions. I asked the gentleman particularly whether the statement he read was from a Supreme Court decision and he answered me "Yes; I am reading from the Supreme Court decision." I may be in error, or the gentleman from Virginia may have been in error, but if he read from a Supreme Court decision I would like to have the citation given to me at this time.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. MURDOCK of Utah. Yes.

Mr. SMITH of Virginia. I was reading from a document prepared for me and quoted as an extract from that opinion, prepared by one of the counsel in our committee. I assumed that it is a correct quotation, and if it is not, no one will be more pleased than I to correct that in the course of the debate today. Will the gentleman yield for a question?

Mr. MURDOCK of Utah. Yes.

Mr. SMITH of Virginia. Does not the gentleman favor the amendment that has just been offered?

Mr. MURDOCK of Utah. I do not know what amendments have been offered. So many have been offered that my mind is not quick enough to grasp them all at once, but I assure the gentleman I will be fully informed by the time they

are voted on. I want now to settle this matter of the Supreme Court decision.

Mr. SMITH of Virginia. The gentleman has misunderstood my question.

Mr. Chairman, I ask unanimous consent that the gentleman from Utah may have an additional 1 minute.

Mr. MURDOCK of Utah. Mr. Chairman, I ask unanimous consent that I be given 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. SMITH of Virginia. Mr. Chairman, the gentleman misapprehended my question. My question is, Does not the gentleman favor the amendment now under consideration, namely, to leave section 1 of the act undisturbed without any amendment?

Mr. MURDOCK of Utah. That is exactly what the gentleman from Massachusetts [Mr. HEALEY] and I tried to get you to agree to, but you and the other two majority members of your committee refused to agree with us. You emphatically insisted on striking the language involved from section 1. It seemed very obnoxious to all those of you then. Evidently something has happened now to change your mind. The language remains the same, but the surrounding circumstances apparently have changed. If the gentleman got an agreement to keep in the "violence" amendment in lieu of striking this one he made a good bargain, but labor got a bad one.

Mr. Chairman, the thing I want to drive home today is just exactly what the gentleman from Virginia states, with reference to his purported quotation from a Supreme Court opinion, that he assumed from what he read yesterday that he was reading from a Supreme Court decision, and I assume that he thought he was reading from the Supreme Court decision in the A. F. of L. case.

I want to say, Mr. Chairman, there has been too much assumption on the part of the Smith committee as to what the record is and all too little adherence to what the record really is. If the gentleman intended to read from the A. F. of L. against Labor Board opinion of the Supreme Court of the United States, I challenge him or counsel for the Smith committee to find any such statement in the Supreme Court decision. It just is not there.

Now, I want to talk to the Democrats on this side of the aisle for a few minutes; not the Democrats who voted against the labor act, but I want to talk to the Democrats who voted in favor of the National Labor Relations Act when we passed it. It is a creature of the Democratic Party. It is a creature of the New Deal. At the time that act was passed Judge Smith of Virginia voted against it. He was not a friend of the act at that time. He was not a friend of collective bargaining, and the free and unhampered choice of bargaining representatives by labor.

The question I have in my mind today is this: When did he become a friend of these principles? Has he become a friend of the principles of collective bargaining as a result of the administration of the act by the present National Labor Relations Board? Has he become a friend of collective bargaining as a result of the hearings conducted by the committee of which he is chairman? If he has, then I just do not understand the workings of his mind. [Applause.]

We are asked what today? Not to follow the leadership of this House that gave us the National Labor Relations Act. We are asked to follow the leadership of people who took a position against it; people who fought it all down the line; people who hoped that the Supreme Court of the United States would hold it unconstitutional. But just as soon as the Supreme Court held the act constitutional, then we find the people who today claim to be the friends of labor, the friends of collective bargaining, introducing a resolution to investigate the results of the act and the administration of the act by the Board, in the hope that something could be found that would aid them in their efforts to emasculate and destroy the principle of collective bargaining in the United States.

When men vote against legislation, as the chairman of the Smith committee did on that occasion, and then all of a sudden change their minds about the principles of that act, and come here and tell you that they are the friends of those principles, that they are the friends of labor, then I say beware of that type of friendship. I do not know, Mr. Chairman, whether the arrangement here today between the majority of the Smith committee and the president of the A. F. of L. to join hands now to put over partly what the Smith committee wanted and partly what the president of the A. F. of L. wanted, and leave labor generally out on a limb, is the right procedure or not. Certainly it should be given the closest scrutiny. If such an arrangement, even if successful, is approved by the rank and file of labor, I will be very much surprised. [Applause.]

[Here the gavel fell.]

Mr. COX. Mr. Chairman, I move to strike out the last two words.

If you followed the discussion of the gentleman who has just yielded the floor, the gentleman from Utah [Mr. MURDOCK], you know that he failed to make any attempt to answer the question of the gentleman from Virginia [Mr. SMITH] as to whether or not he favors the pending amendment.

Mr. MURDOCK of Utah. Will the gentleman yield? If the gentleman will turn to the minority report, which I know he has never read, he will find what the position of the minority is on that very question. I refused to be diverted from my discussion by the question of the chairman of the committee.

Mr. COX. I am not so certain that this House is of a disposition to accept any conclusion that the gentleman himself may have drawn from any reading that he may have done. I want to express the hope that the membership will accept the suggestion of the gentleman from Virginia; that is, that the Committee take the amendments insisted upon by the A. F. of L. and adopt the Smith amendment as so amended.

Mr. BARTON of New York. Mr. Chairman, will the gentleman yield?

Mr. COX. I yield.

Mr. BARTON of New York. I have read the minority report, and the gentleman from Utah [Mr. MURDOCK] knows that this amendment, the first A. F. of L. amendment which I have offered, is the one which is supported by the minority report.

Mr. MURDOCK of Utah. That is exactly what I said. I refused to take time to answer the gentleman.

Mr. COX. Mr. Chairman, I do not yield further.

Mr. Chairman, the chairman of the Labor Committee, the gentlewoman from New Jersey [Mrs. NORTON], in her extension of remarks appearing in the RECORD of yesterday, in an attempt to make reply to some criticism of the Labor Board that I had made, said the following:

> If the gentleman had consulted any authority on the French labor movement, he would have learned that Leon Jouhaux is one of France's most active anti-Communists and could not have been and was not jailed in France for something he never was.

The further statement was made by the gentlewoman:

> Mr. Smith is credited by the gentleman from Georgia—

Referring to myself—

> with having been selected at Mexico City as secretary for the United States of the League Against War and Fascism. In point of fact, Mr. Smith was never a member of the League Against War and Fascism and was never selected in Mexico by anybody for any office.

Mr. Chairman, I hold in my hand a photostatic copy of the Daily Worker, the issue of September 12, 1938, in which the meeting of this so-called Congress of Workers to promote communism in the Western Hemisphere was reported. I quote from the Daily Worker:

> At the evening session a presiding committee was elected—

This is referring to the session of September 11, 1938, the Mexico City meeting—

> a presiding committee was elected. President was Jouhaux; first vice president, Ramon Gonzales Pena, of Spain; second vice president, Eno Fimmen, of the International Transport Workers Union;

and the following secretaries: Meherally, India; Lin Lin, China; Edwin Smith, the United States; Casperson, Sweden; Marcel Prenant, France; Allaga, Peru; Villasenor, Mexico; Milessi, Uruguay; and Nelken, Spain.

The committees chosen began work immediately after the session was opened by Jouhaux with a tribute to the late Henri Barbusse.

Citing Barbusse's long struggle for peace, Jouhaux called on the democratic nations to follow the example of Mexico and the Soviet Union in aiding nations attacked by the Fascists.

Mrs. NORTON. Mr. Chairman, will the gentleman yield?

Mr. COX. I yield.

Mrs. NORTON. Does the gentleman consider the Daily Worker a competent source of information?

Mr. COX. Let me ask the gentlewoman from New Jersey: Does she join with me in saying that the Daily Worker is one of the most outrageous publications that is published in America? And does she denounce it as such?

Mrs. NORTON. Definitely. And I would suggest that the gentleman go to the hearings of the Senate committee, where competent and reliable evidence contradicts the gentleman's statements. Perhaps then he would get the correct information, and it would not be necessary to dignify this Communist newspaper by quoting it to the House.

Mr. COX. This was a Communist meeting attended by Mr. Smith and which was addressed by him. It was a Communist meeting reported by this Communist paper. The article from the Daily Worker from which I read continued as follows:

The committees chosen began work immediately after the session was opened by Jouhaux with a tribute to the late Henri Barbusse—

Mr. Barbusse was a Communist.

Citing Barbusse's long struggle for peace, Jouhaux called on the democratic nations to follow the example of Mexico and the Soviet Union in aiding nations attacked by the Fascists.

[Applause.]

[Here the gavel fell.]

Mr. HOFFMAN. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, the suggestion was made by me yesterday that we endeavor to stick to the facts. The gentleman from Utah [Mr. MURDOCK] a few moments ago questioned the accuracy of the statement made by the gentleman from Virginia [Mr. SMITH]. The gentleman from Utah handed me a column out of the RECORD, page 7714. From that it appears that the gentleman from Virginia yesterday said this:

The result of that was to destroy a large number of American Federation of Labor unions which had been in existence for years, and they undertook to appeal, and here is what the Supreme Court had to say about that:

"The Supreme Court has held in a number of cases that mere preliminary or procedural orders of an administrative body are not reviewable by the circuit court of appeals.

* * * * * * *

"Accepting, as we must, this restrictive definition and applying it to the case at hand, we hold that, though the decision here was required by the act to be made and to be made on the evidence and argument after judicial hearing, and though it was definitive, adversary, binding, final, and in this case struck at the very roots of the petitioner's union and destroyed its effectiveness in a large geographical area of the Nation, it was not an order because the act did not require it to be made in the language of a command."

The first paragraph shows on its face that it is not a quotation from a Supreme Court decision, and I presume the gentleman from Virginia did not so intend it.

The gentleman from Utah [Mr. MURDOCK] is correct in his statement that the quotation just read beginning with the word "Accepting" and ending with the word "command," did not come from a decision of the United States Supreme Court. It does appear, however, on page 5 of the opinion of the Circuit Court of Appeals of the District of Columbia in the case of American Federation of Labor against the Board, decided February 27, 1939. On page 5 of the opinion you will find the exact language which was quoted by the gentleman from Virginia.

Mr. MURDOCK of Utah. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. MURDOCK of Utah. I was very particular to ask the gentleman if he was reading from a Supreme Court decision, and he said "Yes." The only purpose I had in calling that to the attention of the House was that in condemning the Board and in condemning this law the record has not been resorted to correctly.

Mr. HOFFMAN. I think the gentleman from Utah is correct. The gentleman from Virginia did what we all do at times—and I think even the gentleman from Utah himself does on occasion—made a mistake as to the court.

Mr. MURDOCK of Utah. Yes.

Mr. HOFFMAN. It was the Circuit Court of Appeals of the District of Columbia which used the exact language quoted by the gentleman from Virginia. The decision of the circuit court of appeals—and here is the decision—was affirmed in the Supreme Court of the United States on the 2d day of January 1940. So what practical difference does it make whether the Supreme Court uttered that language or affirmed the reasoning and the conclusion of the lower court?

Mr. MURDOCK of Utah. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. MURDOCK of Utah. But the gentleman cannot find that language in the decision of the Supreme Court, even though the Supreme Court affirmed the decision. They did not include that language in their opinion.

Mr. HOFFMAN. The gentleman is right; the circuit court of appeals said that. But what difference does it make whether the language used by the gentleman from Virginia was the language of the Supreme Court of the United States in the first instance or whether it was the language of the circuit court of appeals and on appeal the Supreme Court reached the same conclusion for the same reasons given by the lower court? As a matter of fact, the Supreme Court in affirming the decision of the circuit court of appeals, used this language:

It seems to be thought that this failure to provide for a court review is productive of peculiar hardships, which were perhaps not foreseen in cases where the interests of rival unions are affected. But these are arguments to be addressed to Congress and not the courts.

Mr. MURDOCK of Utah. They did not say it was the law.

Mr. HOFFMAN. Here is the opinion; read it.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. SMITH of Virginia. Does the gentleman feel that notwithstanding whether I was right or wrong about that matter we would be accomplishing a great public service here this morning if we went into the merits of this matter rather than quibble over mistakes and errors?

Mr. HOFFMAN. I certainly do, and it is because I hope to end all quibbling and to aid in having the arguments which are made here based on the facts that I point out that, while the gentleman from Virginia was in error as to the court which used the language, that exact language was used by a circuit court of appeals and in every particular the conclusion therein expressed was adopted by the Supreme Court when it affirmed the case.

I agree with the gentleman from Virginia, we should discuss these amendments on their merits and certainly while insisting that statements of fact be accurately made, overlook or disregard trivial errors which have no bearing at all on the controversy. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was agreed to.

Mr. HARTLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HARTLEY: On page 5 strike out line 8 and all thereafter to and including line 8 on page 6 and insert, in lieu thereof, the following:

"Section 3 of the National Labor Relations Act is amended to read as follows:

"'SEC. 3. (a) The National Labor Relations Board is abolished, effective 30 days from the date of approval hereof. The members, secretary, officers, assistants, employees, and agents thereof, in

office on the date of approval hereof, shall continue to function and receive their salaries for a period of at least 30 days from such date, in the same manner as though this section had not been passed. There is hereby created a board to be known as the Federal Labor Board (hereinafter referred to as the Board) which shall be composed of five members, who shall be appointed by the President by and with the advice and consent of the Senate. One of the original members shall be appointed for a term of 1 year, two for a term of 3 years, and two for a term of 5 years each, except that any individual chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed. The President shall designate one member to serve as the chairman of the Board. Any member of the Board may be removed by the President, upon notice and hearing, for neglect of duty or malfeasance in office but for no other cause. All cases referred to the National Labor Relations Board and unsettled on the date of approval hereof shall be handled to conclusion by the Federal Labor Board.

"'(b) A vacancy in the Board shall not impair the right of the remaining members to exercise all of the powers of the Board, and three members of the Board shall, at all times, constitute a quorum. The Board shall have an official seal which shall be judicially noticed.

"'(c) The Board shall at the close of each fiscal year make a report in writing to Congress and to the President, stating in detail the cases it has heard, the decisions it has rendered, the names, salaries, and duties of all employees and officers in the employ or under the supervision of the Board, and an account of all moneys it has disbursed.'

"Subsection (b) of section 4 of the National Labor Relations Act is amended to read as follows:

"'(b) All employees of the old Board shall be transferred to and become employees of the Board until reappointed or replaced, with salaries under the Classification Act of 1923, as amended, without acquiring by such transfer a permanent or civil-service status. All records, papers, and property of the old Board shall become records, papers, and property of the Board, and all unexpended funds and appropriations for the use and maintenance of the old Board shall become funds and appropriations available to be expended by the Board in the exercise of the powers, authority, and duties conferred on it by this act.'"

Mr. HARTLEY. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The CHAIRMAN. The gentleman from New Jersey is recognized for 8 minutes.

Mr. HARTLEY. Mr. Chairman, we have heard some discussion here today about an alleged deal between the American Federation of Labor and the majority of the Smith committee. I do not know that there is any truth to that statement, but I want to preface my remarks here today by telling you that the amendment which I have just offered contains the original American Federation of Labor amendments that were proposed to the Committee on Labor a year ago in May jointly by the gentleman from North Carolina [Mr. BARDEN] and myself.

Mrs. NORTON. Mr. Chairman, will the gentleman yield?

Mr. HARTLEY. I yield.

Mrs. NORTON. The gentleman knows, of course, that the president of the American Federation of Labor has changed his mind several times since that, so it is quite impossible for any of us to know really what are the amendments sponsored by the American Federation of Labor. For myself, it would be very difficult for me to know just exactly where we stand with regard to amendments desired by the American Federation of Labor.

Mr. HARTLEY. I thank the gentlewoman from New Jersey for that observation. Whether the president of the American Federation of Labor has changed his mind or not I know I have not changed mine; and I believe I am also speaking the will of the rank and file of the majority of the American Federation of Labor who feel they have been given a terrible deal by the present National Labor Relations Board.

The issue before the House today is one of great importance.

Unfortunately, the debate may be clouded by two divergent and extreme points of view. On the one hand there are those who dispute labor's right to collective bargaining and who would repeal the National Labor Relations Act or nullify it by amendments. To those who hold that view may I say the right of labor to organize and select their representatives for the purpose of collective bargaining is fundamental and that right is accepted and approved by every fair-minded American citizen. It will never be repealed.

On the other hand, there are those who regard the National Labor Relations Act as sacrosanct and untouchable. With blind fidelity they guard the act as though it were the work of legislative genius. They defend its administrators as though they could do no wrong. In my 12 years in this House I have never seen a piece of legislation that could not be improved or a board that never made a mistake.

In the crisis that confronts us today I believe it is our duty to consider this legislation not in terms of prolabor or proindustry, not in terms of what is best for the North, South, East, or West, but in terms of the general welfare of the Nation at large.

Mr. MURDOCK of Utah. Will the gentleman yield?

Mr. HARTLEY. I yield to the gentleman from Utah.

Mr. MURDOCK of Utah. The gentleman made a statement that we should not debate this with the idea of being prolabor or proindustrialist. I wonder if we should not also debate it without being pro A. F. of L. or pro C. I. O.?

Mr. HARTLEY. I agree with the gentleman on that; yes. In mentioning the fact I had introduced the A. F. of L. amendments, I did so because I believed the A. F. of L. as a labor organization was the first to recognize that the Board had not done a good job, and that there was need for amendment to the act and the Board itself.

Mrs. NORTON. Will the gentleman yield?

Mr. HARTLEY. I am afraid I cannot yield unless I get more time. I want to finish my statement.

Mrs. NORTON. Mr. Chairman, I ask unanimous consent that the gentleman may have another minute.

The CHAIRMAN (Mr. JONES of Texas). Is there objection to the request of the gentlewoman from New Jersey [Mrs. NORTON]?

There was no objection.

Mrs. NORTON. I wish to ask the gentleman if he thinks the differences between the two labor organizations might possibly have any influence on the action that has been taken by the American Federation of Labor?

Mr. HARTLEY. The differences between the two labor organizations? Not at all. I believe the A. F. of L. has taken its position because the Board, by its own acts, has proven itself to be biased in favor of the C. I. O. and against the older and parent organization, the American Federation of Labor.

I believe we must direct our attention first to the law itself and, secondly, to its administration. Was the law considered in equity and has it been impartially administered? We were assured at the time of its passage that this was a measure designed "to promote industrial peace." Its leading proponent, Senator WAGNER, said, and I quote:

> It would create an upright, impartial, and peaceful forum to the benefit of employers, workers, and the country at large.

Yet in 1936, the first year of its operation, over 2,000 strikes, involving over 700,000 workers, took place.

Mr. THOMAS F. FORD. Will the gentleman yield?

Mr. HARTLEY. I yield to the gentleman from California [Mr. THOMAS F. FORD].

Mr. THOMAS F. FORD. Is it not true that the reason for those strikes was that the Liberty League had said a group of lawyers stated the law was not constitutional?

Mr. HARTLEY. I am not defending any of that.

In 1937, the second year of its operation, there were over 4,700 strikes involving nearly 2,000,000 workers. In 1938, there, were 2,272 strikes involving 688,000 workers and in 1939, there were 2,613 strikes involving nearly 1,200,000 workers.

While I believe that a conclusive argument can be presented calling for amendments to the law, I am so firmly convinced that our difficulties have arisen because of maladministration by the present Board and its hirelings that I am willing to state unequivocally, give me a Board that knows the meaning of equity and I will vote against any amendments to the act itself.

The National Labor Relations Board has apparently proceeded on the idea that it was necessary to tear industry down in order to lift up labor. The Board itself is responsible for the failure of the Wagner Act to achieve its purpose.

[Here the gavel fell.]

Mr. HARTLEY. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey [Mr. HARTLEY]?

There was no objection.

Mr. HARTLEY. I specifically charge that acts of the National Labor Relations Board and its agents have aggravated strikes bringing great losses to employee and employer alike.

Secondly, that their hearings have been biased, partial, prejudiced, and unfair. Third, that their decisions have been based in many instances, on incompetent, irrelevant, and hearsay evidence. Fourth, that in many instances, decisions of the Board have been deliberately delayed. Fifth, that there has been a definite partiality on the part of the Board in favor of the C. I. O. against any and all other labor organizations. Sixth, that instead of helping management and employee collaborate together, it has built a wall between them. Eighth, that it has discriminated against craft unions. Ninth, that it has proceeded in every instance under the fallacy that industry was always guilty until proved innocent.

The issue before the House today goes to the heart of the American system of civil liberties. The backbone of the civil liberties is the right of every citizen to a fair trial. To me it is ironical that there are those in this House calling themselves liberals, who have taken a stand against any revision of the law which would change the membership of the present Board. This, in spite of the amazing tale of governmental misuse of power, known not only to those who have followed the Smith committee's investigation, but as a matter of general public knowledge.

For one, I would be willing to see the act remain as is under decent administration. The maladministration of the Board at the top has extended out with few exceptions through its agents throughout the country. If there had been justice instead of zealotry in the conduct of the Board from the beginning, public resentment would never have occurred and investigations such as the Smith committee would not have been necessary.

The National Labor Relations Board has been weighed and found wanting. A clean sweep is the primary move necessary toward making the National Labor Relations Act what it originally was intended to be—an instrument to bring about peace in industry through collective bargaining.

Do not whitewash the atrocious record of the present Board by adding two members to it; rather, give us a new Board and you will remove the need for practically every other amendment to be offered.

Mr. HOFFMAN. Mr. Chairman, I rise in opposition to the amendment and I ask unanimous consent to revise and extend my own remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

Mr. SMITH of Virginia. Will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Virginia.

Mr. SMITH of Virginia. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto shall conclude in 25 minutes, reserving 5 minutes to myself.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia [Mr. SMITH]?

There was no objection.

Mr. HOFFMAN. Mr. Chairman, if I may have attention I will not take more than 2 minutes. I, too, am a member of the House Labor Committee. It is quite true that there is some resentment on the part of certain members of that committee because of the activities of the Smith committee, but, in my judgment, we would be rather small minded if we let any personal considerations enter into a decision with reference to whether an amendment should be adopted or rejected. The Smith committee was allowed $100,000 to make an investigation, which it made. They had counsel and in my judgment they did an effective job. They have brought in here certain amendments.

If I have any friends on the Republican side who wish to follow my judgment or who would be so generous as to do so in this particular instance, may I say, with all due respect to the gentleman who has just addressed you on his particular amendment, that the Smith committee has prepared an amendment covering the same subject which I understand is to be offered, and we should not now become confused as to our procedure. May I ask my friends, therefore, to defeat the amendment offered by the gentleman from New Jersey; then, later on, when the Smith amendment to the same effect but in little different language is offered, that you adopt it.

We all know it is the policy and the strategy of those who intend to defeat any and all amendments to this bill to load it up with amendments. I have 15 or 20 amendments which I think should be agreed to. I am going to speak on some of them, but I expect they will all be defeated. Therefore, in the interest of harmony and for the purpose of actually getting rid of this Board, I ask the minority side to vote down the pending amendment, and to adopt the one advocated by the Smith committee when it is offered.

Mr. HARTLEY. Will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from New Jersey.

Mr. HARTLEY. The gentleman is not suggesting that I am trying to load the bill, is he?

Mr. HOFFMAN. Certainly not. Please do not misunderstand me. I think the gentleman's amendment is a good one. The gentleman has rendered long and distinguished service to the cause of labor. Not only on the Labor Committee has he been a tower of strength to labor and labor legislation, but on the floor of Congress, and outside as well, he has always advocated all reasonable, constructive labor legislation.

I know that an attempt will be made to so load this legislation with amendments that are either contradictory, impracticable, or inimical to the cause of labor that we may get our legs crossed and stumble and lose our way before we pass the bill.

There are many amendments which I have in mind.

The act should be amended so as to incorporate within its terms the interpretations placed upon it by the Supreme Court, insofar as the same will aid in furthering the purpose of the act or in clarifying its terms, including, among others, the following:

(a) A provision that those engaging in sit-down strikes and the unlawful destruction of property lose their status as employees and need not be reemployed nor compensated for wages not earned after the commission of such acts (*N. L. R. B.* v. *Fansteel Metallurgical Corporation*, decided February 27, 1939, 83 U. S. (L. ed.) 469).

(b) A provision that, when the employer and the employees' representatives have negotiated for a reasonable length of time, or where the positions of the parties are so diametrically opposed that there appears to be no reasonable hope of a compromise, the requirement as to collective bargaining has been satisfied (*N. L. R. B.* v. *Columbian Enameling & Stamping Co.*, decided February 27, 1939, 83 U. S. (L. ed.) 480; *N. L. R. B.* v. *Sands Mfg. Co.*, decided February 27, 1939, 83 U. S. (L ed.) 488).

(c) A provision that the Board has no authority to inflict a punitive penalty upon the employer, except as that penalty is explicitly defined and imposed by the language of the act itself (*Consolidated Edison Co.* v. *N. L. R. B.*, decided December 5, 1938, 83 U. S. (L. ed.) 131; 305 U. S. 197).

(d) A provision that the Board has no authority to invalidate a contract entered into between an employer and representatives for collective bargaining selected by a majority of the employees (*Consolidated Edison Co.* v. *N. L. R. B.*, decided December 5, 1938, 83 U. S. (L. ed.) 131; 305 U. S. 197).

(e) That findings of fact by the Board will not be sustained unless they are supported by "evidence which is substantial; that is, affording a substantial basis of fact from which the

fact in issue can be reasonably inferred" (*N. L. R. B.* v. *Columbian Enameling & Stamping Co.*, decided February 27, 1939, 83 U. S. (L. ed.) 480; *Consolidated Edison Co.* v. *N. L. R. B.*, decided December 5, 1938, 83 U. S. (L. ed.) 131, 305 U. S. 197).

(f) There should also be a provision, although the Supreme Court has not passed upon this proposition, that the unit from which representatives for collective bargaining are to be selected should be limited to one employer in one locality and shall be embraced within the limits of the municipal corporation in which the employees are working.

There should be a definition of collective bargaining.

Yesterday, the gentleman from Utah [Mr. MURDOCK] made the argument that as the law now stood an employer could not be forced to enter into a collective-bargaining agreement.

The Supreme Court so held in the case of *N. L. R. B.* v. *Jones & Laughlin Steel Corporation* (301 U. S. 1, 45).

Moreover, Senator WAGNER, in a letter, and the Senate committee in reporting the bill made the same statement.

The Smith investigations show that the strike against Inland Steel was instigated by the joint action of Lee Pressman, general counsel of the C. I. O., and Nathan Witt, secretary of the National Labor Relations Board, for the purpose of having decided the issue as to whether an employer could be forced to sign a written contract after an agreement had been reached.

The Circuit Court of Appeals for the Seventh Circuit, in the Inland case, decided on January 9, 1940, held that, under the act as it stood, the employer was not required to sign a written agreement. In that case the court said:

> Thus it appears that, in order to settle this admittedly legal question a strike was called, with all of its attendant hardships and a proceeding was instituted which required several months to hear and determine.

As a matter of fact, 2 years and 8 months elapsed from the time the Supreme Court handed down its decision in the Jones & Laughlin case.

However, the effect of the Inland decision is wholly destroyed by subsequent decisions by other circuit courts of appeals which, if sustained, demonstrate that the employer is required to enter into a contract.

This situation will illustrate the point: There is a dispute between the employer and the union. The disagreement may be over one or a dozen propositions. Let us take an extreme case. Assume that John Jones is working for Company A. The company has had no thought of discharging him. He has no idea of quitting. He has no grievance of any kind. The company and the representatives of the union cannot agree as to wages or hours or some other question. The bargaining agent of the union says to the company representative, "Do you intend to discharge John Jones?" The company's representative replies, "No; certainly not. He has worked here for 10 years; we have no fault to find; we intend to keep him, and he intends to work." "Fine," says the representative of the union, "we agree on that, do we? You do not intend to discharge him?" "Certainly not," says the company's representative. "Then," says the representative of the union, "representing the union as I do, I want you to sign a written contract to the effect that you do not intend to discharge John Jones."

Under the decisions rendered subsequent to the decision in the *Inland case*, that is, the decision in *Art Metals Construction Co.* v. *N. L. R. B.*, decided in the second circuit on the 26th day of February 1940 (110 Fed. (2d) 148); the decision in *N. L. R. B.* v. *Highland Park Manufacturing Co.*, decided by the fourth circuit on the 11th day of March 1940 (110 Fed. (2d); and the decision in *H. J. Heinz Co.* v. *N. L. R. B.*, decided April 3, 1940 (110 Fed. (2d) 843), the employer must enter into a written contract.

A harmless procedure, you say? Perhaps, and then again, not so harmless as it may seem. The object of the contract, from the standpoint of the union, is to demonstrate to all other employees of the company that it is the "boss."

The practical result is that every employer can, under these decisions, if they are permitted to prevail, be forced to sign some sort of a contract with the union, and the subsequent result is that all employees, whether they desire it or not, are forced into the union.

It necessarily follows from these decisions that the employer, if he agrees to anything, can be forced to sign a written contract and, as some of the courts have said that collective bargaining includes the making of counterproposals, it follows that the employer can be forced to do the very thing which Chief Justice Hughes in the case of National Labor Relations Board against Jones & Laughlin Steel Corporation said the law did not require.

I know that the amendments which are adopted today will not make the law just or fair. I know that they will not prevent employees being deprived of the right to bargain collectively. I know that they will not prevent racketeers from profiting at the expense of both employee and employer.

I am certain, in my own mind at least, that amendments which I would like to propose would do something toward making the law and its administration more just and equitable. But because I know that a major part of the trouble, of the injustice, of the persecution, which has been carried on under this act, has come through the improper conspiracy, if you care to call it that, existing between the C. I. O., some who hold the views of the Communists, and the Labor Board and its employees, I am wholeheartedly in favor of the Smith amendments for, by the adoption of those amendments, with the approval of the Senate, we shall be rid of a Federal agency which has been a disgrace to our country.

The CHAIRMAN (Mr. PARSONS). The gentleman from Indiana [Mr. HALLECK] is recognized for 4 minutes.

Mr. HALLECK. Mr. Chairman, the amendment that has been proposed would set up a new Board. That was a controversy that was fought out in the Labor Committee and was decided on a very close vote, as I understand it—the question whether there would be a new board or two members added.

Mrs. NORTON. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. I refuse to yield. I have only 4 minutes. I want to talk on this amendment as I see it, and I believe I know what it is about.

Mrs. NORTON. The gentleman wanted information.

Mr. HALLECK. If there is one thing the American Federation of Labor has been for for years it is having a new board, and they have insisted on it. Particularly did they insist on it at their 1938 convention in Houston, Tex., when they advocated language substantially like that contained in this amendment, and there has been a general demand over the country for a new board. But this is what I want the members of the Committee to understand: We are working on the Smith bill at this time. We are attempting to perfect it as the House would want it written. The Smith bill provides for a separation of powers. It provides for the setting up of an administrator, who shall prosecute cases. It provides for the setting up of a new board of three, not five, but a new board to be appointed by the President.

This provision for a new board in the Smith bill had to outline the duties of the board, because the board of three, as provided in the Smith bill, would not have the duty of prosecution. If this amendment were adopted at this time, it would provide for a new board of five members, but would not have these other provisions that, to my mind, are absolutely essential in the framework and the design of the Smith bill.

If the Smith bill were not adopted by the House as a substitute for the Norton bill and the House went to the perfection of the Norton bill, then the amendment that is here presented would be in order, in line with the perfection of that bill. I am for a new board, do not misunderstand me. I have made that position clear. But I am not for this amendment at this time and at this place in the bill, because it is not in line with the other provisions of the bill.

Let me say further that if the House should vote down our proposal for a separation of powers, which would leave the situation as it is now in the existing law, then this amendment could be offered after the adoption of such an amendment as that and would fit in the pattern of the proposed legislation; but it does not fit in the pattern now.

In view of some things that have been said here that I trust were not intended to cast any aspersions at any of us personally or to question our integrity, I should like to say that, for one, I said a long time ago publicly that I am not wedded to any language or any particular amendment. The amendment offered by the gentleman from New York [Mr. BARTON], to leave the preamble as it is today in the law, was what was advocated by the minority of our committee. Our proposal to change that preamble was jumped on by people who are friends of the act and friends of the Board. It seemed to draw some of the most vigorous and harsh criticism of any of the provisions in the bill. I do not know why anyone should be particularly condemned because he says if that proposal has created such a storm, so much suspicion, so much question as to the motives of the people trying to do something about this problem, why should not the House, in its judgment, take it out and leave the preamble as it is, because, after all, it is not very important?

In conclusion, I want to urge again that this amendment at another time or under different circumstances would have my support, but at this time and at this stage of our consideration I do not believe the House should adopt it.

Mr. HARTLEY. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from New Jersey.

Mr. HARTLEY. In all fairness, does the gentleman believe that if we had a board in which we all had confidence, a board that would do a decent job, we would need an administrator?

Mr. HALLECK. I argued about that yesterday.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. MARTIN J. KENNEDY].

Mr. MARTIN J. KENNEDY. Mr. Chairman, when I spoke on the rule making this bill in order I stated that I was opposed to all the amendments to the National Labor Relations Act. Since making that speech I have been attentively listening to the debate. I listened all of yesterday and I was very sorry to find so few of my Democratic colleagues here. The attendance seems to indicate a woeful lack of interest. I also regret that in the debate there seems to be running a strain of bitterness. Back in 1930 I was a member of the Labor Committee of the House. I do not believe a bill was reported by that committee unless it had the complete approval of the American Federation of Labor. Members would rise on this floor and quote the American Federation of Labor and the wishes of the federation were faithfully followed. I am pleased to say their position on legislation was usually sound. Today, I find the American Federation of Labor being severely criticized because they have approved the so-called Smith amendments to the National Labor Relations Act. I resent this attack because I believe the American Federation of Labor have a perfect right to their views. On this bill, I am not going to follow the suggestion of Mr. William Green, because I sincerely believe the proposed amendments are unnecessary. I believe the necessary power is presently vested in the Board and they should change their rules to meet the honest criticism of the hour. I indicated in my speech the other day that I believed the personnel of the National Labor Relations Board are responsible for the pending bill. We all have had experience with the personnel of that Board. I do not know on what basis they were selected for their jobs, but I do hope that they will be retired from service before long. There are thousands of excellent candidates who will carry out the provisions of the act in an intelligent and efficient manner. This House created the Smith committee—and the majority of the committee are Democrats. Some of my Democratic colleagues who have been criticizing the members of the Smith committee have asked us to support them in their attack on this committee. When we remember that only 103 Democrats voted against this rule the other day, it would seem that this is not a Democratic rule. In my opinion, my Democratic colleagues should appeal for help to the Democratic leaders of this House, because the RECORD shows that the delegations from Texas, Alabama, Mississippi, Georgia, Florida, the Carolinas, New Mexico, Virginia, Louisiana, and Tennessee, with the exception of one gentleman from Alabama [Mr. PATRICK] voted for the adoption of this rule. It is idle for any Member to get up here and appeal to Democrats. Where are these Democrats? Where are the leaders of the House? Certainly they are not here present.

I do not propose to sit silently and listen to William Green and the American Federation of Labor being criticized in a most unfair fashion simply because they have taken a position in opposition to this bill. Personally, I am going to vote against any change in the National Labor Relations Act, because I respectfully differ with Mr. Green as to the necessity for change. I cannot apologize for the conduct of a group that has persistently flouted the provisions of the law they are expected to administer. I understand the President of the United States has gone so far as to ask one of his appointees to the National Labor Relations Board to resign, and the man has refused to comply. I hope as a result of this debate we may possibly correct the defects in the National Labor Relations Act.

I have the utmost confidence in the American Federation of Labor and its leaders, as represented by William Green and George Meany, formerly president of the New York State Federation of Labor. I respect their opinions on all matters concerning labor, and I accept their judgment on most legislative questions pertaining to labor, but I feel so strongly that any amendments to the present law would be the beginning of the end of labor's Magna Carta that I shall vote against all amendments.

Let us direct our efforts to cure the evil at the source by the appointment of competent National Labor Relations Board employees. [Applause.]

Mr. SMITH of Virginia. Mr. Chairman, this amendment, as you understand, creates a new board and increases the membership from three to five. I rise in opposition to the amendment, and I do so regretfully, knowing the very deep interest and the fine service that the gentleman from New Jersey [Mr. HARTLEY], who has offered this amendment, has rendered to the labor movement. The reason I oppose it is this: When you analyze it, all it does is to add two more $10,000 salaries to the pay roll, whereas the amendments which we offer, and which we hope the House will sustain, instead of doing that, create an administrator and thereby separate the prosecuting functions of the Board from the judicial functions.

This is a very important amendment of ours, because around it hinges the greater part of the controversy and the trouble about this whole matter, namely, that the Board as now constituted acts as the investigator, the prosecutor, the trial attorney, the judge, and, as the Court said, the executioner.

Now, what we are seeking to do, in accordance with our constitutional arrangement, is to separate the prosecuting functions from the judicial functions, and we are doing that by creating an administrator, who would be like an attorney general to prosecute violations of the law, and then a board of three which would try and decide the cases.

Having relieved the Board of these functions under our amendments, the amendment of the gentleman from New Jersey, which would increase the Board to five, would merely be an added expense without adding anything particularly to the proper functioning of the Board. [Applause.]

The CHAIRMAN. The Chair recognizes the gentlewoman from New Jersey for 4 minutes.

Mrs. NORTON. Mr. Chairman, I do not care for recognition at this time.

Mr. HEALEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I ask for time to talk on this amendment offered by the gentleman from New Jersey [Mr. HARTLEY] because it relates to the Board itself, and so that the RECORD may show something of its accomplishments I would like at this time to quote some statistics relative to the work of the Board since its inception.

The Board's records show that it has handled up to December 1, 1939, 25,034 cases involving 5,696,234 workers. More

than 5,000,000 workers were involved in the cases handled by the Board up to this time. The Board has averted 798 strikes, involving 186,799 workers. It has conducted 2,543 elections in which 1,200,414 valid votes were cast. Up to December 1, 1939, the Board has rendered 1,439 formal decisions, covering a million pages of testimony and constituting 18 volumes of reports of about 22,000 pages. In 1938 the testimony taken by the Board exceeded in the number of pages the combined total of the Interstate Commerce Commission, the Securities Exchange Commission, Department of Agriculture, Board of Tax Appeals, Federal Trade Commission, and the Federal Communications Commission. In 1939 the pages of testimony taken about equaled the total of the Interstate Commerce Commission and the Securities Exchange Commission. It has handled 54 matters in the Supreme Court of the United States, 518 in the circuit courts of appeals, and 120 in the district courts of the United States.

The great bulk of this work has been handled in the past two and a half years, following the Supreme Court decisions in April 1937, upholding the constitutionality of the act.

This huge volume of work accomplished by the Board and its staff is important not only as showing the competence of the staff, but as revealing the over-all picture against which individual instances of alleged improper action must be judged.

Mr. Chairman, my main purpose is to insert in this RECORD the accomplishments of this Board so that the House of Representatives in any action it may see fit to take—and I cannot quarrel with the judgment of the majority if they decide against my position—may know the facts, may know the enormity of the tasks with which this Board was confronted, the volume of the work they had to undertake, and the accomplishments and achievements of the Board. Then, if the House wants to remove them, then if it desires to dissolve this Board, that is the decision for the House to make. I think, however, the RECORD at least should show something of the Board's achievements and accomplishments.

Mr. MURDOCK of Utah. Mr. Chairman, will the gentleman yield?

Mr. HEALEY. Yes.

Mr. MURDOCK of Utah. In making the minority report the gentleman went into the court records, did he not, of other administrative agencies, and is there any administrative agency of this Government that has a court record that will even compare with the National Labor Relations Board?

Mr. HEALEY. I can say without fear of contradiction that the statement the gentleman has made is undeniably correct. The record of the Board in disposing of cases without the formality and necessary expense of hearings attests to its efficiency and its intelligent desire to avoid the inevitable friction involved in litigation. Most of the cases disposed of informally were settled by agreement among the parties. The promotion of such amicable settlements is shown by the figures to be one of the principal functions of the Board staff. During the period of from October 1, 1935, to June 30, 1939, 12,619 unfair labor practices were disposed of. Of these, 11,469 cases, or 91 percent, were disposed of informally; the 6,086, or 48.3 percent, by settlement; 1,968, or 15.6 percent, by dismissal; and 3,274, or 26 percent, by withdrawal. Only 9 percent proceeded as far as the issuance of a formal complaint. In the same period, 6,169 representation cases were handled. Of these, 4,813 cases, or 78 percent, were handled informally; 2,919, or 47.3 percent, by settlement; 571, or 9.3 percent, by dismissal; and 1,285, or 20.8 percent, by withdrawal. Only 22 percent went so far as the issuance of a Board order for investigation of representatives.

During the last year, in 923 unfair labor practice cases involving 134,326 workers, unions were recognized as the result of Board efforts, and 769 collective agreements were signed. In 903 cases, notices informing employees that they had the rights guaranteed under the act were posted by employers. In 245 cases employers ceased dominating and interfering with labor organizations of their employees, and a total of 7,738 workers were reinstated after discriminatory discharges, of whom 3,003 received $658,523 in back pay.

Under the protection of the act labor organizations has made rapid strides since the legislation went into effect. Increases in membership have been registered by both of the main branches of the labor movement.

In 1935 the American Federation of Labor executive council reported a membership of 3,045,347. An authoritative estimate placed the total membership of other unions then at 578,000, making a total union membership of a little over 3,600,000.

In 1939 the American Federation of Labor executive council reported a membership of 4,006,354. The same year the chairman of the Congress of Industrial Organizations stated that it had a membership of over 4,000,000. The Department of Labor estimates the present total union membership at between eight and eight and one-half million.

This was accompanied also by a rapid increase in the number and coverage of written collective agreements. The increase in agreements has occurred particularly since 1937. Thus in steel, before 1937, there were very few agreements. In 1937 more than 350 were reported, and in 1938, 500. In the rubber industry in 1932 less than 100 workers were covered by agreements; now more than 40,000 are, of whom more than 80 percent were covered since April 1937. In flat glass 21,000 workers are now covered. In aluminum, agreements cover 6 plants employing 17,000 workers. In automobile more than 500 agreements were made in 1938. In the electrical-equipment industry more than 400 agreements have been made, of which 300 are with the International Brotherhood of Electrical Workers—American Federation of Labor. The International Association of Machinists—also American Federation of Labor—reports over 4,000 agreements in the machinery industry.

Not only has there been an extraordinary increase in such agreements, but more recently a significant change in their character has been noted. The National Industrial Conference Board Management Record for July 1939 reports that, as compared with 1937 agreements, 1939 agreements—

> In general * * * indicate a more serious acceptance of collective bargaining.

Their duration is indefinite, rather than being limited to 1 year, and they appear to be attempts—

> To cover situations that arise in day-to-day plant operation rather than contracts entered into under duress and couched in such vague terms as to make misunderstanding inevitable and amicable administration difficult.

Credit for these trends in collective bargaining, it seems to us, can be attributed largely to the act and the Board's administration of the act. It is almost entirely since the validation of the act by the Supreme Court and the consequent commencement of effective application that these trends have appeared.

The important effect of the act in making effective the civil liberties of employees, and in securing similar benefits can best be stated in the words of Senator WAGNER, who, in a letter to the New York Herald Tribune, said:

> Finally, no appraisal of the merit of the National Labor Relations Act is complete without mention of those values which cannot be measured in statistical terms. To increasing millions of wage earners, the act is bringing increasing enjoyment in their daily working lives of freedom of expression, of the press, of assembly, and of ballot. To increasing millions of wage earners, it is guaranteeing a voice and a place in our industrial system which has been too long neglected or denied. The significance of these values must be apparent in the present trend of world events.

While no evidence on the matter was introduced by counsel for the committee, the effect of the act upon industrial strife has been the subject of considerable controversy. It will readily be admitted that, in a field where the varying factors are so complex, the precise effect of the act cannot be precisely traced. Yet we believe that the evidence introduced upon this subject by the Board points to several significant facts.

Because of the injunction campaign, and the widely fostered belief that the act was unconstitutional, it did not come into effective operation until after the Supreme Court decisions of April 12, 1937. In 1938 there was a decrease,

from 1937, of 42 percent in the number of strikes, of 63 percent in the number of workers involved, and of 68 percent in the total man-days of idleness due to strikes. In the first 10 months of 1939 it declined to 40 percent of the total for the same period of 1937. The same trend continued in November and December of 1939, despite the fact that during these years the number of men organized into unions was about three times as great as in the pre-1935 period, and despite a rising trend of business activity during the greater part of 1939. And while the number of strikes was greater in 1938 and 1939 than in 1935 and 1936, their severity diminished, since the number of workers involved and man-days lost was less in 1938 than in any year since 1932 and 1931, respectively.

Similarly, since the validation of the act the number of sit-down strikes declined from a high of 170 in March 1937 to only 6 in the entire year 1939.

The sharp increase in business activity in the latter months of 1939 was not accompanied by a similar increase in industrial strife. Also, it is highly significant that there was a drop of 48 percent in number of strikes in those industries to which the National Labor Relations Act applies from 1937 to 1938, and of only 29 percent in other industries, a decrease of 66 percent in number of strikers in the former group and only 52 percent in the latter; and a decrease of 71 percent in man-days idleness in the former classification and only 51 percent in the latter.

There has been an even more impressive diminution in the number of strikes called to achieve the purpose protected by the act—the right of organization. Until April 1937 the number of strikes called for organizational purposes almost uniformly exceeded the number of cases filed with the Board; since that time Board cases have uniformly exceeded strikes for such purposes, in a ratio varying from 10 to 1 to 4 to 1. Similarly, the number of Board cases has been greater than the total of strikes for all purposes and the number of workers involved in Board cases has almost uniformly exceeded the number of strikes since April 1937.

These trends are rendered still more significant by the fact that during the existence of the act there has been an enormous increase of union membership, as noted above.

In the light of the foregoing we are definitely of the opinion that the act has, since its validation in the middle of 1937, been a significant factor in reducing industrial unrest. In our opinion the act will continue to play an increasingly prominent role in the promotion of harmonious labor relations as it comes to be accepted more generally throughout industry.

One of the most significant facts revealed by the history of the Board's operations has been the definite trend toward increasing compliance with its terms.

This is evidenced by the proportion of representation cases and unfair labor practice cases filed with the Board each year. In 1936 unfair labor practice cases constituted 81 percent of all Board cases; in 1937, 71 percent; in 1938, 65 percent; and in 1939, about 65 percent. The tendency thus is to use the facilities of the Board more to settle questions of representation and less to remedy unfair labor practices. Similarly, the number of new cases filed with the Board has dropped off appreciably, from an average of 785 per month in 1937, and 666 in 1938, to 531 in 1939.

The Board's record in the courts is an impressive one. Up to January 20, 1940, the Supreme Court reviewed decisions of the Board on the merits in 16 cases; in 12 the Board's position was sustained in toto, in 2 the Board's order was modified, and in 2 it was set aside. Of the 12 decisions upholding the Board in full, 9 involved reversing orders of circuit courts of appeals setting aside Board orders. In 6 other cases in the Supreme Court involving injunction or procedural questions, the Board was sustained in full. In 15 cases, by refusing to grant writs of certiorari, the Court left in force decisions of circuit courts of appeals enforcing Board orders; in only 2 cases did the Court, by refusing certiorari, leave in force circuit court decisions setting aside Board orders. In 12 of the 22 cases actually decided by the Supreme Court, the decision sustaining the Board reversed the lower court.

This record contrasts with the record of the Interstate Commerce Commission, which in the 10 years following its first case in the Supreme Court was reversed 10 times, never wholly upheld, and partly sustained twice, and with that of the Federal Trade Commission, which, in a similar period, was sustained in 3 cases, partially sustained in 1 case, and overruled in 11 cases. The Board's record in the Supreme Court is better than that of any Government agency which has ever been established. Its record for affirmances in the Supreme Court is better than that of the Circuit Courts of Appeals for the Second, Third, Sixth, and Seventh Circuits—4 courts selected at random for purposes of comparison.

In cases finally disposed of in the circuit courts of appeals, Board orders have been sustained in full in 40 cases, modified in 24, and overruled in 19.

All questions of law and all issues of the fairness of the proceeding are subject to full review by the courts. While, as in the case of all administrative agencies, the Board's findings of fact are conclusive if supported by evidence, the courts have interpreted this to mean that the Board's findings must be supported by substantial evidence, and the courts have in fact exercised considerable latitude in appraising the testimony in the record.

Further, there is no reason to suppose that the cases which have been reviewed by the courts are not fair samples of the Board's work. The fact that employers against whom an order has been issued can, and very frequently have, sought review of the order on their own initiative, eliminates the possibility that the cases taken to court have been selected in such a way as to show results favorable to the Board.

For these reasons we believe the Board's litigation record is particularly significant. It is indicative that the Board has observed the limits of its statutory power.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

The question is on the amendment offered by the gentleman from New Jersey.

The amendment was rejected.

Mr. SMITH of Virginia. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Virginia: Page 4, strike out lines 19 to 25, inclusive, and on page 5, strike out lines 1 to 3, inclusive.

Mr. SMITH of Virginia. Mr. Chairman, the amendment just read is the amendment which strikes out of our substitute bill the definition of the term "collective bargaining." That is all there is to it, and it leaves the act as at present written. I would say for our committee that we thought that a desirable amendment, because the Board had said that in collective bargaining if the employer did not make some counterproposition and continued to make a counterproposition, whether he was able to do so financially or not, that was evidence that he was not bargaining in good faith. We took the view expressed unanimously by the patrons of the bill in the debate at the time of its adoption that collective bargaining meant merely to bring the employee and the employer together and let them talk the situation out in the hope that they would reach an agreement. I am yielding on the matter because I do not think it is particularly important if the amendment providing for a new Board is adopted. All branches of organized labor, rather to my surprise, have objected rather strenuously to it, and for that reason I am offering this amendment; and I might say further that it is one of the amendments suggested yesterday by the American Federation of Labor.

Mr. MURDOCK of Utah. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. Yes.

Mr. MURDOCK of Utah. The gentleman has quoted the Board in its definition of collective bargaining, stating the requirements it has set out. I wonder if he can give me the citation where the Board made that statement.

Mr. SMITH of Virginia. The gentleman from Utah seems to think that the purpose of this discussion is to badger the chairman of the committee under which he has served. Of course, I am not able, out of my memory, to tell everything that occurred in a record of some thousands and thousands of printed pages. I can tell the gentleman generally where he can find it, as I have no doubt he already knows, that it is in the first, the second, or the third annual report of the Labor Board itself, in which it laid down that doctrine; where the Board in its own annual report laid down that proposition in direct contravention of the argument of the proponents of the bill when it was adopted.

Mr. MURDOCK of Utah. I certainly do not want to badger the chairman of my committee. I have the highest regard for him, but I do want to say that there never was a board that has been condemned on records that have not been made quite equal to the Labor Board. The only reason I asked the question is to try to keep the record straight and be able to get it and inform myself.

Mr. SMITH of Virginia. I want to say in reply to the gentleman that at a later time during the day I propose to answer his criticism of my citation from the Supreme Court decision yesterday. At a later time I will also answer his criticism of the remarks I have just made and show him the page and the line where that statement was made. I now yield to the gentleman from Missouri.

Mr. WOOD. Your amendment will leave the language where it is?

Mr. SMITH of Virginia. Exactly.

Mr. HALLECK. Will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. HALLECK. The report to which the chairman is referring is the third annual report, and at page 97 is the language in which the Board says that it considered counterproposals so important an element of collective bargaining that it has found the failure by the employer to offer counterproposals to be persuasive of the fact that the employer has not bargained in good faith.

Mr. SMITH of Virginia. I thank the gentleman for his reply to the gentleman from Utah [Mr. MURDOCK], and I hope that is a satisfactory answer.

Mr. DONDERO. Will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. DONDERO. Is the gentleman's amendment the same amendment alluded to on page 88 of the committee's report in defining "collective bargaining"?

Mr. SMITH of Virginia. That is the amendment defining collective bargaining.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. JENKINS of Ohio. Do I understand that this subsection 12 in your bill is new language altogether?

Mr. SMITH of Virginia. That is new language. The language on page 4, beginning in line 19, running through to line 3 on page 5, is new language proposed by our committee, which we are now undertaking to delete, leaving the act exactly as it is now.

Mr. JENKINS of Ohio. Then old section 2 of the act will be just as it was?

Mr. SMITH of Virginia. Just as it was.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. SMITH].

The amendment was agreed to.

Mr. SMITH of Virginia. Mr. Chairman, I offer a further amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Virginia: On page 17, line 12, strike out "6 months" and insert "12 months", and in line 16 strike out "6 months" and insert "12 months."

Mr. SMITH of Virginia. Mr. Chairman, under the act as at present written, there is no limitation upon the length of time for which the Board can order reinstatement with back pay to employees who have engaged in a labor dispute. Under the present act there is no limitation whatever on the length of time for which the Board can award back pay. There are some cases where the subject has been pending for years. We had a case before our committee, for instance, where the employer testified that if the back pay awards ordered by the Board were paid, they calculated it would amount to something over a million dollars in back pay. We thought that these controversies should be brought to an end with some reasonable degree of promptitude. We also thought that if a man had been discharged from a place, in 6 months' time he ought to be able to get himself another job. So we put in there a limitation which provided that no back pay for a period exceeding 6 months should be awarded. There has been some objection to that, and I am perfectly willing to accept the proposal that the American Federation of Labor has made, that this limitation shall be extended to a period of 12 months instead of 6 months, as suggested by our committee.

That is all I have to say on the amendment.

Mrs. NORTON. Will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mrs. NORTON. Is it not a fact that if there is an illegal discharge and if there is a limitation of 1 year on his right to back wages, the employee will suffer in case the court's decision is not rendered within the time limitation proposed?

Mr. SMITH of Virginia. No; I think not——

Mrs. NORTON. Will not the employees be the sufferers?

Mr. SMITH of Virginia. I do not think so——

Mrs. NORTON. Well, suppose the court action delays the matter, then what will happen?

Mr. SMITH of Virginia. I cannot answer unless the gentlewoman will stop long enough for me to answer. If a person has been discharged from a job, he ought to be able to get another job within 12 months. If he can sit around and draw full pay for doing no work for a period of 12 months, I think the Government of the United States is doing pretty well by him in enforcing such a provision on the employer.

Mr. ANDERSON of Missouri. Will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. ANDERSON of Missouri. Has the gentleman's amendment been approved by the American Federation of Labor?

Mr. SMITH of Virginia. It is one of the amendments proposed in the letter which I read yesterday.

Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. MURDOCK of Utah. Mr. Chairman, if any restriction, either 6 months, a year, or 18 months, is put into this bill, the situation is what? If a man has been discharged from his job as a result of an unfair labor practice on the part of the employer he files his complaint with the Board, and if the Board sustains his complaint then the employer can appeal to the circuit court of appeals for a review. That is all he can do under the act. Is it his fault that he has been discharged for an unfair labor practice? No. If he has been so discharged the fault is with the employer, is it not? But if you put a limitation of 6 months, or if you put a limitation of 12 months, in the act, as affecting the employee, what do you do? You penalize the employee for the unfair labor practice of the employer, and you put a premium on the employer for his dilatory tactics to avoid doing justice for the wrong perpetrated on the employee. Do you care to do that?

Mr. PACE. Mr. Chairman, will the gentleman yield?

Mr. MURDOCK of Utah. I yield.

Mr. PACE. The gentleman surely would rather have the period 12 months than 6, would he not?

Mr. MURDOCK of Utah. Yes; certainly I would, but it is not a question of degree; it is a question of principle. If a limitation of 6 months is unfair and unjust, it is not cured by simply adding another 6 months.

Mr. PACE. That is in the amendment.

Mr. MURDOCK of Utah. But my suggestion is that there should not be a restriction in the law at all, because if you put it in the penalty falls on the employees who are least able to bear it. As suggested by the gentleman from Virginia, suppose such an employee does get a job after he has been discharged as a result of an unfair labor practice. Whatever he makes on the new job is deducted from any back-pay judgment that may be rendered against the employer. Is not that sufficient protection for your employer? But suppose he does not get a job at all after the discharge and the case is pending in court for 2 years through no fault of his. The guilty employer pays for 6 months, but the innocent employee suffers and bears the burden of unemployment as a result of the employer's wrong for 18 months. Of course, this seems equitable to the new champions of labor, but is it? Do you want to put the employees of the United States who have been discharged as a result of unfair labor practices in a position where unless the court hands down a decision within the period of limitation the burden falls upon the employee rather than upon the employer who is guilty of the unfair labor practice? I do not believe you want to do that.

I did not believe that the 6-months' provision is right, I do not believe that the 12-months' provision is right; but, of course, 12 months is better than 6. It do hope that in finally voting on this thing both these restrictions, 12 months and 6 months, will be stricken from the bill.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. MURDOCK of Utah. I yield.

Mr. JENKINS of Ohio. As I understand it the gentleman takes the position that this employee has a property right and he has asked the court to adjudicate it. I agree with the gentleman and I shall vote accordingly. It would seem to me that his right ought to obtain until the case is decided, whether it takes 12 months, or 20 months. He ought to have that right. In other words, it should not be doubted in any way that under the National Labor Relations Act an employee discharged wrongfully has a right for redress. If he has such a right then that right remains with him just as does a right to own property or any other right. If he has been imposed upon to the extent of a certain amount of wages, say $100, then he should always have that right until a court says his right is lost or until his claim is paid. This should not be limited to a certain time or date. If A owes me $100 and I sue him for it, he will continue to owe me until the court has decided it. It would not be right to preclude me just because the court might be slow.

Mr. MURDOCK of Utah. Another answer is this: Suppose 30 or 40 or 100 employees are discharged as a result of an unfair labor practice, and they take their case to court. If the 1-year provision remains in the bill, or if the bill carries even a 6-month provision, it is an encouragement to the employer to do what? To delay and prolong the court proceedings as long as he can. Why? Because the employee gets paid nothing after the limitation has passed, after the 1-year period has expired.

Mr. WOOD. Mr. Chairman, will the gentleman yield?

Mr. MURDOCK of Utah. I yield.

Mr. WOOD. If the House votes down the 12-month limitation, the 6-month limitation would still remain in the bill.

Mr. MURDOCK of Utah. Yes. But if we adopt the Smith amendment, certainly there will be an attempt to strike out the 6-month limitation.

Mr. HEALEY. Mr. Chairman, will the gentleman yield?

Mr. MURDOCK of Utah. I yield.

Mr. HEALEY. Does the gentleman know of any statute of limitation that is of such short duration, affecting property rights as this one affects property rights?

Mr. MURDOCK of Utah. No; and I have never heard of a proposition of this kind, that after a certain period, after the cause of action has arisen and is taken into court, the plaintiff can no longer receive the benefits of the act.

Mr. SMITH of Virginia. If the gentleman will yield, I think I can answer the question of the gentleman from Massachusetts.

Mr. MURDOCK of Utah. I yield.

Mr. SMITH of Virginia. In a proposed amendment to the Walsh-Healey Act offered by the gentleman from Massachusetts, there was contained a limitation of 12 months on the right of the workers to make application to the Government for repayment for unfair labor practices.

Mr. MURDOCK of Utah. But that is not analogous to this situation.

Mr. HEALEY. Mr. Chairman, will the gentleman yield?

Mr. MURDOCK of Utah. I yield.

Mr. HEALEY. That is not an analogous situation. An entirely different situation is involved.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. SMITH].

The amendment was agreed to.

Mr. ROUTZOHN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROUTZOHN to the Smith substitute: Page 14, strike out line 3 to 18, inclusive, and insert:

"(e) Whenever in a proceeding under this section it is proposed—

"(1) to include any plant of a particular employer in a bargaining unit containing more than one such plant, or

"(2) to include the employees of a particular employer in a bargaining unit containing employees of one or more other employers, or

"(3) to include employees of a particular employer or employers in any craft in a bargaining unit containing employees other than employees in such craft,

the Board shall take a secret ballot of the employees at such plant, or of the employees of such employer, or of the employees in such craft, as the case may be, for the purpose of determining whether such employees desire to be so included. If a majority of the employees voting vote to be so included, the Board may by order include such employees in a bargaining unit containing more than one such plant, or containing employees of one or more other employers, or containing employees other than employees in such craft, as the case may be. If a majority of the employees voting vote not to be so included, the Board shall by order designate such plant, or the employees of such employer, or the employees in such craft, as the case may be, as a separate bargaining unit. For the purposes of this subsection 'employer' does not include any association of employers, or any other organized group of employers."

Mr. ROUTZOHN. Mr. Chairman, the amendment just read has to do with section 9 of the National Labor Relations Act, which is the most controversial section in the entire act. There has been more criticism of the Board in connection with its administration of section 9 than any other section. It is also rather complicated, as, perhaps, you may have noticed when you heard the amendment read, and I therefore ask that you bear with me as I refer to some notes here in an endeavor to lucidly explain just what the amendment means.

The purpose of the amendment is twofold, namely, (1) to provide a formula for the determination of the appropriate bargaining unit, and (2) to protect the rights of those employees who desire a smaller unit than the one proposed.

The Garrison amendment does not prescribe a formula but does attempt to protect those employees who desire a smaller unit than the one proposed. It does this by taking from the Board the right to determine the appropriate bargaining unit and by providing that where there is a unit dispute between two contending unions no election shall be held unless and until the unions themselves agree in writing on the appropriate unit.

The Norton bill seeks to protect craft unions by providing that the majority of employees of a craft may designate their craft as an appropriate bargaining unit and thereby prevent a larger unit from absorbing or including them in the larger bargaining unit.

The Norton craft amendment is intended to write into law protection for the craft unions, and I have no fault to find with that.

It is conceded by all familiar with the history of the Labor Act that it was never intended to adversely affect the rights of craft unions. Senator WAGNER assured the A. F. of L. that the principle of free choice and action "whether the workers are what are commonly understood to be craft workers or so-called general production workers" was completely and perfectly protected by the act.

It should be borne in mind, also, that the C. I. O. did not exist at that time, had not come into being when the Wagner Act was adopted. It was the unholy alliance of the newborn C. I. O. with the N. L. R. B., dominated by the vindictive spirit of John L. Lewis to get even with Mr. Green by destroying craft unionism, that led to the evils which now need to be corrected by writing into the act a specific protective provision for the craft unions. Had not Madden and Smith and their former member, Donald Smith, joined forces with Lewis in organizing the workers in mass-production industry, and so forth, by certifying bargaining units without first holding elections, we would not have had the universal demand for the proposed amendments under discussion. Even the Board has been compelled to recognize the rights of craft employees and it now does this to some extent by applying what is termed the Globe doctrine, although every member of the Board has a different opinion as to how the Globe doctrine shall be applied.

The Norton amendment and the Globe doctrine, if fairly and justly applied, do not go far enough. They merely seek to protect craft unions and craft-union employees.

[Here the gavel fell.]

Mr. SMITH of Virginia. Mr. Chairman, this is a very important amendment, and I ask unanimous consent that the gentleman may have 5 additional minutes in which to fully explain his amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia [Mr. SMITH]?

There was no objection.

Mr. ROUTZOHN. Mr. Chairman, they do not restore to employees, whether craft or otherwise, union members or nonunion members, the democratic rights and privileges to vote and determine for themselves whether they want representation; and if so, what the bargaining unit shall be.

The Norton craft amendment and the Globe doctrine do not protect the employees of one plant from being absorbed by a larger unit of more than one plant. They do not protect the employees of one or more employers from being absorbed by a larger unit of many employers. Further, they do not provide that before any of this can be done an election shall be held and the employees shall have the right by secret ballot to decide the unit.

Mr. Chairman, the amendment I propose and the one Mr. Green prefers takes care of all employees alike, under all unit proposals, whether they be craft employees, plant employees, union members, or nonunion members. Thus, let it be said for Mr. Green, he recognizes and upholds the rights of all workers, whether members of A. F. of L. affiliates, independent unions, or C. I. O., whether union or nonunion.

Let not anyone tell you that this amendment is merely taking sides with the A. F. of L. Do you know that there are a lot of craft unions that do not belong to the A. F. of L.? There are a lot of independent unions, and so forth. It takes care of the C. I. O., the A. F. of L., all unions alike, as well as nonunion workers. It merely enunciates and seeks to protect the constitutional rights of every individual worker in America.

Do you know that Harry Bridges prevailed on the Board to declare without any elections being held the entire Pacific coast as one unit, and that the courts, although recognizing the outrage perpetrated thereby, were helpless to do anything because the law did not permit any appeal to be taken from the decision of the Board?

Do you know that we would not have had an election among the General Motors workers lately if it had not been that we were having the Smith investigation at the time the question came up?

The action of the Board in making the whole Pacific coast a single bargaining unit is too well known to more than mention. I dare say there would not be one vote here today in favor of electing Members of Congress in any such fashion. Can you conceive of any such administrative agency being given the power to combine two or more congressional districts without consulting the electors in such districts? The gentleman from Utah [Mr. MURDOCK] would have you believe that if employers organize themselves into an association for bargaining purposes the whole compulsive force of Government should be brought to bear to compel employees to organize on the same basis—that if the employees themselves don't know what is good for them a paternalistic and dictatorial administrative agency should tell them, and, having done so, compel them to conform. That is not my view of democratic government. It sounds more like the corporative state to me.

Now, the purpose of my amendment is to recapture from this Board a power which it has usurped—a power which in my opinion Congress never yielded up to it. It simply provides that before the Board can include any plant, or any craft, or the employees of any employer in a larger bargaining unit it must first take a secret ballot of the employees at that plant, or in that craft, or of that employer, as the case may be. By this secret ballot the employees give expression to their wishes in the matter. If they decide they do not want to be included in the larger bargaining unit, the Board is required by the amendment to designate them as a separate and distinct bargaining unit. If they decide they do want to be included in the larger bargaining unit, the Board then, and only then, can so include them. Thus, under my amendment employees, organized and unorganized alike, are given a voice in matters which vitally affect them and their livelihood. The way in which the Board has construed the law employees in effect have had the opportunity merely of choosing between two unions, whereas under my amendment they will have the additional choice of no union, on the one hand, and one or more labor organizations, on the other. Employees in a plant in Atlanta will be given the opportunity of voting whether they want their economic destiny in the hands of a labor organization in Detroit. Employees in San Francisco will be able themselves to say whether they think it is good for them to have their very livelihood under the complete control of an alien in Los Angeles. If you adopt my amendment, you will reestablish the democratic principle in labor affairs by prohibiting decisions as to what is good for employees to be made upon the long-distance telephone by members of the Board and Harry Bridges rather than by the employees themselves.

[Here the gavel fell.]

Mr. JOHNS. Mr. Chairman, I rise in opposition to the amendment.

Mr. SMITH of Virginia. Will the gentleman yield?

Mr. JOHNS. I yield to the gentleman from Virginia.

Mr. SMITH of Virginia. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments thereto be concluded in 20 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia [Mr. SMITH]?

There was no objection.

Mr. JOHNS. Mr. Chairman, to me, this is one of the most important matters that has come before the House since I have been here. It is important to the country because we have in the labor world been in chaos for several years. There is uncertainty that has existed everywhere, with the employer and also with the employee that must be cleared up. This amendment will go a long way toward clearing up that situation, and I hope that the amendment will be approved.

There is uncertainty in many factories today on the part of the employer as to just what he can do, what union he must recognize, or what union he must not recognize. There is uncertainty as to whether or not he can hire more men, and if he does hire more men what his position will be. There is uncertainty as to whether or not his men have been properly classified. I have received, in the last couple of weeks, letters from employers who have been visited by representatives of the Government advising them that 50 percent of their men have not been properly classified, and that they owe these men money that, of course, the employers would have been glad to have paid if they had known they had to pay it, or else they would have discharged the men if they thought they were to draw more money than they were worth.

I feel that the membership of this House should know of one particular instance in my own State, which affects the lives and the welfare of over 2,000 workers, and this matter should be called to your attention. It is quite evident that any reasonable-minded person can see that this matter is being held up, either for the lack of time for the Board to consider it or deliberately. It is for the membership to decide, after facts have been related, what you feel is the real reason.

I am giving you the brief history, as outlined to the Smith committee by the union itself. It seems to me that if this independent union was organized by the membership itself without any interference or help on the part of the employer, and they prefer an independent union to some other kind, that certainly, if men are to be free and independent in this country, as the Constitution provides, they ought to be able to maintain such a union. If they find it is not successful, and they care to affiliate with some other union, that is their own business, and the National Labor Relations Board should give them that right and privilege.

In any event, that uncertainty that exists with reference to the status of the employees of this company should be determined, and if it requires a five-member board to do so, then you should vote it. Briefly, as stated, the facts are as follows, as related by the independent union:

Aluminum Goods Manufacturing Co. has its principal office in the city of Manitowoc and has 2 plants in Manitowoc and 2 plants in the city of Two Rivers. The company employs about 2,200 to 2,800 people. In the spring of 1937 the National Labor Board had an election of employees to select a bargaining agency. At this election there was no organization other than the organizations of the American Federation of Labor, and the A. F. of L. unions were the only organizations mentioned on the ballot. A majority of those who voted at that election voted for an A. F. of L. organization.

In the fall of 1937 some of the employees interested themselves in the formation of an independent union. A constitution and set of bylaws was adopted in November 1937, and by January 1938 over 1,700 employees had signed membership cards and most of them had paid their dues. This independent union calls itself A. G. M. Workers' Association.

By the spring of 1938 the association felt itself strong enough to find out definitely who the employees wanted as bargaining agency. On May 13, 1938, the association had an election by secret ballot. At that time the association had 1,774 members. One of the questions submitted at that election was the following:

"Do you now select A. G. M. Workers' Association as the exclusive bargaining agency for the employees of Aluminum Goods Manufacturing Co.?"

At this election 1,329 members of the association voted "yes" and 21 voted "no."

On June 2, 1938, the association filed with the National Labor Relations Board at its regional office at Milwaukee, Wis., a complaint setting out the above facts and others and the fact that it had demanded of the Aluminum Goods Manufacturing Co. that it recognize this association as the exclusive bargaining agency of its employees, which demand the employer refused, and that such refusal was a violation of the National Labor Relations Act, and prayed that the National Labor Relations Board vacate any certification that it had made in favor of the American Federation of Labor organization and that the Board certify A. G. M. Workers' Association as the sole bargaining agency of the employees and order the company to cease recognizing the American Federation of Labor as the bargaining agency.

On July 22 the A. G. M. Workers' Association was notified by the National Labor Relations Board that because the A. F. of L. organization had filed with the Board charges that the A. G. M. Workers' Association is company dominated the Board would not act on the aforesaid petition until the charges were cleared up through the medium of a hearing.

Subsequently a complaint was issued by the Labor Board against the employer, alleging, among other things, that A. G. M. Workers' Association was a company union. The association was notified that the complaint was not directed against the A. G. M. Workers' Association and that the association's only remedy was to petition for intervention. A motion on behalf of A. G. M. Workers' Association to intervene and be made a party to the proceeding and for the consolidation of the A. G. M. Workers' Association's petition was made on August 15, 1938. The petition to intervene was denied by the National Labor Relations Board, as was the petition for consolidation.

On the opening day of the hearing held at Manitowoc, Wis., the motion to intervene was again renewed and again denied. At the hearing on the complaint against the employer the association's officers were thoroughly cross-examined over the objection of the attorneys for the association.

On December 16, 1938, the trial examiner, Quigley P. McCoy, made his report, finding, among other things, that the company had fostered and was dominating the independent union, and recommended that the company be ordered to cease and desist from so doing and withdraw all recognition from A. G. M. Workers' Association as representative of its employees, thus making a disposition of the association's rights without giving it a day in court. Several times during the hearing, and, in fact, within a day or two of the end of the hearing, Mr. McCoy, the examiner, admitted to the association's attorneys that there was no evidence in the record that the employer had any connection with the organization or work of the association.

At the hearing officers of the A. F. of L. admitted that their membership had declined to less than 200 members, and, in fact, at the present time their membership has declined to less than 50 members in both organizations. The result is that the American Federation of Labor organizations are too weak and feeble to act for the interest of the employees and the association is helpless to help them because of the employers' consistent refusal to have anything to do with the association, using as an excuse the pending case before the Labor Board.

On March 6, 1939, the association again requested the National Labor Relations Board to act on its petition to be certified as the bargaining agency or to hold a hearing on the petition. No action was taken by the Labor Board on this petition.

At the time of the filing of this last petition with the regional director of the National Labor Relations Board at Milwaukee, the regional director, John G. Schott, and his attorney, Morris Forer, explained to the association's president and attorney that the National Labor Relations Board's refusal to allow the association to intervene as a party at the hearing was on the theory that the employer could be found guilty of fostering and dominating the association, while at the same time the association was not fostered or dominated by the employer, and that on that theory it was not necessary for the protection of the association's interest that the association be allowed to intervene at the hearing.

From the foregoing it can be seen that the National Labor Relations Board is defeating the purposes of the National Labor Relations Act in that the employees are not allowed to select the bargaining agency and the act is being used in some cases to further the interest of employers rather than aid independent unions.

The attorneys for the association have represented other independent organizations of laborers in matters before the Labor Relations Board and have been told by field examiners not connected with the Aluminum Goods Manufacturing Co. cases that the Board always grants petitions for intervention by independent unions and has always done so. Clearly their statements are erroneous.

The Board's representatives clearly showed their antagonism toward independent unions and frankly stated that they all were nothing but company unions. When the officers of this association, together with one of their attorneys, by appointment appeared at the office of Nathaniel S. Clark, ex-regional director of the National Labor Relations Board at Milwaukee, and presented the association's petition asking that this association be recognized as the bargaining agency of the employees, Nathaniel S. Clark, in violent language in the presence of Morris Forer, who afterward appeared as attorney for the National Labor Relations Board in the hearing on the complaint of the A. F. of L., stated, that its Mr. Clark stated in violent language that our association was no doubt the work of the Aluminum Goods Co. and Mr. Clark said, "When we get through with the Aluminum Goods we'll show them that they haven't got a chance."

In further conversation with Mr. Clark at this meeting he made it perfectly clear that his attitude was that no independent union had any right to exist and that his attitude was that because this association was an independent union it was of necessity a company-dominated union.

This interview with Mr. Clark was months before the formal hearing on the complaint against the Aluminum Goods Co.

The questions of the Smith committee, numbers 6, 9, 13, 14, and 16, and the answers thereto are so important that I quote the questions and the answers:

6. If your organization or any affiliated union or organization was involved whether as a complaining party or as an intervener in a hearing before a trial examiner, how was the hearing conducted generally, with respect to the following:

(a) The attitude of the trial examiner toward the complaining party, any intervener, and the employer.

Answer. The petition for intervention was denied. The trial examiner's outward attitude was respectful toward all persons interested but it was apparent that the examiner's mind was made up before hearing the evidence.

(b) The attitude of the Board's attorneys toward the complaining party, any intervener, and the employer.

Answer. The attitude of the Board's attorney, Morris Forer, toward the association and toward the employer was so antagonistic, sarcastic, and baiting that there was no hope to compromise any of the difficulties. His attitude promoted discord rather than alleviated it.

9. State whether such petitions were accepted by the Board or its representatives, how much time elapsed between the filing of the petition and the certification proceeding, and likewise between the time of filing and the final order of the Board.

Answer. The petition was accepted by the Board's representatives in June 1938. There has been no certification proceeding, and the only order of the Board is to hold up acting on the petition pending final outcome of the complaint against the employer, which may not be for years.

13. Have any activities or policies of the Board or its agents and employees interfered with (or aided) your growth and functioning as a collective-bargaining agency? Give details.

Answer. The delay on the part of the Board is definitely interfering with the attitude of the employees toward collective-bargaining agencies. The Board's attorney, Morris Forer, and its field examiner, Mr. E. J. Brophy, used some efforts to influence employees to break away from the independent and join A. F. of L. unions.

14. In any certification proceeding involving your organization, have elections been held on your request or has the Board or its agents held or refused to hold elections at their discretion?

Answer. The Board refuses to hold a hearing to determine if an election is necessary.

16. Where elections have not been requested, has certification usually been granted on the basis of an investigation? If so, what evidence has the Board used in ascertaining your authority as exclusive representative of employees in the appropriate unit?

Answer. The Board has asked for no evidence in its refusal to grant certification to the association. Apparently it accepts the charges of the A. F. of L. unions as proved.

What this country needs at the present time is some laws to protect the laboring man, the employer, and the public. The present law gives no protection to the laboring man whatever. He has been dominated, coerced, browbeaten, and juggled around for the last 7½ years until he has reached the point where he is almost afraid of his own shadow. The employer has had no rights whatever. All he could do was to stand idly by and in many instances wait while labor racketeers dominate the men in his employ as well as his business, until we have reached the point where we still have almost as many men unemployed as we had at the time that the present administration took over the job of reducing the burden of these working men 25 percent in taxes and seeing that they were all employed at gainful employment.

No man has more sympathy for the laboring man than the speaker. He has been one of them all of his life, and his labor record as an employer will compare favorably with the best labor records of other employers in the country. He does insist, of course, that he run his own business and that his employees not be dominated by labor racketeeers that have no interest whatever in the men that they claim to represent.

His sincere hope is that this Congress will amend the Labor Relations Act in such a way that the laboring man may have justice in this country and that he may still exercise his constitutional rights as other people are privileged to do at times. The time has arrived when Congress must do something and the President, after the experience of the last 7½ years, ought to be able to and willing to cooperate with Congress in bringing about employment for all of these unemployed men, but it never can be done under the present set-up that we have in this country. The preparation for national defense is going to help considerably, but there are a number of individual employers in this country that would like to know what their rights are under the Constitution, if they still have any left.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS of Ohio. Mr. Chairman, I take this time to ask the distinguished gentleman from Ohio [Mr. ROUTZOHN] a few questions. I should like him to refer to section 9 on page 105 of the report of his committee. I notice that in subsection (b) there this is stated:

> The Board shall, upon application * * * determine in each case whether * * * the unit appropriate for the purposes of collective bargaining shall be the employer unit, the craft unit, plant unit, or subdivision thereof.

As I understood the gentleman, his amendment seeks to modify that provision.

Mr. ROUTZOHN. No; not that section. The amendment has to do only with section 9 (e).

Mr. JENKINS of Ohio. Then the gentleman's amendment starts down toward the bottom of page 105 with the words "whenever written"?

Mr. ROUTZOHN. No; that is not 9 (e), that is 9 (c). My amendment deals with section 9 (e), found on page 106.

Mr. JENKINS of Ohio. The point that worried me as I followed the gentleman's categorical illustrations and his classification is that I understood the gentleman to say that if the employer was faced with a situation where he had craft unions and plant unions and they could not agree, then the employer could do nothing about it. He could not move. In other words, all a small group belonging to one union would have to do to disorganize the whole plant would be to start an objection of some kind. Let me give the gentleman an illustration. Let us suppose a plant with 6,500 employees, a steel mill. There are 10 electricians employed, and these 10 electricians have some kind of a grievance, and if they refuse to agree with the 6,490 others, or a majority of them, they stop the whole works. They have a situation of their own by which they can control all the others. And if the employees in that plant seek to take advantage of this law, they are thwarted. If these 10 will not agree and just hold out stubbornly, as I understood the gentleman's description of the situation, there would not be anything anybody could do about it. That surely could not be true.

Mr. ROUTZOHN. The amendment I have offered strikes out that provision, which is known as the Garrison amendment, to which the gentleman is referring, to the effect that where there is a dispute between two unions as to the bargaining unit the employer need not bargain with either of them until they, in writing, settle the dispute between themselves.

Mr. JENKINS of Ohio. Suppose they cannot settle it, or suppose they will not settle it, then there is a serious situation involving the best interests of 6,500, and what is the remedy? To appeal to the Board?

Mr. ROUTZOHN. I am striking that out entirely in my amendment and substituting therefor a provision to have an election to determine what the unit shall be.

Mr. JENKINS of Ohio. Then what shall be the final determination of that election? Shall it be determined by the number of employees or the number of unions?

Mr. ROUTZOHN. The electricians can vote, a majority of them, to have a union of their own in that plant and not be absorbed or included in the larger unit.

Mr. JENKINS of Ohio. If that is the case, it seems to me that the gentleman's amendment would be very destructive. That is exactly what I am afraid of. For instance, suppose four or five carpenters, all good fellows, accept a job working at hammer and saw work in a big mill, would it not be a great injustice to the hundreds at work in that mill if these four or five carpenters would and could start up some labor dispute over regular carpenters' wages paid for house building. For instance, there is no question but that the miners' union has done more for the cause of labor than any other organization. It has done more for the workingman than any other union. This union is built up on the basis that it is the best for all those working in the mine to be grouped together for collective bargaining purposes and then classify the different jobs so that those with the jobs requiring most skill and ability will be paid more than those jobs considered less important. In that way they could count on a uniform wage during the life of the contract that they might make with their employers.

Mr. ROUTZOHN. It does not break up the whole organization; it gives those who are not electricians the right to an organization of their own, which would be the whole unit with the exception of the electricians.

Mr. JENKINS of Ohio. Let me cite the rubber industry in Ohio. I have heard it stated there could be more than 200 small craft unions in one of these large rubber plants. If that is the case, if each of the 200 organizations would just form a little nucleus of its own, they could break up the finest and most harmonious arrangement the plant could possibly have.

Mr. ROUTZOHN. But is it not their individual right to determine for themselves what their unit shall be? That is what my amendment provides.

Let me say another thing. The gentleman mentioned the miners. I happen to know that down in the mining district where the entire unit is controlled by the miners that the carpenters and other craftsmen have had their wages lowered to that of the others just because they belonged to the larger unit. What they built up in their craft has been taken away from them.

Mr. JENKINS of Ohio. I do not know that I understand the gentleman, but I want the House to know this. If, under the gentleman's amendment, we are going to say to the steel mills in my country and in all other parts of the country that are working harmoniously now, that the electricians and the water tenders and other individuals can go to work and form little organizations of their own, then we are going right back to where we were 35 years ago so far as organized labor is concerned.

Mr. ROUTZOHN. As the gentleman knows, we have had crafts now for 70 years or more and they have their own old-folks homes, reserves for pensions, valuable property holdings, and everything of that kind.

Mr. JENKINS of Ohio. Let me make my position clear. It is my opinion that this amendment should not pass. This amendment deals with the one great proposition about which Mr. Lewis and Mr. Green are in disagreement. For years Mr. Lewis has maintained the position that in plants employing large groups of men that those plants should be organized on a plant basis. I have agreed with this position. He has maintained that it is for the best interests of the employer and the employee to have all the labor in that one plant grouped into one big organization and have the jobs and positions in that plant classified and the wages for each classification fixed by agreement. The employers in large factories and large industries are unanimously in favor of that kind of a program. They know then that when they make one agreement, that covers the whole situation and includes all of the employees. As I have already stated, there is no question but that the miners' union has done more to uplift the cause of labor than any other group of working people in the country. There are about 400,000 miners in the United States, and I should say that at least 95 percent, and probably 97 percent, of them are affiliated with the United Mine Workers of America. The reason for this is that they are thoroughly satisfied with their system of organization. Thirty-five years ago the miners' union adopted the plant system of unionization. There was a time when the track workers in a mine were in one group, and the coal loaders in another, and the mule drivers in another, and the day workers in another. Those were the days of constant turmoil. Gradually the miners evolved a plan whereby it would be to the best interests of all if the miners would be classified as to the work in the mine and then agree with the mine operators that all persons in certain classes would be paid certain wages and would work under certain conditions. The mine operators have been tremendously satisfied with that sort of an agreement and would not willingly go back now to a plan that would again create a lot of small unions inside of a great organization, with the result that one group would be pulling against another and that in the long run all of them would suffer through reduction of wages and through a lowering of working conditions, and the operators would be confronted with constant threats of one group walking out and thereby closing down the industry.

The same applies to the great steel mills of the country. It stands to reason that it would be to the best interests of all workers in a large mill employing, say, 6,500 men if an arrangement was made with the employers to the effect that the work would all be classified and wages agreed upon for the various classifications. We can all remember the time when if two or three stationary engineers or two or three electricians in a big plant became dissatisfied they could walk out, thereby compelling the plant to shut down, or they could demand that all of the rest of their fellow workers come out on a strike out of sympathy with them. This is not necessary under the modern method of dealing with this question. The adoption of this amendment is a backward step—in some instances as far back as 35 years. It is not a step in line with progress; and I shall be constrained to vote against it. I do this fully recognizing the work and effort that my very able, conscientious, and splendid colleague from Ohio, Judge ROUTZOHN, has given to this subject.

I am sorry that the psychological situation here today is such that there is hardly any chance to present this matter in a way that it should be presented.

It is easy to sense that there is a very unfortunate situation here today arising out of the long and bitter controversy that has been waging here for some time over the amendments to the National Labor Relations Act. The failure of the Labor Relations Board to do its duty properly has put many strong friends of labor on the Labor Committee and in other places in Congress on a tough spot. They have been compelled to defend the Board, and by so doing have been handicapped in their ability to combat an amendment such as this proposed here. I think the Labor Relations Act should be amended so that a new board might be appointed. I think there are some other amendments that would improve the bill in many ways. It is unfortunate that in order to get a few salutary amendments some other amendments are added that will be a strong detriment to the cause of labor. I am not opposed to craft unions. I have supported them consistently here in Congress. I would not uphold the big plant unions if they went outside of their proper place to harm them. I would not favor a plant union in a big steel mill which employs electricians if it went out into the field which belonged to the regular electricians and attempted to control them in any way. Let the plant union confine itself to its field. And when an electrician leaves his regular work as a practical electrician and comes to work at the plant, he should comply with the plant regulations.

I expect to vote against this amendment because I think it is not for the best interests of the cause of labor. I am sure that my position will be approved by the coal miners, who know from experience the bad effects of a lot of small unions mixed up on the same work. I hope that my position will be approved by the employers of labor who now have become accustomed to dealing with one group. If this amendment should be passed here today, it will be over my voice and over my vote. I shall vote against the Smith amendments as a substitute for the Norton amendments, although I am not in favor of the Norton amendments. I am in favor of those Smith amendments which improve the National Labor Relations Act, and which, I think, will improve conditions of those who labor and those who employ labor, but I think it is my duty from the standpoint of conscience and from the standpoint of parliamentary procedure to do what I can against this amendment as long as I can. If this amendment is adopted, and if the House adopts the Smith amendments in preference to the Norton amendments, then I am confronted with the alternative of voting for the bill. I shall vote for the bill, feeling that I have done all I can to keep out those amendments to which I am opposed. And having failed to do so, it should be my duty then to vote for the bill on final passage because it contains those provisions which provide for a new board and some other provisions which should remove the bad relationship which has grown up by reason of the actions of the Board. I feel sure that if this bill reaches the Senate, the amendment to which I have objected will be removed and the other amendments will be retained. [Applause.]

[Here the gavel fell.]

Mr. MURDOCK of Utah. Mr. Chairman, I hate to take so much time of the Committee this afternoon, but what the gentleman from Ohio [Mr. JENKINS] has told you in his remarks just concluded is exactly the situation that will be created by the amendment offered by the gentleman from Ohio [Mr. ROUTZOHN]. You do not need to take my word for it or the word of the gentleman from Ohio [Mr. JENKINS], but look at the amendment itself and the proposition is just as has been stated. Take, for instance, the United Mine Workers, where contracts are now in existence, and they are getting along all right, or in the steel industry or the automotive industry or the rubber industry, if you have a little craft union or a dozen craft unions that want to be designated as a separate bargaining unit, that is exactly what this amendment provides.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. MURDOCK of Utah. I yield.

Mr. MARCANTONIO. As a matter of fact, in these days of mass production all basic industries are based on indus-

trial unionism, and it has been found acceptable by the largest industrialists in the country, including the General Electric Co.

Mr. ROUTZOHN. Mr. Chairman, will the gentleman yield?

Mr. MURDOCK of Utah. The gentleman would not yield to me, but I yield to the gentleman.

Mr. ROUTZOHN. I would like to call the gentleman's attention to section 7 of the National Labor Relations Act——

Mr. MURDOCK of Utah. I do not yield for that. If the gentleman wants to talk about his amendment, I yield.

Mr. ROUTZOHN. I am talking about the amendment, and this is an answer to what the gentleman has stated.

Mr. MURDOCK of Utah. I do not want to know about section 7. I know the present act forward and backward, and need no information from the distinguished gentleman on that.

Mr. ROUTZOHN. The gentleman does not want any answer. The answer is in section 7, if the gentleman will take the time to read it, and the law provides there——

Mr. MURDOCK of Utah. I do not yield further, as it appears the gentleman prefers to talk about section 7 of the present act instead of his amendment, which I am discussing.

Mr. ROUTZOHN. I did not think the gentleman would. The gentleman has not acted as if he would all the way through.

Mr. MURDOCK of Utah. I will compare my actions with the actions of the gentleman from Ohio. He would not yield to me at all. I have yielded to give the gentleman an opportunity to talk about and explain his amendment, but he seems to prefer discussing section 7. I am inclined to believe the gentleman does not understand his own amendment. But, Mr. Chairman, what the amendment does is just what the gentleman from Ohio [Mr. JENKINS] told you. If you have a contract in existence today with an industrial union, any craft organization can come into the plant or industry and organize, and there is nothing that the Labor Board can do under this amendment but call an election, and if a majority of that particular craft votes to be designated as a separate bargaining unit, then you cannot get away from it under this amendment. If that is what you want, if you want to disrupt all the contracts that are in existence today with every big industrial union, you will adopt this amendment. On the other hand, if you do not adopt it, you revert back to the Globe doctrine. That does what? Under the Globe doctrine, under the law of today, whenever there is a historic background in favor of a craft unit, under the Globe doctrine the Board has given them the right of election. This is possible even if a contract exists, provided the craft can show a historical background of collective bargaining. This doctrine is fair to both types of union, with no advantage to either. That is the position taken by Mr. Madden. However, Mr. Leiserson has taken the position—and he is joined with Mr. Smith—that wherever there is a contract in existence, then they cannot come in and disrupt that contract.

Now, we should not hurriedly, without reasonable study, adopt any amendment merely because the A. F. of L. or the C. I. O. or some other labor organization wants us to do so. We should not give an advantage to one union over another, and under the present act you do not do that.

At the time of the adoption of the present act there were no conflicting labor organizations. Certainly it cannot be said, then, that the present act was intended to favor either type of organization as against the other. Should we today hurriedly change the law to give either type of organization an advantage over the other? Fairness to both demands that we should not. I am sure we want to be fair and I am also sure the rank and file of all labor organizations want to be fair.

Under the Globe doctrine they are all taken care of, but if you adopt this amendment you will destroy every industrial-union contract in existence in the United States today. Take the United Mine Workers of America, where they have a contract, the electricians can come in and ask to be designated as a separate bargaining unit, and the carpenters, the masons, and every other craft union has an opportunity to disrupt the contract. Now, that is not only unfair to your industrial union, but unfair to your employer, because instead of dealing with a union representing a majority of all his employees, the employer is compelled to deal with two or three or a dozen separate bargaining agencies.

[Here the gavel fell.]

Mr' HOFFMAN. Mr. Chairman, I rise in support of the amendment.

The CHAIRMAN. The time has been allotted. The gentleman from Virginia [Mr. SMITH] has been accorded the last 5 minutes. Under the agreement the Chair recognizes the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Chairman, I rise in support of the amendment. The arguments which have been made against this amendment should have been made against the Norton bill. The Norton bill has a pure, simple craft amendment in it, and that is what it does, and if there is any evil in what the gentleman from Utah [Mr. MURDOCK] has said about craft unions being permitted to set themselves up, his argument is directed more at the Norton amendment than it is at this amendment.

I call attention to section 7 of the act itself, which provides that the employees shall have the right to self-organization, to assist their labor organization to bargain collectively with representatives of their own choosing, not through representatives of the employers. That is where the trouble comes in in this proposition. As it is now, such as the Progressive Mine Workers complain of and such as the longshoremen of the west coast complain of, they have what is known as an employers association. In other words, all the employers get together and they agree that they will bargain with, say, Mr. Bridges, or some other union, and that then becomes an employers bargaining agency and is in direct opposition to the purpose of this amendment, which was to give the employees the right of self-determination.

Mr. MURDOCK of Utah. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. Not at the moment. Under that arrangement where they have the employers association the employers are dominating all of the unions in their particular area. What we seek to do by this amendment is to do a purely democratic thing—namely, to carry out the provisions of section 7 by permitting the employees themselves to determine by a democratic majority vote what shall be their unit of representation, and let them so decide whether they want to go into a unit of a number of employers or whether they want to go into a unit of a number of plants or whether they want to go into a craft or remain as a unit in one plant or under one employer or in one craft. The whole thing, and you can argue about it all day long, is just this: It carries out the original purpose of the Labor Relations Act in that it gives the employees the democratic right of self-determination, and that is what we are trying to do, I think. I now yield to the gentleman from Utah [Mr. MURDOCK].

Mr. MURDOCK of Utah. The gentleman from Ohio [Mr. JENKINS] asked this question: We will suppose that the United Mine Workers have a contract, and that some craft union within that organization under this amendment asks to be designated as a unit and asks for an election. Is there any question in the gentleman's mind that under the amendment introduced by the gentleman from Ohio [Mr. ROUTZOHN] they have the right to be designated as a craft unit within that plant where the industrial union has a contract?

Mr. SMITH of Virginia. I do not think anybody can break a valid contract, but I would say that upon the expiration of that contract if this craft unit wanted their own union and wanted self-determination, as Congress tried to give them, that it is a democratic thing, and they ought to have it.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. Yes.

Mr. VOORHIS of California. Does not the gentleman believe it would be better to put this thing on the basis of protection of any organization which has already been in existence and has carried on collective bargaining, to say that

under circumstances of that kind the practice shall not be set aside, and not to throw it open for new changes.

Mr. SMITH of Virginia. I do not agree with that, because if you did that you would fix it on an historical basis, so to speak, and you would crystallize that situation where it is, and you would stop progress of labor unionism, so that the men could never change.

The CHAIRMAN. The time of the gentleman from Virginia has expired. All time has expired. The question is on the amendment offered by the gentleman from Ohio.

The amendment was agreed to.

The CHAIRMAN. Under a unanimous understanding the gentleman from Pennsylvania [Mr. ALLEN] is recognized.

Mr. ALLEN of Pennsylvania. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. ALLEN of Pennsylvania: Page 4, line 13, after the word "amended", insert the following:

"(b) Section 2 (4) of the National Labor Relations Act is amended to read as follows: (4) The term 'representatives' includes any individual or labor organization, but in the case of an individual does not include an individual who is not a citizen of the United States."

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. HEALEY. Mr. Chairman, will the gentleman yield?

Mr. ALLEN of Pennsylvania. I will yield briefly.

Mr. HEALEY. I would like to ask the chairman of the Smith committee——

Mr. ALLEN of Pennsylvania. Mr. Chairman, I do not yield for that now.

Mr. HEALEY. We will try to get you some more time.

Mr. ALLEN of Pennsylvania. Mr. Chairman, I ask unanimous consent that I may proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. HEALEY. I would like to ask Mr. SMITH, chairman of the Smith committee, whether or not the amendment which has just been adopted concludes the four amendments that he has termed "A. F. of L. amendments."

Mr. SMITH of Virginia. It does.

Mr. HEALEY. Will the gentleman take the responsibility of announcing to the House that with the adoption of that——

Mr. ALLEN of Pennsylvania. Mr. Chairman, I must refuse to yield any further for that kind of questioning. That is not the point involved. I refuse to yield further.

The CHAIRMAN. The gentleman refuses to yield further. The gentleman from Pennsylvania is recognized.

Mr. ALLEN of Pennsylvania. Mr. Chairman, I believe that the purpose of this amendment is self-evident. It relieves American employers of any obligation to negotiate with aliens representing unions, and it relieves the citizen union members of the dubious privilege of being represented by aliens in the process of collective bargaining. If citizen employers and citizen labor leaders cannot effectively negotiate contracts, or settle our industrial differences in the United States, then we had better throw in the sponge and quit. There are plenty of good American citizens, men who belong in this country, who can fill those responsible positions in labor unions.

As I interpret the status of aliens in this country, they are here as our guests, and as long as they conduct themselves as guests should in anyone's home, they will be given a warm welcome. But that interpretation does not include the right to meddle in our business or to tell us how we American citizens should solve our own problems. We are capable of doing that ourselves.

Can you imagine any other country in the world submitting to this sort of thing? Can you imagine an American labor leader going to Russia and trying to tell Stalin how to conduct his labor affairs, or trying to tell Hitler how to conduct his affairs in Germany, or even going to democratic France and telling the employers of that nation how their negotiations should be conducted? It is the most ridiculous thing I have ever heard of. We have many cases where our alien guests have not assimilated our ideals, and they do not understand our institutions. That is not their fault, but that does not mean that we should injure or even insult good American employers by trying to impose this alien influence on their labor relations.

I further submit that alien leadership is equally unfair to the American citizens in the ranks of labor. They cannot be properly led by alien representation. At a time like this, when harmony is the prime essential between labor, industry, and the Government, I submit that all unnecessary irritants should be removed. This alien question which we are now discussing is an unnecessary irritant. I rather suspect—and I think justifiably so—the motives of these active aliens who push their way into positions of leadership in our unions. If they are so interested in labor's cause, why do they not return to their own fatherlands and fight to bring the labor standards there up to the level of ours in this country? [Applause.]

There is no nation in the world today which enjoys the high labor standards or the high standard of living which we enjoy here in America. If these self-annointed alien leaders of labor in this country are really earnest in their endeavors, let them go back where their efforts are needed, and then when they have succeeded in their own countries in raising the standards of labor above our own, let them come here and tell us how it is done. [Applause.]

I do not believe that these alien labor leaders, as I say, have anything but ulterior motives, and at this time it is dangerous that we should even permit them to assume positions of leadership, let alone be the bargaining agents with which our American employers must negotiate.

I appeal to you, ladies and gentlemen, in the interests of labor, industry, and our own national defense to support my amendment. There can be no valid objection to it. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. ALLEN].

The amendment was agreed to.

Mr. ANDERSON of California. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ANDERSON of California: Page 4, line 13, insert the following:

"(c) Section 2 (5) of the National Labor Relations Act is amended to read as follows:

"'(5) The term "labor organization" means any organization of any kind, or any agency or employee-representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work, but does not include any labor organization the principal officer of which, or the individual who performs the functions of the principal officer of which, is not a citizen of the United States.'"

Mr. ANDERSON of California. Mr. Chairman, I offer this amendment in the best interests of labor, management, and the general public.

I heartily subscribe to the sentiment contained in the amendment offered by the gentleman from Pennsylvania [Mr. ALLEN] and trust that the House will see fit also to adopt my amendment.

In order to avoid any confusion may I reread the part of it that is in addition to existing law, simply the last section, which reads:

But does not include any labor organization the principal officer of which, or the individual who performs the function of the principal officer of which, is not a citizen of the United States.

Let us take a look at what some of the labor leaders have said about alien labor leadership in this country. In a recent address in Seattle, Dave Beck, the international representative of the Teamsters' Union, made the following statement:

Tonight I have been asked to address you on the subject of national defense, and in doing so I shall speak primarily as an American citizen, and secondarily as an official of the Teamsters'

Union. And may I say in passing, that is precisely the way I approach every problem that confronts our organization—first as an American citizen.

Now, just compare that statement with a statement made by Harry Bridges in an attack on the A. F. of L. on May 14, 1937. He said:

We take the stand that we as workers have nothing in common with the employers. We are in a class struggle, and we subscribe to the belief that if the employer is not in business his products still will be necessary and we still will be providing them when there is no employing class. We frankly believe that day is coming.

There you have two statements, one by a good American labor leader, and the other by an alien labor representative. In all fairness I ask you which one of them best represents the public interest.

Let us see what Mr. William Green, president of the American Federation of Labor and a fine American citizen, has to say:

The American Federation of Labor has refused at all times to compromise or traffic with the enemies of democracy. There is no room in the American Federation of Labor for Communists or Nazis. We never have wanted any part of them. We don't want any part of them now, and we never will. Their policies and their teachings are hateful to us. We have fought them at every turn, and we have defeated every effort they have made to bore from within the American Federation of Labor.

May I say that I believe Mr. Green's statement is extremely well chosen.

My amendment is not aimed at the sincere but unfortunate alien who, through some technicality, has found it impossible to attain citizenship. It is aimed, however, at the unprincipled alien labor racketeers who seek to control industry through the control of labor.

I might add that I do not feel that American labor should be forced to bargain with unscrupulous alien employers, and we have some of them in this country. I would be perfectly willing to support legislation which would put an end to that practice.

Mr. Chairman, I believe that the best interests of labor will be better served if my amendment is adopted, and I am sure that industry, agriculture, and the general public will be better protected. [Applause.]

Mr. HALLECK. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this is not a particularly pleasant situation for me, because many of the arguments made for this amendment appeal to me, as they must appeal to every one of you. It is particularly distasteful, too, because of my great respect and admiration for my colleague from California who has just spoken upon the merits of his amendment.

The amendment just adopted, after its offer by the gentleman from Pennsylvania [Mr. ALLEN], has nothing to do with the right of an alien to work on a job. It has to do only with the right of an alien to be selected by his fellow workers as their representative for the purpose of collective bargaining. I think I understand the ideas back of this sort of amendment, and I have much sympathy with them, but I doubt the advisability of writing them in here now. True, it can well be said that all aliens should become citizens; but they are not all enemies of the Republic; they are not all enemies of our system of government. Many of them, I believe, are competent to represent their fellow employees or to serve as officers of labor organizations. What I am finally getting at is this: The Allen amendment just adopted provides that no employer shall be required to deal with a representative of a labor organization who is an alien. This would extend it further to matters of holding office.

A bill has just been reported by the Committee on Rules pointing very definitely and aggressively in the direction of a man who is an alien and who is the head of a labor organization. I do not know whether there are others who are officers in labor organizations or not.

Mr. ANDERSON of California. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. A little later, if the gentleman please.

A lot of time and study has been given to these proposals which have all been submitted to the committees who have reported this legislation. Conferences have been had about them. People in interest have been interviewed. The alleged evils they are supposed to reach have been considered, yet these proposals have not been included in any of the bills reported, although I do not urge that this is any particular reason for being against the amendment.

In conclusion, let me urge you to make a real honest effort not to emasculate the Wagner Act or to destroy it, or to put in it things that should not be there. Let us try to make it fair and equitable and serve the purpose for which it was originally adopted. If we get that done, I think we shall have done a good job; we shall have discharged our duty as Members of the House of Representatives, a part of the Congress of the United States, and answerable to the people for the job that we do here.

I now yield to the gentleman from California.

Mr. ANDERSON of California. I think the gentleman will agree that his explanation of my amendment is a little too sweeping. If he will read the wording of the amendment, he will see that it reads "organization of which the principal officer is an alien." The gentleman has made it appear that it would include all officers, and I do not want to have that impression left.

Mr. HALLECK. I do not want to create any wrong impression, certainly. Let me ask the gentleman, Would that include a man who is the president, say, of the local unit of a national organization?

Mr. ANDERSON of California. It says "the principal officer."

Mr. HALLECK. The president of a local affiliated organization, or of an independent local union, would be the principal officer, as I understand it, of that labor organization. If I am in error, I stand corrected.

[Here the gavel fell.]

Mr. HOFFMAN. Mr. Chairman, I move to strike out the last word; and I ask unanimous consent to revise and extend my own remarks in the RECORD.

The CHAIRMAN (Mr. LANHAM). Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

Mr. SMITH of Virginia. Will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Virginia.

Mr. SMITH of Virginia. Mr. Chairman, I ask unanimous consent that all debate on this amendment conclude in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia [Mr. SMITH]?

There was no objection.

Mr. HOFFMAN. Mr. Chairman, it is not my purpose either to favor or support any amendment which I think would in the slightest way interfere with the purpose of the Smith amendments. But here is an amendment, offered by the gentleman from California, that I ask you to consider carefully. The only difference is in the language defining the term "labor organization." It is stated that the definition now given in the law includes any labor organization. The amendment would exclude from the operation of the law any labor organization, the principal officer of which, or the one who performs the functions of the principal officer of which, is not a citizen of the United States.

The A. F. of L. has some 4,000,000 members. The C. I. O. has approximately 2,000,000 members. Is it not just too bad if either one of those organizations, or any other organization which has the power to call strikes in any of the great industries of the United States, cannot find a citizen of the United States to act as its agent, as its principal officer?

Within the past 2 weeks, in Detroit, a strike was called by a man named Thomas. It held up production on Government orders for some time. Should we not continue along the line so ably pointed out by the gentleman from Pennsylvania [Mr. ALLEN], and followed by the House when it adopted his amendment, which was applicable to aliens? Certainly the people are justified in expecting us to throw all

of the safeguards that we can think of around our industries in this time of emergency.

When we know we must have cooperation between labor and industry, why should we permit someone who does not care enough about this country to become a citizen to hold in his hands the power to call a strike which may interfere with our national defense, which may throw thousands of men out of jobs, which may ruin or bring about great loss to one of our great industries? Think it over. Is it not fair, is it not reasonable to provide that the principal officer, or the officer or individual who exercises the functions of a principal officer of an organization with millions of members, shall be a citizen of the United States? He should swear allegiance to our form of government and to our flag.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. SACKS] for 5 minutes.

Mr. SACKS. Mr. Chairman, I would like to speak about the last amendment, though I am not opposed to it. I would like to show just how far it would go. You know, we hear a lot of talk about harmony between capital and labor. But there are many firms in the United States whose principal officers and stockholders are aliens, or their principal officers are controlled by aliens. Why should American citizens be subjected to control by alien employers? After all, you take the Amtorg, an arm of the Russian Government, operates in the United States. Why should those employers have the right to sit around a table with good American citizens to argue what their standard of living shall be? There are also in this country many German organizations, representing German stockholders. Those people are opposed to the philosophy of our democratic Government in the United States. Why should they have the right to sit around the table with American citizens, wage earners, and tell them what their standard of living should be?

Mr. Chairman, if we are going to have harmony, if we are going to proceed with this national defense, if we are going to prevent "fifth column" activities in the United States, why not strike at the alien employers as well as the alien employees? It is fair, Mr. Chairman, in this great period of hysteria to protect the safety of our Nation, but let us protect it from alien capital as well as from alien labor. It is just as important to do that, because the millions of dollars that may be used by the Amtorg Corporation or by a German corporation could be used more effectively through propaganda against our system of government as the philosophy of an individual of a labor union who might sabotage by strike. If we are going to build a solid, harmonious, uniform America, then we ought to protect ourselves against all those things. We should not make fish of one and fowl of the other.

Mr. VOORHIS of California. Will the gentleman yield?

Mr. SACKS. I yield to the gentleman from California.

Mr. VOORHIS of California. I am very much obliged to the gentleman because there has just been mentioned by the gentleman from California the position which Mr. Green, president of the A. F. of L., takes on communism, which we all know and of which I am certain we all heartily approve. In connection with that, may I point out that in this bill we now have before us it is proposed to eliminate from the National Labor Relations Board the Division of Economic Research, partly on the ground of false charges that have been brought against a certain gentleman. I have here a copy of a letter from Mr. William Green to Mr. William Leiserson, of the Labor Board, a section of which I would like to read.

> The American Federation of Labor has not at any time asked for or favored the elimination of the Division of Economic Research of the National Labor Relations Board, nor have we at any time interposed any objection to Mr. Saposs. Like you, I appreciate very greatly the service which the Division of Economic Research of the National Labor Relations Board is rendering. We will interpose no objection to the continuation of the Division of Economic Research of the National Labor Relations Board or to Mr. Saposs.

I just thought the RECORD ought to show that.

Mr. SACKS. Mr. Chairman, may I say in conclusion that after all, if we are going to have as part of our defense program the removal of alien laborers, then let us remove the alien capital, that can be just as destructive through the spending of money in propaganda channels against the democracy that we now enjoy and shall keep in these United States.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. MARCANTONIO].

Mr. SMITH of Virginia. Mr. Chairman, I ask unanimous consent that debate on this amendment and all amendments thereto may be extended 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. MARCANTONIO. Mr. Chairman, I do not believe the amendment of the gentleman from California goes far enough. I believe that in the name of national defense, that in the name of the great geography lesson from Tampico to St. Louis, we should restrict leadership of American unions to the descendants of those who came over in the *Mayflower*. [Laughter and applause.]

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. FORD].

Mr. THOMAS F. FORD. Mr. Chairman, I arise in opposition to the so-called Smith amendments to the National Labor Relations Act.

I do so because, after a careful investigation of all the facts, I am convinced that the act, as now administered by the National Labor Relations Board, is meeting, and solving not ideally but in a reasonably effective manner, the problems of both employee and employer.

Any honest student of the situation, if he approaches the problems involved with an open mind, cannot fail to be impressed with one outstanding and vitally important fact, namely, that never before in our industrial history have we seen a decrease in strikes during a period of increasing industrial production.

What, may I ask, does this mean? It means that because of the facilities for the composing of differences, between employers and employees, afforded by the National Labor Relations Board, these two mighty and important contending forces have been, in an increasing number of instances, enabled to reach reasonable and satisfactory agreement without resort to the wasteful and uneconomic weapon, the strike.

In spite of an avalanche of criticism, inspired almost entirely by the forces of blind reaction, we, who hope to see the day when strikes and lock-outs will be a thing of the past, are encouraged by this phenomenon.

Without the slightest fear of successful contradiction I assert that the emergence of this long-awaited and happily welcomed situation is due entirely to the wise and equitable manner in which the National Labor Relations Act is administered by the National Labor Relations Board.

It is not my purpose to discuss the amendments individually. Suffice it to say that men wholly competent to describe their effect on the act will do that.

I merely want to call your attention to a few highlights of the situation, because these highlights in themselves reveal the motives of the reactionary interests behind this attempt to emasculate this beneficent law.

Let us first recall that a group of the highest paid corporation lawyers in the land, immediately after the act was passed, advised their clients that the act was unconstitutional and need not be obeyed.

It follows, therefore, that with that cloud of legal opinion backing them, employers generally fought every attempt on the part of the Board to utilize its facilities for the settlement of labor disputes.

This anomalous situation existed until 1937, when the Supreme Court validated the act in a historic decision.

Since the Board has been organized it has handled 25,000 cases involving approximately 6,000,000 workers. Now, the remarkable fact is that in only 1,500 of these cases did the Board find it necessary to issue formal decisions. It might be interesting to add here that in the 19 cases taken to the Supreme Court, 13 decisions were fully sustained, 4 decisions

modified, and only 2 reversed, a record unequalled by any other quasi-judicial Government agency.

Now just a word as to the Board's success in the giant essential industries.

Let us take the steel industry. For the long and troublesome period between 1913 and 1935 only 41 wage agreements existed in steel. By 1938, in excess of 400,000 workers were protected by 532 agreements, the negotiation of which agreements were directly due to the facilities afforded by the National Labor Relations Board.

Who is it that wants the act emasculated?

The American Manufacturers Association, the United States Chamber of Commerce, the Liberty League, or its heirs and assigns, and every other reactionary group in the Nation.

What is it these reactionary interests seek to accomplish?

They would like to place the Board in a strait jacket so that its decisions would have no force and effect. The Smith amendments seek to disperse authority and responsibility. In fact, if these amendments are adopted the Board, whether it be composed of three or five members, will be surrounded by a detention wall that will be hog tight, mule high, and bull strong.

The bill strips the Board of all powers except those of conducting elections and issuing decisions. The remainder of the functions are vested in one man. This Administrator, with no fixed tenure of office and subject to the vicissitudes of politics, would investigate cases, issue or dismiss complaints, hold hearings. His actions are not checked by anybody; the Board may not entertain appeals from any action or lack of action by the Administrator. The decision-making experience of the Board is completely severed from and could in no way shape or temper the operations of the Administrator. And then, to cap the confusion, it would be the Administrator, not the Board, who would undertake and guide the court litigation necessary for enforcement of the decisions of the Board.

Another procedural change would impose technical rules of evidence upon the hearings of the Board, and then empower the courts to delve into and weigh the evidence. To shackle an administrative body with technical rules of evidence is to open the door to expensive and protracted hearings with all kinds of legal horseplay. To permit the courts to delve into evidence is to empower them to substitute their judgment for that of a specially constituted tribunal. Overwhelming authority has recognized that our courts, competent though they be, lack the qualifications and time to study and comprehend the specialized problems in economic relationships. For that reason—to sift and ascertain these complicated facts—tribunals of experts have been created. Recently, the Supreme Court in the Waterman Steamship case had occasion to say, "It is of paramount importance that courts not encroach upon this exclusive power of the Board if effect is to be given the intention of Congress to apply an orderly, informed, and specialized procedure to the complex administrative problems arising in the solution of industrial disputes."

Affecting every operation of the act, these procedural changes undermine substantive rights and render them void.

Of the substantive changes presented to us by the majority of the special investigating committee, perhaps the most sweeping amendment is their reduction of collective bargaining to mean discussion of "complaints" and "differences" without the necessity of honestly trying "to reach an agreement" or "submit counterproposals."

By limiting the definition of "complaints" or "differences," this proposal excludes negotiations concerning conditions of employment. By eliminating the need for counterproposals, it destroys the ruler by which good faith could be measured by the Board and the courts.

Such an amendment evidently looks upon collective bargaining as an afternoon tea party—where persons gather in a room, spill a lot of meaningless words, take their leave after adroit hints from the hostess, and then evaluate the party as a success. The process of collective bargaining cannot thus be reduced to an informal chat. Bargaining implies a give and take—a sincere desire to recognize and iron out differences. This has been the view of the Board since its inception, and the courts repeatedly have sustained it.

I am at a loss to see how this amendment would, in the words of its sponsors, "make the act effective." It reverses a body of law which has received the stamp of approval of the courts, and it invites the substitution of industrial conflict for the orderly processes of collective bargaining.

Another amendment would place a premium on violence and make a police court of the Labor Board. This change would deny reinstatement to any employee who engaged in any willful act of violence, regardless of provocation and pettiness. Immediately comes to mind pictures of thugs hired to start a scuffle on the picket line, and thus automatically deny reinstatement to an employee.

The courts have passed upon this question of violence and have found that an employer may discharge an employee for serious acts of violence and property damage. Since then, Labor Board decisions have followed—and I see no reason why they will not continue to follow—the mandate of the courts in giving violence the treatment it deserves.

To write this proposal into the law would be unfair and one-sided. It ties the hands of the employee confronted by the thug, and does not suggest any penalty against the one responsible for the violence. To adopt this amendment is to open the gates to thousands of petty recriminations and to convert the Board into a Nation-wide police force.

There are at least a score of similar amendments suggested by the gentleman from Virginia [Mr. SMITH] and his two colleagues which dump the orderly procedures of the present act as they have matured under court interpretation, and substitute untried panaceas and invite strife anew. I have only dealt with a few of these proposals and do not wish to imply approval of the others. Upon careful examination of them, I am convinced that no true friend of American Labor can truthfully endorse them. No student of labor conditions can fail to feel in them a nostalgia for the days when industrial strife was the order of the day. No one should fail to recognize the Smith amendments as a long step—backward—which is always the hope of the shell-back reactionaries.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. HEALEY].

Mr. HEALEY. Mr. Chairman, there have been four amendments presented and adopted here which the chairman of the Smith committee, the gentleman from Virginia [Mr. SMITH], this morning characterized as A. F. of L. amendments. I now ask the chairman of the committee, the gentleman from Virginia, if he will take the responsibility of assuring the House that his bill, as improved by the adoption of those four amendments, is now approved by the A. F. of L.

Mr. SMITH of Virginia. I refer the gentleman to the letter written by the president of the American Federation of Labor.

Mr. HEALEY. My question is, Is the gentleman now willing to take the responsibility of stating to the House that his bill, as perfected by these four amendments, is now unqualifiedly approved by the leadership of the American Federation of Labor?

Mr. SMITH of Virginia. The letter speaks for itself, and it states that if these four amendments were adopted, the American Federation of Labor urged the adoption of the bill.

Mr. HEALEY. Apparently the gentleman does not want to take that responsibility on his shoulders.

Mr. SMITH of Virginia. I will take all of my responsibility, but I will not take somebody else's.

Mr. DEMPSEY. Mr. Chairman, will the gentleman yield?

Mr. HEALEY. I yield to the gentleman from New Mexico.

Mr. DEMPSEY. The most basic principle in the National Labor Relations Act, as I understand the act, is that it gives to employees the right to have representatives of their choosing. Now you come in and say, "Yes; but you cannot have an alien represent you." Why should an American citizen, then, have to deal with an alien employer? Do we want to bar them, too?

Mr. HEALEY. I think that perhaps, as the gentleman said, that is objectionable.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin [Mr. SCHAFER].

Mr. SCHAFER of Wisconsin. Mr. Chairman, I want to answer the gentleman from Pennsylvania [Mr. SACKS]. The gentleman apparently fails to realize that under the Wagner National Labor Relations Act employers are required to negotiate with alien labor-union representatives. There is no provision in that act or in existing law which requires any American citizen to work for an alien, whether that alien is a subject of Germany, England, Ireland, Palestine, or any other country.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. ANDERSON].

The question was taken; and on a division (demanded by Mr. ANDERSON of California) there were—ayes 41, noes 66.

So the amendment was rejected.

Mr. COLE of New York. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLE of New York: On page 4, line 9, after "employer", strike out the period and insert "and does not include any employee who, during any national emergency declared by the President to exist, participates in a strike while working on a Government contract of a military nature."

Mr. MARCANTONIO. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. MARCANTONIO. The bill deals with the National Labor Relations Act and amendments thereto. This particular amendment goes beyond the scope of the bill before us and, therefore, is not germane.

The CHAIRMAN (Mr. JONES of Texas). The Chair is ready to rule.

Section 3 of the pending amendment defines the term "employee," stating that it shall include any employee, and shall not be limited to the employees of a particular employer, unless the act explicitly states otherwise, and shall include any individual whose work has ceased as a consequence of, or in connection with, any current labor dispute, and so forth.

It seems to the Chair that the amendment offered is simply an offer to place another restriction on the term, and the Chair, therefore, overrules the point of order.

Mr. COLE of New York. Mr. Chairman, I hope it will not be said that this amendment is either offered for the purpose or will have the effect of scuttling the work that has been done by this committee, because if it cannot stand on its own merits and will have the effect of scuttling this bill, then it should be defeated. I recognize the tremendous work that the members of the Smith committee have done in the investigation of the N. L. R. A. and the value of the recommended changes in that act. However, my amendment would only serve to strengthen the bill and I trust it will receive favorable consideration.

It will be observed that the Smith committee has recommended that in the definition of "employee" there should be excluded from the right of reinstatement given to the worker under the N. L. R. A. those persons who willfully engage in violence or unlawful destruction or seizure of property. Most of us will agree that the sit-down strike or the use of force and violence is reprehensible, and I believe likewise most of us will agree that in these times a strike, while working on an important, vitally needed armament contract, is equally reprehensible.

I would point out to you that under present law persons engaged under such contracts as these are protected by the Walsh-Healey Act. The Secretary of Labor is given the power to prescribe the working conditions, the hours of labor, and the wages, so they are amply protected.

I would point out further that any man working for the Government on a ship, on an airplane, or on any military article in a Government yard has no right to strike. It is difficult for me to see why one group of employees should have the right to strike and another should not have it.

I do not offer this amendment for the purpose of imputing any lack of patriotism to the rank and file of American labor. They are just as patriotic as any of us here.

It is said, however, that some of the labor leaders do not entertain the same wholehearted support of the American philosophy of government and the American philosophy of economics as we do, and it is the danger from that source of which I am fearful.

The amendment does not prohibit strikes, although I wish it might. It simply denies to the employee who does strike on an armament contract during any emergency declared by the President the right to be reinstated. The future for the United States is very uncertain, but one thing is very certain, and that is that the conditions throughout the world require that America should arm, arm to the fullest, and arm as speedily as possible. No interruption should be permitted, and the rights of any individual, whether he be of the capital class or of the labor class, must be submerged in these times to the rights of the Nation as a whole. [Applause.]

Mr. SMITH of Virginia. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this is a very far-reaching amendment. I appreciate the interest of the gentleman from New York [Mr. COLE], and I know he offers the amendment in good faith. It has not been considered by any committee, either by our committee or by the legislative committee, so far as I know, and it is very difficult to tell to what extent it would operate if adopted. There will be many industries engaged in making munitions directly or indirectly, and before we knew it the effect of this amendment might be to destroy the right to strike, and when you destroy the right to strike under reasonable conditions, then you destroy the National Labor Relations Act. For this reason I have to oppose the amendment, and I ask the Committee to vote it down.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. HALLECK. The gentleman from New York [Mr. COLE] referred to the similarity between his amendment and the proposal which would prohibit reinstatement of an employee who had engaged in a sit-down strike. I would like to point out that one refers to the illegal destruction or seizure of property, while the other simply has to do with the right to strike and has nothing to do with a violation of the law.

Mr. SMITH of Virginia. And may I add this before I yield the floor? I do not anticipate any great difficulty about this matter that the gentleman from New York is concerned about, and I do not anticipate it for this reason: In the first place, the American workingman is going to be loyal to his country during this time. I have confidence that he will, but if he is not, if we should have such strikes, the force of public opinion is going to settle them quicker and better than any law we may enact.

Mr. COLE of New York. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. COLE of New York. Does the gentleman feel that a sit-down strike is any more reprehensible than refusal to work on an armament contract which the national defense requires?

Mr. SMITH of Virginia. My personal feeling is "No," but I do not think that is necessary in this act.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. COLE of New York) there were—ayes 38, noes 51.

So the amendment was rejected.

Mr. HOFFMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN: Page 9, line 15, at the end of the line, add in place of section 7 of the National Labor Relations Act, insert "section 7 of National Labor Relations Act" after adding after the word "join" the words "or not to join."

Mr. SMITH of Virginia. Mr. Chairman, I would like to see if we could reach an arrangement as to conclusion of debate on the so-called Smith amendment.

Mr. VOORHIS of California. Mr. Chairman, I would like some time. I have been trying to get the floor for some time and I would like to have about 7 minutes, if I could.

Mr. SMITH of Virginia. Mr. Chairman, I ask unanimous consent that all debate on the Smith amendment and all amendments thereto close in 40 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. HOFFMAN. Mr. Chairman, I understand that the leadership on this side is opposed to any amendments other than those offered by the Smith committee because they fear that if other amendments be adopted the bill might not pass. Here is an amendment which, while it was not considered in the committee, yet has been discussed on the floor by me over a period of 2 years. All this amendment does is this: Section 7 provides that employees shall be free to join the union and then it continues on as to what they may do. All I am asking is to amend that section so that it will read that the employees shall be free to join or not to join a union. Do you want to give an American citizen the right to stay out of the union? I know the argument that will be made is that he already has that right, but you know that he cannot exercise it, and often he is forced into a union.

Why do you have a labor law? It is to give the right of collective bargaining. Well, employees have always had that right. But they could not exercise it because no one would bargain with them. You make the same argument that no man need join a union, that there is nothing in the law compelling him to join; and that is true; but there is considerable force in the picket line. He may join, if he wants to, but I say, tell him in this law that if he does not want to join, he does not need to join, and by doing that you will take away that element of force and coercion that is employed in almost every organizing campaign.

The Constitution itself provides for freedom of religious worship; it provides for free speech; it provides for equal protection of the law. In this land a man is free to join the Methodist, the Lutheran, the Catholic, or any other religious sect. He may join the Masons, the Odd Fellows, the Sons and Daughters of I Will Arise, or he may refuse to join and no one thinks of criticizing him.

But here we have a law under which, as interpreted by the Board, and because of picket lines, forces men to join a union and to pay tribute in order to exercise their right to work.

There is not a Member on this floor who does not know, nor has not the means of knowing, that that statement is absolutely true and that the wording of this law is used to force men into the union. Why not state plainly in the law itself what we all know is a matter of legal and moral right; that is, freedom from being compelled to join?

I say to you here and now, and especially to the gentleman from Indiana [Mr. HALLECK], who will oppose the amendment, that you will find difficulty in telling your constituents at home, especially your farmers, that you refused to write into this labor law a statement that they would not need to join a union when the organizer comes around and tells them that they must join or they shall not work. By voting down such an amendment as this, you are placing in the hands of union organizers an argument which they will use with compelling effect to force into unions, which may control our great industries, men who object to being members of a union.

With the drive which is on for a union shop and for a closed shop, knowing as we do that in the strike at the shipyard at Kearny, N. J., where four battleships were under construction, one of the demands made last week was that the union be granted a union-shop contract under which, after a period of 30 or 60 days, every man working on Government warships would be either forced to join the union or would be discharged, we should by this amendment uphold the right to freedom of action in respect to union activities.

Why is it that just because a committee has not thought of an amendment or has not offered an amendment, that amendment, even though its effect would be constructive; even though it would aid in our national defense; even though it is but a declaration of a right acknowledged by all—is to be opposed and voted down? Is it because it was not suggested by the committee? Is it because some agreement has been made with the A. F. of L. that no other amendments would be offered, no matter how meritorious they might be?

If I vote alone, I intend to vote for this amendment and by and through it say to the people of my district that John L. Lewis has no legal nor moral right to force them to pay dues to him or to the C. I. O. in order that they may work in a factory which is producing material necessary to the defense of their home and country.

Mr. HALLECK. Mr. Chairman, I rise in opposition to the amendment. As the gentleman from Michigan [Mr. HOFFMAN] pointed out, the right of a man to join or not to join a union, so far as the law is concerned, is there already. Under the law as it is now written, an employee does not have to join unless he wants to join. The gentleman from Michigan, I suppose, has in mind the so-called blackjack operation or the use of violence, which, it is frequently alleged, is used to force a man to join a union when he does not want to. I am as much against that sort of stuff as anyone.

As I pointed out yesterday in my talk in general debate, there has been a great deal of contention about the obligation of the Government with respect to that very matter. In other words, it has been contended that the Government should undertake to exercise some right of prohibition against such allegedly wrongful activities in bringing about the unionization of employees. The fact of the matter is, however, that if we are to have organization of employees, those employees must be permitted to exercise such legitimate and free influences of argument and persuasion as may be calculated to bring about and effect an organization of employees. I do not like the rough stuff, nor the violence, any more than anybody else, but if the time comes when the Government of the United States and the Congress feel that it is necessary to try to define the sort of organization activities that will be allowed to employees and their representatives, and to prohibit the type of activities that should be prohibited, then I say the way to do that is to write the words in the bill, but it will not avail anything to simply announce in the bill that employees shall have the right to join or not to join. They clearly have that already under the law as written and as proposed in the Smith bill. The difficulty of trying to write the provision in the law is that it is difficult to draw the line. You can point out certain unionizing activities that are clearly outside the contemplation of law and human conduct, but when you draw that line you must be careful that you do not get over into the other field where you would prevent employees from exercising the fundamental rights granted them to organize and bargain collectively as a result of that organization. Our committee did not see fit to attempt in this bill to regulate unionizing activities of employees.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. Yes.

Mr. HOFFMAN. Does the gentleman object to the Government of the United States telling a man that he does not have to join if he does not want to? The Labor Board says that Ford cannot do that. Does the gentleman say the United States should not do it? I thought the gentleman was against the Labor Board and its activity.

Mr. HALLECK. Oh, I do not care to enter into an argument on that. Every employee of reasonable understanding knows that under the law as it is presently written, and as far as the law is concerned, he is free to join the union or not, according as he wishes.

The CHAIRMAN. The time of the gentleman from Indiana has expired. The question is on the amendment offered by the gentleman from Michigan.

The amendment was rejected.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. The time has been fixed, but there was a little time yielded back.

Mr. KELLER. Mr. Chairman, I will be glad to yield the gentleman 2 minutes of my time.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOORHIS of California. Mr. Chairman, this is the first time I have spoken in connection with the consideration of this legislation.

The purpose of the National Labor Relations Act was to protect the right of collective bargaining. It was passed oy Congress in the belief that there was a decided difference in industrial society between the bargaining power of the individual, the man who had necessarily to have a job in order to make a living, and his employer. I believe that to be true. I think in the consideration of this legislation that basic fact has to be definitely borne in mind.

Furthermore, I would point out to you that we are living in a democracy and that we are proud of the fact. I was glad to hear a number of the gentlemen this afternoon express their confidence that the United States could depend upon the unquestioned loyalty and patriotism of labor in this country in time of national need. There is no question about that. Loyalty to this Nation has always got to be spontaneous loyalty. That is what democracy means. It means that democracy asks of its people loyalty, devotion, and service, and gets it; that it does not have to compel people to give that loyalty; and if democracy tries to do that, to a certain extent it spoils it.

We have not only got to be concerned about preventing the operation of disloyal elements in this country, of whom I know there are some, but we have also got to be more than usually earnest about the protection of the rights of the rank and file of the people of this Nation so that they will know for certain that the represenatives of the people in Congress are going to do even-handed justice at this time and not permit the opportunity to be taken to break down some of the protection of the rights of these rank-and-file people which have been set up in times past.

The situation that confronts us this afternoon is this, that you have proposed amendments, the Smith amendments to the Norton bill, which have been amended in certain particulars. I think this must be said, that the thing which the A. F. of L. was really after was the Norton bill, H. R. 9195. That was the position of the A. F. of L. from the beginning, and if you really want to do the thing which the A. F. of L. has constantly stood for through this matter, what you will do is vote down the Smith amendments in order to have an opportunity to vote for the Norton bill. That is the only way you can get an opportunity to do it.

As far as the Smith bill is concerned, it has been considerably amended, but in my judgment it still contains provisions which would seriously cripple the legitimate operation of the National Labor Relations Act. One of the main arguments that has been made against the National Labor Relations Board is that it has not been able to clean up its business fast enough to give satisfaction to the people who had cases before it. I am convinced that the division of authority and the division of work provided in the Smith amendments, together with the almost unlimited opportunity for litigation which is involved in it, would render that problem a very, very serious one indeed. I do not have time to discuss all the provisions of the Smith bill, except to say that you have before you in the form of the Smith amendment a legislative hodgepodge, necessarily, because it was a bill brought up, conceived, and defended vigorously by certain people in its original form, which has now been changed. In the Norton bill you have a bill carefully considered, reported out by a committee of this Congress, which is a much more safe and certain thing for a Member to cast his vote in favor of.

It has been said that the Labor Board was prosecutor, judge, jury, and everything else. As a matter of fact, that is not true because what happens is that the Labor Board issues an order and anybody who does not obey that order has not thereby committed a crime according to the act, but has merely thrown the case into the courts, which is the first time that a judge enters the picture.

My own position is this, I believe fundamentally in the principles of the Wagner Act. I am opposed to amendments which would weaken it in the protection of the right of collective bargaining. But I have not contended that any amendment to this act was, per se, wrong, or that it was, per se, an attack on labor. I do not believe that. I think the administration of the act is subject to criticism, and in some cases, I think, serious criticism. Most of those criticisms have already been made. What I hope is going to happen is that we are going to have an opportunity for consideration of the Norton bill. If we do, I am going to offer an amendment to the second section of that bill which, I believe, will clarify this question of craft protection.

My amendment, which I know I shall not have time to read, essentially does this: It protects all bargaining units which have been established by previous collective-bargaining history; that wherever there is an organization which has already been established by collective bargaining, the Board cannot set that aside; and that where you do not have previous history of collective bargaining, the Board must hold an election within each separate group if there is more than one group involved; and that a majority within each group shall determine what the bargaining unit for that group shall be. Then you would not have the danger in that case of an organization already set up—no matter whether it be A. F. of L. or C. I. O.—being broken up by having new groups coming in and attempting to set themselves up as separate bargaining units, thus breaking up the bargaining unit. If the bargaining unit is already in existence, it is protected absolutely by this amendment.

I feel that this situation which is before us here today is a most important one. I think it is unfortunate that we have in some cases generated as much heat as has been generated, but probably that is inevitable.

The thought I want to close with is that we are dealing here with matters which have been carefully considered not only from the standpoint of amending the Wagner Act but from the standpoint of its fundamental purpose in the protection of the right of collective bargaining. I am convinced that the Labor Committee of the House would not bring in a bill if it felt it was unfair.

The bill brought in by the Labor Committee, H. R. 9195, provides that an employer caught between rival organizations may appeal for an election. Then in the matter of contracts the employers are protected in that the contract and bargaining unit must be for the period of at least a year.

The committee bill increases the Board membership to five members. This, it seems to me, is the answer to 85 percent of the complaints, for they have been to the effect that the trouble has been with the administration of the act rather than with the act itself. [Applause.]

[Here the gavel fell.]

Mr. MURDOCK of Utah. Mr. Chairman, may I inquire how the time stands?

The CHAIRMAN. Twenty-two minutes remain on the Smith substitute and all amendments thereto.

Mr. MURDOCK of Utah. May I inquire whether the gentleman from Massachusetts [Mr. HEALEY] is to be recognized?

The CHAIRMAN. The Chair has listed the gentleman from Illinois [Mr. KELLER] for 2 minutes, the gentleman from Utah [Mr. MURDOCK], the gentlewoman from New Jersey [Mrs. NORTON] and the gentleman from Virginia [Mr. SMITH].

Mr. MURDOCK of Utah. Mr. Chairman, I will yield my time to the gentleman from Massachusetts.

Mr. KELLER. Mr. Chairman, I shall be glad to yield my time to the gentleman from Massachusetts.

The CHAIRMAN. Without objection, the gentleman from Massachusetts [Mr. HEALEY] will be recognized for 7 minutes.

There was no objection.

Mr. HEALEY. Mr. Chairman, I asked the chairman of the Smith committee if he had authority and wished to take the responsibility of saying that with the four amendments adopted the American Federation of Labor now unqualifiedly endorses the bill which is before the House for consideration, namely, the Smith bill. The gentleman did not undertake to say unqualifiedly that that was the position of the American Federation of Labor.

It would be very difficult for me to conceive how any group which is an organization of the workers of the country could possibly endorse the Smith bill even as improved by the changes which have been adopted, because the remaining sections of the bill still are emasculatory, still undermine the fundamental principle of collective bargaining, still are destructive of the basic ideals of this act.

You have removed from this bill two amendments which went to the preamble of the act and upon which the policy of this whole act was based. Those have been removed, as I understand it, because the president of the American Federation of Labor indicated that those amendments were objectionable to the American Federation of Labor, and the chairman of this committee and his two Republican colleagues who constitute the majority have receded from their position and have acquiesced in the elimination of those amendments by the House.

There remains an amendment which has been termed by the majority the "freedom of speech" amendment. When this act was written it was intended that the workers of this country should have an opportunity to freely organize and select representatives of their own choosing for the purpose of collective bargaining with respect to their wages and conditions of employment.

The act safeguarded the freedom of the workers of the country in acting to select their representatives by making it an unfair labor practice for the employer to interfere with, to coerce, or in any way to restrain the exercise of the independent judgment of the workers themselves in selecting their own representatives. The majority propose to nullify that provision by making it possible for employers to interfere with the rights of self-organization by employing their economic weight and their control over a man's job and means of a livelihood. If the employer, at a meeting of employees, indicates that he wants John Jones chosen as a representative of the workers, or if he indicates to them that he thinks they ought to join one organization as opposed to another, naturally that expression of opinion will tend to go beyond the persuasive effects of plain appeals to the reason and judgment of the workers themselves and will tend to restrain, interfere with, and coerce the free judgment of the workers.

Freedom of speech is guaranteed by our Constitution. It has been upheld by our courts in hundreds of cases that have been before the courts for determination, both under this act and other legislation. It has been scrupulously safeguarded by the courts since the birth of our Government. I challenge the gentlemen on the majority to point out one solitary case where the courts have ever upheld any infringement of the right of freedom of speech. There is no need for such amendment; yet it is in the bill, and if it is permitted to remain in the bill it will serve to interfere with the rights of the workers in their self-organization, in the choosing of their own representatives for bargaining purposes.

You have in this bill an entirely new departure in administrative procedure. The administrative agencies of this country, with 50 years of experience behind them, have evolved an administrative procedure which has worked with relative speed and economy for the benefit of those people who come to them for relief, for remedy. The system which is set up in this act to take its place provides for an administrator who will prosecute the claims arising under this act, involving charges of unfair labor practices, in a court which will exist solely for the purpose of making determinations.

In other words, you are setting up a labor court and you are setting up an administrator who to that court will be in the relationship of district attorney. Now, Mr. Chairman, a district attorney and a court, of course, function all right in criminal matters, but this is not a criminal matter. This is a remedial proceeding. Workers and employers who are affected by this act come to this Board for remedy. They do not come for punitive justice. They come here for remedial equity, and I say that an unsound system has been set up in the bill under consideration and it may cause untold harm to the workers and employers of this country. I cannot understand how any labor organization can put the stamp of approval on such a proposal.

Other amendments remain in the bill before us which would seriously impair the rights and welfare of labor. The so-called agricultural labor amendment would arbitrarily deprive over a million workers in packing plants, canneries, and processing plants of the benefits of this act although the conditions of their employment do not substantially differ from those of other industrial workers. The "willful violence" amendment penalizes with deprivation of the benefits of the act any picket who may be provoked by some hired thug or provocateur into losing his temper and taking the usual steps to retaliate against his antagonizer. Other amendments would serve to tie the efficient administration of the act up into knots of evidentiary technicalities and may result in transferring the final decision in labor matters to the courts. I cannot believe that any labor organization would put its stamp of approval on a body of amendments so destructive to labor's welfare, and I hope that the House will see fit to defeat this drastic proposal.

[Here the gavel fell.]

The CHAIRMAN (Mr. JONES of Texas). The Chair recognizes the gentleman from Michigan [Mr. HOOK] for 5 minutes.

Mr. HOOK. Mr. Chairman, I am not excited over the passage or adoption by this House of the Smith amendments or any resolution. Do not fool yourselves. This will never be the law. It will not be adopted by the other body. You know that and I know it. Last night I insisted that these amendments be read. My reason for doing so was because I felt that if the membership of this House sat here and listened attentively word for word to these so-called Smith amendments they would realize that they are very definitely anti-labor and so obnoxious to the principles of collective bargaining that they would never be adopted. The reading was waived today. I think the proponents of the bill were ashamed to hear them.

We have a national-defense program. What are we setting up this defense for? What are we defending? Are we defending territory? Do we expect invasion? Probably so, but you must remember that the main things we are defending are the rights guaranteed to a free people in a democratic nation. You are setting up this defense to protect the rights that have been handed down to us through the efforts of and the blood spilled on the battlefield by our forefathers. Thomas Jefferson once said that the tree of democracy must be fertilized by the blood of patriots. If we fail to defend the rights of free men and women in a democracy, if we take away the social legislation previously enacted, if we take away the labor legislation that has been placed on the statute books, if we take away the rights of collective bargaining, we are not defending democracy as it should be defended. If we want to give up our freedom, if we will let emotion carry us on into the field of fascism and the ideologies of Hitler, then why have a national defense?

If we intend to protect the right of free speech, the right of free press, the right to worship God according to the dictates of our own conscience, the right of labor to be protected from the onslaught of unscrupulous employers, let us not take those rights away by this obnoxious legislation. If you in your hysteria wipe out the democratic principles and adopt the ideology of this man Hitler, then, of course, we should not go to the other of raising billions in defense. I am for the defense program. I want complete protection from within

and also against an invader, be he dictator or a saboteur of the rights of freemen.

We, after due deliberation and real study, placed this Magna Carta of labor into the laws of this Nation when the Congress and the people of this Nation were interested in the problems of the laboring class and gave to them the rights that are necessary to a strong and vigorous nation. In the interest of America, in the interest of national defense, vote down these amendments.

Let me say in closing, it is great progress and a long way from the days of slavery to the days of collective bargaining.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentlewoman from New Jersey [Mrs. NORTON].

Mrs. NORTON. Mr. Chairman, surprises have come very fast today. The gentleman from Georgia [Mr. Cox] has become a follower of the Daily Worker, and the gentleman from Virginia [Mr. SMITH] is the spokesman for the president of the American Federation of Labor. Could anything be more perfect?

The battle is nearly over. If the Smith amendments are adopted, the workers of the country will be sold down the river, and those voting for this bill will have to do the explaining. The Labor Committee, following extensive hearings, reported a bill that will correct the defects in the law and yet not weaken the act. That bill until yesterday had the entire support of the American Federation of Labor, and until yesterday I believe the Smith bill had not. Strange things happen overnight. We have some very peculiar bedfellows in this Congress today.

Mr. HOFFMAN. Will the gentlewoman yield?

Mrs. NORTON. I do not yield. The gentleman has had a lot of time today, and this is the first time I have spoken.

Mr. Chairman, what sort of combination or trade is responsible for the change of heart of my friend Mr. Green is completely beyond me. As chairman of the Committee on Labor, I carried out the mandates of the committee, and, for myself, I have obeyed the dictates of my own conscience, which is the most important thing of all. [Applause.]

Mr. Chairman, I have hundreds of letters in my files from the rank and file of the American Federation of Labor, God bless them, and from the C. I. O., appealing to me to preserve the Wagner Act and to vote down the Smith amendments. Well, unfortunately, when amendments are offered in committee it is impossible to keep all the Members on the floor, consequently amendments are agreed to. I have no complaint to make about that. It is your funeral, not mine. I have made as good a fight as I know how to make, with the cards all stacked against the Labor Committee.

I have not the slightest idea how the leadership of the House stands on this grave question. I can say in truth that the Labor Committee has had no assistance whatever from the leadership of the House. I have no complaint to make on that score; in fact, I have not any complaint to make. My only purpose in addressing you now is to tell the workers of the country that I and the members of the Labor Committee, or at least some of the members of the Labor Committee, have kept the faith. We shall continue to do so. What you are doing today you are doing in response to the request of the president of the American Federation of Labor, the Manufacturers' Association, and the National Chamber of Commerce. That is a beautiful group.

What they and those who vote for the adoption of the amendments have so skillfully brought before you are doing to the Wagner Act is something for which they will be sorry when reckoned in terms of industrial harmony. The right to organize and bargain collectively under these amendments becomes a sham.

When the president of the American Federation of Labor asks for labor legislation next year, I hope he will succeed in getting his friend the gentleman from Virginia [Mr. SMITH] to cast his very first vote in the interest of labor legislation. [Applause.]

The CHAIRMAN. The Chair recognizes the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Chairman, I am glad we have reached that point in the debate where we can all smile again. [Laughter.]

Mr. Chairman, the gentlewoman from New Jersey seems to be in some doubt as to who has sold whom down the river, and she says she is unable to understand why William Green no longer supports her bill. Perhaps William Green has seen the letter which the gentlewoman from New Jersey is purported to have written to the C. I. O. after she had reported favorably her own bill and it was on the calendar for consideration. This letter says this:

> As chairman of the committee, all committee bills bear my name. This is the usual procedure in all committees. However, I am entirely in accord with you that no amendments should be passed this year to the National Labor Relations Act. I shall take this position on the floor when the rule comes before us. The only way all amendments can be defeated is to vote down the rule when it comes up for adoption.
>
> Thank you for letting me know the views of your organization.
>
> Sincerely,
>
> MARY T. NORTON.

Mrs. NORTON. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I am sorry, but the gentlewoman did not yield, and I do not have any time, either.

Mr. Chairman, we will leave hanging in the air the mystery and the question of who has sold whom down the river. [Laughter and applause.]

I do not pretend to speak for the American Federation of Labor. I do not pretend to speak for any minority group today or any day. I have voted against them and I have at times defied them. I endeavor to speak for the people of my district and for what I believe to be in the best interest of all the people of this great country of ours. [Applause.]

Mr. Chairman, we have reached the point where now we are to vote upon the substitution of the so-called Smith bill for the Norton bill. I hope when we reach that vote the Committee of the Whole will vote to substitute our bill; and then, when we get back into the House, we can have a record vote on the whole proposition if anybody desires it. Understand that if our substitute should be voted down in the Committee of the Whole, we would not have any opportunity to vote upon the bill in the House. I urge you, in the light of all the debate and all that has happened and all the information we have, that you vote to substitute our committee's bill for the Norton bill, which is now an orphan, having been repudiated by its own author. [Applause.]

The CHAIRMAN. The time of the gentleman from Virginia has expired; all time has expired.

Mr. VOORHIS of California. Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

> Amendment offered by Mr. VOORHIS of California as a substitute for the Smith amendment: Insert:
>
> "The terms of office of the present members of the National Labor Relations Board shall terminate 30 days after the date of passage of this act, and the President shall, by and with the advice and consent of the Senate, appoint a new Board of three members. One of such members shall be appointed for a term of 1 year, one for a term of 3 years, and one for a term of 5 years, but their successors shall be appointed for terms of 5 years each."

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from California for the amendment offered by the gentleman from Virginia.

The question was taken; and on a division (demanded by Mr. VOORHIS of California) there were—ayes 14, noes 126.

So the substitute amendment was rejected.

The CHAIRMAN. The question is on the substitute offered by the gentleman from Virginia [Mr. SMITH], as amended, to the Norton bill.

The question was taken; and on a division (demanded by Mr. HEALEY) there were—ayes 178, noes 111.

So the substitute amendment was agreed to.

Mr. SMITH of Virginia. Mr. Chairman, I ask unanimous consent that the change in section numbers made necessary by reason of the adoption of the amendments may be made.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. JONES of Texas, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 9195) to amend the National Labor Relations Act, pursuant to House Resolution 465, reported the same back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on agreeing to the amendment.

Mr. SACKS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SACKS. Is this vote on the amendments to the Smith amendment or on the adoption of the Smith amendment?

The SPEAKER. The vote now pending before the House is on the adoption of the Smith amendment to the original bill.

Mrs. NORTON. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The Smith amendment as amended is as follows:

Be it enacted, etc., That this act may be cited as the National Labor Relations Act Amendments of 1940.

SEC. 2. (a) Section 2 (3) of the National Labor Relations Act is amended to read as follows:

"(3) The term 'employee' shall include any employee, and shall not be limited to the employees of a particular employer, unless the act explicitly states otherwise, and shall include any individual whose work has ceased as a consequence of, or in connection with, any current labor dispute or because of any unfair labor practice, and who has not obtained any other regular and substantially equivalent employment, but shall not include any individual employed as an agricultural laborer, or in the domestic service of any family or person at his home, or any individual employed by his parent or spouse, and for the purposes of the provisions of section 10 (c) relating to reinstatement by any employer, does not include any employee who a preponderance of the testimony taken shows has willfully engaged in violence or unlawful destruction or seizure of property in connection with any current labor dispute or unfair labor practice involving such employer, or in connection with any organizational activities of a labor organization among employees of such employer. For the purposes of this subsection, 'agricultural laborer' means any person employed in performing 'agricultural labor' as that term is defined in section 1426 (h) of the Internal Revenue Code, as amended."

(b) Section 2 (4) of the National Labor Relations Act is amended to read as follows:

"(4) The term 'representatives' includes any individual or labor organization, but in the case of an individual does not include an individual who is not a citizen of the United States."

(c) Section 2 (11) of such act is amended to read as follows:

"(11) The term 'Administrator' means the Administrator of the National Labor Relations Act provided for in section 3 (d)."

SEC. 3. (a) The heading of section 3 of the National Labor Relations Act is amended by adding at the end thereof the following: "; Administrator of the National Labor Relations Act."

(b) Section 3 (a) of such act is amended to read as follows:

"SEC. 3. (a) There is hereby created a Board, to be known as the National Labor Relations Board (in this act called the 'Board'), which shall be composed of three members, who shall be appointed by the President, by and with the advice and consent of the Senate. One of the original members shall be appointed for a term of 1 year, one for a term of 3 years, and one for a term of 5 years, but their successors shall be appointed for terms of 5 years each, except that any individual chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed. The President shall designate one member to serve as Chairman of the Board. Not more than two of the members of the Board shall be members of the same political party. Any member of the Board may be removed by the President, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause. It shall be the duty of the Board, as hereinafter provided, to hear and determine complaints made and filed with it by the Administrator charging persons with engaging in unfair labor practices, to hold and supervise elections to ascertain representatives who have been selected for the purposes of collective bargaining, to determine units appropriate for the purpose of collective bargaining, and to exercise such other functions as are conferred upon it by this act."

(c) Section 3 of such act is amended by adding at the end thereof the following:

"(d) There is hereby established an Administrator of the National Labor Relations Act. The Administrator shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate of $10,000 per annum. He shall not engage in any other business, vocation, or employment. The Administrator may appoint, without regard to the provisions of the civil-service laws but subject to the Classification Act of 1923, as amended, an executive secretary, and such attorneys and regional directors, and may appoint such other employees, with regard to existing laws applicable to the employment and compensation of officers and employees of the United States, as he may from time to time find necessary. The Administrator may establish or utilize such regional, local, or other agencies, and utilize such voluntary and uncompensated services, as may from time to time be needed. Attorneys appointed under this subsection may, in the discretion of the Administrator, appear for and represent the Administrator in any case in court. In case of a vacancy in the office of Administrator, or in case of the absence of the Administrator, the President shall designate the officer or employee of the Administrator who shall serve as Administrator during such vacancy or absence. Expenses of the Administrator, including all necessary traveling and subsistence expenses incurred by the Administrator or employees of the Administrator under his orders while away from his or their official station, shall be allowed and paid on the presentation of itemized vouchers therefor approved by the Administrator or by any employee he designates for that purpose. It shall be the duty of the Administrator, as hereinafter provided, to investigate charges of unfair labor practices, to issue complaints if he has reasonable cause to believe such charges are true, to prosecute such complaints before the Board, to make application to the courts for enforcement of orders of the Board, and to exercise such other functions as are conferred on him by this act. The Administrator shall be made a party to all proceedings before the Board, and shall present such testimony therein and request the Board to take such action with respect thereto as in his opinion will carry out the policies of this act. Any function which may be exercised by the Administrator may also be exercised by any officer or employee or agency of the Administrator designated by the Administrator for that purpose."

SEC. 4. Section 4 of the National Labor Relations Act is amended to read as follows:

"SEC. 4. (a) Each member of the Board shall receive a salary of $10,000 a year, shall be eligible for reappointment, and shall not engage in any other business, vocation, or employment. The Board may appoint, without regard for the provisions of the civil-service laws but subject to the Classification Act of 1923, as amended, an executive secretary, a secretary to each member, and such attorneys and trial examiners, and may appoint such other employees with regard to existing laws applicable to the employment and compensation of officers and employees of the United States, as it may from time to time find necessary for the proper performance of its duties and as may be from time to time appropriated for by Congress. Nothing in this act shall be construed to authorize the Board or the Administrator to appoint or employ individuals for the purpose of conciliation or mediation or for statistical work.

"(b) All of the expenses of the Board, including all necessary traveling and subsistence expenses outside the District of Columbia incurred by the members or employees of the Board under its orders, shall be allowed and paid on the presentation of itemized vouchers therefor approved by the Board or by any individual it designates for that purpose."

SEC. 5. Section 5 of the National Labor Relations Act is amended to read as follows:

"SEC. 5. The principal offices of the Board and of the Administrator, respectively, shall be in the District of Columbia, but they may exercise any or all of their respective powers at any other place. The Board may by one or more of its members or by such trial examiner or examiners as it may designate, conduct hearings in any part of the United States. The conducting of any such hearing by a member shall not disqualify such member from subsequently participating in a decision of the Board in the same case."

SEC. 6. Section 6 of the National Labor Relations Act is amended to read as follows:

"SEC. 6. The Board and the Administrator, respectively, shall have authority from time to time to make, amend, and rescind such rules and regulations as may be necessary to carry out their respective functions under this act. Such rules and regulations shall be effective upon publication in the manner which the Board or the Administrator, as the case may be, shall prescribe."

SEC. 7. (a) Section 8 (1) of the National Labor Relations Act is amended to read as follows:

"(1) To interfere with, restrain, or coerce employees in the exercise of the rights guaranteed in section 7, but nothing in this section or in this act shall be construed or interpreted to prohibit any expressions of opinion with respect to any matter which may be of interest to employees or the general public, provided that such expressions of opinion are not accompanied by acts of coercion, intimidation, discrimination, or threats thereof."

(b) Section 8 (5) of such act is amended to read as follows:

"(5) To refuse to bargain collectively with the representatives of his employees, subject to the provisions of section 9 (a), except that such refusal to bargain collectively with any such representatives shall not, unless a certification with respect to such representative is in effect under section 9, be an unfair labor practice in any case where any other such representative (not established, maintained, or assisted by any action defined in this act as an unfair labor practice) has made a claim that it represents a majority of the employees in a conflicting bargaining unit."

SEC. 8. Section 9 (including the heading thereof) of the National Labor Relations Act is amended to read as follows:

"REPRESENTATIVES AND ELECTIONS

"SEC. 9. (a) Representatives designated or selected for the purposes of collective bargaining by the majority of the employees in

a unit appropriate for such purposes, shall be the exclusive representatives of all the employees in such unit for the purposes of collective bargaining in respect to rates of pay, wages, hours of employment, or other conditions of employment: *Provided*, That any individual employee or a group of employees shall have the right at any time to present grievances to their employer.

"(b) The Board shall upon application under, and subject to the provisions of, subsection (c) of this section determine in each case whether, in order to insure to employees the full benefit of their right to self-organization and to collective bargaining, the unit appropriate for the purposes of collective bargaining shall be the employer unit, craft unit, plant unit, or subdivision thereof.

"(c) Whenever written application is made to the Board under oath:

"(1) By an employer alleging that two or more representatives have each presented to him a claim with respect to the same bargaining unit that it represents a majority of his employees in such bargaining unit, that none of such representatives is a labor organization established, maintained, or assisted by any action defined in section 8 as an unfair labor practice, and that such employer intends to bargain collectively with the representatives designated for that purpose by the majority of his employees in the unit determined by the Board to be appropriate for the purposes of collective bargaining when such representatives are ascertained, or

"(2) By employees, or a representative representing employees, of any employer who constitute not less than 20 percent of the employees in the bargaining unit claimed to be appropriate for the purpose of collective bargaining, alleging (A) that a controversy has arisen among the employees in the unit so claimed as to who have been designated their representative or representatives for collective bargaining, or whether the majority of the employees in such unit have designated a representative or representatives for collective bargaining, or (B) that a controversy has arisen as to the unit or units appropriate for the purposes of collective bargaining, and (C) that they are not members of, or that such representative is not, a labor organization established, maintained, or assisted by any action defined in section 8 as an unfair labor practice, the Board shall give due notice to interested persons of the filing of such application and set the question for hearing within a reasonable time either in conjunction with a proceeding under section 10 or otherwise. Any interested person may file with the Board an intervening application, which shall be under oath and be in such form and contain such allegatons as the Board may by rules and regulations prescribe. If upon the evidence adduced at the hearing the Board finds that the allegations of the application are true and that the question is one affecting commerce, it shall, subject to the provisions of subsection (e) by order determine the unit appropriate for the purposes of collective bargaining, which shall in no case be larger than the largest unit claimed in an application filed by employees or representatives in the proceeding. After determining the unit appropriate for collective bargaining, the Board shall take a secret ballot of employees in the unit so determined and by order certify the name or names of the representatives which a majority of the employees voting have designated or selected as their representative or representatives for collective bargaining. Such certification shall be effective for 1 year from the date of the entry of such order.

"(d) Whenever an order of the Board made pursuant to section 10 (c) is based in whole or in part upon facts certified following an investigation pursuant to subsection (c) of this section, and there is a petition for the enforcement or review of such order, such certification and the record of such investigation shall be included in the transcript of the entire record required to be filed under subsections 10 (e) or 10 (f), and thereupon the decree of the court enforcing, modifying, or setting aside in whole or in part the order of the Board shall be made and entered upon the pleadings, testimony, and proceedings set forth in such transcript.

"(e) Whenever in a proceeding under this section it is proposed:

"(1) To include any plant of a particular employer in a bargaining unit containing more than one such plant, or

"(2) To include the employees of a particular employer in a bargaining unit containing employees of one or more other employers, or

"(3) To include employees of a particular employer or employers in any craft in a bargaining unit containing employees other than employees in such craft, the Board shall take a secret ballot of the employees at such plant, or of the employees of such employer, or of the employees in such craft, as the case may be, for the purpose of determining whether such employees desire to be so included. If a majority of the employees voting vote to be so included, the Board may by order include such employees in a bargaining unit containing more than one such plant, or containing employees of one or more other employers, or containing employees other than employees in such craft, as the case may be. If a majority of the employees voting vote not to be so included, the Board shall by order designate such plant, or the employees of such employer, or the employees in such craft, as the case may be, as a separate bargaining unit. For the purposes of this subsection 'employer' does not include any association of employers, or any other organized group of employers."

SEC. 9. Section 10 (including the heading thereof) of the National Labor Relations Act is amended to read as follows:

"PREVENTION OF UNFAIR LABOR PRACTICES

"SEC. 10. (a) The Board is empowered, as hereinafter provided, to prevent any person from engaging in any unfair labor practice (listed in section 8) affecting commerce. This power shall be exclusive, and shall not be affected by any other means of adjustment or prevention that has been or may be established by agreement, code, law, or otherwise.

"(b) Whenever it is charged that any person has engaged in or is engaging in any such unfair labor practice, the Administrator shall investigate such charge, and if he has reasonable cause to believe such charge is true, he shall issue and cause to be served upon such person a complaint stating such charge, except that the Administrator shall not have power to issue a complaint stating a charge of any unfair labor practice which occurred more than 6 months prior to the date on which such charge was filed with the Administrator. Upon the filing by the Administrator of such complaint with the Board, the Board shall set the case for hearing before the Board or a member thereof, or before a designated trial examiner or examiners, at a place which the Board shall fix, not less than 15 days after the serving of such complaint. Any such complaint may, with the approval of the Board, or with the approval of the member, examiner, or examiners conducting the hearing, be amended by the Administrator at any time prior to the issuance of an order based thereon. The person so complained of shall have the right to file an answer to the original or amended complaint and to appear in person or otherwise and give testimony at the place and time fixed by the Board. In the discretion of the Board, or the member, examiner, or examiners conducting the hearing, any other person may be allowed to intervene in the said proceeding and to present testimony. Any such proceeding shall, so far as practicable, be conducted in accordance with the rules of evidence applicable in the district courts of the United States under the Rules of Civil Procedure for the District Courts of the United States, adopted by the Supreme Court of the United States pursuant to the act of June 19, 1934 (U. S. C., title 28, secs. 723–B, 723–C).

"(c) The testimony taken by the Board, member, examiner, or examiners shall be reduced to writing and filed with the Board. Thereafter, in its discretion, the Board upon notice may take further testimony or hear argument. If upon the preponderance of the testimony taken the Board shall be of the opinion that any person named in the complaint has engaged in or is engaging in any such unfair labor practice, then the Board shall state its findings of fact and shall issue and cause to be served on such person an order requiring such person to cease and desist from such unfair labor practice, and to take such affirmative action requested in the complaint, which may include reinstatement of employees with or without back pay, as will effectuate the policies of this act. Such order may further require such person to make reports from time to time to the Administrator showing the extent to which he has complied with the order. If upon the preponderance of the testimony taken the Board shall not be of the opinion in the case of any person named in the complaint that such person has engaged in or is engaging in any such unfair labor practice, then the Board shall state its findings of fact and shall issue an order dismissing the said complaint as to such person. No order of the Board or of any court requiring the payment by an employer of money by reason of a finding that such employer has engaged in or is engaging in any unfair labor practice shall require such payment with respect to a period longer than 12 months, or with respect to a period which, when added to any previous period with respect to which such payment was required either by the Board or by any court by reason of the same finding, is longer than 12 months. In case the testimony taken is taken before a member of the Board, or before an examiner or examiners thereof, such member, or such examiner or examiners, as the case may be, shall issue and cause to be served on the parties to the proceeding a proposed report, together with a recommended order, which shall be filed with the Board, and if no exceptions are filed within 20 days after service thereof upon such parties, or within such further period as the Board may authorize, such recommended order shall become the order of the Board and become effective as therein prescribed.

"(d) Until a transcript of the record in a case shall have been filed in a court, as hereinafter provided, the Board may, at any time, upon reasonable notice and in such manner as it shall deem proper, modify or set aside, in whole or in part, any finding or order made or issued by it or by any member, examiner, or examiners thereof.

"(e) The Administrator shall at the request of the Board, or may on his own motion, petition any circuit court of appeals of the United States (including the United States Court of Appeals for the District of Columbia), or if all the circuit courts of appeals to which application may be made are in vacation, any district court of the United States (including the District Court of the United States for the District of Columbia) within any circuit or district, respectively, wherein the unfair labor practice in question occurred or wherein such person resides or transacts business, for the enforcement of such order and for appropriate temporary relief or restraining order, and shall file in the court a transcript of the entire record in the proceeding, certified by the Board, including the pleadings and testimony upon which such order was entered and the findings and order of the Board. Upon such filing the court shall cause notice thereof to be served upon such person, and thereupon shall have jurisdiction of the proceeding and of the question determined therein, and shall have power to grant such temporary relief or restraining order as it deems just and proper, and to make and enter upon the pleadings, testimony, and proceedings set forth in such transcript a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the Board. No objection that has not been urged before the Board, its member, examiner, or examiners shall be considered by the court, unless the

failure or neglect to urge such objection shall be excused because of extraordinary circumstances. The findings of the Board as to the facts shall be conclusive unless it is made to appear to the satisfaction of the court (1) that the findings of fact are clearly erroneous, or (2) that the findings of fact are not supported by substantial evidence. If either party shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the hearing before the Board, its member, examiner, or examiners, the court may order such additional evidence to be taken before the Board, its member, examiner, or examiners and to be made a part of the transcript. The Board may modify its findings as to the facts, or make new findings, by reason of additional evidence so taken and filed, and it shall file such modified or new findings, which shall be conclusive unless it is made to appear to the satisfaction of the court (1) that such findings are clearly erroneous, or (2) that such findings are not supported by substantial evidence, and the Board shall file its recommendations, if any, for the modification or setting aside of its original order. The jurisdiction of the court shall be exclusive and its judgment and decree shall be final, except that the same shall be subject to review by the appropriate circuit court of appeals if application was made to the district court as hereinabove provided, and by the Supreme Court of the United States upon writ of certiorari or certification as provided in sections 239 and 240 of the Judicial Code, as amended (U. S. C., title 28, secs. 346 and 347).

"(f) Any person aggrieved by a final order of the Board (including a final order under section 9) granting or denying in whole or in part the relief sought may obtain a review of such order in any circuit court of appeals of the United States in the circuit wherein the unfair labor practice in question was alleged to have been engaged in or wherein such person resides or transacts business, or in the United States Court of Appeals for the District of Columbia, by filing in such court a written petition praying that the order of the Board be modified or set aside. A copy of such petition shall be forthwith served upon the Administrator, and thereupon the aggrieved party shall file in the court a transcript of the entire record in the proceeding, certified by the Board, including the pleading and testimony upon which the order complained of was entered and the findings and order of the Board. Upon such filing the court shall proceed in the same manner as in the case of an application by the Administrator under subsection (e), and shall have the same exclusive jurisdiction to grant to the Administrator such temporary relief or restraining order as it deems just and proper, and in like manner to make and enter a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the Board; and the findings of the Board as to the facts shall in like manner be conclusive, unless it is made to appear to the satisfaction of the court (1) that the findings of fact are clearly erroneous, or (2) that the findings of fact are not supported by substantial evidence.

"(g) The commencement of proceedings under subsection (e) or (f) of this section shall not, unless specifically ordered by the court, operate as a stay of the Board's order.

"(h) When granting appropriate temporary relief or a restraining order, or making and entering a decree enforcing, modifying, and enforcing as so modified or setting aside in whole or in part an order of the Board, as provided in this section, the jurisdiction of courts sitting in equity shall not be limited by the act entitled 'An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes,' approved March 23, 1932 (U. S. C., Supp. VII, title 29, secs. 101–115).

"(i) Petitions filed under this act shall be heard expeditiously, and if possible within 10 days after they have been docketed."

SEC. 10. Section 11 (including the heading thereof) of the National Labor Relations Act is amended to read as follows:

"INVESTIGATORY POWERS

"SEC. 11. For the purpose of any proceeding before the Board, or before a member, examiner, or examiners thereof, or for the purpose of any investigation provided for in this act—

"(1) The Board, or any member thereof, or any trial examiner shall, upon application of the Administrator or of any party to such proceeding, whether before or during any hearing in the case of any such proceedings, forthwith issue to the Administrator or to such party, as the case may be, in the name of the Board, subpenas requiring the attendance and testimony of witnesses or the production of any evidence in such proceeding or investigation requested in such application. Within 5 days after the service of a subpena on any person requiring the production of any evidence in his possession or under his control, such person may petition the Board or its duly authorized agent or agents to revoke, and the Board, or such agent or agents, shall revoke, such subpena if in its, his, or their opinion, as the case may be, the evidence whose production is required does not relate to any matter under investigation, or any matter in question in such proceeding, or if in its, his, or their opinion, as the case may be, such subpena does not describe with sufficient particularity the evidence whose production is required. The Administrator or any member of the Board or any examiner or examiners designated by the Board for such purposes may administer oaths and affirmations, examine witnesses, and receive evidence. Such attendance of witnesses and the production of such evidence may be required from any place in the United States or any Territory or possession thereof, at any designated place of hearing.

"(2) In case of contumacy or refusal to obey a subpena issued to any person, any district court of the United States or the United States courts of any Territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the person to whom such a subpena was issued by the Board shall have jurisdiction to issue to such person so guilty of contumacy or refusal to obey an order requiring him to appear before the Board, its member, examiner, or examiners, or before the Administrator if the subpena so directs, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

"(3) No person shall be excused from attending and testifying or from producing books, records, correspondence, documents, or other evidence in obedience to the subpena of the Board, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

"(4) Complaints, orders, and other process and papers provided for in this act may be served either personally or by registered mail or by telegraph or by leaving a copy thereof at the principal office or place of business of the person required to be served. The verified return by the individual so serving the same setting forth the manner of such service shall be proof of the same, and the return post-office receipt or telegraph receipt therefor when registered and mailed or telegraphed as aforesaid shall be proof of service of the same. Witnesses summoned before the Administrator or before the Board, its member, examiner, or examiners, shall be paid the same fees and mileage that are paid witnesses in the courts of the United States, and witnesses whose depositions are taken and the persons taking the same shall severally be entitled to the same fees as are paid for like services in the courts of the United States.

"(5) All process of any court to which application may be made under this act may be served in the judicial district wherein the defendant or other person required to be served resides or may be found.

"(6) The several departments and agencies of the Government, when directed by the President, shall furnish the Administrator, upon his request, all records, papers, and information in their possession relating to any matter before the Board."

SEC. 11. Section 12 of the National Labor Relations Act is amended to read as follows:

"SEC. 12. Any person who shall willfully resist, prevent, impede, or interfere with the Administrator or any member of the Board or any of their agents or agencies in the performance of duties pursuant to this act shall be punished by a fine of not more than $5,000 or by imprisonment for not more than 1 year, or both."

EFFECTIVE DATE

SEC. 12. (a) As used in this section—

(1) The term "old act" means the National Labor Relations Act in effect prior to the enactment of this act.

(2) The term "new act" means the National Labor Relations Act, as amended by this act.

(3) The term "old Board" means the National Labor Relations Board created by section 3 (a) of the old act.

(4) The term "new Board" means the National Labor Relations Board created by section 3 (a) of the new act.

(b) The amendments made by this act shall take effect on the ninetieth day after the date of its enactment, except that prior to such ninetieth day the President may appoint the new Board and the Administrator, and they may exercise their respective powers under such amendments of employing necessary personnel and making rules and regulations to carry out their respective functions.

(c) Effective as of the expiration of the eighty-ninth day after the date of enactment of this act, the old Board is hereby abolished.

(d) All orders issued by the old Board and in effect at the time the old Board is abolished shall continue in effect until superseded or revoked by the new Board, or if modified by the new Board, shall continue in effect as so modified, and all such orders may be enforced by the Administrator or reviewed by any person aggrieved thereby in the same manner and to the same extent as if issued by the new Board under the new act, except that the validity of such orders and the effect given to the findings of fact (including new or additional findings of fact by the new Board) upon which they are based shall be governed by the old act in the same manner and to the same extent as if this act had not been enacted. All proceedings and investigations pending before the old Board under section 9 of the old act at the time of the abolition of the old Board shall be continued by the new Board in the same manner, and shall be subject to the provisions of the new act to the same extent, as if an application had been filed with the new Board under section 9 (c) of the new act, and all petitions for such investigations shall, within 20 days after the abolition of the old Board, be amended accordingly, or dismissed. Subpenas issued by the old Board under section 11 of the old act shall remain effective, but the issuance of such subpenas may be revoked by the new Board, and such subpenas may be enforced by the persons to whom they are issued, in the same manner and to the same extent as if issued by the new

Board under section 11 of the new act. No proceeding in any court for the enforcement or review of any order of the old Board shall abate by reason of the abolition of the old Board, but the Administrator shall be substituted as petitioner or respondent, as the case may be, and the validity of such order, and the effect given to the findings of fact (including modified or new findings of fact by the new Board in case the court orders additional evidence to be taken before the new Board) shall be governed by the old act in the same manner and to the same extent as if this act had not been enacted. In the case of any proceeding pending before the old Board under section 10 (b) of the old act at the time of the abolition of the old Board in which a charge has been made but no complaint issued, such charge shall be transferred to the Administrator, and shall be acted upon by him under, and shall be governed by, the new act in the same manner and to the same extent as if such charge had been made to him under the new act. In the case of any proceeding pending before the old Board under section 10 (b) of the old act at the time of the abolition of the old Board in which a complaint has been issued but in which a hearing has not been commenced, the time and place of hearing fixed in such complaint, or such time or place as extended or modified by the old Board, shall be ineffective. The Administrator shall file such complaint with the new Board, and the new Board shall fix the time and place for a hearing thereon in accordance with the new act. Such proceeding, and every other proceeding pending before the old Board under section 10 (b) or 10 (c) of the old act at the time of the abolition of the old Board in which no order has been issued shall be governed by the provisions of the new act, except that in any such proceedings wherein a hearing has been commenced or completed prior to the abolition of the old Board, the rules of evidence prevailing in the courts of law or equity shall not be controlling. In the case of any proceeding pending before the old Board under section 10 (b) or 10 (c) of the old act at the time of the abolition of the old Board wherein an order has been issued and wherein the new Board directs the taking of additional testimony, and in the case of any proceeding for the enforcement or review of any order of the old Board pending in any court at the time of the abolition of the old Board wherein the court orders the taking of additional testimony before the new Board, the rules of evidence prevailing in the courts of law or equity shall not be controlling in the taking of such testimony.

(e) All files, reports, records, documents, papers, and property (including office furniture and equipment) under the control of the old Board shall be distributed, upon the abolition of the old Board, between the new Board and the Administrator in such manner as the President may determine.

The question was taken; and there were—yeas 246, nays 137, answered "present" 2, not voting 45, as follows:

[Roll No. 144]

YEAS—246

Alexander	Costello	Guyer, Kans.	McGregor
Allen, Ill.	Courtney	Gwynne	McLaughlin
Allen, La.	Cox	Hall, Edwin A.	McLean
Allen, Pa.	Cravens	Hall, Leonard W.	McLeod
Andersen, H. Carl	Crawford	Halleck	McMillan, Clara
Anderson, Calif.	Creal	Hancock	McMillan, John L.
Anderson, Mo.	Culkin	Hare	Maas
Andresen, A. H.	Cummings	Harness	Maciejewski
Angell	Curtis	Harrington	Mahon
Arends	Darden, Va.	Hartley	Maloney
Austin	Davis	Hawks	Marshall
Ball	DeRouen	Hess	Martin, Iowa
Barden, N. C.	Dirksen	Hinshaw	Martin, Mass.
Barnes	Disney	Hobbs	Mason
Barton, N. Y.	Ditter	Hoffman	Michener
Bates, Mass.	Dondero	Holmes	Miller
Beckworth	Doughton	Hope	Mills, Ark.
Bell	Douglas	Horton	Mills, La.
Bender	Doxey	Jarrett	Monkiewicz
Blackney	Dworshak	Jennings	Moser
Bland	Elliott	Jensen	Mott
Boehne	Ellis	Johns	Mouton
Bolles	Elston	Johnson, Ill.	Mundt
Bolton	Engel	Johnson, Ind.	Murray
Boykin	Englebright	Johnson, Luther A.	O'Brien
Bradley, Mich.	Fish	Johnson, Okla.	O'Neal
Brewster	Ford, Leland M.	Jones, Ohio	Osmers
Brooks	Ford, Miss.	Jones, Tex.	Pace
Brown, Ga.	Fulmer	Jonkman	Patman
Brown, Ohio	Gamble	Kean	Patton
Bulwinkle	Garrett	Keefe	Pearson
Burch	Gartner	Kilburn	Peterson, Ga.
Byrns, Tenn.	Gathings	Kilday	Pierce
Camp	Gearhart	Kinzer	Pittenger
Carlson	Gerlach	Kitchens	Plumley
Carter	Gibbs	Kleberg	Poage
Case, S. Dak.	Gifford	Knutson	Polk
Chapman	Gilchrist	Kocialkowski	Powers
Chiperfield	Gillie	Kramer	Rankin
Church	Goodwin	Kunkel	Rayburn
Clason	Gore	Lambertson	Reece, Tenn.
Clevenger	Gossett	Lanham	Reed, Ill.
Coffee, Nebr.	Graham	Lea	Reed, N. Y.
Cole, Md.	Grant, Ala.	LeCompte	Rees, Kans.
Cole, N. Y.	Grant, Ind.	Lewis, Colo.	Rich
Collins	Gregory	Luce	Robertson
Cooley	Griffith	McAndrews	Robsion, Ky.
Cooper	Gross	McGehee	Rockefeller
Rodgers, Pa.	Short	Talle	Weaver
Rogers, Mass.	Simpson	Tarver	West
Routzohn	Smith, Ohio	Terry	Wheat
Rutherford	Smith, Va.	Thill	Whelchel
Ryan	South	Thomas, N. J.	White, Ohio
Sandager	Sparkman	Thomason	Whittington
Sasscer	Springer	Thorkelson	Wigglesworth
Satterfield	Starnes, Ala.	Tinkham	Williams, Del.
Schafer, Wis.	Stearns, N. H.	Treadway	Wolcott
Schuetz	Stefan	Vincent, Ky.	Woodruff, Mich.
Seccombe	Sumner, Ill.	Vinson, Ga.	Woodrum, Va.
Seger	Sumners, Tex.	Vorys, Ohio	Youngdahl
Shafer, Mich.	Sweet	Vreeland	
Sheppard	Taber	Ward	

NAYS—137

Barry	Fenton	Kirwan	Rogers, Okla.
Bates, Ky.	Ferguson	Landis	Romjue
Beam	Fernandez	Larrabee	Sabath
Bloom	Fitzpatrick	Leavy	Sacks
Boland	Flaherty	Lesinski	Schiffler
Boren	Flannagan	Lewis, Ohio	Schwert
Bradley, Pa.	Flannery	Ludlow	Scrugham
Bryson	Ford, Thomas F.	Lynch	Secrest
Buckler, Minn.	Fries	McArdle	Shanley
Buckley, N. Y.	Gavagan	McCormack	Sheridan
Burdick	Geyer, Calif.	McDowell	Smith, Conn.
Cartwright	Green	McGranery	Smith, Ill.
Casey, Mass.	Hart	McKeough	Smith, Wash.
Claypool	Harter, N. Y.	Marcantonio	Smith, W. Va.
Cochran	Harter, Ohio	Massingale	Somers, N. Y.
Coffee, Wash.	Havenner	Murdock, Ariz.	Spence
Connery	Healey	Murdock, Utah	Sullivan
Corbett	Hendricks	Myers	Sweeney
Crosser	Hennings	Nelson	Tenerowicz
Crowe	Hill	Nichols	Thomas, Tex.
Crowther	Hook	Norrell	Tibbott
Cullen	Houston	Norton	Tolan
D'Alesandro	Hull	O'Connor	Van Zandt
Delaney	Hunter	O'Day	Voorhis, Calif.
Dempsey	Izac	O'Leary	Wallgren
Dickstein	Jacobsen	Oliver	Walter
Dingell	Jenkins, Ohio	O'Toole	Welch
Duncan	Johnson, W. Va.	Parsons	White, Idaho
Dunn	Kee	Patrick	Williams, Mo.
Eberharter	Kefauver	Peterson, Fla.	Wolverton, N. J.
Edelstein	Keller	Pfeifer	Wood
Edmiston	Kennedy, Martin	Rabaut	Zimmerman
Evans	Kennedy, Md.	Randolph	
Faddis	Kennedy, Michael	Richards	
Fay	Keogh	Robinson, Utah	

ANSWERED "PRESENT"—2

Andrews Gehrmann

NOT VOTING—45

Arnold	Darrow	Lemke	Shannon
Buck	Dies	Magnuson	Snyder
Burgin	Drewry	Mansfield	Steagall
Byrne, N. Y.	Durham	Martin, Ill.	Sutphin
Byron	Eaton	May	Taylor
Caldwell	Folger	Merritt	Wadsworth
Cannon, Fla.	Jarman	Mitchell	Warren
Cannon, Mo.	Jeffries	Monroney	Winter
Celler	Jenks, N. H.	Ramspeck	Wolfenden, Pa.
Clark	Johnson, Lyndon	Risk	
Cluett	Kelly	Schaefer, Ill.	
Colmer	Kerr	Schulte	

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Warren (for) with Mr. Gehrmann (against).
Mr. Andrews (for) with Mr. May (against).
Mr. Eaton (for) with Mr. Magnuson (against).
Mr. Wadsworth (for) with Mr. Schulte (against).
Mr. Dies (for) with Mr. Byron (against).
Mr. Jenks of New Hampshire (for) with Mr. Celler (against).
Mr. Wolfenden of Pennsylvania (for) with Mr. Lemke (against).
Mr. Durham (for) with Mr. Merritt (against).
Mr. Cluett (for) with Mr. Shannon (against).
Mr. Winter (for) with Mr. Byrne of New York (against).

General pairs:

Mr. Drewry with Mr. Jeffries.
Mr. Ramspeck with Mr. Risk.
Mr. Jarman with Mr. Darrow.
Mr. Kelly with Mr. Sutphin.
Mr. Snyder with Mr. Mitchell.
Mr. Buck with Mr. Schaefer of Illinois.
Mr. Arnold with Mr. Folger.
Mr. Steagall with Mr. Monroney.
Mr. Clark with Mr. Cannon of Missouri.
Mr. Lyndon B. Johnson with Mr. Kerr.
Mr. Martin of Illinois with Mr. Colmer.
Mr. Burgin with Mr. Cannon of Florida.
Mr. Taylor with Mr. Mansfield.

Mr. DAVIS changed his vote from "no" to "aye."

Mr. GEHRMANN. Mr. Speaker, I voted "no" on this roll call, but I am paired with the gentleman from North Caro-

lina, Mr. WARREN. I withdraw my vote of "no" and vote "present."

Mr. ANDREWS. Mr. Speaker, on this roll call I voted "yea." I have a pair with the gentleman from Kentucky, Mr. MAY, who is unavoidably absent because of an important conference. Were he present he would vote "nay." I withdraw my vote and answer "present."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the engrossment and third reading of the bill, as amended.

The bill was ordered to be engrossed and read a third time, was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mrs. NORTON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were,—yeas 258, nays 129, answered "present" 2, not voting 41, as follows:

[Roll No. 145]

YEAS—258

Alexander	Dondero	Kean	Reed, N. Y.
Allen, Ill.	Doughton	Keefe	Rees, Kans.
Allen, La.	Douglas	Kilburn	Rich
Allen, Pa.	Doxey	Kilday	Robertson
Andersen, H. Carl	Duncan	Kinzer	Robsion, Ky.
Anderson, Calif.	Dworshak	Kitchens	Rockefeller
Anderson, Mo.	Elliott	Kleberg	Rodgers, Pa.
Andresen, A. H.	Ellis	Knutson	Rogers, Mass.
Angell	Elston	Kocialkowski	Romjue
Arends	Engel	Kramer	Routzohn
Austin	Englebright	Kunkel	Rutherford
Ball	Fish	Lambertson	Ryan
Barden, N. C.	Ford, Leland M.	Lanham	Sandager
Barnes	Ford, Miss.	Lea	Sasscer
Barton, N. Y.	Fulmer	LeCompte	Satterfield
Beckworth	Gamble	Lewis, Colo.	Schafer, Wis.
Bell	Garrett	Luce	Schuetz
Bender	Gartner	McAndrews	Seccombe
Blackney	Gathings	McGehee	Seger
Bland	Gearhart	McGregor	Shafer, Mich.
Boehne	Gerlach	McLaughlin	Sheppard
Bolles	Gibbs	McLean	Short
Bolton	Gifford	McLeod	Simpson
Boykin	Gilchrist	McMillan, Clara	Smith, Ohio
Bradley, Mich.	Gillie	McMillan, John L.	Smith, Va.
Brewster	Goodwin	Maas	South
Brooks	Gore	Maciejewski	Sparkman
Brown, Ga.	Gossett	Mahon	Springer
Brown, Ohio	Graham	Maloney	Starnes, Ala.
Bulwinkle	Grant, Ala.	Marshall	Steagall
Burch	Grant, Ind.	Martin, Iowa	Stearns, N. H.
Byrns, Tenn.	Gregory	Martin, Mass.	Stefan
Caldwell	Griffith	Mason	Sumner, Ill.
Camp	Gross	Michener	Sumners, Tex.
Cannon, Mo.	Guyer, Kans.	Miller	Sweet
Carlson	Gwynne	Mills, Ark	Taber
Carter	Hall, Edwin A.	Mills, La.	Talle
Case, S. Dak.	Hall, Leonard W.	Monkiewicz	Terry
Chapman	Halleck	Moser	Thill
Chiperfield	Hancock	Mott	Thomas, N. J.
Church	Hare	Mouton	Thomason
Clason	Harness	Mundt	Thorkelson
Clevenger	Harrington	Murdock, Ariz.	Tinkham
Cochran	Hartley	Murray	Treadway
Coffee, Nebr.	Hawks	Nelson	Vincent, Ky.
Cole, Md.	Hess	Norrell	Vinson, Ga.
Cole, N. Y.	Hinshaw	O'Brien	Vorys, Ohio
Collins	Hobbs	O'Neal	Vreeland
Cooley	Hoffman	Osmers	Ward
Cooper	Holmes	Pace	Weaver
Costello	Hope	Parsons	West
Courtney	Horton	Patman	Wheat
Cox	Jarrett	Patton	Whelchel
Cravens	Jeffries	Pearson	White, Ohio
Crawford	Jenkins, Ohio	Peterson, Ga.	Whittington
Creal	Jennings	Pierce	Wigglesworth
Culkin	Jensen	Pittenger	Williams, Del.
Cummings	Johns	Plumley	Williams, Mo.
Curtis	Johnson, Ill.	Poage	Wolcott
Darden, Va.	Johnson, Ind.	Polk	Woodruff, Mich.
Davis	Johnson, Luther A.	Powers	Woodrum, Va.
DeRouen	Johnson, Okla.	Rankin	Youngdahl
Dirksen	Jones, Ohio	Rayburn	Zimmerman
Disney	Jones, Tex.	Reece, Tenn.	
Ditter	Jonkman	Reed, Ill.	

NAYS—129

Barry	Bryson	Claypool	Cullen
Bates, Ky.	Buckler, Minn.	Coffee, Wash.	D'Alesandro
Beam	Buckley, N. Y.	Connery	Delaney
Bloom	Burdick	Corbett	Dempsey
Boland	Cannon, Fla.	Crosser	Dickstein
Boren	Cartwright	Crowe	Dingell
Bradley, Pa.	Casey, Mass.	Crowther	Dunn
Eberharter	Hook	McKeough	Shanley
Edelstein	Houston	Marcantonio	Sheridan
Edmiston	Hull	Massingale	Smith, Conn.
Evans	Hunter	Murdock, Utah	Smith, Ill.
Faddis	Izac	Myers	Smith, Wash.
Fay	Jacobsen	Nichols	Smith, W. Va.
Fenton	Johnson, W. Va.	Norton	Snyder
Ferguson	Kee	O'Connor	Somers, N. Y.
Fernandez	Kefauver	O'Day	Spence
Fitzpatrick	Keller	O'Leary	Sullivan
Flaherty	Kennedy, Martin	Oliver	Sweeney
Flannagan	Kennedy, Md.	O'Toole	Tenerowicz
Flannery	Kennedy, Michael	Patrick	Thomas, Tex.
Ford, Thomas F.	Keogh	Peterson, Fla.	Tibbott
Fries	Kirwan	Pfeifer	Tolan
Gavagan	Landis	Rabaut	Van Zandt
Geyer, Calif.	Larrabee	Randolph	Voorhis, Calif.
Green	Leavy	Richards	Wallgren
Hart	Lesinski	Robinson, Utah	Walter
Harter, N. Y.	Lewis, Ohio	Rogers, Okla.	Welch
Harter, Ohio	Ludlow	Sabath	White, Idaho
Havenner	Lynch	Sacks	Wolverton, N. J.
Healey	McArdle	Schiffler	Wood
Hendricks	McCormack	Schwert	
Hennings	McDowell	Scrugham	
Hill	McGranery	Secrest	

ANSWERED "PRESENT"—2

Andrews Gehrmann

NOT VOTING—41

Arnold	Dies	Magnuson	Shannon
Bates, Mass.	Drewry	Mansfield	Sutphin
Buck	Durham	Martin, Ill.	Tarver
Burgin	Eaton	May	Taylor
Byrne, N. Y.	Folger	Merritt	Wadsworth
Byron	Jarman	Mitchell	Warren
Celler	Jenks, N. H.	Monroney	Winter
Clark	Johnson, Lyndon	Ramspeck	Wolfenden, Pa.
Cluett	Kelly	Risk	
Colmer	Kerr	Schaefer, Ill.	
Darrow	Lemke	Schulte	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Warren (for) with Mr. Gehrmann (against).
Mr. Andrews (for) with Mr. May (against).
Mr. Eaton (for) with Mr. Magnuson (against).
Mr. Wadsworth (for) with Mr. Schulte (against).
Mr. Dies (for) with Mr. Byron (against).
Mr. Jenks of New Hampshire (for) with Mr. Celler (against).
Mr. Wolfenden of Pennsylvania (for) with Mr. Lemke (against).
Mr. Durham (for) with Mr. Merritt (against).
Mr. Cluett (for) with Mr. Shannon (against).
Mr. Winter (for) with Mr. Byrne of New York (against).

General pairs:

Mr. Drewry with Mr. Bates of Massachusetts.
Mr. Ramspeck with Mr. Risk.
Mr. Mitchell with Mr. Darrow.
Mr. Kelly with Mr. Sutphin.
Mr. Buck with Mr. Schaefer of Illinois.
Mr. Arnold with Mr. Folger.
Mr. Lyndon B. Johnson with Mr. Tarver.
Mr. Martin of Illinois with Mr. Colmer.
Mr. Taylor with Mr. Mansfield.
Mr. Burgin with Mr. Monroney.
Mr. Jarman with Mr. Clark.

Mr. GEHRMANN. Mr. Speaker, I voted "no" on this motion, but I have a pair with the gentleman from North Carolina, Mr. WARREN. Therefore I withdraw my vote and answer "present."

The result of the vote was announced as above recorded.

A motion to reconsider the vote by which the bill was passed was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mrs. NORTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their own remarks in the RECORD on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PURCHASE OF STOCK OF FEDERAL HOME LOAN BANKS BY THE R. F. C.

Mr. SABATH, from the Committee on Rules, submitted the following privileged resolution (H. Res. 517, Rept. No. 2475) for printing in the RECORD:

House Resolution 517

Resolved, That immediately upon adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for consideration of H. R. 9958, a bill to authorize the purchase by the Reconstruction Finance Corporation of stock of Federal home-loan

banks; to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 2 hours to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

THE SUGAR ACT OF 1937

Mr. LEWIS of Colorado, from the Committee on Rules, submitted the following privileged resolution (H. Res. 515, Rept. No. 2427), for printing in the RECORD:

House Resolution 515

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 9654, a bill to extend, for an additional year, the provisions of the Sugar Act of 1937 and the taxes with respect to sugar, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read. No amendments shall be in order to said bill except amendments proposing the extension of any of the provisions of section 207 of the Sugar Act of 1937 and such amendments shall be in order any rule of the House to the contrary notwithstanding. At the conclusion of the consideration of the bill the Committee shall rise and report the same to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit, with or without instructions.

LEGISLATIVE DEPARTMENT APPROPRIATION BILL, 1941—CONFERENCE REPORT

Mr. RABAUT. Mr. Speaker, I present a conference report and statement on the bill (H. R. 8913) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1941, and for other purposes, for printing in the RECORD.

EXPLANATION

Mr. BEAM. Mr. Speaker, my colleague the gentleman from Illinois, Mr. KELLY, was unavoidably detained during the last roll call. If present he would have voted "no" on the Smith amendment and "no" on the passage of the bill.

EXTENSION OF REMARKS

Mr. EDMISTON. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein an editorial from the New York Times of Sunday, May 26, on Air Mail Pick-up Service.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that on Tuesday next, after the last special order of the day, I may be permited to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

EXTENSION OF REMARKS

Mr. BELL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD and include therein an editorial by Mr. Ray Runnion.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein tables showing the tax yield in a number of years during the twenties.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CONNERY. Mr. Speaker, I ask unanimous consent to extend my own remarks and include a radio address given by myself on Memorial Day.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DUNN asked and was given permission to extend his own remarks in the RECORD.

Mr. KEOGH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an editorial appearing in the Brooklyn Daily Eagle of June 5, 1940.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. KEOGH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. KEOGH addressed the House. His remarks appear in the Appendix.]

ADJOURNMENT OVER

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a radio address.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BOYKIN. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include therein three telegrams.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CARTWRIGHT. Mr. Speaker, I ask unanimous consent to extend my own remarks on the subject of highways as a means of national defense.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

NATIONAL FOREST ADMINISTRATION

Mr. DOXEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7643) to facilitate and simplify national-forest administration, with a Senate amendment and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, strike out all after line 2, down to and including *"Provided"*, in line 9.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

FOREST EXCHANGE ACT

Mr. DOXEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2418) to extend the provisions of the Forest Exchange Act, as amended, to certain lands, so that they may become parts of the Whitman, Malheur, or Umatilla National Forests, with a Senate amendment, and agree to the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 11, after "forests", insert *"Provided*, That such exchanges are approved by the board of county commissioners of the county or counties in which said lands are situated."

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

CONTROL OF SOIL EROSION

Mr. DOXEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2417) to facilitate the control of soil erosion and/or flood damage originating upon lands within the exterior of boundaries of the Sequoia National Forest, Calif., with a Senate amendment, and agree to the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 4, after "resources", insert "other than mineral."

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

THE PROPOSED TAX ON TOBACCO

Mr. BARDEN of North Carolina. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. BARDEN]?

There was no objection.

Mr. BARDEN of North Carolina. Mr. Speaker, information has come to me that the Ways and Means Committee is anticipating reporting out a tax bill which will include an additional tax on tobacco, a commodity that is already overburdened with taxes.

At this point in the RECORD I want to incorporate a short editorial taken from the News-Observer, printed in Raleigh, N. C., as follows:

TOBACCO TAXES

Not until every other luxury is equally taxed should the Congress even consider any increase in the already heavy tax on cigarettes in the United States. It will be a long time before that is the case.

Not even people in the tobacco country are generally aware of the huge proportion of the Federal tax collections which come from tobacco. With the exception of liquor taxes, taxes on tobacco in the fiscal year ending June 30, 1939, were greater by far than all the other taxes levied by the United States on luxuries of every type and description. The taxes collected on tobacco exceeded the entire amount that all the tobacco growers got for their tobacco. The taxes collected exceeded all the profits of all the tobacco companies. The taxes exceeded all the wages paid by the industry.

The people of the tobacco-growing and tobacco-manufacturing section are perfectly willing that the commodity which is the basis of their economic life should bear its share of the costs of Government in a time of increasing spending for national defense. But they know also that if taxes cut the consumption of any commodity, they cut the consumption of tobacco also. Undoubtedly the tax on tobacco is easy to collect. Undoubtedly it spreads taxation over a wide base. But tobacco already carries such a load of taxation as is not even equalled in the case of liquor. There should be no increase in such taxes until after every other luxury has been required to bear at least an equal load. To add a quick increase to taxes on tobacco now would be evidence of congressional laziness in looking for other tax sources and of congressional carelessness for the welfare of the people, whose economic lives depend upon tobacco, which has long borne a greater tax burden than any other industry in America.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article, What Lincoln Would Say Today, by George E. Sullivan.

The SPEAKER. Is there objection to the request of the gentleman from Montana [Mr. THORKELSON]?

There was no objection.

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article by Baruch Browenstein.

The SPEAKER. Is there objection to the request of the gentleman from Montana [Mr. THORKELSON]?

There was no objection.

Mr. HORTON asked and was given permission to extend his own remarks in the RECORD.

SALE OF UNITED STATES NAVY PLANES ABROAD

Mr. VORYS of Ohio. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. VORYS]?

There was no objection.

Mr. VORYS of Ohio. Mr. Speaker, today we were told that the first 50 Navy planes we are sending abroad were not needed, were a year old, and could be restored whenever needed.

I have obtained apparently reliable information that these planes are the best dive bombers the Navy has, most of them less than a year old, the best-performing dive bombers on earth, intended not as a reserve but as front-line planes, that their loss seriously hampers the training of the Reserve, that they cannot be replaced for 8 months, and cannot be replaced at all without proportionately delaying the national-defense program we have authorized.

The House should get the full facts.

EXTENSION OF REMARKS

Mr. ELSTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Cincinnati Times Star.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. ELSTON]?

There was no objection.

Mr. THILL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short editorial or newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. THILL]?

There was no objection.

ANNOUNCEMENT

Mr. HOPE. Mr. Speaker, the gentleman from Kansas, Mr. WINTER, was unavoidably detained this afternoon. Had he been present, he would have voted "yea" on the Smith amendments and "yea" on the passage of the bill.

The SPEAKER. Under a previous order of the House, the gentleman from Ohio [Mr. SECREST] is recognized for 15 minutes.

NATIONAL DEFENSE

Mr. SECREST. Mr. Speaker, this Nation faces a very critical period in its history. Unprepared, we find ourselves in the midst of a fighting world. We must not surrender to panic, but calmly, deliberately, and with supreme common sense we must proceed immediately to take every necessary step to protect our land and preserve our form of government. To do this we need not give up any of the essential liberties we are preparing to defend.

We must keep in mind that we are preparing for defense at home and not for war abroad. Even if it were desirable, as some claim, to rush to Europe, we could not get there in time to do any good. Furthermore, we do not have enough troops or equipment for home defense.

We must also keep in mind that the cost of war materials and equipment is higher here than anywhere else in the world. A large battleship built in this country costs $80,000,000. In Japan men build them for a few cents an hour. A large bomber in this country costs $350,000. In Germany Hitler tells his men to build one and pays them if he wants to. If he desires to use American patents, he uses them without asking anyone. For $2,000,000,000 he probably can lay more fighting equipment on the line than we can buy for $5,000,000,000.

Let us remember that our first line of defense is the Navy, for no matter from where a strong enemy comes he must come by sea, either direct to the United States or to some other point in this hemisphere. It takes a long time and costs much money to build a ship.

Remember, too, that we start at a time when the race is half over. On February 6, 1922, the United States, England, France, Italy, and Japan signed a treaty in Washington limiting naval vessels. The American people took this treaty

seriously and hailed it as one of the greatest steps ever taken toward world peace. The Senate ratified it March 29, 1922. All nations agreed to limit the number of various vessels. We look back now and get the feeling that other nations tore up blueprints while we scrapped good ships.

Under this treaty, we scrapped 16 capital ships and rendered 3 more unfit for wartime service. These ships had a normal displacement of 289,000 tons. A few days ago, we launched a 35,000-ton capital ship at a cost of $80,000,000. Thus, at present prices, it will cost us more than $650,000,000 to rebuild the ships we sacrificed on the altar of peace.

Not only did we wreck these ships that were afloat, but we junked 11 more capital battleships that were under construction, all of them, except one, over 43,000 tons, or 8,000 tons bigger than the ship we launched a few days ago. The *Washington*, a monster ship, was 75-percent completed. We sank it in 1924 under the terms of the treaty. On an average, the other 10 ships were 23 percent completed. All of them were sold for scrap in 1924. If completed, those 11 vessels would have had a total tonnage of 465,000 tons. To complete these vessels as far as they were when scrapped and sunk will cost about $350,000,000.

Two more vessels under construction, the *Lexington* and *Saratoga*, were converted into aircraft carriers. They are the same size as the 11 on which construction was stopped by the treaty.

In London, in 1930, we signed another treaty which was ratified by the Senate on July 21, 1930. This was for further limitation of naval vessels. Under this we scrapped one large ship, used another for a mobile target, and turned the *Wyoming* into a training ship.

In addition to these 3 capital ships, we junked 140 destroyers, 11 cruisers, 15 mine layers, and 52 submarines. Today it will cost us $1,120,000,000 to rebuild the destroyers at $8,000,000 each; $330,000,000 to rebuild the cruisers at $30,000,000 each; $312,000,000 to rebuild the submarines at $6,000,000 each; $100,000,000 to rebuild the mine layers, a total of $1,862,000,000. Thus we must spend a grand total of $2,862,000,000 to replace the ships we threw away under the naval-limitation treaties of 1922 and 1930 which members of both parties praised to the sky.

In 1936 we went in for another treaty limiting the size of capital ships to 35,000 tons. By this time Japan and Italy did not like the treaty business and did not attend the conference. The three democracies, England, France, and the United States continued to march toward permanent peace under international law and the sanctity of treaties.

The United States did her part, sincerely and honestly, in every effort toward better friendship among nations. Because of our faith, we are in a serious and dangerous position today. Let no one minimize that fact. We must wake up and make up for lost time.

A National Defense Board has been established. It consists of some of the most capable people in the Nation. They should not be hampered by politics and should be given full power to cut governmental red tape where that stands between us and national safety. They should even have power to award contracts on a cost-plus basis where they feel it is necessary for speed.

Our Government should continue to encourage and cement the nations of this hemisphere toward a common objective for the preservation of free government.

We should also break down foreign patent monopolies that hinder the defense program or make excessive the cost of defensive materials. Pearson and Allen, in their column of May 31, quote the War Department as saying that the great Krupp munitions firm in Germany holds at least 228 patents in America for military equipment. To use these patents—and we must use many of them—the United States must pay Germany or her American-controlled firms the price they ask. To figure the amount due, we must report to Germany the number of times the patents are used, and in this way Germany knows exactly how many articles of war we make. Hitler uses American patents whenever he wants to and does not report to anyone. I do not see why we should not use any foreign patent in this time of emergency. We can keep our own books, and when the world returns to sanity we can compensate those deserving of compensation. This is no time for us to stand and be robbed with a book of international law in our hands, especially when the nations who would rob us threw the textbooks of international law out of their schools 10 years ago.

In building our defenses we do not intend to have our Government robbed by people at home, so why should we be robbed by people abroad?

Pearson and Allen state that in 1938 more than 6,000 bids to sell supplies to the Army and Navy were identical. This kind of conspiracy against our Government must stop. The people are willing to pay for defense, but they do not want the money to siphon into anyone's pockets. They want to see battleships, tanks, airplanes, and machine guns standing between their homes and any enemy. This is a time to give, not a time to see how much can be taken.

We should have a director of conservation recruited from private industry to conserve tin, rubber, and other materials, the lack of which some day may destroy us. Long ago Hitler recruited the school children of Germany in such a conservation program, resulting in the saving of tin cans, bits of rubber, and even old tooth-paste tubes.

The United States uses one-half of the world's tin production, importing it from the Netherlands and England. Hitler already has the Netherlands. Should he get England he would control our supply of tin, vital to us in peace as well as in war. Bolivia has an excellent supply of tin, but is not shipping direct to the United States because we have only one small smelting plant. The Government should encourage private capital to enter this field immediately. Tin ores could then be brought from Bolivia to Los Angeles in the event that something happens to the Panama Canal. Tin is essential in babbitt, bronze, and solder. Mechanized war without it is impossible.

In 1937, out of imported tin, American factories made 1,800,000,000 cans for packing, 9,592,000,000 cans for milk and other sanitary purposes, and 4,190,000,000 cans for gasoline, oil, and general purposes. Today the number produced is far greater. All of these cans went into the trash pile or to the city dump. They should be washed, flattened, sent to the smelter, and used again. The only objectors to this would be those who have a monopoly on the tin supply to America, but we cannot let those few endanger our national life. Besides, if we fall under the control of a foreign dictator, their monopoly and their capital will be worth little.

Rubber is also a vital necessity in time of war. Our present supply comes from British and Dutch possessions. In 1927 we imported 1,062,182,000 pounds of crude rubber essential for the quick transportation of troops and defensive weapons. We reclaim about one-fourth of the amount we import each year and use it again. Much more could and should be reclaimed. New experiments and sources of rubber should be encouraged in South America.

A director of conservation, supported and aided by patriotic school children and housewives, with practically no cost, could reclaim these and other essential materials that might in the end mean the difference between victory and defeat.

Also, we should stop making public parks out of our forts, navy yards, battleships, and defense factories. There is no doubt in my mind that every important government in the world has a photograph of every boat, every fighting plane, every munitions factory, every naval yard, and every railroad center in the United States. Hitler stopped snooping and picture taking in Germany years ago, and that is why we do not know what he has in the way of new weapons. We do not know whether he has a thousand airplanes or a hundred thousand. He is supposed to have 8,000 airports, but we do not know. He took a whole section of Poland and trained parachute troops, but no one outside even suspected it.

It is said that Hitler has the plans of every bridge between Berlin and Paris. When the French and Belgians in retreat blew up a bridge, he had one already built just like it. It was brought up, slapped into place, and the German Army rolled on.

No one should be allowed in any Army or Navy territory or in any defense factory if he has no business there. Picture taking should be stopped at every point where the picture might some day be helpful to a foreign invader.

No group has done more to break up organized crime in the United States than the agents of the Federal Bureau of Investigation. These men are young lawyers and trained men who know how to gather evidence and make it stick. Today there are less than 1,000 F. B. I. agents and only 150 are assigned to national defense work. Five thousand of them should be stationed throughout the Nation to assist and ccoperate with the local police, sheriffs, marshals, constables, and other law-enforcement officers in the control and suppression of "fifth column" activities. Let us not forget that every nation that has fallen has been betrayed by countless traitors within its borders.

There is no place in America for communism, Nazi bunds, or any other foreign organization that seeks to overthrow democratic government. They demand free speech for their doctrines but if their doctrines should win none of us would have free speech. They should be controlled by Congress while there is still time. With them should go all newspapers owned or controlled by foreign governments or foreign groups whose avowed purpose is to destroy the last great citadel of democracy in the world.

Veterans of past wars—several million of them—will be only too glad to cooperate in combating "fifth column" activities and to promote any phase of the defense program. W. P. A. workers can be utilized in building, improving, or extending airport facilities, in constructing flood-control works to protect vital industries, transportation lines, and agricultural supplies, or for many other defense activities. Such activity would reduce the defense bill to some extent with no additional hardship on the unemployed. The same dollar would serve a twofold purpose.

I am convinced also that we should pay for our defense as we go. No one knows what the future holds or what demands may be made on the economy and wealth of the Nation. That is why we should pay now and save our reserve for any emergency ahead. The people trust us. We must never betray that trust.

Our people must be united, the enemy within our gates must be controlled, our defense must be more than adequate. The weak never attack the strong. We must be strong. We must, as Theodore Roosevelt said, "Speak softly but carry a big stick." [Applause.]

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. HOUSTON, for 1 week, on account of important business.

SENATE ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 1759. An act granting the consent of Congress to the States of Montana, North Dakota, and Wyoming to negotiate and enter into a compact or agreement for division of the waters of the Yellowstone River;

S. 1964. An act to amend section 5136 of the Revised Statutes, as amended, to authorize charitable contributions by national banking associations;

S. 2568. An act to amend the Federal Credit Union Act (June 26, 1934, ch. 750, par. 1, 48 Stat. 1216, sec. 1761);

S. 3959. An act authorizing the Secretary of the Treasury to grant to the city of Fort Lauderdale, Fla., an easement or easements authorizing such city to construct and maintain a highway and utility facilities over the United States Coast Guard Reservation known as Base 6 at Fort Lauderdale, Fla.; and

S. J. Res. 59. Joint resolution authorizing the Bureau of Labor Statistics to collect information as to amount and value of all goods produced in State and Federal prisons.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H. R. 5584. An act to amend the Canal Zone Code;

H. R. 7019. An act to amend section 1 of the act providing punishment for the killing or assaulting of Federal officers;

H. R. 8429. An act for the relief of Maj. L. P. Worrall, and for other purposes;

H. R. 9700. An act to amend the Agricultural Adjustment Act of 1938, as amended, and for other purposes; and

H. J. Res. 367. Joint resolution to authorize the Secretaries of War and of the Navy to assist the governments of American republics to increase their military and naval establishments, and for other purposes.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; according (at 5 o'clock and 29 minutes p. m.), under its previous order, the House adjourned until Monday, June 10, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE JUDICIARY

On Monday, June 10, at 10 a. m., there will be a hearing before Subcommittee No. IV of the Committee on the Judiciary on House Concurrent Resolution 55, recommending that any parties or organizations advocating overthrow of the United States Government be prohibited from entering candidates in any State or National elections. The hearing will be held in the Judiciary Committee room, 346 House Office Building.

On Wednesday, June 12, 1940, at 10 a. m., there will be held before Subcommittee No. I of the Committee on the Judiciary a hearing on House Joint Resolution 553, to authorize the Federal Bureau of Investigation of the Department of Justice to conduct investigations in the interests of national defense, and for the purpose to permit wire tapping. The hearing will be held in the Judiciary Committee room, 346 House Office Building.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce Monday, June 10, 1940, at 10 a. m., for the continuation of hearing on H. R. 9899.

COMMITTEE ON INDIAN AFFAIRS

There will be a meeting of the Committee on Indian Affairs on Monday, June 10, 1940, at 10:30 a. m., for the consideration of S. 2103.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold a public hearing on Tuesday, June 11, 1940, at 10 a. m., on the following bill:

H. R. 9982, to require, during an emergency, the shipment and discharge of seamen on certain vessels of the United States before shipping commissioners, and for other purposes.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization on Tuesday, June 11, and Wednesday, June 12, 1940, at 10:30 a. m., for the consideration of Senate bills on Tuesday and unfinished business on Wednesday.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1733. A letter from the Archivist of the United States, transmitting a list of papers, consisting of 23 items, recommended to him for disposition, February 21, 1940, by the Department of Justice; to the Committee on the Disposition of Executive Papers.

1734. A letter from the Archivist of the United States, transmitting a list of papers, consisting of five items, recommended to him for disposition, November 4, 1939, by the United States attorney for the southern district of California,

with the approval of the Department of Justice; to the Committee on the Disposition of Executive Papers.

1735. A letter from the Archivist of the United States, transmitting lists of papers, consisting of 22 items, recommended to him for disposition, by the Department of Agriculture; to the Committee on the Disposition of Executive Papers.

1736. A letter from the Archivist of the United States, transmitting a list of papers, consisting of four items, recommended to him for disposition, April 26, 1940, by the Department of Labor; to the Committee on the Disposition of Executive Papers.

1737. A letter from the Archivist of the United States, transmitting a list of papers, consisting of 18 items, from those recommended to him for disposition, March 19, 1940, by the Federal Works Agency, Work Projects Administration; to the Committee on the Disposition of Executive Papers.

1738. A letter from the Archivist of the United States, transmitting a list of papers, consisting of 16 items, from those recommended to him for disposition, April 1, 1940, by the Federal Works Agency, Works Projects Administration; to the Committee on the Disposition of Executive Papers.

1739. A letter from the Archivist of the United States, transmitting a list of papers, consisting of 326 items, from those recommended to him for disposition, March 7, 1940, by the Federal Works Agency, Works Projects Administration; to the Committee on the Disposition of Executive Papers.

1740. A letter from the Archivist of the United States, transmitting a list of papers, consisting of three items, from those recommended to him for disposition, April 4, 1940, by the Federal Loan Agency; to the Committee on the Disposition of Executive Papers.

1741. A letter from the Archivist of the United States, transmitting a list of papers, consisting of 11 items, among the archives and records of the United States Food Administration, now in the custody of the Archivist, and recommended for him for disposition; to the Committee on the Disposition of Executive Papers.

1742. A letter from the Archivist of the United States, transmitting a list of papers, consisting of six items, among the archives and records of the Department of the Treasury, which the Department recommends for disposition; to the Committee on the Disposition of Executive Papers.

1743. A letter from the Archivist of the United States, transmitting a list of papers, consisting of 138 items, from those recommended to him for disposition, December 4, 1936, by the Department of the Treasury; to the Committee on the Disposition of Executive Papers.

1744. A letter from the Archivist of the United States, transmitting a list of papers, consisting of two items, from those recommended to him for disposition, October 7, 1935, by the Department of the Treasury; to the Committee on the Disposition of Executive Papers.

1745. A letter from the Archivist of the United States, transmitting a report to the Congress of the United States submitted by the National Historical Publications Commission; to the Committee on the Library.

1746. A letter from the Chairman, Reconstruction Finance Corporation, transmitting a report covering its operations for the first quarter of 1940, and for the period from the organization of the Corporation on February 2, 1932, to March 31, 1940, inclusive (H. Doc. No. 812); to the Committee on Banking and Currency and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. VINSON of Georgia: Committee of conference on the disagreeing votes of the two Houses. H. R. 8026. A bill to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes; (Rept. No. 2416). Referred to the Committee of the Whole House on the state of the Union.

Mr. VINSON of Georgia: Committee of conference on the disagreeing votes of the two Houses. H. R. 6044. A bill to regulate the number of warrant and commissioned warrant officers in the Marine Corps; (Rept. No. 2417). Referred to the Committee of the Whole House on the state of the Union.

Mr. VINSON of Georgia: Committee of conference on the disagreeing votes of the two Houses. H. R. 9848. A bill to authorize the construction or acquisition of naval aircraft, the construction of certain public works, and for other purposes; (Rept. No. 2418). Referred to the Committee of the Whole House on the state of the Union.

Mr. ANGELL: Committee on Rivers and Harbors. H. R. 6408. A bill to extend the times for commencing and completing the construction of a dam and dike for preventing the flow of tidal waters into North Slough in Coos County, Oreg.; with amendment (Rept. No. 2420). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 10011. A bill to prohibit the sale in the District of Columbia of products of convict labor; without amendment (Rept. No. 2426). Referred to the Committee of the Whole House on the state of the Union.

Mr. LEWIS of Colorado: Committee on Rules. House Resolution 515. Resolution for the consideration of H. R. 9654, a bill to extend for an additional year the provisions of the Sugar Act of 1937 and the taxes with respect to sugar; without amendment (Rept. No. 2427). Referred to the House Calendar.

Mr. CELLER: Committee on the Judiciary. H. R. 7236. A bill to provide for the adjustment of certain claims against the United States and to confer jurisdiction in respect thereto on the Court of Claims and the district courts of the United States, and for other purposes; with amendment (Rept. No. 2428). Referred to the Committee of the Whole House on the state of the Union.

Mr. KELLER: Committee on the Library. House Joint Resolution 512. Joint resolution authorizing the recognition of the two hundredth anniversary of the founding of the University of Pennsylvania by Benjamin Franklin and the beginning of university education in the United States, and providing for the representation of the Government and people of the United States in the observance of the anniversary; without amendment (Rept. No. 2429). Referred to the Committee of the Whole House on the state of the Union.

Mr. RABAUT: Committee of conference on the disagreeing votes of the two Houses. H. R. 8913. A bill making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1941, and for other purposes (Rept. No. 2474). Referred to the Committee of the Whole House on the state of the Union.

Mr. SABATH: Committee on Rules. House Resolution 517. Resolution for the consideration of H. R. 9958, a bill authorizing purchase by the Reconstruction Finance Corporation of stock of Federal home-loan banks, and to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes; without amendment (Rept. No. 2475). Referred to the House Calendar.

Mr. GEHRMANN: Committee on Indian Affairs. S. 2984. An act authorizing the transfer of title of the Hayward Indian School to the State of Wisconsin; without amendment (Rept. No. 2476). Referred to the Committee of the Whole House on the state of the Union.

Mr. SCHAFER of Wisconsin: Committee on Indian Affairs. H. R. 3402. A bill to authorize the appropriation for payment of the cost of providing additional water for the Wapato Indian irrigation project, Washington; with amendment (Rept. No. 2477). Referred to the Committee of the Whole House on the state of the Union.

Mr. O'CONNOR: Committee on Indian Affairs. H. R. 8922. A bill relating to lands of the Klamath and Modoc Tribes and the Yahooskin Band of Snake Indians; with amendment (Rept. No. 2478). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROGERS of Oklahoma: Committee on Indian Affairs. H. R. 9432. A bill to limit the operation of sections 109 and

113 of the Criminal Code, and section 190 of the Revised Statutes of the United States with respect to certain counsel; without amendment (Rept. No. 2479). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. VAN ZANDT: Committee on Immigration and Naturalization. H. R. 9840. A bill for the relief of Bela Karlovitz; with amendment (Rept. No. 2419). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. S. 537. An act granting a pension to Alice F. Thomas; without amendment (Rept. No. 2421). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. S. 1009. An act granting a pension to Bert W. Helmer; without amendment (Rept. No. 2422). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. S. 1138. An act granting a pension to Mary Jane Blackman; without amendment (Rept. No. 2423). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. S. 2413. An act granting a pension to Arminda Bauman; without amendment (Rept. No. 2424). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 10025. A bill granting pensions and increase of pensions to certain dependents of veterans of the Civil War; without amendment (Rept. No. 2425). Referred to the Committee of the Whole House.

Mr. WINTER: Committee on Claims. H. R. 719. A bill for the relief of Francis G. McDougall; with amendment (Rept. No. 2430). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. H. R. 4390. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Herbert M. Gregory; with amendment (Rept. No. 2431). Referred to the Committee of the Whole House.

Mr. THOMAS of New Jersey: Committee on Claims. H. R. 5154. A bill for the relief of William F. Kliewe; with amendment (Rept. No. 2432). Referred to the Committee of the Whole House.

Mr. CRAVENS: Committee on Claims. H. R. 5254. A bill for the relief of the captain and crew of the fishing boat *Unione No. 1*; with amendment (Rept. No. 2433). Referred to the Committee of the Whole House.

Mr. WINTER: Committee on Claims. H. R. 5309. A bill for the relief of Robert L. Taylor; with amendment (Rept. No. 2434). Referred to the Committee of the Whole House.

Mr. CRAVENS: Committee on Claims. H. R. 5863. A bill for the relief of Epifanio Rivera; with amendment (Rept. No. 2435). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. H. R. 6639. A bill for the relief of George F. Kermath; with amendment (Rept. No. 2436). Referred to the Committee of the Whole House.

Mr. GATHINGS: Committee on Claims. H. R. 6699. A bill for the relief of special tax school district No. 2, Broward County, Fla.; with amendment (Rept. No. 2437). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. H. R. 6842. A bill for the relief of Rufus E. Farmer; without amendment (Rept. No. 2438). Referred to the Committee of the Whole House.

Mr. CRAVENS: Committee on Claims. H. R. 7276. A bill for the relief of Walter B. McDougall and Herbert Maier; with amendment (Rept. No. 2439). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 7304. A bill for the relief of Bernice James; with amendment (Rept. No. 2440). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. H. R. 7681. A bill for the relief of Emelie Witzenbacher; with amendment (Rept. No. 2441). Referred to the Committee of the Whole House.

Mr. COFFEE of Washington: Committee on Claims. H. R. 7851. A bill for the relief of certain disbursing officers of the Division of Disbursement, Treasury Department; with amendment (Rept. No. 2442). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. H. R. 8191. A bill for the relief of the Leesburg Welding & Garage Co.; with amendment (Rept. No. 2443). Referred to the Committee of the Whole House.

Mr. POAGE: Committee on Claims. H. R. 8743. A bill for the relief of Luther Haden; without amendment (Rept. No. 2444). Referred to the Committee of the Whole House.

Mr. GATHINGS: Committee on Claims. H. R. 9130. A bill for the relief of Leonard A. Shelton; with amendment (Rept. No. 2445). Referred to the Committee of the Whole House.

Mr. LEONARD W. HALL: Committee on Claims. H. R. 9520. A bill for the relief of Edward F. Higgins, postmaster, Great Neck, N. Y.; without amendment (Rept. No. 2446). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. Senate Joint Resolution 133. Joint resolution to confer jurisdiction on the Court of Claims or the District Court of the United States for the Northern District of Georgia to hear, determine, and render judgment upon the claim of Mrs. J. W. Marks, of Stephens County, Ga.; with amendment (Rept. No. 2447). Referred to the Committee of the Whole House.

Mr. COFFEE of Washington: Committee on Claims. S. 919. An act for the relief of William Boyer; without amendment (Rept. No. 2448). Referred to the Committee of the Whole House.

Mr. POAGE: Committee on Claims. S. 993. An act for the relief of J. H. Wootton; without amendment (Rept. No. 2449). Referred to the Committee of the Whole House.

Mr. POAGE: Committee on Claims. S. 1531. An act for the relief of Edmund S. Dennis; without amendment (Rept. No. 2450). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. S. 1810. An act for the relief of the Citizen's State Bank of Marianna, Fla.; without amendment (Rept. No. 2451). Referred to the Committee of the Whole House.

Mr. POAGE: Committee on Claims. S. 2018. An act for the relief of Nile Shaw and Edgar C. Bardin; with amendment (Rept. No. 2452). Referred to the Committee of the Whole House.

Mr. COFFEE of Washington: Committee on Claims. S. 2529. An act for the relief of the Bell Grocery Co.; without amendment (Rept. No. 2453). Referred to the Committee of the Whole House.

Mr. EBERHARTER: Committee on Claims. S. 2560. An act for the relief of Marjorie Buchek; with amendment (Rept. No. 2454). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. S. 2561. An act for the relief of Ina Jones; with amendment (Rept. No. 2455). Referred to the Committee of the Whole House.

Mr. COFFEE of Washington: Committee on Claims. S. 2570. An act for the relief of Mary Boyd; with amendment (Rept. No. 2456). Referred to the Committee of the Whole House.

Mr. POAGE: Committee on Claims. S. 2595. An act for the relief of Lloyd S. Harris; without amendment (Rept. No. 2457). Referred to the Committee of the Whole House.

Mr. WINTER: Committee on Claims. S. 2717. An act for the relief of Edward J. Broggi; with amendment (Rept. No. 2458). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. S. 2799. An act for the relief of James George Mayfield; without amendment (Rept. No. 2459). Referred to the Committee of the Whole House.

Mr. GATHINGS: Committee on Claims. S. 2817. An act for the relief of J. H. Churchwell Wholesale Co., of Jacksonville, Fla.; without amendment (Rept. No. 2460). Referred to the Committee of the Whole House.

Mr. POAGE: Committee on Claims. S. 2988. An act for the relief of Bessie Sharrah; without amendment (Rept. No. 2461). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. S. 3023. An act for the relief of Clarence E. Enders and Gertrude Ray Enders; without amendment (Rept. No. 2462). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. S. 3039. An act for the relief of Twila Snyder; without amendment (Rept. No. 2463). Referred to the Committee of the Whole House.

Mr. EBERHARTER: Committee on Claims. S. 3351. An act for the relief of I. M. Cook, J. J. Allen, and the Radiator Specialty Co.; without amendment (Rept. No. 2464). Referred to the Committee of the Whole House.

Mr. GATHINGS: Committee on Claims. S. 3401. An act for the relief of Charles N. Barber, former United States property and disbursing officer, Vermont National Guard, and for other purposes; without amendment (Rept. No. 2465). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. S. 3424. An act for the relief of George O. Elliott and Winslow Farr Smith; without amendment (Rept. No. 2466). Referred to the Committee of the Whole House.

Mr. GATHINGS: Committee on Claims. S. 3436. An act for the relief of Ethel G. Hamilton; without amendment (Rept. No. 2467). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. S. 3502. An act for the relief of the Epes Transportation Corporation; without amendment (Rept. No. 2468). Referred to the Committee of the Whole House.

Mr. WINTER: Committee on Claims. S. 3706. An act for the relief of Alfred G. Balls; without amendment (Rept. No. 2469). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. S. 3749. An act to relieve certain employees of the Veterans' Administration from financial liability for certain overpayments and allow such credit therefor as is necessary in the accounts of certain disbursing officers, and for other purposes; without amendment (Rept. No. 2470). Referred to the Committee of the Whole House.

Mr. JONKMAN: Committee on Claims. S. 3763. An act for the relief of Capt. David H. Passell and First Lt. Paul E. LaMaster; without amendment (Rept. No. 2471). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. S. 3769. An act for the relief of Jerry McKinley Thompson; without amendment (Rept. No. 2472). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. S. 3808. An act to provide for the reimbursement of certain officers and enlisted men or former officers and enlisted men of the United States Navy for personal property lost in the hurricane and flood at New London, Conn., on September 21, 1938; without amendment (Rept. No. 2473). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 9872) granting a pension to Emma L. Cooper, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ELLIOTT:

H. R. 10026. A bill to provide for the disposition of certain photographed records of the United States Government, and for other purposes; to the Committee on the Disposition of Executive Papers.

By Mr. McLEAN:

H. R. 10027. A bill to extend temporarily the time for filing applications and fees and taking action in the United States Patent Office in favor of nations granting reciprocal rights to United States citizens; to the Committee on Patents.

By Mr. O'NEAL:

H. R. 10028. A bill to provide for placing on the retirement list certain Army officers who have resigned from active service; to the Committee on Military Affairs.

By Mr. RANDOLPH:

H. R. 10029. A bill providing educational opportunities for the children of soldiers, sailors, and marines who were killed in action or died as a result of service in the military or naval forces of the United States during the World War; to the Committee on the District of Columbia.

By Mr. VINSON of Georgia:

H. R. 10030. A bill increasing the number of naval aviators in the line of the Regular Navy and Marine Corps, and for other purposes; to the Committee on Naval Affairs.

By Mr. JOHN L. McMILLAN:

H. R. 10031. A bill to amend an act amending the old-age security law; to the Committee on Ways and Means.

By Mr. McLEOD:

H. J. Res. 563. Joint resolution to promote and encourage study and research by college students in the science of government, by authorizing their participation in the work of Federal offices during school vacation periods; to the Committee on Education.

By Mr. KENNEDY of Maryland:

H. J. Res. 564. Joint resolution making appropriation to enable the State of Maryland, by and through its State roads commission or the successors of said commission, to construct a four-lane bridge across the Patapsco River in Baltimore City Harbor; to the Committee on Appropriations.

H. J. Res. 565. Joint resolution making appropriation to enable the State of Maryland, by and through its State roads commission or the successors of said commission, to construct a two-lane tunnel under the Patapsco River in Baltimore City Harbor; to the Committee on Appropriations.

H. J. Res. 566. Joint resolution making appropriation to enable the State of Maryland, by and through its State roads commission or the successors of said commission, to construct a bridge across the Chesapeake Bay from Sandy Point to Kent Island; to the Committee on Appropriations.

By Mrs. ROGERS of Massachusetts:

H. Con. Res. 76. Concurrent resolution requesting the President to send information to the Committee on Foreign Affairs; to the Committee on Foreign Affairs.

By Mr. THILL:

H. Con. Res. 77. Concurrent resolution calling for Congress to remain in session to insure national security and peace; to the Committee on Ways and Means.

By Mr. VREELAND:

H. Res. 516. Resolution to authorize the War Department to negotiate for the control and operation of Newark Municipal Airport, Newark, N. J., and for other purposes; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CONNERY:

H. R. 10032. A bill for the relief of Prakopi Buben; to the Committee on Claims.

By Mr. KENNEDY of Maryland:

H. R. 10033 (by request). A bill to provide for the acquisition of flowage rights and the payment of certain damages in connection with the operation of the Fort Hall Indian irrigation project, Idaho; to the Committee on Claims.

H. R. 10034 (by request). A bill for the relief of certain disbursing officers of the Treasury Department, the Depart-

ment of the Interior, and the Army; to the Committee on Claims.

H. R. 10035 (by request). A bill to provide for the reimbursement of Philip A. Penston, pharmacist's mate, first class, United States Coast Guard, for the value of personal and household effects lost and destroyed during the hurricane of September 21, 1938, at New London, Conn.; to the Committee on Claims.

H. R. 10036 (by request). A bill for the relief of John A. Kames; to the Committee on Claims.

H. R. 10037. A bill for the relief of Ray C. McMillen; to the Committee on Claims.

By Mr. WOODRUM of Virginia:

H. R. 10038. A bill to award the Distinguished Service Cross, posthumously, to First Lt. Clovis Moomaw; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8611. By Mr. CLASON: Petition of the ninth annual convention of the Order of Ahepa, District No. 7, held at Pittsfield, Mass., on June 2 and 3, 1940; to the Committee on Military Affairs.

8612. By Mr. ENGLEBRIGHT: Assembly Joint Resolution No. 23, protesting against the proposed attack upon the title of the State of California to its tide, submerged, and overflowed lands; to the Committee on the Judiciary.

8613. Also, Senate Joint Resolution No. 2, relative to damage by earthquake in Imperial Valley; to the Committee on the Judiciary.

8614. Also, Senate Joint Resolution No. 1, relative to memorializing the President and Congress with reference to the authorization of flood-control projects in California; to the Committee on the Judiciary.

8615. Also, Assembly Joint Resolution No. 22, relative to defense of the California coast; to the Committee on Military Affairs.

8616. Also, Assembly Joint Resolution No. 2, relative to memorializing the President and Congress to increase the land defenses of the United States; to the Committee on Military Affairs.

8617. Also, Assembly Joint Resolution No. 1, relative to memorializing Congress to enact the necessary legislation to purge the United States of communism and all of the subversive influences and front organizations which are instigated, encouraged, and fostered by it; to the Committee on Immigration and Naturalization.

8618. Also, Senate Joint Resolution No. 2, relative to damage by earthquake in Imperial Valley; to the Committee on the Judiciary.

8619. By Mr. FLAHERTY: Petition of the West End Neighborhood League of Boston, Mass., urging Congress to act favorably on Senate bill 591 during the present session of Congress; to the Committee on Banking and Currency.

8620. By Mr. HOOK: Resolution passed by the Dickinson County Board of Supervisors in Iron Mountain, Mich., on May 24, 1940, on the advisability of having airplane factories located in Dickinson County, Mich.; to the Committee on Military Affairs.

8621. Also, resolution of Sp. "Samuel Tomasik," branch 177, of the Slovak Evangelical Union, Augsburg Confession, of America, Bessemer, Mich., on 6-hour workday and 30-hour week; to the Committee on Labor.

8622. Also, resolution of Sp. "Samuel Tomasik," branch 177, of the Slovak Evangelical Union, Augsburg Confession, of America, Bessemer, Mich., on antitrust laws; to the Committee on the Judiciary.

8623. Also, resolution of Sp. "Samuel Tomasik," branch 177, of the Slovak Evangelical Union, Augsburg Confession, of America, Bessemer, Mich., on social security, Unemployment Compensation Division; to the Committee on Appropriations.

8624. By Mr. MARTIN J. KENNEDY: Petition of the Enterprise Association of Steam, Hot Water, Hydraulic, Pneumatic Tube, Compressed Air, Ice Machine, Air Conditioning, and General Pipe Fitters of New York and Vicinity, Local Union 638, of the United Association, New York City, relative to certain prosecutions of labor unions by the Department of Justice; to the Committee on the Judiciary.

8625. By Mr. MICHAEL J. KENNEDY: Petition of the United States Wholesale Grocers' Association, Inc., urging enactment of House bill 1, known as the Patman chain-store bill; to the Committee on Ways and Means.

8626. Also, petition of the Social Service Commission of New York City, relative to the neutrality policy of the United States; to the Committee on Foreign Affairs.

8627. Also, petition of the National Public Housing Conference, concerning Senate bill 591, and urging its immediate enactment; to the Committee on Banking and Currency.

8628. Also, petition of the Chamber of Commerce of the State of New York, urging enactment of the amended Townsend bill to end Government purchases of foreign silver; to the Committee on Banking and Currency.

8629. Also, petition of the United Mail Order House, urging immediate enactment of House bill 9888; to the Committee on Interstate and Foreign Commerce.

8630. Also, petition of the Irving C. Krewson Corporation, New York City, urging enactment of House bill 9888; to the Committee on Interstate and Foreign Commerce.

8631. Also, petition of Anheuser-Busch, Inc., relating to the tax on beer recommended by the President in connection with the defense tax bill and urging that it shall not exceed $1; to the Committee on Ways and Means.

8632. Also, petition of the United Office and Professional Workers of America, Local No. 16, New York, relating to the President's Reorganization Plan No. V, transferring the Bureau of Immigration and Naturalization to the Department of Justice; to the Committee on Immigration and Naturalization.

8633. By Mr. KRAMER: Resolution of the Assembly and Senate of the State of California, memorializing Congress to enact the necessary legislation to purge the United States of communism and all of the subversive influences and front organizations which are instigated, encouraged, and fostered by it; to the Committee on Immigration and Naturalization.

8634. Also, resolution of the Assembly and Senate of the State of California, memorializing the President and Congress to increase the land defenses of the United States; to the Committee on Military Affairs.

8635. Also, resolution of the Assembly and Senate of the State of California, relating to the defense of the California coast; to the Committee on Military Affairs.

8636. Also, resolution of the American Legion, relating to the matter of American airport facilities; to the Committee on Interstate and Foreign Commerce.

8637. Also, resolution of the American Legion, relating to the 3-year residence requirement for relief applicants; to the Committee on Appropriations.

8638. Also, resolution of the American Legion, relating to commending the work of the Dies committee; to the Committee on Rules.

8639. Also, resolution of the American Legion, relating to the deportation of undesirable aliens; to the Committee on Immigration and Naturalization.

8640. By Mr. POAGE: Petition of Hugo Freund, of West, Tex., expressing approval of the defense program and a willingness to contribute to the cost; to the Committee on Ways and Means.

8641. By Mr. TENEROWICZ: Resolution of the Bulgarian Macedonian Progressive Organizations, protesting proposed transfer of Bureau of Immigration and Naturalization to the Department of Justice and protesting the Reorganization Plan No. V; to the Committee on Immigration and Naturalization.

8642. By the SPEAKER: Petition of E. R. Guild and others, of Glenwood Springs, Colo., urging consideration of their resolution with reference to foreign relations; to the Committee on Foreign Affairs.

8643. Also, petition of the Young People's Religious Union, Boston, Mass., urging consideration of their resolution with reference to the Dies committee; to the Committee on Rules.

8644. Also, petition of the National Public Housing Conference, New York, urging consideration of their resolution with reference to Senate bill 591, the United States Housing Authority program; to the Committee on Banking and Currency.

8645. Also, petition of Local No. 917, E. R. M. W. A., urging consideration of their resolution with reference to the Dies committee; to the Committee on Rules.

8646. Also, petition of the Call Field Veterans' Association, Wichita Falls, Tex., urging consideration of their resolution with reference to national defense; to the Committee on Military Affairs.

8647. Also, petition of the Crescent Club, Inc., Yonkers, N. Y., urging consideration of their resolution with reference to national defense; to the Committee on Military Affairs.

8648. Also, petition of the Maryland Hotel Men's Association, Baltimore, Md., urging consideration of their resolution with reference to urging the permanent return of the historic frigate *Constellation* to Baltimore; to the Committee on Naval Affairs.

SENATE

MONDAY, JUNE 10, 1940

(Legislative day of Tuesday, May 28, 1940)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O God, Eternal Spirit, who art and wast and art to come, of whom we think as the living comprehension of all beauty, truth, and goodness, as the infinite, divine reality of all our ideas of righteousness, justice, and mercy: Fill us with the mystic sense of Thy presence, that, as we bow our heads in awe and worship, we may feel the high purpose of our God enduring through these earthly vicissitudes, and may be delivered from each sad, despondent mood, induced by the contemplation of the grievous woes and evils of our world. Be patient with us, we beseech Thee, and comfort us with the comfort of the Spirit, which silently witnesseth with our spirit.

Strengthen us to labor in the dark by the light of the little lamp that shines, until the day star shall arise and dawn in our hearts and we behold once more the tides of justice sweeping around the world.

Help each one of us to fight the good fight, having on the armor of righteousness; to seek his place and to fill it, as Thou wouldst have him do. Comfort all those who at this hour suffer and languish on beds of pain or on the field of battle. Be Thou their Guide and Stay, and receive, O blessed, merciful God, the souls of the dying to some new life of opportunity and beauteous service beyond these mortal scenes. Through Jesus Christ, our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Thursday, June 6, 1940, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries, who also announced that the President had approved and signed the following bills:

On June 6, 1940:

S. 1239. An act for the relief of Priscilla M. Noland;

S. 1649. An act for the relief of Alan C. Winter, Jr., and Elizabeth Winter;

S. 1942. An act for the relief of the legal representative of Anna Barbara Kosick, deceased;

S. 2132. An act for the relief of Katherine Scott, Mr. J. H. Scott, Jettie Stewart, and Ruth Mincemeyer;

S. 2199. An act for the relief of Isadore J. Friedman;

S. 2268. An act for the relief of Roxie Richardson;

S. 3071. An act for the relief of Luther Devoe; and

S. 3307. An act to amend an act entitled "An act for the relief of Mrs. A. R. Barnard, Charles A. Stephens, Donald W. Prairie, and dependents of Vern A. Needles," approved July 15, 1939.

On June 7, 1940:

S. 2083. An act conferring jurisdiction upon the United States District Court for the District of New Jersey to hear, determine, and render judgment upon the claims of Parker McKee, Sr., and Louise McKee;

S. 2572. An act for the relief of Anna M. Shea;

S. 2667. An act for the relief of Mr. and Mrs. John W. Finley;

S. 3092. An act for the relief of Maj. John R. Holt;

S. 3233. An act for the relief of C. T. Jensen;

S. 3328. An act for the relief of Dorothy Crossing; and

S. 3487. An act for the relief of the heirs of Lt. William Lee Clemmer, Coast Guard.

On June 8, 1940:

S. 920. An act conferring jurisdiction upon the United States District Court for the District of Montana to hear, determine, and render judgment upon the claim of the estate of Joseph Mihelich; and

S. 3304. An act for the relief of J. Frank Kuner, private, uniformed force, United States Secret Service.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 163. An act directing the Secretary of the Interior to issue to Albert W. Gabbey a patent to certain lands in the State of Wyoming;

S. 505. An act authorizing the President of the United States to summon Sam Alexander before an Army retiring board, and for other purposes;

S. 897. An act to correct the military record of Walter Ballhaus;

S. 1326. An act for the relief of Janet Hendel, nee Judith Shapiro;

S. 1328. An act for the relief of Lena Hendel, nee Lena Goldberg;

S. 1608. An act to repeal the provisions of Private Law No. 347, Seventy-first Congress, pertaining to Victoria Kessel;

S. 1635. An act for the relief of the Acme Die-Casting Corporation;

S. 1638. An act for the relief of Thermal Syndicate, Limited;

S. 1678. An act for the relief of Charles B. Chrystal;

S. 1977. An act for the relief of John A. Farrell;

S. 2209. An act for the relief of Earle Embrey;

S. 2250. An act for the relief of Joseph F. Tondre;

S. 2295. An act authorizing the President to reappoint and honorably discharge David J. Sawyer, second lieutenant, National Army, as of May 11, 1919;

S. 2735. An act authorizing the issuance to Orville Wright of honorary aircraft pilot's certificate No. 1;

S. 3009. An act authorizing the President to present the Navy Cross to Capt. Frank N. Roberts, United States Army;

S. 3038. An act to provide for the advancement of John L. Hines on the retired list of the Army;

S. 3044. An act for the relief of Nadine Sanders;

S. 3061. An act for the relief of Andrew Olson;

S. 3095. An act for the relief of Harry Huston;

S. 3245. An act for the relief of Maria Teresa Valdes Thompson;

S. 3306. An act for the relief of Roy F. Lassly, former Acting Chief Disbursing Clerk, Department of the Interior;

S. 3337. An act for the relief of the Lewis State Bank, of Tallahassee, Fla.;

S. 3338. An act for the relief of Alice C. Wainwright;

S. 3673. An act to enable Kurt Frings to enter and remain permanently in the United States; and

S. 3887. An act for the relief of Laura Trice Converse.

The message also announced that the House had passed the following bills of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 1024. An act for the relief of Harriett Boswell, guardian of Betty Fisher;

S. 2598. An act for the relief of Kurt Wessely;

S. 2782. An act for the relief of Harold W. Kinderman; and

S. 3578. An act for the relief of Edward Smith.

The message further announced that the House had passed the following bills of the Senate, each with amendments, in which it requested the concurrence of the Senate:

S. 3196. An act to amend the act approved May 24, 1938, entitled "An act for the relief of the Comision Mixta Demarcadora de Limites Entre Colombia y Panama" and for the relief of Jose Antonio Sossa D; and

S. 3813. An act to authorize the presentation of a Congressional Medal of Honor to William Sinnott.

The message also announced that the House insisted upon its amendments to the bill (S. 4026) providing for the reorganization of the Navy Department, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. VINSON of Georgia, Mr. DREWRY, and Mr. MAAS were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H. R. 808) to confer jurisdiction upon the District Court of the United States for the Southern District of Florida to hear, determine, and render judgment upon the claim of Zook Palm Nurseries, Inc., a Florida corporation.

The message also announced that the House had severally agreed to the amendment of the Senate to the following bills of the House:

H. R. 2417. An act to facilitate the control of soil erosion and/or flood damage originating upon lands within the exterior of boundaries of the Sequoia National Forest, Calif.;

H. R. 2418. An act to extend the provisions of the Forest Exchange Act, as amended, to certain lands, so that they may become parts of the Whitman, Malheur, or Umatilla National Forests; and

H. R. 7643. An act to facilitate and simplify national-forest administration.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9243) to provide for the promotion of promotion-list officers of the Army after specified years of service in grade, and for other purposes.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 48) relating to the enrollment of the bill (H. R. 9326) to provide educational employees of the public schools of the District of Columbia with leave of absence, with part pay, for purposes of educational improvement, and for other purposes.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 382. An act for the relief of Gus Roth;

H. R. 2070. An act for the relief of Edwin Forsman;

H. R. 2117. An act granting a pension to Martha Pace;

H. R. 2489. An act for the relief of Angie Ward;

H. R. 3713. An act for the relief of Joe Carter;

H. R. 3925. An act for the relief of Evelyn L. Ratcliffe;

H. R. 4066. An act for the relief of Josefina Alvarado;

H. R. 4148. An act for the relief of Mary S. Arthur, as executrix of the estate of Richard M. Arthur, deceased;

H. R. 4353. An act for the relief of Amelia Eisenstein;

H. R. 4354. An act for the relief of Bessie Singer Weinman;

H. R. 4357. An act for the relief of Felix Frank, his wife, Sarah, and children, Jacob and Pauline;

H. R. 4412. An act for the relief of Beatrice Lois Rucker;

H. R. 4656. An act to record the lawful admission to the United States for permanent residence of Esther Klein;

H. R. 5352. An act for the relief of Felix Bernstein;

H. R. 5388. An act for the relief of Thomas Lewellyn and Drusilla Lewellyn;

H. R. 5569. An act for the relief of Stuart Bastow;

H. R. 6145. An act for the relief of Elizabeth L. Riley;

H. R. 6365. An act to correct the military records of DeRosey C. Cabell, McFarland Cockrill, James N. Caperton, Junius H. Houghton, Otto F. Lange, Paul B. Parker, James deB. Walbach, and Victor W. B. Wales;

H. R. 6680. An act for the relief of Laszlo Kardos, Magdolna Kardos, and Gaby Kardos;

H. R. 6703. An act for the relief of Clara E. Freeman;

H. R. 6730. An act for the relief of Edward P. Glenn, Jr.;

H. R. 6737. An act for the relief of Clarence D. Green;

H. R. 6888. An act for the relief of Esther Jacobs;

H. R. 6889. An act for the relief of Frances M. Hannah;

H. R. 7098. An act for the relief of L. S. Jones;

H. R. 7178. An act for the relief of Ludwig Baur;

H. R. 7277. An act for the relief of Mrs. Stefanida Szewczuk-Omelchuk (Kovalcik);

H. R. 7459. An act for the relief of Bettina Bernstein;

H. R. 7493. An act for the relief of Roy F. Lassly, former Acting Chief Disbursing Clerk, Department of the Interior, and Guy F. Allen, Chief Disbursing Officer, Division of Disbursement, Treasury Department;

H. R. 7495. An act for the relief of Gloria D. Downing;

H. R. 7749. An act for the relief of Charles Molnar;

H. R. 7825. An act for the relief of C. S. Hobson;

H. R. 7880. An act for the relief of Edna Emery;

H. R. 7955. An act for the relief of Louis Rosenstone;

H. R. 8140. An act for the relief of Stanley McMahan;

H. R. 8163. An act for the relief of Antonio Sabatini;

H. R. 8226. An act for the relief of David Morgenstern;

H. R. 8252. An act for the relief of John Owen;

H. R. 8304. An act for the relief of Mrs. O. A. Danneberger;

H. R. 8379. An act for the relief of Izaak Szaja Licht;

H. R. 8414. An act for the relief of Charles E. Molster, former disbursing clerk for the Department of Commerce and the National Recovery Administration; J. L. Summers, deceased, former chief disbursing clerk, Division of Disbursement, Treasury Department; and Guy F. Allen, chief disbursing officer, Division of Disbursement, Treasury Department;

H. R. 8432. An act for the relief of Florence Chumley;

H. R. 8551. An act for the relief of Xenophon George Panos;

H. R. 8605. An act for the relief of Mary Janiec and Ignatz Janiec;

H. R. 8708. An act for the relief of Harold C. Preble, naval architect;

H. R. 8744. An act for the relief of Ernest Lyle Greenwood and Phyllis Joy Greenwood;

H. R. 8785. An act for the relief of Blanche W. Stout;

H. R. 8906. An act to record the lawful admission to the United States for permanent residence of Nicholas G. Karas;

H. R. 8910. An act providing for the extension of nonquota status to Frederick Beck;

H. R. 9027. An act for the relief of Dr. Gustav Weil, Irma Weil, and Marion Weil;

H. R. 9117. An act to eliminate the tax on brandy and wine spirits used in the fortification of wine, to increase the tax on wine, to compensate for the loss of revenue occasioned by the elimination of the tax on brandy and wine spirits used in the fortification of wine, and for other purposes;

H. R. 9195. An act to amend the National Labor Relations Act;

H. R. 9390. An act granting pensions and increase of pensions to certain widows, former widows, and dependent children of veterans of the Civil War;

H. R. 9453. An act to provide a license to the Atlantic Refining Co., and for other purposes;

H. R. 9589. An act granting a pension to Frances Folsom Cleveland Preston; and

H. R. 9651. An act for the relief of Meier Langermann, his wife, Friederike, and son, Joseph.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President, except as to Senate Joint Resolution 59:

S. 1759. An act granting the consent of Congress to the States of Montana, North Dakota, and Wyoming to negotiate and enter into a compact or agreement for division of the waters of the Yellowstone River;

S. 1964. An act to amend section 5136 of the Revised Statutes, as amended, to authorize charitable contributions by national banking associations;

S. 2568. An act to amend the Federal Credit Union Act (June 26, 1934, ch. 750, par. 1, 48 Stat. 1216, sec. 1761);

S. 3959. An act authorizing the Secretary of the Treasury to grant to the city of Fort Lauderdale, Fla., an easement or easements authorizing such city to construct and maintain a highway and utility facilities over the United States Coast Guard Reservation known as Base 6 at Fort Lauderdale, Fla.; and

S. J. Res. 59. Joint resolution authorizing the Bureau of Labor Statistics to collect information as to amount and value of all goods produced in State and Federal prisons.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Danaher	La Follette	Schwartz
Andrews	Davis	Lee	Schwellenbach
Ashurst	Donahey	Lucas	Sheppard
Austin	Downey	Lundeen	Shipstead
Bailey	Ellender	McKellar	Slattery
Bankhead	George	McNary	Smathers
Barbour	Gerry	Maloney	Smith
Barkley	Gillette	Mead	Thomas, Idaho
Bilbo	Green	Miller	Thomas, Utah
Bone	Guffey	Minton	Tobey
Brown	Gurney	Murray	Townsend
Bulow	Harrison	Neely	Truman
Burke	Hatch	Norris	Tydings
Byrd	Hayden	Nye	Vandenberg
Byrnes	Herring	O'Mahoney	Van Nuys
Capper	Hill	Overton	Wagner
Caraway	Holman	Pepper	Walsh
Chandler	Holt	Pittman	Wheeler
Chavez	Hughes	Radcliffe	White
Clark, Idaho	Johnson, Calif.	Reed	Wiley
Clark, Mo.	Johnson, Colo.	Reynolds	
Connally	King	Russell	

Mr. MINTON. I announce that the Senator from Virginia [Mr. GLASS], the Senator from Nevada [Mr. MCCARRAN], the Senator from Tennessee [Mr. STEWART], and the Senator from Oklahoma [Mr. THOMAS] are necessarily detained.

Mr. AUSTIN. I announce that the Senator from Massachusetts [Mr. LODGE], the Senator from North Dakota [Mr. FRAZIER], and the Senator from New Hampshire [Mr. TOBEY] are necessarily absent from the Senate.

The VICE PRESIDENT. Eighty-six Senators have answered to their names. A quorum is present.

REPORT OF RECONSTRUCTION FINANCE CORPORATION

The VICE PRESIDENT laid before the Senate a report signed by the Chairman and Secretary of the Reconstruction Finance Corporation covering the operations of the Corporation for the first quarter of 1940 and from the period of its organization on February 2, 1932, to March 31, 1940, inclusive, which, with the accompanying papers, was referred to the Committee on Banking and Currency.

REPORT OF NATIONAL HISTORICAL PUBLICATIONS COMMISSION

The VICE PRESIDENT laid before the Senate a letter from the Archivist of the United States, transmitting, pursuant to law, a report submitted by the National Historical Publications Commission, which, with the accompanying report, was referred to the Committee on the Library.

REPORT OF NEAR EAST RELIEF

The VICE PRESIDENT laid before the Senate a letter from the Comptroller of the Near East Relief, transmitting, pursuant to law, the report of that organization for the year ended December 31, 1939, which, with the accompanying report, was referred to the Committee on Printing.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the following concurrent resolution of the Legislature of the State of Illinois, which was referred to the Committee on Commerce:

Whereas there is now pending in the United States Senate, House Resolution No. 8372, already passed by the House of Representatives of Congress, which resolution authorizes the city of Chester, Ill., to construct, maintain, and operate a toll bridge across the Mississippi River at or near said city if such construction is commenced prior to June 21, 1940; and

Whereas the construction of such bridge is of great importance to a large portion of the inhabitants of this State and to numerous persons of other States; and

Whereas the construction of such bridge would promote interstate commerce, improve the Postal Service, and be of value for military purposes; and

Whereas the State of Illinois, through its department of public works and buildings, has approved the location of and made all necessary surveys for highway approaches to such bridge; and

Whereas arrangements have been completed for the financing of such bridge: Now, therefore, be it

Resolved by the senate of the sixty-first general assembly at the first special session thereof (the house of representatives concurring herein), That the Senate of the United States be, and is hereby, memorialized and requested to give favorable consideration to the aforesaid resolution and to enact it at an early date; and be it further

Resolved, That a copy of this preamble and resolution be forwarded to the President of the Senate and to each Member of the United States Senate from the State of Illinois.

The VICE PRESIDENT also laid before the Senate a resolution adopted by the thirty-fourth annual convention of the Maryland State and District of Columbia Federation of Labor at Hagerstown, Md., favoring that, in the involuntary separation of employees from the Federal service, as much consideration be given to every efficiency rating that any separated employee has had during the period of employment as that appearing in the last efficiency rating, which was referred to the Committee on Civil Service.

He also laid before the Senate a resolution of the Italian-American Citizens League of the Oranges, N. J., favoring the United States keeping out of war, which was referred to the Committee on Foreign Relations.

He also laid before the Senate a memorial of sundry citizens of New York City, N. Y., remonstrating against amendment or repeal of the so-called Johnson Act, relating to loans to foreign nations, which was referred to the Committee on Foreign Relations.

He also laid before the Senate a resolution of the Executive National Council of the Creek Tribe, Okmulgee County, Okla., requesting the Secretary of the Interior to furnish a report, with the approval of the President of the United States, to the secretary of the Creek National Council on all properties that were sold by the Secretary of the Interior, all properties now held in trust by the United States for the use and benefit of the Creek Tribe of Indians, and all moneys that were collected from any source belonging to the Creek Tribe under various acts of Congress, which was referred to the Committee on Indian Affairs.

He also laid before the Senate a resolution adopted by the Maryland Police Association at a recent meeting in Hyattsville, Md., offering its continued cooperation with the Federal Government in the suppression and elimination of treasonable and un-American activities, and also offering its aid and services to the Federal Bureau of Investigation or other official agencies under the Government in upholding American ideals and safeguarding the peace and happiness of the people, which was referred to the Committee on the Judiciary.

He also laid before the Senate a resolution of the Maryland Hotel Men's Association, Baltimore, Md., requesting the

return of the U. S. frigate *Constellation* to Baltimore, and that a permanent berth be provided for the historic vessel at Fort McHenry, Baltimore, Md., which was referred to the Committee on Naval Affairs.

He also laid before the Senate a telegram in the nature of a petition from C. N. Sisson, president of Friends of Allies, Hartsville, S. C., praying that the Allied nations be provided with airplanes, guns, munitions, and supplies as suggested by General Pershing, which was ordered to lie on the table.

He also laid before the Senate resolutions of the Lions Clubs of Temple, Tex.; Marion, Ind.; and Hoboken, N. J., and the Gardena Valley Lions Club, of Gardena, Calif., favoring the taking of all measures to strengthen the national defense, and to put an end to subversive activities of agents and members of the so-called "fifth column," which were ordered to lie on the table.

He also laid before the Senate a resolution of the Crescent Club, of Yonkers, N. Y., commending Members of the Congress for the patriotic and nonpartisan manner in which they have given approval to an adequate military program for the protection of the people of the United States, which was ordered to lie on the table.

He also laid before the Senate a resolution of the Chamber of Commerce of Clarksville and Montgomery County, Tenn., commending the President and Congress for the steps being taken to prepare and equip the Nation for security from invasion, and also favoring the enactment of legislation to balance the Budget and reduce the national debt, which was ordered to lie on the table.

He also laid before the Senate a resolution adopted by an executive session of the Cail Field Veterans' Association, Wichita Falls, Tex., favoring the establishment of an independent air service for the United States, favoring the enactment of legislation to protect the country from profiteering in war materials, and the prevention of sabotage and the pernicious activities of all subversive elements, and also that measures be taken so that the southern border of the United States may be promptly and adequately protected, which was ordered to lie on the table.

He also laid before the Senate a petition of sundry citizens of the State of Kansas, praying that Congress remain in session during the present international crisis, which was ordered to lie on the table.

He also laid before the Senate a resolution of the Buffalo (N. Y.) Branch of the Women's International League for Peace and Freedom, requesting that Congress remain in session during the summer months so as to keep the Nation out of war, which was ordered to lie on the table.

He also laid before the Senate a resolution of the Republican County Committee, third assembly district, Jackson Heights, N. Y., requesting that Congress remain in session during the present international crisis, and that the President appoint a national-defense council similar to that appointed during the last World War, a council vested with authority and not merely of an advisory character, which was ordered to lie on the table.

He also laid before the Senate a telegram in the nature of a petition from Local No. 453, Michigan Workers Alliance, Detroit, Mich., praying for increases and remonstrating against any slashes in money and jobs under the W. P. A. in the pending work-relief joint resolution, which was ordered to lie on the table.

Mr. TYDINGS presented a petition of sundry citizens of Baltimore, Md., praying for the prompt adoption of all proper national-defense measures for the United States, which was ordered to lie on the table.

AID SHORT OF WAR TO THE ALLIES—PETITION

Mr. WALSH. Mr. President, on behalf of my colleague the gentleman from Massachusetts [Mr. LODGE] and myself, I ask consent to present a petition containing approximately 10,000 names of citizens of Fitchburg, Gardner, Westminster, Lunenburg, and Ashby, Mass., urging that all possible material aid, short of war, be given the Allies. I ask that the petition be referred to the Senate Committee on Foreign Relations.

There being no objection, the petition was received and referred to the Committee on Foreign Relations.

THIRD ARMY MANEUVERS AT ALEXANDRIA, LA.; RESOLUTION

Mr. ELLENDER presented a resolution of the Board of Directors of the Alexandria (La.) Chamber of Commerce, which was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

Be it resolved by the board of directors of the Alexandria Chamber of Commerce, on motion made and carried at the conclusion of the Third Army maneuvers, admittedly the greatest peacetime concentration of troops in American history, That the community is proud that its hinterland has served the national interest as the maneuver area, and proud also of the opportunity to be host to such a distinguished portion of the Federal military forces as constituted the Third Army; but be it even more especially

Resolved, That the Alexandria Chamber of Commerce, through its board of directors, record the fact that it has been extremely impressed during the period of the maneuvers involving more than 70,000 troops, by the excellent bearing and deportment of the soldiers of the United States Army. At no previous time in the rather lengthy experience which our community has enjoyed with the Regular Army have cur citizens been so genuinely pleased with its military visitors as upon this occasion; be it therefore

Further resolved, That a copy of this resolution be sent to the President of the United States as Commander in Chief of the Armies; to the Secretary of War, the Chief of Staff; to the members of the Military Affairs Committees of both Senate and House; and to the Senators and Congressmen from Louisiana.

FEDERAL GASOLINE TAX IN SOUTH DAKOTA—RESOLUTION

Mr. GURNEY presented a resolution of the South Dakota Gasoline Tax Evasion Committee, Huron, S. Dak., which was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

The present Federal gasoline tax of 1 cent per gallon imposes an excessive burden upon this essential commodity of everyday use. When added to the 4-cent State levy, the total tax amounts to 34 percent of the retail price of the product, as compared with the 3-percent rate on all other retail sales.

The typical motorist in South Dakota is a person of very modest means, for official studies by agents of the Federal Government show that his income averages $20 to $30 a week. The annual total taxes of $45 on his automobile and its operation, therefore, represents 2 week's income. He clearly cannot buy necessities with the same money he uses to pay taxes.

Every time the operator of a service station in South Dakota sells $1 worth of gasoline he collected from the motorists (a majority of whom are farmers) an additional 34 cents in taxes of which nearly 7 cents must immediately be turned over to the Federal Government for the present Federal gasoline tax.

Farmers of the State who because of their operations are obliged to use gasoline for their power in carrying on their business are obliged to pay this exorbitant tax, whereas other individuals or farmers who get along with horses or nontaxable fuels for power are relieved from this enormous burden.

Now, therefore, because of the present enormity of the Federal gasoline tax and its direct burden upon all the people of the State of South Dakota and the farmers in particular: Be it

Resolved, That this association do hereby strenuously oppose the present efforts in the Congress of the United States to increase this tax, and use its best efforts in urging its congressional representation to vote against any such proposed increase: Be it further

Resolved, That a copy of this resolution be sent to the congressional representation of South Dakota in Washington, D. C.

REPORTS OF COMMITTEES

Mr. SHEPPARD, from the Committee on Military Affairs, to which was referred the bill (S. 3768) to amend section 40, National Defense Act, as amended, relating to the organization of the Reserve Officers' Training Corps, so as to provide for an exception with respect to the University of Alaska, reported it without amendment and submitted a report (No. 1786) thereon.

He also, from the same committee, to which was referred the bill (S. 4057) to authorize the acquisition of certain additional lands for military purposes, reported it with amendments and submitted a report (No. 1787) thereon.

He also, from the same committee, to which was referred the bill (S. 3619) relating to changes in the administration of the National Guard of the United States bearing on Federal recognition, pay, allotment of funds, drill, training, and so forth, reported it with an amendment and submitted a report (No. 1788) thereon.

Mr. KING, from the Committee on Irrigation and Reclamation, to which was referred the bill (S. 4011) to authorize the Secretary of the Interior to accept payment of an annual equitable overhead charge in connection with the repayment contract between the United States and the Strawberry Water Users' Association of Payson, Utah, in full satisfaction of delinquent billings upon the basis of an annual fixed overhead charge, and for other purposes, reported it without amendment and submitted a report (No. 1789) thereon.

Mr. ADAMS, from the Committee on Public Lands and Surveys, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 4045. A bill to authorize the acceptance of donations of property for the Mammoth Cave National Park, in the State of Kentucky, and for other purposes (Rept. No. 1790); and

H. R. 8316. A bill authorizing the Secretary of the Interior to sell certain land to the Conconully Cemetery Association (Rept. No. 1791).

Mr. ADAMS also, from the Committee on Public Lands and Surveys, to which was recommitted the bill (H. R. 6560) relating to placer-mining claims for deposits of phosphate, sodium, potassium, oil, oil shale, or gas on the public domain, reported it with an amendment and submitted a report (No. 1792) thereon.

Mr. CONNALLY, from the Committee on Public Buildings and Grounds, to which was referred the bill (S. 1825) to provide for the acquisition of certain property for public use in the District of Columbia, reported it with amendments and submitted a report (No. 1793) thereon.

He also, from the Committee on the Judiciary, to which was referred the bill (S. 2842) to provide for an appeal to the Supreme Court of the United States from the decision of the Court of Claims in a suit instituted by George A. Carden and Anderson T. Herd, reported it without amendment and submitted a report (No. 1794) thereon.

Mr. VAN NUYS, from the Committee on Expenditures in the Executive Departments, to which was referred the bill (S. 3974) to clarify section 3709 (U. S. C., 1934 ed., title 41, sec. 5), reported it without amendment and submitted a report (No. 1795) thereon.

He also, from the Committee on the Judiciary, to which was referred the bill (S. 820) providing for the granting of leave to certain employees of the United States to enable them to vote at elections, reported it without amendment and submitted a report (No. 1797) thereon.

Mr. BURKE, from the Committee on Claims, to which was referred the bill (H. R. 5592) for the relief of Vernon Atkison, reported it without amendment and submitted a report (No. 1798) thereon.

Mr. CHANDLER, from the Committee on the Judiciary, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 3990. A bill to transfer the essential language of section 518, title IV, of the Tariff Act of 1930, approved June 17, 1930, into the Judicial Code of the United States and to provide for its reenactment as part of said Judicial Code, to take effect from the date of its passage, including the allowance to the judges of the United States Customs Court, Government counsel, and stenographic clerks as set forth therein for traveling expenses incurred for maintenance while absent from New York on official business and to repeal all acts inconsistent therewith to the extent of such inconsistency, and for other purposes (Rept. No. 1799); and

S. 4090. A bill to authorize the Attorney General to donate on behalf of the United States to H. S. Scott, D. W. Collins, Fred M. Gross, trustees, Ashland District Council, Boy Scouts of America, the log house known as the John Secrest home, located on the site of the Federal Correctional Institution near Ashland, Ky. (Rept. No. 1800).

Mr. CHANDLER also (for Mr. McCARRAN), from the Committee on the Judiciary, to which was referred the bill (H. R. 8399) to prohibit the receipt, possession, or disposition of money or property feloniously taken from a bank organized or operating under the laws of the United States or any member of the Federal Reserve System, reported it without amendment and submitted a report (No. 1801) thereon.

Mr. MILLER, from the Committee on the Judiciary, to which was referred the bill (H. R. 4828) to amend the law limiting the operation of statutes of limitations in certain cases, reported it with amendments and submitted a report (No. 1802) thereon.

Mr. McNARY, from the Committee on Indian Affairs, to which was referred the bill (S. 2758) for the relief of Wade Crawford, formerly Superintendent of the Klamath Indian Agency, reported it with amendments and submitted a report (No. 1803) thereon.

Mr. ASHURST, from the Committee on Indian Affairs, to which was referred the bill (S. 3972) to authorize exchanges of lands within the Navajo Indian Reservation, Ariz., reported it without amendment and submitted a report (No. 1804) thereon.

PREVENTION OF SUBVERSIVE ACTIVITIES AND REGISTRATION OF ALIENS—REPORT OF THE JUDICIARY COMMITTEE

Mr. CONNALLY. In accordance with consent previously given by the Senate, I wish to make a new report from the Committee on the Judiciary in order that it may be printed at the earliest possible date and distributed. I submit a new and favorable report (No. 1796) on House bill 5138 providing for the punishment of those who seek to instill disloyalty or disobedience into the members of the armed forces of the United States. It establishes several new grounds for the deportation of aliens, and provides for the registration and fingerprinting of every alien within the United States. The Committee on the Judiciary is very anxious to secure action on this measure, because it believes it will have a very fine effect on the public mind, and assure the public that Congress is doing something about the so-called "fifth column" and in correcting subversive activities.

From the same committee I report an amendment in the nature of a substitute to this identical bill (H. R. 5138) to make unlawful attempts to interfere with the discipline of the Army, the Navy, and the Coast Guard; to require the deportation of certain classes of aliens; to require the fingerprinting of aliens seeking to enter the United States; and for other purposes, which bill is already on the Senate calendar.

The VICE PRESIDENT. The report will be received and printed and the reported amendment will be printed and placed on the calendar in connection with the bill referred to.

REPORT OF SPECIAL COMMITTEE TO INVESTIGATE WOOL, ETC.—EXTENSION OF TIME FOR OPERATION OF COMMITTEE

Mr. ADAMS, from the Special Committee to Investigate the Production, Transportation, and Marketing of Wool, reported a resolution (S. Res. 276) which was ordered to be placed on the calendar, as follows:

Resolved, That Senate Resolution 160, Seventy-fourth Congress, first session, agreed to July 10, 1935, authorizing a special committee to investigate the production, transportation, and marketing of wool, as extended, is hereby further extended and continued in full force and effect during the Seventy-seventh Congress; and the said committee may report to the Senate any time prior to the expiration of the Seventy-seventh Congress.

REPORT OF SPECIAL COMMITTEE ON CONSERVATION OF WILDLIFE RESOURCES—LIMIT OF EXPENDITURES, ETC.

Mr. PITTMAN, from the Special Committee on Conservation of Wildlife Resources, reported a resolution (S. Res. 277), and it was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the special committee authorized and directed by Senate Resolution 246, agreed to April 17, 1930, to investigate the conservation of wild-animal life hereby is authorized to expend from the contingent fund of the Senate, in furtherance of such purposes, $6,000 in addition to the amounts heretofore authorized for such purposes; and the said committee is hereby directed to file with the Senate as soon as practicable its report and recommendations.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McKELLAR:

S. 4115. A bill relating to the rank of certain officers of the Officers' Reserve Corps of the Army who are transferred to the inactive Reserve; to the Committee on Military Affairs.

By Mr. BULOW:

S. 4116 (by request). A bill amending the act of June 25, 1938, extending the classified civil service to include postmasters of the first, second, and third classes, and for other purposes; to the Committee on Civil Service.

By Mr. BILBO:

S. 4117. A bill to amend the World War Adjusted Compensation Act; to the Committee on Finance.

S. 4118. A bill for the relief of Selwyn M. Nash, Jr.; to the Committee on Military Affairs.

S. 4119. A bill to provide for the transfer of certain land in the De Soto National Forest to the Secretary of War for use for military purposes; to the Committee on Public Lands and Surveys.

By Mr. HAYDEN (for himself and Mr. ASHURST):

S. 4120. A bill authorizing the Secretary of War to accept a gift of lands from the city of Tucson, Ariz.; to the Committee on Military Affairs.

By Mr. CLARK of Missouri:

S. 4121. A bill to authorize the setting aside of an area within the Canal Zone to preserve and conserve its natural features for scientific study, for providing and maintaining facilities for such study, and for other purposes; to the Committee on Interoceanic Canals.

By Mr. TYDINGS:

S. 4122. A bill providing educational opportunities for the children of soldiers, sailors, and marines who were killed in action or died as a result of service in the military or naval forces of the United States during the World War; to the Committee on the District of Columbia.

By Mr. BURKE:

S. 4123. A bill for the relief of Ray C. McMillen; to the Committee on Claims.

By Mr. WALSH:

S. J. Res. 274. Joint resolution relating to the acquisition of machine tools and other similar equipment; to the Committee on Naval Affairs.

By Mr. REYNOLDS:

S. J. Res. 275. Joint resolution to provide for the national defense by prohibiting labor organizations from employing certain persons as officers or agents; to the Committee on Education and Labor.

HOUSE BILLS REFERRED OR PLACED ON CALENDAR

The following bills were severally read twice by their titles and referred, or ordered to be placed on the calendar, as indicated below:

H. R. 382. An act for the relief of Gus Roth;

H. R. 2070. An act for the relief of Edwin Forsman;

H. R. 2489. An act for the relief of Angie Ward;

H. R. 3713. An act for the relief of Joe Carter;

H. R. 3925. An act for the relief of Evelyn L. Ratcliffe;

H. R. 4148. An act for the relief of Mary S. Arthur, as executrix of the estate of Richard M. Arthur, deceased;

H. R. 4412. An act for the relief of Beatrice Lois Rucker;

H. R. 5388. An act for the relief of Thomas Lewellyn and Drusilla Lewellyn;

H. R. 5569. An act for the relief of Stuart Bastow;

H. R. 6145. An act for the relief of Elizabeth L. Riley;

H. R. 6703. An act for the relief of Clara E. Freeman;

H. R. 6730. An act for the relief of Edward P. Glenn, Jr.;

H. R. 6737. An act for the relief of Clarence D. Green;

H. R. 6889. An act for the relief of Frances M. Hannah;

H. R. 7098. An act for the relief of L. S. Jones;

H. R. 7493. An act for the relief of Roy F. Lassly, former Acting Chief Disbursing Clerk, Department of the Interior, and Guy F. Allen, Chief Disbursing Officer, Division of Disbursement, Treasury Department;

H. R. 7825. An act for the relief of C. S. Hobson;

H. R. 7880. An act for the relief of Edna Emery;

H. R. 8252. An act for the relief of John Owen;

H. R. 8605. An act for the relief of Mary Janiec and Ignatz Janiec; and

H. R. 8708. An act for the relief of Harold C. Preble, naval architect; to the Committee on Claims.

H. R. 2117. An act granting a pension to Martha Pace;

H. R. 9390. An act granting pensions and increase of pensions to certain widows, former widows, and dependent children of veterans of the Civil War; and

H. R. 9589. An act granting a pension to Frances Folsom Cleveland Preston; to the Committee on Pensions.

H. R. 4066. An act for the relief of Josefina Alvarado;

H. R. 4353. An act for the relief of Amelia Eisenstein;

H. R. 4354. An act for the relief of Bessie Singer Weinman;

H. R. 4357. An act for the relief of Felix Frank, his wife, Sarah, and children, Jacob and Pauline;

H. R. 4656. An act to record the lawful admission to the United States for permanent residence of Esther Klein;

H. R. 5352. An act for the relief of Felix Bernstein;

H. R. 6680. An act for the relief of Laszlo Kardos, Magdolna Kardos, and Gaby Kardos;

H. R. 6888. An act for the relief of Esther Jacobs;

H. R. 7178. An act for the relief of Ludwig Baur;

H. R. 7277. An act for the relief of Mrs. Stefanida Szewczuk-Omelchuk (Kovalcik);

H. R. 7459. An act for the relief of Bettina Bernstein;

H. R. 7495. An act for the relief of Gloria D. Downing;

H. R. 7749. An act for the relief of Charles Molnar;

H. R. 7955. An act for the relief of Louis Rosenstone;

H. R. 8163. An act for the relief of Antonio Sabatini;

H. R. 8226. An act for the relief of David Morgenstern;

H. R. 8304. An act for the relief of Mrs. O. A. Danneberger;

H. R. 8379. An act for the relief of Izaak Szaja Licht;

H. R. 8432. An act for the relief of Florence Chumley;

H. R. 8551. An act for the relief of Xenophon George Panos;

H. R. 8744. An act for the relief of Ernest Lyle Greenwood and Phyllis Joy Greenwood;

H. R. 8906. An act to record the lawful admission to the United States for permanent residence of Nicholas G. Karas;

H. R. 8910. An act providing for the extension of nonquota status to Frederick Beck;

H. R. 9027. An act for the relief of Dr. Gustav Weil, Irma Weil, and Marion Weil; and

H. R. 9651. An act for the relief of Meier Langermann, his wife, Friederike, and son, Joseph; to the Committee on Immigration.

H. R. 6365. An act to correct the military records of DeRosey C. Cabell, McFarland Cockrill, James N. Caperton, Junius H. Houghton, Otto F. Lange, Paul B. Parker, James deB. Walbach, and Victor W. B. Wales;

H. R. 8140. An act for the relief of Stanley McMahan; and

H. R. 9453. An act to provide a license to the Atlantic Refining Co., and for other purposes; to the Committee on Military Affairs.

H. R. 8414. An act for the relief of Charles E. Molster, former disbursing clerk for the Department of Commerce and the National Recovery Administration; J. L. Summers, deceased, former Chief Disbursing Clerk, Division of Disbursement, Treasury Department; and Guy F. Allen, Chief Disbursing Officer, Division of Disbursement, Treasury Department; to the calendar.

H. R. 8785. An act for the relief of Blanche W. Stout; to the Committee on Foreign Relations.

H. R. 9117. An act to eliminate the tax on brandy and wine spirits used in the fortification of wine; to increase the

tax on wine; to compensate for the loss of revenue occasioned by the elimination of the tax on brandy and wine spirits used in the fortification of wine; and for other purposes; to the Committee on Finance.

H. R. 9195. An act to amend the National Labor Relations Act; to the Committee on Education and Labor.

ACQUISITION OF PROPERTY FOR PUBLIC USE IN THE DISTRICT—AMENDMENT

Mr. CONNALLY submitted an amendment intended to be proposed by him to the bill (S. 1825) to provide for the acquisition of certain property for public use in the District of Columbia, which was referred to the Committee on Public Buildings and Grounds and ordered to be printed.

AMENDMENT RELATING TO PLACER MINING CLAIMS ON THE PUBLIC DOMAIN

Mr. JOHNSON of Colorado submitted an amendment intended to be proposed by him to the bill (H. R. 6560) relating to placer mining claims for deposits of phosphate, sodium, potassium, oil, oil shale, or gas on the public domain, which was ordered to lie on the table and to be printed.

AMENDMENT OF FEDERAL HIGHWAY AID ACT—AMENDMENT

Mr. O'MAHONEY submitted an amendment intended to be proposed by him to House bill 9575, to amend the Federal Aid Act, approved July 11, 1916, as amended and supplemented, and for other purposes, which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

WORK RELIEF AND RELIEF—AMENDMENTS

Mr. BARBOUR submitted an amendment intended to be proposed by him to the joint resolution (H. J. Res. 544) making appropriations for work relief and relief, for the fiscal year ending June 30, 1941, which was ordered to lie on the table and to be printed, as follows:

On page 23, line 25, after the word "workers", to insert "under 40 years of age."

Mr. GURNEY submitted an amendment intended to be proposed by him to the joint resolution (H. J. Res. 544) making appropriations for work relief and relief, for the fiscal year ending June 30, 1941, which was ordered to lie on the table and to be printed, as follows:

On page 25, line 15, after the word "Administration", to add the following: "and unmarried widows of such veterans and the wives of such veterans as are unemployable."

STRENGTHENING OF THE NATIONAL DEFENSE—AMENDMENTS

Mr. WAGNER and Mr. DANAHER each submitted an amendment intended to be proposed by them to the bill (S. 4025) to expedite the strengthening of the national defense, which were ordered to lie on the table and to be printed.

AMOUNT AND VALUE OF GOODS PRODUCED IN STATE AND FEDERAL PRISONS—CORRECTION IN ENROLLMENT

Mr. THOMAS of Utah submitted a concurrent resolution (S. Con. Res. 50), which was considered by unanimous consent, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the action of the Speaker of the House of Representatives in signing the enrolled joint resolution (S. J. Res. 59) authorizing the Bureau of Labor Statistics to collect information as to amount and value of all goods produced in State and Federal prisons be, and it is hereby, rescinded.

Resolved further, That the Secretary of the Senate be, and he is hereby, authorized and directed, in the enrollment of the said joint resolution, to make the following change, namely: In line 15 of the engrossed joint resolution strike out "May 1, 1940", and insert May 1, 1941."

AMERICAN CITIZENS DECORATED OR HONORED BY THE GERMAN GOVERNMENT

Mr. KING submitted the following resolution (S. Res. 278), which was referred to the Committee on Foreign Relations:

Resolved, That the Secretary of State is requested to submit to the Senate as soon as practicable the names of all citizens of the United States who have received decorations or other honors from the German Government since January 1, 1933.

AGRICULTURAL COMPOSITIONS AND EXTENSIONS (S. DOC. NO. 205)

Mr. NYE (for Mr. FRAZIER) presented an amended copy of Senate Document No. 55 (75th Cong., 1st sess.) entitled "Agricultural Compositions and Extensions," which was ordered to be printed with certain changes as indicated therein.

ADDRESS BY SENATOR BARKLEY BEFORE CONNECTICUT STATE DEMOCRATIC CONVENTION

[Mr. MALONEY asked and obtained leave to have printed in the RECORD an address by Senator BARKLEY before the Connecticut State Democratic Convention at Hartford, Conn., on June 3, 1940, which appears in the Appendix.]

ADDRESS BY SENATOR VANDENBERG ON NATIONAL DEFENSE AND FOREIGN POLICIES

[Mr. VANDENBERG asked and obtained leave to have printed in the RECORD a radio address delivered by him on June 9, 1940, on the subject of national defense and foreign policies, which appears in the Appendix.]

WAR HYSTERIA—ADDRESS BY SENATOR WHEELER

[Mr. BONE asked and obtained leave to have printed in the RECORD an address delivered on June 7 on the subject of the war and war hysteria by Senator WHEELER, which appears in the Appendix.]

DISCUSSION ON NATIONAL DEFENSE BY SENATORS BONE, BROWN, LEE, AND WILEY

[Mr. BROWN asked and obtained leave to have printed in the RECORD radio addresses delivered on June 2, 1940, by Senators BONE, BROWN, LEE, and WILEY on Methods of Financing National Defense—And War If It Should Come, which appears in the Appendix.]

ADDRESS BY SENATOR WILEY ON COLONEL HEG

[Mr. WILEY asked and obtained leave to have printed in the RECORD an address delivered by him on June 9, 1940, at Heg Memorial Park, on the Meaning of Colonel Heg's Life Today, which appears in the Appendix.]

NATIONAL DEFENSE AND AMERICAN AID TO THE ALLIES

[Mr. ASHURST asked and obtained leave to have printed in the RECORD excerpts from remarks heretofore made by him in the Senate, and sundry telegrams received by him urging American aid to the Allies, which appear in the Appendix.]

ADDRESSES BY SENATOR HOLT

[Mr. HOLT asked and obtained leave to have printed in the RECORD two addresses delivered by him, and a series of articles entitled "Twenty-five Years Ago," which appear in the Appendix.]

ADDRESS BY REPRESENTATIVE KEOGH ON TWENTY-FIFTH ANNIVERSARY OF ORDINATION OF MONSIGNOR THOMAS A. SHARKEY

[Mr. MEAD asked and obtained leave to have printed in the RECORD an address delivered by Representative KEOGH of New York at the twenty-fifth anniversary of the ordination of Monsignor Thomas A. Sharkey, pastor of St. Martin of Tours Church in Brooklyn, on May 30, 1940, which appears in the Appendix.]

ADDRESS BY SECRETARY OF THE NAVY AT NAVAL ACADEMY GRADUATION EXERCISES

[Mr. WALSH asked and obtained leave to have printed in the RECORD the address delivered by Hon. Charles Edison, Secretary of the Navy, at the graduation exercises of the United States Naval Academy on June 6, 1940, which appears in the Appendix.]

ADDRESSES BY PRESIDENT KALLIO OF FINLAND

[Mr. SCHWELLENBACH asked and obtained leave to have printed in the RECORD an address by Mr. Kyosti Kallio, President of Finland, on the occasion of the signing of the treaty of peace between Finland and Russia on March 14, 1940, and another address by him on the occasion of the resignation of the Government on March 27, 1940; which appear in the Appendix.]

ADDRESS BY CHANCELOR CHASE AT COMMENCEMENT EXERCISES AT NEW YORK UNIVERSITY

[Mr. MURRAY asked and obtained leave to have printed in the RECORD the address delivered by Dr. Harry Woodburn Chase, on the occasion of the one hundred and eighth commencement exercises at New York University on June 5, 1940, which appears in the Appendix.]

ADDRESS BY HON. HARRY SLATTERY ON RURAL ELECTRIFICATION

[Mr. NORRIS asked and obtained leave to have printed in the RECORD a radio address delivered on June 3, 1940, by Hon. Harry Slattery, Administrator of the Rural Electrification Administration, which appears in the Appendix.]

ADDRESS BY JACK W. CARLEY ON NATIONAL DEFENSE

[Mr. MCKELLAR asked and obtained leave to have printed in the RECORD an address on national defense by Jack W. Carley, of Memphis, Tenn., which appears in the Appendix.]

NATIONAL DEFENSE AND THE MONROE DOCTRINE

[Mr. NORRIS asked and obtained leave to have printed in the RECORD a letter from J. L. Sellers to the editor of the Lincoln, (Nebr.) Star on the subject of national defense, and an editorial from the Lincoln Star of June 5, 1940, relative to the Monroe Doctrine, which appear in the Appendix.]

THE AMERICAN ATTITUDE—EDITORIAL FROM THE PORTLAND OREGONIAN

[Mr. MCNARY asked and obtained leave to have printed in the RECORD an editorial from the Portland Oregonian of the issue of May 30, 1940, under the heading "Do we live for America now?" which appears in the Appendix.]

FREE INSTITUTIONS AND THE WAR—ARTICLE FROM THE BILL OF RIGHTS REVIEW

[Mr. AUSTIN asked and obtained leave to have printed in the RECORD an article from the Bill of Rights Review, summer, 1940, number, entitled "Free Institutions and the War," which appears in the Appendix.]

BENEFITS UNDER RAILROAD UNEMPLOYMENT INSURANCE ACT

[Mr. WAGNER asked and obtained leave to have printed in the RECORD a statement by the Railway Labor Executives' Association in support of Senate bill 3920 to liberalize the benefits paid unemployed workers under the Railroad Unemployment Insurance Act, which appears in the Appendix.]

THE ALIEN QUESTION

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD a letter addressed to the editor of the Citizen, a newspaper published in Asheville, N. C., on the alien question, which appears in the Appendix.]

ROOSEVELT AND THE WAR—EDITORIAL FROM BIRMINGHAM NEWS

[Mr. HILL asked and obtained leave to have printed in the RECORD an editorial from the Birmingham News of Thursday, June 6, 1940, entitled "Roosevelt and the War," which appears in the Appendix.]

GERMANY'S PREPARATION FOR THE WAR

[Mr. SLATTERY asked and obtained leave to have printed in the RECORD an article from the Chicago Herald-American of June 7, 1940, by Robert P. Vanderpoel regarding Germany's preparation for the war, which appears in the Appendix.]

APPROPRIATIONS FOR THE LEGISLATIVE BRANCH—CONFERENCE REPORT

Mr. TYDINGS. Mr. President, I submit the conference report on the legislative-branch appropriation bill. The House receded from its disagreement to nearly every amendment of the Senate, and the Senate receded from only one minor amendment. As only a small amount is involved, I ask unanimous consent that the report be considered and adopted.

There being no objection, the report was read, considered, and agreed to, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8913) making appropriations for the Legislative Branch of the Government for the fiscal year ending June 30, 1941, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 29.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, and 26; and agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$1,256,920"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$122,080"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$148,000"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$16,500"; and the Senate agree to the same.

The committee of conference report in disagreement amendment numbered 17.

M. E. TYDINGS,
JAMES F. BYRNES,
ALVA B. ADAMS,
JOHN H. OVERTON,
FREDERICK HALE,
STYLES BRIDGES,
Managers on the part of the Senate.

LOUIS C. RABAUT,
J. O. FERNANDEZ,
JAMES MCANDREWS,
ROBERT F. RICH,
Managers on the part of the House.

SUGGESTED ARMISTICE IN EUROPEAN WAR

Mr. JOHNSON of Colorado. Mr. President, on October 4, 1939, I had the honor to submit Senate Resolution 191, which was referred to the Committee on Foreign Relations.

I ask unanimous consent that this resolution, together with my brief statement made at the time, be made a part of my remarks at this point.

There being no objection, the resolution and statement were ordered to be printed in the RECORD, as follows:

Mr. JOHNSON of Colorado. Mr. President, I submit a resolution and ask to have it read by the clerk, together with a brief statement, and then referred to the proper committee.

The VICE PRESIDENT. Without objection, the resolution will be read.

The legislative clerk read the resolution (S. Res. 191), as follows:

"Whereas the time is auspicious for the United States to use its best efforts to promote an immediate armistice in the war now being waged in Europe; and

"Whereas it is the sincere desire of our President and the American people to see an early termination of such war; and

"Whereas other neutrals are looking to us for leadership in a movement to that end; and

"Whereas there is more glory and courageousness in an honorable peace than a bloody victory with its attendant ills and sorrows: Now, therefore, be it

"*Resolved*, That it is the sense of the Senate that every effort should be made by the United States in conjunction with other neutral nations to bring about an early termination of the European conflict, and to that end the President is requested to join with other neutrals in urging the nations that are now at war to enter into an immediate armistice as a preliminary step toward negotiations looking to the complete, lasting, and peaceful settlement of the various matters about which they are in conflict."

Mr. JOHNSON of Colorado. Mr. President, Americans are proud and grateful for the persistent effort made by the President of the United States to prevent the European war. These courageous efforts should continue even though the war is now an actuality.

Every possible pressure for peace should be brought to bear upon the belligerents by neutral states and the warring nations should be urged to declare an armistice immediately so that the terms of an honorable peace might be worked out around the conference table. If this war continues millions of women and children will be starved by the blockades, millions of men slaughtered at the front, and billions of taxpayers' dollars will be squandered. While such a fire rages no one's peace will be safe.

Neutral states all over the world are looking to our great President to lead another effort for peace.

The best insurance for keeping America out of the European war will be to stop that war now.

The VICE PRESIDENT. The resolution will be referred to the Committee on Foreign Relations.

Mr. JOHNSON of Colorado. On October 4 my resolution said, among other things:

The time is auspicious for the United States to use its best efforts to promote an immediate armistice in the war now being waged in Europe.

Mr. President, peace is always in order. Why not stop the carnage now? Why not an armistice right now? The time was never more auspicious.

In this connection, I ask that a statement made on June 1 before the University Club, Cleveland, Ohio, by James D. Mooney, vice president, General Motors Corporation, be made a part of my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

WAR OR PEACE IN AMERICA?

I received your invitation to speak here today on my recent return from Europe, after an 8 months' journey in the belligerent countries. It occurred to me that you would like me to speak to you on the subject that is close to everybody's heart—the European war—with its threat of drawing America into its great catastrophic whirlpool.

Further, perhaps I could satisfy your interest most by discussing the European war in relation to the vital question, "Shall we have war or peace in America?"

I made my first trip abroad in 1918. I had been out of college for 10 years at that time, and away from my old Ohio home, but by a spin of the old roulette wheel of life I was assigned to the One Hundred and Fifty-ninth Field Artillery Brigade, of the Eighty-fourth Division, just as this division was leaving Camp Sherman, Chillicothe, Ohio, for France.

A year after the war was over, and by another spin of the roulette wheel, I went over to Europe on a business trip. And I have been spending half of my life over there ever since.

During this past quarter of a century, I have had a front-row seat at the long series of political dramas that have been staged in Europe. Naturally, I know something about European politics—but not enough, I warn you, to have any ready-made, pat answers to the many complicated problems over there.

OBSERVATIONS ON THE EUROPEAN SITUATION

However, my years of experience and observation in Europe and particularly my travels throughout the belligerent countries during the first 8 months of world war No. 2 make it possible for me to present to you the following observations:

(1) The war is a colossal tragedy for Europe.

(2) Normal economic life in Europe is already badly disintegrated.

(3) During the past winter, the very first winter of the war, there were already millions of hungry and freezing people in Europe.

(4) Europe is living and doing business on paper money. Public debt is piling up in every country at a staggering rate. This rapid increase in debt is badly weakening the paper moneys; the "black bourses" operating under cover everywhere are already placing heavy discounts on the nominal values of the various paper moneys of Europe. As the war goes on, we shall witness successive waves of currency devaluations, and finally a complete collapse of the credit and currency structures of the various European countries.

(5) If the war were to come to an end tomorrow, it would take from 5 to 10 years to re-create the ordinary processes of production and the normal channels of distribution.

(6) If the war continues for another year or two, Europe is doomed for 20 years to far worse poverty than the present generation has suffered during the past 20 years as a consequence of World War No. 1.

(7) The war is making a shambles of Europe. The war is creating the background for increasing the millions of starving men, women, and children in the belligerent and neutral countries. Hungry bellies are powerful generators of social disorder and revolution. If the war goes on very long, we shall have some shocking internal political disturbances in the various European countries.

(8) During my recent 8 months' experience in Europe, I did not find a single man, from brass hat to taxi driver, who did not consider the present war a colossal mistake in international politics, and the consequence of a long series of political and economic blunders.

(9) No general emotional background existed in Europe to support the undertaking of the war; memories and griefs from World War No. 1 were still too vivid and poignant. The disillusionment that followed the other war made people everywhere inert and unresponsive to the illusions and slogans projected by the propaganda artists whose job it is to generate hysteria and hatred.

(10) If the war continues to gain in military momentum, there will ensue the slaughter of millions of men and the creation of millions of widows and orphans. The frightful tragedy in the situation arises out of the fact that this colossal sacrifice will add nothing valuable to human experience. Nor will the continuation of the destruction of Europe move forward one single step the acceptance of any political principle to enable men and nations to live in a more friendly, neighborly way with one another.

(11) Tens of millions of families throughout Europe, men, women, and children are praying to God every day that He will put some good will into the hearts of their political leaders and inspire them to declare an armistice. Peace would bring a general delirium of joy, a universal escape from fear, terror, horror, despair, and material and spiritual misery and devastation.

THE FUNDAMENTAL WAR AIMS

The time is too short to sketch here the war aims of the belligerents. But at the risk of seeming to make it all too simple, I shall state the fundamental causes of the war as follows:

Germany and Italy have felt that the power and control exercised by England and France over the commodities, raw materials, and trade of the world subjected their countries to the unendurable condition that food for their people and materials and markets for their industries had been throttled. Germany and Italy rearmed to eliminate this fear that their food supplies and commerce would be cut off.

England and France have had a growing fear of the military power of Germany and Italy and a growing fear of the challenge of this power to their own security.

England and France are fighting for their lives. Germany and Italy are fighting and striving to keep from being starved to death.

WAR THROWS DEMOCRACY OVERBOARD

These aims of the belligerents, as you see, have nothing to do with making the world safe for democracy. Each country is strengthening its governmental organization and structure in every way that will insure a more efficient conduct of the war. I need hardly remind you that in time of war a nation moves very rapidly in the direction of a highly centralized form of government—a dictatorship, if you want to call it that—for the duration of the war. The ordinary peacetime privileges of democracy are very quickly thrown overboard.

WE ARE DRIFTING INTO THE WAR

The isolationists want us to stay out of the war. But during the past 23 years, beginning with our declaration of war on Germany in April 1917, we have very often taken an aggressive position in world politics, and particularly in European politics. We have "blown hot" and later we have "blown cold" and abandoned our position.

Some of the positions we have taken, particularly in the field of international trade and finance, have had a great deal to do with causing the impoverishment of Europe—and, in turn, the present war.

We have had no compunction at all during the past 20 years about playing with matches in the house of international affairs. Now that the house is in flames, we can't run out and turn our backs on the whole affair. Americans have too proud a tradition as fighters to endure a national policy that would brand Americans as men who run away from anything.

Isolationism would serve our material interests best, but it is probable that we cannot and will not stay out of the war. Our general drift at the present time is certainly not in the direction of staying out.

We are already conducting an undeclared "economic war" on the countries we have identified as our potential enemies. We have just embarked on a stupendous increase in our armaments. As time goes on, the general hysteria will be increased in our country by the war news and propaganda; a war psychosis will have been generated, and eventually some dramatic incident will be seized upon to precipitate us into the war.

ANOTHER COURSE—COMPEL THE DEFINITION OF THE PEACE

What else could America do about this colossal catastrophe that is degrading and destroying Europe?

I propose to you now another course open to our country.

I propose that before we accept the inevitability of the war in Europe continuing—and the inevitability of our eventually going into the war—we consider another course of action for America. This course contemplates neither the improbable solution of "staying out" nor the emotional and catastrophic course of plunging immediately into the war. I propose to you that we consider the possibility of using America's enormous economic and potential military strength to compel a discussion of peace.

Now that we as a nation have authorized another huge increase in our national defenses, it would be extremely useful to clear the air by establishing exactly what it is that we are preparing to defend.

If we intend to go to war, then we ought to publish the conditions that will provoke us into the war.

We ought to quit telling the world that we won't fight under any circumstances. Americans are fighters, too, and in this present situation we ought to begin immediately to discuss what we will fight for and why. If we are to fight because we crave a more peaceful and more orderly world, what are the conditions on which a peace will be negotiated and what terms of peace will insure this more orderly world?

In 1917, when we went over to Europe to fight, we were told that we were taking part in creating the basis for a brave new world. When our sons eventually leave for Europe to fight, can't we be more honest with them? Can't we give our sons a more definite idea of what the brave new world will be like?

Are we sure that our sending men and guns to Europe to help shoot up the place will have anything to do with constructing a more orderly Europe? Is there still an opportunity for us to make it plain that before we join the fight we would like to know what the fight is all about and what the terms of the peace will be when the fighting is finished?

America has a tremendous potential military and economic strength. Before we decide suddenly to add this strength to the

forces that are destroying Europe, at least we ought to take one last good look at the possibilities of using this strength in the international situation to compel a discussion of the basis for the peace.

WAR FOR AMERICANS MEANS CATASTROPHE, TOO

I have told you that the war is a colossal catastrophe for Europe. The catastrophe there arises principally out of the economic disorder that existed in Europe at the outbreak of the war and which is being spread and intensified with every day of war.

We have economic disorder in America, too. The South is staggering under the unsolved cotton problem. Because our productive industries in all parts of the country are strangled from one cause or another, we have several million men still out of work. We have slums and frightful housing conditions all over the country. We are continuing our drift into rising prices and inflation because of the rapid rise in our public debt.

Do you think our entry into the war will do anything but make those problems a hundred times worse? Can you escape seeing that when our sons return from the battlefields they will be confronted by a reconstruction problem that will make the social, economic, and political disorder of the past 10 years look like a pink tea?

A NEGOTIATED PEACE WOULD BE DIFFICULT

Negotiating a peace at this time, of course, would be extremely difficult. Peacemakers who interpose themselves between belligerents usually find themselves in the most thankless of jobs. This would be particularly true in the present situation.

It is evident that a formula providing security for the English and French and removing the threat of starvation for the Germans and Italians will be very difficult to construct and make acceptable to both sides.

A negotiated peace would require vast patience and persistence to effectuate. Once accomplished, it would necessarily contain compromises on both sides that would make it subject to criticism by some of the politicians in the various countries.

But all these difficulties that can be charged against a negotiated peace can be compared with the terrors of a rough, cold sea that a man might be challenged to jump into from a burning ship. The sea is terrible, yes; but staying on the ship means suicide.

AMERICA CANNOT ESCAPE THE IMPACT OF THE WAR

The present war in Europe is suicide for the political, economic, and social order there. The war is dooming the present generation in Europe and their newborn children to long years of unthinkable poverty and social misery.

That America can remain unscathed or unaffected by this appalling misery of her neighbors and her blood kin in England, Germany, France, and Italy is an absurd assumption. The war will make us suffer, too, not only in a material way but in conscience, for such of the responsibility as rests on our shoulders for the deep underlying political and economic causes of the war.

The European war fascinates us, and worries us. And we shall not sleep well as long as the war burns with a bright flame.

AMERICA'S OPPORTUNITY FOR PEACE

Some opportune moment will come when all of the belligerents will welcome the proposal of an armistice by a neutral country.

Only America with her great economic and potential military strength can act as mediator and facilitate such a discussion of peace.

It will take courage and coolness to seize an opportunity to stay the destruction of Europe. I know you will join me in praying that America will not fail to accept such a challenge in behalf of peace.

EXPEDITION IN STRENGTHENING THE NATIONAL DEFENSE

The Senate resumed the consideration of the bill (S. 4025) to expedite the strengthening of the national defense.

The VICE PRESIDENT. When the Senate took a recess on Thursday, the pending question was the amendment offered by the Senator from Massachusetts [Mr. LODGE] to the bill introduced by the Senator from Texas [Mr. SHEPPARD]. The Senator from Oklahoma [Mr. LEE] advised the Chair this morning that he desired to address the Senate. The Chair recognizes the Senator from Oklahoma.

Mr. LEE. Mr. President, word has just come to me that Italy has declared war on the Allies. She waited until France was helpless. We remember that when Prometheus was chained to the rock and helpless, it was the vultures, and not the eagles, that preyed upon him.

Mr. President, we cannot evade an unfortunate or an unpleasant thing by closing our eyes to it. I once heard of an argument in which a man would not be convinced, although a certain fact was shown to him by an experiment; but he closed his eyes tightly and shook his head and said, "I do not see." There are none so blind or deaf as those who, having eyes, see not, and those who, having ears, hear not what they do not wish to see and do not wish to hear.

Mr. President, if we are not in danger, why has the present Congress passed the largest peacetime appropriation for national defense that was ever passed, with only one dissenting vote in either House? If we are not in danger, why are we hurrying and speeding our national defense? If we are in danger of war, then is not the man who proposes a definite plan to prevent that war more a champion of peace than a man who refuses to raise a finger to prevent it?

Because I hate war with every atom and fiber of my being, I do not wish to see it come to America; but if Hitler defeats the Allies, war will come to America. It is useless to close our eyes to the inevitable. Then who would be the greater champions of peace—those who tried to stop it in Europe, or those who smoothed the way for invasion of the Western Hemisphere by misleading predictions of security for America?

If there is no danger to America, then why the unanimous vote in the Senate for our largest peacetime appropriation? If there is danger, it comes from only one source, and that is Nazi Germany.

There are those who try to throw a smokescreen by saying, "Oh, no; there is Japan"; but our status with Japan today is the same as it has been for months past. Nothing has changed that status. Then why suddenly, immediately following the invasion of the Low Countries, this sudden action for national defense? Because the danger that threatens is the danger from Nazi Germany.

The threat does not come from Japan. We have our fleet cruising the waters between Japan and the United States. The only fleet between the United States and Nazi Germany today is the allied fleet, and if that fleet falls into the hands of the Nazis this summer, I fear that there will be an invasion of America before snow flies.

There are those who say that the Nazis would be too exhausted. But is the victor exhausted? He has been strengthened by every new country he has invaded. He has reduced the men to serfdom and slavery, placed them in labor battalions, and set them at work doing the manual labor, thereby releasing more Germans to fight at the front. Has the increase of territory and supplies weakened him? On the contrary, like a beast, with every new fresh piece of meat he has gained strength. With new aggression his vision has widened, with every new conquest, until today he is on the pinnacle of success and world domination is in his mind.

Is he weakened after having all of the resources of these countries at his disposal? If the Allies fail, if they should fall tomorrow and the allied fleet should fall into Hitler's hands, could you believe that he, flushed with victory and strengthened by conquest, would stop short of world domination, when only one country, one democracy, stood between him and domination of the world?

There are those who say, but would not the dictators fall out among themselves? Can we not rely upon the old saying that thieves fall out among themselves when they go to dividing the swag? Not until the last strong democracy has been erased from the face of the earth. Then it would be too late, so far as we were concerned.

Mr. President, what reason would anyone have to believe that the master mind who planned the campaigns which have subjugated one country after another would not take advantage of finding us unprepared when the world was at his feet? You underestimate Adolf Hitler if you think he would delay 5 years, as some say, and give us time to strengthen our defenses. You underestimate the man who has planned a blitzkrieg, you underestimate the man who has taken full advantage of the element of surprise, you have underestimated the man who has sprung a new form of warfare, the man who has invented the "fifth column," and knows how to use it, if you think that when the world was at his feet, he would not take advantage of that situation.

Mr. ADAMS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from Colorado?

Mr. LEE. I yield.

Mr. ADAMS. Does not the Senator think he himself is underestimating the intelligence of Hitler when he assumes

that Hitler would presume that he could cross the Atlantic and do those things which he has been able to do merely across a neighboring border? Does not the Senator think Hitler would be smart, and would not for a moment think of endeavoring to take his tanks across the Atlantic, to a land where he was certain to meet defeat? In my own judgment, Hitler could not land a regiment on American soil, even in our present unprepared state, and keep it here for 3 days.

Mr. LEE. Mr. President, I could not doubt the patriotism of any Member of this body, nor would I doubt the sincerity of any Member of this body, and I have the highest and most friendly regard for the Senator from Colorado. But the United States has today 280,000 soldiers, who are not fresh from battle, who are not seasoned, who are not experienced in the modern methods of warfare. How long would they last against the hundred or more divisions who could be hurled against us? Our shore line is limitless. We do not have so much as a popgun on the northern boundary between the United States and Canada. We do not have any forts on the south of us. I think the Senator is certainly swayed by the propaganda which has flooded this country, propaganda intended to put the American people to sleep to the danger.

There are a number of slogans which have been used in this country, which have been worth and are worth more to Hitler's "fifth column" in the United States than some of the most modern inventions are worth to his blitzkrieg in Europe. There is the slogan, "You are trying to get us into war." That is worth as much to Hitler's "fifth column" in the United States as his dive bombers are worth to the blitzkrieg.

There is that other expression, "There is no danger to America." That is worth as much to Hitler's "fifth column," in putting the people to sleep today, as the big tanks which rumble on, carrying his line closer and closer to Paris.

There is another slogan, "War hysteria," used in order to disarm the man who would shout a signal of danger. When Paul Revere on his horse flashed through the countryside and yelled "Arm! Arm! Danger is coming!" suppose someone had said, "He is a warmonger" or "He has war hysteria. We are safe and secure."

Thank goodness we do have the oceans. They do form a kind of insulation, but that insulation gets thinner with every new invention. Today the oceans are all too small. But that is not altogether the danger point.

Now I wish to continue with my line of thought.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. LEE. I yield.

Mr. MINTON. The Senator from Colorado says that there is a great leader in Germany today, and that if he landed a regiment of men on the shores of the United States today it would not last here 2 or 3 days; that he could not get any soldiers over here. I suggest to the Senator from Colorado that all Hitler would have to do would be to dispose of our fleet, and then he could land just as many regiments on the shores of America as he wanted to land. He would not have to land them in the United States. He could land them in Canada or Mexico, and they could not be kept out of the United States.

Mr. LEE. That is correct.

Mr. MINTON. From those points he could come into the United States with as much force as he could muster, with nothing to prevent him from bringing them over, because our fleet would have been disposed of. That is the only thing one has to suppose to believe us in real danger—that is, that our fleet would be disposed of.

Mr. LEE. One ship scuttled in the Panama Canal would mean that our fleet would be bottled up in the Pacific and unable to reach the Atlantic for a number of weeks, and there would be nothing to prevent Hitler landing his troops at any port he chose to use. No one could stop him.

Mr. President, I wish to refer to the question of the fleet falling into Hitler's hands. I have even heard some quote three American admirals—American admirals, mind you—as saying that the British Fleet would never fall into the hands of Adolf Hitler. Of course, we are glad to hear the Prime Minister, Winston Churchill, say that the fleet would never fall into the hands of the Nazis, and we want to believe that. But circumstances change men. We could not have convinced anyone in this country a month ago that King Leopold, of Belgium, would ever have surrendered the Belgian Army when he was still fighting on Belgian soil. But he did. When he was surrounded by charred earth and blackened walls; when he smelled the odor of the decomposing bodies of his loved ones; when he saw in the streets children scarred and burned and dying and wounded and bleeding; when he saw his own soldiers fighting with their naked hands against steel and iron—he said, "What is the use of further resistance with the consequent sacrifice of life? I give up." Who knows what Churchill and England would say—if they get a taste of that at home; if they see the English people lying wounded and dying in the streets of London; if they see the long line of refugees plunging off into the water trying to get away from the scourge of Europe; if they see it is all hopeless; and the United States has not sent any help—then, I ask you, why should they save the British Navy for the benefit of the United States when they could, by surrendering it, purchase the lives of their people?

Mr. President, there are those who I cannot say are any less sincere than I, who believe that we could still maintain the Monroe Doctrine if Hitler defeats the Allies. I do not know what process of reasoning causes them to believe that we, with only a one-ocean Navy, could still maintain the Monroe Doctrine.

Mr. CONNALLY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from Texas?

Mr. LEE. I yield.

Mr. CONNALLY. I suppose the Senator from Oklahoma is aware of the fact—and if not I wish to call his attention to the fact—that the Senate Committee on Foreign Relations last Wednesday reported favorably to the Senate a joint resolution announcing that the Government of the United States will not tolerate the transfer of title of any territory in the Western Hemisphere by any non-American power to any other non-American power, and that we pledge our national faith and our national resources to that end. In short, the joint resolution provides that we will not allow the transfer of title, either by way of conquest, or by any other legal means, of any possession of the British, or of the Dutch, or of the French Governments, or of any other government in any portion of the Western Hemisphere—Bermuda, Canada, Greenland, the West Indies, or in the Central or South American countries.

I thought the Senator from Oklahoma might be glad to be advised of that action on the part of the Senate Foreign Relations Committee.

Mr. LEE. Mr. President, I appreciate that statement. Although not a member of the Foreign Relations Committee, I was a visitor at the meeting at which the committee favorably reported that joint resolution. Of course that is fine, but to make an announcement and to be able to enforce it are two different things. Naturally I would do everything and will do everything to maintain that doctrine, but let us be realists. Let us make the most optimistic supposition that we could make if Hitler defeats the Allies, and that is that Hitler would not immediately attack the United States. That is the most optimistic supposition that can be made. What would he do? He would immediately establish trade relations with South American countries and proceed to establish military bases there.

I have before me newspaper clippings which I shall place in the RECORD, which show that Hitler has already shipped arms to his legions in South America, where he has plenty of them, and I intend to prove that before I shall conclude.

Let us take the most optimistic supposition, that he would not immediately attack America, but that he would establish bases in South America. I want Senators to know that if today there was flashed over the radio the news that the

Allies had surrendered, there would be uprisings all over South America and in Mexico, by "fifth columnists," in places least suspected and to a greater extent than anyone has yet dreamed.

There are colonies in countries to the south of us made up entirely of Germans. The Germans for 5 years have been active in infiltrating Nazis in Mexico. A friend of mine who just returned from Mexico said that he saw with his own eyes Nazi officers in charge of German troops in Mexico. There would be an immediate response there to an announcement of victory by Hitler, and he would have an easy time, so far as the establishment of a base in Mexico is concerned.

Mr. HATCH. Mr. President, I was interested in the statement which the Senator just made, which I think probably contained an inadvertent statement, that I want to have cleared up. The Senator said a friend of his had seen Nazi German officers in charge of German troops in Mexico.

Mr. LEE. No; Mexican troops.

Mr. HATCH. I thought that was what the Senator meant to say.

Mr. LEE. I thank the Senator from New Mexico for correcting me.

I now wish to read just a few of the news releases—not imaginings, not theoretical discussions, but news stories, telling of the "fifth column" and its activities in these Latin-American countries. I shall read just a paragraph from the Washington Merry-Go-Round, written by Pearson and Allen. Mr. Leon Pearson, brother of Drew Pearson, has just returned from a 10-day trip south of the border. This story followed upon his return:

The problem of protecting the Monroe Doctrine has undergone intensive nights of study of late around the State, War, and Navy Departments. Nobody is exactly predicting Hitler will invade South America this year, but nobody expected him to invade Norway either. And the British, 1 year ago, didn't expect to be invaded at all and did not very well prepare for it.

So United States strategists, not knowing what Hitler, in the full flush of victory, might do, are endeavoring to be prepared.

On the maps of South America hung in Government offices these days are two danger spots. One is Brazil, the other Uruguay. Other spots are bad, but these two have the largest number of Nazi sympathizers and "fifth column" plotters.

Here is what a man said who just returned from down in that part of the country. I do not know whether he was in Uruguay or not, but I know he was south of the border:

Uruguay is simply honeycombed with Nazi agents. There are also strong German colonies in southern Brazil, and even in Buenos Aires. In Argentina, the older army officers are strongly pro-German, having been trained by a German officer. In Brazil, the younger army officers are pro-Nazi.

Particularly worrisome is the fate of these countries with Italy in the war. There are at least 2,000,000 Italians in Argentina—or about one-fifth of the population. Also there are large Italian colonies in Uruguay and Brazil.

Mr. President, what will be the effect on them now that Italy has entered into the war against the Allies? Do Senators think it would be difficult now for the Nazis to land troops on the South American continent? How could we, with one navy against their combined navies, continue to carry out the Monroe Doctrine and protect South America from the Nazi on the outside and from the "fifth column" on the inside?

The article continues:

Chief undercover strategy of these racial groups is to overthrow the present governments in South America, in favor of puppet governments friendly to the Nazi-Fascist cause. Then these puppet governments could renounce the Monroe Doctrine and invite Hitler to the Western Hemisphere.

I wish to say that the latest wave of propaganda that is now flooding South America is to get the South Americans to start complaining about the yoke of United States imperialism and to start hollering that they should throw it off. That is the latest effort of the propaganda machine of Nazi Germany in the countries to the south of us.

New aviation aids, enlarging of airports, training of pilots, and even the cooperation of the United States fleet in using Brazilian harbors are now under discussion to bolster the present pro-Allied governments of South America.

Our Department of State finds the situation so serious that at the present time two warships are on their way to those South American countries.

I wish to read now from an article which appeared under the headline of Montevideo, Uruguay, May 31. The heading is:

Latin-American "Fifth Column"—Uruguay Uncovers Nazi Party—United States Cruiser Speeds South.

Since this article was published another cruiser has been ordered to South America.

Montevideo raids reveal penetration by organized branch.

The first part of the article is as follows:

Uruguayan investigation of "fifth column" activities is disclosing almost unbelievable Nazi political penetration into South America.

Conclusive evidence has been accumulated by police raids and other investigation methods showing that the Nazi Party has established a perfectly organized branch of the party in Uruguay known as the Uruguayan District Group of the German Nationalist Socialist Party. It is under the leadership of a "Little Fuehrer" and acknowledges dependence on and allegiance to the Nazi Party in Germany.

Diplomatic and other observers consider the Uruguayan Government's investigation of the utmost historical importance because it is uncovering details of Nazi methods throughout Latin and South America. Argentina's investigation last year showed that Germans there had organized as the Argentine District Group Party.

Newspapers of several other republics, including Chile, Colombia, and Bolivia, have charged that there are similar organizations in their countries. Latin-American diplomats here, therefore, are informing their governments that details of Nazi operations in Uruguay are indicative of what can be expected in all other South and Central American nations.

That was under the date line of May 31.

Here is a later one, under the date line of June 4, headed:

British Plotting To Sabotage Panama Canal, Berlin Says.

I have noticed that the Nazis always preface their activities by a well-prepared campaign, so that if they do something nefarious they will already have laid the blame on the Allies.

[From the Washington Times-Herald of June 4, 1940]

BRITISH PLOTTING TO SABOTAGE PANAMA CANAL, BERLIN SAYS

BERLIN, June 4.—Germany has formally warned the United States, Mexican, and Panamanian Governments of British plots on their soil, including an alleged plan of the British secret service to sabotage the Panama Canal, the official D. N. B. agency said last night.

Germany also warned the United States of alleged British plots to destroy two American refugee rescue ships, now on the high seas, and advised Washington to take all necessary measures to frustrate Britain's purported efforts to whip up American anger against Germany.

The new charges of a dastardly plot by British Prime Minister Winston Churchill to sink the refugee-laden United States liner *President Roosevelt*, now en route from Galway, Ireland, to New York, were made to apply also to the steamer *Washington*, en route to Bordeaux, France.

The D. N. B. statement last night said the German Government has informed the Governments of the United States, Mexico, and Panama that it has received reports from reliable sources that the British secret service has sent a great number of provocative agents to Central America, mainly Mexico and Panama.

So, we may expect sabotage there from the Nazis, who have already announced that it is going to be done, and have attempted to lay the blame on the Allies.

Here is another of the same date, June 4, headed "Pro-Nazi paper startles Mexico—Charges Allies plot United States domination":

[From the Washington Times-Herald of June 4, 1940]

PRO-NAZI PAPER STARTLES MEXICO—CHARGES ALLIES PLOT UNITED STATES DOMINATION

MEXICO CITY, June 4.—The frankest pro-German publication seen in Mexico since the war began was the initial edition of the newspaper Diaro Aleman (German daily) which appeared suddenly on the streets last night without advance fanfare.

"This is a newspaper of war * * * to give the truth of the situation," said the leading editorial.

The editorial then warned that Allied propaganda was designed to involve Mexico in a "war of compromises" the result of which would be United States domination of Mexico.

"Because we believe that Spanish America has a different destiny from the United States, we affirm that in this war Spanish

America should remain in the same independent situation as always when it has been able to decide its own destiny," the editorial said.

The newspaper listed Teodoro Schumaker as director.

Here is another, under date of June 6, with the title: "Latin American Nazis May Act. Official Circles Fear German Victory May Cause Uprising":

[From the Washington Post of June 6, 1940]

LATIN AMERICAN NAZIS MAY ACT—OFFICIAL CIRCLES FEAR GERMAN VICTORY MAY CAUSE UPRISING

(By John G. Norris)

Serious prospect of Nazi uprisings in Latin America should Germany win a quick victory over the Allies worried official circles last night as Congress prepared to take a firm stand against any totalitarian inroads in the Western Hemisphere.

Confidential reports reaching this Government, it was stated authoritatively, indicate that a burst of Nazi agitation may be expected in the event the German drive on Paris is successful. These sources revealed that Berlin is making deliveries of field guns, machine guns, and other military equipment to Brazil, despite the great demands of her own Army.

* * * * * * *

Are we to believe facts, or are we to go back to sleep under the chloroform of believing that we are perfectly safe? Mr. President, I believe the time has come to look with suspicion on those who would discount the danger which threatens America. The time has come to look doubtfully upon the patriotism of those who would put us to sleep in the face of danger. As I have said before, in the case of Samson and Delilah, Delilah was as much an enemy of Samson as were the Phillistines, who pounced upon him after she had soothed him to sleep with such words as, "Big, strong Samson. Nobody can hurt you, because you are so big and strong." Samson went to sleep, and was awakened when the Phillistines pounced upon him. Are we to go to sleep under the chloroform that America is so big and strong and the two oceans are so wide that we are in no danger?

Are we to believe these Associated Press stories—not one, not two, not three, but more and more—enough to cause the State Department, which has officials located in those countries, to send two battleships there?

The next item is from the Washington Post of June 7, 1940:

ANTI-UNITED STATES AGITATION MOUNTS IN MEXICO

COATEPEC, MEXICO, June 6.—Hundreds of anti-American pamphlets were circulated today in this section of Vera Cruz State attacking United States foreign policy and describing the Monroe Doctrine as a "shameful guardianship."

Addressed to "Mexicans," the pamphlets, after warmly praising the feats of the German Army, concluded with the following appeal:

"Long live Mexico, free, great, and powerful, with her States of Texas, California, Arizona, Colorado, and the segment of Chamizal. Long live the German people, and welcome to the Italian people."

MEXICO TO TAKE STEPS

MEXICO CITY, June 6.—Informed sources reported tonight that an extraordinary session of the Mexican Congress would be called this month to consider legislation for controlling the movements of foreigners, for regulating the possession of arms, and for strengthening the Republic's army and navy.

President Cardenas is trying as best he can to keep down subversive activities; but what would be the result of news of a Nazi victory in Europe? The Nazis would overrun Mexico and Uruguay. Does anyone think we could then maintain the Monroe Doctrine in the face of such a situation, with only one navy against the combined navies of Europe, which would be under the control of the Nazis?

As I say, the most optimistic thing we could hope for would be to keep our Navy close to shore and then start the most unheard-of system of taxation America has ever known in order to raise enough money to build a concrete wall around America and place all our ammunition dumps and fortifications underground. We should have to spend all we could rake and scrape for the rest of our lives; and who knows what our children would inherit?

That would not be the only result. The whole philosophy and outlook of America would be changed. There would be no more freedom in America. We should have to submit to self-discipline and the strictest form of regimentation, because when democracy comes to grips with despotism, democracy is at a disadvantage, because she is loose-jointed and enjoys liberty and freedom. Therefore, in every case in which a democracy faces a crisis, the democracy must temporarily resolve itself into a dictatorship in order to be in a fair way to compete with the more efficient dictator, one-man, strong, centralized organization represented by a totalitarian government. That is what we have to look forward to in the future. There would be no more happiness and liberty in America. We should have to guard the Canadian border. We should have to guard the Mexican border. We should have to guard both seaboards. In addition, we should live in a state of perpetual fear and terror, just as the poor little democracies in Europe have lived for the past 5 years.

That is the most optimistic future we could look for. I do not believe we would even be permitted that much. We underestimate Hitler if we do not think he would strike while we are unprepared, which would mean total war for the United States. I say to those who think they are champions of peace that America has only one chance of escaping total war, and that is an Allied victory. The only chance to continue peace and security in America is to stop Hitler in Europe.

There are those who unconsciously use the very weapons of "fifth columnists"; and the more sincere they are, the more effective the weapons.

Let me give a few examples of the many little ways in which we can be weakened by those who bore from within. I wish to read from the column Over the Coffee, by Harlan Miller. The heading is "The Trojan Horselaugh." This is a description of a "fifth columnist" as he plans his day while shaving and waxing his moustache. This is his conversation with himself, as he meditates to himself:

[From the Washington Post of June 6, 1940]

OVER THE COFFEE—THE TROJAN HORSELAUGH

(By Harlan Miller)

(A "fifth columnist" plans his day while shaving and waxing his mustache.)

Ach, nobody knows what troubles a "fifth columnist" has got. * * * Those wise guys think it's all fun and excitement like blowing up powder plants. * * * But it's the little things that count, like throwing a dead cat in a reservoir or making fun of democracy at a cocktail party.

Let me see. * * * At breakfast I must ask the waiter if Roosevelt will send his son to the trenches. * * * Right away I must write a letter to the paper calling William Allen White a warmonger. * * * And I shall ask the taxi driver if he wants to fight for King George.

Today my quota of anonymous letters denouncing pro-Ally columnists is 10. * * * And I must sign a petition with 100 names to the White House denouncing the sale of airplanes to France. * * * With the Irish cop I'll joke about how funny it is if Hitler invades England by way of Ireland; no, Eire.

If I could only do something big, like yelling fire in a Belgian relief mass meeting. * * * But I can send to the preacher some articles about the Polish atrocities against the Germans. * * * And I'll mail out five pictures of Der Fuehrer kissing a baby. * * * I must call President Conant of Harvard a warmonger, too.

At lunch at the club it will be well if I say learnedly that with Europe it's just power politics, better we stay out. That impresses 'em. If I run into one of those sidewalk broadcasts maybe I can yell "Heil Hitler!" into the "mike."

Also I must call Senator AUSTIN a warmonger.

Also I must dictate letters to all our Congressmen complaining about so much money for defense; where's all the money going? And I must send in 10 names today to the German Library of Information to be sent the Facts in Review magazine, so sweet about Der Fuehrer. And I must call Senator KING a warmonger.

Today I mustn't forget to tell all the Protestants I know it's a shame America sends an envoy to the Pope. And the Catholics I must tell it's a shame the way Roosevelt won't let Farley be President. Must make some wisecrack in the elevator about Corcoran and Cohen, too. General Pershing, too, I'd better call a warmonger.

When the parachutists come I can show 'em where to dynamite the pumping station and the phone exchange. Ach, what if they never come? But now I can leave always the water running and leave the telephones off the hook, maybe it causes a little trouble. It's a good idea to call Nicholas Murray Butler a warmonger also.

Yes; and I must write an indignant letter to Senator BYRNES for calling Lindy the lone ostrich. Soon I need to learn more about machinery so I'll know where to throw the monkeywrench. Could I have the nerve to ask the orchestra to play the Horst Wessel song in a night club? Have I remembered to call Roosevelt a warmonger?

If I drop into a radio forum maybe I can get near a microphone and heckle the patriots about war profits and maybe call Hull a warmonger. It's time I send over more lists of Americans with relatives in Europe who might be persuaded to help the cause.

It's time I send another $100 to the Pagan Front or the Aluminum Shirts and collect $200 on my expense account. If I could only arrange to make a speech in the high school how mean the British were at Bunker Hill. I must call Wendell Willkie a warmonger before I go to bed.

Mr. President, with regard to stirring up prejudice against the British and against the French, I heard last night on the radio as good an example as could be found. I heard an appeal to prejudice against General Pershing because he had been knighted by the King of England; I heard an effort to appeal to prejudice by the use of the word "American" in reference to the Revolutionary War. We could come later down in history than that and find how the South fought against the North. We could stir up that old prejudice. But that is not an argument and has nothing to do with the question which confronts America today. Those questions have been settled, and settled with blood, it is true; but the policies of nations differ as time goes on. We cannot go back. If we go back into history, our own escutcheon is none too white. We could point to our taking this country from the Indians. I could tell the story of the trail of tears that marked the way of the red men from Alabama, Georgia, Mississippi, the Carolinas, Tennessee, and Florida, to settle in Oklahoma. That is not a pretty picture in our own record, but that has nothing to do with the question that confronts America today. The question today is one of importance to all. Today democracy is at grips with despotism; the odds are in favor of despotism, and we are not doing enough to help the cause of democracy nor doing it fast enough.

Mr. President, the situation is not the same as that which prevailed in 1917. Our people are more informed than they were then. Every family has been glued to the radio ever since the Nazi juggernaut started its black road across the land of tulips and poppies, and they know every step that has been taken in this war. They know our own inability to stop the Nazis if they broke through that thin line over there.

I heard the argument advanced last night on the radio that we are inconsistent in asking that planes and tanks and guns be sent to the Allies when we realize we do not have sufficient for ourselves. On the contrary, I think it is most consistent to pool our national-defense methods and thereby make them stronger. Ours alone are not sufficient. If danger threatens America, that danger is Nazi Germany; if Hitler could be stopped, the danger would disappear, Congress would adjourn, and we would stop our national-defense program.

Yes; it is argued that we should not send the Allies any help because it would be stripping us. What we have got would not be a breakfast spell for that "blitzkrieg," but, taken together, what we have added to what they have, might be enough to turn the tide; at least, it would give us more time to get the old Yankee ingenuity busy. We can use it if we can get the time, and time is our bitter enemy today. Then let us send what we can possibly spare and add it to what they have. Thereby multiplying our own defense by manyfold. One plane sent to the Allies now would be worth five planes without any Allies.

One time I visited an insane asylum and I saw a large group of the inmates with only one guard over them. I said to the doctor who superintended the asylum, "Doctor, if all these men ever get together they can overpower that guard." He replied, "But they do not get together; that is one of the first proofs of insanity—lack of cooperation—not pooling their interests, not pooling their strength."

The nations that have already been invaded and today are in a condition worse than bondage could have crushed Hitler, but they did not pool their defenses. If England had been prepared there never would have been a Munich; if England had as many airplanes as Nazi Germany there would never have been an invasion of Poland. I cannot sit in judgment on Neville Chamberlain—I think he was wrong, I think he was the victim of German propaganda which put him to sleep—but I will tell you, Mr. President, where the trouble started. It started under Ramsay MacDonald—and I am not criticizing him unduly—when he launched the policy of "hands across the sea." That is the policy we want; that is the policy all democracies want—a policy of brotherly love, peace on earth, good will toward men—but such a policy cannot prevail when there is a wild beast at large who considers not whether an act is right or wrong, but the only question he asks himself is, "Am I strong enough to take it?" and on that basis makes the decision.

There are those who are afraid we would offend Adolf Hitler and that if he breaks through he would make war on us. Do you think, Mr. President, he ever decided any of the questions of invasion on the basis of whether or not he liked a country? He had only two things to decide—namely, whether he wanted it, and second, whether he was strong enough to take it.

Did the Sudetens offend anybody? Certainly not. What was the sin of the Czechoslovaks? What offense had the Poles committed? What was the crime of Denmark and Norway? What did the little countries of tulips and poppies do? We see the unholy day when the ugly and monstrous theory and the philosophy that "might makes right" has returned to the throne. That is the only basis of Hitler's decisions.

Do you think, Mr. President, any one of those neutral nations, even though they practiced neutrality at great cost to themselves, has purchased by its neutrality one bit of immunity from the greed and wrath of Adolf Hitler? Not one. Would you expect more for America?

Mr. President, our people are alert to this situation. I have some telegrams, only a few of which I desire to read, though I have others. I shall read some that are representative. These telegrams did not come as the result of a sponsored campaign; they were not inspired by some organized group; they are the spontaneous appeals of some of the citizens of the United States who have followed this tragedy. Here is one from Oklahoma City:

In God's name for the sake of humanity and to save civilization from the savage thrusts of atheistic barbarism, we beseech you to take immediate steps to have our Government send to the allies at once every available airplane, whatever arms, ammunition, and supplies of all sorts that we are in position to furnish, without raising the question of financial remuneration. Also that every public official be requested to forget political ambitions and self-seeking; that Congress remain in continued session during this crisis; that all dilly-dallying with regard to our defense program be stopped, and that the administration adopt a firm policy regarding capital and organized labor, to the end that no thought of a strike be tolerated. We are opposed to sending an Army to Europe now or in the future, but favor putting our material resources at the command of the allies.

This is signed by the pastor and every deacon of one of the great churches of Oklahoma, Trinity Baptist Church of Oklahoma City, signed by Rev. W. B. Harvey, and his deacon.

Are they warmongers? Are they stirred up by war hysteria? Certainly they are stirred up. So is everybody who knows what the facts are.

Let me read some more telegrams. Here is one from Bristow, Okla.:

Representatives of the people of Bristow met and adopted the following recommendations for transmittal to their national representatives:

"We request all Representatives to remain in Washington with Congress in session until an adequate defense program has been written into law and until the present emergency has entirely passed.

"We recommend that a policy of paying as you go for this program be enacted as far as practicable.

"We recommend that all red tape be cut in providing as speedily as possible needed supplies of war for England and France.

"We recommend that the principle of military training be established in the C. C. C. camps immediately.

"We recommend that the President be empowered to call out National Guard and Reserve officer personnel as the interests of the Nation may require."

ROY KELLY,
President, Chamber of Commerce.

Are these persons warmongers? Are they trying to lead this country into war?

The next telegram is from an individual whom I know, an upstanding man:

OKLAHOMA CITY.

Great majority of people in Oklahoma favor furnishing England and France their needed munition requirements, realizing that if they are destroyed in the present conflict our future is hopeless. Isolationist and pacifist are no more.

Here is another telegram, from Robert J. Scott, one of the businessmen in Oklahoma City, one of the pioneers who helped build that city. He telegraphs as follows:

Am convinced vast majority of patriotic Americans strongly favor immediate short-of-war assistance to the Allies. Can you not support Senators PEPPER and GUFFEY?

Here is a telegram from Weatherford, Okla., from the Rotary Club there. Weatherford is a little town in western Oklahoma made up mostly of pioneers who weathered the drought of lean years in order that they might have what they have there:

We are sincerely and completely supporting the program to arm the United States for whatever may come. We urge orders, speed, and mass production of planes, tanks, guns, and weapons of warfare. Cut the red tape. Cut out politics. Keep Congress in session. Quick material aid to Allies vital.

Here is another telegram from Oklahoma City, from Mr. and Mrs. D. W. Collins:

We heartily approve Senator PEPPER'S resolution urging immediate aid to the European Allies and commend your courage and speech in behalf of the measure. Your Oklahoma friends urge you to use your best efforts for speedy passage by the Congress of this measure.

Here is a telegram from Mr. H. Lee Benefield, Mr. Guy Postelle, and Dr. Postelle, from Oklahoma City:

DEAR JOSH: Power to you. Keep it up. Make it strong. You can do it. Better help do it now than do it later by ourselves.

Here is a telegram from Mr. Ed B. Galloway, of Oklahoma City, a friend of mine:

As a World War veteran, I urge you to use your influence to help the Allies. As far remote as Oklahoma the forces of this paranoiac maniac are appalling. It is imperative that Congress stay intact to combat with legal military advice.

I suppose he means to cooperate with the military authorities.

Here is a telegram from Ardmore, Okla., from Mr. C. P. Hollingsworth:

Urge your support Pepper plan aid to Allies. Hypocrisy of neutrality should cease. Resulting disaster of German victory could only be attributed to gross stupidity American people and their leaders.

Here is a telegram from Mr. and Mrs. Bert A. Bourne, Stella M. Crokett, and Mr. and Mrs. B. H. Markwell, of Oklahoma City:

We urge immediate orders for planes, immediate armaments to Allies, new Secretary of War and Labor, cut in Government expense.

That is what some of the people are saying; and they are not warmongers.

Mr. President, I dare say the senders of most of these telegrams, like myself, have young sons. I have a son who will soon be of military age. Do you think I am trying to lead America into war? I believe I have raised my voice in public utterances for peace as often as has any other man in the United States. I believe in it, and I hate war with every atom of my being. I believe the only chance America has to evade total war is that Hitler be stopped in Europe. It is not a question of peace on one side or war on the other; it is a question of which one will reduce the chances of destruction of this country to a greater degree.

I was 10 months in France in the World War. I did not see active service. I guarded some of the prisoners the other boys took; but I was so close to the war that I got the spirit of it, and I talked to those who did see it, and I saw them as they came back. I have seen them since they came back. I have visited them in the hospitals. I have heard the hoarse whisper of a gassed lung. I have seen the wheel chairs go rolling up and down the hospital aisles. I have seen the courageous but broken-hearted Gold Star mothers. I do not want to see any more of that sort of thing that can possibly be helped. If I did not speak and act as I am doing to prevent that from coming to America on the scale of total war, I would violate the oath I took when I stood on that rostrum and held up my hand and said that I would guard America against its enemies, foreign or domestic, inside or out. I would violate the trust I took when I went before the people of Oklahoma and made my campaign on a platform of "Keep America Out of War." A change of circumstances now makes it necessary for us to arm, and arm fast, to be able "to keep war out of America."

I believe the best way to increase the armed force of America, the best way to arm America today, is to add what arms we have to those which the Allies have, to pool our national defense, because the enemy is a common enemy. Our flotilla of battleships stands between us and Japan, but the only fleet between us and the Nazis is the British fleet; and if that fleet falls into the hands of the Nazis, do you think that we could escape war?

I am pleading with America today that we throw our national defense into high gear. We think we are moving fast. We hear on every hand that we are doing all we can, but we are not. England hit the same stride. England took it easy. England went to the races. England attended the night clubs. England attended the fashionable restaurants. England continued business as usual. England kept saying she was putting her factories on a war basis as fast as she could, but she was not. Then came the invasion of Norway and England speeded up a little more, but not as fast as she could have. She was not doing anything really effective. Then came the invasion of the Low Countries, and then came the tragedy in which the Germans bottled up the British and captured the very essence of British national defense, and only the most heroic and most courageous and most thrilling military maneuver in all history, the evacuation of the Netherlands and Belgium, saved the British from complete destruction then and there.

What would England give today for 1 week of the time she wasted as we are wasting our time now? What would she give? It is a question of hours. It is a question of minutes. Even today Mussolini, with the knife of Fascismo in his hand, waiting until he saw France was helpless, drove it into her helpless back. That finishes France. How long can she hold out? The British and French have been holding the line. We are dilly-dallying today. Our factories are not on a 24-hour basis. We are not mobilizing. We even hear persons gambling with the destiny of America by trying to play politics and accuse us of not having armed. The one man in America who has been pleading with America to get ready has been Franklin D. Roosevelt. The one man who has seen this thing all the time was Roosevelt. He said in his speech at Chicago that we should quarantine the aggressors. The Nation jumped all over him, and he backed away.

Every time he sent a message to the Congress asking us for an appropriation for an increased Navy all over this country the "fifth columns" began to carp, "Warmonger! He is leading us into war." Every time he asked for national-defense appropriations they said, "He is leading us into war."

The President alone saw what was coming. He wants a good-neighbor policy, as I do, and as my colleagues do, but we can only have it when the other nations abide by the same rules by which we abide. So the President called several leaders to the White House for a nonpartisan conference and he said that we should revise our neutrality law so that the Allies can buy planes here and carry them across the ocean in their own ships. As soon as he said that, all over this country arose a hue and cry, "Roosevelt is going to get us into war. He is trying to get us into war."

On the floor of the Senate we heard the idea of there going to be a war in Europe ridiculed. We even heard some in high places say that there was not going to be any war. I have inside information. There is not going to be any war. We heard others make fun of the possibility of war.

We heard one person on the floor of the Senate refer to the little neutral countries, and he said that Denmark, Norway, and Sweden have maintained their neutrality down through the years, and they have kept out of war, and that they are not going to get into this war. At the very moment, the very hour, when that sentence was being uttered on the

floor of the Senate, the "fifth columns" were leading the hordes of Germany into the capitals of Denmark and Norway.

It is said now, "They are trying to get us into war." That is the battle cry of the "fifth column." Men are called "warmongers." That is the battle cry of Nazi Germany.

I say, defend yourself, America. The best way to defend ourselves is to add our strength to the strength of the Allies. Let us pool our strength. If the countries which have been overrun had joined shoulder to shoulder they could have crushed the juggernaut. They did not do it. They wanted to wait and see what happened. Now we are waiting to see. Our friends who are holding the line are being struck down.

Every time a French soldier goes down in battle, there is one less soldier left between us and Nazi Germany, and America is one soldier closer to war than she has been in 20 years. Every time one of the eagles of the Royal Air Force falls out of the sky, one more defender of democracy and liberty has fallen, and the menace is that much closer to America.

They have called on us. They have begged us. Churchill over the radio said it was heartbreaking to see men fighting against steel and iron with nothing but flesh and blood, and the War Minister, Anthony Eden, took the radio and said, "We need guns. We need ammunition. We need tanks. We need planes."

Come on America! Allied the voices call
For by your aid
No longer stayed
The world will stand or fall

Come on America! Your friends are standing guard.
The gallant French
Die in the trench
And the British line holds hard.

Come on America! No longer halt nor wait;
The black beast's breath
Of blight and death
Is now panting at our gate.

—(*In part from Ella Wheeler Wilcox's poem.*)

America, let us throw every machine in high gear, let us send all the aid possible, not men, but let us send all the machines to Europe we can send, and save America from total war.

[Manifestations of applause in the galleries.]

The PRESIDING OFFICER (Mr. CHANDLER in the chair). The Chair admonishes the occupants of the galleries that demonstrations are not permitted.

Mr. TYDINGS obtained the floor.

Mr. ASHURST. Mr. President, will the Senator yield that I may suggest the absence of a quorum?

Mr. TYDINGS. I yield.

Mr. ASHURST. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Danaher	La Follette	Schwartz
Andrews	Davis	Lee	Schwellenbach
Ashurst	Donahey	Lucas	Sheppard
Austin	Downey	Lundeen	Shipstead
Bailey	Ellender	McKellar	Slattery
Bankhead	George	McNary	Smathers
Barbour	Gerry	Maloney	Smith
Barkley	Gillette	Mead	Thomas, Idaho
Bilbo	Green	Miller	Thomas, Utah
Bone	Guffey	Minton	Tobey
Brown	Gurney	Murray	Townsend
Bulow	Harrison	Neely	Truman
Burke	Hatch	Norris	Tydings
Byrd	Hayden	Nye	Vandenberg
Byrnes	Herring	O'Mahoney	Van Nuys
Capper	Hill	Overton	Wagner
Caraway	Holman	Pepper	Walsh
Chandler	Holt	Pittman	Wheeler
Chavez	Hughes	Radcliffe	White
Clark, Idaho	Johnson, Calif.	Reed	Wiley
Clark, Mo.	Johnson, Colo.	Reynolds	
Connally	King	Russell	

The PRESIDING OFFICER. Eighty-six Senators have answered to their names. A quorum is present.

Mr. TYDINGS. Mr. President, I realize that I am rising here at this hour in one of the most tragic moments in the history of civilization. Even as I stand here a new country, Italy, has entered into the world war on the side of Germany, fighting France and Great Britain.

From my own small and brief contact with the fighting in the last war I can visualize to some degree the terrific conflict which is now taking place along the Seine, the Somme, and the Aisne Rivers in France, as well as along the regular Maginot Line. There millions of men are facing each other, and every second that passes means the end of the lives of a great many of those engaged. That is a tragedy in itself. Today we are wondering where this tide of war will finally flow before it begins to ebb. We do not know who the victor or the vanquished will be. We do not know to what extent the war will spread. We do not know how long it will last. But we do know that the United States of America is pitifully, shamefully, tragically unprepared to play its role even in the defense of our own shores.

We have a good Navy on the sea and beneath the sea, but we are poorly prepared with respect to our Navy in the air. We are even more tragically unprepared on land, where our Army must defend our interests, and in our land aviation.

Now that we are face to face with the actual emergency—not last year, or 2 years, or 3 years, or 4 years, or 5 years ago, but now—when we are actually face to face with the emergency—the whole country, the whole Congress is demanding that overnight this country be placed in a state of adequate defense.

Mr. President, I remember it was only 2 short years ago, when, in the face of this gathering storm, 28 Senators in this body, no doubt with the best of intentions, voted against the naval expansion bill of 2 years ago. The newspapers of the country wanted to know what country we were going to fight; and why did we have to have such a Navy? So it always is with a democracy. A democracy must be brought face to face with a terrible ordeal, with a cataclysm, with a catastrophe, before the men and the women of the country, and the men and the women of the Congress, and the men and the women of the administration can be galvanized into a course of action best calculated to serve our needs and ultimate destiny.

Mr. President, I could dwell at length on our lack of military and naval preparedness, but I shall use the lack of military and naval preparedness as a lesson, and speak about another kind of preparedness and another enemy, if you please, in the hope that I may arrest the attention of this body and of the country to prepare now, while there is yet time, to strengthen our financial flank to avoid the deluge, the catastrophe of ruin, of poverty and misery, of pestilence and disease, which are just as certain to come to our land, even if it stays out of war, as is the sun to rise in the East tomorrow morning. That is why, in the fervent but perhaps vain hope that I may arrest the attention of the Nation to the terrible ordeal it must soon face, I am at this tragic hour of world misery and toil, tears and strife, blood and sacrifice, attempting in my own feeble way to be a human signpost pointing down the road to security, so that our 130,000,000 people may be safe from a misery which can be avoided if they and the Congress have the will to avoid it.

Yesterday I read some 10 newspapers; I have also heard during the last week numerous commentators on the air; I have read the columns of perhaps seven or eight of our leading columnists. All have said, in commenting on the new tax bill now being written in the House of Representatives, that this billion dollars of new taxes was being raised to finance national defense. What a tragedy, what a pity, what a shame that the American people are being deluded into the mistaken thought that the billion dollars of new taxes will be used to finance our national defense.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. CLARK of Missouri. In that connection, did the Senator happen to see in any of the newspapers the statement I

read in a newspaper that the new tax bill was to pay for preparedness as we go? That expression was used in a number of articles I have read in the newspapers. As a matter of fact, anyone who takes the trouble to look at the figures at all knows that the amount to be raised by the proposed tax bill will do little more than to pay the carrying charges on the money appropriated in the last couple of weeks, and no more than that.

Mr. TYDINGS. I thank the Senator for his observation. However, he is withholding a part of the truth—not intentionally, of course, because his statement cannot give the whole picture. I propose to show on this floor this afternoon—and I challenge successful contradiction from any quarter in or out of the Senate—that not a single red cent of the $1,000,000,000 of new taxes is going to pay for the future defense of the country. Moreover, it will not even begin to pay for the defense of the country during the past 10 years. I invite contradiction from any source whatever, because the figures I shall use to support my statement are not my figures, but are taken from the official report of the Secretary of the Treasury.

Mr. KING. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. DAVIS in the chair). Does the Senator from Maryland yield to the Senator from Utah?

Mr. TYDINGS. I yield.

Mr. KING. It became apparent from my observations several months ago that we ought to increase the tax burden, heavy as it is, knowing that ordinarily we should have a deficit of $3.000,000,000 without increasing taxes; and more than 3 months ago I prepared a bill calling for one and a half billion dollars of additional taxes, which I thought might go some little distance toward meeting the increased expenditures which would be made for national preparation. However, I admit that one and a half billion dollars is wholly inadequate.

Mr. TYDINGS. The Senator is correct. I propose without further ado to go to the heart of the question and show that the $1,000,000,000 of new taxes is a snare and a delusion insofar as it attempts to pay even the civil costs of running the Government without a single dollar going to the Army or Navy.

Look at the chart on the wall, which I exhibited the other day and which I ask to have inserted in the RECORD at this point.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

CHART I

Deficits

Year:	
1931	$462,000,000
1932	2,530,000,000
1933	1,783,000,000
1934	2,895,000,000
1935	3,210,000,000
1936	4,550,000,000
1937	3,149,000,000
1938	1,385,000,000
1939	3,543,000,000
1940	3,346,000,000
1941	(?) 3,700,000,000
	30,553,000,000

Mr. TYDINGS. This chart shows the deficit for each of the past 10 years. The deficits aggregate $30,553,000,000. The average yearly deficit for each of the past 10 years, ending June 30, 1940, is $2,700,000,000. Keep that figure in mind—$2,700,000,000. How could $1,000,000,000 of new taxes pay for the increased cost of the Army and Navy from now on when we have had a deficit each year of $2,700,000,000 for the past 10 years? Certainly, if we had had $1,000,000,000 of new taxes each year from 1931 to date, we should still be $1,700,000,000 a year in the red for each year from 1931 down to date.

Remember, too, that the billion dollars of new taxes will not be earmarked for national defense. It will go into the Treasury, as do all other taxes, for all the expenses of the Government; and $1,000,000,000 a year of new taxes will not begin to pay for the cost of the Government as it has been run for the past 10 years, even if we do not spend a cent for the Army or the Navy.

Let me go further with my explanation. The average yearly expenditures of the Government since June, 1930, have been $7,300,000,000. The average yearly income of the Government from all sources during the same 10-year period has been $4,600,000,000. So if we subtract what we actually took in—namely, $4,600,000,000 a year—from what we actually spent—namely, $7,300,000,000 a year—we have an average yearly deficit for each and every year of the past 10 years of $2,700,000,000.

On the chart in the recess in the wall I have enumerated all the amounts of money which Congress has spent for the Army and for the Navy, including rivers and harbors and the Panama Canal. The accounts year by year are shown. What does it all amount to? It amounts to this—that during the past 10 years the Army has cost the American taxpayer, for every purpose, $5,940,000,000 in a 10-year period. The Navy has cost $4,930,000,000 for all purposes in the 10-year period.

I ask unanimous consent to have charts 2 and 3 printed in the RECORD at this point.

There being no objection, the charts were ordered to be printed in the RECORD, as follows:

CHART 2

War Department expenditures, including rivers and harbors and Panama Canal

Year:	
1931	$478,418,974
1932	477,449,816
1933	449,395,013
1934	408,894,976
1935	489,155,454
1936	618,919,108
1937	628,348,231
1938	644,525,410
1939	695,780,340
1940 (appropriation)	[1] 1,050,466,385
1941 [2]	1,723,961,505
	7,665,315,212

CHART 3

Navy Department expenditures

Year:	*Amount*
1931	$354,071,004
1932	357,617,834
1933	349,561,925
1934	297,029,291
1935	436,447,860
1936	529,031,666
1937	556,884,449
1938	596,278,301
1939	672,968,993
1940 (appropriation)	[1] 780,373,011
1941 [2]	1,302,014,038
	6,232,278,372

[1] Expenditures not available.
[2] Up to May 29, 1940.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. CLARK of Missouri. Has the Senator any break-down of the table showing the War Department expenditures? It seems to me hardly fair to include in the expenditures for the Army the expenditures which were made for rivers and harbors and for the Panama Canal, a large part of which represents expenses of the Canal itself, which are repaid out of tolls received.

Mr. TYDINGS. I thank the Senator for his observation. I have included all incidental expenses for the simple reason, as I shall show later, that I wanted to resolve the thing in favor of economy in every way I could, so I have put into the Army expenditures all related costs. The picture is that

for the 10-year period the Army and Navy have cost the American Government $10,870,000,000, or a yearly average for the Army and the Navy together of $1,087,000,000.

A moment ago I showed that the yearly average deficit of the Government was $2,700,000,000. Let us assume that during the past 10 years we had not spent a penny for the Army or the Navy. Let us subtract from the deficit the $1,087,000,000 a year which has been the cost of the Army and Navy. If we subtract $1,087,000,000 a year from the yearly deficit of $2,700,000,000, we still have a deficit of approximately $1,600,000,000 a year, even if we had not spent a cent on the Army or the Navy in any of the past 10 years.

Where is the $1,000,000,000 of new taxes? If we take $1,000,000,000 of new taxes from the remaining average annual deficit of $1,600,000,000 a year, we still have remaining $600,000,000 of the deficit, even though we had not spent a cent for the Army or the Navy.

What is the picture? The picture is that even without spending a cent for the Army or the Navy the $1,000,000,000 of new taxes, plus the existing taxes, are $600,000,000 a year short of meeting the civil expenses of the Government; and we cannot get away from the fact.

In order to make the problem graphic, I have some apples on the desk. So that no one may misunderstand, each apple represents $100,000,000. There are 73 apples in the box; 73 times $100,000,000 is $7,300,000,000, which has been our average yearly expenditures for all purposes for the past 10 years.

Our receipts have been $4,600,000,000 a year, and our expenses have been $7,300,000,000 a year. Let us take from what we have spent what we have actually collected—namely, our revenues—which have been $4,600,000,000 a year. Inasmuch as each apple represents $100,000,000, I shall take 46 apples from the box representing our average yearly governmental income. The 46 apples I have taken from the box represent the $4,600,000,000 a year which has been the average yearly income of the Government. The 73 apples I had in the box represent $7,300,000,000 of annual expenditures. If we subtract 46 from 73, we have 27 apples left in the box, representing the average yearly deficit of $2,700,000,000 from June 1930 to date.

Now we propose to raise $1,000,000,000 of new taxes. That is represented by 10 apples, so let us take out 10 apples. There are still 17 apples in the box, representing $1,700,000,000 in deficits, even with the new taxes, and without allowing for any new or extraordinary appropriation for national defense.

Now let us assume that for each of the 10 years which have passed we had not spent a cent on the Army and Navy, when, as a matter of fact, we have spent about $1,087,000,000 a year on them. So let us take out 11 more apples. We have taken that much out of the deficit as if we had never spent a cent of it, and what have we left? We have 6 apples, $600,000,000, that are even yet unprovided for, without spending a single cent for the Army and Navy, but merely for meeting the routine expenditures of the Government, and not a sou marquee for national defense.

I can explain that very briefly by referring the Senate to the table of expenditures which hangs on the wall. In this column [indicating] are the revenues of the Government for each of the 10 years which have just passed. In 1931 they were small, $3,846,000,000; in 1940 they were large, $6,458,000,000. Those figures represent the total revenues of the Government of the United States for the respective years.

I ask to have chart 4 inserted in the RECORD at this point in my remarks.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

CHART 4

Year	Expenditures (civil and miscellaneous) [1]	Total ordinary receipts and postal revenues
1931	$1,800,641,110	$3,846,102,015
1932	2,639,280,132	2,593,897,360
1933	2,000,129,912	2,667,328,106
1934	4,153,843,625	3,702,287,216
1935	4,797,651,840	4,431,262,504
1936	6,254,317,517	4,781,299,971
1937	5,915,914,252	6,020,041,347
1938	4,978,321,400	6,970,295,278
1939	6,395,880,099	6,413,778,701
1940	[2] 6,500,000,000	6,458,795,000
1941—up to May 29, 1940	6,082,493,457	
	51,518,473,344	

[1] Not including expenditures for War Department, Navy Department, Indians, pensions, postal deficiencies, interest on public debt, etc.
[2] Estimated.

Mr. TYDINGS. In this column [indicating] are the expenditures for civil and miscellaneous accounts. These expenditures do not include those for postal deficiencies, for interest on the public debt, for pensions, for the Indians, for the Army and Navy; they are merely the civil routine ordinary appropriations of the Government without including in them the appropriations for the Army and Navy, Indians, veterans, pensions, interest on the public debt, and postal deficiencies.

What is the picture? We have not raised sufficient money in the past 10 years even to pay each year our expenses for 5 of those 10 years. Even those limited governmental expenditures, apart from the Army, apart from the Navy, apart from pensions, apart from interest on the public debt, and so forth, have been more than the total revenues of the Government. We cannot get away from that.

In 1932 we spent $2,600,000,000 and took in $2,500,000,000; in 1934 we spent $4,153,000,000 and only took in $3,702,000,000. Keep in mind, Mr. President, that these expenditures are not all the expenditures of our Government. They do not include Army expenditures, Navy expenditures, expenditures for pensions, for the Indians, for interest on the public debt, for postal deficiencies. They are merely the other expenditures of the Government.

So it will be seen in 1935, 1936, and 1940, in fact, for 5 of the 10 years, we did not even have sufficient money to pay the naked, higher-up expenses of our Government, without raising a cent for the Indians, the Army, or for the Navy or for pensions or for the interest on the public debt or for postal deficiencies and the like. That is the real, true financial picture of the United States of America today.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. TYDINGS. I will yield in a moment. The picture is that for 10 years, apart from all the welfare, apart from all defense, apart from all humanitarian, pension, and Indian appropriations, we have not had sufficient Government money to pay the ordinary routine expenditures of the Government.

Mr. JOHNSON of Colorado. Do they include relief?

Mr. TYDINGS. Yes; relief would be included.

Mr. KING. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. KING. The Senator might mention, to show the progress which we have made in expenditures, that before entering the World War the entire expenses of the Government for the Army, the Navy, and all extraordinary expenses, including pensions and what not, were less than a billion dollars.

Mr. TYDINGS. The Senator is correct. Now, let me go back to my original theme.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. WILEY. I think it would be very illuminating if the Senator would place the tables in the argument he is making.

Mr. TYDINGS. I put them in the other day, and I am having them put in again today. I placed all these figures in the RECORD when I spoke on this subject last Monday. I may say that I also spoke on it on Monday before that; I am talking on it on this Monday; I intend to talk on it next Monday, the Monday after that, and every following Monday so long as Congress is in session until the truth goes home to the American people, for if we had all talked about national defense during the last 3 or 4 years on each Monday we would not be so scared and jittery today.

The coming depression, regardless of who the victor or the vanquished may be, will be as devastating to this country as war itself in its final analysis. It will put our people in a state of panic; it will show we are unprepared; it will probably bring on inflation and, perhaps, a capital levy; certainly we will have crushing and more disastrous taxation than we have ever had. Yet we are sitting here talking about adjourning and going back to the country, when we are simply allowing another state of unpreparedness to deluge this people and plunge them into a misery and despair which could be avoided if we had the courage to face this issue and straighten out the finances of the Government and prepare for a time which is certain to come.

Now, Mr. President, let me go back. I showed that we had a yearly average deficit for each of the 10 years that have passed of $2,700,000,000 a year. Then I eliminated all expenditures each year for the Army and Navy, which amounted to a billion dollars a year, and that still left us an average deficit of $1,600,000,000 a year even if we never counted one single penny of expense for the Army and Navy for each year during that 10-year period.

Who in Christendom will challenge my assertion, then, that the new tax bill will not pay for one single, solitary cent of defense, either of future defense or of past defense, for, even with the billion dollars of new taxes, we would have insufficient money for each of the 10 years that have passed to pay the ordinary routine expenses of the Government without a single dollar going to the Army or the Navy?

When this matter was first mentioned by me several weeks ago on a Monday morning, later on in the afternoon my good friend the Senator from Mississippi [Mr. HARRISON], the genial chairman of the Finance Committee, came into the Chamber and said he had conferred with officials of the Government, and a bill would come along to raise six or seven hundred million dollars, which would be equal to only about one-third of the remaining average yearly deficit after taking out the expenditures for the Army and Navy during each of the past 10 years. Later on the House of Representatives, in the face of the willingness of the people of the country to pay in this great emergency, and with some degree of foresight as to what was coming after the war, raised the taxes in that bill to a tentative $1,000,000,000. So some think, having done our work, why not go home and leave the financial flank of our country more badly exposed than its military flank is now pitiably exposed? It is not pleasant to levy new taxes. We have made a gesture. So let us let the country go right on down the road to hell and damnation, where it is now headed in the unprepared financial condition which some have coddled and helped and aided and abetted ever since June 30, 1930.

Our frontier, Mr. President, is not the Rhine or the battlefields of Europe or the bosoms of the Atlantic and the Pacific; our frontier at this moment is in the Treasury of the United States of America, and it is poorly manned; it is poorly equipped; it has not sufficient men in the form of dollars; and even with the new tax bill, we will not have sufficient men in the form of dollars with which to pay the ordinary routine expenses of the Government, without a sou marquee going for any expenditures of the Army and Navy in the past 10 years or in the future. Shall we go home and leave this unpreparedness as it is? What man will rise on this floor and say that we will be in better shape in any one of the next 10 years to pay our way than we are at this good hour? With what we all know is ahead, who will dare rise and say that in 1941, 1942, or 1943, or 1944, or 1945, or 1946, or 1947, or 1948, or 1949, or 1950 we will have a larger national income—an $80,000,000,000 national income or a $100,000,000,000 national income—with which to pay this debt? I am waiting if any Senator desires to rise. [A pause.] Silence I assume to mean assent.

Then, shall we go home and leave this financial flank unprepared and exposed to a possible and probable foe, or shall we stay here and write new taxes? Certainly there is not an ounce of truth in the unintentional representations to the people of this country that the new tax bill will pay $1 of the cost of the new national defense. It will not even pay the expenses of the routine expenditures of the Government—not by $600,000,000 a year. That is the truth.

Oh, today, as I look back over the 10 years, I recall the $6,600 per family unit that Congress authorized for slum clearance. It will be remembered that on this floor I took the unpopular side of that issue; I said we could not provide homes at the rate of $6,600 a family for families in the lowest-income brackets without breaking up the Treasury of this country. Day after day I stood here and fought for that viewpoint; but with a vision that seemed to be obscured and with a purpose that seemed unrelenting; there were those who drove through this expensive and costly and uncalled for program, when any one of those families would have been delighted to have moved into a house which certainly would have cost no more than the cost of the average family home in this country, which I showed was only at least two-thirds of what the Government was spending in New York and some of the other cities for slum clearance.

And I remember the $4,800,000,000 pump-priming bill. On that I again had the unpopular side, and said that in the midst of a great depression we could not afford to use the money for any purpose other than purely governmental matters. Where has that money gone today? It has been added to the deficits for which at least two or three generations will be paying, with all the interest which is added. All the expenses for the Army and Navy during the last 10 years are now a part of the national debt and will be paid for by future generations. We have set up a type of government far beyond the ability of the American people to keep, unless we want to keep it only for a limited period and then go into ruin.

The high days of 1920 to 1929 are gone. They are in the limbo of dead yesterday. The high and easy finance of 1930 to 1940 is gone, too. It is in the limbo of dead yesterday, never to return. This country cannot exist and will not exist with a financial bulwark as weak as that I have described, not by idle statements, not simply by generalities, but by the figures themselves taken from the report of the Secretary of the Treasury of the United States.

No; these new taxes will not pay our old deficit. We shall not raise enough money by $600,000,000 a year to pay the average cost of government for any one of the past 10 years, even if we do not spend a cent on the Army and the Navy.

That is the picture of the country; and what about the new depression? Some men think, as they thought about the last World War, that it will be over in 60 or 90 or 100 days, or this year. Who knows? Shall we take chances on its rapid termination? Who knows that it will not last for 5 years? And whether it does or not, whenever the curfew comes to the cannon, and the soldiers return from the fields of battle, they will not go back to jobs of productivity. That peacetime economy in hundreds of places has been torn up by the roots in dozens of nations. They will go back to idleness for a while, at least. And what of the thousands, the tens of thousands, yes, the millions who are now working 24 hours a day in the munition plants? Those plants will be closed down, and that will swell the ranks of the unemployed. And what about the tens of thousands in this country who likewise are engaged in the manufacture of munitions? They, too, will join the army of unemployed.

Then, too, world trade will be disrupted; and certainly if dictatorship shall survive and be triumphant, we shall be on a world barter system. That will be the competition—not international trade agreements, but the barter system, goods for goods—in which we are not competent or equipped or

designed as a democracy to play a fitting competing role; and therefore the distress will go to the farmer. It will go to the laboring man. It will go to the banking house. It will go to the clerks. It will go to those who are now employed in munition factories, not only abroad, but right here in the United States of America as well.

Then, added to that, will be the millions over in Europe who have not been raising food or materials for clothing or producing shelter; emaciated, their young without milk, without the means of sustaining life. Famine is likely to break out, and almost certain to come; and its twin sister will likewise walk by its side—pestilence and disease—if you please. And what shall we do? In the face of this spreading famine and disease and suffering we shall try to find some millions of dollars more to render charitable aid to those stricken people, victor and vanquished, to save them from an international catastrophe, while even here in our own home, out in front of the Capitol Plaza, will assemble thousands of persons looking to the Government for some sort of aid to tide them through those dark years; and what shall we do it with?

By that time our national debt will be probably closer to $60,000,000,000 than it now is to $50,000,000,000; and even today, in one of the best years that we still have, we shall not raise sufficient money even to pay the ordinary costs of Government without a dollar going to the Army and Navy; for the new billion-dollar tax bill will not pay the routine costs of the Government, without a cent going to the Army and Navy for any one of the 10 years that have passed. Then how can it pay for the routine expenses of the future when we superimpose upon them the extraordinary and very high expenditures for the Army and for the Navy which are coming each day, week, and month?

Mr. ADAMS. Mr. President——

Mr. TYDINGS. I yield to the Senator from Colorado.

Mr. ADAMS. I am really appealing to the Senator for a little more encouragement than he is giving.

I am among those who, for some 7 or 8 years, have followed the preachings of the distinguished Senator from Maryland. What disturbs me is that he now says that Congress—of course these deficits are due to the acts of Congress—has appropriated and spent the money while failing to make provision for its expenditures, in spite of the eloquence and the accuracy and the acumen of the Senator from Maryland. The encouragement I want from him is that he feels that Congress from now on will pay some attention to his missionary preachings, because if it will not pay attention and continues to do as it has done, perhaps Congress had better go home. Whether we ought to stay here or go home depends a little on what Congress will do.

Mr. TYDINGS. I thank the Senator from Colorado for what he says. Let me say that I think I bear the reputation of not indulging in idle compliments with my colleagues on the floor of the Senate; and with no idea of returning the very generous reference which the Senator from Colorado has made to me, I do not think there is a man in this body—not one—who, throughout this 10-year period, has tried more earnestly than has the Senator from Colorado to see that the Government's dollar was efficiently spent and to prevent waste. He has realized all the time what was coming. He has fought without ever once lowering his arm, and sometimes against terrific odds. If his people know his real worth as his colleagues know it, he will never have opposition in either party whenever he desires to be a candidate for public office.

Mr. HOLMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Oregon?

Mr. TYDINGS. I do.

Mr. HOLMAN. I merely want to make the observation that no government has ever survived bankruptcy.

Mr. TYDINGS. That is correct.

Mr. CLARK of Idaho. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Idaho?

Mr. TYDINGS. I yield to the Senator from Idaho.

Mr. CLARK of Idaho. I have been intensely interested in the brilliant analysis of the Senator from Maryland. I was wondering what his view was as to how high the deficit would go, and what would happen to our whole financial structure, if we should be dragged into this war as we are being dragged in.

Mr. TYDINGS. So long as there is a possibility—even though the Senator and I might look on it with tremendous reluctance, or even with opposition—of this country being dragged into war in the immediate future, no matter how much he or any other Senator might oppose it, the very thought that it is possible, if not probable, should galvanize every representative of the people in this body and in the other end of the Capitol now, while we have time, before that happens, to put the financial affairs of the Republic in A No. 1 shape; and certainly if we escape the war, the consequences of its aftermath equally demand that we do the job now, before that catastrophe overwhelms 130,000,000 people.

Mr. HUGHES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Delaware?

Mr. TYDINGS. In a moment, I will yield.

What is the use of our feverishly appropriating to provide guns and ammunition and planes and all of that to fight a possible foe only, while we do not provide dollars and sound finance and financial guns and financial planes, if you please, in the Treasury Department to meet an enemy that we know is going to come? This other thing is only possible. The financial attack is certain; and it will fall on the Government of the United States as the center of the line to bear the full force of that terrific impact, because it will have behind it the discontent, the misery, the hunger, the sickness, the poverty, the disillusionment not only of the peoples of all foreign countries but of our own people as well, who will be plunged into it almost overnight.

I could not say, I do not even know, to what extent that condition would grow and grow before we would be in that realm which I hope to avoid; but this I do know: There has been no criterion in the past 10 years of expenditure which is a guide for the next 10 years of expenditure. Whereas we spent an average of $7,300,000,000 a year during each year of the past 10 years, we may be called on to spend ten or fifteen billion dollars a year for each year of the next 5 or perhaps 10.

Shall we wait? Shall we see the farmer with his crops all harvested and no one to buy them? Shall we see lines of men waiting on the street corners looking for work, and no smoke coming from the factory chimneys? Shall we see starvation and disease spreading over Europe, as they are bound to spread, and would have spread after the last war if it had not been for the humanism, the charity, and the kindliness of the people of the United States? Famine did take many millions of lives in Russia after the last war. Cholera and typhoid took thousands of lives in Poland after the last war, and every country that was in the war suffered to a degree which cannot be described by one who stands on the soil of the United States and tries to imagine the actual happenings 3,000 miles away. All these things are certain to come, and here we are trying to get guns and planes, which we cannot get for a year; trying to get an army and aviators, which we cannot get for a year; and we are thinking of going home, after having made these appropriations, knowing this foe—the coming depression—is over in Europe only awaiting the hour to strike, even if we stay out of the war. We are contemplating going home and leaving our finances in a more pitiful and tragic state of defense and a more unpardonable state of defense than even our Army and our air forces are in today.

We are contemplating going home, and if we vote to go home, every man who votes to go home should not be sent back here by his constituents, because, in my judgment, without reflecting on anyone, such a vote would show a gross lack of responsibility in one of the most tragic moments in the history of this world.

Mr. LUNDEEN. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. LUNDEEN. I greatly appreciate the statement of the distinguished Senator on that point, and may I refer to the fact that for many years each year before we adjourned I have asked that the Congress remain in session during the critical days through which we are passing? I am as one with the able Senator in asking that the Senate stay here and the House stay here and endeavor to solve the problems which are before us.

Mr. TYDINGS. I am glad to hear the Senator say that. I repeat, our frontier today is not on the Rhine, not on the Seine, or on the English Channel, or on the bosom of the Atlantic or of the Pacific Oceans; our first line of defense is the Treasury of the United States, and it is riddled with holes and undefended in a thousand places, from the right flank to the left flank; make no mistake about it. The enemy will tear through it unless we have the foresight and the energy and the courage to have the American people save themselves from catastrophe by bearing burdensome taxes, by taking on a spirit of sacrifice, by having that degree of patriotism which is the only thing which will support a democracy. Patriotism is not needed in a dictatorship, because there people are only automatons; but patriotism is the soul, the mainspring, the resource, the support of democracy; it is the only thing which can hold democracy up when it is attacked.

Mr. ASHURST. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. ASHURST. It seems appropriate—at least it does to me—to make clear my attitude about adjournment. I agree with the able Senator. I stated on the floor of the Senate on May 22:

> I have already announced myself as a candidate for reelection to the Senate. I am opposed by two or three able candidates. I wish it understood that I am not disposed to go home in order to look after my political fortunes when one of the most acute crises in history is upon the human race. I am not just now paying much attention to whether or not I return to the Senate, much as I desire to do so. Whether or not I am returned is of such small importance to the Senate and to the country compared to the present posture of world affairs that I am willing to remain here in Washington if it will be of any assistance to the country.
>
> The President may safely be trusted. He has with such almost telepathic ability horoscoped the situation as to our foreign affairs that we may well trust him. Trusting the President, however, does not excuse us from performing our constitutional functions.

Mr. President, how would the Senator, who is an able lawyer and a brave soldier, like to be commanded on the battle line by a Senator who in this crisis would vote to go home? Would he like to be commanded by such a Senator, or such an officer, one who would run away from responsibility, instead of facing it?

Mr. TYDINGS. The Senator is correct in his implication, and I hope the opposition to the Senator's reelection will withdraw. I know he will do his share of the work, and I hope that his people will send him back to the Senate.

Mr. ASHURST. Let me say, further, that while I hope to return to the Senate, I could not vote for myself if I ran away from my duties at this time.

Mr. TYDINGS. I can appreciate that, and I know the Senator is true to his word.

Mr. President, for a long time we have had the mistaken notion that we have been living on our fat, that at some place there was a great reservoir of resources, and that we were just nibbling into those in order to carry us over a few years. We quit nibbling on our fat long ago. We are living on our lean, and we are biting into that lean now with Gargantuan bites, and it will not take many years such as those which are ahead before there will not be any lean at all to eat unless we recognize now, before we live on the future, what the future is likely to be.

Congress should remain in session until it has completely overhauled the functions of the Government, without creating unnecessary misery or hunger or want. It will be enough to borrow for the emergency for military and naval purposes. We cannot borrow for the ordinary routine expenditures of Government now. I make this statement, and I believe it will be fair prophecy, that not 1 year during the next 10, as now indicated, will we be as able to pay for what we are now spending.

Mr. President, I should like for a moment to call attention to a chart which it may be difficult for Senators to see where it hangs on the wall. This chart was issued by the Secretary of the Treasury, Mr. Morgenthau. It represents the flow of Federal, State, and local government funds. It is very small, but I can illustrate it with a few remarks.

The year Mr. Morgenthau takes is 1938, and if we look at the figures of the deficit for that year we find that in that year there was the smallest deficit between 1933 and 1941. So Mr. Morgenthau took a pretty good year.

What are the facts? The Federal Government that year spent $7,691,000,000. The State governments that year spent $4,358,000,000. The city governments spent that year $6,150,000,000. The three together spent $18,000,000,000.

What was our national income during that year? According to the Treasury Department again, our national income then was as follows: Families had an income of $47,679,000,000. Single persons had an income of $11,579,000,000. Single and married persons together had an income of $59,258,000,000. The corporations of the country had an income of $7,000,000,000.

If we add the incomes of single persons and married persons and corporations together, we find that there was an income of $66,000,000,000, of which governments spent eighteen billion. Nearly 30 percent of our total national income was spent to finance State, city, county, and national governments. That is our problem. We must obtain this additional government income to wipe out deficits from what is left, for the figures Senators see on the charts before them are the figures furnished me by the Committee on Joint Taxation. So if we have $18,000,000,000 of standard expense, as we have, and if we have an income of only about $65,000,000,000 a year, as we have now, the average yearly national deficit of $2,700,000,000 a year must come out of that income, in addition to present taxes if we want to pay for our peacetime expenditures. And what do we have then?

Mr. WALSH. Nearly $1 in every $3.

Mr. TYDINGS. Yes; nearly $1 in every $3 is a good way to put it.

Every farmer who is going down his corn rows this afternoon is paying a 1-cent tax on every gallon of gasoline that drives his tractor. If he drives to town today he pays 6 cents a gallon, in most places, for every gallon of gasoline he uses to take his crops to market or what not. He pays taxes on his tobacco. He pays a tax on his income, if he is lucky enough to have sufficient income to be in the taxable class. He pays many kinds of taxes, county taxes, real-estate taxes, other taxes. Yet it is said our country is so rich, it has so much, that we need not worry; that we can keep on reaching into the dark so long as there is money there and put it in the other hand and spend it, without regard to where we are going.

I am a poor prophet, and certainly no expert, but so surely as I am standing on the Senate floor, unless we face about and take the hard road and go in the opposite direction, our Government will be lucky to survive in the years that are ahead. Our indifference will create a misery and a poverty and a degree of unnecessary and unavoidable confusion and fear and worry which none of us can even safely measure.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. GEORGE. I am very much interested in what the Senator has had to say. It is obvious that we can meet the situation in part by raising additional revenue. It is obvious also that we can meet it in part by cutting down on the expenditures of government.

Mr. TYDINGS. That is correct.

Mr. GEORGE. I may suggest that, when we have raised the revenue by imposing taxes which the people are able to pay, when we add all forms of taxes together, and when we reduce the expenditures of the Government so far as we can, we shall not have solved the problem, and the problem cannot be solved until the Government is willing to abandon

and we shall not have the antitoxin to meet the distress, I must have a greater reduction of expenses than the Senator

unsound, uneconomic experimentation, which will drain any treasury, and will destroy any people, it matters not what their taxable capacity may be, nor what the resources of the country may be. All three of those things must be considered. The one hope, if there be a hope, is the abandonment of unsound fiscal policies, and unsound economic policies and programs that will ultimately destroy any country, no matter how high the taxes are put, or how deeply one may be willing to dig in order to stop unnecessary expenditures, so far as the governmental machinery is concerned.

Mr. TYDINGS. I thank the Senator for what he has had to say, and of course what he says is unanswerable. Fortunately for us we have had such a rich country and, in comparison with other countries, we have had so much of wealth and creative ability and natural resources, that sometimes we have entertained the opinion that we could do almost anything without fate overtaking us. We can do many things and have done many things which other countries could not do, and to proceed without a realization of what we are doing might have to some extent been excusable in the last 10 years, but to proceed further without a realization of what we are doing is absolutely inexcusable.

There is no doubt in the world that we must raise more taxes than the $1,000,000,000 which is it now proposed to raise.

I read in the press that the Senator from Wisconsin [Mr. LA FOLLETTE] is working on a bill to tax war profits, and I hope I can vote for his bill, because war profits ought to be taxed. I do not know what the bill will provide, of course, and cannot give hostages to fortune, but I am sympathetic with his idea. Whatever the form is, whatever is the right thing to do, we cannot go away from here and raise only $1,000,000,000, because $1,000,000,000 will not take care of our ordinary routine year-to-year expenses, without a cent going for the Army and Navy at all. There will still be a deficit of $600,000,000 a year. We simply cannot escape that fact. So if we wanted to put the entire cost for the past 10 years on future generations we would have at least to raise $1,600,000,000, or raise $1,000,000,000 and cut down our expenses $600,000,000, before we would pay for all the other expenses of Government outside of the Army and the Navy during any one of the past 10 years.

Mr. President, I do not want to be repetitious, and I thank the Senate for its attention, which I deeply appreciate, but I wish to conclude by again drawing attention to the years that are to come. I have no better vision than anyone else. It may be that I am a pessimist. It may be, as one of my colleagues told me the other day, that I am a defeatist. It may be that I have not sized the situation up correctly. If so, I am sorry, and I certainly fervidly hope that the situation is 100 times better than I think it is or will be, and I hope that all I have said could as well have been left unsaid insofar as the future security of our country is concerned. But, somehow or other, I believe it is wise today to have the kind of information before the Senate which has been presented here. I believe we were in error not to bring out during the past 4 or 5 years, particularly the last 1 or 2 years, more of the truth about what was happening in many countries abroad, particularly in reference to their military preparations.

Some of the officials of our own Government have written here month after month and week after week for 5 years, informing the State Department, informing the War Department, informing the Navy Department, of the tremendous military preparations which were being made, and yet the country knew little about them. We did not debate the question very much on the floor of the Senate, for one reason or another, and today, while Italy strikes at the back door of France and across the Mediterranean, and France stands there fighting, outnumbered in the air, outnumbered in tanks, outnumbered in men, her soldiers dying, dying, dying, with each passing second, we at last realize, at long last, that the world yet is not quite completely idealistic, and that we would have been ever so much smarter and would have saved hundreds of millions of dollars of unnecessary expenditures if we had only prepared against the coming days.

Does anyone doubt the authenticity of the figures I have presented? Does anyone doubt the deductions I have made from these official figures? Does anyone question that the future is likely to be extremely dark? Does anyone question that none of us knows whether the war will end in a month, or in a year, or even in 5 years? None of us knows where the war will spread. Does anyone question that at least, insofar as we can imagine, there will never be as prosperous a time for us to pay our debt as we go, as now? Certainly if we do not have the will to do it now, in heaven's name how are we going to stave off the deluge which is gathering momentum from the four corners of the earth, even while I speak?

There will be death from famine and there will be pestilence. There will be the loss of our world trade. Think what it means to cotton alone. Cotton is the chief export crop of 16 of the 48 States—one-third of all the States of the Union. Normally we sell over one-half of it outside the United States, but now that market is closed, and will be closed to a large extent after the war is over. What will the cotton farmer do? All the cotton raisers who constitute customers for the products of industry, whether they be purchasers of coffee, tractors, automobiles, or clay pipes, will be absent from the buying market. It will be harder to raise taxes in the years to come. The people of our Nation will be unemployed in greater numbers than they have ever been unemployed befcre in the history of the Republic. By comparison, 1932 will look like a summer's picnic, in all probability, unless a miracle happens and some order comes to the world almost overnight.

We talk of going home and leaving undone all this that we ought to do for the people of our Republic. We are going home, knowing these truths, and no one denies them. If we do go home financially unprepared, when the deluge comes the foundations of the Republic will wobble, even if they do not crack and break.

Mr. President. I have been highly pleased with the military defense measures of the Chief Executive. I am very glad that he came before the Congress several weeks ago and called attention to our pitiful state of defense, particularly on land, and followed up his statement with the recommendation that at the earliest possible moment Congress appropriate money to repair the defect. I say now, without the slightest rancor or bitterness, that my one regret is that the President has not called to the attention of the Congress what I have attempted to place before the Senate today and has not asked the Congress, either for a reduction of expenses or for increased taxation, or both, sufficient at least to pay for the civil functions of the Government outside of the Army and Navy, which the billion dollars of new taxes will not pay for, as every man knows.

I am sorry that such leadership—and I say this regretfully—has been withheld from this body. We have been asked to let the National Guard go here and there. We have been asked to do several things which are not usual in democracies. I wish we had sterner and firmer leadership in this more unpopular field, but no less necessary, field of national defense; namely, a reinforced Treasury. I hope that before we go home the President will send to Congress a message calling attention to the very things I have tried to point out—vainly, perhaps—and that he will ask us to stay in session until we shall have made the preparations necessary to put our financial house in good order.

No one knows better than he that following this war the aftermath all over the world will be little less in horror than the war itself. It will be a greater strain, and wider in scope, and we cannot wholly escape. Even if we stay out of war, we cannot escape the forces which are gathering on the horizon to tear down the peaceful economy of every nation on the face of the globe. The farmer will be affected. The miner will be affected. The lumberman will be affected. The factory worker will be affected. The businessman will be affected. The whole Nation will be affected;

MESSAGE FROM THE HOUSE

That the Senate recede from its amendment numbered 6.
That the House recede from its disagreement to the amend-

and we shall not have the antitoxin to meet the distress, even though we now have time to prepare it.

I conclude by saying that in my opinion if Congress goes home and leaves the country in the terrible condition in which it will be if no financial reinforcement comes, it will be unfaithful to the American people, and will show a political unwisdom which will be rebuked at the polls wherever candidates who favored going home stand for reelection.

Mr. KING. Mr. President, will the Senator yield?

Mr. TYDINGS. I shall be glad to yield to the Senator for a question.

Mr. KING. As a rule, there is reluctance upon the part of the people to impose additional taxes; but it is manifest that there must be a great increase in the revenues to be obtained for the coming year. As stated by the Senator from Maryland, our expenditures have greatly exceeded our revenues. We have borrowed, and are still borrowing, billions of dollars in order to meet current expenses. This policy cannot be continued indefinitely without serious consequences to the Government.

It has been suggested that an additional $600,000,000 be obtained by increased taxes, for the purpose of meeting some of the expenses incident to national defense. That amount, of course, is wholly insufficient. When the suggestion was made, I expressed my dissatisfaction with the same, and stated that there should be an increase in revenues of at least $1,500,000,000 for the coming year. Even with that amount, as I stated, there would be an enormous deficit.

May I ask the Senator, does he believe we shall be able to raise sufficient revenue to meet the legitimate demands of our Government in the present domestic and world condition?

The deficit for this year will be between three and four billions of dollars, and with the expenditures for military preparation, it is obvious that the deficit for the coming year will be perhaps six or seven billion dollars.

Mr. TYDINGS. Easily.

Mr. KING. As the Senator knows, the Government is now owing approximately $45,000,000,000, and in addition there are contingent liabilities which will greatly augment this stupendous sum. In addition to the indebtedness of the Federal Government, the States and their political subdivisions are owing, as I recall, approximately $20,000,000,000. Private indebtedness has reached the colossal sum of more than $60,000,000,000; and corporate indebtedness amounts to between forty and fifty billion dollars. I have seen figures which indicate that the obligations of the Federal and State Governments and the political subdivisions of the States, together with private and corporate indebtedness, exceed $200,000,000,000.

In view of this enormous indebtedness, it is obvious that an increase in tax burdens will bear rather oppressively upon the American people. However, as indicated by the Senator, it is certain that revenues must be obtained, and that to accomplish that result new tax bills must speedily be enacted. If opposition is made to a proposed increase of taxes to raise but one and one-half billion dollars, as I have suggested, may I inquire of the Senator, how are we to raise from four to five billion dollars to meet the exigencies of the situation?

Mr. TYDINGS. There is no answer to the Senator's question. As I have said, the day of postponing provision for financing expenditures is done. We have only two choices. Either we can continue as we have been doing, for 2 or 3 or 4 or 5 or 10 years in the future, and then go over the precipice, or we can meet the issue now. Of course, if we want to go on for only 10 years more and then go smash, and leave the country in a degree of ruin which is unnecessary, we can continue as we are doing; but if we wish to prevent that result, we shall have to turn around the other way. We shall have to do what my able friend from Virginia [Mr. BYRD] has advocated. We must have more taxes, we must have a reduction of expenses, in order to make both ends meet. I should say that we must have more taxes than the Senator has indicated, and we must have a greater reduction of expenses than the Senator has indicated, if we wish to pay for our peace-time expenditures, even without giving a cent to the Army or Navy.

Mr. TOWNSEND. Mr. President, I rise to raise my small, though by no means lone, voice to protest against the suggestion that at an early date the Congress pack up and go home. Perhaps those of us so protesting will be like grains of sand which when cemented together are able to divert reckless floodwaters.

We have been elected to take a particular part in framing and passing legislation necessary to the guidance of those whose duty it is to pilot the ship of state. No one will deny that we are now running in very troubled waters. No one will deny that, in a comparable situation—if any comparable situation could be found—were the crew of a ship to desert the ship and leave all to the captain, with good wishes, the crew would be guilty of the most unpardonable, most reprehensible, most villainous, most despicable action. Yet it is suggested that we who are charged with the responsibility of legislating should quickly, without deliberation, impose new taxes, raise the debt-limit, and, like the crew, desert the ship and scurry to our homes, leaving the Executive to carry on.

What is the emergency which calls for such neglect of our duties? Is there any emergency which requires the passage of an important tax statute and the increase of our national debt in a few days without deliberation?

From the point of view of revenue, there is not, and cannot be, any such emergency. What difference would it make if we should stay here 2 months, 3 months, or even 5 months, working out an intelligently planned tax statute?

The only difference I can see is that by staying we should do a more complete job, with full knowledge of what we were doing. If we do not stay, the result will be a hastily drawn, ill-thought-out statute, handed to us in final form, on which most Members of this body will vote with a very incomplete understanding of its meaning or consequences. Do we not owe to the people who will be required to pay the additional taxes at least the duty of giving them the best statute we can?

The whole Nation is apprised of the fact that we must have an immediate defense program. We have started in that direction. The whole Nation is apprised of the fact that the program requires additional taxes. The whole Nation is now, and will be, behind the tax program. Can we, then, do less than give the people our very best effort in the direction of the very best statute we can devise?

Not less to be considered is the question of increasing the national debt. We have seen it increased in the past 8 years more than in the 144½ preceding years. Is any Member of this body prepared to say unequivocally that we absolutely must further increase the debt and raise the debt limit? Is anyone prepared to say, Mr. President, that it is humanly impossible, through taxation on the one hand and the reduction of nondefense expenditures on the other, to achieve the result we desire without increasing the national debt? Certainly none of us can know whether or not it is possible without thinking about it, discussing it, and at least trying. Yet we shall be asked to pass on this important question without deliberation, so that we may run to our homes.

In the face of the existing situation, do we owe to the people who have sent us here and to the country at large any duty which is greater than our duty to stick to our posts? Political conventions there will be. Campaigns must be made. Do not these weigh light in the scale as against our duties as Senators? If we are ready to shirk our duties for the purpose of reelection, are we worthy to be reelected and sent back here, again to shirk our duties?

Mr. President, I appeal to every Member of this body, to every man or woman worthy of the name of United States Senator; I beseech Senators not to consider lightly the matter of an early adjournment. Let us give the matter proper consideration, and not be stampeded into running away from our duties. Let us stay at the job until the existing emergency shall have passed or reached such a crystallized form that we may reasonably expect not to be further needed until the next regular session of Congress.

Mr. BARKLEY. Mr. President, if I may, I will detain the Senate long enough at this time to make a very modest

the Judiciary Committee of the Senate, to wit, the Walter-Logan bill, is one which is to be considered. I shall insist,

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 1560. An act for the relief of Amos B. Cole; and

S. 2013. An act to amend the Code of the District of Columbia to provide for the organization and regulation of cooperative associations, and for other purposes.

The message also announced that the House had agreed to the amendment of the Senate to the amendment of the House to the bill (S. 3683) to remove the time limit for cooperation between the Bureau of Reclamation and the Farm Security Administration in the development of farm units on public lands under Federal reclamation projects.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H. R. 6446) amending section 4 of the act entitled, "An act to authorize the city of Pierre, S. Dak., to construct, equip, maintain, and operate on Farm Island, S. Dak., certain amusement and recreational facilities; to charge for the use thereof; and for other purposes."

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 9594) to amend section 12 (b) of the Soil Conservation and Domestic Allotment Act, as amended, by authorizing the transfer of funds to cover advances for crop insurance; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. JONES of Texas, Mr. FULMER, Mr. DOXEY, Mr. HOPE, and Mr. KINZER were appointed managers on the part of the House at the conference.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R. 808. An act to confer jurisdiction upon the District Court of the United States for the Southern District of Florida to hear, determine, and render judgment upon the claim of Zook Palm Nurseries, Inc., a Florida corporation;

H. R. 2417. An act to facilitate the control of soil erosion and/or flood damage originating upon lands within the exterior of boundaries of the Sequoia National Forest, Calif.;

H. R. 2418. An act to extend the provisions of the Forest Exchange Act, as amended, to certain lands, so that they may become parts of the Whitman, Malheur, or Umatilla National Forests;

H. R. 7643. An act to facilitate and simplify national-forest administration;

H. R. 8096. An act for the relief of certain disbursing officers of the Army of the United States and for the settlement of individual claims approved by the War Department;

H. R. 8438. An act making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1941, and for other purposes;

H. R. 9109. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1941, and for other purposes;

H. R. 9243. An act to provide for the promotion of promotion-list officers of the Army after specified years of service in grade, and for other purposes; and

H. R. 9326. An act to provide educational employees of the public schools of the District of Columbia with leave of absence, with part pay, for purposes of educational improvement, and for other purposes.

NAVAL AIRCRAFT, ETC.—CONFERENCE REPORT

Mr. WALSH submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9848) to authorize the construction or acquisition of naval aircraft, the construction of certain public works, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 6.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17, and agree to the same.

DAVID I. WALSH,
MILLARD E. TYDINGS,
FREDERICK HALE,
Managers on the part of the Senate.

CARL VINSON,
P. H. DREWRY,
MELVIN J. MAAS,
Managers on the part of the House.

The report was agreed to.

NUMBER OF WARRANT AND COMMISSIONED WARRANT OFFICERS, MARINE CORPS—CONFERENCE REPORT

Mr. WALSH submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6044) to regulate the number of warrant and commissioned warrant officers in the Marine Corps, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

DAVID I. WALSH,
MILLARD E. TYDINGS,
FREDERICK HALE,
Managers on the part of the Senate.

CARL VINSON,
P. H. DREWRY,
MELVIN J. MAAS,
Managers on the part of the House.

The report was agreed to.

COMPOSITION OF THE NAVY—CONFERENCE REPORT

Mr. WALSH submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8026) to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, and 7; and agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: Immediately after the word and figures "Sec. 11" strike out the word "There" and insert in lieu thereof the following: "In the discretion of the President, there"; and the House agree to the same.

DAVID I. WALSH,
MILLARD E. TYDINGS,
FREDERICK HALE,
Managers on the part of the Senate.

CARL VINSON,
P. H. DREWRY,
MELVIN J. MAAS,
Managers on the part of the House.

Mr. KING. I assume the conference report is unanimous?

Mr. WALSH. Yes, it is a unanimous report.

The PRESIDING OFFICER (Mr. DAVIS in the chair). The question is on agreeing to the report.

The report was agreed to.

EXPEDITION IN STRENGTHENING THE NATIONAL DEFENSE

The Senate resumed the consideration of the bill (S. 4025) to expedite the strengthening of the national defense.

Mr. SCHWELLENBACH. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SCHWELLENBACH. I inquire whether Senate bill 4025, which is the pending business, is now open to amendment?

The PRESIDING OFFICER. There is pending an amendment offered by the Senator from Massachusetts [Mr. LODGE].

Mr. McNARY obtained the floor.

Mr. BARKLEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Kentucky?

Mr. McNARY. I yield.

Mr. SHEPPARD. Mr. President, the bill has not as yet been explained. I think it is proper to make an explanation

Mr. SHEPPARD. It affects only the specific purposes authorized in the Army appropriation bills for the fiscal year

Mr. BARKLEY. Mr. President, if I may, I will detain the Senate long enough at this time to make a very modest suggestion.

The question of when and whether Congress will adjourn is not a matter than can be passed on today. We have before us a very important piece of legislation, which is a part of the defense program. There are on the calendar three or four other important measures which are a part of the program of national defense, and it is very essential that we come to a conclusion with respect to those measures. The bill now pending has been before the Senate for 3 or 4 days and only one amendment has been voted on.

There is a bill on the calendar from the Committee on Banking and Currency with reference to very important functions of the Reconstruction Finance Corporation. The relief bill is awaiting attention. There is a bill from the Committee on the Judiciary providing for the registration and fingerprinting of aliens, which is likewise a part of the defense program. On tomorrow, probably, before the House adjourns, it will pass a tax bill which will be sent over to the Senate, and, in all likelihood, will be before the Senate next week, I hope by Monday.

In view of all this important legislation, I appeal to Senators not to interfere unduly with the consideration of measures which are important by speeches which have no particular reference to the bill under consideration. We will have a tax bill up next week, and every Senator can express himself on the tax problem when that bill is under consideration. Regardless of any adjournment or regardless of any maneuvers, political or otherwise, for or against adjournment, it is more important that the Senate get down to business and pass the legislation which is so essential than it is for us to talk about adjournment or even to think about adjournment.

I have information that the Special Committee on National Defense, appointed by the President, is now waiting, in part, the performance of its duties and the carrying out of its functions until Congress passes some of the legislation which I have mentioned. Therefore, I hope that Senators will regard at least as important as oratorical efforts would be the enactment of legislation which is under consideration.

I am perfectly willing if it is desired to indulge in war or antiwar speeches to have night sessions in order that Senators may discuss such problems as are on their bosoms; it may be necessary, anyway, to hold night sessions in order that we may expedite consideration of pending legislation; but I appeal to Senators not unduly to retard the enactment of necessary bills by the discussion of extraneous matters which can be as well and as wisely discussed when important bills are not under consideration.

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. BARKLEY. I am through.

Mr. McNARY. I have the floor.

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Colorado?

Mr. McNARY. I yield.

Mr. ADAMS. Mr. President, I merely want to supplement what the Senator from Kentucky has said by adding that it is decidedly important to have the relief bill passed, because it is necessary that the Works Projects Administration may know what funds they may have available and what projects are to be in the bill, and it will be necessary, of course, after the Senate concludes the consideration of the measure, that it go to conference and be acted upon by the House. I am very hopeful that that bill may be permitted to be expedited.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Utah?

Mr. McNARY. I yield.

Mr. KING. I was disappointed when the able Senator from Kentucky, who is our leader, whose leadership I respect and follow usually, in fact, almost constantly, in cataloging the importance of measures that are under consideration, did not state that one of the important bills, a bill passed by the House by a 3-to-1 vote, unanimously reported by the Judiciary Committee of the Senate, to wit, the Walter-Logan bill, is one which is to be considered. I shall insist, as I know many other Senators will insist, upon consideration of that bill before adjournment.

Mr. McNARY. Mr. President, on Thursday, preceding the recess of the Senate, the able Senator from Massachusetts [Mr. LODGE] offered an amendment to the pending bill which I am informed is now the pending question. Am I correctly informed?

The PRESIDING OFFICER (Mr. CHANDLER in the chair). The amendment of the Senator from Massachusetts [Mr. LODGE] is the pending question.

Mr. McNARY. The Senator from Massachusetts is unable to be present this afternoon because of an important engagement. I have received from his office a modification of the amendment which he offered on Thursday and which at this time I desire to offer. In line 6 of the Senator's amendment, I desire to strike out the words "not to exceed." Acting in behalf of the Senator from Massachusetts, and, of course, under the rule, I have the right to make that modification in his name. I ask that the proposed modification be stated.

The PRESIDING OFFICER. The amendment will be stated as proposed to be modified by the Senator from Oregon.

The CHIEF CLERK. In the amendment on page 1, line 6, it is proposed to strike out the words "not to exceed" so as to read:

SEC. . The last sentence of section 2 of the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes", approved June 3, 1916, as amended, is amended by striking out the words "two hundred and eighty thousand" and inserting in lieu thereof "seven hundred and fifty thousand".

Mr. McNARY. Mr. President, I understand, from a memorandum in my possession prepared by the distinguished Senator from Massachusetts, that those words are already in the law and are, therefore, superfluous in the amendment. That is the reason it is proposed to eliminate them.

The amendment of the Senator from Massachusetts provides a maximum of 750,000 soldiers for the Regular Army.

I have spoken to the able Senator in charge of the bill, the Senator from Texas [Mr. SHEPPARD], and asked him if he would accept the amendment. He does not seem to be disinclined to do so, other than he thinks that it should come, as I understand, from the Chief of Staff, and that question of propriety may well be considered.

I do not desire to press the motion, in view of the opposition of the chairman of the committee, which is based solely upon the manner of approach to the matter, rather than on the substance of the amendment, and inasmuch as the Senator from Texas is here and feels kindly disposed toward the suggestion of the Senator from Massachusetts, I shall not press the amendment if he will consider the matter when it properly comes before the Senate in an official communication from the President or the Chief of Staff.

Mr. SHEPPARD. The Senator is correct.

Mr. McNARY. I am sure the able Senator from Massachusetts would be fair on this matter, as he is on all matters, and would consent. With that understanding, I shall not at this time press the amendment but shall withdraw it.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. PEPPER. Mr. President——

The PRESIDING OFFICER. The Chair understands the Senator from Texas has the floor.

Mr. WAGNER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from New York?

Mr. SHEPPARD. I yield.

Mr. WAGNER. I desire to offer an amendment, which I think the chairman of the committee will accept.

Mr. BARKLEY. Mr. President, I thought there was an understanding that the committee amendments should be disposed of first?

The PRESIDING OFFICER. There are no further committee amendments.

Mr. SHEPPARD. Mr. President, the bill has not as yet been explained. I think it is proper to make an explanation of the bill before the consideration of amendments is proceeded with.

Mr. WAGNER. Very well.

The PRESIDING OFFICER. That was the understanding of the Chair, and the Senator from Texas is recognized.

Mr. SHEPPARD. The Senate is entitled to an explanation of this bill.

The purpose of the bill is temporarily to lift certain legal restrictions in order to enable the War Department to accomplish more promptly the measures of national defense which have already been passed or which may hereafter be passed.

The increasingly grave situation in Europe makes it unnecessary to argue that every possible step must be taken to expedite the strengthening of our national defense with respect to both personnel and arms and ammunition and other essential materials. Senate bill 4025 is designed to accomplish that purpose.

Section 1 of the bill authorizes the Secretary of War to construct plants and all the necessary buildings and facilities and other appurtenances for the development, manufacture, maintenance, and storage of military equipment, munitions, and supplies, and to provide shelter when necessary for the personnel engaged in carrying out the purposes of the section. The shelter will be temporary in its nature. The section also includes authority to purchase land where such purchase is necessary in order to carry out the purposes of the section. No authority is granted to purchase land for any other purpose. The section also authorizes the Secretary of War to provide for the development, purchase, manufacture, shipment, maintenance, and storage of military equipment, munitions, and supplies, and shelter at such places and under such conditions as he may deem necessary. This authorization is additional to the authorization to construct, in that it authorizes the acquisition, development, and storage of munitions, equipment, and supplies by purchase from private industry or by lease of private buildings and lands, whereas the first authorization is to provide Government-owned facilities for manufacture and storage.

In connection with both authorizations, the section provides that its purposes may be accomplished with or without advertising, and that the Secretary of War may enter into such contracts and amend or supplement such existing contracts as he may deem necessary to carry out the purpose of the section. There is also a necessary proviso suspending any statutory limitation on the cost of any individual project of construction authorized by the section until and including June 30, 1942. The authorizations stated are restricted to funds available to the War Department for national-defense purposes for the fiscal year 1941.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Missouri?

Mr. SHEPPARD. I do.

Mr. CLARK of Missouri. Will the Senator state what that proviso is?

Mr. SHEPPARD. The appropriations covered by section 1 of this authorization bill are those made in the Regular Army appropriations for the fiscal year 1941 and apply only to the matters authorized in that bill.

Mr. CLARK of Missouri. What limitations does this proviso remove? That is what I am trying to get at.

Mr. SHEPPARD. It removes the restriction as to advertising contained in section 3709 of the Revised Statutes, which requires advertisements for proposals for contracts for supplies or services, except when the public exigencies demand immediate delivery of the articles or performance of the services.

Mr. CLARK of Missouri. Would this provision authorize going back to the old cost-plus system which we used during the last war, for instance, instead of making awards on competitive bids?

Mr. SHEPPARD. It affects only the specific purposes authorized in the Army appropriation bills for the fiscal year ending June 30, 1941.

Mr. JOHNSON of Colorado. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Colorado?

Mr. SHEPPARD. I do.

Mr. JOHNSON of Colorado. Does not the language of the bill actually mean, however, that competitive bidding will not be required in the purchase of either buildings or sites or lands or munitions or anything else?

Mr. SHEPPARD. The Secretary of War, in his letter on the bill, says he will see that the principle of competitive bidding is carried out. There are certain specific restrictions as to time in the law on bidding which make it very difficult to act with anything like proper expedition.

Mr. JOHNSON of Colorado. But, so far as the law is concerned, all restrictions are removed; and if the Secretary of War or anybody else operates on the basis of bids, that action on his part will be voluntary.

Mr. SHEPPARD. The removal of the legal restriction as to advertising lifts all limitations in that regard, and we must trust the Secretary of War in the matter of letting contracts.

Mr. CLARK of Missouri. Mr. President, if the Senator will permit me, that provision simply removes any restriction whatever from the War Department. They may make contracts in any way they please.

Mr. SHEPPARD. Only the restriction as to advertising.

Mr. CLARK of Missouri. But that is advertising for bids. Advertising for bids, of course, is the very heart of the competitive bidding system which has been the policy of the Congress.

Mr. SHEPPARD. I say to the Senator from Missouri that, under the law, months may elapse before the bids are considered, and additional months may pass before they are acted on; and the temporary repeal of this law enables the Secretary of War to act more promptly.

Mr. CLARK of Missouri. Does the provision permit the Secretary to enter into contracts without asking for bids or accepting bids? That seems to me to be the limitation.

Mr. SHEPPARD. It does.

Mr. CLARK of Missouri. So there is nothing to hinder the present Secretary of War, or any other Secretary of War, if he desires to do so, from going back to the old, vicious cost-plus system which we had during the World War, when, in one instance which fell under my observation—not in the War Department, but in the Navy Department—in the construction of naval vessels on a cost-plus 10-percent basis, in making up the cost base on which the people of the United States were required not only to pay cost but to pay 10 percent additional, one great shipbuilding company in this country added in the cost of wines, liquors, and cigars used on the trial trip, and the cost of the prize given to the lady who christened the ship. They even added in the cost of representatives maintained by the company in China and in Japan for the purpose of promoting other business of the company on the theory that if they secured any outside business it would reduce the overhead chargeable to the Government.

While everybody wants to expedite this work in every possible way, I think we ought to be very, very careful in suspending the limitations which have been imposed by law, after careful consideration, with just such instances as that in mind.

Mr. SHEPPARD. Mr. President, at the present time there is an alarming lack of facilities for the production of munitions and equipment. Private industry is increasing its capacity to produce a few of the items, such as airplanes; but there is no possibility that private industry will provide facilities for the manufacture of powder and high explosives, or for the loading of shells. It cannot do so, because the facilities for such purposes are in use only during critical periods in our history, and thereafter must remain substantially idle. While idle they are heavy financial burdens on their owners. They are subject to taxation; they must be insured against fire and

other forms of damage; and they must, of course, be guarded against vandalism of various kinds. Moreover, they cannot produce the money necessary to pay interest on the investment and to amortize it. The burden is too great, and it must be borne by the Government. That does not mean, however, that the Government will necessarily enter into the production of powder and other explosives. While it is believed that the language of the section is sufficiently broad to permit the Secretary of War to enter into contracts for the operation of powder plants and similar facilities by private industry, certain amendments which I shall offer and which I shall later discuss will clear away any doubt which may exist as to that matter.

The same elements which require that the Government provide the necessary plants for production also require that they provide the necessary places for storage. The provision authorizing the Secretary of War to carry out the purposes of the section either with or without advertising is essential. In normal times such authority would not be in the interest of the Government, and in general there is no need for any such authority. The statutes requiring advertising for bids and the awarding of contracts to the lowest bidder are necessary in such times for the protection of the public moneys. The situation which now confronts us requires that buildings be constructed and materials secured wherever and whenever necessary and in the shortest possible time. Delay incident to advertising for bids wastes time which cannot safely be wasted in an emergency, and requirements for the award of contracts to the lowest bidder shut off numerous sources of supply at a time when we should increase the sources. The power granted to the Secretary of War is great, but he has assured me that in all possible cases he will so exercise it that the Government will receive the benefit of competitive bidding, even though such bids are not formally advertised for.

Section 2 (a) of the bill suspends during the fiscal year 1941 all existing limitations with respect to the number of flying cadets in the Army Air Corps and with respect to the number and rank of Air Corps Reserve officers who may be ordered to extended active duty with the Air Corps.

Existing law limits the number of flying cadets to 2,500 and the number and grade of Air Corps Reserve officers who may be ordered to extended active duty for training with the Air Corps to 3,000 second lieutenants. This limitation, of course, absolutely prohibits any such expansion of our air force as must be made during the coming fiscal year. The limitations must be removed or a material part of the defense program must be abandoned. In removing the limitations the committee has decided that it will not recommend any limitation during the fiscal year. Conditions are changing almost daily. It is impossible to forecast the future, and during the fiscal year 1941 we must be in a position to increase the number of persons being trained as pilots and to increase the number of officers necessary for such training and for the operation of the increased number of airplanes which must be procured without the necessity of further legislation.

Section 2 (b) authorizes the President during the fiscal year 1941 to assign officers and enlisted men to the various branches of the Army in such numbers as he considers necessary, irrespective of the limitations on the strength of any particular branch of the Army set forth in the National Defense Act of June 3, 1916, as amended.

With the exception of the Air Corps and the Medical Corps, the strength of the various branches of the Army was fixed 20 years ago. Since that time developments in weapons and tactical doctrines have been so great that it has been necessary to change the organization of the combat units of the Army. While the Army was far below its authorized peacetime strength of 280,000 men, changes in organization could be effected without there being any necessity for changing the authorized legal strengths of the various branches, except insofar as the Air Corps and the Medical Corps were concerned. But now that the Army is approaching and will soon reach its maximum authorized peacetime strength, the limitations on the numbers of officers and men in the various branches which were fixed in the year 1920 should be suspended. Otherwise, we will have a combat organization wholly unfitted to meet the requirements of modern warfare. We cannot comply with existing limitations and at the same time organize several new divisions and certain essential corps and Army troops.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. SHEPPARD. I yield.

Mr. McKELLAR. Does subdivision (b) provide for an unlimited increase? It merely takes off all restrictions as to the number in the several branches of the Army?

Mr. SHEPPARD. It takes off all restrictions as to the number in the several branches.

Mr. McKELLAR. And leaves it to the Army organization to determine what the number shall be?

Mr. SHEPPARD. That is correct.

Mr. McKELLAR. Of course, it would be governed by the appropriations.

Mr. SHEPPARD. The appropriations for the total strength of the Army would remain unchanged.

Section 3 of the bill suspends during the fiscal year 1941 existing statutory limitations on the number of serviceable aircraft with which the Air Corps may be equipped and maintained. The present statutory limit is 6,000 serviceable aircraft. The reasons requiring a lifting of limitations as to numbers are the same as those requiring the lifting of limitation as to the number of flying cadets and Air Corps Reserve officers, and I will not repeat them. No attempt has been made by the committee to prescribe any maximum number for the fiscal year because it is impossible at this time to determine how many training planes it will be necessary to procure in order that pilots may be trained rapidly.

Mr. WALSH. Mr. President, will the Senator from Texas yield?

Mr. SHEPPARD. I yield.

Mr. WALSH. Does the bill fix the limitation on the duration of the authority granted?

Mr. SHEPPARD. Yes.

Mr. WALSH. Does the bill itself fix the time to which the extraordinary powers shall be limited?

Mr. SHEPPARD. They do not go beyond this fiscal year, except in a few instances.

Mr. WALSH. The bill is to remain a statute for only 1 year?

Mr. SHEPPARD. That is the fact, except as to a few instances.

Mr. WALSH. Is not the bill like most of the other bills, based on the duration of the emergency as declared by the President?

Mr. SHEPPARD. I think it is difficult to determine the length of the emergency, but all we felt safe in doing was to yield the authority for 1 fiscal year with certain exceptions.

Mr. WALSH. So that at the end of the fiscal year all the authority granted in the bill will be terminated, and we will have to pass another bill to continue it?

Mr. SHEPPARD. That is true with a few exceptions. We thought that was the safest course to take. In the matter of the exceptions the authority runs until the fiscal year of 1942.

Mr. WALSH. We had before the Committee on Naval Affairs the question of limitation on training and limitation on personnel, and other limitations, and we took the position that to remove for all time these limitations would be equivalent to doing away with the committee, that there would be no need for a Committee on Naval Affairs or for a Committee on Military Affairs if there were carte blanche authority indefinitely to have as many soldiers or naval vessels or airplanes as were wanted. Therefore we tried to fix a limit in each case, and also limited the authority to the period of the emergency. I am pleased to know that these extraordinary authorities are all limited to the fiscal year which will commence July 1, 1940.

Mr. SHEPPARD. Except, as I have said, in a few instances, one of which is the erection of a powder plant. There is a limitation of $20,000 on the erection of a plant for the making of powder.

Mr. WALSH. That is a permanent institution.

Mr. SHEPPARD. Yes.

Mr. WALSH. Along the line of the remarks of the Senator from Missouri—and I hope he feels as I do about it—the experience we had during the World War in connection with the 10-percent-cost-plus contract should teach us a lesson. My conception of that arrangement is that when, instead of the Army or Navy itself doing this work through one of its own officers, it hires another man to do it, he really should be made an Army officer or a naval officer and given a salary. But the Army or the Navy hires him and simply says, "By reason of your experience as a contractor and builder we will pay you a salary of 10 percent of the contract price."

I hope the Senator will join with me, insofar as we can accomplish anything, in having Government officials avoid mistakes which were made during the World War in connection with the 10-percent-plus contract. There is no reason why the Army or the Navy should do away with requests for bids and choose a reputable contractor and say, "Go ahead and build this for us; we have not officers enough, we have not material enough, and the understanding is that you will have a salary, and the salary will be 10 percent of the absolute disbursements." Such matters should be handled with the exercise of the utmost responsibility and conscientious obligation to the American public.

I feel sure the Senator from Texas feels as I do about that. In other words, it seems to me it has been treated as a junket, as a prize, as a reward. A man will say, "I have a return of 10 percent of the contract price, and I will get what I can under it, pile up expenses, and so forth." The work should be performed by the private citizen with an army officer's responsibility to direct undertakings.

Mr. SHEPPARD. Mr. President, I am glad to have the Senator's observations.

Mr. WALSH. After all, our committees are working along the same line, the problems are the same, all looking to speeding up and protecting the public interest, and as rapidly as possible building up our national defense.

Mr. SHEPPARD. I thank the Senator.

Mr. LUCAS. Mr. President, will the Senator from Texas yield?

Mr. SHEPPARD. I yield.

Mr. LUCAS. What has been said brings to my mind what has been discussed recently before the Committee on Naval Affairs dealing with the so-called Vinson-Trammell Act. I respectfully request that the chairman of the Committee on Naval Affairs, if he will, explain to the Senate how that affects the so-called 10-percent-plus-cost contract, if it does, against which the Senator from Missouri was inveighing a moment ago.

If I understood the testimony correctly, the Vinson-Trammell act does affect that very thing, and in view of the statement which has been made, I believe, it would be advisable, for the RECORD, to have explained somewhat thoroughly how that does affect contracts at the present time. It did not affect them during the World War, because the act was not in existence.

Mr. SHEPPARD. Will the Senator from Massachusetts answer the question?

Mr. WALSH. I do not know that I have in mind precisely what the Senator from Illinois is thinking about. There have been no naval contracts of which I know on a 10-percent-cost-plus basis since the World War.

Mr. LUCAS. That is true, but, as I understand, in connection with the bill we are discussing, certain negotiated contracts would be made eliminating competitive bidding if the bill we have been studying should be enacted. As I understand, the pending measure is more or less of a companion bill to that. As I understood the testimony, the Vinson-Trammell law, which was passed since the World War, absolutely eliminates anything more than a straight 10-percent profit on the cost of a contract. I may be wrong about it.

Mr. CLARK of Missouri. Mr. President, will the Senator from Texas yield to me?

Mr. SHEPPARD. I yield.

Mr. CLARK of Missouri. Let me ask the Senator from Massachusetts if we are not really talking about two different things. In the first place, the old cost-plus contract was in use during the World War.

Mr. WALSH. That is true.

Mr. CLARK of Missouri. It was a system of contract in use by the Army and Navy by which a contractor was more or less permitted to set up a single basis of cost, on which he would charge 10 percent.

I used an extreme illustration a moment ago. After the war the Vinson-Trammell Act came into effect, and we placed a straight limitation on profits of 10 percent on all vessels constructed. It did not provide for cost-plus contracts. It provided that in no case should profits amount to more than 10 percent. Is that not true?

Mr. WALSH. Yes.

Mr. CLARK of Missouri. So technically they are two different things.

Mr. WALSH. The Internal Revenue Department is obliged now to keep an account of all Government contracts for the building of naval vessels and airplanes, and must turn back into the Public Treasury anything more than 10 percent profit.

Mr. CLARK of Missouri. That is as a tax matter.

Mr. WALSH. Exactly. It must also turn back to the Treasury anything in excess of 10-percent profit in the case of airplanes.

I will say in this connection, and the Senator will remember it, that we passed a bill earlier in the session with respect to the building of bases outside continental United States, which were not subject to bidding. The Senator will be pleased to know that the Navy was able to make all those contracts, four or five of them, on the islands, on the basis of 6 percent rather than 10 percent. So, we have gotten down to as low as 6 percent, as the Senator will recall, with respect to the bases at Puerto Rico, Hawaii, and other bases. The Senator correctly stated that the 10-percent-plus contracts were war contracts. The Vinson-Trammell Act did not provide for any such contracts. It said that no matter what one bid, if he was the lowest bidder on naval vessels he could not make more than 10 percent. He was limited to 10-percent profit.

Mr. McKELLAR. Mr. President, I suppose the Senator remembers, as do all of us who were in Congress at the time of the first World War, how much trouble was caused by what was known as the cost-plus system of contracting. I wonder if the Senator from Texas would accept an amendment after the figures "1942" in line 12, on page 2, to insert:

Provided further, That what is known as the cost-plus system of contracting shall not be used under this section.

Mr. McKELLAR. I offer that amendment to the amendment.

Mr. SHEPPARD. I shall be glad to accept the amendment.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. SHEPPARD. I yield.

Mr. GEORGE. I call the Senator's attention to a matter that has been brought to my notice by more than one officer of the Army and by retired officers. I read from a letter, without giving the name of the writer, in which he said he visited certain places which were now in process of construction, and he found that the officers in charge of the construction forces there employed were badly in need of supervising and construction engineers; that they could hire only those engineers who were certified by the Civil Service Commission. He said that the failure of the Civil Service Commission promptly to certify or to certify in adequate numbers supervising and construction engineers constituted a brake on the construction of military projects.

The writer of the letter, who is very well known to me, and who is a lieutenant colonel in the Corps of Engineers, who organized and commanded one of the companies of engineers in the World War, says there are a number of competent supervising and construction engineers throughout the country who will not go to the trouble and who do

not care to take civil-service examinations. He says they are capable, and if employed would expedite the work of construction in the Army posts, of buildings, barracks and such work, wherever it is necessary to be done.

I do not know whether the Senator has considered that matter, but since the purpose of the bill seems to be to lift certain restrictions in the interest of expediting in all reasonable ways the program of national defense, it might be well to carry to conference at least an amendment something like this:

Provided, That until December 31, 1941, the Secretary of War, may, if he finds it to be necessary for national defense purposes, authorize the employment of supervising or construction engineers without regard to the requirements of civil-service laws, rules, or regulations.

Mr. SHEPPARD. The War Department and the Civil Service Commission agreed on something like that, if I recall the matter correctly.

Mr. GEORGE. It is already in the bill?

Mr. SHEPPARD. Yes; according to my recollection.

Mr. CLARK of Missouri. That is the proviso in section 4, lines 8 to 12, on page 3.

Mr. McKELLAR. Apparently it covers exactly what the Senator has in mind.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. SHEPPARD. I yield.

Mr. CLARK of Missouri. I was about to suggest that the proviso in section 4 would not only cover such a case as that suggested by the Senator from Georgia but would cover any other case of personnel in the whole United States, not only in the War Department, but anywhere else that might be considered in connection with the national defense. That being the case, I am thoroughly in sympathy with the suggestion made by the Senator from Georgia. It seems to me that the proviso in lines 8 to 12 on page 3 goes far beyond that. It reads:

Provided, That with respect to any personnel employed in connection with the national-defense program of the United States the provisions of section 6 of the act of August 24, 1912—

That is the Civil Service Act—

may be waived in any case when approved by the Secretary of War.

Mr. President, that proviso is so broad that it simply wipes out the whole merit system in connection with any personnel employed by the United States on anything that may be considered a national-defense program. The term "national-defense program" may be extended to include almost every activity of the Government before the national-defense program has gone very far. It seems to me that as the proviso is drawn it is so tremendously broad that it authorizes the Secretary of War to make exemptions not only in such cases as those of construction engineers, where exemptions might be very necessary, but in the case of clerks or accountants or others who can very readily be supplied from the civil service, but who can be exempted if the Secretary of War desires to exempt them.

Mr. SHEPPARD. Let me say that the Senator from Wisconsin [Mr. LA FOLLETTE] is going to propose an amendment dealing with civil-service employees under this measure.

Mr. CLARK of Missouri. I do not for a moment wish to suggest that the Secretary of War would abuse even such a grant of power as that, but it seems to me it is altogether too broad.

Mr. SHEPPARD. Mr. President, the Senator from Wisconsin is going to propose an amendment covering the matter of civil service under this bill.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. SHEPPARD. I yield.

Mr. GEORGE. I did not previously discover the provision referred to in section 4 of the bill. It seems to me to be very necessary to permit the employment of supervising and constructing engineers, at least during a limited period, without regard to the civil-service requirements.

Mr. SHEPPARD. I appreciate that.

Mr. BARKLEY. I doubt very much if the language of the proviso of section 4 could be construed to apply to any other Government employees outside of those employed in the War Department, because the Secretary of War has no jurisdiction to employ personnel in other departments.

Mr. CLARK of Missouri. He has when Congress gives him such authority as is done in that proviso.

Mr. BARKLEY. Mr. President, I disagree with that interpretation, because the provision is evidently intended to be limited to the employees who come under the jurisdiction of the War Department. If it is not limited to them, I think an amendment probably would be in order so to limit it, because we would not want to give the Secretary of War the power to waive any of the requirements as to employees in the Department of Agriculture or the Department of Commerce.

Mr. CLARK of Missouri. Or the Navy.

Mr. BARKLEY. Or the Navy, or any other department. It seems to me that the provision is intended to be limited to the War Department. The bill is a War Department measure. It is not a Navy bill, or any other kind of a bill except an Army bill.

Mr. SHEPPARD. That is true. I suggest to the Senator from Wisconsin that he offer his amendment.

Mr. LA FOLLETTE. Mr. President, I merely wish to point out that the section of the statute referred to in the proviso that has been under discussion is section 652 of the Revised Statutes, and provides the procedure for the removal of civil-service employees in the Government service. I have discussed this matter with the Senator from Texas [Mr. SHEPPARD], and intend at the appropriate time to offer an amendment which I think covers the point desired to be covered by the War Department, but it is not so sweeping in character as the blanket authority to suspend the entire section of the statute.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. SHEPPARD. I yield.

Mr. McKELLAR. If it is not too long, will the Senator from Wisconsin read it?

Mr. LA FOLLETTE. If the Senator from Texas so desires I will tender the amendment now, and it may be pending, or I will wait until he has concluded.

Mr. SHEPPARD. Tender it now, and, so far as I am permitted to do so, I shall accept it.

Mr. LA FOLLETTE. I desire to make a brief statement about it. I did not intend to interrupt the remarks of the Senator from Texas.

Mr. SHEPPARD. Very well. The amendment will remain pending.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. SHEPPARD. I yield.

Mr. MILLER. I should like to call the Senator's attention to section 6 of the act of 1912. That section does not at all go to the heart of the problem which Senators are trying to reach.

I hope the Senator from Wisconsin will give consideration to the provisions of section 6 of the act of 1912, referred to in section 4 of the bill. Section 6, the provisions of which are waived provides that no person in the classified civil service of the United States shall be removed therefrom except for such cause as will promote the efficiency of said service. That relates to removal of employees from the civil service. Section 4 of the bill does not relieve the War Department, in the prosecution of this work, from being bound by the civil-service rules and regulations as now written; and unless some provision similar to the one suggested by the Senator from Georgia or the one suggested by the Senator from Wisconsin were written into the bill, the Department would be bound by the civil-service rules and regulations.

Mr. LA FOLLETTE. Mr. President, will the Senator from Texas yield?

Mr. SHEPPARD. I yield.

Mr. LA FOLLETTE. I thought I had made it clear, in endeavoring to describe the section, that it does not bear

upon the point which the Senator from Georgia raised. All my amendment seeks to do is to provide for the waiver of the procedure of removal in the type of case which I understood was the reason why the War Department desired to have this section in the bill, and at the same time to preserve to the employees their other rights under the section, to which, as I understand, the War Department does not object.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. SHEPPARD. I yield to the Senator from Kentucky.

Mr. BARKLEY. The amendment offered by the Senator from Wisconsin deals with an entirely different situation from that suggested by the Senator from Georgia.

Mr. LA FOLLETTE. So does the provision in the bill.

Mr. BARKLEY. That is true. The amendment merely provides that if someone whose conduct has been found to be inimical to the public interest is already employed in the Department the civil-service rules may be waived in order to get rid of him. The Senator from Georgia suggested a way to put persons on the pay roll in an emergency like the present one without requiring them to go through the ordinary civil-service examination, which is an entirely different matter from the matter dealt with in the Senator's amendment. So if the Senator from Texas [Mr. SHEPPARD] should accept the amendment, it still would not deal with the other problem.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. SHEPPARD. I yield.

Mr. MILLER. That is the situation which I was endeavoring to point out. So if we wish to follow the suggestion made by the Senator from Georgia it will be necessary to adopt an amendment along the lines suggested by him, because neither the amendment proposed by the Senator from Wisconsin nor the provisions of section 4 as now written reach anything like the question which the Senator from Georgia has raised.

Mr. GEORGE. I fully agree. Section 4 simply provides that—

> The Secretary of War is further authorized to employ such additional personnel at the seat of government and elsewhere, and to provide for such printing and binding, communication service, supplies, and travel expenses, as he may deem necessary to carry out the purposes of this act.

Nothing is said about the civil service. The Secretary is simply authorized to employ. He may act under the civil-service regulations, whenever such regulations apply. The amendment of the Senator from Wisconsin relates entirely to the proviso in section 4.

Mr. SHEPPARD. Mr. President, in order that the matter may have full consideration, I will accept the amendment of the Senator from Georgia.

The PRESIDING OFFICER. Will the Senator from Texas have the several Senators who suggested amendments send them to the desk so that they may be stated in order and acted upon?

Mr. GEORGE. Mr. President, I offer the amendment which I send to the desk and ask to have stated. The amendment would be inserted after the end of line 7, on page 3, or at the proper place in the bill; and when it gets into conference the matter can be ironed out.

Mr. SHEPPARD. That is very true.

The PRESIDING OFFICER. The amendment offered by the Senator from Georgia will be stated.

The LEGISLATIVE CLERK. At the proper place in the bill it is proposed to insert the following:

> *Provided*, That until December 31, 1941, the Secretary of War may, if he finds it to be necessary for national-defense purposes, authorize the employment of supervising or construction engineers without regard to the requirements of civil-service laws, rules, or regulations.

The amendment was agreed to.

Mr. McKELLAR. Mr. President, may the amendment which I offered a few minutes ago, and which was accepted by the Senator from Texas, be stated?

The PRESIDING OFFICER. The amendment offered by the Senator from Tennessee will be stated.

The LEGISLATIVE CLERK. On page 2, after line 12, it is proposed to insert the following proviso:

> *Provided further*, That what is known as the cost-plus system of contracting shall not be used under this section.

The amendment was agreed to.

Mr. SHEPPARD. Mr. President, section 5 of the bill authorizes a discretionary fund for the President in the amount of $66,000,000 cash and——

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. SHEPPARD. I yield.

Mr. ADAMS. I inquire whether or not the $66,000,000 is the same fund which was carried in the Army civil functions appropriation bill.

Mr. SHEPPARD. That is correct. This section merely provides legal authority for that action.

Mr. ADAMS. This is not an additional expenditure?

Mr. SHEPPARD. It is not an additional expenditure. Section 5 merely provides legal authority for what we have already done. Past experience demonstrates that in time of national emergency a discretionary fund is essential.

Section 6 of the bill authorizes the President, when necessary in the interest of the national defense—

> To prohibit or curtail the exportation of any military equipment or munitions, or component parts thereof, or machinery, tools, or material necessary for the manufacture or servicing thereof.

The necessity for such legislation in connection with legislation authorizing the rapid procurement of military munitions, equipment, and supplies is apparent. The power must exist in the Executive temporarily to prohibit exports which endanger the whole purpose of the bill of which it is a part.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. SHEPPARD. I yield.

Mr. VANDENBERG. I should like to have the Senator's interpretation of the power under section 6. May the President apply the prohibition to one belligerent and not to another in a given situation, or must it be a uniform prohibition?

Mr. SHEPPARD. So far as the language of the bill is concerned, there is no requirement for uniformity.

Mr. VANDENBERG. So the Senator's answer is that under section 6 the President may apply a one-sided embargo rather than a general embargo?

Mr. SHEPPARD. When he considers it necessary in the interest of the national defense, he may do so.

Mr. VANDENBERG. No interest of national defense of the sort to which the Senator referred when he explained the section would require a prejudicial embargo. If the embargo is necessary in order to preserve material at home, it is necessary to preserve it against everybody.

Mr. SHEPPARD. As I say, so far as the bill is concerned, the President is given that authority when he deems it to be in the interest of the national defense.

Mr. VANDENBERG. I think that is a very inappropriate authority to place in anybody.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. SHEPPARD. I yield.

Mr. MALONEY. It seems to me the President might very properly permit exports to South America, for example.

Mr. SHEPPARD. That is true.

Mr. President, I have concluded my review of the bill as it was reported to the Senate. Since that time a number of amendments have been suggested by the War Department, and I now desire to discuss those amendments.

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. SHEPPARD. I yield to the Senator from Colorado.

Mr. ADAMS. I wish to make an inquiry with reference to section 6. Line 25 on page 4 provides that—

> The authority granted in this section shall terminate June 30, 1942, unless the Congress shall otherwise provide.

I am wondering if the language ought not to be "in this act" rather than "in this section." I believe there is one other provision in the bill which has no limitation. I understand it is the purpose of the bill to provide a limit of 1 year.

Mr. SHEPPARD. What is the suggestion of the Senator?

Mr. ADAMS. Simply that the word "section" be changed to "act", so that there would be no question about the whole act being limited to 1 year.

Mr. SHEPPARD. I accept the amendment.

The PRESIDING OFFICER. The amendment offered by the Senator from Colorado will be stated.

The LEGISLATIVE CLERK. On page 4, line 25, after the word "this", it is proposed to strike out "section" and insert in lieu thereof the word "act."

The amendment was agreed to.

Mr. SHEPPARD. Mr. President, I now desire to proceed with the amendments which have been suggested by the War Department.

The PRESIDING OFFICER. The first amendment offered by the Senator from Texas will be stated.

The LEGISLATIVE CLERK. On page 1, line 3, after the word "That", it is proposed to insert "(a)."

Mr. SHEPPARD. That is merely a clerical amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Texas.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment offered by the Senator from Texas will be stated.

The LEGISLATIVE CLERK. On page 1, line 8, after the word "rehabilitation", it is proposed to insert the word "conversion."

Mr. SHEPPARD. Mr. President, the second amendment proposes to insert in line 8, on page 1, after the word "rehabilitation", the word "conversion," in order that there may be no doubt of the authority to convert existing buildings and facilities, instead of building new ones. I ask that the amendment be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Texas.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment offered by the Senator from Texas will be stated.

The LEGISLATIVE CLERK. On page 1, lines 10 and 11, it is proposed to strike out "including the acquisition of such land as may be necessary," and to insert in lieu thereof "(including Government-owned facilities at privately owned plants, and the expansion of such plants, and the acquisition of such land, and the purchase or lease of such structures, as may be necessary)."

Mr. SHEPPARD. Mr. President, the War Department is unable to state definitely at this time what buildings must be purchased or leased in connection with the construction and procurement program authorized by the bill. Its uncertainty as to that matter is easily understood, but it is equally clear that there must be authority for such purchase or lease if the purposes of the bill are to be effectively carried out. The amendment also authorizes the construction of Government-owned facilities at privately owned plants, and the expansion of such plants. There is no doubt that procurement of munitions, equipment, and supplies will be expedited if the Government can construct facilities at privately owned plants, to be operated in connection with an already existing production unit. The title to the property, of course, would remain in the Government.

The provision for the acquisition of land necessary for the purposes of the bill is, of course, essential. Powder plants and ammunition-loading plants must be established where they will not endanger communities. In order to establish them at the proper places, the necessary land must be acquired.

I offer the amendment stated by the clerk and ask for its adoption.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Texas.

Mr. KING. Mr. President, I was detained from the Chamber and did not hear the explanation made by the Senator having the bill in charge or the justification for the passage of this rather remarkable legislation. Does the evidence before the committee indicate the necessity of expending $66,000,000 without pointing out where it is to be expended, exactly the purposes for which it is to be expended, and when it is to be expended, without proper restrictions?

Mr. SHEPPARD. That amount has already been appropriated in the Army appropriation bill. This bill merely provides the legislative authority for the expenditure.

Mr. KING. The amount has been appropriated. Was it appropriated without indicating the purpose for which it was to be employed?

Mr. SHEPPARD. There was a debate on the matter in the Senate at the time it was adopted. It was a part of the Regular Army appropriation bill.

Mr. CLARK of Missouri. Mr. President, if the Senator will yield, it was subject to a point of order on the appropriation bill, but no Senator made the point of order. This is simply, as I understand, an authorization for an appropriation which has already been made?

Mr. SHEPPARD. That is true.

Mr. CLARK of Missouri. It was clearly subject to a point of order when the appropriation bill was before the Senate, but no Senator saw fit to make the point of order.

Mr. KING. Were the hearings sufficiently informative to justify the large appropriations?

Mr. SHEPPARD. I thought so, and the Appropriations Committee thought so.

Mr. KING. It cannot, in any sense, be considered as a "pork barrel" bill, can it?

Mr. SHEPPARD. Not at all. It is purely for national defense.

Mr. CLARK of Missouri. It is a kind of blank check.

Mr. KING. I fear it is a blank check, as is indicated.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Texas.

The amendment was agreed to.

Mr. SHEPPARD. I offer another amendment and ask to have it stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 7, after the word "contracts", it is proposed to insert:

(Including contracts for educational orders, and for the exchange of deteriorated, unserviceable, obsolescent, or surplus equipment, munitions, and supplies for other equipment, munitions, and supplies of which there is a shortage).

Mr. KING. Mr. President, may we have an explanation of the amendment?

Mr. BONE. Mr. President, will the Senator yield?

Mr. SHEPPARD. Certainly.

Mr. BONE. Referring to the language of the bill on page 1, beginning in line 7, I am wondering if the language employed by the bill would include Government arsenals?

Mr. SHEPPARD. I do not think so.

Mr. BONE. It refers to "military posts, depots, stations, or other localities, or plants, buildings, facilities, utilities, and appurtenances thereto."

Mr. SHEPPARD. That applies only to those facilities appropriated for under the Regular Army appropriation bill.

Mr. BONE. Does that appropriation bill identify the specific plants for which the money will be used?

Mr. SHEPPARD. It does specifically.

Mr. BONE. I am wondering why it was that Government arsenals which manufacture firearms were not included within the list of plants which could be expanded for defense purposes?

Mr. SHEPPARD. In another part of section 1 arsenals are clearly authorized, although not specifically named.

Mr. BONE. Is it the view of the able Senator from Texas that under the bill to which he has referred, which passed a short time ago, the Federal Government could expand its own arsenals? I should like to be clear on that point.

Mr. SHEPPARD. Let me read the Senator what the regular appropriation measure provided:

The Regular Army appropriation measure referred to appropriates a total of $1,823,254,624.

As passed by the House it appropriated $828,999,094.

The Senate added $905,856,004, making the total of $1,823,254,624.

This figure provides for construction, personnel, procurement of equipment, critical items, and 2,566 airplanes. It also increases the authorized strength of the Regular Army to 280,000.

The supplemental appropriation measure for the fiscal year 1941 appropriates $1,028,849,898. It also provides for matériel, personnel, and 3,000 additional airplanes. This figure is divided as follows: $707,000,000 for matériel, including airplanes, and $322,000,000 for personnel.

Ninety-five thousand additional strength of the Regular Army is provided, making the total strength of the Regular Army 375,000, if the bill is enacted. Of the 95,000, 40,000 is contemplated for the Air Corps and 55,000 for ground troops.

With the supplemental and the regular appropriation measures, it is contemplated maintaining two corps, two armored divisions, and nine triangular divisions.

I do not recall specifically whether or not arsenals are mentioned in the Regular Army appropriation bill.

Mr. BONE. I am wondering why, in the face of our necessitous condition, the War Department has not suggested the enlargement of the arsenals where there could be manufactured rifles and all the other implements of war which are supplied to the Army. I cannot understand why that has not been done.

I ask the question, I will say to the Senator from Texas, because 3 years ago I introduced a bill, which was signed by a number of other Senators, asking both the War Department and the Navy Department to expand our navy yards and arsenals, and making appropriation therefor, so that they could provide facilities for laying down the keel of every ship in the then pending naval program, and to provide for additional expansion. That bill also called upon the War Department to enlarge Government arsenals.

Mr. SHEPPARD. If the Senator will excuse me, I have just found what he has asked about.

Mr. BONE. What is the number of the bill?

Mr. SHEPPARD. Senate bill 4025.

Mr. BONE. That is the bill under consideration, is it not?

Mr. SHEPPARD. That is the bill under consideration.

Mr. BONE. That is the one I was talking about when I referred to the language on page 1 of the bill, and I am wondering if that language would include arsenals, and if not, why they have not been included.

Mr. SHEPPARD. I am sure they are included.

Mr. BONE. The language seems not sufficiently inclusive to take in arsenals. It refers to "military posts, depots, stations, or other localities, or plants, buildings, facilities, utilities, and appurtenances thereto."

Mr. SHEPPARD. But the bill provides that such plants, buildings, facilities, and appurtenances shall be "for the development, manufacture, maintenance, and storage of military equipment, munitions, supplies, and for shelter."

Mr. BONE. It is true that the language following may be sufficiently broad to imply the right to expand arsenals. I have been very anxious, I will say to the Senator, and I felt that anxiety several years ago, that the Federal Government expand its own instrumentalities for production.

Mr. SHEPPARD. I referred to that very point in my discussion of section 1.

Mr. BONE. As a part of this argument and for the sake of the RECORD, I think it is important to bring out the facts, because a Senator asked me the other day if the bill then pending was the first defense bill I had voted for. In fact, I have voted for every one of them, and I was astonished that a Senator so well informed as the particular Senator referred to was not aware of that fact.

Several years ago I sought to have the Government expand its plants in such a way as to take care of all construction under the Vinson-Trammell Act and the then pending naval program in our own yards, and to lay down every keel in 5 minutes. It would have expanded all buildings and facilities, put in the shipways, the derricks, the cranes, the loading equipment, the riveting machinery, and all the other type of equipment that is necessary.

That bill also called for the creation of an enormous store of jigs, dies, tools, machine fixtures, and machine tools, which are the very breath and life of the present defense program. I wanted that; I tried to get it; and, to my great surprise, I will say to the Senator from Texas, to my utter astonishment, the Navy Department, the responsible heads of this Government, advised the able chairman of the Committee on Naval Affairs, in a formal letter, that they did not want it done, that it was not in harmony with their theory and their program of national defense that such a thing should be undertaken.

Let me add that nothing in the bill would have kept the Federal Government from going outside and doing what it is now proposed to do, that is, to expand private facilities, but in so doing we would have had this enormous backlog of preparatory facilities, and we would have had the enormous, the huge stock of jigs, tools, machine fixtures, and vital machine tools which are now so necessary. The bill specifically provided that this great store of the necessary machine tools should be kept by the Federal Government and not only utilized in our own arsenals and our own shipyards, but should be made available to private plants in the event of a great national emergency. I want that record to be made clear, because I have spoken plainly about it. I want my brethren to know that I tried to do this sort of thing, but I was assured by the War Department and the Navy Department that they did not want it done.

So, as we stand here facing this crisis, I cannot understand why they objected to doing that thing which now is declared to be the very essence, life, and breath of proper and adequate preparations for war. I want the RECORD to show the facts. The one suggestion made was that we should wait and let the private companies do it when the time came. Well, we have waited; we have let the private companies do it; and now we are informed that the essential thing in the whole program is the machine-tool industry, and it may take two years to tool up the plants so that they could do it.

I know that the able Senator from Texas has not been remiss in his duty, I would not chide him; and I think he understands that.

Mr. SHEPPARD. I understand the Senator.

Mr. BONE. I am not chiding anybody, but I was one of those who favored this movement several years ago; I wanted to be prepared, because I know that in any preparation we indulged would not interfere with an expansion of the program. Private shipyards could have been built and paid for; private plants could have been set up, or facilities expanded, and paid for, and we would have had machine tools with which to make rifle barrels and all accessories and gadgets necessary for war. I feel badly now—more badly than I can tell the Senator from Texas—that our own Government refused to do it. In the light of what is now facing us, to comment on it is to indulge in a very mordant form of humor.

Mr. SHEPPARD. I now yield to the Senator from Wyoming [Mr. SCHWARTZ].

Mr. SCHWARTZ. Mr. President, I merely wish to suggest to the Senator from Washington that everything he has suggested ought to be done. There is full authorization for doing those things if the War Department and the Navy Department want to do them. All that this bill does is to give authorizations, and it authorizes everything the Senator has suggested. If it is the purpose by some other bill to direct the departments to do some particular thing, of course that matter would come up at the proper time; but this measure is as broad as anything the Senator has in his mind.

Mr. BONE. I am not unmindful of that fact; but I do not want to be in the position of merely crying over spilled milk and threshing old straw. I am pointing out to my brethren here that I tried to do it in 1937. The Senator from Missouri [Mr. CLARK], also a critic of our dilatory tactics, joined with

me in the preparation of that bill. We tried to get the Government to do it then, at a time when, had they accomplished that work, we would have had all these facilities, these arsenals expanded, and we would have had millions of dollars' worth of jigs, dies, tools, and fixtures; but at that time our departments assured us that what was proposed was not in harmony with the program of national defense.

I do not know what they thought national defense might ultimately be as a problem; but at that time—and oh, it is so short a time ago!—they said, "No; we do not want to do this. We will wait"— this is, in effect, their letter—"We will wait until a crisis confronts us, and then we will have private industry do it." Well, you are going to have them do it, gentlemen; and I believe that when we get through with this program it will have cost the Government—and I should like to have a program—probably $20,000,000,000.

There are a great many mighty able Senators on the floor and I wonder if they think I am wrong in saying that the kind of a navy we might need which the conditions of the world might readily call for, and the right sort of a military establishment which the conditions confronting us might call for, might easily cost the Government, even though it should remain at peace, the astounding figure of $20,000,000,000.

I am going to wait a moment and see if anyone chides me for that statement.

There are a number of able men here. I am wondering if they feel that I am overstating the matter. Certainly I do not want to overstate it. I think it is well within the range of possibility that the peacetime development of our Navy to take care of the western world, and to have the right kind of a military establishment to defend our adherence to the Monroe Doctrine, might easily cost us $20,000,000,000.

Of course we should have to meet that expenditure, as the Senator from Maryland [Mr. TYDINGS] pointed out, by a program of taxation far beyond anything we have yet contemplated. I do not shrink from that sort of a tax program, because I want to be realistic; but I think we shall have to tell the country now what we face. There are a number of realistic men in this body. They are not going to blind themselves. We shall have to know the facts now, even if a program of adequate preparation is in itself, and will continue to be, a staggering burden, one that will strain the resources of our economy.

Mr. LEE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Oklahoma?

Mr. SHEPPARD. I yield to the Senator from Oklahoma.

Mr. LEE. I wish to ask the Senator from Washington a question. I am in agreement with what the Senator has just said as to the cost of maintaining an adequate Navy; but if the Allies should be able to crush Hitler, would such an outlay be necessary, in the Senator's opinion?

Mr. BONE. Mr. President, will the Senator from Texas permit me to answer the question of the Senator from Oklahoma?

Mr. SHEPPARD. I cheerfully yield.

Mr. BONE. I do not want unduly to interfere with the Senator's presentation of the bill.

Mr. SHEPPARD. I am glad to yield.

Mr. BONE. Mr. President, I have seldom been in the rôle of a prophet; but for a good many years I have felt—and I so expressed myself 5 years ago on this floor—that we were living in a period of transition. That is why I introduced the kind of legislation that I did. I wanted my country to be prepared. I could visualize a broken and battered economy in every great nation in the world, due to the rising and inordinately large costs of rearmament.

I remember that our Secretary of State and nearly every other able man in the country said that the cost of rearmament in itself would crush every great country in the world. We all remember that statement. I know the Senator from Oklahoma remembers that statement—that armament costs, as the Secretary of State said, would in themselves destroy the present-day economy of these countries, and lower the standard of living of all these countries for generations to come; and that is just the peacetime rearmament.

I wish I could bring some consolation to my good friend the Senator from Oklahoma [Mr. LEE] either to verify or to repel the suggestion. I do not know what the future holds. I am not so certain that it is anything we can solve now by any legislation we pass. I do not care which side wins, or claims to win, in this terrible struggle, I do not believe any nation in the world can win one of these total wars.

Human bravery, courage, every attribute that challenged the admiration of men from the dawn of time, have ceased to be important factors in war. All in God's world the nations want now are armies of robots, men void of sensibility, void of fear, void of emotional reflexes and complexes, men who merely are taught to push buttons.

Individual bravery does not amount to anything any more in a mechanized war. So, with that blotting out of every single impulse that has motivated men in past wars, God alone knows what may happen in another war and how much armament of this new kind any nation must have.

I think Europe will be beggared when this war is over, no matter which side thinks it has won. I think pestilence and famine will sweep Europe. I think there are too many people in Europe for it ever again to be a land of peace. There are probably four or five hundred million people in Europe, whereas there were only about 125,000,000 in Napoleon's time, and even then Europe was crowded.

Today, obviously Europe cannot even support herself and feed those vast populations and, of course, they will burst all bounds; and for that reason I believe the impact of all this change on our own economy is going to necessitate larger armaments on our part, even though we remain at peace. That is such a burden that I very much doubt—and I say this with regret—that our present economy can stand the impact. I think it is going to require violent and drastic adjustments in our own economy, and what they are to be only time will tell.

I think the pragmatic viewpoint is the only one worth while. We shall be compelled, by the process of trial and error, to fit ourselves into the picture and do the best job we can here; but certainly the least that can be said for us, peace or war, is that from now on, armament is to be the big problem.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. SHEPPARD. I yield to the Senator from Indiana.

Mr. MINTON. I should like to ask the Senator a question with reference to section 6. We all know that the question of embargoing scrap iron has been very much discussed and a matter of very great interest to the people of this country. I should like to know whether the Senator from Texas agrees with me that this part of section 6 grants to the President the right to embargo scrap iron.

The provision reads as follows:

> Whenever the President determines that it is necessary in the interest of national defense to prohibit or curtail the exportation of any military equipment or munitions, or component parts thereof, or machinery, tools, or material necessary for the manufacture or servicing thereof, he may by proclamation prohibit or curtail such exportation, except under such rules and regulations as he shall prescribe.

Mr. SHEPPARD. I think the President might well hold scrap iron to be a military material under this law.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. SHEPPARD. I yield to the Senator from Washington.

Mr. SCHWELLENBACH. The Senator knows that I discussed with him the other day a short amendment with reference to section 6, which has just been referred to by the Senator from Indiana. Is the Senator now willing to consider amendments? May I offer that amendment at the present time?

Mr. SHEPPARD. I should prefer to finish the explanation of the bill, and then take up amendments.

Mr. McNARY. Mr. President, I offer this suggestion to the able Senator in charge of the bill: Some of the proposed

amendments are very far-reaching. No one has had an opportunity to give them study. They may be necessary. I suggest to the Senator that he complete his statement on the bill and the amendments; then let us have the amendments printed and lie on the table, so that Senators may study them tomorrow, and then proceed to the further consideration of the bill.

Mr. SHEPPARD. That will be very satisfactory to me.

Mr. CLARK of Missouri. Mr. President, will the Senator yield to a suggestion that the amendments also be printed in the RECORD, so that they will be available at an early hour?

Mr. SHEPPARD. My discussion of each amendment will appear in the RECORD. I ask the clerk to read the pending amendment again.

The PRESIDING OFFICER (Mr. O'MAHONEY in the chair). Without objection, the amendment will be read.

The LEGISLATIVE CLERK. On page 2, line 7, after the word "contracts", it is proposed to insert "(including contracts for educational orders, and for the exchange of deteriorated, unserviceable, obsolescent, or surplus equipment, munitions, and supplies for other equipment, munitions, and supplies of which there is a shortage)."

The PRESIDING OFFICER. The amendments which have been sent to the desk are separate. Is it the desire of the Senator from Texas to have them printed separately, or as a unit?

Mr. SHEPPARD. I am asking the Clerk to read them separately, and then I am moving the adoption of the amendments and discussing them separately. My remarks will show both the amendments and my explanations in the RECORD.

Mr. McNARY. I suggest that the amendments be printed also.

The PRESIDING OFFICER. The suggestion of the Senator from Oregon is that the amendments be printed.

Mr. SHEPPARD. I have no objection.

The PRESIDING OFFICER. It is so ordered.

Mr. SHEPPARD. The existing educational-orders law requires that bids be solicited from a selected list of those considered to be qualified to receive such orders. That restrictive provision of existing law needs temporary suspension in order to permit the education of industry for the manufacture of munitions without experiencing undue delays. The amendment does not affect the requirement of existing law that the placing of an educational order is subject to the approval of the President. That safeguard is retained.

As to the other part of the amendment it is of utmost importance to the War Department at this time. It will enable the Department to dispose of by exchange of deteriorated, unserviceable, obsolescent, or surplus equipment, munitions, and supplies for other equipment, munitions, and supplies.

For example, the Department may have quantities of rifles, guns, and so forth, which are useless to the Army or may be surplus. These articles are turned over to manufacturers for a stated price. The manufacturer credits the Government with the price determined upon which credit is applied on contracts for new items then under contract or on new contracts for any type of desired equipment, munitions, or supplies.

In determining what equipment, and so forth, is surplus over the needs of the Army, I have been assured that nothing will be declared surplus which would be needed by the Army in equipping a force of approximately 2,000,000 men.

The Revised Statute, 3617, authorizes the sale of unserviceable, deteriorated, or surplus equipment, munitions, and supplies the proceeds of which must be deposited to the credit of the Treasury.

The act of May 12, 1917 (40 Stat. 43) (title 10, 1272 U. S. C.), authorizes the exchange of motor-propelled vehicles, airplanes, engines and parts thereof in part payment for new equipment of the same or similar character to be used for the same purpose as those to be exchanged.

The authorization included in this measure proposes the exchange of surplus munitions for any kind of new material of which there is a shortage in the Army.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. SHEPPARD. I yield.

Mr. BARKLEY. If I understand the situation, under the present law, except as to motor vehicles, airplanes, and such things, when the President has already issued an order or taken steps to exchange them or turn them back to the manufacturing plant and get credit on purchases of new material, when delivered, all this other equipment referred to in the amendment would have to be sold and the proceeds covered into the Treasury and reappropriated by Congress before the money could be used. Under this language the President can exchange these commodities, whatever they are, turn them back to the factories, and get credit on new ones, just like turning back an old automobile and getting credit on a new one. That is the purpose of it, as I understand.

Mr. SHEPPARD. The Senator is entirely correct.

Mr. BARKLEY. It does obviate the necessity of having to come to Congress and get new appropriations out of the general fund in order to pay for these things, whereas the return of them will be in part payment, at least, and they will be credited to the purchase when delivery is made.

Mr. SHEPPARD. In other words, it expedites action in the matter of acquiring new equipment.

Mr. BARKLEY. Yes.

Mr. CLARK of Missouri. Mr. President, will the Senator from Texas yield?

Mr. SHEPPARD. I yield.

Mr. CLARK of Missouri. Did the Senator ever hear of anyone trading in his automobile to get another one a year from now or 2 years from now or 3 years from now, when the other man thought he might need his own automobile himself in the meantime?

Mr. BARKLEY. Mr. President, the illustration given by the Senator from Missouri may be a little extreme.

Mr. CLARK of Missouri. The illustration given by the Senator from Kentucky seemed to me to be very extreme.

Mr. BARKLEY. Frequently it occurs that the owners of used cars turn them in and get credit against the purchase of new cars to be delivered 2 or 3 or 4 months from now. I do not suppose the same rule could apply in the purchase of an airplane or a tank or a consignment of rifles, but it seems to me there is nothing wrong with the practice.

Mr. CLARK of Missouri. Why do we not be frank about this matter and state openly what everyone knows to be the fact, that this is simply a method of beating the devil around the stump for the purpose of selling part of the armament of the United States, belonging to the Army and Navy of the United States, to one set of belligerents?

Mr. BARKLEY. I am glad the Senator acknowledged it is the devil we are trying to beat around the stump. [Laughter.]

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. SHEPPARD. I yield.

Mr. JOHNSON of Colorado. Is the pending amendment designed to comply with the proposal made by the Senator from Florida [Mr. PEPPER] in his several addresses recently made to the Senate? Is that what the pending amendment is for?

Mr. SHEPPARD. So far as I am concerned, I had no particular individual in mind when I offered the amendment.

Mr. JOHNSON of Colorado. I realize that; but what I am trying to understand is whether the amendment provides for what is proposed by the Senator from Florida in his resolution. Is this the same resolution, except in another form?

Mr. SHEPPARD. I would not say so.

Mr. JOHNSON of Colorado. In what way does it differ?

Mr. SHEPPARD. The Senator from Florida has changed his resolution twice, and I do not know to which particular resolution the Senator from Colorado refers.

Mr. JOHNSON of Colorado. I mean his latest and revised resolution.

Mr. SHEPPARD. Mr. President, there is no reference in the amendment whatever to the war in Europe.

Mr. BONE. Will the amendment be printed?

Mr. SHEPPARD. It will be printed.

Mr. BONE. The Senator is not asking for action on it now?

Mr. SHEPPARD. Not at all. I want the Senate to understand all these proposals thoroughly. I think it is entitled to a complete explanation.

Mr. HOLT. Mr. President, will the Senator yield?

Mr. SHEPPARD. I yield to the Senator.

Mr. HOLT. Will not the Senator state for the information of the Senate what the Army considers surplus material, so that we will know?

Mr. SHEPPARD. Any material beyond the requirements of an Army of 2,000,000 men.

I now offer the next amendment.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 9, beginning with the word "Provided", it is proposed to strike out through the period in line 12 and to insert in lieu thereof the following:

Provided, That the limitations contained in sections 1136 and 3734 of the Revised Statutes, as amended, and any statutory limitation with respect to the cost of any individual project or construction, shall be suspended until and including June 30, 1942, with respect to any construction authorized by this act.

Mr. SHEPPARD. Mr. President, at the time the bill was prepared it was considered that the language of section 1 was sufficiently broad to suspend all existing limitations in section 1136 of the Revised Statutes except the one placing a limit of $20,000 as the cost of any unit of construction unless by special authority of Congress. The proviso to section 1 suspended the limitation on the cost of a unit. In view of the existence of some doubt as to the question and of the necessity of also waiving the requirements of section 3734 of the Revised Statutes, the proviso has been amended as indicated. Section 3734 prohibits the expenditure of money upon any public building until after sketch plans showing the tentative design and arrangement of such building and detailed estimates of the cost thereof shall have been made by the Supervising Architect of the Treasury Department and approved by the Secretary of the Treasury and the head of any department which may have officials located in such building. Provisions of that section, insofar as the Army is concerned, are largely obsolete and for many years have been waived annually. It is evident that to require compliance with such provisions in the construction of plants authorized in the bill would create an inexcusable delay.

I offer the amendment, and ask for its inclusion in the bill, in order to perfect the bill.

Mr. LA FOLLETTE. Mr. President, I should like to get clear exactly what parliamentary procedure is being followed.

The PRESIDING OFFICER. It has been unanimously agreed that the amendments shall be read and offered this afternoon, but not voted upon today.

Mr. LA FOLLETTE. I understood the Senator from Texas to ask for the inclusion of the amendment just offered in the bill, which would be tantamount to its adoption.

Mr. SHEPPARD. Mr. President, I have been asking for the adoption of the amendments, but since several Senators expressed a desire to be allowed to study them, I shall not move any further adoptions and will ask for reconsideration tomorrow of amendments adopted should any Senator so request.

I now offer the next amendment.

The PRESIDING OFFICER. The clerk will state the next amendment offered by the Senator from Texas.

The LEGISLATIVE CLERK. On page 2, between lines 12 and 13, it is proposed to add the following new subsection:

(b) The Secretary of War is further authorized, with or without advertising, to provide for the operation and maintenance of any plants, buildings, facilities, utilities, and appurtenances thereto constructed pursuant to the authorizations contained in this section and section 5, either by means of Government personnel or through the agency of selected qualified commercial manufacturers under contracts entered into with them, and, when he deems it necessary in the interest of the national defense, to lease any such plants, buildings, facilities, utilities, appurtenances thereto, and land, for such periods and under such terms and conditions as he may deem advisable, and without regard to the provisions of section 321 of the act of June 30, 1932 (47 Stat. 412).

(c) Whenever, prior to July 1, 1942, the Secretary of War deems it necessary in the interest of the national defense, he is authorized, from appropriations available therefor, to advance payments to contractors for supplies or construction for the War Department in amounts not exceeding 30 percent of the contract price of such supplies or construction. Such advances may be made upon such terms and conditions and with such adequate security as the Secretary of War shall prescribe.

Mr. SHEPPARD. Mr. President, the material features of the subsection are specifically to authorize the Secretary of War to provide for the operation and maintenance of the plants authorized in the main body of section 1 either by means of Government personnel or through the agency of selected qualified commercial manufacturers under contracts entered into with them, and to authorize the leasing of such plants when the Secretary of War deems it necessary in the interest of the national defense. The magnitude of the procurement program makes it necessary that all available means of production be made available to the Secretary of War. The dangerous shortage of munitions, particularly in powder, must be overcome at the earliest practical moment. This amendment is designed to help accomplish that objective.

Subsection (c) provides as follows:

Whenever, prior to July 1, 1942, the Secretary of War deems it necessary in the interest of the national defense, he is authorized, from appropriations available therefor, to advance payments to contractors for supplies or construction for the War Department in amounts not exceeding 30 percent of the contract price of such supplies or construction. Such advances shall be made upon such terms and conditions and with such adequate security as the Secretary of War shall prescribe.

Briefly, the amendment authorizes the Secretary of War during the period prior to July 1, 1942, to advance to contractors for supplies or construction such amounts as he considers necessary, but not to exceed 30 percent of the contract price. Existing law prohibits the making of advance payments. Cases will probably arise when a contractor, fully capable of meeting the requirements of the contemplated contract, will need to make an initial outlay entailing expenditures beyond his immediate resources. The authority granted by the amendment would enable the Secretary of War to advance the necessary money up to 30 percent of the contract price. This advance would, under the terms of the amendment, be protected by adequate security to be prescribed by the Secretary of War. This provision will undoubtedly increase the number of sources of supply and thus expedite the procurement thereof.

Mr. President, I ask that the next amendment, being amendment No. 7, be read.

The PRESIDING OFFICER. The amendment will be read.

The LEGISLATIVE CLERK. On page 3, line 13, after the comma it is proposed to insert "with or without advertising."

Mr. SHEPPARD. I also ask that the eighth amendment be read.

The PRESIDING OFFICER. The amendment will be read.

The LEGISLATIVE CLERK. On page 4, in lines 1 and 2, it is proposed to strike out the words "without regard to section 3709 of the Revised Statutes."

Mr. SHEPPARD. Mr. President, the seventh and eighth amendments are substantially one amendment. The seventh amendment inserts in line 13 of page 3 of the bill the words "with or without advertising" after the word "authorized" and the eighth amendment strikes out from lines 1 and 2 of page 4 the words "without regard to section 3709 of the Revised Statutes." The effect of the two amendments is to authorize the President to use the emergency fund in his discretion with or without advertising. The present language in the bill, which was taken from certain language in the pending appropriation bill for the Military Establishment for the fiscal year 1941, was inadvertently inserted in such a place that the authority to make purchases and enter into contracts for supplies or services without advertising was limited to the procurement of strategic or critical materials. Your committee is informed that if the language is permitted to stand as now written the essential usefulness of the emergency fund as a whole may be destroyed by a construction that, because of the waiver of section 3709 of

the Revised Statutes as to one part of the fund only, the section applies to the entire balance of the fund. There is no reason to limit the emergency fund of the President in any such way and no logic in so doing.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. SHEPPARD. I yield.

Mr. DANAHER. As one reads the language of the bill on page 3 he finds in section 5, in line 16, page 3, that the President is authorized "for each and every purpose connected therewith, including all of the objects and purposes specified under any appropriation available or to be made available to the War Department for the fiscal years 1940 and 1941," and so on.

Mr. SHEPPARD. Did the Senator say the fiscal year 1940 or the fiscal year 1941?

Mr. DANAHER. Nineteen hundred and forty and 1941. The effect of that language obviously is to drive us to House bill 9209, which we had under consideration on or about May 23, which was the bill making appropriations for the Military Establishment for the fiscal year 1941. Therefore, as I understand, all the powers and all the authority conferred by House bill 9209 are incorporated by reference in section 5 of the pending bill. Is that not correct?

Mr. SHEPPARD. That is true. This is a further amendment extending that authority to other items. Through an oversight it was confined to just set of items.

Mr. DANAHER. Let me direct to the Senator's attention the fact that in one part of House bill 9209 we provided, for example, for expenses required for the conduct of special field exercises of the National Guard. In yet another part of the bill on page 57, as I recall, there is an elaborate outline of the details of arming, equipping, and training the National Guard. Obviously since the purpose for which the National Guard could be sent into the field for field exercises and for training are also extended by the present pending section 5, we implement the President with some $66,000,000 in the first part of section 5 to conduct those exercises and to conduct that training. Is that not true?

Mr. SHEPPARD. That is true.

Mr. DANAHER. With those thoughts in mind, the Senator has undoubtedly heard of reports of the purpose to send the National Guard beyond the borders of the United States.

Mr. SHEPPARD. I have heard something about it, but I would not want to go into that at this time.

Mr. DANAHER. I understand that General Marshall has already indicated the very real possibility and, in fact, desirability of that particular result. Does the Senator understand that by any possible stretch of the imagination, if you like, or legal construction, if we want to be specific, that if we adopt section 5 the President will be able to order the National Guard to points outside the United States for special training?

Mr. SHEPPARD. I do not think so.

Mr. DANAHER. Would the Senator, if possible, be willing to undertake to clarify that point tomorrow, and in the interim he may be able to ascertain exactly what the purpose is with reference to the National Guard?

Mr. SHEPPARD. I thank the Senator, and I will ask him to join me in studying that phase of the matter.

Mr. DANAHER. I thank the Senator.

Mr. BARKLEY. Mr. President, will the Senator yield at that point?

Mr. SHEPPARD. I yield.

Mr. BARKLEY. In regard to that matter, I think I can state to the Senator from Connecticut, and to other Senators, that no one in authority has contemplated the sending of the National Guard beyond the United States or its possessions. That might mean that it might be sent to Puerto Rico, if the occasion arose——

Mr. DANAHER. And to Panama?

Mr. BARKLEY. And to Panama; but not outside the United States or its possessions, and that would only be when the Regular Army had been put to other use, so that it became necessary to use the National Guard in defense matters for any duties that had been previously performed by the Regular Army.

Mr. DANAHER. Will the Senator from Texas yield to me that I may make an inquiry?

Mr. SHEPPARD. I yield.

Mr. DANAHER. Undoubtedly the Senator from Kentucky heard the colloquy between the Senator from Texas and me with reference to the National Guard and its special training, did he not?

Mr. BARKLEY. A moment ago I heard what was said, but previously to that I did not.

Mr. DANAHER. Summarizing it briefly, the original Army appropriation bill authorizes very minor appropriations for special training for the National Guard. Section 5 of the pending bill, however, turns over to the President very substantial sums, and under the authority conferred by section 5 the President would be empowered to spend all that money, if he chose, for special training of the National Guard, and if the Senator from Kentucky is correct, it would even mean that that special training might take the National Guard to the insular possessions or to the Canal Zone, and it might take men who are engaged today in industry and in civilian life generally, and send them out to perform these duties.

Mr. BARKLEY. This section makes no reference whatever to the National Guard, and it is not my understanding that it is contemplated that it will be used, although I am not in a position to speak from the standpoint of the War Department. However, there will probably be another piece of legislation here dealing with the National Guard, in which we can deal specifically with the matter.

I wanted to allay the Senator's fears that the National Guard was to be called into service to be sent anywhere in the world that someone wanted to send them. Of course, if it is to be sent anywhere, or to be used in the United States to take the place of the Regular Army in various places, it needs some training.

The National Guard goes into training once a year in various places. I think members of the guard from Indiana, Ohio, and Kentucky go to Fort Knox once a year to train for 2 or 3 weeks. If they are to be called into service for any emergency, however, they ought to have more training than that. It is a part of the program, as I understand, to give them this training in the event it should be necessary to call them up for emergency service.

Mr. DANAHER. I thank the Senator.

Mr. SHEPPARD. Mr. President, I ask that the next amendment be stated.

The PRESIDING OFFICER. The clerk has read all the amendments which have been submitted by the Senator from Texas.

Mr. SHEPPARD. Has the clerk read the ninth amendment?

The PRESIDING OFFICER. There is no ninth amendment at the desk.

Mr. SHEPPARD. In explanation of the ninth amendment I desire to say that some question has arisen as to whether——

The PRESIDING OFFICER. The Chair calls the attention of the Senator from Texas to the fact that there is no ninth amendment.

Mr. SHEPPARD. Perhaps I was thinking of the eighteenth amendment and got confused. [Laughter.]

Mr. KING. Multiply the ninth amendment by two and we would have the eighteenth amendment.

Mr. SHEPPARD. I offer the ninth amendment from the floor. I propose the ninth amendment in order to remove any doubt as to the power of the President under section 6 of the bill to prohibit or curtail the exportation of such articles as aviation gasoline, should the interests of the national defense require such action. The amendment I propose is to insert in line 15 of page 4, immediately after the word "manufacture", a comma and the word "operation", so that line 15, as amended, will read: "material necessary for the manufacture, operation, or servicing thereof,".

Some question has arisen as to whether or not the word "servicing" includes the fuel and oil necessary to operate

airplanes; and while I am convinced that the word "servicing" is sufficient, the matter is too important to be left in doubt. No harm can come from the amendment.

I say to the Senate that the rather complicated situation which we have in connection with the bill arose from the fact that after the War Department had sent us the bill in its first form, and after the bill had been reported and was placed on the calendar, the War Department sent in a number of amendments, and the committee had no opportunity to consider them. I wish to say further that it is my purpose, after the bill shall have been perfected by the Senate, to move to take up the House bill, which is similar to the bill reported by the Senate committee, strike out all after the enacting clause and insert the provisions of the Senate bill as amended, pass the House bill in that form, and let the entire matter go to conference.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. SHEPPARD. I yield.

Mr. DANAHER. Were there hearings in connection with the pending bill?

Mr. SHEPPARD. There were no hearings, but discussion in committee lasted 4 or 5 days.

Mr. DANAHER. In those hearings was evidence taken as to what is meant by the word "supplies" on page 2, in lines 2 and 5?

Mr. SHEPPARD. I cannot recall at this time.

Mr. DANAHER. Mr. President, I send to the desk an amendment which I ask to have printed and lie on the table, to be taken up in due course.

The PRESIDING OFFICER. The amendment will be printed and lie on the table.

Mr. DANAHER. Let me say to the Senator from Texas that it is my purpose to ask him to permit action first on the amendment which I have sent to the desk, because it runs through the entire series of amendments which he has offered.

Mr. SHEPPARD. Very well.

Mr. DANAHER. In other words, I seek to strike out the authorization to manufacture supplies without limitation.

Mr. SHEPPARD. Very well.

Mr. DANAHER. I thank the Senator.

Mr. SHEPPARD. That is all I have to say at the present time.

Mr. PEPPER. Mr. President, today will be remembered as a sad day in the history of mankind. I venture to say it will be remembered as a sad day in the history of a great nation, for eventually the great Italian people will trace their downfall and dissolution to the evil step which their leader has this day made them take. But, Mr. President, in spite of the fact that the latest news from the front indicates that the Germans are within 25 miles of Paris, a distance which has been ruthlessly and relentlessly shortened with the passage of each sorrowing day, there is still something which may offer hope for America, at least, about which I am primarily concerned.

It is a paradox that sometimes we progress by things which injure and shock us. A few days ago I made the statement on this floor that the German Fuehrer had long ago declared war upon America. There were those who said that I was giving expression to a wild and irresponsible provocation, and was trying to stimulate a mad hysteria in the minds and hearts of American citizens. I offered as proof the knowledge which every citizen has of the vicious iniquity of the "fifth column" which has penetrated into the very vitals of our own safety and security, and which has endangered the vitals of the nations to the south of us, and already, like a vicious serpent, is coiled to strike at our very heart when it deems it most desirable to do so.

In the remarks of Mussolini today, delivered not secretly but boastfully to the wide world, there seems to me to be a sentiment which should leave no doubt in anybody's mind that Nazi Germany of today has declared war upon the United States of America, and that that war has been joined by Mussolini and the Italian people. For, in plain American language, in the Times-Herald of this afternoon, appears the following from Mussolini's remarks:

"The hour of destiny has arrived for our fatherland," Mussolini said. "We are going to war against the decrepit democracies."

Then there is a break, and some words are deleted, and the quotation continues:

To break the chains that tie us in the Mediterranean.

Then, in speaking of the watchword of the Fascists, he says:

It is to win.
We salute the Fuehrer of Germany—

He added—

Fascist Italy is on her feet and prepared to strike.

* * * * * * *

This revolution—

He continued—

asserts itself against those who control the riches of the earth.
It is a struggle of one century against another.
We take up arms to solve the problems of our continental frontiers and our maritime frontiers. We shall win, and we shall give a long period of peace and prosperity to Italy and the world.

Mr. President, another translation of that speech said that he warred against those powers that contained the major part of the world's gold. I myself heard it this morning over the radio. Who has the world's gold? Is it Great Britain or France? No Senator doubts that reference was made to only one nation, the nation which has at least three-fifths of the gold of the whole world within its frontiers.

Mr. President, Mussolini is a courageous realist. The German Fuehrer, in the time he has been in command of a rejuvenated Germany, has never minced words about German ambitions and about his determination that the German race, superior to other races, must dominate the world. A little while ago his propaganda minister, in rallying the youth of Germany to the cause and to the colors, painted the inviting picture of the wide world. He said, "Youth, there it is for you to conquer, to enjoy." He held it up as a majestic conquest that lay before their courageous and adventurous feet. The very bluntness of what the dictators have said must have disarmed the rest of the world, or the rest of the world was not conscious of the import of the words it heard. But it is not enough for the Fuehrer of Germany for 7 long years to tell the world in unequivocal terms the illimitable ambitions he entertains. Perhaps our ears have become dulled to such threats and promises.

Today, Mr. President, another voice in the confederacy has risen to state in unequivocal terms, as another newspaper says—and I am reading from this afternoon's Evening Star:

This gigantic struggle is only a phase in the development of our revolution. This asserts itself against the stranglers, the rich nations. It is a struggle between young and progressive people as against the decadent people, the struggle of one century as against another century. The dies are now cast.

When he spoke of a young people against an old, he was not speaking of the Italian nation as a young people. No one more than he has gloated upon the conquests of ancient Rome, the majesty of which is depicted in marble upon the ruins of the Coliseum which he has restored. He knew, when he spoke of an ancient people historically, that he meant a new philosophy was at war with an old philosophy; the century of democracy, the last century, was at battle with the century which has given rise to totalitarian dictatorship. That is what he meant.

Mr. President, if there is a citizen in America who does not catch the whole terrible import of those words, I hope tonight on his knees in prayer for guidance he may learn the danger that threatens us upon 43,000 miles of frontier.

Mr. President, our great leader in the Senate today stated that he hoped our time would not be occupied by remarks that diverted us from making progress upon the bills we are now considering. Mr. President, I say that if we did what we ought to do we could pass these bills in a few minutes, and the rest of our time would be taken with

every Senator in his seat, his eyes glued to the Vice President's dais, his heart throbbing with the excitement of the occasion, saying, in unequivocal words, to the President of this country, "We loose the shackles that restrain you. We tear down the restrictions that limit the reach of your strong and brave hands. Democracy lives again. Pulsing, vibrating democracy, fighting for its life, is a potent force in the world at a moment when it is having its heart struck at by one assassin as the confederate of another."

Yet another day has passed. The tanks have rolled ominously 1 mile, 5 miles, 10 miles closer to the citadels of liberty. On the southern flank the assassin's knife is already drawn, poised to strike into the back of a nation crushed between converging forces. Yet when they tell this democracy that they seek the riches of the rich nations; when they say that a new philosophy proposes to overturn and dethrone the old, which we epitomize as the oldest single form of government in all the world today, the Senate sits here, and even our leader says that we twaddle when we try to arouse the American people against the terrible hour in the shadow of which they live.

I suppose it will be tomorrow; it may be even the next day, before Paris is conquered; before the valiant French Army is destroyed; before that great nation goes down to dissolution and defeat, and perhaps disappears forever from the pages of a glorious history. I think perhaps at least the Senate will pause when France dies; when Lafayette's name becomes ignominious, in view of the fact that the great liberties we enjoy were gained by the intervention of the French people. Perhaps at least we shall pause long enough to recall that when the surrender occurred at Yorktown, some say there were more French troops than American troops there. At least I hope every Senator will be in his seat that day, in figure, at least, to view the funeral of the dead, glorious French people.

And they say here in the newspaper that England will be next. How ruthlessly and relentlessly it has moved inevitably forward—this conquest, this crushing conquest by the dictatorships. The British may hold out a while longer. Their fleet will go down fighting against whatever forces their adversaries, in their devil's ingenuity, may discover; but it will not take perhaps so very long, because they will be isolated from the rest of Europe. When they fall, perhaps we shall have another brief ceremony. Anglo-Saxon liberties, institutions, their great cathedrals, the temples of their law, the tombs of their famous dead—when they are desecrated, perhaps we can have a brief memorial service here in the Senate. Let these gentlemen who speak of lawbooks restraining us against opposing Hitler pile them into a funeral pyre which, as they reach to high heaven, will at least gloriously illuminate a part of the sky with the dissolution of an honorable name.

So, Mr. President, we come to a time in history that we have never before experienced, standing alone, without a single first-class power in all the world as our friend. Cast the eye to the Orient, and we behold naught but defenseless China there. They begrudgingly, from the limited, hesitant character of our support, may still definitely and delicately call us blessed; but not the Japanese, not Italy, not Russia, not a dominant Germany; and where the ashes of England and France are, the clicking heels of German soldiers will drown out any plaintive appeal that may come to us from those expiring there.

So, Mr. President, I suppose the Senate considers that it has had a great day, and has accomplished a great deal. Thank God the Senator from Oklahoma [Mr. LEE] spoke the sentiments of an aroused heart here today; and I was delighted to learn of the response that came from the occupants of the galleries assembled here. How long will it be before the Congress catches up with the country in appreciation of the seriousness of this hour?

Tonight the President speaks at Charlottesville, Va, where his eye may turn a little bit and behold Monticello on its noble hill. Under the shade of the elms where Jefferson walked, it may be that in his heart tonight he will be sad as he walks through those hallowed lanes. For all that Jefferson wrought, all that he dreamed of, all that he helped in sympathetic spiritual confederacy to realize in the beautiful capital of the French, is today upon the verge of the grave, ready for the dissolution which comes to all mortal forms.

I know his heart will be heavy tonight because he has not heard anything from the United States Senate in the past 2 or 3 weeks to hearten him very much. He has not had statesmen with national reputation rise up here and say, "Mr. President, in the name of God and a free people, raise your right arm to its maximum strength and smite down, in all legitimate ways short of war, those who threaten our faith, our philosophy, and our integrity."

They have been, on the contrary, a little vexed with some of us because we have dared to give some opportunity for the American people to express themselves. They have thought we were a little bit upstarts, that we were stirring them out of a comfortable complacency. They did not want to feel the spur of the American people upon them saying, "In the name of God, go on now, and actively."

Honest, sincere, misguided men. Unless I misjudge the significance of what is going on, a few days from now they will wish every one of these precious moments could be recalled. Now, we might be able to strike more courage and give greater strength to the courageous arms over there. At least tonight when he speaks, when the American people hear his voice, I wish the President could have in it the vibrance and the confidence that would come from the consciousness that the United States Senate, regardless of party, regardless of philosophy upon domestic matters, upon this one cause—the decent philosophy of a decent world and the sacred integrity of their own country—stood united, one indivisible people; and the sooner we come to be that, Mr. President, the more shall we assure the liberties of our country for posterity yet unborn. [Manifestations of applause in the galleries.]

The PRESIDENT pro tempore. The Chair will state to the occupants of the galleries that demonstrations in the galleries are not permitted.

HAROLD W. KINDERMAN

The PRESIDING OFFICER (Mr. O'MAHONEY in the chair) laid before the Senate the amendment of the House to the bill (S. 2782) for the relief of Harold W. Kinderman, which was, on page 2, line 13, after the word "act", to insert a colon and "*Provided*, That no back pay, pension, bounty, or other emoluments shall be held to accrue prior to the passage of this act."

Mr. NEELY. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

CONGRESSIONAL MEDAL OF HONOR TO WILLIAM SINNOTT

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 3813) to authorize the presentation of a Congressional Medal of Honor to William Sinnott, which were, to strike out all after the enacting clause and insert "That the President is authorized to present a special gold medal to William Sinnott, a detective, who in guarding Franklin D. Roosevelt, then President-elect of the United States, at Miami, Fla., on February 15, 1933, was shot and wounded by Guiseppe Zangara, who attempted to assassinate said Franklin D. Roosevelt."; and to amend the title so as to read: "An act to authorize the presentation of a special gold medal to William Sinnott."

Mr. WAGNER. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

Mr. BAILEY, from the Committee on Commerce, reported favorably the nomination of Charles E. Jackson, of South Carolina, to be Deputy Commissioner in the Bureau of Fisheries (reappointment).

Mr. WALSH, from the Committee on Naval Affairs, reported favorably the nominations of sundry officers for promotion in the Marine Corps.

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

The PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the nominations on the calendar.

SECURITIES AND EXCHANGE COMMISSION

The legislative clerk read the nomination of Edward C. Eicher to be a member of the Securities and Exchange Commission.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. WAGNER. Mr. President, I ask that the President be immediately notified of the confirmation of this nomination.

The PRESIDENT pro tempore. Without objection, the President will be immediately notified.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. Mr. President, I ask that the nomination of Carrie M. Chapman to be postmaster at Minnewaukan, N. Dak., be recommitted to the Committee on Post Offices and Post Roads, and that the other nominations be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations of postmasters are confirmed en bloc, with the exception of the nomination of Carrie M. Chapman to be postmaster at Minnewaukan, N. Dak., which, without objection, will be recommitted to the Committee on Post Offices and Post Roads.

DEPUTY COMMISSIONER OF FISHERIES

Mr. BARKLEY. Mr. President, I am informed that the appointment of Mr. Charles E. Jackson to be Deputy Commissioner in the Bureau of Fisheries is at the desk, having been reported from the Committee on Commerce. I ask unanimous consent that the nomination be considered at this time.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the clerk will state the nomination.

The legislative clerk read the nomination of Charles E. Jackson to be Deputy Commissioner of the Bureau of Fisheries.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. BARKLEY. I ask that the President be immediately notified.

The PRESIDENT pro tempore. Without objection, the President will be immediately notified. That concludes the calendar.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 15 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, June 11, 1940, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate June 10 (legislative day of May 28), 1940

DIPLOMATIC AND FOREIGN SERVICE

John Campbell White, of New York, now a Foreign Service officer of class 1, to act as diplomatic agent and consul general of the United States of America at Tangier, Morocco.

DEPARTMENT OF THE INTERIOR

Mrs. Evelyn Adams Whyte, of California, to be recorder of the General Land Office. Reappointment.

COAST GUARD OF THE UNITED STATES

Commander James Pine to be a captain in the Coast Guard of the United States, to rank as such from May 25, 1940.

APPOINTMENTS IN THE REGULAR ARMY

DENTAL CORPS

To be first lieutenants with rank from date of appointment

Virgil Dwight Cheyne
John William Helton
Joe Hammon Allen
Grayson Gwynne Garrison
Kenneth Ray Elwell
Alexander Colin MacDonald
Harold Wilenzick
William Orville Orsinger
Raymond Eugene Boudreaux
John Robert Law
George Andrew Long
Harold Preston Haskins
Chester Kenneth Ramage
Paul Eugene Edson
Thomas Roosevelt Haddock
Pierre Oscar Evans
Charles Rupert Thompson

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

TO QUARTERMASTER CORPS

Capt. Edward Vanmeter Macatee, Infantry, with rank from December 1, 1933.

TO CHEMICAL WARFARE SERVICE

First Lt. Charles Fauntleroy Harrison, Cavalry, with rank from June 13, 1936.

TO AIR CORPS

First Lt. Bruce von Gerichten Scott, Chemical Warfare Service, with rank from June 13, 1936.

PROMOTIONS IN THE REGULAR ARMY

TO BE COLONELS

Lt. Col. Roscoe Conkling Batson, Field Artillery, from June 1, 1940.

Lt. Col. Allen Russell Kimball, Quartermaster Corps, from June 1, 1940.

Lt. Col. Wilfrid Mason Blunt, Cavalry, from June 1, 1940.

Lt. Col. Ira Adelbert Rader, Air Corps (temporary colonel, Air Corps), from June 1, 1940.

Lt. Col. William Jay Calvert, Quartermaster Corps, from June 1, 1940.

Lt. Col. David Hamilton Cowles, Infantry, from June 1, 1940.

Lt. Col. Ira Thomas Wyche, Field Artillery, from June 1, 1940.

Lt. Col. John Louis Homer, Coast Artillery Corps, from June 1, 1940.

TO BE LIEUTENANT COLONELS

Maj. James Louis Guion, Ordnance Department, from June 1, 1940.

Maj. George Douglas Wahl, Field Artillery, from June 1, 1940.

Maj. Basil Harrison Perry, Field Artillery, from June 1, 1940.

Maj. Harold Rufus Jackson, Coast Artillery Corps, from June 1, 1940.

Maj. Ray Hartwell Lewis, Field Artillery, from June 1, 1940.

Maj. Augustus Milton Gurney, Field Artillery, from June 1, 1940.

Maj. John Trott Murray, Infantry, from June 1, 1940.

Maj. Morris Keene Barroll, Jr., Ordnance Department, from June 1, 1940.

Maj. Warfield Monroe Lewis, Infantry, from June 1, 1940.

Maj. Walter Wilton Warner, Ordnance Department, from June 1, 1940.

Maj. William Ormon Butler, Air Corps (temporary lieutenant colonel, Air Corps), from June 1, 1940.

TO BE MAJORS

Capt. Carlyle Howe Ridenour, Air Corps (temporary major, Air Corps), from June 1, 1940.

Capt. Bennett Edward Meyers, Air Corps (temporary major, Air Corps), from June 1, 1940.

Capt. George Mitchell Grimes, Quartermaster Corps, from June 1, 1940.

Capt. Edward Bethel Jackson, Infantry, from June 1, 1940.

Capt. Paul Hyde Prentiss, Air Corps (temporary major, Air Corps), from June 1, 1940.

Capt. Warren Arthur Maxwell, Air Corps (temporary major, Air Corps), from June 1, 1940.

Captain Walter Hannumn Carlisle, Coast Artillery Corps, from June 1, 1940.

Capt. William Henry Papenfoth, Coast Artillery Corps, from June 1, 1940.

Capt. Frederick Mercer Hopkins, Jr., Air Corps (temporary major, Air Corps), from June 1, 1940.

Capt. Walter Leo Weible, Coast Artillery Corps, from June 1, 1940.

Capt. Rupert Edison Starr, Coast Artillery Corps, from June 1, 1940.

Capt. Leonard Dickson Weddington, Air Corps (temporary major, Air Corps), from June 1, 1940.

Capt. John Henry Doherty, Finance Department, from June 1, 1940.

POSTMASTERS

ALABAMA

Jack Vaughan to be postmaster at Cuba, Ala., in place of Jack Vaughan. Incumbent's commission expired May 19, 1940.

ALASKA

Nancy M. Meals to be postmaster at Valdez, Alaska, in place of O. E. Meals. Incumbent's commission expired May 26, 1940.

ARIZONA

William I. Welker to be postmaster at Bowie, Ariz., in place of W. I. Welker. Incumbent's commission expires June 23, 1940.

James A. Metzger to be postmaster at Grand Canyon, Ariz., in place of J. A. Metzger. Incumbent's commission expired April 24, 1940.

ARKANSAS

Sarah Abington to be postmaster at Beebe, Ark., in place of B. M. Westbrook. Incumbent's commission expired March 10, 1940.

William Earl Polk to be postmaster at Corning, Ark., in place of W. E. Polk. Incumbent's commission expired June 1, 1940.

Charles Roy Wise to be postmaster at Thornton, Ark., in place of C. R. Wise. Incumbent's commission expired May 9, 1940.

CALIFORNIA

George P. Meek to be postmaster at Covina, Calif., in place of G. P. Meek. Incumbent's commission expired May 19, 1940.

Dino L. Ceccarelli to be postmaster at Dos Palos, Calif., in place of D. L. Ceccarelli. Incumbent's commission expired January 23, 1940.

Clyde Burgett to be postmaster at El Segundo, Calif., in place of Clyde Burgett. Incumbent's commission expired May 10, 1940.

James H. Gates to be postmaster at Gardena, Calif., in place of R. B. Sell. Incumbent's commission expired February 14, 1940.

Hugh L. Appling to be postmaster at Oakdale, Calif., in place of H. L. Appling. Incumbent's commission expired April 24, 1940.

Abbie E. Schaeffer to be postmaster at Vernalis, Calif., in place of M. A. Schaeffer, retired.

John J. Blaney to be postmaster at Weaverville, Calif., in place of J. J. Blaney. Incumbent's commission expired March 4, 1940.

COLORADO

William Jacob Pings to be postmaster at Carbondale, Colo., in place of W. J. Pings. Incumbent's commission expires June 20, 1940.

Ernest C. Norris to be postmaster at La Salle, Colo., in place of E. C. Norris. Incumbent's commission expired May 19, 1940.

CONNECTICUT

Robert M. Smith to be postmaster at East Haddam, Conn., in place of R. M. Smith. Incumbent's commission expired April 28, 1940.

Thomas H. Collins to be postmaster at Farmington, Conn., in place of T. H. Collins. Incumbent's commission expired May 20, 1940.

Thomas J. Maher to be postmaster at Old Greenwich, Conn., in place of T. J. Maher. Incumbent's commission expired May 18, 1940.

Daniel G. Sullivan to be postmaster at Watertown, Conn., in place of D. G. Sullivan. Incumbent's commission expired April 24, 1940.

DELAWARE

Rhubert R. German to be postmaster at Delmar, Del., in place of R. R. German. Incumbent's commission expired April 24, 1940.

FLORIDA

John F. Yearty to be postmaster at Gulf Hammock, Fla., in place of J. F. Yearty. Incumbent's commission expired February 5, 1940.

Joe Sidney Savary to be postmaster at Inverness, Fla., in place of J. S. Savary. Incumbent's commission expired March 13, 1940.

Mary B. McCormick to be postmaster at La Belle, Fla., in place of M. B. McCormick. Incumbent's commission expired July 26, 1939.

Arthur W. Newett, Sr., to be postmaster at Leesburg, Fla., in place of A. W. Newett. Incumbent's commission expired March 6, 1940.

Claudine J. Hansel to be postmaster at Pinecastle, Fla., in place of C. J. Hansel. Incumbent's commission expires July 1, 1940.

Bessie G. Ambrose to be postmaster at Waldo, Fla. Office became Presidential July 1, 1939.

GEORGIA

Horace C. Cherry to be postmaster at Donalsonville, Ga., in place of A. M. Cherry, retired.

Lois Horton to be postmaster at Guyton, Ga., in place of Lois Horton. Incumbent's commission expired April 1, 1940.

HAWAII

Manuel J. Carvalho to be postmaster at Makaweli, T. H., in place of M. J. Carvalho. Incumbent's commission expired March 4, 1940.

IDAHO

Mary Alma Morrow to be postmaster at Challis, Idaho, in place of Alma Morrow. Incumbent's commission expires June 17, 1940.

Harry L. Clovis to be postmaster at Craigmont, Idaho, in place of H. L. Clovis. Incumbent's commission expires June 25, 1940.

Katherine A. Peters to be postmaster at Post Falls, Idaho, in place of K. A. Peters. Incumbent's commission expires June 25, 1940.

ILLINOIS

Clarence D. Lawson to be postmaster at Aledo, Ill., in place of C. D. Lawson. Incumbent's commission expired April 24, 1940.

Francis P. Ryan to be postmaster at Assumption, Ill., in place of F. P. Ryan. Incumbent's commission expired May 19, 1940.

Ledru G. Schaeffer to be postmaster at Beardstown, Ill., in place of L. G. Schaeffer. Incumbent's commission expires June 20, 1940.

Fred H. Stoltz to be postmaster at Bridgeport, Ill., in place of F. H. Stoltz. Incumbent's commission expired March 25, 1940.

Betty Davis to be postmaster at Easton, Ill., in place of Betty Davis. Incumbent's commission expired March 25, 1940.

Charles T. O'Boyle to be postmaster at Ingleside, Ill., in place of C. T. O'Boyle. Incumbent's commission expires July 1, 1940.

Mary I. Brown to be postmaster at Little York, Ill., in place of M. I. Brown. Incumbent's commission expires July 1, 1940.

George A. Kreuter to be postmaster at Livingston, Ill., in place of G. A. Kreuter. Incumbent's commission expired June 1, 1940.

INDIANA

Walter E. Huber to be postmaster at Centerpoint, Ind., in place of W. E. Huber. Incumbent's commission expires July 1, 1940.

Thomas L. Hart to be postmaster at Dunkirk, Ind., in place of T. L. Hart. Incumbent's commission expired March 20, 1940.

Joe C. Hoopingarner to be postmaster at Rockville, Ind., in place of J. C. Hoopingarner. Incumbent's commission expires June 20, 1940.

IOWA

Hiram L. Mann to be postmaster at Adel, Iowa, in place of H. L. Mann. Incumbent's commission expired March 13, 1940.

Charles J. Murphy to be postmaster at Chester, Iowa, in place of C. J. Murphy. Incumbent's commission expired April 28, 1940.

Margaret Davidson to be postmaster at Crawfordsville, Iowa, in place of Margaret Davidson. Incumbent's commission expires July 1, 1940.

Vernon M. Hill to be postmaster at Davis City, Iowa, in place of V. M. Hill. Incumbent's commission expires July 1, 1940.

Allen Wise to be postmaster at Decorah, Iowa, in place of Allen Wise. Incumbent's commission expired March 13, 1940.

Elmer A. Billings to be postmaster at Fayette, Iowa, in place of E. A. Billings. Incumbent's commission expired June 1, 1940.

Otis H. O. Nelson to be postmaster at Humboldt, Iowa, in place of O. H. O. Nelson. Incumbent's commission expired March 13, 1940.

Julia Loretta Hurley to be postmaster at Laurens, Iowa, in place of J. L. Hurley. Incumbent's commission expired April 28, 1940.

Edgar V. Pohlman to be postmaster at Melvin, Iowa, in place of E. V. Pohlman. Incumbent's commission expires June 19, 1940.

Hazel F. Patterson to be postmaster at Minden, Iowa, in place of H. F. Patterson. Incumbent's commission expires June 25, 1940.

Denton N. Layman to be postmaster at Newell, Iowa, in place of D. N. Layman. Incumbent's commission expired March 20, 1939.

George M. Smith to be postmaster at North English, Iowa, in place of G. M. Smith. Incumbent's commission expired April 24, 1940.

Charles E. Hudson to be postmaster at Pomeroy, Iowa, in place of C. E. Hudson. Incumbent's commission expired June 1, 1940.

William H. Rehberg to be postmaster at Rowley, Iowa, in place of W. H. Rehberg. Incumbent's commission expires July 1, 1940.

John Lewis Magirl to be postmaster at Ryan, Iowa, in place of Lewis Magirl. Incumbent's commission expired May 13, 1940.

Dan Jerolaman to be postmaster at Shell Rock, Iowa, in place of Dan Jerolaman. Incumbent's commission expired May 13, 1940.

Herbert B. Heyer to be postmaster at Sumner, Iowa, in place of H. B. Heyer. Incumbent's commission expired January 23, 1940.

John J. Fink to be postmaster at Tripoli, Iowa, in place of J. J. Fink. Incumbent's commission expired May 13, 1940.

Leona B. Miller to be postmaster at Van Meter, Iowa, in place of L. B. Miller. Incumbent's commission expires July 1, 1940.

August C. Soer to be postmaster at Victor, Iowa, in place of A. C. Soer. Incumbent's commission expired May 19, 1940.

William J. Cash to be postmaster at Williamsburg, Iowa, in place of W. J. Cash. Incumbent's commission expired May 19, 1940.

KANSAS

William Merrifield to be postmaster at Agra, Kans., in place of William Merrifield. Incumbent's commission expired January 20, 1940.

John R. Neifert to be postmaster at Glen Elder, Kans., in place of J. R. Neifert. Incumbent's commission expired May 19, 1940.

Mary Marceline Schafer to be postmaster at Jewel, Kans., in place of M. M. Schafer. Incumbent's commission expires June 25, 1940.

Helena W. Anderson to be postmaster at Peru, Kans., in place of H. W. Anderson. Incumbent's commission expired April 25, 1940.

Chester C. Chambers to be postmaster at Tescott, Kans., in place of C. C. Chambers. Incumbent's commission expired May 19, 1940.

KENTUCKY

James R. Wilson to be postmaster at Auburn, Ky., in place of J. R. Wilson. Incumbent's commission expired June 26, 1939.

George Taylor Smith to be postmaster at Beattyville, Ky., in place of G. T. Smith. Incumbent's commission expires June 25, 1940.

James H. Bean to be postmaster at Danville, Ky., in place of J. H. Bean. Incumbent's commission expires June 16, 1940.

Ben G. Pollard to be postmaster at Eminence, Ky., in place of B. G. Pollard. Incumbent's commission expires June 25, 1940.

Marshall H. Norton to be postmaster at Hardinsburg, Ky., in place of M. H. Norton. Incumbent's commission expired April 17, 1939.

Myrtle B. Vaughn to be postmaster at Louellen, Ky, in place of M. B. Vaughn. Incumbent's commission expires July 1, 1940.

Davis N. Thomas to be postmaster at McKee, Ky., in place of D. N. Thomas. Incumbent's commission expired March 10, 1940.

D. Lawrence Johnson to be postmaster at Owenton, Ky., in place of D. L. Johnson. Incumbent's commission expired May 18, 1940.

Elmer Deatherage to be postmaster at Richmond, Ky., in place of Elmer Deatherage. Incumbent's commission expires June 17, 1940.

LOUISIANA

Thomas Wallace McGinn, Jr., to be postmaster at Crowley, La., in place of T. W. McGinn, Jr. Incumbent's commission expires June 17, 1940.

Veronica J. Lambert to be postmaster at Goodhope, La., in place of V. J. Lambert. Incumbent's commission expired April 29, 1940.

Frank Warren to be postmaster at Merryville, La., in place of Frank Warren. Incumbent's commission expired March 18, 1940.

Sam H. Campbell to be postmaster at Oak Grove, La., in place of S. H. Campbell. Incumbent's commission expired May 9, 1940.

MAINE

Wilbur F. Goodwin to be postmaster at Kennebunk Port, Maine, in place of W. F. Goodwin. Incumbent's commission expired March 25, 1940.

Ralph H. McEwen to be postmaster at Bowdoinham, Maine, in place of R. H. McEwen. Incumbent's commission expired June 8, 1940.

Alice S. Fitzgerald to be postmaster at Smyrna Mills, Maine, in place of A. S. Fitzgerald. Incumbent's commission expired January 23, 1940.

Clara M. Colcord to be postmaster at Stockton Springs, Maine, in place of C. M. Colcord. Incumbent's commission expired February 4, 1940.

MARYLAND

T. Francis Martin to be postmaster at Essex, Md., in place of T. F. Martin. Incumbent's commission expired April 24, 1940.

John W. Murray to be postmaster at Hampstead, Md., in place of J. W. Murray. Incumbent's commission expired June 2, 1940.

Cora E. Hopkins to be postmaster at Mardela Springs, Md., in place of C. E. Hopkins. Incumbent's commission expired May 22, 1940.

MASSACHUSETTS

John Robert Crowley to be postmaster at Monson, Mass., in place of J. R. Crowley. Incumbent's commission expired May 22, 1940.

MICHIGAN

Nora Donovan to be postmaster at Bangor, Mich., in place of Nora Donovan. Incumbent's commission expired April 24, 1940.

Clara M. Bedinger to be postmaster at Berrien Springs, Mich., in place of C. M. Bedinger. Incumbent's commission expired March 10, 1940.

A. Glenn Haslett to be postmaster at Buchanan, Mich., in place of A. G. Haslett. Incumbent's commission expired March 10, 1940.

Walter W. Derby to be postmaster at Covert, Mich., in place of W. W. Derby. Incumbent's commission expired March 21, 1940.

Walter D. McCaughey to be postmaster at Croswell, Mich., in place of W. D. McCaughey. Incumbent's commission expired May 9, 1940.

Herbert H. Creagan to be postmaster at Decatur, Mich., in place of H. H. Creagan. Incumbent's commission expired March 10, 1940.

Charles A. Bigelow to be postmaster at East Tawas, Mich., in place of C. A. Bigelow. Incumbent's commission expired April 24, 1940.

Esse S. Martin to be postmaster at Honor, Mich., in place of E. S. Martin. Incumbent's commission expired January 23, 1940.

Joseph W. Winkel to be postmaster at Lenox, Mich., in place of J. W. Winkel. Incumbent's commission expires June 25, 1940.

Walter R. Mason to be postmaster at Milan, Mich., in place of W. R. Mason. Incumbent's commission expired April 24, 1940.

Fred C. Franz to be postmaster at Niles, Mich., in place of F. C. Franz. Incumbent's commission expired March 10, 1940.

Karl E. H. Beyer to be postmaster at Remus, Mich., in place of K. E. H. Beyer. Incumbent's commission expired April 24, 1940.

Harold E. Merritt to be postmaster at South Haven, Mich., in place of H. E. Merritt. Incumbent's commission expired March 10, 1940.

Jesse L. Whitney to be postmaster at Washington, Mich., in place of J. L. Whitney. Incumbent's commission expired January 20, 1940.

MINNESOTA

Thomas J. Murphy to be postmaster at Adrian, Minn., in place of T. J. Murphy. Incumbent's commission expired March 19, 1940.

Anshelm T. Westrom to be postmaster at Cambridge, Minn., in place of A. T. Westrom. Incumbent's commission expires June 17, 1940.

Ole J. Leding to be postmaster at Cook, Minn., in place of O. J. Leding. Incumbent's commission expired Aug. 1, 1939.

Joseph O. Ellevold to be postmaster at Fairfax, Minn., in place of J. O. Ellevold. Incumbent's commission expired June 1, 1940.

Lawrence C. Blackmun to be postmaster at Hancock, Minn., in place of L. C. Blackmun. Incumbent's commission expires June 25, 1940.

Catherine G. T. Lydon to be postmaster at Kellogg, Minn., in place of C. G. T. Lydon. Incumbent's commission expired February 5, 1940.

Charles A. Allen to be postmaster at Milaca, Minn., in place of C. A. Allen. Incumbent's commission expires June 25, 1940.

Carl V. Hawkinson to be postmaster at St. James, Minn., in place of C. V. Hawkinson. Incumbent's commission expired June 3, 1940.

Timothy A. Garvey to be postmaster at Wahkon, Minn., in place of T. A. Garvey. Incumbent's commission expires June 25, 1940.

Frances C. Van Vleck to be postmaster at Waverly, Minn., in place of F. C. Van Vleck. Incumbent's commission expires June 17, 1940.

Isaac B. Dybdal to be postmaster at Wendell, Minn., in place of I. B. Dybdal. Incumbent's commission expires July 1, 1940.

MISSISSIPPI

John A. Gerard to be postmaster at Bude, Miss., in place of J. A. Gerard. Incumbent's commission expires June 25, 1940.

Viola E. Pentecost to be postmaster at Doddsville, Miss., in place of V. E. Pentecost. Incumbent's commission expired May 21, 1940.

Mills T. Williams to be postmaster at Durant, Miss., in place of M. T. Williams. Incumbent's commission expired June 1, 1940.

James T. Skelton to be postmaster at Goodman, Miss., in place of J. T. Skelton. Incumbent's commission expired May 23, 1940.

Ella C. Stephens to be postmaster at Lyon, Miss., in place of E. C. Stephens. Incumbent's commission expired March 21, 1940.

MISSOURI

Ordell Gross to be postmaster at Bevier, Mo., in place of Watkin Jones. Incumbent's commission expires June 25, 1940.

Otto T. Pfefferkorn to be postmaster at Chaffee, Mo., in place of O. T. Pfefferkorn. Incumbent's commission expires June 20, 1940.

Kelley Elza Jackson to be postmaster at East Prairie, Mo., in place of K. E. Jackson. Incumbent's commission expired May 20, 1940.

Mae B. Whitfield to be postmaster at Oronogo, Mo., in place of M. B. Whitfield. Incumbent's commission expires July 1, 1940.

MONTANA

Jeanette Ross to be postmaster at Fromberg, Mont., in place of Jeanette Ross. Incumbent's commission expired June 2, 1940.

NEBRASKA

Edgar D. Collins to be postmaster at Ainsworth, Nebr., in place of E. D. Collins. Incumbent's commission expired May 23, 1940.

Anna Martin to be postmaster at Battle Creek, Nebr., in place of Anna Martin. Incumbent's commission expires June 17, 1940.

Chris A. Andersen to be postmaster at Benkelman, Nebr., in place of C. A. Andersen. Incumbent's commission expired January 23, 1940.

Charles R. Larson to be postmaster at Bertrand, Nebr., in place of C. R. Larson. Incumbent's commission expired June 1, 1940.

Carl K. McCleery to be postmaster at Blue Hill, Nebr., in place of C. K. McCleery. Incumbent's commission expired April 24, 1940.

Ralph A. Gillham to be postmaster at Blue Springs, Nebr., in place of R. A. Gillham. Incumbent's commission expires June 25, 1940.

Edmund J. Barrett to be postmaster at Lawrence, Nebr., in place of E. J. Barrett. Incumbent's commission expired March 4, 1940.

Emil Nelson to be postmaster at Minden, Nebr., in place of Emil Nelson. Incumbent's commission expired March 25, 1940.

Emil H. Mack to be postmaster at Petersburg, Nebr., in place of E. H. Mack. Incumbent's commission expired August 27, 1939.

Arthur E. Leclair to be postmaster at Randolph, Nebr., in place of A. E. Leclair. Incumbent's commission expires June 19, 1940.

Jake R. Hanks to be postmaster at Thedford, Nebr., in place of J. R. Hanks. Incumbent's commission expired June 1, 1940.

Roger M. Closs to be postmaster at Wymore, Nebr., in place of R. M. Closs. Incumbent's commission expired March 12, 1940.

NEW HAMPSHIRE

Carl E. Crowley to be postmaster at Ashland, N. H., in place of C. E. Crowley. Incumbent's commission expired May 13, 1940.

Georgia DuDevoir to be postmaster at Hooksett, N. H., in place of Georgia DuDevoir. Incumbent's commission expired April 29, 1940.

NEW JERSEY

Andrew R. Brugler to be postmaster at Blairstown, N. J., in place of A. R. Brugler. Incumbent's commission expires June 16, 1940.

John T. Lloyd to be postmaster at Millville, N. J., in place of C. W. Felmey, removed.

Peter H. Larkins to be postmaster at Yardville, N. J., in place of P. H. Larkins. Incumbent's commission expires June 16, 1940.

NEW YORK

Edward C. Laughlin to be postmaster at Akron, N. Y., in place of E. C. Laughlin. Incumbent's commission expires June 20, 1940.

William Henry Nolan to be postmaster at Stillwater, N. Y., in place of W. H. Nolan. Incumbent's commission expires June 20, 1940.

Mary Lynch to be postmaster at Stony Point, N. Y., in place of F. D. Lynch, resigned.

NORTH CAROLINA

Clyde B. Benson to be postmaster at Battleboro, N. C., in place of C. B. Benson. Incumbent's commission expires July 1, 1940.

Thomas L. Rich to be postmaster at Garland, N. C., in place of T. L. Rich. Incumbent's commission expires July 1, 1940.

Pearl E. Linville to be postmaster at Oak Ridge, N. C. Office became Presidential July 1, 1939.

Myrtle Riddle Payne to be postmaster at Paw Creek, N. C., in place of J. K. Beaty, deceased.

Lewis Taylor Bartholomew to be postmaster at Spring Hope, N. C., in place of L. T. Bartholomew. Incumbent's commission expires June 17, 1940.

Fred M. Pearce to be postmaster at Wendell, N. C., in place of F. M. Pearce. Incumbent's commission expired March 18, 1940.

NORTH DAKOTA

Lincoln A. Hanson to be postmaster at Aneta, N. Dak., in place of L. A. Hanson. Incumbent's commission expired February 4, 1940.

Christian Bertsch to be postmaster at Bismarck, N. Dak., in place of Chris Bertsch. Incumbent's commission expires June 25, 1940.

Theodore A. Marquardt to be postmaster at Cooperstown, N. Dak., in place of T. A. Marquardt. Incumbent's commission expires June 25, 1940.

Louisa A. Bird to be postmaster at Flaxton, N. Dak., in place of L. A. Bird. Incumbent's commission expires June 16, 1940.

James L. Hatfield to be postmaster at Fullerton, N. Dak., in place of J. L. Hatfield. Incumbent's commission expires July 1, 1940.

Sarah Alice Lucy to be postmaster at Powers Lake, N. Dak., in place of S. A. Lucy. Incumbent's commission expires June 16, 1940.

Harry J. Campbell to be postmaster at Ryder, N. Dak., in place of J. W. Campbell, resigned.

Charles W. Gannon to be postmaster at Underwood, N. Dak., in place of C. W. Gannon. Incumbent's commission expires June 25, 1940.

OHIO

Earl C. Stiwald to be postmaster at Amherst, Ohio, in place of E. C. Stiwald. Incumbent's commission expired March 3, 1940.

Robert B. Maddock to be postmaster at College Corner, Ohio, in place of R. B. Maddock. Incumbent's commission expires June 25, 1940.

Howard C. Whitmire to be postmaster at Delta, Ohio, in place of F. A. Kenney, transferred.

Ludwig Ries, Jr., to be postmaster at Dennison, Ohio, in place of Ludwig Ries, Jr. Incumbent's commission expires June 25, 1940.

Paul E. Harbaugh to be postmaster at Kings Mills, Ohio, in place of P. E. Harbaugh. Incumbent's commission expires June 17, 1940.

Allen E. Owens to be postmaster at Kinsman, Ohio, in place of A. E. Owens. Incumbent's commission expired June 1, 1939.

Homer P. Galloway to be postmaster at Lore City, Ohio, in place of H. P. Galloway. Incumbent's commission expires July 1, 1940.

Elmyra L. Griswold to be postmaster at Macedonia, Ohio, in place of E. L. Griswold. Incumbent's commission expired April 24, 1940.

Frederick H. Kramer to be postmaster at Millersport, Ohio, in place of F. H. Kramer. Incumbent's commission expires July 1, 1940.

Fred E. Surgen to be postmaster at Murray City, Ohio, in place of F. E. Surgen. Incumbent's commission expired June 1, 1940.

Alvie F. Jones to be postmaster at North Jackson, Ohio. Office became Presidential July 1, 1939.

John H. H. Welsch to be postmaster at Port Washington, Ohio, in place of J. H. H. Welsch. Incumbent's commission expired March 12, 1940.

Glenn D. Keeney to be postmaster at Rock Creek, Ohio, in place of G. D. Keeney. Incumbent's commission expired August 1, 1939.

Chester A. Hostetler to be postmaster at Strasburg, Ohio, in place of C. A. Hostetler. Incumbent's commission expired April 25, 1940.

Samuel A. Smith to be postmaster at Sugarcreek, Ohio, in place of S. A. Smith. Incumbent's commission expired April 25, 1940.

OKLAHOMA

Gladys E. McEwen to be postmaster at Aline, Okla., in place of G. E. McEwen. Incumbent's commission expired May 8, 1940.

Ernest D. Peck to be postmaster at Carmen, Okla., in place of E. D. Peck. Incumbent's commission expired April 25, 1940.

Clay B. Burnham to be postmaster at Hanna, Okla., in place of C. B. Burnham. Incumbent's commission expired August 27, 1939.

Fred R. Clement to be postmaster at Haskell, Okla., in place of F. R. Clement. Incumbent's commission expires June 18, 1940.

Benjamin M. Luton, Jr., to be postmaster at Lindsay, Okla., in place of B. M. Luton, Jr. Incumbent's commission expired March 20, 1939.

Buford E. Stone to be postmaster at Manchester, Okla., in place of B. E. Stone. Incumbent's commission expires June 19, 1940.

Ada M. Thompson to be postmaster at Mannford, Okla., in place of A. M. Thompson. Incumbent's commission expires June 18, 1940.

Joseph A. Waggoner to be postmaster at Mounds, Okla., in place of J. A. Waggoner. Incumbent's commission expires June 16, 1940.

Beulah J. Van Coevering to be postmaster at Orlando, Okla., in place of B. J. Van Coevering. Incumbent's commission expires July 1, 1939.

Henry L. Neal to be postmaster at Wanette, Okla., in place of H. L. Neal. Incumbent's commission expires June 18, 1940.

OREGON

Leonard O. Ferguson to be postmaster at Arlington, Oreg., in place of L. O. Ferguson. Incumbent's commission expires June 20, 1940.

Emil L. Mueller to be postmaster at Clatskanie, Oreg., in place of E. L. Mueller. Incumbent's commission expired June 1, 1940.

Myrtle E. Potter to be postmaster at Haines, Oreg., in place of M. E. Potter. Incumbent's commission expires June 25, 1940.

Glen A. Henderson to be postmaster at Houlton, Oreg., in place of G. A. Henderson. Incumbent's commission expired May 22, 1940.

John W. Bubb to be postmaster at Huntington, Oreg., in place of J. W. Bubb. Incumbent's commission expired May 19, 1940.

Fred Randolph Peat to be postmaster at Lakeview, Oreg., in place of F. R. Peat. Incumbent's commission expired April 24, 1940.

Jay C. Freeman to be postmaster at Moro, Oreg., in place of J. C. Freeman. Incumbent's commission expires June 10, 1940.

Lora C. Coykendall to be postmaster at Oak Grove, Oreg., in place of L. C. Coykendall. Incumbent's commission expired June 1, 1940.

Andrew L. Boe to be postmaster at Parkdale, Oreg.. in place of A. L. Boe. Incumbent's commission expires June 25, 1940.

Fred L. Hartman to be postmaster at Pilot Rock, Oreg., in place of F. L. Hartman. Incumbent's commission expired January 20, 1940.

Gladys M. Heath to be postmaster at Rogue River, Oreg., in place of G. M. Heath. Incumbent's commission expires July 1, 1940.

Margaret Daughtrey to be postmaster at Stanfield, Oreg., in place of Margaret Daughtrey. Incumbent's commission expires July 1, 1940.

Carl W. Fegtly to be postmaster at Vale, Oreg., in place of C. W. Fegtly. Incumbent's commission expired January 20, 1940.

Roy G. Magnuson to be postmaster at Warrenton, Oreg., in place of R. G. Magnuson. Incumbent's commission expired April 25, 1940.

Von D. Seaton to be postmaster at Yamhill, Oreg., in place of V. D. Seaton. Incumbent's commission expired April 1, 1940.

PENNSYLVANIA

Francis J. Pension to be postmaster at Abington, Pa., in place of F. J. Pension. Incumbent's commission expired January 28, 1940.

Clyde A. Plank to be postmaster at Aspers, Pa., in place of C. A. Plank. Incumbent's commission expires July 1, 1940.

Alice S. Keating to be postmaster at Avondale, Pa., in place of A. S. Keating. Incumbent's commission expires June 17, 1940.

Israel J. Rohrbaugh to be postmaster at Beech Creek, Pa., in place of I. J. Rohrbaugh. Incumbent's commission expires June 25, 1940.

Harvey F. Ecelbarger to be postmaster at Big Run, Pa., in place of H. F. Ecelbarger. Incumbent's commission expired June 1, 1940.

Perley J. Denman to be postmaster at Bradford, Pa., in place of R. P. Habgood. Incumbent's commission expired February 24, 1936.

Herschel C. Cowen to be postmaster at California, Pa., in place of H. C. Cowen. Incumbent's commission expires June 25, 1940.

Robert E. Giles to be postmaster at Coalport, Pa., in place of R. E. Giles. Incumbent's commission expired May 1, 1940.

Frame Shontz to be postmaster at Conneaut Lake, Pa., in place of Frame Shontz. Incumbent's commission expires June 25, 1940.

Foster W. Haverley to be postmaster at Covington, Pa., in place of F. W. Haverley. Incumbent's commission expires July 1, 1940.

Rosa V. Hawk to be postmaster at Cresco, Pa., in place of R. V. Hawk. Incumbent's commission expired February 13, 1940.

William K. Wrigley to be postmaster at Curwensville, Pa., in place of W. K. Wrigley. Incumbent's commission expired January 28, 1940.

Faye M. Slavin to be postmaster at Eldred, Pa., in place of F. M. Slavin. Incumbent's commission expires July 13, 1940.

Walter M. Bauscher to be postmaster at Fleetwood, Pa., in place of W. M. Bauscher. Incumbent's commission expired March 18, 1939.

Margaret M. Kavanagh to be postmaster at Fort Washington, Pa., in place of M. M. Kavanagh. Incumbent's commission expired February 13, 1940.

Carolyn T. Foulk to be postmaster at Gap, Pa., in place of C. T. Foulk. Incumbent's commission expires June 17, 1940.

P. Louise Brant to be postmaster at Garrett, Pa., in place of P. L. Brant. Incumbent's commission expired April 9, 1940.

Adam L. Winters to be postmaster at Holtwood, Pa., in place of A. L. Winters. Incumbent's commission expires June 20, 1940.

Margaret Clifford Schandel to be postmaster at Jefferson, Pa., in place of M. C. Schandel. Incumbent's commission expires June 20, 1940.

Claude McCarty to be postmaster at Leola, Pa. Office became Presidential July 1, 1939.

Ramsey P. Williamson to be postmaster at Liverpool, Pa., in place of R. P. Williamson. Incumbent's commission expires June 25, 1940.

Joseph G. Weakland to be postmaster at Meyersdale, Pa., in place of J. G. Weakland. Incumbent's commission expired April 9, 1940.

Layton A. Wallace to be postmaster at Nicholson, Pa., in place of L. A. Wallace. Incumbent's commission expires June 25, 1940.

William R. Kimble to be postmaster at Nottingham, Pa., in place of W. R. Kimble. Incumbent's commission expires July 1, 1940.

S. Burton Flickner to be postmaster at Point Marion, Pa., in place of S. B. Flickner. Incumbent's commission expired April 9, 1940.

Christian S. Lichliter to be postmaster at Salisbury, Pa., in place of C. S. Lichliter. Incumbent's commission expired April 9, 1940.

Paul H. Shaak to be postmaster at Sheridan, Pa., in place of P. H. Shaak. Incumbent's commission expired June 1, 1940.

Morris A. Shappell to be postmaster at Shoemakersville, Pa., in place of M. A. Shappell. Incumbent's commission expires June 20, 1940.

Michael F. Doran to be postmaster at Spangler, Pa., in place of M. F. Doran. Incumbent's commission expires June 25, 1940.

James H. Stewart to be postmaster at Tarentum, Pa., in place of J. H. Stewart. Incumbent's commission expired May 9, 1940.

Percy W. Walker to be postmaster at Thompson, Pa., in place of P. W. Walker. Incumbent's commission expired August 27, 1939.

LeRoy R. Herman to be postmaster at Topton, Pa., in place of L. R. Herman. Incumbent's commission expired January 29, 1939.

Charles S. Shaw to be postmaster at Waterford, Pa., in place of C. S. Shaw. Incumbent's commission expires June 20, 1940.

Catherine W. Stevenson to be postmaster at Waverly, Pa., in place of C. W. Stevenson. Incumbent's commission expires June 20, 1940.

Thomas M. Hiester to be postmaster at Wernersville, Pa., in place of T. M. Hiester. Incumbent's commission expires June 20, 1940.

PUERTO RICO

Marie O. Reyes to be postmaster at Arecibo, P. R., in place of M. O. Reyes. Incumbent's commission expired April 24, 1940.

Jose Monserrate to be postmaster at Salinas, P. R., in place of Jose Monserrate. Incumbent's commission expired April 1, 1940.

RHODE ISLAND

Samuel W. Smith, 3d, to be postmaster at Jamestown, R. I., in place of S. W. Smith, 3d. Incumbent's commission expires June 18, 1940.

SOUTH DAKOTA

Loyal H. McKnight to be postmaster at Bruce, S. Dak., in place of L. H. McKnight. Incumbent's commission expires June 28, 1940.

Winfield C. Clark to be postmaster at Canistota, S. Dak., in place of W. C. Clark. Incumbent's commission expires June 16, 1940.

Ralph L. Chambers to be postmaster at Clear Lake, S. Dak., in place of R. L. Chambers. Incumbent's commission expired May 19, 1940.

John R. Knapp to be postmaster at Colome, S. Dak., in place of J. R. Knapp. Incumbent's commission expires June 16, 1940.

Ernest F. Heuer to be postmaster at Florence, S. Dak., in place of E. F. Heuer. Incumbent's commission expired June 16, 1940.

Sebastian A. Archer to be postmaster at Lake Preston, S. Dak., in place of S. A. Archer. Incumbent's commission expires June 23, 1940.

Sylvester C. Eisenman to be postmaster at Marty, S. Dak., in place of Sylvester Eisenman. Incumbent's commission expired February 27, 1940.

Michael P. Garvey to be postmaster at Milbank, S. Dak., in place of M. P. Garvey. Incumbent's commission expires June 16, 1940.

Rose Cole Hoyer to be postmaster at Wagner, S. Dak., in place of R. C. Hoyer. Incumbent's commission expires June 25, 1940.

Frank D. Fitch to be postmaster at Wessington, S. Dak., in place of F. D. Fitch. Incumbent's commission expires June 16, 1940.

Edd A. Sinkler to be postmaster at Wood, S. Dak., in place of E. A. Sinkler. Incumbent's commission expired April 1, 1940.

TENNESSEE

Philip T. Young to be postmaster at Baxter, Tenn., in place of P. T. Young. Incumbent's commission expired July 3, 1939.

Joseph F. Odle to be postmaster at Camden, Tenn., in place of J. F. Odle. Incumbent's commission expired August 27, 1939.

Ottie H. Seaver to be postmaster at Church Hill, Tenn., in place of O. H. Seaver. Incumbent's commission expired June 11, 1940.

George N. Fuller to be postmaster at Collegedale, Tenn., in place of G. N. Fuller. Incumbent's commission expired May 27, 1940.

Robert F. Buchanan to be postmaster at Fayetteville, Tenn., in place of R. F. Buchanan. Incumbent's commission expired July 3, 1939.

Nona C. Armstrong to be postmaster at Martel, Tenn., in place of N. C. Armstrong. Incumbent's commission expired February 14, 1940.

Raymond C. Townsend to be postmaster at Parsons, Tenn., in place of R. C. Townsend. Incumbent's commission expired May 28, 1938.

TEXAS

Oliver A. Hale to be postmaster at Abilene, Tex., in place of O. A. Hale. Incumbent's commission expired April 24, 1940.

Peter Hilton Williams to be postmaster at Albany, Tex., in place of P. H. Williams. Incumbent's commission expired May 19, 1940.

Zack Thomason Burkett to be postmaster at Archer City, Tex., in place of T. L. Ikard. Incumbent's commission expired August 7, 1939.

Edith M. Bursey to be postmaster at Brackettville, Tex., in place of E. M. Bursey. Incumbent's commission expired February 27, 1940.

Alvin Henry Lohoefener to be postmaster at Burkburnett, Tex., in place of A. H. Lohoefener. Incumbent's commission expired May 19, 1940.

Odis A. Brown to be postmaster at Eliasville, Tex., in place of D. E. Billingsley. Incumbent's commission expired April 24, 1940.

Oliver P. Ford to be postmaster at Fabens, Tex., in place of O. P. Ford. Incumbent's commission expires June 16, 1940.

Lizzie Crawford to be postmaster at Marathon, Tex., in place of Lizzie Crawford. Incumbent's commission expires June 25, 1940.

John M. Meiners to be postmaster at Moulton, Tex., in place of J. M. Meiners. Incumbent's commission expired June 3, 1940.

Wade W. Barnett to be postmaster at Oakwood, Tex., in place of E. L. Tubb, deceased.

Cora Read to be postmaster at Plains, Tex. Office became Presidential July 1, 1939.

Marcus E. Jud to be postmaster at Riesel, Tex., in place of M. E. Jud. Incumbent's commission expires July 1, 1940.

Hattie Waller to be postmaster at Trinity, Tex., in place of Hattie Waller. Incumbent's commission expired April 24, 1940.

Jennie C. Jenkins to be postmaster at Tuscola, Tex., in place of J. C. Jenkins. Incumbent's commission expired May 19, 1940.

Edwin C. Dickschat to be postmaster at Washington, Tex., in place of E. C. Dickschat. Incumbent's commission expired April 24, 1940.

UTAH

Elaine S. Peterson to be postmaster at Moab, Utah, in place of E. S. Peterson. Incumbent's commission expired January 20, 1940.

Marvin P. Draper to be postmaster at Moroni, Utah, in place of M. P. Draper. Incumbent's commission expires June 25, 1940.

Nellie M. Ballard to be postmaster at Woods Cross, Utah, in place of N. M. Ballard. Incumbent's commission expires July 1, 1940.

VERMONT

Cornelius Buckley to be postmaster at Barton, Vt., in place of Cornelius Buckley. Incumbent's commission expired April 30, 1940.

Forrest E. Allen to be postmaster at Bradford, Vt., in place of F. E. Allen. Incumbent's commission expired August 15, 1939.

James J. Ransehousen to be postmaster at Bridgewater, Vt., in place of J. J. Ransehousen. Incumbent's commission expired February 7, 1940.

Patrick Mahoney to be postmaster at Burlington, Vt., in place of Patrick Mahoney. Incumbent's commission expired April 28, 1940.

Albert A. LaFrance to be postmaster at Derby Line, Vt., in place of A. A. LaFrance. Incumbent's commission expires June 17, 1940.

Maria B. Depatie to be postmaster at Enosburg Falls, Vt., in place of M. B. Depatie. Incumbent's commission expires June 25, 1940.

Raymond P. Streeter to be postmaster at Franklin, Vt., in place of R. P. Streeter. Incumbent's commission expires July 1, 1940.

William H. Moriarty to be postmaster at Northfield, Vt., in place of W. H. Moriarty. Incumbent's commission expired August 26, 1939.

Alice G. Sheehan to be postmaster at North Troy, Vt., in place of A. G. Sheehan. Incumbent's commission expired May 27, 1940.

Helen F. McKenna to be postmaster at Norwich, Vt., in place of H. F. McKenna. Incumbent's commission expired May 22, 1940.

William Harbutt to be postmaster at Putney, Vt., in place of William Harbutt. Incumbent's commission expired August 2, 1939.

Harold J. Sheehan to be postmaster at Richmond, Vt., in place of H. J. Sheehan. Incumbent's commission expired May 22, 1940.

Isabel Neary to be postmaster at Shelburne, Vt., in place of Isabel Neary. Incumbent's commission expired March 12, 1940.

Lyman W. Sheldon to be postmaster at South Londonderry, Vt., in place of L. W. Sheldon. Incumbent's commission expired June 1, 1940.

George M. Goodrich to be postmaster at South Royalton, Vt., in place of G. M. Goodrich. Incumbent's commission expired May 22, 1940.

James P. Gilfeather to be postmaster at West Rutland, Vt., in place of J. P. Gilfeather. Incumbent's commission expired May 27, 1940.

VIRGINIA

Benjamin Harrison to be postmaster at Boyce, Va., in place of Benjamin Harrison. Incumbent's commission expires June 19, 1940.

William H. Ranson to be postmaster at Bremo Bluff, Va., in place of W. H. Ranson. Incumbent's commission expires July 1, 1940.

Bessie S. Burgess to be postmaster at Fork Union, Va., in place of B. S. Burgess. Incumbent's commission expired February 14, 1940.

R. Garnett Claybrook to be postmaster at Kilmarnock, Va., in place of E. M. Blake, retired.

Harold W. Hale, Jr., to be postmaster at Narrows, Va., in place of H. W. Hale, Jr. Incumbent's commission expired April 1, 1940.

James David Miller to be postmaster at Newport, Va., in place of J. D. Miller. Incumbent's commission expires June 18, 1940.

John William Duncan to be postmaster at Onancock, Va., in place of J. W. Duncan. Incumbent's commission expires June 17, 1940.

Abbott D. Gerberich to be postmaster at Pearisburg, Va., in place of A. D. Gerberich. Incumbent's commission expires July 7, 1940.

WASHINGTON

Otto N. Sorensen to be postmaster at Edmonds, Wash., in place of O. N. Sorensen. Incumbent's commission expired May 21, 1940.

Harvey H. Hartley to be postmaster at Goldendale, Wash., in place of H. H. Hartley. Incumbent's commission expires June 16, 1940.

Clara R. Monk to be postmaster at Granite Falls, Wash., in place of C. R. Monk. Incumbent's commission expired January 31, 1940.

William A. Bauman to be postmaster at Lynden, Wash., in place of W. A. Bauman. Incumbent's commission expired May 21, 1940.

Ralph C. Cochran to be postmaster at Snohomish, Wash., in place of R. C. Cochran. Incumbent's commission expired January 31, 1940.

WEST VIRGINIA

Bennie D. Wiley to be postmaster at Athens, W. Va., in place of B. D. Wiley. Incumbent's commission expires June 17, 1940.

Oscar R. Conaway to be postmaster at Barrackville, W. Va., in place of O. R. Conaway. Incumbent's commission expires June 25, 1940.

Rupert B. Mapel to be postmaster at Farmington, W. Va., in place of R. B. Mapel. Incumbent's commission expires June 25, 1940.

Reuben Williams to be postmaster at Glen Rogers, W. Va., in place of Reuben Williams. Incumbent's commission expires June 17, 1940.

Anna F. Cole to be postmaster at Hundred, W. Va., in place of A. F. Cole. Incumbent's commission expired June 2, 1940.

Arthur Jackson to be postmaster at Littleton, W. Va., in place of Arthur Jackson. Incumbent's commission expired April 29, 1940.

Alva O. Shelton to be postmaster at Peach Creek, W. Va., in place of A. O. Shelton. Incumbent's commission expired June 2, 1940.

J. Leo Holsberry to be postmaster at Rainelle, W. Va., in place of J. L. Holsberry. Incumbent's commission expired June 2, 1940.

Rose B. Crabbe to be postmaster at Ranson, W. Va. Office became Presidential July 1, 1939.

Maurice C. Carpenter to be postmaster at Reedy, W. Va., in place of M. C. Carpenter. Incumbent's commission expires July 1, 1940.

Benjamin H. Oxley to be postmaster at Yawkey, W. Va. Office became Presidential July 1, 1939.

WISCONSIN

Carroll R. Eaton to be postmaster at Adams, Wis., in place of C. R. Eaton. Incumbent's commission expired January 20, 1940.

Michael P. Becker to be postmaster at Brillion, Wis., in place of M. P. Becker. Incumbent's commission expired April 27, 1940.

Albert A. Beck to be postmaster at Dorchester, Wis., in place of A. A. Beck. Incumbent's commission expired April 28, 1940.

Christian A. Hoen to be postmaster at Edgerton, Wis., in place of C. A. Hoen. Incumbent's commission expires June 17, 1940.

George Medley to be postmaster at Fox Lake, Wis., in place of George Medley. Incumbent's commission expires June 25, 1940.

George B. Meulemans to be postmaster at Greenleaf, Wis., in place of G. B. Meulemans. Incumbent's commission expired April 1, 1940.

Frank J. Mader to be postmaster at Gresham, Wis., in place of F. J. Mader. Incumbent's commission expires July 1, 1940.

Henry J. Thoma to be postmaster at Hartford, Wis., in place of H. J. Thoma. Incumbent's commission expired April 27, 1940.

John J. Hanley to be postmaster at Hudson, Wis., in place of J. J. Hanley. Incumbent's commission expires June 25, 1940.

Gilbert W. Kaepernick to be postmaster at Iron Ridge, Wis., in place of G. W. Kaepernick. Incumbent's commission expired March 3, 1940.

George A. Sauter to be postmaster at Kimberly, Wis., in place of G. A. Sauter. Incumbent's commission expired August 26, 1939.

William H. Brown to be postmaster at Laona, Wis., in place of W. H. Brown. Incumbent's commission expired April 28, 1940.

Cora A. Thompson to be postmaster at McFarland, Wis., in place of C. A. Thompson. Incumbent's commission expired May 19, 1940.

Henry John O'Brien to be postmaster at Montfort, Wis., in place of H. J. O'Brien. Incumbent's commission expires June 25, 1940.

Lila E. Town to be postmaster at Nashotah, Wis., in place of L. E. Town. Incumbent's commission expired March 12, 1940.

Russell N. Fuller to be postmaster at Osseo, Wis., in place of R. N. Fuller. Incumbent's commission expires June 19, 1940.

Roy C. Graham to be postmaster at Owen, Wis., in place of R. C. Graham. Incumbent's commission expired July 30, 1939.

William Reuschlein to be postmaster at Plain, Wis., in place of William Reuschlein. Incumbent's commission expired April 24, 1940.

Harry P. Walker to be postmaster at Plainfield, Wis., in place of H. P. Walker. Incumbent's commission expired January 18, 1939.

Alfred E. Von Wald to be postmaster at Sauk City, Wis., in place of A. E. Von Wald. Incumbent's commission expires June 16, 1940.

Henry J. Voltz to be postmaster at Schofield, Wis., in place of H. J. Voltz. Incumbent's commission expired August 26, 1939.

John M. Kippenhan to be postmaster at Slinger, Wis., in place of J. M. Kippenhan. Incumbent's commission expired April 28, 1940.

Ralph E. Lyon to be postmaster at Strum, Wis., in place of R. E. Lyon. Incumbent's commission expired June 1, 1940.

John W. O'Callaghan to be postmaster at Suring, Wis., in place of J. W. O'Callaghan. Incumbent's commission expires June 18, 1940.

Harry W. Stimson to be postmaster at Trempealeau, Wis., in place of H. W. Stimson. Incumbent's commission expired August 26, 1939.

Eva K. Sheen to be postmaster at Union Grove, Wis., in place of E. K. Sheen. Incumbent's commission expires June 16, 1940.

Thomas A. Wiora to be postmaster at Wild Rose, Wis., in place of T. A. Wiora. Incumbent's commission expires June 19, 1940.

Julius G. Behm to be postmaster at Woodville, Wis., in place of J. G. Behm. Incumbent's commission expired June 1, 1940.

WYOMING

James B. Harston to be postmaster at Cowley, Wyo., in place of J. B. Harston. Incumbent's commission expires July 1, 1940.

Francis R. Peck to be postmaster at Glenrock, Wyo., in place of F. R. Peck. Incumbent's commission expired June 1, 1940.

Mark N. Hanna to be postmaster at Lingle, Wyo., in place of M. N. Hanna. Incumbent's commission expires June 25, 1940.

Bertha I. Frolander to be postmaster at Sundance, Wyo., in place of B. I. Frolander. Incumbent's commission expired June 1, 1940.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 10 (legislative day of May 28), 1940

DEPARTMENT OF THE INTERIOR

Charles E. Jackson to be Deputy Commissioner in the Bureau of Fisheries.

SECURITIES AND EXCHANGE COMMISSION

Edward C. Eicher to be a member of the Securities and Exchange Commission.

POSTMASTERS

ALASKA

Augustus H. Kingsbury, Jr., Haines.

CONNECTICUT

John J. Lee, Beacon Falls.
John J. Mahony, Derby
Clinton A. Theis, Madison.
Edna M. Jenkins, Middlefield.
Charles J. Fields, Norfolk.
Charles T. Kelly, Oakville.
Charles W. Camp, Plantsville.
George E. Barton, Salisbury.

IDAHO

Emory Olson, Deary.
Sara H. Huff, Driggs.
George F. Walker, Hailey.
Ralph Waldo Cope, Harrison.

KANSAS

Arden S. Morris, Elmdale.
William T. Flowers, Havensville.
Christie C. Doughty, Leon.
Loraine Champlin, Long Island.
Walter E. Moore, Manhattan.
Barton W. Wherritt, Montezuma.
Ralph W. New, Norcatur.
George D. Brooks, Oil Hill.
Harry F. Sloan, Selden.

NEBRASKA

Gotthilf I. Pfeiffer, Arlington.
Lyman G. Gake, Beaver Crossing.
Margaret H. Andersen, Belgrade.
Eli V. Balthazor, Campbell.
Gustav A. Koza, Clarkson.
Henry C. Paquin, Dakota City.
Harry H. Row, Davenport.
James A. Sears, Decatur.
Frank J. Srb, Dodge.
Floyd S. Worthing, Elm Creek.
Edna M. Miner, Ericson.
Emma G. Grabenstein, Eustis.
Frank Ainsworth, Exeter.
Patrick J. Mullin, Friend.
Roy W. Bruce, Genoa.
Irene L. Barrett, Greeley.
Renald A. Tobey, Gresham.
Mary Dolores Jensen, Hampton.
George B. McDowell, Hardy.
Peter P. Braun, Henderson.
Isaac D. Brownfield, Hershey.
Bertha E. Busch, Howells.
Frederick F. Thomas, Linwood.
Arthur H. Barstler, Nebraska City.
Orval C. Myers, Nelson.
Frank H. Kroger, Newcastle.
Kitty Hennessy, Platte Center.
George H. Woolman, Republican City.
Inez Gail Lidgard, Stockville.
Leonard L. Rook, Stratton.
George L. Everett, Union.
Elmer L. Bunger, Upland.
Harry E. Christensen, Valparaiso.
J. Marie D. Rutledge, Wilsonville.
Russell N. Linkswiler, Winnebago.

NEW YORK

Philip J. Dwyer, Chittenango.
Jack Batt, Woodmere.

NORTH DAKOTA

Mable G. Howell, Sheldon.

OHIO

Leo V. Walsh, Barberton.
Mary Costigan, Berlin Heights.
John L. Keener, Brookville.
Alice B. Romie, Fort Loramie.
John D. Reed, Green Springs.
Henry Beuchat, Louisville.
Sylvie E. Sovacool, Peninsula.
Paul M. Hawn, Pleasant Hill.
Charles Calvin Myers, Risingsun.
Frank Thompson, Senecaville.

PENNSYLVANIA

George Ed Reed, Vanderbilt.

SOUTH CAROLINA

Russell P. Barnett, Campobello.
Frank B. Bynum, Darlington.
Mamie C. Spears, Lamar.
James H. Fox, Lexington.
John W. Wilbanks, Union.

VIRGINIA

Richard F. Hicks, Schuyler.

WASHINGTON

Truman W. Chamberlain, Quincy.
Edward V. Pressentin, Rockport.
James F. Brislawn, Sprague.

WYOMING

Grace E. Lyon, Burns.
Edmund P. Landers, Casper.

HOUSE OF REPRESENTATIVES

MONDAY, JUNE 10, 1940

The House met at 12 o'clock noon.

Rev. M. E. Dodd, D. D., LL. D., president of Dodd College and pastor of the First Baptist Church of Shreveport, La., offered the following prayer:

O God, our Heavenly Father, from whom cometh every good and perfect gift, we would acknowledge Thee in all our ways and thereby claim Thy promise to direct our paths. We present ourselves before Thy face with a deep sense of unworthiness. We would humbly confess our sins and the iniquities of our fathers. We deplore our personal wrongdoings and our national evils. Look upon us with mercy, we beseech Thee, and graciously pardon all our transgressions.

And now as a new day dawns with its impending responsibilities, its inspirative duties, and its overwhelming tasks, give us, we pray Thee, O God, of that wisdom which cometh down from above for our problems and decisions, give us Thine own divine and omnipotent strength for our tasks, and give us divine guidance for our perplexities.

In a world welter of chaos and confusion, amidst the swirling tides of iniquity which threaten to engulf the whole human race—deafened by wars and rumors of wars—with hell vomiting forth its sulfurous fumes of death and destruction, help Thy people, O God, to possess their souls in patience, to love mercy, do justly, and to walk humbly before their God.

Amidst all the fiery darts of hatreds which fly about our heads in all directions, grant us the grace of love and good will, keep us in the spirit of Him who had the high courage and the deep devotion to die for the redemption of humanity, help us to love our enemies and to do good to those who would despitefully use us.

Blind our eyes, we beseech Thee, to the glaring headlines and stop our ears to the blaring blasts of raucous radios that would lead us in the way which may seem right unto man but which Thou knowest are the ways of death.

Help us, O God, to act with sanity in an insane world, and while condemning the injustices which run rampant across the earth, to be careful that we ourselves are just, to be calm amid swirling storms, to seek peace and pursue it. Free us from all national self-seeking, self-interest, and hypocrisy. Deliver us, we pray Thee, from the wild hysteria which dethrones reason and causes men to act unwisely if not wickedly, deliver from the taunting fears produced by our inferiority complex and from the arrogant bombast which comes from a superiority complex, while clamorous calls come for physical courage, give us great moral and intellectual courage. May we be so consciously true and right and just that we have not the fear of man before our face but only that fear of God which is the beginning of all wisdom.

Help us, O God, to demonstrate the virtue, value, and vitality of that great American spirit and way of life, "with malice toward none and charity for all," to such a degree and to prove its workability so effectively among ourselves that all the world may become a brotherhood of nations as we are a sisterhood of States.

Draw the circumference of our vision so far from our feet that we forget the swirling eddies of the moment and see all the newborn tomorrows in which our children and grandchildren must live in the same world with the children and grandchildren of other people. With faith in the right as God gives us to see the right, help us to go forth to the duties of this day and all the days. And this is our prayer through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Friday, June 7, 1940, was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed joint resolutions and bills of the House of the following titles:

On June 6, 1940:

H. J. Res. 400. Joint resolution authorizing the President of the United States of America to proclaim October 11, 1940, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski;

H. R. 3955. An act to amend section 335 (d) of the Agricultural Adjustment Act of 1938;

H. R. 4229. An act authorizing the conveyance to the Commonwealth of Virginia a portion of the naval reservation known as Quantico in Prince William County, Va.;

H. R. 4349. An act for the relief of the estate of Lewis Marion Garrard Hale;

H. R. 5459. An act for the relief of George F. Lewis, administrator of the estate of Margaret R. Lewis;

H. R. 5880. An act to incorporate the Navy Club of the United States of America;

H. R. 6481. An act to authorize the conveyance of the United States Fish Hatchery property at Put in Bay, Ohio, to the State of Ohio;

H. R. 6552. An act for the relief of Mrs. Gottlieb Metzger;

H. R. 6964. An act for the relief of Mr. and Mrs. Nathan Kaplan;

H. R. 7018. An act to amend section 289 of the Criminal Code;

H. R. 7020. An act to amend section 2 of the act of March 4, 1931 (46 Stat. 1528), in regard to service of process on the United States in foreclosure actions;

H. R. 7078. An act to authorize the acquisition by the United States of lands in Manchester and Jackson townships of the county of Ocean and State of New Jersey for use in connection with the Naval Air Station, Lakehurst, N. J.;

H. R. 7084. An act to amend the act entitled "An act to regulate proceedings in adoption in the District of Columbia," approved August 25, 1937;

H. R. 7615. An act authorizing the Bradenton Co., its successors and assigns, to construct, maintain, and operate a toll bridge across Sarasota Pass, and across Longboat Pass, county of Manatee, State of Florida;

H. R. 7733. An act to provide increased pensions for veterans of the Regular Establishment with service-connected disability incurred in or aggravated by service prior to April 21, 1898;

H. R. 8373. An act to amend section 79 of the Judicial Code, as amended;

H. R. 8403. An act to convey certain lands to the State of Wyoming;

H. R. 8423. An act to amend an act entitled "An act to increase the efficiency of the Coast Guard," approved January 12, 1938;

H. R. 8537. An act to provide for the enlargement of the Coast Guard depot at Seattle, Wash., and for the establishment of a Coast Guard servicing base at or near Chattanooga, Tenn.;

H. R. 8983. An act authorizing the Secretary of the Navy to accept on behalf of the United States a gift of the yacht *Freedom* from Sterling Morton;

H. R. 9013. An act to transfer Hardeman County, Tex., from the Fort Worth division to the Wichita Falls division of the northern judicial district of Texas;

H. R. 9115. An act to authorize the Commissioners of the District of Columbia to provide for the parking of automobiles in the Municipal Center;

H. R. 9210. An act to amend an act entitled "An act to establish a Board of Indeterminate Sentence and Parole for the District of Columbia and to determine its functions, and for other purposes," approved July 15, 1932, and for other purposes;

H. R. 9236. An act to amend the act entitled "An act to provide books for the adult blind," approved March 3, 1931;

H. R. 9261. An act to extend the times for commencing and completing the construction of a railroad bridge across the Missouri River at or near Randolph, Mo.; and

H. R. 9553. An act to amend and clarify certain acts pertaining to the Coast Guard, and for other purposes.

On June 7, 1940:

H. J. Res. 265. Joint resolution authorizing the Bureau of Labor Statistics to make studies of productivity and labor costs in industry; and

H. R. 1843. An act for the relief of the estate of K. J. Foss.

On June 8, 1940:

H. J. Res. 260. Joint resolution authorizing the removal of the statue of John Marshall from its present site on the Capitol Grounds to a new site in proximity to the Supreme Court Building;

H. J. Res. 302. Joint resolution to authorize compacts or agreements between or among the States bordering on the Atlantic Ocean with respect to fishing in the territorial waters and bays and inlets of the Atlantic Ocean on which such States border, and for other purposes;

H. R. 3048. An act to confer jurisdiction on the State of Kansas over offenses committed by or against Indians on Indian reservations;

H. R. 4282. An act to amend the act of June 30, 1936 (49 Stat. 2041), providing for the administration and maintenance of the Blue Ridge Parkway, in the States of Virginia and North Carolina, by the Secretary of the Interior, and for other purposes;

H. R. 4832. An act for the protection of the bald eagle;

H. R. 5404. An act to extend the provisions of the Forest Exchange Act, as amended, to certain lands so that they may become part of the Ochoco National Forest, Oreg.;

H. R. 5477. An act for the benefit of the Indians of the Crow Reservation, Mont., and for other purposes;

H. R. 5784. An act to provide for the conservation and transfer of accumulated sick leave and vacation time due classified civil-service employees who succeed to the position of postmaster, and for other purposes;

H. R. 5906. An act to repeal the prohibition against the filling of a vacancy in the office of district judge for the southern district of New York;

H. R. 5961. An act granting to the regents of the University of New Mexico the right to alienate certain lands conveyed to them under authority of the act of Congress approved August 19, 1935 (49 Stat. 659), in exchange for an equivalent amount of land more expediently situated;

H. R. 6751. An act to repeal certain laws with respect to manifests and vessel permits;

H. R. 7306. An act for the relief of John R. Elliott;

H. R. 7833. An act to set aside certain lands for the Minnesota Chippewa Tribe in the State of Minnesota, and for other purposes;

H. R. 7853. An act for the relief of the Gallup Mercantile Co., of Gallup, N. Mex.;

H. R. 8086. An act to make it a crime to wreck or attempt to wreck a train engaged in interstate commerce;

H. R. 8317. An act for the relief of the Hermosa-Redondo Hospital, C. Max Anderson, Julian O. Wilke, Curtis A. Wherry, Hollie B. Murray, Ruth M. Laird, Sigrid I. Olsen, and Stella S. Guy;

H. R. 8491. An act authorizing the county of Knox, State of Nebraska, to construct, maintain, and operate a toll bridge across the Missouri River at or near Niobrara, Nebr.;

H. R. 8589. An act to authorize the county of Burt, State of Nebraska, to construct, maintain, and operate a toll bridge across the Missouri River at or near Decatur, Nebr.;

H. R. 8749. An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Petersburg, Mo.;

H. R. 8958. An act to authorize the Secretary of the Interior to grant to the county of Wayne, State of Michigan, an easement over certain land of the United States in Wayne County, Mich., for a sewage-disposal line;

H. R. 9094. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Winona, Minn.;

H. R. 9411. An act to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N. Y.; and

H. R. 9441. An act to accept the grant to the United States of certain land by the State of South Carolina and to authorize its use by the United States Coast Guard.

SWEARING IN OF MEMBER

The SPEAKER laid before the House the following communication from the Clerk of the House:

The SPEAKER,
House of Representatives, Washington, D. C.

DEAR SIR: The certificate of election, in due form of law, of Hon. MARGARET CHASE SMITH as a Representative-elect to the Seventy-sixth Congress from the Second Congressional District of Maine, to fill the vacancy in said district, is on file in this office.

Very truly yours,

SOUTH TRIMBLE,
Clerk of the House of Representatives.

Mrs. SMITH of Maine appeared at the bar of the House and took the oath of office.

ORDER OF BUSINESS

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. RAYBURN. Mr. Speaker, a month or 5 weeks ago, following these requests to proceed for a minute before the legislative program of the day is taken up, I announced that I would object to anyone's proceeding for 1 minute and extending their remarks and placing extensions in the RECORD at that place. I thought this was generally understood, but it seems it has not been observed. I made the statement for the simple reason that on certain days before the legislative program began I had seen a dozen pages of the RECORD taken up with these 1-minute speeches and extensions and remarks. I hope it will be understood that henceforth anyone who desires to proceed for 1 minute and no longer and not extend his remarks in the RECORD may have his remarks go in the RECORD at that point, but if there is an extension, carrying out my former statement, I would object to the extension being placed in the RECORD at that point.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. RAYBURN. I yield.

Mr. MARTIN of Massachusetts. What would happen if a Member has 1 minute and is in the middle of a very short statement? What position would that leave a Member in if he had not finished the sentence?

Mr. RAYBURN. I think it would be a very good idea for him to cut his cloth accordingly.

Mr. MARTIN of Massachusetts. Of course, the gentleman would not want the remarks left suspended in the air, so to speak.

Mr. RAYBURN. No; he should not be cut off between "and" and "applause." [Laughter.]

Mr. MARTIN of Massachusetts. I understand what the gentleman from Texas is complaining about, but we would like adequate time.

Mr. RAYBURN. I see very long newspaper articles going into the RECORD at the beginning of the day in violation of the agreement.

Mr. MARTIN of Massachusetts. I can appreciate that; but if the Member has a statement of his own, I see no reason why it should not be printed.

Mr. RAYBURN. I do not either, if it comprised a long minute. [Laughter.]

Mr. MUNDT. Mr. Speaker, will the gentleman yield?

Mr. RAYBURN. I yield.

Mr. MUNDT. I wonder if the gentleman would not be willing to modify his suggestion in line with the thought

that the gentleman from Massachusetts [Mr. MARTIN] has expressed and limit these 1-minute remarks and revision to, say, 300 words or 250 words of a Member's own statement.

Mr. RAYBURN. Well, if a Member has that much to place in the RECORD, it is an easy matter to get 2 or 3 or 5 minutes after the legislative program is over for the day. I want people, when they pick up the CONGRESSIONAL RECORD and begin to read it, to see the legislative program of the day first.

Mr. MARTIN of Massachusetts. Time will be rather precious in the next several weeks, both before we start the proceedings of the day and afterward, and the ruling might be the means of depriving a Member of getting his remarks in the RECORD.

Mr. RAYBURN. I have not seen the House in such a temper before adjournment that it would not grant a Member 2 or 3 minutes.

Mr. MARTIN of Massachusetts. But there are 435 Members of the House.

Mr. RAYBURN. There are not that many that take up much of the time of the House.

Mr. BULWINKLE. The gentleman from Massachusetts, evidently, contemplates adjourning within a few weeks.

Mr. MARTIN of Massachusetts. I hope not; and, indeed, I hope the gentleman from North Carolina will join us in keeping the Congress here.

[Here the gavel fell.]

FARM ISLAND, S. DAK.

Mr. DEROUEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6446) amending section 4 of the act entitled "An act to authorize the city of Pierre, S. Dak., to construct, equip, maintain, and operate on Farm Island, S. Dak., certain amusement and recreational facilities; to charge for the use thereof; and for other purposes," with a Senate amendment, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment as follows:

Strike out all after the enacting clause and insert:

"That section 3 of the act entitled 'An act to authorize the city of Pierre, S. Dak., to construct, equip, maintain, and operate on Farm Island, S. Dak., certain amusement and recreational facilities; to charge for the use thereof; and for other purposes,' approved August 16, 1937, is amended to read as follows:

"'SEC. 3. The enterprises authorized to be operated on Farm Island by the provisions of the first section of this act shall be owned and operated by the city of Pierre or by concessionaires of such city. All funds derived by such city from the operation of such enterprises and from the granting of concessions for the operation of such enterprises shall be maintained by such city in a separate fund and shall be used exclusively for the purpose of maintaining, developing, and policing Farm Island.'

"SEC. 2. Section 4 of such act is amended by adding at the end thereof the following: 'Nothing in this act shall be deemed to prohibit such city, such State, or any agency of the United States performing functions on such island from removing therefrom, by such means as it may deem appropriate or advisable, such wild animals and wild birds (except migratory birds for the removal of which a permit has not been issued pursuant to the provisions of the Migratory Bird Treaty Act) as may become detrimental to the maintenance of said island as a wild-game refuge, park, or forest.'

"Amend the title so as to read: 'An act to amend the act entitled "An act to authorize the city of Pierre, S. Dak., to construct, equip, maintain, and operate on Farm Island, S. Dak., certain amusement and recreational facilities; to charge for the use thereof; and for other purposes," approved August 16, 1937.'"

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

OPERATION OF BOULDER POWER PLANT

Mr. SABATH, from the Committee on Rules, submitted the following resolution, for printing under the rule:

House Resolution 503

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 9877, a bill authorizing the Secretary of the Interior to promulgate and to put into effect charges for electrical energy generated at Boulder Dam, providing for the application of revenues from said project, authorizing the operation of the Boulder Power Plant by the United States directly or through agents, and for other purposes, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Irrigation and Reclamation, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit, with or without instructions.

SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT

Mr. FULMER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 9594, to amend section 12 (b) of the Soil Conservation and Domestic Allotment Act, as amended, by authorizing the transfer of funds to cover advances for crop insurance, with Senate amendments thereto, disagree to the Senate amendments and ask for a conference.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. RICH. Mr. Speaker, I ask that the gentleman make an explanation of what this is.

The SPEAKER. This is merely asking to disagree to the Senate amendments and ask for a conference. Is there objection?

There was no objection.

The Chair appointed the following conferees: Mr. JONES of Texas, Mr. FULMER, Mr. DOXEY, Mr. HOPE, and Mr. KINZER.

COOPERATION BETWEEN BUREAU OF RECLAMATION AND FARM SECURITY ADMINISTRATION

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 3683, with a Senate amendment to a House amendment, and agree to the Senate amendment to the House amendment.

The SPEAKER. The Clerk will report the Senate amendment to the House amendment.

The Clerk read as follows:

In lieu of "1941", insert the following: "1940," and by inserting "during the fiscal year 1941."

The SPEAKER. Is there objection?

Mr. MARTIN of Massachusetts. Mr. Speaker, as I understand it this is merely changing the date on which the legislation will go into effect.

Mr. O'CONNOR. Mr. Speaker, when this matter was before the House by unanimous consent the bill was amended by inserting the figures "1941," and in striking out "1940." In other words, this bill was continued for a period of 1 year. That amendment was amended in the Senate, when the bill went back to the Senate by adding the words "during the fiscal year 1941." I think that is a proper amendment to make to the bill and I am asking now that the House agree to the Senate amendment to the House amendment.

The SPEAKER. Is there objection?

There was no objection.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and include a short article.

The SPEAKER. Is there objection?

There was no objection.

Mr. COLMER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. EDWIN A. HALL. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include an editorial from the Binghamton Press entitled "One Point Not Covered."

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. BRYSON. Mr. Speaker, I ask unanimous consent that at the conclusion of the regular business tomorrow and the disposition of such special orders as have heretofore been entered, I be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection?

There was no objection.

PROPOSED MILITARY SERVICE FOR CERTAIN PEOPLE ON RELIEF

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to proceed for 1 minute, and to extend my remarks in the Appendix in conformity with the statement of the gentleman from Texas [Mr. RAYBURN].

The SPEAKER. Is there objection?

There was no objection.

Mr. MUNDT. Mr. Speaker, yesterday's papers carried an Associated Press story from Trenton, N. J., to the effect that relief directors up there are proposing to refuse relief to single persons eligible for military service and to require unmarried persons in needy families to enlist under penalty of having their relief grants reduced if they refuse.

Mr. Speaker, I rise to protest against this proposal with all my might. Whoever is responsible for it should be summarily removed from office, whether he be a high Federal official or a State director.

The pagan philosophy that the poor should be forced to fight or starve has no place in American life. I hope that the New Deal's growing desire to involve this country in the European war is not based on the premise that, since it has failed for over 7 years to provide jobs for the workers of America, it now looks to the war as a method for forcing idle men into the Army and thus decreasing unemployment.

This move resembles too much a new type of selective draft in which the poor and the jobless are to be selected to do the fighting. To apply pressure on the destitute and jobless families of America to serve the colors or starve is the height of official arrogance. In peacetime the armed forces of the United States are recruited by voluntary enlistments; if the time should come when voluntary enlistments will not suffice to meet our national needs, we should set up universal compulsory military-service provisions. But in neither peacetime nor in time of emergency must this country permit young men to be driven to enlist by fear of hunger. Officials making such proposals are guilty of a flagrant abuse of power and their arrogance equals, if it does not excel, the power politics of foreign dictators. It must be stopped, and stopped at once, before an attempt is made to extend this insidious doctrine to other States.

TAXES FOR DEFENSE PROGRAM

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. REES of Kansas. Mr. Speaker, we are informed that the Ways and Means Committee has proposed a plan to borrow approximately $4,000,000,000 to be expended for the new additional defense program. And this $4,000,000,000 is to be repaid through additional taxes at the rate of approximately $1,004,000,000 per year for the next 5 years, in line with tax bill that is to be considered tomorrow. The thing in which I am particularly interested this morning is that the legislation be safeguarded so that extra taxes that are to be raised for the payment of this defense program shall be used for that purpose, and for that purpose only. All the money that is raised under this new tax program should be kept in a separate fund. You may call it a trust fund if you want to; in any event it should be accounted for separately and used for the absolute purpose of defraying the additional expense raised under the new program.

The American people are practically unanimous in their opinion that it is necessary that we expend large sums of money for defense, but I think they are entitled to know that the new and additional taxes that will be levied against them will be used for that specific purpose. So if it takes four billion or five billion dollars or whatever amount it requires, we must at the same time provide for the payment of these bonds within a reasonable period of time. Our country is already $45,000,000,000 in debt, and while the tax load may seem heavy, I do not think we have a right to expect the future generations to pay the increased obligations that we find necessary to impose under the present emergency.

Mr. Speaker, I am also informed through the press this morning that the Ways and Means Committee is going to study the question of taxes on excess profits, with a view of submitting legislation on this subject some time next year. Mr. Speaker, now is the time to give that subject study. Get to work on it in this session here and now. Then bring the bill to the House and consider it during the present session, because we are not going to adjourn right away. It is our duty to stay right here, at least until the present crisis has subsided. Let us not wait until next January or next year. Now is the time to do it. [Applause.]

EXTENSON OF REMARKS

Mr. O'BRIEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address given by Frank Gannett at Rutland, Vt.; also a short endorsement by Fred Brenckman, of the National Grange.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. KUNKEL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix and include an article on the American flag which appeared in this morning's issue of the Times-Herald.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PROFITEERING ON FARM MACHINERY

Mr. GOSSETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks in the Appendix of the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GOSSETT. Mr. Speaker, I know all of us feel there should be no profiteering out of human distress, and we all commend the President in his determination to see that no one profits out of the present crisis. In our struggle to give parity to the American farmer we should remember that there is no difference in the farmer selling for more and buying for less. One of the institutions that has profiteered off the farmer for years is the Farm Machinery Trust. The International Harvester Co., the head of the farm-machinery monopoly, a few years ago contributed a plant in Russia to the Communists. They lost about $38,000,000 in their Russian investment. I assume that was charged up to the American farmers. They have two plants in Germany and three plants in France. They do not know what is being done with their German plants nor what is to become of their French plants. I assume the American farmer is going to pay for these losses.

[Here the gavel fell.]

AMENDING SECTIONS 2803 (E) AND 2903 OF INTERNAL REVENUE CODE

Mr. McCORMACK, by direction of the Committee on Ways and Means, reported the bill (H. R. 9909) to amend section 2803 (c) and 2903 of the Internal Revenue Code, which was referred to the Union Calendar and ordered to be printed.

MORE SUPPLIES FOR THE ALLIES

Mr. MURDOCK of Arizona. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. MURDOCK of Arizona. Mr. Speaker, I presume my mail is typical of the mail received by the membership of this House. During the last 4 days I have received more than a thousand messages from the State of Arizona, from all parts of the State, from private citizens, and from organizations. The unanimous verdict in those letters, without exception, has been that the American people ought to take

steps now to furnish more materials to the Allies—guns, tanks, munitions, and that sort of thing. Out of the entire correspondence of more than a thousand telegrams and letters I have received only six which intimate or declare that we ought to join the Allies in the war at once. A considerable proportion of these constituents would have us extend credit. We should do all short of war, is the universal verdict of the correspondence I have received during the last 4 days.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks by including an editorial in the June 6 issue of the largest Wisconsin newspaper, the Milwaukee Journal, entitled "Where to Start on the 'Fifth Column.'"

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SCHAFER of Wisconsin. I also ask unanimous consent, Mr. Speaker, to extend my remarks in the RECORD and to include another editorial from this large newspaper, from the June 7, 1940, issue, entitled "Roosevelt Goes Too Far."

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BURDICK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and I assure you they are my own remarks. [Laughter.]

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. WIGGLESWORTH. Mr. Speaker, I ask unanimous consent to extend my own remarks and include brief extracts from three recent editorials.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. JONES of Ohio. Mr. Speaker, I ask unanimous consent to place in the Appendix of the RECORD two essays by constituents of mine as part of an Americanization contest held by the American Legion, and a letter from the president of Bluffton College, a great American in my district.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BLACKNEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a brief editorial from the Flint Journal.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

By unanimous consent, Mr. HORTON was granted permission to extend his own remarks.

Mr. CHIPERFIELD. Mr. Speaker, I ask unanimous consent to extend my remarks by including a brief editorial of June 7 from the Galesburg Register-Mail entitled "Let Congress Stay and Saw Wood."

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ALEXANDER. Mr. Speaker, in view of the widespread interest in the adjournment of Congress, I ask unanimous consent that I may extend my remarks in the RECORD and insert therein four typical letters which I have received from residents of Minnesota regarding this subject.

The SPEAKER. Is there objection?

There was no objection.

COMPULSORY MILITARY TRAINING

Mr. DWORSHAK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. DWORSHAK. Mr. Speaker, last Saturday evening 250 alumni of an eastern college, after hearing a New York capitalist declare that a bill to require compulsory military training would be ready for Congress soon, approved a proposal to conscript manpower in peacetime as well as for war service.

I am sure that Members of Congress will be grateful for such gratuitous advice in building up a militaristic background for our country. However, it is indeed strange that these superpatriots have failed to make any proposals for the conscription of capital, industry, and material resources for national defense. Surely they recall the reprehensible profiteering during the World War, when billions of dollars were squandered and wasted in the production of munitions and armaments.

Do these patriots insist that manpower should be drafted while unbridled profits are made by industry? If young Americans should be conscripted, why not apply this same principle to capital? There will be greater unity and stronger national defense in this country when this principle is firmly established.

EXTENSION OF REMARKS

Mr. SCHIFFLER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter received from a South Dakota mother of two sons of military age.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CONGRESS SHOULD STAY IN SESSION

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RICH. Mr. Speaker, 1 minute is not a very long time, but it is longer than it took the President to say that the Congress ought to go home and let him handle the affairs of the Nation. The majority leader now wants to curb those who desire to make 1-minute speeches or insert their remarks in the CONGRESSIONAL RECORD at this point. It seems as though they are driving to get rid of the Members of Congress, telling them they ought to go back home.

I say that if you Members of Congress do go back home you will be faced by your constituents telling you you ought not to have come back home; that you should have stayed here; that Congress should stay in session and attend to the business of the country, and see that this country is not taken into the war. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. POLK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a brief editorial from a newspaper in my district.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DISTRICT OF COLUMBIA CALENDAR

The SPEAKER. This is the day on which business on the District of Columbia Calendar is in order. The Chair recognizes the gentleman from West Virginia [Mr. RANDOLPH].

SALE OF PRODUCTS OF CONVICT LABOR PROHIBITED IN DISTRICT OF COLUMBIA

Mr. RANDOLPH. Mr. Speaker, I call up the bill (H. R. 10011) to prohibit the sale in the District of Columbia of products of convict labor, and ask unanimous consent that it may be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the bill as follows:

To prohibit the sale in the District of Columbia of products of convict labor

Be it enacted, etc., That it shall be unlawful to sell, or offer for sale, within the District of Columbia, any goods, wares, or merchandise manufactured, produced, or mined wholly or in part by convicts or prisoners (except by convicts or prisoners on parole or probation), or in any penal or reformatory institution: *Provided, however*, That this act shall not apply to the sale or offer for sale of any such goods, wares, or merchandise to the government of the District of Columbia or the Government of the United States.

SEC. 2. Whoever violates any provision of this act shall, upon conviction, be punished by a fine of not less than $50 nor more than $100, or by imprisonment in the District of Columbia jail for not less than 3 months nor more than 1 year, or by both such fine and imprisonment.

Mr. RANDOLPH. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RANDOLPH: Page 1, strike out all of lines 8 to 11, inclusive, and insert in lieu thereof the following new section:

"SEC. 2. It shall be unlawful for any officer, employee, or agent of the municipal government of the District of Columbia to buy, take in exchange, or otherwise acquire for the use of the municipal government of the District of Columbia or any governmental office, agency, or establishment thereof, any goods, wares, or merchandise described in section 1 of the act other than motor-vehicle license tags and laundry facilities and services: *And provided further*, That this law shall not apply to the sale or offer for sale of any goods, wares, or merchandise to any charitable or religious institution."

Page 2, line 1, strike out "Sec. 2" and insert "Sec. 3."

Mr. RANDOLPH. Mr. Speaker, I have offered this amendment in order to prevent the use of convict-made brick in the District of Columbia. At the present time a brick plant is operated at the District penal institution, and this product is used on municipal construction here, as in the case of the new National Guard Armory which is just being started. This appears to me to be unfair competition with private industry, particularly with brick plants in the surrounding area. I believe this practice should be stopped.

Mr. SMITH of Virginia. Mr. Speaker, will the gentleman yield?

Mr. RANDOLPH. I yield.

Mr. SMITH of Virginia. I am very glad to see the gentleman offer this amendment. My information is that this brick competes with private industry in the sale of brick to the municipality of the District of Columbia and also through bidding on contracts for the United States Government.

Mr. RANDOLPH. The gentleman is correct in that observation. I am sorry I did not mention it.

Mr. SMITH of Virginia. I am glad to see the gentleman recognize this further fact—that a great part of our relief burden comes from the class of labor which works in brickyards and similar plants. This Congress has gone on record time and time again against convict labor's competing with private industry everywhere except in the District of Columbia, and I am glad to see the gentleman alert and on the job in the matter of preventing it here.

Mr. RANDOLPH. I thank the gentleman for his observation.

Mr. SMITH of Virginia. I understand that brick is the only prison-made product sold here.

Mr. RANDOLPH. The gentleman is correct.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. RANDOLPH. I yield.

Mr. RICH. How many bricks sold in the District are made by convict labor?

Mr. RANDOLPH. I do not have the exact figure, but certainly enough to construct a large building or buildings here in the District of Columbia, I will say to the gentleman from Pennsylvania. It is my understanding the capacity is eight to ten million brick each year. In private employment this would approximate eight to ten thousand man-hours of labor.

Mr. RICH. Do they compete very materially with free labor?

Mr. RANDOLPH. Yes; it is in real competition with private industry.

Mr. RICH. The gentleman did not mean say that the Government had planned to use entirely the brick made by convict labor?

Mr. RANDOLPH. In the one item on the new armory it was so planned; yes. That is why this bill has been introduced.

Mr. RICH. I congratulate the mayor of the District in stopping that practice.

Mr. BULWINKLE. Mr. Speaker, I rise in opposition to the amendment.

Mr. Speaker, really I am not opposed to the pending amendment, but I do want to call the attention of the members of the District Committee, and especially of those members coming from the cotton States, to a condition that exists in the District of Columbia. A technician in the highway department has issued an order that all cement shipped into the District of Columbia for projects in the District of Columbia shall be in paper bags. For 40 years cement has been shipped in cotton bags which are cheaper. A cotton bag is about 7½ cents cheaper than a paper bag. The paper bags are thrown away, while the cotton bags are cleaned and sent back, and will last for five shipments. It is absolutely useless to pay 30 cents more for 400 pounds of cement when we have a surplus of cotton. This should be looked into.

Mr. RICH. Will the gentleman yield?

Mr. BULWINKLE. I yield to the gentleman from Pennsylvania.

Mr. RICH. Does the gentleman know whether these paper bags are made out of imported pulp?

Mr. BULWINKLE. I imagine that they are made out of imported pulp; yes.

Mr. RICH. Then this ought to be stopped and it should be done at once.

Mr. NICHOLS. Will the gentleman yield?

Mr. BULWINKLE. I yield to the gentleman from Oklahoma.

Mr. NICHOLS. Will the gentleman give us the name of the man who ordered this done?

Mr. BULWINKLE. Yes; I can. I will do that later. I am just calling it to the attention of the committee because this practice should be stopped.

The pro forma amendment was withdrawn.

The SPEAKER. The question is on the amendment offered by the gentleman from West Virginia [Mr. RANDOLPH].

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RECORDING AND RELEASING OF LIENS FOR MOTOR VEHICLES AND TRAILERS

Mr. RANDOLPH. Mr. Speaker, I call up the bill (H. R. 9907) to provide for the recording and releasing of liens by entries on certificates of title for motor vehicles, and for other purposes, and I ask unanimous consent that the bill may be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia [Mr. RANDOLPH]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That as used herein—

"Person" shall include one or more individuals, firms or unincorporated associations, or corporations.

"Director" shall mean the director of vehicles and traffic of the District of Columbia, including assistants or agents duly designated by the Commissioners.

"Recorder" shall mean the recorder of deeds of the District of Columbia, including assistants or agents duly designated by the recorder.

"Certificate" shall mean a certificate of title for a motor vehicle or trailer issued by the director.

"Owner" shall mean the person to whom such certificate is issued by the director.

"Lien" shall mean any right or interest in or to, or lien or encumbrance upon any motor vehicle or trailer, or the equipment or accessories affixed or sold to be affixed thereto, in favor of a person other than the owner, except (1) a sale of such motor vehicle or trailer accompanied by delivery of possession and on execution of the assignment on the back of the certificate covering it, or (2) any

possessory lien now or hereafter provided by law or any lien acquired in any judicial proceeding.

"Instrument" shall mean any written instrument signed and acknowledged by an owner creating such lien.

"Lien information" shall mean the amount, kind, date of lien, name and address of holder, and recorder's record number, if any.

SEC. 2. During the time a certificate is outstanding for any motor vehicle or trailer, no lien against such motor vehicle or trailer or any equipment or accessories affixed or sold to be affixed thereto shall be valid except as between the parties and as to other persons having actual notice, unless and until entered on such certificate as hereinafter set forth: *Provided*, That the foregoing shall not apply to a lien or liens in existence at the effective date of this act against a motor vehicle or trailer for which a certificate is outstanding at the effective date of this act, or any equipment or accessories affixed thereto. The provisions of sections 546 and 547, subchapter 3, chapter XVI, of the Code of Laws of the District of Columbia shall not apply to liens recorded as herein provided and a lien shall have no greater validity or effect during the time a certificate is outstanding for the motor vehicle or trailer covered thereby by reason of the fact that the lien has been filed in accordance with said sections or, in the case of a conditional sales contract, that the purchase price of the property does not exceed $100.

SEC. 3. In the absence of agreement of all parties affected and in the absence of circumstances estopping a lien holder from insisting upon such rights, lien shall be entered on the certificate by the recorder and shall have priority among themselves in the following order:

(a) If the motor vehicle or trailer has been previously titled or registered in this or some other jurisdiction, unsatisfied liens shown by the previous certificate, title, registry, or proof of ownership shall be entered in the order in which they appear on such previous certificate, title, registry, or proof of ownership.

(b) Liens for which instruments are presented with the application for the certificate.

(c) Liens, where the instruments are presented for recording, together with the certificate, irrespective of the fact that one or more instruments not entered on the certificate may have been previously presented for recording without such certificate.

(d) As between two or more instruments presented for recording without the certificate, the one first presented for recording shall have priority.

SEC. 4. An instrument shall be in writing; shall show the name and address of the holder, the trade name and engine number of the motor vehicle or the trade name and serial number, if any, of the trailer; shall be signed by the parties and acknowledged by the owner in the manner provided by law for deeds of real estate. A lien shall not be entered upon a certificate unless (1) the motor vehicle or trailer has been previously titled or registered in this or some other jurisdiction and the lien is shown upon such previous certificate, title, registry, or proof of ownership; or (2) such an instrument is presented for recording pursuant to the provisions of this act; or (3) the lien is shown on the application for a certificate, and was created prior to the effective date of this act or was created while the motor vehicle or trailer was titled or registered in some other jurisdiction.

SEC. 5. The Commissioners of the District of Columbia shall assign to the recorder space in the office of the director, and the recorder shall furnish and maintain the necessary furniture, equipment, cards hereinafter mentioned, and other supplies, and the required personnel for the purpose of carrying out the provisions of this act.

SEC. 6. Applications for certificates, in addition to all other matters which may be required by law, shall show under oath whether or not there are any liens against the motor vehicle or trailer or any equipment or accessories affixed thereto, and, if so, the lien information in the order of its priority, and shall be accompanied by instruments or any other papers necessary to entitle liens to be entered on the certificate. Upon receipt by the recorder from the director of an application for a certificate and accompanying documents, if any, or on the application for a duplicate, the recorder shall compare the statements in the application as to liens with his records and the documents and instruments accompanying the application, and if such statements are incorrect or incomplete or if any of the liens shown by the application are not entitled to be entered on the certificate in the same order as they appear on the application, the recorder shall return all of said papers to the director and advise him of the reasons therefor. If the statements as to liens are full, true, and complete, and all liens shown by the application are entitled to be entered on the certificate in the same order as they appear on the application, the recorder shall stamp on the application the words "Statements as to liens in accordance with records," a facsimile of his signature, and the date, shall accept all instruments accompanying the application for recording, and shall stamp his record number opposite the statement of each lien on the application for certificate. The recorder shall retain the instruments for his permanent file and collect the fees and charges thereon and return the application and all other papers to the director, who shall thereupon deliver same to a representative of the collector of taxes of the District of Columbia, stationed in the office of the director. Said representative shall then collect from the application or his representative all fees and charges in connection with the issuance of the certificate and shall return said application and papers to the director. The director shall thereupon issue the certificate, and where liens are shown on such an application shall stamp upon each of two cards, the size of which shall be fixed by the director, and shall deliver such certificate, its application, cards, if any, and the identification-tag application to the recorder. If the application for title shows no liens, the recorder shall stamp on the certificate and on the reverse side of that portion of the application for identification tags known as "Collector's Coupon" the words "No Liens Shown by Records" and the date. If the application shows liens, the recorder shall stamp aforesaid "Collector's Coupon" with the words "Lien Recorded" and shall enter the lien information on certificate and on each of the said cards. The aforesaid stamping and entering shall be made on the face of the certificate in the space provided for the use of the recorder. The recorder shall then deliver both applications and the papers attached and the certificate to the director, who shall retain the application and the papers attached, and shall deliver or mail the certificate to the record holder of the first lien shown thereon or his representative; or if there are no liens, then to the owner or his representative.

SEC. 7. When it is desired to have a lien entered on a certificate theretofore issued, the instrument and the certificate shall be presented to the recorder in the office of the director and upon the payment of the necessary fees to the representative of the recorder of deeds of the District of Columbia in the office of the director the recorder shall accept the instruments for recording, and unless he has cards covering said motor vehicle or trailer the director shall stamp cards in the manner set forth in section 6. The recorder shall enter the lien information on the certificate in the space hereinbefore mentioned and on each of said cards and shall deliver or mail the certificate to the record holder of the first unsatisfied lien shown thereon or his representative.

SEC. 8. The rights of the holder of an unsatisfied lien shown on a certificate may be assigned by an assignment in writing, which shall show the name and address of the assignee, the trade name and engine number of the motor vehicle, or the trade name and serial number, if any, of the trailer, and the recorder's record number of the instrument, or, if none, a brief description sufficient to identify the lien shall be signed by the holder of the lien and acknowledged by him in the manner provided by law for deeds of real estate. Upon presentation of an assignment and a certificate and the payment of the prescribed fee to the representative of the recorder of deeds of the District of Columbia in the office of the director, the recorder shall enter upon the face of the certificate and upon each of the cards hereinbefore described the recorder's record number of the lien which is being assigned, or, if no such instrument is on file, a brief description sufficient to identify the lien, the date of the assignment, and the words "Assigned to," and the name and address of the assignee, and the date. The assignment shall be attached to the instrument if the instrument has been filed with the recorder, and, if not, the assignment shall be given a recorder's record number and filed by the recorder, and such number shall be entered on the certificate and on each of the cards opposite the entry of the information relative to the assignment. The certificate shall be delivered to the record holder of the first unsatisfied lien shown thereon, or his representative.

SEC. 9. Whenever it is desired to enter a lien or an assignment upon a certificate and such certificate is not available, upon delivery to the recorder of the instrument or assignment the recorder shall demand that the person possessing the certificate surrender it for the purpose of entering thereon the lien or the assignment and upon surrender of the certificate the recorder shall perform the same acts as in cases where the certificate was presented with the instrument. This section shall not be deemed to affect the priority given under section 3 (c) to a lien where the instrument is presented together with the certificate.

SEC. 10. The record holder of the first unsatisfied lien shown upon the certificate shall be entitled to the possession of the certificate and upon satisfaction of his lien he shall, within 72 hours, place upon the face of the certificate the recorder's record number of the lien, or, if no such instrument is on file, a brief description sufficient to identify the lien, and in either case the word "satisfied," or its equivalent, and his signature, swear to it before a notary public, and forward or deliver the certificate to the holder of the lien next in priority, or, if none, to the owner or to the person designated in writing by the owner. Upon the satisfaction of any lien other than the first unsatisfied lien shown on the certificate, the record holder of the lien so satisfied shall, within 72 hours, make similar entries upon the face of the certificate, and it shall be the duty of the person in possession of the certificate, upon demand, to permit such holder to make said entries. Any person in possession of a certificate shall, upon demand of the recorder, surrender it to the recorder within 72 hours for the purpose of entering the lien or assignment thereon.

SEC. 11. The recorder, upon receipt of a certificate whereon a lien is marked "Satisfied" as set forth in section 10, shall enter on the face of the certificate and on each of the cards described in section 6, and on the instrument, if any, filed in the recorder's office as hereinbefore provided, his said record number, or, if no such instrument is on file, a brief description sufficient to identify the lien, and in either case the word "released," a facsimile of his signature and the date. Where for any reason a lien holder upon satisfaction of his lien has failed to mark the certificate as herein provided and the lien holder cannot be located, or where the certificate after being so marked has been lost or destroyed and a duplicate certificate issued, the recorder upon receipt of evidence satisfactory to him that the lien has been satisfied shall release it upon the certificate or duplicate certificate, the aforesaid cards and instrument, if any, as above set forth.

SEC. 12. The fee for recording liens or assignments of liens upon a certificate shall not exceed the sum of 50 cents for each automobile contained in the instrument. There shall be no fee for releasing.

SEC. 13. The recorder shall maintain, in the space assigned to him in the office of the director, files wherein he shall file one set of the cards hereinbefore described alphabetically under the name of owner and the other under the trade name and engine number if it covers a motor vehicle, or the trade name and serial number, if any, if it covers a trailer. The recorder shall file the instruments at his main office.

SEC. 14. Any person intentionally making a false statement with respect to liens in an application for a certificate, or willfully violating any of the provisions of this act, shall upon conviction be punished by a fine of not more than $500 or be imprisoned for not more than 1 year, or both. Prosecutions for violations of this act shall be by the corporation counsel of the District of Columbia or any of his assistants, in the name of the District of Columbia.

SEC. 15. Appropriation is hereby authorized to be made to carry out the provisions of this act, and the Commissioners of the District of Columbia are authorized to include in their annual estimates provision for all the expenses of the office of the director and recorder incident to such purposes, and for personnel subject to the limitations of the Classification Act of 1923, as amended.

With the following committee amendments:

Page 6, line 23, after the word "director", insert "the information stamped by the director on the face of such certificate."

Page 10, line 18, strike out "hereinbefore" and insert "hereinafter."

Page 11, line 8, after the word "for", insert "each lien on."

The committee amendments were agreed to.

Mr. RANDOLPH. Mr. Speaker, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. RANDOLPH: On page 12, after the period in line 7, insert a new paragraph as follows:

"SEC. 16. The provisions of this act shall become effective January 1, 1941. Nothing herein contained shall affect existing liens on motor vehicles and trailers or any equipment or accessories affixed thereto recorded prior to the effective date of this act."

Mr. RANDOLPH. Mr. Speaker, the purpose of this legislation is to provide a new method of recording and releasing liens on motor vehicles in order that the public may be better protected. The bill provides that such liens shall be recorded by entering the information pertaining thereto on the certificate of title. Such liens shall have priority in the order recorded, and unless they are recorded they would not be valid against subsequent purchases or encumbrances.

Mr. RICH. Will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Pennsylvania.

Mr. RICH. It seems to me this is good legislation, because it will protect the automobile owners and everybody concerned. May I ask the gentleman have these bills that he is presenting now been unanimously reported by the District Committee?

Mr. RANDOLPH. Yes. I may say that the District Committee is in unanimous agreement on this matter. May I say also that during this entire session of Congress we have attempted to bring measures to the floor which have had the considered judgment of the committee members, and as far as possible the unanimous agreement of the committee members.

Mr. RICH. From the record it is indicated that the House is putting a good bit of confidence in the committee, and it is willing to let the committee go ahead. We are looking forward to the gentleman doing a good job.

Mr. RANDOLPH. I trust the gentleman's confidence will not be misplaced.

Mr. MILLS of Louisiana. Will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Louisiana.

Mr. MILLS of Louisiana. I want to congratulate the gentleman upon his splendid work on behalf of the District of Columbia. He stated he is interested in protecting the people here. I wonder if he would entertain this thought: I have observed in the District in the past 4 years that in cafes and cafeterias, especially in cafeterias, we find knives forks, and spoons lying about open. A fellow walking along with a contagious disease may pick up these things and thereby spread a contagious disease. I believe the District should have a law forcing the cafeterias to wrap these knives, forks, and spoons up. I wish the gentleman would give some thought to that subject.

Mr. RANDOLPH. I may say in reference to the observation made by the gentleman from Louisiana that the District Committee has been gathering information on this subject matter. We are working on it, and I believe at the beginning of the session next January, or later in this session, if we are here, we may be able to draft legislation to remedy certain insanitary conditions existing in certain restaurants and hotels here.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RATE OF INTEREST TO BE PAID BY DISTRICT OF COLUMBIA ON CERTAIN LOANS

Mr. RANDOLPH. Mr. Speaker, I call up the joint resolution (H. J. Res. 559) authorizing a reduction in the rate of interest to be paid on certain loans and advances made to the District of Columbia by the United States of America through the Public Works Administration, and ask unanimous consent that the joint resolution be considered in the House as in Committee of the Whole.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved, etc., That the Commissioner of Public Works, under the direction and supervision of the Federal Works Administrator, and the Commissioners of the District of Columbia, be, and they are hereby, authorized to amend existing contracts and agreements by which funds have been loaned or advanced or are obligated to be loaned or advanced to said Commissioners, for the acquisition, purchase, construction, establishment, and development of public works, pursuant to the authority of Public Law No. 465, Seventy-third Congress, approved June 25, 1934, as amended by Public Law No. 51, Seventy-fourth Congress, approved May 6, 1935, or Public Law No. 746, Seventy-fifth Congress, approved June 25, 1938, so as to provide for the payment of interest on the amounts of such loans and advances to be repaid to the Public Works Administration at such rate as would, in the opinion of the Secretary of the Treasury, be the lowest interest rate available to the District of Columbia were said District authorized by law to issue and sell obligations to the public at the par value thereof, in a sum equal to the repayable amounts of such loans and advances, maturing serially over a period of 15 years in approximately equal annual installments, including both principal and interest, and secured by a first pledge of and lien upon all the general-fund revenues of said District.

SEC. 2. The Secretary of the Treasury is authorized and directed to advise the Commissioner of Public Works and the Commissioners of the District of Columbia of such interest rate which, in his opinion and in the aforesaid circumstances, would be available to the District of Columbia on the date of enactment of this joint resolution.

Mr. RANDOLPH. Mr. Speaker, we believe that this is one of the important measures that have come out of the Committee on the District of Columbia this year. Its purpose is to authorize a reduction in the rate of interest to be paid on loans made to the District of Columbia through the Public Works Administration. Public bodies other than the District of Columbia receiving financial aid from the Public Works Administration are at liberty to sell their obligations to the public and obtain thereby any lower rate of interest possible. The District, however, is unable by law to do this and it has therefore been suggested that the District of Columbia government should not be penalized by requiring it to pay to the P. W. A. a rate of interest higher than that warranted by its credit rating.

This measure has the approval of the Budget, the Commissioners, and the officials of the Public Works Administration.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Pennsylvania.

Mr. RICH. What rate is the gentleman recommending that the District pay for borrowed money?

Mr. RANDOLPH. Not less than 2 percent and likely something in excess of that.

Mr. DIRKSEN. It has to be a rate approved by the Secretary of the Treasury.

Mr. RANDOLPH. Yes; the Secretary of the Treasury has to approve it, as the gentleman from Illinois says. There has been some discussion of a rate of something over 2 percent.

Mr. RICH. Is this going to apply to long-term obligations or short-term obligations?

Mr. RANDOLPH. This will apply only to existing contracts and agreements in connection with the loans and grants. It will not cover any subject that will be considered in the future.

Mr. RICH. Where is the W. P. A. going to get the money to loan? I thought you had set up your Reconstruction Finance Corporation and other organizations to make these loans. I did not know that the W. P. A. was loaning funds.

Mr. DIRKSEN. This is money that has already been loaned.

Mr. RANDOLPH. The Public Works Administration has already loaned it. This has nothing to do with the W. P. A.

Mr. RICH. Let us go a little further on this question. If this bill goes through, then they are going to loan all the money that the District needs at a rate of 2 percent interest?

Mr. RANDOLPH. No; this money has already been loaned. This is going to give the District a chance to avail itself of a lower interest rate, which will be approved by the Secretary of the Treasury.

Mr. RICH. I am wondering if the gentleman or other members of the District Committee are interested in any banks back home. Are you interested in any banks that furnish banking facilities to the people of this country? You know that no bank can lend money at 2 percent; it costs them that to do business. If the Government lends money to these organizations, and they in turn make the loans, what is going to happen to the banks of the District, also to the banks back home?

Mr. RANDOLPH. I believe the observation of the gentleman from Pennsylvania is well taken. The facts are that there is no interest rate set. It would have to be approved by the Secretary of the Treasury. I do know that other governing bodies are getting their loans at a lower rate than the 4 percent the District of Columbia pays by selling their obligations to the public. This the District cannot do.

Mr. RICH. There is nothing in this joint resolution, then, that guarantees that any Federal agencies will lend money to the District at 2 percent?

Mr. RANDOLPH. No.

Mr. RICH. We have to be careful here and think of the banks back home. I saw the other day a list of 3,000 banks that are under the supervision and control of the Federal Government and the State governments. They say they are unable to make money on their capital stock, they are unable to do profitable business, they claim that the Government guarantees their deposits but that their capital is being impaired because of decreased earning power. The banking situation in this country is getting to be pretty serious, and anybody that does not know it ought to be on the board of directors of one of these banks. The Government is the private banks' greatest competitor and we should not drive them out of business.

But those Federal, State, and private banks, and similar institutions, have been doing this country a wonderful amount of good. They are private enterprises, and whenever the time comes when you are going to let the Government go in and do all the banking business then we might as well close up all the private and corporate banks and let the Government take it all over. However, I do not agree that such a course should be followed, because I do not want to see us become a communistic and socialistic Nation. I do not want to see us put the Government into all kinds of business, and for that reason I think we have to be careful about these matters. I am for taking out of business the Government where it destroys private enterprise.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Texas.

Mr. PATMAN. I do not think the word should go out that the banks are in such a terrible condition. It is true that the banks have a capital of $6,000,000,000, including undivided profits and surplus, and that they have about $60,000,000,000 that they owe by reason of investments and loans, but how can they be in bad shape when their deposits under $5,000 are, in effect, guaranteed by the Government; and if they are called on by their depositors for money they can go straight to the Bureau of Engraving and Printing here in Washington, through the Federal Reserve Banking System, and get every dime. So how can the gentleman say that the banking system is in bad shape?

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. Yes; if I may have a minute of time.

Mr. RICH. Let me ask the gentleman this question: Is the gentleman on the board of directors of a bank, either State or National?

Mr. PATMAN. I know a lot of members of boards of directors of banks who do not know much more about it than some other folks, and I have been trying to keep up with such matters for a long time.

Mr. RICH. I have been on the board of directors——

Mr. PATMAN. Of just one bank?

Mr. RICH. Two banks, and we have gone through the depression and we have not had to close our doors, and I am telling you that any man today who says that the banks of this country have easy sailing just does not know what he is talking about, because it is a difficult thing for a bank to operate, and I do not want to see us drive them to the wall. I want to see the private banks succeed. I want the Government to get out of business when it ruins private business. Private motive is the stuff that made America great, private business furnished work for American labor, private push and hard work helped the American farmer to feed the Nation. Let us continue American, the land of opportunity.

Mr. RANDOLPH. Mr. Speaker, I move the previous question.

The previous question was ordered.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMOS B. COLE

Mr. RANDOLPH. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (S. 1560) for the relief of Amos B. Cole, and ask unanimous consent that it may be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia are authorized and directed to extend the benefits of relief from the policemen and firemen's relief fund, District of Columbia, to Amos B. Cole, formerly a member of the Metropolitan Police Department of the District of Columbia, in the same manner and to the same extent as if the said Amos B. Cole had, while a member of such Department, become so permanently disabled through an injury received or disease contracted in line of duty as to incapacitate him for the performance of duty.

SEC. 2. For the purposes of this act the rate of salary received by the said Amos B. Cole on the date of his separation from such Department shall be deemed to be the rate of salary received at the date of retirement.

Mr. RANDOLPH. Mr. Speaker, this bill authorizes and directs the Commissioners of the District to extend the benefits of the policemen and firemen's relief fund to Amos B. Cole, formerly a member of the Metropolitan Police Department, who was discharged from the service on grounds that do not now appear justifiable. Mr. Cole is incapacitated at this time and is unable to be reinstated in the service, hence the need for this legislation.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ORGANIZATION AND REGULATION OF COOPERATIVE ASSOCIATIONS

Mr. RANDOLPH. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (S. 2013)

to amend the Code of the District of Columbia to provide for the organization and regulation of cooperative associations, and for other purposes, and ask unanimous consent that it may be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc.,

ARTICLE I—DEFINITIONS

SECTION 1. Definitions: In this act, unless the subject matter requires otherwise—

(1) "Association" means a group enterprise legally incorporated under this act, and shall be deemed to be a nonprofit corporation.

(2) "Member" means not only a member in a nonshare association but also a member in a share association.

(3) "Net savings" means the total income of an association minus the cost of operation.

(4) "Savings returns" means the amount returned to the patrons in proportion to their patronage or otherwise in accordance with the provisions of section 31 herein.

(5) "Cooperative basis" as applied to any incorporated or unincorporated group referred to in sections 4 (7), 13, 23, 37, 40, and 41 herein means—

(a) that each member has one vote and only one vote, except as may be altered in the articles or bylaws by provision for voting by member organizations;

(b) that the maximum rate at which any return is paid on share or membership capital is limited to not more than 8 percent per annum; and

(c) that the net savings after payment, if any, of said limited return on capital and after making provision for such separate funds as may be required or specifically permitted by statute, articles, or bylaws, are allocated or distributed to member patrons or to all patrons, in proportion to their patronage, or retained by the enterprise, for the actual or potential expansion of its services or the reduction of its charges to the patrons, or for other purposes not inconsistent with its nonprofit character.

ARTICLE II—WHO MAY INCORPORATE; PURPOSES AND POWERS OF ASSOCIATIONS

SEC. 2. Who may incorporate: Any five or more natural persons or two or more associations may incorporate in the District of Columbia under this act.

SEC. 3. Purposes: An association may be incorporated under this act to engage in any one or more lawful mode or modes of acquiring, producing, building, operating, manufacturing, furnishing, exchanging, or distributing any type or types of property, commodities, goods, or services for the primary and mutual benefit of the patrons of the association (or their patrons, if any) as ultimate consumers.

SEC. 4. Powers: An association shall have the capacity to act possessed by natural persons and the authority to do anything required or permitted by this act and also—

(1) To continue as a corporation for the time specified in its articles;

(2) To have a corporate seal and to alter the same at pleasure;

(3) To sue and be sued in its corporate name;

(4) To make bylaws for the government and regulation of its affairs;

(5) To acquire, own, hold, sell, lease, pledge, mortgage, or otherwise dispose of any property incident to its purposes and activities;

(6) To own and hold membership in and share capital of other associations and any other corporations, and any types of bonds or other obligations; and while the owner thereof to exercise all the rights of ownership;

(7) To borrow money, contract debts, and make contracts, including agreements of mutual aid or federation with other associations, other groups organized on a cooperative basis, and other nonprofit groups;

(8) To conduct its affairs within or without the District of Columbia;

(9) To exercise in addition any power granted to ordinary business corporations, save those powers inconsistent with this act; and

(10) To exercise all powers not inconsistent with this act which may be necessary, convenient, or expedient for the accomplishment of its purposes, and, to that end, the foregoing enumeration of powers shall not be deemed exclusive.

ARTICLE III—ARTICLES OF INCORPORATION

SEC. 5. Articles of incorporation; contents: Articles of incorporation shall be signed by each of the incorporators and acknowledged by at least three of them if natural persons, and by the presidents and secretaries, if associations, before an officer authorized to take acknowledgments.

Within the limitations of this act the articles shall contain—

(1) A statement as to the purpose or purposes for which the association is formed;

(2) The name of the association which shall include the word "cooperative";

(3) The term of existence of the association which may be perpetual;

(4) The location and address of the principal office of the association;

(5) The names and addresses of the incorporators of the association;

(6) The names and addresses of the directors who shall manage the affairs of the association for the first year, unless sooner changed by the members;

(7) A statement of whether the association is organized with or without shares, and the number of shares or memberships subscribed for;

(8) If organized with shares, a statement of the amount of authorized capital, the number and types of shares and the par value thereof which may be placed at any figure, and the rights, preferences, and restrictions of each type of share;

(9) The minimum number or value of shares which must be owned in order to qualify for membership; if organized without shares, a statement of whether the property rights of members shall be equal or unequal, and if unequal, the rule by which their rights shall be determined;

(10) The maximum amount or percentage of capital which may be owned or controlled by any member, including a statement of whether or not each member shall be limited to a single share, and whether such single shares shall be of various par values; and

(11) The method by which any surplus, upon dissolution of the association, shall be distributed, in conformity with the requirements of section 36 herein for division of such surplus.

The articles may also contain any other provisions not inconsistent with law or with this act, for the conduct of the association's affairs.

SEC. 6. Same; filing; recordation; fees; effect of certificate: The articles shall be delivered to the recorder of deeds. If he finds that the articles conform to law, he shall file the same upon the payment of a fee of $5, and he shall record the same, upon payment of a fee of $1. Said fees shall be in lieu of any other fees or payments provided in section 552 of the act entitled "An act to establish a Code of Law for the District of Columbia," approved March 3, 1901, or in any other section of the Code of Laws of the District of Columbia, to be paid for at the time of said filing; and the last paragraph of section 552 of such act of March 3, 1901, shall have no application to associations organized under this act. After such filing and recording, he shall issue a certificate of incorporation, whereupon the corporate existence shall begin. Such certificate shall be conclusive evidence of the fact that the corporation has been duly incorporated. This shall not preclude the institution of quo warranto proceedings under sections 1538 through 1548, both inclusive, of the act entitled "An act to establish a Code of Law for the District of Columbia," approved March 3, 1901. The filing or recording of the articles or of amendments thereto, or of any other papers pursuant to this act is required for the purpose of affording all persons the opportunity of acquiring knowledge of the contents thereof, but no person or incorporated or unincorporated group dealing with the association shall be charged with constructive notice of the contents of any such articles or papers by reason of such filing or recording.

SEC. 7. Same; amendments; fee: Amendments to the articles may be proposed by a two-thirds vote of the board of directors, or by petition of 10 percent of the association's members. Notice of the meeting to consider such amendment shall be sent by the secretary at least 30 days in advance thereof to each member at his last-known address, accompanied by the full text of the proposal and by that part of the articles to be amended. Two-thirds of the members voting may adopt said amendment and when verified by the president and secretary, it shall be filed and recorded with the recorder of deeds within 30 days of its adoption and a fee of $1 shall be paid.

If the amendment is to alter the preferences of outstanding shares of any type, or to authorize the issuance of shares having preferences superior to outstanding shares of any type, the vote of two-thirds of the members owning such outstanding shares affected by the change shall also be required for the adoption of the amendment; if the amendment is to alter the rule by which members' property rights in a nonshare association are determined, a vote of two-thirds of the entire membership shall be required.

The amount of capital and the number and par value of shares may be diminished or increased by amendment of the articles but the capital shall not be diminished below the amount of paid-up capital existing at the time of amendment.

ARTICLE IV—BYLAWS

SEC. 8. Adoption, amendment, or repeal of bylaws: Bylaws shall be adopted, amended, or repealed by at least a majority vote of the members voting.

SEC. 9. Contents of bylaws: The bylaws may, within the limitations of this act, provide for—

(1) The method and terms of admission to membership and the disposal of members' interests on cessation of membership for any reason;

(2) The time, place, and manner of calling and conducting meetings;

(3) The number or percentage of the members constituting a quorum;

(4) The number, qualifications, powers, duties, term of office, and manner, time, and vote for election, of directors and officers; and the division or classification, if any, of directors to provide for rotating or overlapping terms;

(5) The compensation, if any, of the directors, and the number of directors necessary to constitute a quorum;

(6) The method of distributing the net savings; and

(7) The various discretionary provisions of this act, as well as other provisions incident to the purposes and activities of the association.

ARTICLE V—MEETINGS

SEC. 10. Regular and special meetings: Regular meetings of members shall be held as prescribed in the bylaws, but shall be held at least once a year. Special meetings may be demanded by a majority vote of the directors or by written petition of at least one-tenth of the membership, in which case it shall be the duty of the secretary to call such meeting to take place within 30 days after such demand. Regular or special meetings, including meetings by units as hereinafter provided, may be held within or without the District of Columbia as the articles may prescribe.

SEC. 11. Notice of meetings: The secretary shall give notice of the time and place of meetings by sending a notice thereof to each member at his last-known address not less than the number of days in advance of the meeting specified in the bylaws. In case of a special meeting the notice shall specify the purpose for which such meeting is called.

SEC. 12. Meetings by units of the membership: The articles or bylaws may provide for the holding of meetings by units of the membership and may provide for a method of transmitting the votes there cast to the central meeting, or for a method of representation by the election of delegates to the central meeting, or for a combination of both such methods.

ARTICLE VI—VOTING

SEC. 13. One member—one vote: Each member of an association shall have one and only one vote, except that where an association includes among its members any number of other associations or groups organized on a cooperative basis the voting rights of such member associations or groups may be as prescribed in the articles or bylaws.

No voting agreement or other device to evade the one-member-one-vote rule shall be enforceable at law or in equity.

SEC. 14. No proxy: No member shall be permitted to vote by proxy.

SEC. 15. Voting by mail: The articles or bylaws may provide for either or both of the following types of voting by mail:

(1) That the secretary shall send to the members a copy of any proposal scheduled to be offered at a meeting, together with the notice of said meeting, and that the mail votes cast by the members shall be counted together with those cast at the meeting if such mail votes are returned to the association within a specified number of days;

(2) That the secretary shall send to any member absent from a meeting an exact copy of the proposal acted upon at the meeting, and that the mail vote of the member upon such proposal, if returned within a specified number of days, shall be counted together with the votes cast at said meeting.

The articles or bylaws may also determine whether and to what extent mail votes shall be counted in computing a quorum.

SEC. 16. Application of voting provisions in this act to voting by mail: If an association has provided for voting by mail, any provision of this act referring to votes cast by the members shall be construed to include the votes cast by mail.

SEC. 17. Application of voting provisions in this act to voting by delegates: If an association has provided for voting by delegates, any provision of this act referring to votes cast by the members shall apply to votes cast by delegates; but this shall not permit delegates to vote by mail.

ARTICLE VII—DIRECTORS AND OFFICERS

SEC. 18. Directors: An association shall be managed by a board of not less than five directors, who shall be elected for a term fixed in the bylaws not to exceed 3 years, by and from the members of the association, and shall hold office until their successors are elected, or until removed. Vacancies in the board of directors, otherwise than by removal or expiration of term, shall be filled in such manner as the bylaws may provide.

The bylaws may provide for a method of apportioning the number of directors among the units into which the association may be divided, and for the election of directors by the respective units to which they are apportioned.

An executive committee of the board of directors may be elected in such manner and with such powers and duties as the articles or bylaws may prescribe.

Meetings of directors and of the executive committee may be held within or without the District of Columbia.

SEC. 19. Officers: The officers of an association shall include a president, one or more vice presidents, a secretary and a treasurer, or a secretary-treasurer. The officers shall be elected annually by the directors unless the bylaws otherwise provide. The president and at least one vice president must be directors, but no other officer need be a director.

SEC. 20. Removal of directors and officers: A director or officer may be removed with or without cause, by a vote of two-thirds of the members voting at a regular or special meeting. The director or officer involved shall have an opportunity to be heard at said meeting. A vacancy caused by any such removal shall be filled by the vote provided in the bylaws for election of directors.

SEC. 21. Referendum: The articles or bylaws may provide that within a specified period of time any action taken by the directors must be referred to the members for approval or disapproval if demanded by petition of at least 10 percent of all the members or by vote of at least a majority of the directors: *Provided, however,* That the rights of third parties which have vested between the time of such action and such referendum shall not be impaired thereby.

ARTICLE VIII—SHARES AND MEMBERSHIP

SEC. 22. Limitations upon the return on capital: The return upon capital shall not exceed 6 percent per annum upon the paid-up capital and shall be noncumulative.

Total return upon capital distributed for any single period shall not exceed 50 percent of the net savings for that period.

SEC. 23. Eligibility and admission to membership: Any natural person, association, incorporated or unincorporated group organized on a cooperative basis, or any nonprofit group, shall be eligible for membership in an association if it has met the qualifications for eligibility, if any, stated in the articles or bylaws and shall be deemed a member upon payment in full for the par value of the minimum amount of share or membership capital stated in the articles as necessary to qualify for membership.

SEC. 24. Subscribers: Any natural person or group eligible for membership and legally obligated to purchase a share or shares of, or membership in, an association shall be deemed a subscriber. The articles or bylaws may determine whether, and the conditions under which, any voting rights or other rights of membership shall be granted to subscribers.

SEC. 25. Share and membership certificates; issuance and contents: No certificate for share or membership capital shall be issued until the par value thereof has been paid for in full. There shall be printed upon each certificate issued by an association a full or condensed statement of the requirements of sections 13, 14, and 26 herein.

SEC. 26. Transfer of shares and membership; withdrawal: If a member desires to withdraw from the association or dispose of any or all of his holdings therein, the directors shall have the power to purchase such holdings by paying him the par value of any or all of the holdings offered. The directors shall then reissue or cancel the same. A vote of the majority of the members voting at a regular or special meeting may order the directors to exercise this power to purchase.

If the association fails, within 60 days of the original offer to purchase all or any part of the holdings offered, the member may dispose of the unpurchased interest elsewhere, subject to the approval of the transferee by a majority vote of the directors. Any would-be transferee not approved by the directors may appeal to the members at their first regular or special meeting thereafter, and the action of the meeting shall be final. If such transferee is not approved, the directors shall exercise their power to purchase, if and when such purchase can be made without jeopardizing the solvency of the association.

SEC. 27. Share and membership certificates; recall: The bylaws may give the directors the power to use the reserve funds to recall, at par value, the holdings of any member in excess of the amount requisite for membership; and may also provide that if any member has failed to patronize the association during a period of time specified in the bylaws, the directors may use the reserve funds to recall all his holdings and thereupon he shall cease to be a member of the association. When so recalled, such certificates of share or membership capital shall be either reissued or canceled.

SEC. 28. Share and membership certificates; attachment: The holdings of any member of an association, to the extent of the minimum amount necessary for membership, but not to exceed $50, shall be exempt from attachment, execution, or garnishment for the debts of the owner. If any holdings in excess of this amount are subjected to such liability, the directors of the association may either admit the purchase thereof to membership, or may purchase from him such holdings at par value.

SEC. 29. Liability of members: Members shall not be jointly or severally liable for any debts of the association, nor shall a subscriber be so liable except to the extent of the unpaid amount on the shares or membership certificate subscribed by him. No subscriber shall be released from such liability by reason of any assignment of his interest in the shares or membership certificate, but shall remain jointly and severally liable with the assignee until the shares or certificates are fully paid up.

SEC. 30. Expulsion: A member may be expelled by the vote of a majority of the members voting at a regular or special meeting. The member against whom the charges are to be preferred shall be informed thereof in writing at least 10 days in advance of the meeting, and shall have an opportunity to be heard in person or by counsel at said meeting. On decision of the association to expel a member, the board of directors shall purchase the member's holdings at par value, if and when there are sufficient reserve funds.

ARTICLE IX—APPORTIONMENT OF NET SAVINGS

SEC. 31. Allocation and distribution of net savings: At least once a year the members and/or the directors, as the articles or bylaws may provide, shall apportion the net savings of the association in the following order:

(1) Not less than 10 percent shall be placed in a reserve fund until such time as the fund shall equal at least 50 percent of the paid-up capital; and such fund may be used in the general conduct of the business. The amounts apportioned to the reserve fund shall be allocated on the books of the association on a patronage basis, or in lieu thereof, the books and records of the association shall afford a means for doing so, in order that upon dissolution or earlier, if deemed advisable, such reserves may be returned to the patrons who have contributed the same, subject to the limitations of section 36 herein;

(2) A return upon capital, within the limitations of section 22, may be paid upon share capital, or, if the bylaws so provide, upon the membership capital certificates of a nonshare association; but such return upon capital may be paid only out of the surplus of the aggregate of the assets over the aggregate of the liabilities (including in the latter the amount of the capital stock) after deducting from such aggregate of the assets the amount by which such aggregate was increased by unrealized appreciation in value or revaluation of fixed assets;

(3) A portion of the remainder, as determined by the articles or bylaws, shall be allocated to an educational fund to be used in teaching cooperation, and a portion may also be allocated to funds for the general welfare of the members of the association;

(4) The remainder shall be allocated at the same uniform rate to all patrons of the association in proportion to their individual patronage: *Provided*, That—

(a) in the case of a member patron, his proportionate amount of savings returns shall be distributed to him unless he agrees that the association should credit the amount to his account toward the purchase of an additional share or shares, or additional membership capital;

(b) in the case of a subscriber patron, his proportionate amount of savings returns may, as the articles or bylaws provide, be distributed to him, or credited to his account until the amount of capital subscribed for has been fully paid; and

(c) in the case of a nonmember patron, his proportionate amount of savings returns shall be set aside in a general fund for such patrons and shall be allocated to individual nonmember patrons only upon request and presentation of evidence of the amount of their patronage. Any savings return so allocated shall be credited to such patron toward payment of the minimum amount of share or membership capital necessary for membership. When a sum equal to this amount has accumulated at any time within a period of time specified in the bylaws, such patron shall be deemed and become a member of the association if he so agrees or requests, and complies with any provisions in the bylaws for admission to membership. The certificates of shares or membership to which he is entitled shall then be issued to him.

(d) if within any periods of time specified in the articles or bylaws, (1) any subscriber has not accumulated and paid in the amount of capital subscribed for; or (2) any nonmember patron has not accumulated in his individual account the sum necessary for membership; or (3) any nonmember patron has accumulated the sum necessary for membership but neither requests nor agrees to become a member, or fails to comply with the provisions of the bylaws, if any, for admission to membership, then the amounts so accumulated or paid in and any part of the general fund for nonmember patrons which has not been allocated to individual nonmember patrons shall go to the educational fund and thereafter no member or other patron shall have any rights in said paid-in capital or accumulated savings returns as such: *Provided further*, That nothing in this section shall prevent an association under this act which is engaged in rendering services from disposing of the net savings from the rendering of such services in such manner as to lower the fees charged for services or otherwise to further the common benefit of the members: *And provided further*, That nothing in this section shall prevent an association from adopting a system whereby the payment of savings returns which would otherwise be distributed, shall be deferred for a fixed period of months or years; nor from adopting a system, whereby the savings returns distributed shall be partly in cash, partly in shares, such shares to be retired at a fixed future date, in the order of their serial number or date of issue.

ARTICLE X—BONDING; BOOKKEEPING; REPORTS

SEC. 32. Bonding: Every individual acting as officer or employee of an association and handling funds or securities amounting to $1,000 or more, in any one year, shall be covered by an adequate bond as determined by the board of directors, and at the expense of the association; and the bylaws may also provide for the bonding of other employees or officers.

SEC. 33. Books; auditing: To record its business operation, every association shall keep a set of books, which shall be audited at the end of each fiscal year by an experienced bookkeeper or accountant, who shall not be an officer or director. Where the annual business amounts to less than $10,000, the audit may be performed by an auditing committee of three, who shall not be directors, officers, or employees. A written report of the audit, including a statement of the amount of business transacted with members, and the amount transacted with nonmembers, the balance sheet, and the income and expenses, shall be submitted to the annual meeting of the association.

SEC. 34. Annual report: Every association shall annually, within 60 days of the close of its operations for that year, make a report of its condition, sworn to by the president and secretary, which report shall be filed with the recorder of deeds. The report shall state—

(a) The name and principal address of the association.

(b) The names, addresses, occupations, and date of expiration of the terms of the officers and directors, and their compensation, if any.

(c) The amount and nature of its authorized, subscribed, and paid-in capital, the number of its shareholders, and the number admitted and withdrawn during the year, the par value of its shares, and the rate at which any return upon capital has been paid. For nonshare associations the annual report shall state the total number of members, the number admitted or withdrawn during the year, and the amount of membership fees received.

(d) The receipts, expenditures, assets, and liabilities of the association.

A copy of this report shall be kept on file at the principal office of the association.

Any person who shall subscribe or make oath to such report containing a materially false statement, known to such person to be false, shall upon conviction of such offense be punished by a fine of not less than $25 nor more than $200, or by imprisonment of not less than 30 days nor more than 1 year, or both such fine and imprisonment.

SEC. 35. Notice or delinquent reports; mandamus: If an association fails to make such report within the required period of 60 days, the recorder of deeds shall within 60 days from the expiration of said period send such association a registered letter directed to its principal office, stating the delinquency and its consequences. If the association fails to file the report within 60 days from the mailing of such notice, any member of the association or the United States attorney for the District of Columbia may by petition for mandamus against the association and its proper officers compel such filing to be made, and in such case the court shall require the association or the officers at fault to pay all the expenses of the proceeding, including counsel fees.

ARTICLE XI—DISSOLUTION

SEC. 36. Dissolution: An association may, at any regular or special meeting legally called, be directed to dissolve by a vote of two-thirds of the entire membership. By a vote of a majority of the members voting, three of their number shall be designated as trustees, who shall, on behalf of the association and within a time fixed in their designation or within any extension thereof, liquidate its assets, and shall distribute them in the manner set forth in this section. A suit for involuntary dissolution of an association organized under this act may be instituted for the causes and prosecuted in the manner set forth in sections 786 through 791, both inclusive, and sections 794 through 797, both inclusive, of the act entitled "An act to establish a Code of Law for the District of Columbia, approved March 3, 1901: *Provided*, That any distribution of assets shall be in the manner set forth in this section. In case of any dissolution of an association, its assets shall be distributed in the following manner and order: (1) By paying its debts and expenses; (2) by returning to the members the par value of their shares or of their membership certificates, returning to the subscribers the amounts paid on their subscriptions, and returning to the patrons the amount of savings returns credited to their accounts toward the purchase of shares or membership certificates; and (3) by distributing any surplus in either or both of the following ways as the articles may provide—

(a) Among those patrons who have been members or subscribers at any time during the past 6 years, on the basis of their patronage during that period; and

(b) As a gift to any consumers' cooperative association or other nonprofit enterprise which may be designated in the articles.

ARTICLE XII—PENALTIES

SEC. 37. Use of name "cooperative"; penalty: Only (1) associations organized under this act, (2) groups organized on a cooperative basis under any other law of the District of Columbia, and (3) foreign corporations operating on a cooperative basis and authorized to do business in the District of Columbia under this or any other law of the District of Columbia shall be entitled to use the term "cooperative", or any abbreviation or derivation thereof, as part of their business name, or to represent themselves, in their advertising or otherwise, as conducting business on a cooperative basis.

Any person, firm, or corporation violating the above provision shall upon conviction of such offense be punished by a fine of not less than $25 nor more than $200, with an additional fine of not more than $200 for each month during which a violation occurs after the first month, or by imprisonment for not less than 30 days nor more than 1 year, or by both such fine and imprisonment. The district attorney of the United States for the District of Columbia, or any individual, or association, or group organized on a cooperative basis, may sue to enjoin an alleged violation of this section.

Should a court of competent jurisdiction decide that any person, firm, or corporation using the name "cooperative" prior to this act, and not organized on a cooperative basis, is entitled to continue in such use, any such business shall always place immediately after its name the words "does not comply with the cooperative association law of the District of Columbia" in the same kind of type, and in letters not less than two-thirds as large, as those used in the term "cooperative."

SEC. 38. Promotion expenses; limitations; penalty: An association shall not, directly or indirectly, use any of its funds, nor issue shares nor incur any indebtedness, for the payment of any compensation for the organization of the association except necessary legal fees; nor for the payment of any promotion expenses in excess of 5 percent of the amount paid in for the shares or membership certificates involved in the promotion transaction. Any association's officer, director, or agent who gives, or any person, firm, corporation, or association which receives such promotion commission in violation of this section shall, upon conviction of such offense, be punished by a fine of not less than $25, nor more than $200,

or by imprisonment for not less than 30 days nor more than 1 year, or by both such fine and imprisonment.

SEC. 39. Spreading false reports; penalty: Any person, firm, corporation, or association which maliciously and knowingly spreads false reports about the management or finances of any association shall, upon conviction of such offense, be punished by a fine of not less than $25 and not more than $200, or by imprisonment for not less than 30 days nor more than 1 year, or by both such fine and imprisonment.

ARTICLE XIII—RELATION TO OTHER LAWS

SEC. 40. Existing cooperative groups: Any group incorporated under another law of the District of Columbia and operating on a cooperative basis or any unincorporated group operating on such a basis in the District of Columbia may elect by a vote of two-thirds of the members voting to secure the benefits of and be bound by this act, and shall thereupon amend such of its articles and bylaws as are not in conformity with this act. A certified copy of the amended articles shall be filed and recorded with the recorder of deeds and a fee of $5 shall be paid.

SEC. 41. Foreign corporations and associations: A foreign corporation or association operating on a cooperative basis and complying with the applicable laws of the State wherein it is organized shall be entitled to do business in the District of Columbia as a foreign cooperative corporation or association.

SEC. 42. Legality declared; not in restraint of trade: No association, or method or act thereof which complies with this act, shall be deemed a conspiracy or combination in restraint of trade or an illegal monopoly, or an attempt to lessen competition or fix prices arbitrarily.

SEC. 43. Laws not applicable: No law of the District of Columbia conflicting or inconsistent with any part of this act shall, to the extent of the conflict or inconsistency, be construed as applicable to associations formed hereunder; nor shall any law of the District of Columbia inappropriate to the purposes of such associations be so construed; nor shall any of the provisions of sections 574 through 797, both inclusive, of the act entitled "An act to establish a Code of Law for the District of Columbia," approved March 3, 1901, be construed as applicable to associations formed hereunder, except as expressly stated in this act.

SEC. 44. Taxation: Associations formed hereunder, and foreign corporations and associations admitted under section 41 to do business in the District of Columbia and entitled to the benefits of section 37, shall pay an annual license fee of $10.

SEC. 45. Separability; constitutionality: If any provision of this act or the application thereof to any person or circumstance shall be held unconstitutional or otherwise invalid for any reason, the validity of the remainder of this act and the application of such provision to other persons or circumstances shall not be affected thereby.

SEC. 46. The Congress reserves the right to alter, amend, or repeal this act, or any charter or certificate of incorporation made thereunder.

SEC. 47. Short title: This act may be cited as the "District of Columbia Cooperative Association Act."

Mr. RANDOLPH. Mr. Speaker, the purpose of this legislation is to provide a law governing cooperative associations in the District of Columbia. The companion House bill to this measure was introduced by the gentleman from Wisconsin [Mr. HULL], and hearings have been held on the subject. At the present time these cooperatives are organized outside of the District and are doing business in the District. We believe that in order to provide proper regulation and control of these associations this legislation is advisable.

I move the previous question, Mr. Speaker.

The previous question was ordered.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TO AMEND THE DISTRICT OF COLUMBIA ALCOHOLIC BEVERAGE CONTROL ACT

Mr. RANDOLPH. Mr. Speaker, I call up the bill H. R. 7949, to amend the District of Columbia Alcoholic Beverage Control Act to provide for the better control of the alcoholic-beverage industry in the District of Columbia, and ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The SPEAKER. The gentleman from West Virginia calls up the bill H. R. 7949 and asks unanimous consent that it be considered in the House as in Committee of the Whole. Is there objection?

Mr. EBERHARTER. Mr. Speaker, I object to the unanimous-consent request. This is what I consider to be a very important measure. It involves a principle of fair-trade practice and also pertains to the alcoholic-beverage control in the District of Columbia. It would set up within the industry a fair trades practice act. I think it is really important.

Mr. RANDOLPH. I do not think it would take very much time.

Mr. EBERHARTER. I disagree with the gentleman from West Virginia, the chairman of the Committee on the District of Columbia. I think the membership of the House will be interested in this bill, and it may develop into quite a lengthy debate.

Mr. RANDOLPH. Mr. Speaker, I withdraw the bill for the present. That concludes the legislation from the District of Columbia Committee for the day.

PERMITTING STATES TO INTERVENE IN CERTAIN PROCEEDINGS IN UNITED STATES COURTS (H. DOC. NO. 816)

The SPEAKER laid before the House the following message from the President of the United States, which was read:

To the House of Representatives:

I return herewith, without my approval, a bill entitled "An act to amend the Judicial Code by adding a new section thereto, designated as section 266a, to provide for intervention by States in certain cases involving the validity of the exercise of any power by the United States, or any agency thereof, or any officer or employee thereof, and for other purposes."

This bill would enable any State to intervene in and become a party to any suit or proceeding in any court of the United States, as a matter of right, whenever the validity of any Federal action is questioned, if (1) the determination of such question should involve any conflict with the exercise of any governmental power of such State, or (2) such Federal action would impair or abridge any governmental power asserted by or exercised by such State or any agency, officer, or employee thereof. In addition, it would impose on the courts of the United States, in every suit and proceeding now pending or hereafter instituted in which the validity of Federal action is questioned, the burden of ascertaining whether the determination of the question involves any conflict with the governmental power of any State and whether such Federal action would impair or abridge any governmental power asserted by or exercised by any State or any of its agencies, officers, or employees.

It was said (H. Rept. 1760, 76th Cong., 3d sess.) that this bill would give the States the same right to intervene to protect the constitutionality of their statutes as is given to the United States to intervene to protect the constitutionality of acts of Congress by the act of August 24, 1937, chapter 754, section 1 (50 Stat. 751, U. S. Code, title 28, sec. 401). However, the bill before me does not complement the 1937 act. It does not provide for intervention by the States in cases involving the constitutionality of State statutes affecting the public interest. On the contrary, it invites the States to intervene as a matter of right to attack the exercise of any Federal power impairing or abridging any governmental power asserted or exercised by the States or by any of their agencies, officers, or employees.

I find no justification for such broad powers of intervention by the States particularly since the right of intervention given to the United States is limited to cases in which the constitutionality of an act of Congress affecting the public interest is questioned.

The district courts of the United States now have discretion to permit intervention by a State in any action in which the State's claim or defense has a question of law or of fact in common with such action (Rules of Civil Procedure, rule 24, following U. S. Code, title 28, sec. 723c). The various administrative tribunals permit intervention by States upon a showing of interest in their proceedings. The Supreme Court permits the filing of briefs by States as amici curiae as a matter of right (Revised Rules of the Supreme Court, rule 27, par. 9). In my opinion, those provisions are adequate. No evidence has been presented of the inability of any State to defend the constitutionality of any of its statutes. The proposed statute would, however, subject a State's attorney general to pressure to intervene in any case where a private

litigant is opposing Federal action, on the ground that such action invades States' rights. Such exploitation of the authority of State officials for the interests of private litigants should not be encouraged.

I fear that the judicial determination of the validity of the powers of the United States or their exercise would be hampered by the proposed broader powers of intervention by the States—powers of intervention not limited to cases in which the constitutionality of State statutes is questioned.

I am therefore compelled to veto the bill.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *June 10, 1940.*

The SPEAKER. The objections of the President will be spread at large upon the Journal.

Mr. SUMNERS of Texas. Mr. Speaker, I move that the bill and the message of the President be referred to the Committee on the Judiciary of the House of Representatives and ordered printed.

The motion was agreed to.

EXTENSION OF REMARKS

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a brief editorial from the New York Times.

The SPEAKER. Is there objection?

There was no objection.

GREENVILLE MEMORIAL COMMISSION (H. DOC. NO. 818)

The SPEAKER also laid before the House the following message from the President of the United States, which was read:

To the House of Representatives:

I return herewith, without my approval, House Joint Resolution 385, a resolution "establishing a Greenville Memorial Commission to formulate plans for the construction of a memorial building to commemorate the Treaty of Greene Ville at Greenville, Ohio."

While the initial expenditure contemplated by the resolution is limited to $10,000 to defray the expenses of the proposed commission in making an investigation, it is evident that enactment of the resolution would commit the Government to future expenditures the size of which cannot be predicted at this time.

Under present conditions I feel that this commitment should not be undertaken.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *June 10, 1940.*

The SPEAKER. The objections of the President will be spread at large upon the Journal.

Mr. KELLER. Mr. Speaker, I move that the bill and the message be referred to the Committee on the Library and ordered printed.

The motion was agreed to.

JAMES G. BAILEY (H. DOC. NO. 817)

The SPEAKER also laid before the House the following message from the President of the United States which was read:

To the House of Representatives:

I am returning herewith, without approval, H. R. 4394, entitled "An act granting a pension to James G. Bailey."

The bill would authorize and direct the Administrator of Veterans' Affairs to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James G. Bailey, late of Company F, Thirteenth Regiment, United States Army, and pay him a pension at the rate of $15 per month.

The ex-soldier has filed application for a pension alleging that certain disabilities which he now has were acquired during his service above indicated.

Careful consideration has been given to this claim by the Bureau of Pensions, and the Veterans' Administration, and they are unable to find a basis for allowing such claim under existing law.

No doubt the Congress has been influenced in passing this bill by the age of the ex-soldier and the affidavits of his comrades. However, the case has received most careful consideration by the Government agencies charged with the administration of the pension laws, and they are unable to find sufficient basis for the granting of service connection for the claimant's present disabilities.

I know of no sound reason from the facts indicated or circumstances surrounding this case which would warrant the granting of special consideration as proposed by the bill.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *June 10, 1940.*

The SPEAKER. The objections of the President will be spread at large upon the Journal.

Mr. LESINSKI. Mr. Speaker, I move that the bill and the message be referred to the Committee on Invalid Pensions and ordered to be printed.

The motion was agreed to.

ALTERATION AND COST OF CERTAIN BRIDGES OVER NAVIGABLE WATERS

The SPEAKER also laid before the House the following message from the President of the United States, which was read:

To the House of Representatives:

I am returning herewith, without my approval, H. R. 9381, a bill to provide for the alteration of certain bridges over navigable waters of the United States, for the apportionment of the cost of such alterations between the United States and the owners of such bridges, and for other purposes.

The bill contains a number of provisions that are very similar to some of those in the General Bridge Act of March 23, 1906 (34 Stat. 84). However, it would establish a new policy by which the United States would be required to bear a portion of the cost of alterations or changes in bridges over navigable waters used and operated for the purpose of carrying railroad traffic, or both railroad and highway traffic, where such alterations or changes are found to be necessary by the Secretary of War for free and unobstructed navigation. Under the new policy which the bill proposes the bridge owner would be required to bear only such part of the cost of such alterations or changes as may be attributable to the direct and special benefits which will accrue to him, as determined by the Secretary of War, and the United States would be required to bear the remainder of such cost. The provisions of the bill are substantially the same as those contained in S. 1989, from which I withheld my approval on August 11, 1939.

As was stated in my memorandum of disapproval of S. 1989, the General Bridge Act of March 23, 1906, authorizes the Secretary of War to require the alteration of any bridge which, in his opinion, may at any time unreasonably obstruct navigation, the cost of such alteration to be borne entirely by the owner. This has been a condition precedent to the construction of bridges over the navigable waters of the United States and the owners are fully apprised of the condition before the construction work is undertaken. The Supreme Court has repeatedly held that where a bridge is an unreasonable obstruction to navigation the removal of such obstruction may be required without compensation from the United States, and such removal cannot be regarded as a taking of private property within the meaning of the Constitution. To require the Federal Government to pay the cost of alterations which do not directly benefit the bridge owners would impose upon it heavy financial liabilities. It is the duty of the Government to preserve and protect the navigability of our navigable waters, and when any person, association, corporation, or other body is authorized to build a structure over any such stream, the United States should not be required to bear any part of the cost of alterations which are necessary to avoid obstructions to navigation.

I am, therefore, return the bill H. R. 9381 without my approval as it does not appear that any adequate reason exists for imposing upon the Federal Government the additional burdens which the bill proposes.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *June 10, 1940.*

The SPEAKER. The objections of the President will be spread at large upon the Journal.

Mr. LEA. Mr. Speaker, I ask unanimous consent that further consideration of this matter be postponed until Wednesday, and if, for any reason, the House does not meet on that date then to the next day on which the House shall assemble.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. LEA]?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, what does the gentleman mean about not being in session on Wednesday?

Mr. LEA. That was just a precautionary suggestion—if for any reason the House would not be in session, that it would be in order the following day. I do not anticipate anything but that the House will be in session.

Mr. TABER. Mr. Speaker, reserving the right to object, it has been suggested to me that it is the program that the tax bill will be taken up tomorrow and will be disposed of tomorrow. Is that the program?

Mr. RAYBURN. That is correct.

Mr. TABER. We have been asked to take up an emergency defense appropriation on the next day, and I imagine it should have the right of way and an opportunity to clean it up if we are going to take it up. I am wondering if it would be the right thing to have a question of this kind up on that day?

Mr. LEA. Of course, it would not be objectionable to me to let the matter be taken up on Thursday instead of Wednesday.

Mr. TABER. If it could follow the other bill, I think it would be better.

Mr. LEA. Mr. Speaker, I will request that the further consideration of the matter be postponed until Thursday.

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. RICH and Mr. THOMAS F. FORD rose.

The SPEAKER. For what purpose does the gentleman from California rise?

Mr. THOMAS F. FORD. Reserving the right to object, Mr. Speaker, I would like to ask the purpose of that?

Mr. LEA. It is to give the membership an opportunity to consider what they think of the bill, and whether it should be referred back to the committee or voted upon by the House.

Mr. RICH. Mr. Speaker, reserving the right to object, as I understand the gentleman from New York [Mr. TABER], he says we are going to get the tax bill up tomorrow and pass it tomorrow?

Mr. RAYBURN. Yes.

Mr. RICH. Well, that is just the way you do things. You spend by the billion and the billion and you do it so fast that nobody knows what you spend it for. Now you are going to tax the people of this country so fast that their backs will be broken. I want to say that if you are not going to give the Members of Congress any more time than that, that is not right, that is not just, that is not honorable. I want to say that if we are going to permit legislation to go through in that manner, then we are not good Congressmen and you ought not permit it. You ought to stay here and attend to business.

Mr. RAYBURN. I think everybody else in the House except the gentleman from Pennsylvania will understand the bill by that time. [Laughter.]

Mr. RICH. But if you are going to give it to the people that way, it is not right.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. LEA]?

There was no objection.

The message, together with the bill, was ordered to be printed.

THE NATIONAL GUARD

Mr. MAY. Mr. Speaker, I ask unanimous consent that the Committee on Military Affairs of the House may have until midnight tonight to file a report on House Joint Resolution 555, relating to the calling of the National Guard; and on the bill H. R. 1010, with respect to the authorized increase in the Regular Army.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. MARTIN of Massachusetts. Reserving the right to object, are there any minority reports from the committee?

Mr. MAY. I do not know whether there will be or not. There probably will be.

Mr. MARTIN of Massachusetts. Will the gentleman take care of those, too?

Mr. MAY. Yes; I certainly will.

I ask unanimous consent that the minority members of he committee may have the same privilege, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. MAY]?

Mr. SCHAFER of Wisconsin. Mr. Speaker, reserving the right to object, will that bill permit the President to send our National Guard 3,000 miles across the sea and strip our own inadequate national defense, as he did when he sent our battle-line planes across the sea a few days ago?

Mr. MAY. The bill will not permit the President to send them 3,000 miles across the sea nor to strip the national defense. It is a very sensible and wise piece of legislation.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

EXTENSION OF REMARKS

Mr. THOMAS of New Jersey. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix and include therein a radio address made by me last night.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. McDOWELL. Mr. Speaker, I ask unanimous consent to extend my own remarks and insert a radio address delivered by Fulton Lewis.

The SPEAKER. Is there objection?

There was no objection.

MILITARY ESTABLISHMENT APPROPRIATION BILL, 1941—CONFERENCE REPORT

Mr. SNYDER. Mr. Speaker, I call up the conference report on the bill (H. R. 9209) making appropriations for the Military Establishment for the fiscal year ending June 30, 1941, and for other purposes, and I ask unanimous consent that the statement be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9209) making appropriations for the Military Establishment for the fiscal year ending June 30, 1941, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 13, 14, 23, 35, 40, 42, 44, 46, 48, 55, 57, 75, 83, 100, 103, 106, 114, and 116.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 15, 16, 18, 20,

22, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 37, 39, 41, 43, 47, 49, 51, 52, 53, 54, 56, 58, 59, 60, 61, 62, 63, 64, 65, 66, 68, 69, 70, 73, 77, 81, 82, 84, 85, 86, 87, 88, 89, 94, 98, 99, 101, 102, 104, 105, 107, 109, 110, 111, 112, 113, and 115; and agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$838,500"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$6,767,947"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert "$106,880"; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert "$75,004,376"; and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert: "$64,999,664"; and the Senate agree to the same.

Amendment numbered 71: That the House recede from its disagreement to the amendment of the Senate numbered 71, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following:

"Toward the acquisition of land at Fort Devens, Massachusetts, $386,667; Fort Ethan Allen, Vermont, $120,000, as authorized by the Act of July 26, 1939 (53 Stat. 1123), to remain available until July 1, 1942."

And the Senate agree to the same.

Amendment numbered 72: That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with an amendment, as follows: In lieu of the sum of "$1,000,000" named in said amendment insert "$666,667"; and the Senate agree to the same.

Amendment numbered 74: That the House recede from its disagreement to the amendment of the Senate numbered 74, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$205,000"; and the Senate agree to the same.

Amendment numbered 76: That the House recede from its disagreement to the amendment of the Senate numbered 76, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert "$19,534,053"; and the Senate agree to the same.

Amendment numbered 91: That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert "$6,875,978"; and the Senate agree to the same.

Amendment numbered 92: That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert "$21,565,263"; and the Senate agree to the same.

Amendment numbered 93: That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert "$302,422,312"; and the Senate agree to the same.

Amendment numbered 95: That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert "$3,776,541"; and the Senate agree to the same.

Amendment numbered 96: That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert "$24,713,053"; and the Senate agree to the same.

Amendment numbered 118: That the House recede from its disagreement to the amendment of the Senate numbered 118, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert:

"SEC. 2. The foregoing appropriations for 'Regular Supplies of the Army', 'Clothing and Equipage', 'Army Transportation', 'Signal Service of the Army', 'Air Corps, Army', 'Medical and Hospital Department', 'Engineer Service, Army', 'Ordnance Service and Supplies', 'Chemical Warfare Service', and 'Seacoast Defenses' shall each be available for the pay and allowances, including travel allowances, of such Reserve officers as the President may, with their consent, order to active duty for such periods, not in excess of two years, as their service may be required in the procurement or production of equipment therein appropriated for, or on duty pertaining to aviation."

And the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 3, 19, 21, 36, 38, 67, 78, 79, 80, 90, 97, 108, 117, 119, 120, 121, 122, 123, 124, 125, and 126.

J. BUELL SNYDER,
DAVID D. TERRY,
JOE STARNES,
ROSS A. COLLINS,
GEORGE MAHON,
D. LANE POWERS,
ALBERT J. ENGEL,
FRANCIS CASE,
Managers on the part of the House.

ELMER THOMAS,
CARL HAYDEN,
JOHN H. OVERTON,
RICHARD B. RUSSELL,
MORRIS SHEPPARD,
JOHN G. TOWNSEND, Jr.,
STYLES BRIDGES,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9209) making appropriations for the Military Establishment for the fiscal year ending June 30, 1941, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

On amendments Nos. 1 to 17, both inclusive, relating to salaries, War Department: Appropriates $6,767,947, in lieu of $6,258,168, as proposed by the House, and $6,667,947, as proposed by the Senate, the increase being deducted from the amount named in amendment No. 93, and appropriates an additional amount of $100,000 for temporary personal services, Office of the Chief of Ordnance, as proposed by the House, in lieu of providing for such assistance through the medium of drafts upon military funds, as proposed by the Senate.

On amendment No. 18, relating to contingent expenses, War Department: Appropriates $422,485, as proposed by the Senate, instead of $389,335, as proposed by the House.

On amendment No. 20: Appropriates $672,730 for printing and binding, as proposed by the Senate, instead of $639,313, as proposed by the House.

On amendments Nos. 22 and 23, relating to field exercises: Appropriates $8,231,306, as proposed by the Senate, instead of $5,831,306, as proposed by the House, and strikes out the 2-year availability clause proposed by the Senate as to a portion of the amount.

On amendment No. 24: Appropriates $106,880 for welfare of enlisted men, as proposed by the Senate, instead of $35,440, as proposed by the House, and strikes out the 2-year availability clause proposed by the Senate as to a portion of the amount.

On amendments Nos. 25 to 35, both inclusive, relating to pay of the Army: Removes limitations upon numbers of officers and enlisted men, as proposed by the Senate; appropriates $241,965,824, as proposed by the Senate, instead of $217,420,932, as proposed by the House, and strikes out the 2-year availability clause proposed by the Senate as to a portion of the amount.

On amendment No. 37: Appropriates $7,004,916 for travel of the Army, as proposed by the Senate, instead of $4,790,720, as proposed by the House.

On amendments Nos. 39 and 40, relating to Finance Service: Appropriates $1,644,413, as proposed by the Senate, instead of $1,539,538, as proposed by the House, and strikes out the 2-year-availability clause proposed by the Senate as to a portion of the amount.

On amendments Nos. 41 and 42, relating to subsistence of the Army: Appropriates $45,639,198, as proposed by the Senate, instead of $38,005,959, as proposed by the House, and strikes out the 2-year-availability clause proposed by the Senate as to a portion of the amount.

On amendments Nos. 43 and 44, relating to regular supplies of the Army: Appropriates $8,052,471, as proposed by the Senate, instead of $3,953,976, as proposed by the House, and strikes out the 2-year-availability clause proposed by the Senate as to a portion of the amount.

On amendments Nos. 45 and 46, relating to clothing and equipage: Appropriates $75,004,376, as proposed by the Senate, instead of $10,965,046, as proposed by the House; strikes out the 2-year-availability clause proposed by the Senate as to a portion of the appropriation, and strikes out the price limitation proposed by the Senate.

On amendments Nos. 47 and 48, relating to incidental expenses of the Army: Appropriates $5,011,683, as proposed by the Senate, instead of $4,417,623, as proposed by the House, and strikes out the 2-year-availability clause proposed by the Senate as to a portion of the amount.

On amendments Nos. 49 to 53, both inclusive, relating to Army transportation: Appropriates $64,999,664, as proposed by the Senate, instead of $24,908,034, as proposed by the House; strikes out the 2-year-availability clause proposed by the Senate as to a portion of the appropriation, and raises the limitations upon amounts which

may be expended upon boats and motor vehicles to $9,500,000 and $15,000,000, respectively, as proposed by the Senate.

On amendments Nos. 54 and 55, relating to horses, draft, and pack animals: Appropriates $782,490, as proposed by the Senate, instead of $419,200, as proposed by the House, and strikes out the 2-year-availability clause proposed by the Senate as to a portion of the amount.

On amendments Nos. 56 to 66, and 68, relating to military posts: Appropriates $90,310,785 and grants contractual authority of $6,000,000, as proposed by the Senate, instead of $29,590,363 and $4,000,000, respectively, as proposed by the House, adding all of the projects proposed by the Senate, as shown in the bill, without change of amount, and makes the appropriation available until expended, as proposed by the House, instead of for the period ending June 30, 1942, as proposed by the Senate; also, makes textual correction, as proposed by the Senate.

On amendments Nos. 69 to 75, both inclusive, relating to the acquisition of land: Appropriates for procurements at the following places, as proposed by the Senate, except as to amounts, which vary in all cases except the Alaska and Utah General Depot items from the amounts proposed by the Senate as shown in the bill, viz: Anchorage, Alaska, $85,000; Fort Devens, Mass., $386,667; Fort Ethan Allen, Vt., $120,000; Fort Knox, Ky., $666,667; Utah General Depot, $213,000; and Fort Sill, Okla., $205,000; and strikes out the proposal of the Senate requiring appraisals to be made by appraisers of the Department of Agriculture.

On amendment No. 76: Appropriates $19,534,053 for barracks and quarters, as proposed by the Senate, instead of $17,298,086, as proposed by the House, and strikes out the 2-year availability clause proposed by the Senate as to a portion of the amount.

On amendment No. 77: Appropriates $780,909 for construction and repair of hospitals, as proposed by the Senate, instead of $643,535, as proposed by the House.

On amendments Nos. 81 to 89, both inclusive, relating to the Air Corps: Appropriates $265,886,418 and grants contractual authority of $103,300,000 to be exercised prior to July 1, 1941, as proposed by the Senate, instead of $165,762,162 and $10,000,000, respectively, as proposed by the House; strikes out the 2-year availability clause as to a portion of the appropriation, proposed by the Senate; provides for office rental and other facilities in connection with procurement, as proposed by the Senate, and requires that not less than $123,741,994 shall be applied to the procurement of new airplanes and their equipment and accessories, and that $82,661,994 of such amount shall be applied to the procurement of combat airplanes and their equipment and accessories, as proposed by the Senate.

On amendment No. 91: Appropriates $6,875,978 for Medical and Hospital Department, as proposed by the Senate, instead of $2,615,919, as proposed by the House, and strikes out the 2-year availability clause proposed by the Senate as to a portion of the amount.

On amendment No. 92: Appropriates $21,565,263 for Engineer Service, Army, as proposed by the Senate, instead of $7,365,340, as proposed by the House, and strikes out the 2-year availability clause proposed by the Senate as to a portion of the amount.

On amendments Nos. 93 and 94, relating to Ordnance Service and supplies, Army: Appropriates $302,422,312, instead of $302,522,312, as proposed by the Senate, and $88,067,993, as proposed by the House; strikes out the 2-year availability clause proposed by the Senate as to a portion of the appropriation; and grants contractual authority of $133,774,679, as proposed by the Senate, instead of $30,000,000, as proposed by the House.

On amendment No. 95: Appropriates $3,776,541 for repairs of arsenals, as proposed by the Senate, instead of $1,714,041, as proposed by the House, and strikes out the 2-year availability clause proposed by the Senate as to a portion of the amount.

On amendment No. 96: Appropriates $24,713,053 for Chemical Warfare Service, as proposed by the Senate, instead of $3,698,250, as proposed by the House, and strikes out the 2-year availability clause proposed by the Senate as to a portion of the amount.

On amendments Nos. 98 to 107, both inclusive, relating to seacoast defenses: Appropriates $29,502,523, as proposed by the Senate, instead of $14,717,992, as proposed by the House, and makes the appropriation available until expended, as proposed by the House, instead of until the end of the period ending June 30, 1942, as proposed by the Senate.

On amendments Nos. 109, 110, and 111, relating to maintenance and operation, United States Military Academy: Makes a textual correction and adds an additional amount of $1,900, as proposed by the Senate.

On amendments Nos. 112, 113, and 114, relating to the Organized Reserves: Removes the 4 cents per mile limitation applying to travel in connection with training duty for periods less than 31 days, as proposed by the Senate; appropriates $32,107,455, as proposed by the Senate, instead of $20,581,059, as proposed by the House, and strikes out the 2-year availability clause proposed by the Senate as to a portion of the appropriation.

On amendment No. 115: Appropriates $2,275,000 on account of citizens' military training camps, as proposed by the Senate, instead of $2,274,540, as proposed by the House.

On amendment No. 116: Strikes out the appropriation of $300,000 proposed by the Senate for expansion of the local Soldiers' Home.

On amendment No. 118: Makes certain of the appropriations in the bill available for pay and allowances of Reserve officers who may volunteer for active duty in connection with the procurement or production of equipment, as proposed by the Senate, but omitting authorization to use such appropriations for the employment of additional civilians and for augmenting other funds made available for contingent and miscellaneous expenses in Washington and in the field.

Amendments reported in disagreement

The committee of conference report in disagreement the following amendments of the Senate:

Amendment No. 3: Relating to the engagement of special services by the Secretary of War.

Amendment No. 19: Waiving newspaper advertising on small procurements of stationery and office supplies and equipment.

Amendment No. 21: Relating to educational orders.

Amendment No. 36: Waiving legal limitations upon number of enlisted men and flying cadets in Army Air Corps.

Amendment No. 38: Relating to travel of the Army.

Amendment No. 67: Relating to emergency construction.

Amendment No. 78: Relating to the appropriation for construction and repair of hospitals.

Amendments Nos. 79 and 80: Relating to the appropriation "Signal Service of the Army."

Amendment No. 90: Waiving limitation upon number of airplanes that may be procured and maintained.

Amendment No. 97: Relating to the Chemical Warfare Service.

Amendment No. 108: Relating to seacoast defenses.

Amendment No. 117: Relating to the President's emergency fund.

Amendment No. 119: Relating to an interchange of appropriations.

Amendments Nos. 120, 121, 122, and 123: Relating to section numbers.

Amendment No. 124: Relating to the employment of aliens in the Panama Canal Zone.

Amendment No. 125: Relating to making appropriations and contractual authorizations immediately available.

Amendment No. 126: Relating to a section number.

Comments

With respect to Senate amendment No. 117, relating to an emergency fund for the President, the managers on the part of the House recommend that $2,000,000 of such fund shall be made immediately available for the planning, erection, equipment, and operation or lease of plants for the beneficiation of manganese ores and the production of metallic manganese therefrom, and for expenditures requisite for and incident to the exploration of domestic manganiferous deposits and acquisition of strategic minerals in accordance with Public, No. 117, approved June 7, 1939.

This recommendation is made in the belief that provision should be made immediately to beneficiate domestic low-grade manganese ores, deposits of which are favorably located with respect to size of deposit, transportation, economy of production, safety of location, and general values for national defense. Resulting high-grade manganese can thus be produced and acquired, domestic reserves proven and made available for increased demand in case of emergency, and emergency supplies provided without the Government competing with industry for existing stocks.

J. BUELL SNYDER,
DAVID D. TERRY,
JOE STARNES,
ROSS A. COLLINS,
GEORGE MAHON,
D. LANE POWERS,
ALBERT J. ENGEL,
FRANCIS CASE.

Managers on the part of the House.

The SPEAKER. The gentleman from Pennsylvania [Mr. SNYDER] is recognized.

Mr. SNYDER. Mr. Speaker, when this bill was sent to conference, it was agreed that there would be 3 hours of general debate on the conference report and all amendments brought back in disagreement. I suggest to the gentleman from New Jersey [Mr. POWERS] that we devote 2 hours and 20 minutes to a discussion of the conference report, and 40 minutes to a discussion of the amendments in disagreement.

The SPEAKER. The Chair will state that the gentleman from Pennsylvania and the gentleman from New Jersey control that matter without a special order of the House, each will have an hour and a half.

Mr. SNYDER. We would like to have an understanding about the time to be devoted to debate on the conference report and the amendments, respectively.

Mr. RAYBURN. I make the suggestion, Mr. Speaker, that the gentleman from Pennsylvania can move the previous question on the conference report any time he desires, and the remainder of the time can be devoted to a discussion of the amendments in disagreement.

Mr. POWERS. What suggestion did the gentleman from Pennsylvania have in mind?

Mr. SNYDER. I suggest that 2 hours and 20 minutes be devoted to debate on the conference report.

Mr. POWERS. Will the time be equally divided between the gentleman and myself?

Mr. SNYDER. Yes.

The SPEAKER. The gentleman from Pennsylvania is recognized for 3 hours.

Mr. SNYDER. Mr. Speaker, I yield 1 hour and 30 minutes to the gentleman from New Jersey [Mr. POWERS], and I yield myself 10 minutes.

The SPEAKER. The gentleman from Pennsylvania is recognized for 10 minutes.

Mr. SNYDER. Mr. Speaker, I shall state briefly the salient features of this bill as we bring it to you from conference.

It provides every penny necessary—roundly $345,000,000 by way of cash and contractual authority, for the procurement of all of the critical items of equipment advocated by the War Department as necessary for completely equipping the protective mobilization plan force of 750,000 men, plus replacements.

For the expeditious procurement of this material, it includes $72,890,668 and contractual authority besides, of $31,918,168. These amounts are apart from the President's emergency fund, which, by its terms, may be employed in removing bottlenecks, such as furnishing Government-owned facilities at privately owned plants, and the procurement and training of civilian personnel needed in facilitating production.

Looking to later augmentation of the needs of the protective mobilization plan force, or a larger force, the bill carries in the neighborhood of $35,000,000 for industrial mobilization, including $16,250,000 for educational orders, which is in addition to the $18,205,000 heretofore made available for that purpose.

On the Air Corps side, as you know, Congress, at the last regular session, made available either the money or contractual authority for the procurement of 5,500 airplanes. This bill makes provision for 2,566 more—2,200 of the training type, and 366 in the combat category. In addition, the bill carries $28,188,200, including $2,000,000 of contractual authority, for the modernization of planes, that is, leak-proof tanks, and armor and armament. Also, in addition, and of paramount importance, is additional provision made by the Senate for stepping up the pilot-training program, and providing for an increased number of aviation mechanics and plane-crew operators. The bill looks to an annual output of 7,000 pilots.

For motor equipment, other than technical vehicles, the bill includes $31,000,000. This is about $12,500,000 more than the House bill carried.

As to personnel, provision is made for 280,000 enlisted men of the Regular Army. The House bill, you will recall, provided for 227,000 men. In this connection, I wish to draw your attention to a point made by General Marshall; that is, that when the 280,000 maximum peacetime strength was written into the law, the Air Corps quota was 16,000 men. Today it is approximately 55,000, with no lessening in the requirements of the other arms or services. The 280,000, therefore, is 39,000 short of the strength actually contemplated by the National Defense Act, as amended.

The bill calls for no additional Regular officers by reason of the expansion of enlisted strength. The House bill provided for an average number of 13,831, and that figure has not been changed. It is the purpose of the War Department to officer the additional enlisted men by using retired officers and Reserve officers. The latter, of course, only can be ordered to active duty at this time with their consent. The bill provides for 308 retired officers to be on active duty and 6,170 Reserve officers.

The National Guard is provided for in the House figures. It may be said, however, that the equipment for which the bill provides is for the use of all Army components.

Mr. Speaker, that covers, I should say, the highlights of the bill. If the recommendations of the conference committee be approved, the bill will carry $1,499,793,322 by way of immediate appropriations and contractual authority of $323,229,636.

I may add that there is now pending in the Committee on Appropriations a recommendation for an additional $706,928,000, including $254,176,761 of contractual authority. Action upon that additional submission probably will be reported here tomorrow.

The Congress, I am sure, stands prepared promptly to underwrite every request that Gen. George Marshall sends in here in this present emergency. His is a terrific responsibility, and I know each of us is anxious and ready to aid him in every possible way. One way, I may say, in conclusion, would be to give him this bill without any more delay. The money in it becomes immediately available. A few days' delay in getting the programs for which it provides under way, conceivably may mean just that many days too late in some vital situation in the days to come. There has been too much delay already. [Applause.]

[Here the gavel fell.]

Mr. SNYDER. Mr. Speaker, I yield 20 minutes to the gentleman from Alabama [Mr. STARNES].

The SPEAKER pro tempore (Mr. COLE of Maryland in the chair). The gentleman from Alabama is recognized for 20 minutes.

Mr. STARNES of Alabama. Mr. Speaker, no subject is of more entrancing interest to the people of the country today than the question of national defense. The charge has been made that we have no national-defense policy. This is an erroneous charge. The Chief of Staff was questioned with reference to our national-defense policy upon his recent appearance before the subcommittee, and he very clearly delineated for the committee our present national-defense policy.

Our present national-defense policy provides for the defense of the continental United States and its insular possessions, for the protection of the Panama Canal so that we may have a two-ocean navy and for the defense of the Western Hemisphere under the Monroe Doctrine. This bill implements that national-defense policy.

The conference report on the bill which we are now considering provides for 280,000 enlisted men, an average of 13,831 Regular officers, 308 retired officers to be on active duty, and 6,170 Reserve officers for the Regular Army. It provides for 251,000 officers and men in the National Guard. We have 103,000 Reserve officers available for duty of whom some 40,000 will be provided training in some form by this bill. By the close of the fiscal year it is hoped that 46,000 men in the enlisted Reserve will be carried on the rolls. The bill also provides for the training of 35,000 young men in the C. M. T. C.

Insofar as matériel is concerned the bill provides critical items for the entire protective mobilization plan for this country. This protective mobilization plan envisions the mobilization of 750,000 men and officers in our Army and the National Guard to meet any emergency and for a replacement group of 250,000. With the money provided in this bill we will be able to supply this initial protective force with all the critical items.

Mr. THOMAS of New Jersey. Will the gentleman yield?

Mr. STARNES of Alabama. I yield to the gentleman from New Jersey.

Mr. THOMAS of New Jersey. Will the gentleman from Alabama tell me the total amount in this bill and how much of that amount is for matériel?

Mr. STARNES of Alabama. The total amount in this bill in cash is $1,499,793,322, with an additional contractual authority of $323,229,636. I should say that, roughly speaking, 60 to 70 percent of that amount will go to matériel. The amount for matériel, including barracks, clothing, equipage, ordnance, and so forth, is $990,138,882.

Some criticism has been made, probably justifiably so, that the Army has failed to modernize, motorize, mechanize, and streamline as rapidly as modern conditions demand. There is some basis for the criticism, but the fault does not lie wholly with the armed forces of this Nation. The War De-

partment cannot motorize, mechanize, and provide modern equipment until the Congress first authorizes and later provides funds to carry out such a program. The Congress has heretofore consistently refused to meet its obligations in this respect. Until the past 3 years no real advances have been made. Until the past 3 years the Congress had not provided either the authority or the appropriations to give us modern equipment and weapons for the armed forces. Some Members who are loudest in their criticism have failed to assume their share of this responsibility. Certainly no one could foresee with any degree of accuracy a few years ago the startling events which have taken place within the past 12 months—yea, within the past 3 months. That being true, let us have no captious criticism at this critical hour. Let us have constructive and remedial action now.

The national-defense policy of this nation is not static. It is fluid—just as fluid as world conditions are fluid. We have rapid and kaleidoscopic changes today—economic, social, and political—and our national defense must be attuned to these rapid changes. There is no confusion of purpose in the War Department, but admittedly changes are being made constantly in our plans to adapt ourselves to the changed conditions of the times. This must be borne in mind at all times. What is necessary today may be unnecessary tomorrow. What would be timely yesterday may be too late tomorrow. The only thing we can do is to bring to bear our collective judgment and our sound common sense on these problems and try to adapt and adjust our national-defense policy to world conditions as they exist from day to day.

There are some recommendations which I would like to make to the Congress and to the country with reference to our national defense. During the past 2 years as a member of my subcommittee I have traveled something like 50,000 miles, visiting about 150 Army posts. I have had an opportunity to study at first hand what the War Department is doing with the tremendous sums of money which we have been making available. During the course of my travels I visited every State in this Union save three. I have had an opportunity to study the work of the Army and the Navy in the Hawaiian Islands, the Paradise of the Pacific, and the work now under way down in the Caribbean area.

I think the Army has spent its money wisely and well as a whole. I think it is to be commended for the results which it has obtained with the money which has been made available. I think certain improvements can be made, speaking now as a layman and as a legislator with some smattering knowledge of military affairs based upon 19 years of commissioned service in various components of the Army of the United States.

First, I think we should have a standing army of 500,000 men, and a National Guard of 424,800 men. The number recommended for the National Guard is the minimum under our National Defense Act of 1920. The Congress will probably authorize and provide funds for at least 400,000 men for the Regular Army within the next 10 days. We should always have at least 100,000 Reserve officers available for duty, implemented with an enlisted reserve. At the present time 75,000 is the authorized strength of the enlisted reserve. That force, in my opinion, will take care of any peacetime situation and would permit rapid and orderly expansion of our armed forces to meet any eventuality which may be thrust upon us.

Mr. Speaker, insofar as matériel is concerned, we should have a decentralization of our munitions industry. Approximately 85 to 90 percent of all the munitions and implements of warfare are manufactured in a comparatively small area of the United States of America, mainly in the States of Pennsylvania, New York, and the New England States. Many of our plants are in exposed positions.

Take our airplane industry, for instance, at least 90 percent of that industry is within 100 miles of the borders of this Nation. Take our Chemical Warfare Service. Its plant is located near Chesapeake Bay and is the only plant of its type and character we have in the entire country.

We should decentralize our munitions industry. All expansions that come now under this present program for the manufacture of planes and other implements of warfare to provide an adequate national defense for this country should be located between the Alleghenies and the Rockies. The reasons for such a policy are that all plants involved in the program should be close to the available supplies of raw material; second, where there is an adequate transportation net; third, where there is an adequate labor reservoir; and fourth, in a position of comparative invulnerability. Germany learned these lessons and has profited thereby. No longer does she depend upon one or two great establishments to supply her needs. Germany decentralized her munitions industry and has intensified her efforts. As a result she displays to the world today the highest trained and the best equipped army in the history of mankind.

England has been comparatively defenseless during the past decade, simply and solely because she failed to heed the lessons that Germany had learned. England, however, during the past few years has put up something like two score additional plants for the manufacture of munitions.

I do not recommend the removal of a single plant from its present establishment, but I do say that all additional plants built either by the Government or by private industry for the safety and security of this country should be between the Rockies and the Alleghenies, meeting the conditions that I laid down a moment ago. This is of prime importance.

We can get the manpower, unlimited in numbers, practically, for any purpose, but it is the question of the mobilization of industry and the transformation from a peacetime economy to a wartime economy that spells the issue of victory or defeat for the United States of America in a supreme effort to defend itself against all comers. And in this period of transformation time is the essence of things.

I urge this Congress to consider the policies I have outlined. I have urged the Chief Executive and I have urged the War Department consistently during the past 3 years to a consideration of this policy of decentralization of our munitions industry and the intensification of our efforts to supply the Army and its components with the critical and essential items we need for an initial protective force.

Mr. TERRY. Mr. Speaker, will the gentleman yield?

Mr. STARNES of Alabama. I yield to the gentleman from Arkansas.

Mr. TERRY. I know the gentleman has urged upon the General Staff not only the bringing in from the coast of these armament plants and munitions plants but also the decentralization of these plants within the interior; in other words, not to have an extremely large plant in any one place, but to scatter the plants out so as to have smaller plants over the area in order that one attack will not destroy the whole group.

Mr. STARNES of Alabama. The gentleman is correct, and I thank him for that contribution.

Mr. BYRNE of New York. Mr. Speaker, will the gentleman yield?

Mr. STARNES of Alabama. I yield to the gentleman from New York.

Mr. BYRNE of New York. Yesterday in one of the Sunday papers I read the statement that in the opinion of the writer there were already too many decentralized Army posts throughout the country, and that if the Congressmen in whose districts these particular posts were situated would consent to their being more generally centralized it would be much better for the entire Army situation of our Nation. Does the gentleman disagree with that statement?

Mr. STARNES of Alabama. I am happy the gentleman asked me that question. I am going to deal with that particular question later in my discussion. There are recommendations I shall make, and I hope the gentleman will listen to them very carefully.

Mr. McLAUGHLIN. Mr. Speaker, will the gentleman yield?

Mr. STARNES of Alabama. I yield to the gentleman from Nebraska.

Mr. McLAUGHLIN. I have been very much interested in and impressed with what the gentleman has said regarding

the decentralization of facilities for the manufacture of armament. Does not the gentleman feel that he could well extend that recommendation to cover the decentralization of airplane facilities, so that air fields and air facilities could be distributed in the very section the gentleman has mentioned, between the Rocky Mountains and the Alleghanies? After all, this section is the most favorably situated portion of the country from the standpoint of geographical protection in case of invasion.

Mr. STARNES of Alabama. The gentleman is right. I have so recommended. Such action is essential. The President in his message recognized such action was necessary and so recommended to the Congress and to business and industry.

Mr. McLAUGHLIN. I am very glad to learn that the gentleman feels that way toward the air facilities as well as toward armament, because I believe it is essential, and I believe we all feel it is essential at this time, that the air facilities of the Middle West be properly and adequately developed.

Mr. STARNES of Alabama. Dealing further with the problems of matériel, I recommend continuation of our educational-order system. The Ordnance Department is making jigs and dies and lending them to private business and industry. The Congress is providing money for educational orders in order that these plants in peacetime may give training to their personnel in the manufacture of certain munitions and implements of warfare, so that we can reduce the time necessary to build up huge reserves and equip a huge army in wartime. As a minimum, to establish a new ordnance plant and put it into mass production would require 12 to 18 months under the most favorable conditions. This time can be reduced at least one-half by a continuation of this educational order program of ours, providing private business and industry with jigs and dies and giving management and labor in private business and industry an opportunity to acquaint themselves with the manufacture of these weapons. At the same time we are building a reserve of essential and critical items.

A final recommendation with reference to matériel is that additional sums should be provided for research and experimentation. Our committee has been very sympathetic to this suggestion. We must have funds for research and experimentation if we are to be modern and remain abreast and ahead of the times. Our Army should not only be abreast of the times but should surpass the armies of all other nations in modern implements and modern equipment. [Applause.]

Mr. HINSHAW. Mr. Speaker, will the gentleman yield?

Mr. STARNES of Alabama. I yield.

Mr. HINSHAW. May I say that last year I introduced a bill providing for additional research facilities in aeronautics at qualified educational institutions, but in the course of conference on the bill with the heads of our Government aviation research divisions of the Army and the Navy and the C. A. A. I was told that they wanted to keep all the military aviation research within the Government. It appears to me that there are enough smart men outside the Government so that we could afford to finance some research facilities and studies in addition to the facilities we have now. We might learn something.

Mr. STARNES of Alabama. The gentleman makes a timely contribution and a thought-provoking suggestion which might well be considered by the War Department. Some criticism has been made of the War Department that a sufficient amount of time or energy has not been devoted to research and experimentation and to the purchasing of new and modern equipment and armament. I have before me a statement furnished to members of my subcommittee by the Secretary of War. He calls attention to the fact that during the past 16 years, from 1925 through 1940, that of the total of $6,169,300,000 provided for military appropriations, that $5,314,944,000 was spent on fixed charges, food, clothing, housing, training, and so forth—in other words, recurring items—and that of the sum of $854,566,000 devoted to other purposes, $509,900,000 was spent on the Air Corps. The Air Corps is our most modern arm, our most rapidly developing service, and it was necessary to spend more on this arm of the service.

This left, therefore, only $344,656,000 which the Congress provided for the War Department to spend on arms and equipment for the ground forces of this Nation over a period of 16 years, or an average of $21,000,000 annually. Certainly no real progress could be made by the War Department in supplying the Army with modern armament and equipment with this small amount.

[Here the gavel fell.]

Mr. SNYDER. Mr. Speaker, I yield the gentleman 5 additional minutes.

Mr. STARNES of Alabama. I have these additional recommendations that I wish to make for the consideration of my colleagues and for the War Department. I think if these recommendations are seriously considered, improved upon, and adopted, we can obtain maximum results from the expenditure of the funds; and you can have an adequate national defense with a reduction in the moneys being spent for certain items at the present time.

We have in this country something like 250 Army posts. Many of them were established in pre-Revolutionary War days, many of them during the War between the States, and many of them during the Indian wars. Many of them have outlived their usefulness from a military standpoint. They may be of rich, historic significance to the Nation and to the communities concerned, but insofar as their practical military value is concerned they are draw-backs rather than of assistance to the armed forces. Many of them have only a few acres. Many of them are located now in the hearts of metropolitan areas where they can have no military or strategic value whatever.

I know that I am treading on dangerous ground here, because I am getting into the field where practical politics sometimes transcends our interest in national defense, and I know our chambers of commerce and State legislatures and communities will exert pressure upon the War Department and upon Members of Congress to retain Army posts which have absolutely no military value whatsoever.

Mr. ENGEL. Mr. Speaker, will the gentleman yield?

Mr. STARNES of Alabama. Yes.

Mr. ENGEL. Three years ago I called the attention of General Craig, then Chief of Staff, to the facts the gentleman is reciting. He told me that he had attempted to abolish several of these posts, but he said that the political pressure, including pressure from the Congress, was so great that he was compelled to cancel the order. So he canceled the order for their abolition.

Mr. STARNES of Alabama. Exactly right. I think the time has come when we ought to subordinate politics to national defense. [Applause.]

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. STARNES of Alabama. Yes.

Mr. KNUTSON. That would apply to all branches of the Government, I suppose.

Mr. STARNES of Alabama. Oh, yes, indeed; and to all political parties. I think we might well reduce this number of posts to not more than 75 to 100. We are willing to leave the number and location of those to be abolished or abandoned to the considered judgment of the War Department. It is very expensive to maintain these establishments. Some of these posts could be easily converted into national museums, and some of them could be easily converted into State, city, or national park areas. In certain areas where there is sufficient acreage on posts to train the National Guard and other civilian components, I would say let us keep those on a caretaker basis and, during the summer months, when we are training civilian components we can send training cadres of the Regular Army into those areas to help train the reservists and the National Guard. These recommendations would effect a substantial reduction in the expenses for the War Department and at the same time facilitate the handling and training of larger bodies of troops in regimental and divisional posts.

Mr. PIERCE. Mr. Speaker, will the gentleman yield?

Mr. STARNES of Alabama. Yes.

Mr. PIERCE. Did the gentleman state how many there are?

Mr. STARNES of Alabama. I think 253.

Mr. PIERCE. And the gentleman thinks we could well abolish 75 percent of them?

Mr. STARNES of Alabama. Yes, easily, without any detriment to training. In fact, it would enhance the value of training, if we did it.

Mr. FITZPATRICK. Mr. Speaker, will the gentleman yield?

Mr. STARNES of Alabama. Yes.

Mr. FITZPATRICK. They abolished Fort Schuyler in my district a few years ago. I favored it. They built a merchant-marine academy on the ground, and they are doing fine work today, turning out fine seamen.

Mr. STARNES of Alabama. I thank the gentleman.

Mr. TERRY. Mr. Speaker, will the gentleman yield?

Mr. STARNES of Alabama. Yes.

Mr. TERRY. For an observation. While the gentleman is on the search for ways and means of reducing the current expenses of the Army and the construction cost, I would like to have his comments on the question of the large construction costs of barracks and other buildings that the Government has been erecting at the various airports and posts of the country.

I know that our distinguished colleague, the gentleman from Michigan, [Mr. ENGEL], went very thoroughly into the question of the costs of construction work, and I have a very decided opinion that the Quartermaster Corps in the War Department could very materially reduce the cost of all construction work if they would use the construction that is used in ordinary civilian life, and not try to put up buildings that will last for a thousand years. That is one thing that has been ably brought out by our friend from Michigan, and it is something that the War Department should go into thoroughly at this time.

Mr. STARNES of Alabama. I thank the gentleman. I was coming to that point, and I pay tribute to the energy, the resourcefulness, the patriotism, and the sound judgment of our colleague, the gentleman from Michigan [Mr. ENGEL]. Mr. ENGEL has made a study of construction work and costs, and is perhaps better prepared to discuss that angle than any Member of Congress, but I did have a recommendation along that line I desire to bring to your attention at this time.

Mr. ENGEL. Mr. Speaker, will the gentleman yield?

Mr. STARNES of Alabama. Yes.

Mr. ENGEL. To say that the War Department have revised the Army construction program in the last year and have done so at considerable saving. They are building semidetached houses, row houses, and apartment houses instead of detached houses, and I think the cost will be cut anywhere from 10 to 20 percent.

Mr. ANDREWS. Mr. Speaker, will the gentleman yield?

Mr. STARNES of Alabama. Yes.

Mr. ANDREWS. I refer to amendment No. 117, which has to do with the emergency fund for the President, and I call the gentleman's attention to the fact that when the House Military Committee agreed to the bill in authorization of this subject, a proviso, which was unanimously agreed to in committee, and unanimously adopted in the House, provided that an accounting should be kept of all expenditures made or authorized thereunder and report thereon should be submitted to the Congress at each subsequent regular or special session. I notice that the conferees have left the provision in that respect the way it appeared in the Senate bill. Was any discussion held on that point?

Mr. STARNES of Alabama. None.

Mr. BROOKS. In reference to mechanical equipment in the Army, has there been any increase in the funds to be allotted for that in this bill?

Mr. STARNES of Alabama. Yes. There is an increased amount in this bill for that purpose.

Mr. BROOKS. In November last year, toward the end of the session, I placed in the RECORD figures on the need, for instance, of motorized equipment, showing at that time that the Army needed an additional $63,000,000 immediately for motorizing the Army, or at least parts of it. The figure now is greatly in excess of that sum. This bill will go toward that amount, will it not?

Mr. STARNES of Alabama. Yes. This bill provides funds to completely motorize the Army.

Mr. ANDREWS. Will the gentleman yield further?

Mr. STARNES of Alabama. I yield.

Mr. ANDREWS. Does not the gentleman believe if the House authorization bill is approved by the Senate, requiring these reports to come from the President at the beginning of each session, it would supersede the provisions of this bill?

Mr. STARNES of Alabama. Probably so.

The second recommendation I have to make concerns field-training exercises. We have just concluded the largest peacetime training exercises in the history of the Nation in Louisiana and Texas. The lessons learned there were of inestimable value to the country. General Marshall stated that there was no method of computing the value of the lessons learned by the Army, first, in improving methods of transportation and coordinating the various branches of the service; second, in giving the general officers and their staffs an opportunity to command large bodies of troops; and, third, the savings in time, money, and in lives that this training afforded when applied to an actual emergency.

[Here the gavel fell.]

Mr. POWERS. Mr. Speaker, I yield the gentleman an additional 5 minutes.

Mr. STARNES of Alabama. Undoubtedly we should continue this field-training program. The ultimate of all training for armed forces is combat efficiency in the field. Unless all training points that way it is of no value. Each year the general officers of the Army and their staffs should have an opportunity to work out problems in the field. We have had a paper army and we have had map problems all too long. We have had too many theoretical war exercises. It is absolutely essential for the command and staff to have actual experience in the handling of troops on the ground and in the field, under conditions as nearly as possible simulating those of war conditions in order that they may get the best results from their training.

Now I come to the question of construction and construction costs. The gentleman from Michigan [Mr. ENGEL] has made a study of this question and undoubtedly the studies and recommendations he has made have already resulted in a reduction of the cost for construction of barracks, quarters, and other buildings in the Army. His is a valuable contribution. I think in order to further this program we should transfer from the Quartermaster Corps to the Engineer Corps the construction of quarters, barracks, and other buildings and their maintenance, in order to place such work in the hands of trained and skilled men.

Mr. ENGEL. Mr. Speaker, will the gentleman yield?

Mr. STARNES of Alabama. I yield.

Mr. ENGEL. I agree with the gentleman absolutely, and I made that recommendation a year ago. You will recall that during the World War, when it came down to actual service in France the Quartermaster Corps had all it could do to supply the Army with the clothing and necessities of the Army. When they got down to building docks at Bordeaux and other places, the engineers had to take over the construction of those docks in wartime.

Mr. STARNES of Alabama. And they did a magnificent job.

Mr. ENGEL. I further believe that the construction work is splendid training for the young men in the Engineer Corps, which they can take advantage of in time of war. I heartily agree with the gentleman that it should be transferred to the Engineer Corps.

Mr. STARNES of Alabama. I thank the gentleman. The engineers have always done a magnificent job on rivers and harbors and flood-control work. You give them an opportunity to handle the construction and maintenance of barracks and quarters and other buildings in the Army and they will do an efficient and economical job. The country has complete confidence in the ability and efficiency of the Corps of Engineers.

Mr. MASSINGALE. Mr. Speaker, will the gentleman yield?

Mr. STARNES of Alabama. I will be glad to yield.

Mr. MASSINGALE. I would like to hear the gentleman give his opinion on the ability of the Army at this time to put into the field modern effectively armed and equipped motorized troops.

Mr. STARNES of Alabama. We have the best and most efficient peacetime army in the history of our Nation. We have the largest peacetime army in the history of our Nation. The morale and equipment is superior to any peacetime force we have ever possessed. Incorporating lessons learned from the present conflict, we have the finest air force in the world so far as quality and performance of personnel and material is concerned. With the money provided by this bill we can put a million men in the field completely equipped with modern arms and equipment. How soon this can be accomplished depends upon how quickly business and industry can furnish us with certain items.

Mr. MASSINGALE. Have we as much as a division now ready, completely motorized, that we could throw into action?

Mr. STARNES of Alabama. Oh, yes. As a result of the money heretofore made available I think we have some five divisions, as I recall, that have been completely organized and equipped.

The funds provided in this bill will give the War Department all equipment necessary, as I stated a moment ago, for the protective mobilization plan.

Mr. MASSINGALE. I am glad to hear the gentleman say that.

Mr. STARNES of Alabama. It will take from a year to a year and a half to manufacture the antiaircraft artillery and heavy ordnance we need, also to provide the number of automatic weapons that will be necessary, but the money is now available for this purpose. The Army is not manufacturing all those guns itself, but is calling to its aid private business and industry.

Mr. MASSINGALE. Mr. Speaker, will the gentleman yield further?

Mr. STARNES of Alabama. I yield.

Mr. MASSINGALE. Newspapers and periodicals generally state that we have an inferior Army rifle and give the impression that we are using now the old antiquated Springfield rifle we fellows used to use in Florida in 1898. What is the present situation with respect to rifles?

Mr. STARNES of Alabama. The present Springfield rifle is the 1903 model; and insofar as a single-shot rifle is concerned, as we laymen call them, it is the best rifle of its type and character in the world.

[Here the gavel fell.]

Mr. POWERS. Mr. Speaker, I yield 5 additional minutes to the gentleman from Alabama.

Mr. STARNES of Alabama. Concerning automatic weapons, there has been some controversy with reference to the merits and demerits of the Garand rifle as compared with the Johnson semiautomatic rifle. Exhaustive tests have been made as between the merits and demerits of these 2 rifles. It is the considered judgment of the Ordnance Department made by men who have spent their lives in a study of ordnance equipment that the Garand is best adapted for military purposes. There are some excellent features about the Johnson rifle. Mr. Johnson has offered his rifle to the American Army for exhaustive tests. He has also offered it to the English Army. He has been to England and tests have been conducted there, so I have been informed. If it is such a superior weapon, as some contend, it is more than passing strange that neither the Army of the United States nor the English Army were sold on the idea. The War Department has said that the Garand is the superior military weapon and we have provided funds in the past, and in this bill, to completely equip the initial protective force with weapons of this kind. They are being manufactured in the Springfield Arsenal, and a contract has also been let to the Winchester Arms Co., if I recall correctly, to manufacture 65,000. Further bids from private concerns will likely be invited to expedite the program.

The final recommendation I have to make is this: One of the most-discussed agencies of the Federal Government during the past 5 years has been T. V. A. One of the chief criticisms of T. V. A. has been that there has not been the close coordination and cooperation we should have had between that agency and the War Department. Its legislation has been handled by the Committee on Military Affairs of the House. It is an adjunct of the national defense—at least theoretically.

In the area through which this magnificent stream flows there is a wider variety of minerals than you will find in any other place on the globe. We are producing there almost unlimited power at Government expense which should be made available at this time to the Government of the United States in aid of the national defense.

Mr. SPARKMAN. Mr. Speaker, will the gentleman yield?

Mr. STARNES of Alabama. I yield.

Mr. SPARKMAN. I wonder if the gentleman would not also call to the attention of the House the fact that during the World War the United States Government built at Muscle Shoals great war-munition plants and that at least one of those buildings worth millions of dollars and several thousand acres of land have been lying idle ever since. Surely in this defense program they should be utilized.

Mr. STARNES of Alabama. I agree with the gentleman.

Mr. ANDERSON of Missouri. Mr. Speaker, will the gentleman yield?

Mr. STARNES of Alabama. I yield.

Mr. ANDERSON of Missouri. Does the bill carry any item for housing?

Mr. STARNES of Alabama. Some housing is provided for, yes; but the most of the money for housing is for repairs. Some construction is provided in Alaska, Hawaii, and southwestern and western posts in the continental United States.

Mr. ANDERSON of Missouri. I take it, then, the bill contains nothing for Jefferson Barracks.

Mr. STARNES of Alabama. I believe that is correct.

Mr. Speaker, getting further into this program of national defense, insofar as T. V. A. is concerned, if you examine the resources in the seven Southeastern States in the T. V. A. area you will find the power is there, the minerals are there. With all these resources at our command, there should be the closest cooperation between the directors of T. V. A. and the General Staff of the War Department in utilizing this area for the national defense. To enumerate some of the minerals and metals, we have coal, limestone, bauxite, deposits of manganese, phosphate, and many other minerals and metals that could be well adapted for use in national defense. Cotton and grains are produced in an abundance. There is livestock and forest products to further implement the national-defense program.

The Army, years before the T. V. A. ever came into being, recommended the Muscle Shoals site as one of the best in the whole Union for the location of the Chemical Warfare Service plant. The whole Tennessee Valley area is more nearly invulnerable from attack than any other section of America.

In addition to the marvelous peacetime program of the T. V. A. in providing for navigation, flood control, reforestation, cheaper fertilizer, and the production of power, let us adapt its resources and facilities in the promotion of an adequate and efficient national defense. In so doing, it will doubly justify its existence. No other agency of our Government has a better opportunity to prove its worth in war or peace. God grant that our efforts here will assure the safety and security of our people and their institutions without the necessity of bloodshed and carnage. [Applause.]

[Here the gavel fell.]

Mr. SNYDER. Mr. Speaker, I yield 30 minutes to the gentleman from Mississippi [Mr. COLLINS].

Mr. SMITH of Connecticut. Mr. Speaker, I make the point of order there is not a quorum present. This is a very important conference report and I think the gentleman deserves to have a quorum present.

The SPEAKER (Mr. COLE of Maryland). The Chair will count.

Mr. SMITH of Connecticut. Mr. Speaker, I withdraw the point of order.

Mr. STARNES of Alabama. Will the gentleman yield?

Mr. COLLINS. I yield to the gentleman from Alabama.

Mr. STARNES of Alabama. I ask unanimous consent to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama [Mr. STARNES]?

There was no objection.

Mr. MASSINGALE. Mr. Speaker, I make the point of order that a quorum is not present, and I do this because of the fact that I understand the gentleman from Mississippi is possessed of a great deal of valuable information that he can give the Members of the House. I want to hear him and I am sure other Members would like to hear him, therefore I make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count. (After counting.) One hundred and twenty Members are present, not a quorum.

Mr. SNYDER. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 146]

Allen, Ill.	Crowe	Keller	O'Toole
Ball	Crowther	Kelly	Reed, Ill.
Barden, N. C.	Darden, Va.	Kennedy, Md.	Risk
Barton, N. Y.	Darrow	Kerr	Ryan
Bates, Ky.	Douglas	Lambertson	Sacks
Bates, Mass.	Drewry	Lea	Satterfield
Bell	Durham	Lemke	Schaefer, Ill.
Bolles	Eaton	McArdle	Seger
Bolton	Edmiston	McGranery	Shanley
Boren	Evans	McGregor	Shannon
Bradley, Pa.	Fish	McLean	Sheridan
Brewster	Flaherty	Maas	Smith, Ill.
Buck	Flannagan	Magnuson	Smith, W. Va.
Bulwinkle	Folger	Marcantonio	Steagall
Burch	Gamble	Mason	Sweeney
Burdick	Green	May	Tolan
Burgin	Hope	Merritt	Wadsworth
Byron	Houston	Miller	Ward
Camp	Jarman	Mitchell	Warren
Casey, Mass.	Jarrett	Monkiewicz	Welch
Clark	Jenks, N. H.	Monroney	White, Ohio
Cluett	Johnson, W. Va.	Myers	Winter
Cooley	Jones, Tex.	O'Leary	
Creal	Kee	Osmers	

The SPEAKER pro tempore. Three hundred and thirty-seven Members have answered to their names. A quorum is present.

On motion of Mr. SNYDER, further proceedings under the call were dispensed with.

Mr. COLLINS. Mr. Speaker, I shall be forced to decline to be interrupted because I am going to have barely enough time to finish this speech, the subject of which is Preparation for a 1940 War by an Industrial Nation Should Not Follow the Technique of 100 Years Ago.

The Constitution of the United States imposes upon Congress the duty to "provide for the common defense" and "to raise and support Armies" and "to provide and maintain a Navy." These grants of power impose upon the Congress and its individual Members a duty to do something more than acquiesce in the mere recommendations of officers of the Army and the Navy. Appropriations of more than $5,565,000,000 will be made by Congress for the Army and the Navy for the fiscal years 1940 and 1941 and nearly four billions of these dollars have been appropriated by this Congress. Other appropriations will follow soon or later on during this year. I have voted for the appropriations already made and will doubtless vote for those that have not yet been considered. Nevertheless, I consider it my duty and yours to have some say about the expenditure of this money and to endeavor as best we can to direct the spending along lines of worth-while military preparedness.

I shall, in the time given me today, outline some of the thoughts which I know are right about modern military preparation for war.

The lowliest male, impelled to rob a bank or sack a dwelling, could safely be expected to use common sense when committing such an act. If he equipped himself with a horse, a single-shot rifle, and some ammunition, and undertook the job, grave doubts would be entertained for his sanity. However, if he provided himself with an armored car, a bullet-proof vest, and a fast-firing machine gun, it would be correctly supposed he had given some thought to his task in hand. Indeed, if I were inclined to send forth some young man on such a perilous undertaking—which I am not—I would reasonably expect him to possess rapid means of locomotion and an amount of modern armament designed to give him a fair chance of achieving success and coming off with a complete hide.

Now, the same sort of logic appeals to me in the event I am obliged to send my own 20-year-old son forth to do active military service on behalf of our country. I would shudder every night he was in the field if I knew he was protected only by khaki, carried an ordinary army rifle, and had to walk 80 percent of the time, or ride a horse. Yet that is the fate that awaits our sons today if this country goes to war and the running of the conflict is turned over to the War Department as heretofore constituted. I fervently hope a changed attitude prevails there now.

Do not think that our sons are not going to be called into conflict. The plans of the War Department, even at this moment, I regret to say, are mainly dependent upon manpower. The main clamor today, as in the past, is for men and still more men. Successive Congresses have jacked up the total number of men in our standing Army and in our National Guard and other civilian components; and this bill and the one yet to come raises the Regular Army officer and enlisted strength by more than 140,000 men. And the M-day mobilization plans call for an army of several million men shortly after the next war breaks out.

For many years as member, including 4 years as chairman, of the Military Appropriations Subcommittee, I have delved into Army-appropriation measures in the House of Representatives. During that time I have been obliged to deal, more often than otherwise, with a dominating element in the War Department, usually the older men, seemingly wholly averse to progress. This element was oblivious to what was being done abroad. It thought of military strength almost wholly in terms of men, and it was content with their command by superannuated officers; and it was only through legislation that a part of these over-age officers were eliminated. Others will go as a result of the bill passed during this session.

I urged motorization, mechanization, and aviation. I stressed to the utmost the need for speed and more speed in aviation and in ground transportation. I worked for more fire power rather than for additional man power. A proper balance as between personnel and matériel is essential, if we are not to find ourselves ready to fight the next war with antiquated and worked-over World War left-overs. As a result of legislative efforts the Army now has the flying fortress, the rubber-tired adapter on our field artillery pieces, and the modified Christie tank; and appropriations have been made to buy Garand rifles—which I hope are workable—to replace the old Springfields. Goodness knows what we can do with World War left-overs in a war like the one now going on in Europe. The $200,000,000 worth of saddles and bridles that the War Department had left over are still in our midst and can only be used in a wild-west show or a Fort Myer society circus—not in a modern war.

In short, it has been my stated objective to assist in working out a program for a modernly implemented Military Establishment, adequately manned and officered, complete and

balanced in all respects. In addition this establishment should possess reserves of personnel of field-duty age and modern matériel deemed sufficient to meet any reasonable demands in the event of hostilities, until replenishment and augmentation could be effected through the Nation's reservoirs. This has always been my policy.

Any other plans, such as those depending upon mere numbers of men, are so much nonsense. In the first place, all that could be done with large numbers of mobilized men would be to arm a few of them with out-of-date rifles. And, strange as it may seem to aging generals, the war going on in Europe has not been a rifle war. The cream of the crop of manpower would be called up and enlisted at the outbreak of the struggle and they would be the ones who would go into battle equipped the worst. It is an admitted fact that there exists a distinct lack of modern tanks, combat cars, and modern mechanized weapons. And after the flower of our youth had laid down their lives, and if the war lasted long enough, we might ultimately get around to equipping our armed forces with something like what a sensible bandit would use if he were only going to rob a filling station.

Up to now the desire of the War Department has been for men and still more men. Let us pray that those in charge today possess the courage and the wisdom to forget the obsolete idea of the power of numbers and begin to plan to fight according to the 1940 model.

Men without the equipment for fighting modern battles are very sorry objects. The modern fighting machine is measured in terms of its fire power, or ability to discharge explosives and throw projectiles, including gas, just as the modern machine is measured in terms of horsepower. We would think very little of the latest streamlined automobile if it had a motor with only one cylinder, even though it was all nicely decorated with fresh paint, had a radio that played, and carried a lot of flags and insignia of rank. Similarly, I think very little of an army implemented with rifles, no matter how well its blue uniforms fit and no matter how well it can execute the ceremonies of the parade ground. Ziegfeld could have taught an army like that much better than the ordinary Army officer, for he knew more about it. Further, I cannot imagine anything more tragic than nicely trained marching men in front of machine-gun fire, much less 60-ton armored tanks, flame-throwing land battleships, and diving airplanes. China, Poland, Denmark, Norway, Holland, and Belgium were some of the nations that prepared for war according to the obsolete 1914 plans.

It has been asserted over and over again that our Army is negligible in size, even ridiculously small. As a matter of truth, it is an organization of considerable proportions:

First. The Regular Army will soon be composed of 375,000 men, 13,831 officers, 6,170 Reserve officers on active duty, and 308 retired officers called back to active duty.

Second. The National Guard is an exceedingly fine organization with 251,000 officers and men.

Third. R. O. T. C. trainees in colleges and universities are admittedly upstanding young men. In the event of war this will be the source from which officers must come. There are percent turn-over in these trainees.

Fourth. Eligible Reserve officers number 103,000, while the ineligible Reserve officers are about 15,000. The ineligibles are generally the ones who have not pursued their studies for the last 5 years.

Fifth. The Citizens Military Training Corps are trained each year and the number trained annually is around 37,500. It is impossible to compute the total number of young men of this type that have been trained, for there is about a 50-percent turn-over in these trainees.

Sixth. There are 10,211 cadets in the 55 C schools. The cadet corps in the schools of the District of Columbia belongs to this group.

These outfits number more than 938,000 officers and men, which shows that we have a military establishment of reasonable size. Our weakness, as was the weakness of China, Poland, Holland, and those nations that recently have lost in war, is not the weakness of numerical strength; it is the weakness of inadequate weapons. Too many pay envelopes always mean inadequate and obsolete weapons. It is axiomatic that an army that stresses manpower will be deficient in fire power; and it is fire power that wins wars.

This devotion to the god of manpower creates more than a mere deficiency in equipment. It puts a premium on age. It makes it possible for the elderly majors and colonels to get along in the service. A graying and rheumatic major or colonel is out of place in a fast-moving, mechanized, armored-striking force equipped with the very latest automatic weapons. There is no room for blue uniforms or white collars in such an outfit either. It is a place for young, inventive, active "grease balls," dressed in overalls and not in gaudy uniforms.

A manpower army, besides lacking fire power and modern methods, is also deficient in another respect; it lacks the most vital attributes of a successful fighting force, mobility and surprise. These are two factors that are paramount in armed conflict today, and always. To get them an army must be broken into relatively cohesive units. It must also possess the fastest means of transportation available; and, in addition, it must be able to go into battle with protection of armor against the type of weapons it will have to face. It will not be a white-collar war but one using the latest machinery and new and unheard-of devices to inflict casualties upon its adversary. Marching men do not frighten anyone in this day and age. They are only targets, helpless and confused, fit for slaughter.

Let us not hark back to the teachings of a hundred years ago and assemble multitudes of young men trained to "fours right" and "fours left" with equipment that should have been junked many years ago. Instead let us train these young men to be scientists, chemists, mechanics, and skilled workers in order to bring into being modern war weapons that will inflict the maximum of death and destruction upon the enemy and at the same time save the lives of our own fighting forces. However well intentioned are these persons who are advocating universal training, their preachments, if put into effect, would deny military security to this land of ours. They want us to copy the practices of the losers in this war. As much as I dislike Hitler and his philosophy of government, this civilian has put machinery into warfare, and it is machinery that is gaining ground on the western front. It is machinery that destroyed Holland in 5 days, Poland in a week, and Belgium in 2 weeks. It is machinery that won the Battle of Flanders, which will go down in history as the greatest defeat of all time. It is machinery that is raining desolation and death on the French and British Armies today. It is machinery that every man in France and Great Britain is praying for. More men for parade-ground training? No! It is planes, big and little tanks, flame-throwing land battleships, and the devices of the ingenious and the scientific that we need. Our country is the foremost industrial nation in the world. Why should we have universal military training? That is the military technique of nations that are far inferior to us in scientific and industrial standards. We can gain nothing by following their practices. Our supreme need is trained artisans, chemists, machinists, and industrial workers to produce in vastly increased numbers modern war machines. These cannot be manufactured for a year or more and men can be given only makeshift training until they are created.

It is obvious that our military preparations should not merely follow what the present pacesetter in Europe is doing. To arrive at even that advanced state would get us no further than to a position which would be continuously subordinate to him. Our preparation must give evidence of inclination and capacity to do more than merely struggle up to the standards and achievements set by the German Army. Our congressional and military leadership must so develop in mental and physical capacity that it creates and brings into being a military force of such war initiative and foresight that it is superior to our potential enemies. It is not a question of becoming "as good as." It must be "better than." Anything else is, of course, an absolute waste of money.

This means that in air power, in mechanization, and in ability to fight generally, we must immediately streamline our methods of thought. We must shake our brains out of their peacetime corner-grocery ideas and get them attuned to what war will really mean for us if we plan to be successful. A mere handful of combat airplanes or tanks will simply be lost in the first clash, with the result that we will be forced back to unarmed manpower and the battle-ax cannon-fodder system with which we are so familiar, and for which, I know, there is a sneaking desire on the part of a good many military men who have been raised on the mass-army principle. It is obvious that we cannot have our cake and eat it, too, in this matter any more than in the other affairs of life. If we are going to have a tremendous air force and sufficient mechanized divisions to be worth while, we cannot pay, equip, and take care of a tremendous mass of infantry; neither can we provide more than about one-sixth of the field artillery necessary to protect these infantrymen if we are fortunate enough ever to get them into a battle position. The targets presented by such masses would simply be meat for the other fellow's fast-moving air and mechanized elements.

Our general staff has announced for years that trench warfare was obsolete, but we have failed to modernize either the Army or our military thinking to conform to this doctrine. A small tank force would of a certainty be soon overcome and we would be right back in the trenches again.

It is a paradox that the nations with the biggest air forces maintain the biggest infantry armies, and consequently, the largest armament establishments. This fact makes their military efforts more susceptible to paralysis since they provide targets for air units, and in the air the offensive is as superior to the defensive as it is inferior on land.

It is not sufficient that armies become motorized. It is also necessary that they become bulletproof. The vehicles in which they move must be armored. We have to have armored mobility.

MECHANIZATION

We should aim at nothing less than 25 mechanized divisions of about 9,000 men to the division. This is probably the easiest part of a program to get through industry because of our tremendous automobile plant capacity. Mechanized divisions must be of various types and their tanks must range from the light to the heavy types. Those with the light types will possess but little armor protection. Their object is accomplished by what may be termed concentrated diversion so that no targets are presented or only fleeting ones. Those divisions with heavy types, where the armor of the tanks is capable of standing up against the normal antitank gun now handled by mass infantry, will require actual artillery, not antitank guns, to stop them.

Division motorized vehicles for light infantry must be provided. By light infantry is meant real sharpshooters, and in comparatively small numbers, armed with the best of rifles. They are men who will present almost no target but who will be able to hit the smallest whenever they do use their weapons. Machine guns for these forces should be on low, small, armored cars operated by not more than two men. The Air Corps has provided a fine example in having one man operate the pursuit airplane and be its pilot, crew, gunner, and bomber. In other parts of the Army we are inclined to the greatest waste of men.

The tremendous value of mechanized units is being amply proved in the land warfare abroad. Lightning warfare, of the type we are now seeing so powerfully executed abroad, is dependent, first of all, on highly mobile armored columns which cut themselves loose from supply systems as we have normally understood them and which break down resistance from the rear in a way new to warfare.

AIR

As far as the development of air forces is concerned, it is obvious that they must be of three types.

First, large bombing units capable of acting with or without the Navy and preventing the transport of enemy armies to this continent and of destroying hostile air bases within the range of this hemisphere. Suitable bombers must, of course, be provided for acting against enemy establishments in the rear of the enemy's mobile forces and for the attack of industrial areas. All of these bombers should be of the heavy type; but to provide them in the necessary quantities there must be a great reduction in their individual cost with a consequent curtailment of many of the very fine gadgets now provided. It is an obvious waste to build bombers expected to last through 3 wars; it is only possible to get ready for the next war. [Applause.]

Second, we must provide the necessary air power to do the advance attacking for our ground units, motorized, mechanized, and so forth. Here, medium and light bombers are essential, as well as dive bombers, and planes designed for low-flying strafing of the type known as the attack airplane. The American Army led the attack development but has recently abandoned it. The hordes of airplanes used by the Germans to advance their attack have been of the low-flying type or dive bombers. Both types have their uses; but the dive bomber requires a much more expensive airplane and a better-trained pilot. It is probable that the German use of them on such a large scale has been partly due to the lack of sufficient bomb sights such as we possess. The low-flying airplane is much more difficult to hit with antiaircraft fire than the plane that flies at medium altitude, provided, of course, that sufficient speed is built into it. It is understood that our Army abandoned this type largely because of certain failures in it in the Japanese-Chinese war. However, the planes used by the Chinese in China were old-type, lumbering crates, far inferior to what can now be produced.

Third, pursuit planes of the interceptor type, designed for action against enemy planes of all types but particularly against bombers are necessary. A second type of pursuit plane must be provided with sufficient range to accompany the heavy bombers and protect them while they accomplish their missions. In Finland it was the custom for the Finnish pursuit to wait until the short-range Russian pursuit turned back and then attack and very often destroy the Russian bombers.

AIRPLANES AND AIR FORCES

In my opinion, the greatest balanced program—pilots, landing fields, training equipment, and so forth—which can reasonably be hoped for in this country would be one calling for a redoubling of the present program in the next 18 months—that is, some 10,000 to 20,000 combat airplanes with pilots and equipment to make them available for action. While this is far short of the President's 50,000 planes a year—provided he meant fighting planes—I believe it is a practicable, although still a difficult, figure to shoot at. A problem will be trained pilots. Another big obstacle will be in the skilled labor necessary, but some of this could be drafted from the automobile industry; and the National Youth Administration, with increased appropriations and an enlarged, less restricted program, can train the youth of the country in the mechanical and industrial arts.

Some sort of general coordinating agency must be set up to provide a sort of czar for the entire airplane industry. The Matériel Division of the Army Air Corps at Dayton has the necessary brains and information and could well be utilized for the coordinating agency if there were placed above it a committee of the very best businessmen obtainable, with knowledge of the airplane industry.

Our military air bases should be provided with multiple runways so that the planes kept at them would have an opportunity to get into the air if the base is attacked by a foreign force. As now constructed, sufficient runways do not exist to enable the planes to get off the ground in the event of such an emergency. It was lack of runways that kept many Polish airplanes on the ground while they were destroyed by German bombers.

RESEARCH AND DEVELOPMENT

The military and naval research and development organizations should be largely increased and should be augmented by the employment of many civilians who are in touch with military-scientific lines of thought. This is especially true of the Ordnance Department, the Signal Corps, the Chemical

Warfare Service, and the Air Corps. The civilian element injected into these organizations should be of sufficient standing to influence greatly both the line of research and the decisions arrived at by the various technical committees.

Our observers with all of the warring countries should be greatly increased in numbers. The increase should not come entirely from the Infantry, Cavalry, and Field Artillery but also from the technical branches of the Army and from technicians in civil life. At the present time practically all of our observers and military attachés are from the line branches, although any progress in the provision of new weapons or military devices must be studied and tested by the technical services, and, as a general rule, the officers of those services are better educated to understand technical things.

CHEMICAL WARFARE

Although gas has not yet been used in this war, it must be remembered that it was one of the decisive factors in the Italo-Ethiopian campaign and that all combatants are prepared now to use it. It can be expected that it will be used without question when military conditions require it, although the Allies, being less well prepared in this direction than the Germans, are unquestionably loath to initiate its use. The longer such use is deferred, the greater will be its surprise value to that opponent who coordinates it with the other weapons in his war effort.

Fortunately, the United States is party to no international agreement not to use gas. Our chemical service is a legal and going part of our national-defense system; and the chemical industry of this country is so vast that our past preparations to utilize it should prove of material assistance if necessity arises.

GOVERNMENT PLANTS VERSUS CIVILIAN MANUFACTURING FACILITIES

Manufacturing of war supplies in Government plants should be limited to taking advantage of the facilities already existing at such plants. They should not be extended except where additional pilot plants are necessary. Not only should civilian industries be expanded for all military purposes but proper profits should be accorded to the manufacturers.

Army officers should direct their efforts toward preparation for warfare. They are not inventors, and they are very poor manufacturers. The sooner we realize their limitations and depend upon the inventive genius and the experimental abilities of trained civilians to provide new weapons of warfare and the ability of American manufacturers to produce in quantity and at a reasonable cost these implements of warfare the more secure will be the protection of the country from a foreign foe. Every weapon now in use by the Army should immediately be examined and investigated by industrialists to determine if in their present state they are capable of being manufactured in quantity production and at a reasonable cost. Any delay in ascertaining these facts may mean disaster if we are called on to face a major emergency.

TRAINING

No amount of weapons will be of value unless we have trained men to operate them and trained generals to direct the operations. It is obvious that the German victories have been the result of the closest coordination between air, mechanized units, and ground units. This training must utilize substitute vehicles in large numbers in place of the tanks and armored cars to be provided. No training with a handful of tanks subordinated to a great mass of marching troops can attune the minds of commanders to the kind of warfare which is winning battles today. We should take the men now in the service and train them with the substitute vehicles which I have mentioned. American armies have been trained with broomsticks on parade grounds in the past, and some such system is indicated now. They tell us it hardens youngsters but experience teaches that toughening their hides does not make them bulletproof.

The necessary communications facilities can be taken from civilian stocks. They won't be exactly right, but they will be plenty good enough.

Similarly, if sufficient Army airplanes are not available in the proper types, training and coordination can be had by utilizing civilian planes which are available in considerable numbers.

It is worse than useless to have the minds of our commanders attuned to the best of foot soldiers and to the forms of attack which did not get anywhere even in the last war. Calling a division "streamlined" does not make it so. I am fully aware that a very considerable number of men, infantry or what not, will be necessary for guard duty, to man antiaircraft guns, and many other things; but wars are no longer won by foot-slogging infantry. We have been miscalling infantry the "queen of battles" for too long a time.

New textbooks should be written immediately and placed in all service schools in the Army and in the military colleges; and many of those books that are now taught should be thrown out of the window for they teach wholly wrong ways of warfare. [Applause.] This is a matter that should not be longer delayed. Furthermore, all officers at service schools should be obliged to read the works of Douhet, Fuller, Hart, and other writers who have preached hitherto unorthodox military doctrines.

In this connection it should be repeated that if our Army is to be really efficient, we must wipe out the definite demarcation which now exists between branches of the service and we must organize our new units as parts of the Army—as task forces—and not as infantry, cavalry, chemical warfare, or what not. To remove these titles of certain vested interests will be almost impossible, but it can be done. Any unbiased observer can see the increased efficiency of the Navy over the Army that results from the fact that there is but one navy while we struggle to coordinate 14 or 15 armies.

I am one of those who still give high place in our scheme of military defense to the two oceans which isolate this hemisphere from other lands. The day has not yet come when we need to fear air raids from across the seas. Of course, there are foreign aircraft which can cross the Atlantic nonstop, but there is none that can cross the Atlantic and return without refueling. Furthermore, it must be borne in mind that foreign airplanes—by far the greater portion of them—are designed and built for missions not relatively far from national boundaries, for use against adjacent or practically adjacent powers. Their radius of action is designedly short. Fuel loads are cut down to make room for munitions. We have nothing to fear from such aircraft so long as they cannot base near our borders, and if our Navy as at present constituted cannot prevent that, it should be scrapped. I hardly think we should pause to consider attacks by airplanes launched from airplane carriers against our country. They are the most vulnerable of all navy surface craft, as they present the best air target. No sensible nation would permit one to come within striking distance of an enemy coastline unless it was prepared to sacrifice the ship and its aircraft. The sinking of the British carrier *Courageous* is a case that proves the correctness of this assertion. There is no reason, therefore, for us to become jittery and hysterical in carrying forward our program of preparedness. We must quit letting outmoded Army and Navy officers induce us to sink defense money in antiquated Army and Navy equipment. The people of the country are looking to us to supply new and modern weapons. The pay-off will come to us, as it has come to others, if we supply the wrong kind and base our preparation upon slingshot ideas and upon the theory of mere numbers. We can do our job and do it in an ordinary way and bring into fruition a military force capable of giving the country military protection if we will call into our deliberations men in the industrial and scientific fields and let them provide the implements we need, and then train our soldiers to the proper uses of these weapons. Only then can we give our country the protection that its geographical location, its scientific and industrial advancement, and enlightened public policies demand. [Applause.]

Mr. FITZPATRICK. Mr. Speaker, will the gentleman yield?

Mr. COLLINS. I yield to the gentleman from New York.

Mr. FITZPATRICK. I want to congratulate the gentleman. Nearly 10 years ago the gentleman advocated mechanized land

and air forces for the Army. At that time very few in the House agreed with him, and were prone to criticize him, but today all realize that the distinguished gentleman from Mississippi was right when he urged highly mobile armored forces for the Military Establishment, and I commend him for his foresight. [Applause.]

Mr. DONDERO and Mr. CURTIS asked and were given permission to extend their own remarks in the RECORD.

Mr. POWERS. Mr. Speaker, I yield the gentleman from South Dakota [Mr. CASE] such time as he may desire.

Mr. CASE of South Dakota. Mr. Speaker, the House very properly has listened thoughtfully to the remarks of the gentleman from Mississippi [Mr. COLLINS]. He has stated clearly that national defense today is not a mere matter of manpower and has prescribed for us a type of national defense which increases the importance of sound national health in industrial and economic life. Let no one think that the people of this country will hold guiltless those people who are responsible for our failure to be properly prepared in those directions today.

Surely no one can contend that a nation with an annual income twice that of Germany has any right to boast of its leadership in national-defense matters when we have improved our Military Establishment as little as we have while we have increased our national debt by twenty billions of dollars. Nor can anyone boast of industrial health when 9,000,000 workers look for jobs. Nor can anyone boast of healthy national life when people in high places protect from deportation aliens whose aims and purposes menace the American form of government. On these fronts—industrial, social, and economic—the United States is pathetically unprepared for a national crisis, and the responsibility rests with those who had unlimited power to make it otherwise.

Mr. Speaker, the bill before us, which seeks to improve our state of military preparedness, will be passed by an overwhelming vote. I doubt if one vote will be cast against it. We recognize that simple prudence calls for an attempt to do what should be done. But let no Member of this body mistake things put "on order" for things "on hand." Let us not mislead America into thinking that we are prepared to engage upon a course of military assistance abroad, whatever our sympathies may be. And let us remember that we cannot take steps short of war without walking in that direction.

We have a good Navy. It is not a two-ocean Navy. Let us not expose America to naval attacks on both oceans at the same time.

We have a good Army—what there is of it. On our desks is a request for more men. Let us not throw our trained men into situations where they may be reduced until we have more to take their places.

We have some good planes, what there are of them. But if the dollar signs in the bill before us mean anything, they mean that we need more planes on hand before we send very many back to a manufacturer or to anyone else. To sell what we can spare is well enough, only be sure we can spare them.

Mr. Speaker, this is my first year on the Military Appropriations Committee. I do not pretend to have a full knowledge of the state of our defenses. I have heard a great deal of testimony in our hearings and a great deal of off-record discussion. I am far from persuaded that we have men or many weapons to spare. Indeed, the fact that this bill comes before us today with three-quarters of a billion dollars added to the estimates of the Budget sent up last January is conclusive proof that our defenses are not adequate to meet the situation which the administration now thinks may confront us.

Mr. Speaker, they tell us that boys coming out of Norway and coming out of Flanders cried, "Why did we not have guns to stop those tanks?" and "Oh, if we only had had some planes." Mr. Speaker, I want no such cries coming from American boys. Come what may, I want no such cries ringing in my ears. I support, as I have supported, these appropriations to provide planes and to speed the improvement of our Military Establishment. My sympathies are where the sympathies of most Americans are today, but my duty and my responsibility as a Member of Congress makes me place first the fitness of America.

These things we can do; these things we must do:

First. We must continue to speed the production of essential arms and ammunition.

Second. We must utilize our natural ability and our native resources in the creation of machines that are competent to meet the machines of any enemy.

Third. We must clean house and root out the enemies of America who have been put into and protected in high places.

Fourth. We must set our house in order financially and economically, at home and abroad. We must seek that economic adjustment which alone will permit nations to live in peace.

Mr. Speaker, in times like these, men's deepest feelings express themselves in love of country. I recall your dramatic rendition of that passage from Bulwer-Lytton's Richelieu, the night we voted on the repeal of the Neutrality Act. Whatever may have been our differences of interpretation as to the meaning of that step, none failed to respond to the spirit of patriotism in Richelieu's words—

> "All things for France"—lo, my eternal maxim!
> The vital axle of the restless wheels
> That bear me on!
> Beyond the map of France my heart can travel not,
> But fills that limit to its farthest verge.

Today our thoughts are for America. This is a young country. Our great destiny lies ahead. Let us place first the fitness of America to do the tasks which are hers alone to do.

Mr. POWERS. Mr. Speaker, I yield such time as he may desire to the gentleman from Ohio [Mr. SMITH].

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Bucyrus (Ohio) Telegraph-Forum, and also to extend my remarks in the Appendix of the RECORD and include a prize essay on the Bill of Rights.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SNYDER. Mr. Speaker, I yield such time as he may desire to the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. MCCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by including therein a communication I have received from the department commander of the United American Veterans of Massachusetts.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. SNYDER. Mr. Speaker, I yield such time as he may desire to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Speaker, 8 years have elapsed during which I have served the good people of the Fifteenth Congressional District. Proud, indeed, am I of the opportunity and even more grateful. I was privileged to represent in the Congress the finest people resident within a great cosmopolitan district which is composed of every race, creed, and nationality, comprising in the aggregate an exemplary cross-section of genuine Americanism surpassed nowhere in the United States. To these generous citizens, I am perpetually indebted. Though I am proud of my district and the people who elect me, I want to be as modest as I can about my own record of service, about my ability, and the recognition which the membership of the House, through election to the Ways and Means Committee, has bestowed upon me.

Born and reared in the very district which I am privileged to represent, my beginning in life was most modest and obscure. As a barefooted boy I trod the streets and vacant areas of my bailiwick long before Detroit grew to its present size and corresponding recognized importance. Dynamic Detroit was less than one-sixth of its present size when I was born and not much bigger when I first hustled papers as a newsboy

on the prominent street corners of downtown Detroit in aiding my devoted parents.

The trail which ultimately led to congressional halls was a long and an arduous one, strewn with hardship, illness, and opposition. I planned, prayed, and prepared for my future on that recorded day of September 3, 1916, while recuperating from a long and severe illness, still confined to my hospital bed. I decided then and there that I would make my mark in the field of public service as a Representative in Congress within 20 years. In preparation, I studied the political philosophy of Theodore Roosevelt and the works of Woodrow Wilson's Political Economy and when 16 years later, in 1932, opportunity knocked at my door, I appealed to the citizens of the newly created Fifteenth District and pleaded for an opportunity to represent them in the Congress of the United States, a privilege which was generously accorded me.

I have tried ever so hard to justify the confidence and to please my constituency, although at times I could not satisfy the cross current of varied and complex opinion of all of my people on a particular question. I did my level best within my limited ability and today I invite the closest possible scrutiny of my record. Let us particularize. My devotion and legislative service to that great and patriotic element of citizens, the war veterans, for example stands as a shield against any and all attacks.

The legislative record will show that at all times I have voted and worked for the best interests of the distressed home owner and to establish and expand low-cost housing facilities. My position among the advocates of liberal old-age pensions for the deserving citizens placed me in the front ranks of the pioneers who even in the first year of my congressional service in 1933 were few in number and not very expressive. Mine was the first voice to be raised in behalf of liberalized pensions for widows and dependent children. The Dingell amendment to the social-security law now makes possible the payment of $40 per month per pensioner whenever the State will assume its share and pay one-half.

The great trade-union movement has acknowledged the fairness of my treatment and actions by written testimony and reciprocal support. The fight in behalf of the small-business man I have carried on relentlessly. In committee, on the floor, and even at the White House, I pleaded his cause.

A part of the record to which I point with pride and which speaks for itself is best known to that great and deserving element of our citizens in the employ of the Federal Government. To every branch of the loyal and devoted public service I am known for my good record, even if in rare instances I may not be known personally. The imposition of unfair and burdensome taxes I have opposed uncompromisingly, especially attempts to shift the tax burden to the shoulders of the average citizen or businessman who was least able to bear the load. Added luster may be discerned in my escutcheon when the record is examined for social and economic legislation. Every bill and every amendment to a law bearing upon the uplift of the needy, the aged, the crippled, orphaned, blind, or otherwise handicapped, the oppressed, the unemployed, and friendless I supported by voice, action, and vote.

The Work Projects Administration and the public-works program to relieve the unemployment of skilled and unskilled labor I consistently supported by every recognized device of fair parliamentary procedure which I could employ. My voice was the first in the Congress to be raised in behalf of the bank depositors. Toward the end that they should be paid in full, I have carried on the fight until a great majority have received payment and the claims of the remainder will be liquidated for a certainty and in due time.

Public improvements in the form of Federal buildings which I was able to obtain allocations for, in more than one instance, go beyond the borders of my own district. The more prominent buildings which were built or appropriated for and for which allocations were made at my insistence include the Roosevelt Park Station, the Northwestern Station, the Post Office Garage, the addition to the main Post Office Building, and several other and minor projects in this category. Through the Public Works Administration and the Work Projects Administration I was able to bring about the construction of the Western High School, the giant sewage disposal plant, and interceptor sewer. Fort Wayne, long neglected, has been rehabilitated and made a show place at an expenditure of approximately $1,500,000.

The total amount of expenditures covering the above-mentioned projects, exclusive of the high school, sewage plant, and Fort Wayne, built, appropriated for, and for which allocations were made amounts to approximately $3,155,450.

The completion of the long-delayed widening of important Michigan Avenue, which passes all the way through the heart of my district, was undeniably due to my obtaining the Federal funds for the purpose.

The accumulation of business awaiting disposition by the Federal Court of the Eastern District at Detroit, which was swamped, early came to my attention. Realizing the importance of prompt disposition of civil as well as criminal cases prompted my decision to break the log jam by providing the necessary judges to serve the needs of the court. I introduced several bills providing for the creation of district and circuit judgeships. In due time two Federal judges have been authorized by Congress, and the places, by Presidential appointment, filled by outstanding, able, and propublic lawyers. The third judicial position created following the introduction of my bill is that of a circuit judge for the sixth circuit at Cincinnati. It is of great importance to the people of Michigan and will likely be filled by the elevation of the best-qualified judge now on the Federal bench at Detroit. I acknowledge the wholehearted and active cooperation of Senator BROWN in the passage of two of the bills passed by the House, which were buttressed by companion bills bearing the Senator's name or having his most active support. Without his able and aggressive assistance the two latter bills could not have been passed.

My legislative activities were never confined to the limits of my own district. I have assumed leadership in the Great Lakes and St. Lawrence waterways proposals. I was privileged to lead the fight against the water diversion by the city of Chicago, which was unlawfully draining the Great Lakes, and to actually formulate the plan of strategy which brought about the defeat of the nefarious scheme. Improvement of the Detroit River was always my one great concern. In innumerable instances I was helpful or directly responsible for appropriations for engineering surveys or recommendations by the Rivers and Harbors Congress of certain projects which eventually brought about essential aid to the waterborne commerce so important to our growth and industry.

I will yield to no man in the Congress as to my record as regards the preservation of the purity of our rivers, lakes, and streams. The resolution which forms the basis of the antipollution program of the administration bore my name and was introduced after a conference with President Roosevelt. The sportsmen of Michigan and all lovers of the out-of-doors generally acknowledge my modest though consistent efforts in behalf of conservation of natural resources and the conservation and propagation of game and fish. I have been honored by the Speaker through appointment to the Select Committee on Conservation of Wildlife Resources, a place sought by every Member of the House.

The blind, the handicapped, the widows, and orphans, along with the aged who are of pensionable age were always close to my heart as the legislation was being considered by the Ways and Means Committee, of which I am a member. The unemployment-compensation provisions of the Social Security, the Wagner, and the Wage and Hour Acts were of special concern to me. The labor spokesmen generally recognize my efforts and cooperation in establishing these laws, extending their benefits and increasing the payments.

Constituted naturally as a lover of peace and anxious to promote amity among nations, and being uncompromisingly opposed to war, which I detest to the point of hatred, I nevertheless favor adequate national defense.

Accordingly I supported the President's rearmament program and have always been guided by the safe, sane, and

sound advice of the American Legion and other veteran organizations which advocate reasonable preparation to meet any eventuality and threat to our national security. There is no brassy ring to my record.

The most precious possession of citizenship which distinguishes the American from any other is the heritage of tolerance and respect for the other fellow's opinion. There has never been a time when I failed to respond in defense of an oppressed minority or failed to accept the challenge of a bigot or an intolerant boor.

My record, Mr. Speaker, whether in Congress or in private life, is like an open book. It is without blemish; it is clean and therefore unimpeachable. All efforts of political or scurrilous calumniators who would attempt to defile my good name will fail in their attempted defamation.

I may be poor in the accumulation of worldly goods which fortune at any time may snatch from me, but I am rich in the reputation which attaches to my name and which will survive the calumniators long after they are buried in the paupers' field of oblivion and are forgotten.

Mr. SNYDER. Mr. Speaker, I yield now to the gentleman from Oklahoma [Mr. JOHNSON].

Mr. JOHNSON of Oklahoma. Mr. Speaker, at the outset, I desire to join other Members in expressing my appreciation for the splendid, clear-cut, informative, and interesting address delivered on the subject of national defense by the distinguished gentleman from Mississippi [Mr. COLLINS]. I am sure that no man in either House of Congress has a greater wealth of information concerning national defense than the gentleman from Mississippi. [Applause.]

That fact is now conceded by those in a position to know. Even high Army officials who were bitter in their criticism of the gentleman from Mississippi and his views a few years ago, now thank him for his great contribution to the national-defense program. Several years ago, however, when the gentleman from Mississippi began demanding that the United States Army be mechanized, modernized, and taken completely out of the "horse and buggy" rut to which it had fallen there was much abuse and criticism heaped upon the gentleman from Mississippi by Army officials and the so-called military experts. Today these same critics rise up to call him blessed.

The gentleman from Mississippi has offered many wise and practical suggestions today. Some of those suggestions will be criticized by Army experts and others just as they criticized him 10 years ago. But he has done more to mechanize the Army and bring about the reasonably high degree of efficiency that it now enjoys, than any other Member of this Congress. [Applause.]

I am sure it is unnecessary for me to tell Members of this House that I am enthusiastically supporting the $1,500,000,000 defense bill as presented by the committee today. It presents a splendid program and the committee is to be complimented upon the speed with which it has brought this measure here for consideration. My only criticism would be that this was not done many months ago when the President pointed out the seriousness of world conditions and called on Congress to get its house in order from the standpoint of national defense.

As Members know who have read the afternoon papers, or who have seen the headlines, Mussolini has finally announced that Italy is in the war officially against the Allies. Of course, Italy has been in the war to all intents and purposes for several months. But now they are officially in, whatever that may mean. Now Mussolini and his hordes, by this official announcement, evidently feel they have unlimited license to kill and maim, destroy, pillage, rape, and murder.

Like a wild beast hiding in his lair to spring upon its innocent and helpless victim, this heartless and conscienceless dictator has been waiting for the zero hour to strike France and England. Yesterday's newspapers said that Mussolini would make certain demands upon France, and poor helpless France, with her back to the wall, had indicated that she might accede to most, if not all of those unreasonable demands. It seems that Italy's heartless and cowardly dictator was fearful lest France be willing to compromise any alleged differences or misunderstandings. But Mussolini wanted no compromise. He has been waiting day by day until that hour when he felt that France and England, with their backs to the wall, could not offer real resistance.

How inhuman, how intolerant, how unreasonable, how cowardly is this brutal dictator who is a menace to civilization. Yet, Mussolini is simply running true to form. His act today is in keeping with his life, his character, and dastardly deeds since he marched on Rome with a bunch of hoodlums and outlaws and demanded of the King that the Italian Government be handed over to him. What does this selfish, egotistical tyrant care for freedom, the principles of justice or the cause of liberty?

Back in 1927 I attended a peace conference in Paris as one of the several representatives from this Congress. After the closing of the conference I visited several countries of central Europe. While in Rome I had the privilege of hearing D'Annunzio, the famous war-lord poet who was then acting as spokesman of Mussolini. In addressing many thousands of Italian soldiers in Rome at that time D'Annunzio told those Italians how glorious it was to fight and die for Italy, provided of course Italy secured additional territory.

"Italy must expand or die and Italy will not die," said this old war lord, then advanced in years.

Then he went on to say that he did not know just where Italy would expand or what nations she would conquer nor what issue might provoke a war but he made it plain that Italy was in a mood to be provoked. "It is not difficult to find an issue when Italy is in such need of additional territory," he cried. "Possibly we should take Greece; the valleys and plains of Ethiopia are waiting for us and the fields are white unto harvest. Remember that Italy once owned part of what is now France and we must recoup our losses. We must control the Mediterranean," he shouted, "for Italy must expand or Italy will die, and I will tell you, brave men of Italy, that your country will not die."

Mr. KELLER. And America will not die.

Mr. JOHNSON of Oklahoma. I thank my good friend, the distinguished gentleman from Illinois. No, thank God, America will not die, neither will the ideals and principles of Americanism ever be banished from the face of the earth. [Applause.]

After that sojourn to Europe, I came back, spoke to fifty-odd high schools in my district, to our State university, and to many of the colleges in my State and predicted over and over again, "Italy is going to war. I haven't the slightest idea, neither has Italy, as to which country she will go to war with but the philosophy of D'Annunzio is not the pathway to peace but leads inevitably to war."

"Expand or die" has been the cry of the heartless, brutal dictators since the dawn of creation and those nations that have embraced that damnable philosophy need no excuse for a war declaration. So it was only natural and not at all surprising that the Italian hordes swooped down upon helpless and defenseless Ethiopia. In so doing Italy was simply carrying out that most cruel, inhuman, and heartless philosophy of the war lords, "expand or die."

In the fall of 1937 I again attended a peace conference in Europe known as the Interparliamentary Union, the oldest peace conference in the world. During that trip I spent considerable time in Germany. In fact, I went from one end of Germany to the other. I was in Munich when Hitler and Mussolini were there. Of course, they did not invite me into their conference. [Laughter.] A few days later I was in Berlin when Adolf Hitler and Mussolini arrived in their bullet-proof car. As they emerged arm in arm, Italy's brutal dictator spoke in what appeared to be perfect German. As he stood before that immense crowd in Berlin wearing a bulletproof vest he said, "I am glad to be in Germany because I have so much confidence in German people and my friend, Adolf Hitler." [Laughter.]

I saw so many soldiers in Berlin that I had to elbow my way down their main "drag," called Unter den Linden, commonly called Linden Promenade, which is about three times the width of the average street. There simply was not room on

the sidewalks on account of the hordes of German soldiers. I saw some of those huge tanks and powerful air bombers. I saw those wide air-line highways extending in almost all directions from Berlin.

Going into the city of Berlin, I rode on one of those fast trains from Dresden, going 65 to 70 miles an hour without any headlights on the train because a dictator had dreamed of conquering the world and had ordered blackouts. In short, back 3 years ago from 2 to 3 nights a week Germany was practicing war. As we went pell-mell through the darkness I heard what seemed to be literally thousands of airplanes overhead, and actually wondered then if Hitler had declared war. At that time Germany was preparing especially against the Russians. I soon discovered that we were entering the city of Berlin during one of their famous black nights. Adolf Hitler had borrowed or stolen his friend Mussolini's philosophy, and everywhere we were reminded Hitler had decreed that "Germany must expand or Germany must die, and Germany will not die." Then I came home, spoke to the high schools of my district, to civic clubs, colleges, farm gatherings, and then came here on the floor of this Congress and repeatedly warned that Hitler was definitely going to war, but with whom he did not know any more than I. I also warned Congress time and again to prepare to defend ourselves against these beastly, selfish, bloodthirsty, war-mad tyrants who are bent on rule or ruin.

I thank God that in America we are not imbued with such a selfish and short-sighted philosophy. There is not a foot of land on the face of the earth that America covets. [Applause.] We are not teaching our young men to fight and die in order to seize the territory of some weaker nation in an hour of peril. Americans do not stab in the back or strike a helpless victim when it is down. Brave men are not guilty of such detestable tactics. Neither will a respectable nation stoop to such barbarous and highjacking methods. In America we want to live and let live and be a good neighbor to those about us. We want the friendship and respect of all nations everywhere. We abhor the very thought of war and the word "peace" is one of the sweetest to Americans in all the English language. We hold high the ideals of equality, justice, liberty, and freedom.

Although the American people have a strong desire to live in peace and harmony with all nations it is perfectly absurd to say that Americans are now or have ever been neutral in the present conflict raging in Europe. Right now Members of Congress are getting a lot of mail from radical pacifists, bitter antinew dealers, unreasonable partisan politicians and a few self-admitted statesmen who get their voices 'way down in their boots and tell Congress that we "must be neutral in fact as well as in name."

This week I received a copy of a so-called platform from a self-admitted statesman from Oklahoma who evidently wonders how the Congress has been able to function without him during the past several years. He freely admits that he is an "orator and a statesman." This gentleman has some 13 "points" or planks in his platform, and I note that in his "plank" concerning war he says:

> We must be not only neutral in word but in fact and thus avoid becoming involved in the present European war.

According to this impractical philosophy, all the United States would have to do to insure peace would be to remain neutral, not only in word but in fact; that is held up as a sure cure to prevent our becoming involved in the European struggle. Is it possible that these self-admitted statesmen, agitators, radicals, and other bitter critics of President Roosevelt's firm foreign policy have forgotten so soon what happened to the Netherlands? Poor Norway was neutral "in fact as well as in name"; so was poor, helpless Finland, Holland, and, last but by no means least, be it remembered that poor Belgium maintained a strict neutrality. What do the mad war lords and egotistical dictators care about neutrality? They want their pound of flesh. They want to pillage, plunder, murder, rape, and ruin.

Everywhere Americans are depressed; we know that few dictators fight wars on their own soil. While they pillage, plunder, and drop death bombs on innocent women and children, on hospitals, orphanages, and schoolhouses, they are planning for their next raid upon another country. Always the bloodthirsty tyrant, like the wild animal that has tasted blood, is stealthily looking toward his next victim. God forbid that they will catch us napping as they did France, England, and the Low Countries of Europe. [Applause.]

Someone has suggested that this Congress should adopt a policy of keeping Americans out of Europe and Europe out of America. That is more easily said than done. It is easy for the isolationist to calmly fold his hands and say, "What goes on in Europe is none of our affair," but that is not true. I agree that we should by all means keep our American boys out of Europe, and certainly we should prevent any dictator from attempting to put his foot on American soil or the Western Hemisphere. But with Il Duce joining hands with Adolf Hitler in order to make sure of a division of the swag, the situation looks anything but hopeful. It may be that America is too late, but certainly we should forget our pious platitudes about neutrality and immediately send raw materials, planes, and all other assistance, actually short of war, to the Allies in order, if possible, to halt this wild and reckless banditry that has practically engulfed all of Europe. Let us put on a preparedness program on land, water, and in the air the like of which our country has never seen or dreamed of. [Applause.]

Let us round up the "fifth columnists" and other dangerous spies and enemies of our Government who would ride on Trojan horses. We have been too lenient. We must immediately rid our country of undesirables who would give aid and comfort to the enemy. [Applause.] Let us deport not only such cattle as Bridges and his stripe of unwanted and undesirable aliens, but round up the Communists, Nazis, or any others who are actually advocating the overthrow of the Government by force. They have no license to enjoy the protection and security which our country has afforded them. Let us stand four square for American ideals, American square dealing, American freedom, with liberty and justice for all. [Applause.]

Mr. POWERS. Mr. Speaker, I yield such time as he may desire to the gentleman from Michigan [Mr. SHAFER].

Mr. SHAFER of Michigan. Mr. Speaker, whether we like it or not, the United States is in this war.

It is true that our men are not crouched behind the Maginot line; it is true that they are not dodging the stukas in the Weygand defense.

But our Army and Navy planes are on the way to England and France. Our guns are about to cross the ocean to be fired at the advancing foe. Our munitions are on the way to do what they can in the matter of death and destruction.

If that is not participation in war, then words and deeds have lost their meaning. For, mind you, these planes and these guns and this ammunition are not merely American products. They are far more than that. They are the planes and guns and ammunition of the Army and Navy of the United States.

I think it is time for the people of the United States, and particularly for the Members of this Congress, to face the facts. Not the facts as we might want them to be, but as they are—as they have been created by the official acts and the formal words of the President of the United States.

The time has come on this floor when we had better call a spade a spade, if we are to do our duty by our people and our country. We had better stop calling war "neutrality" and face it in all its implications. We had better stop calling active participation in war by the misnomer of "nonbelligerency" and get down to earth.

The administration of this country has not been neutral since the war in Europe started. It was not neutral even before the war started.

It has slowly been dropping the cloak with which it sought to hide its actions. Last week that cloak fell off altogether when the administration sent the supplies of our pitifully unsupplied military forces to the battlefields of France.

I do not question the fact that all this was carried out under a subterfuge of legality. I do not doubt that the administration has legally protected its actions by legal legerdemain and musty mumbo-jumbo.

What the President apparently was afraid to come before this Congress openly and frankly to ask for authority to do, he has done by wandering in a maze of third parties.

But the line by which he put this country into the war is no less established because it is indirect.

There is, in morality and honesty, no difference at all in sending these planes directly to the battlefields from their naval stations and in sending those same planes to those same battlefields from the hangars of the Curtis Airplane Co.

This Congress, under the Constitution of the United States, has the sole power to declare war. The President has been before us many times in recent months. I do not recall that on any of his many visits he has asked us to exercise that power under the Constitution. I do not recollect any legislation passed by this body which granted to the President authority for him to exercise that power.

Yet he sends our planes, our guns, and our munitions to the use of the Allied Powers in this war.

Possibly, even probably, that should be done.

Possibly, even probably, the matériel of our armed forces should be turned over to the democracies battling for their lives.

But should it be done in this way? Should it be done without consultation with the American people? Should it be done without any intimation to our people of urgent necessity? Should it be done without a clear grant of power from this Congress?

It would be folly for anyone to deny that the overwhelming sentiment of our people is on the side of England and France in their struggle for survival. It is my belief that even before the perilous events of the last month our people in general wanted them to stop Hitler.

But I do not believe that the sentiment of the country, even to this day, favors our going to war with them.

And I certainly do not believe that the sentiment of our people favors our going to war on their behalf through subterfuge, through usurpation of power to declare war, or through the operation of legalistic mumbo-jumbo.

If the President has information gathered through his ambassadors and other sources which makes it imperative that this country advance to war, then his course should be clear to him just as it has always been clear to his predecessors.

Let him travel the short mile from the White House to the rostrum of this House. Let him tell us frankly what information he has. Let him ask us for a united front in the face of an enemy. Let him ask us to declare America's position.

We are told in the public press today that the President tonight will make a "most important pronouncement" on the war situation. He is not coming to Congress with that important pronouncement. He is going down to Charlottesville, Va., to make it.

It would certainly seem that in keeping with the seriousness of the situation which the Nation faces, the President could well make such a pronouncement to this coordinate branch of the Government rather than journeying out of the National Capital to make it at a college graduation.

Mr. Speaker, our people are not afraid of war. They hate it, but they do not fear it when the cause is just. Possibly the President can justify the cause. But he has not. He has not tried. He has buried what justification he has.

That is no way to lead our people to the supreme test—for war is always a supreme test.

The way of the man who wants to lead is the way of frankness, and not of subterfuge. Once before our President concocted a scheme of radical proportions that was "just too damned clever." And the scheme was beaten. Is he again being "just too damned clever"? And is a worthy objective to be lost by the overweening cleverness?

The other day when the President was maturing the "clever" scheme for sending our military supplies to the battlefield without consulting Congress, he was asked at his press conference if he did not think that in view of the horrible condition of the world the Congress should continue in session.

His reply was that Congress should adjourn. That if it stayed here all it would do would be to make speeches.

Why is the Chief of the Executive branch of the Government so anxious to get the coordinate branch of the Government out of the National Capital? Why, when he is performing the acts of war does he want to get rid of the only body that has the power to declare war?

In recent years many nations have engaged in armed conflict without formal declaration of war. That has never been the policy of the United States. Have we reached the point where we are to adopt that policy now?

Or does the President fear those speeches that will be made unless Congress is scattered—unless Senators and Representatives are driven from the seat of government?

Again, let me repeat the American people are not infants. They know what it is all about. They have a decided feeling about the conflict now raging. They may lack some of the information which is available to the President, but given that information, they would make known to the President and to this Congress in short order how far they want to go in participating in this struggle.

Many of us in this House have devoted great time and great study to the matter of the defense of this country. Many of us have been appalled for years at the shocking lack of preparation in all lines. We have spoken and written continually about lack of plans, lack of equipment.

Our efforts to bring this country to even a decent state of preparation for eventualities which now loom as imminent were scoffed at. We were scorned as war mongers.

But those who scoffed and who scorned are now running about hysterically demanding that something be done.

The very admirals and generals and civil officials who only a few months ago were telling us that our Army and our Navy had the best of everything are now telling us contradictory stories. They are telling us that everything we have is obsolete and that we have darned little even of that.

These folks are not thinking any more realistically on the right side today than they were thinking realistically on the wrong side yesterday.

They—and this applies to the highest officials—are just as wrong-sided in their panic as they were in their apathy.

But I do not want to get away from my main thought of our present position in this war and its inevitable consequences.

When this conflict—the most horrible and devastating in history, in which whole nations are wiped off the map overnight and the refugees and dead are counted by the millions—when this conflict ends, our country, the United States of America, will not have a single friend in the conclave of nations if we continue to pursue the present devious course of this administration.

We will not have the respect or the affection of a single power when this bitter struggle is over.

We will be an international pariah and our word will have no more authority than the yelping of a yellow dog.

Let us examine what is happening and what will happen as a consequence of our course to date.

Over a period of many months our President has lectured and hectored Hitler, the leader of the Germans. I do not question that in that course he was expressing, while at the same time molding, the popular feeling so that actually his expressions were properly the expressions of the Nation.

But I merely point it out as a fact which is self-evident that certainly we could expect no love from Hitler and the Germans, whether they win or lose.

When that talk is supplemented by the actions of the present, namely, the shipment of the supplies of our inadequately supplied military forces to Hitler's enemies, the feelings of Hitler and the Germans cannot be doubted.

We do not look for and we cannot expect any affection or respect from those people. If they win, they will have won

in spite of us and if they lose, they will have lost because in some measure we aided their enemies.

Now, let us look at the other side. What will be the feelings of England and France toward this country when this war ends if we pursue further our present course—the course which the President thinks we only want to stay here and talk about?

Well, if England and France lose the war, we will have forfeited their respect and affection. Even an all-out effort on our part might not preserve our standing with them.

But our present and our past half-hearted efforts on their behalf certainly are not going to be enough to offset the bitterness of the feeling which they will have for us in their defeat.

Fifty or even a thousand of our Army and Navy planes are not going to convince the English and the French that the United States did all it could to help them.

It will be enough to win us the antagonism of a victorious Hitler but not enough to win us the friendship of his defeated enemies.

Now, let us suppose that England and France win, as so many of our people hope.

Will England and France, as victors, have respect and affection for the United States? Will they believe that our course has been such as to entitle us to a place of rank among nations?

You and I know that it will not. We know that if England and France win they will sneer at the pitiable and weak efforts which this administration made on their behalf.

Will they be satisfied, when they are victorious, that we repealed part of the neutrality law to help them—that we sent them our Army planes, our guns, and our munitions?

Bosh! We need expect no respect or liking from them for what we are doing.

In the titanic economic struggle which will follow the conclusion of these bitter armed conflicts where will the United States be if we continue as we are going now?

We will be sunk as deep as the Atlantic Ocean.

We will not have a friend in Europe, no matter who wins.

We will not have a friend in Asia when the war that has been going on there for years ends, for our course in Europe parallels the ostrich-like manner in which we have dealt with that conflict.

We will not have a friend in Central or in South America when the economic battle for trade starts, for our present indecisive course is such as to lose the respect of our fellow nations in this hemisphere.

Mr. Speaker, it is clear to me that if this Nation is to hold up its head in the future, if it is to pursue its destiny, if it is to be true to the traditions which inspired it and made it great, if it is to win the respect and the friendship of its fellow nations, it must have two things:

It must have a definite foreign policy first.

And, second, it must have a definite effective, and realistic defense policy.

With both of those things this Congress might well occupy itself.

Proper attention paid to those two things would earn for the Members more respect from the people back home.

To devote our time and energy to perfecting them is far preferable to accepting the walking papers which the President has handed us with his customary sneer.

To stay here and do our work is our duty rather than to go running about the country mending our individual political fences. [Applause.]

Mr. POWERS. Mr. Speaker, I yield 30 minutes to the gentleman from Missouri [Mr. SHORT].

Mr. SHORT. Mr. Speaker, I am sure that we all are deeply indebted for the very timely and helpful address by the gentleman from Mississippi [Mr. COLLINS]. He gave us a rather comprehensive, analytical, and a most interesting and inspiring picture, I think, of our present military defenses and of our urgent need to increase them. Every Member in this body has taken the solemn and sacred oath to preserve, protect, and defend the Constitution of the United States against all enemies, both foreign and domestic, so help him God. I believe that every single Member of this body wants to keep that sacred oath inviolate. I am glad that the framers of the Constitution who wrote that oath recognized that in the future we would have enemies within our gates as well as enemies without. It is an old saying that often one fails to see the forest because of the underbrush, and while it may be easy for all of us to recognize Saturn or outstanding enemies in distant parts of the world, we are prone at times, I think, to overlook those within our own borders, so-called domestic enemies that threaten through insidious ways and by various schemes to undermine and destroy the very foundation upon which the Republic rests.

Mr. Speaker, as the days of this administration draw to a close, I am being reminded of the feasts and famine of the Pharaohs. A hundred, and a thousand years from now, historians, no doubt, will refer to the New Deal era as the 7-year crisis in American history. Therefore, someone should take it upon himself to advise the President that after 7 years of experiments and extravagance, after 7 long years of failure, and dilly-dallying with the defeatists and "fifth column" yearling professors, no amount of political shadow boxing will serve to cover up the difficulties and dangers confronting the Nation.

We want no Munich in American affairs, and the third-termites might just as well realize now that the American people want no part of a third term for any autocrat or Democrat. If more of our friends across the aisle realized this fact we would hear less war hysteria and hasten our preparedness program to prevent war.

Lest they forget, let me remind the real Democrats in the House that the American people have not completely forgotten the Dr. Wirt incident during the early days of this administration, when the left wingers of the kitchen cabinet were preparing their blitzkrieg attack to take over the Government here in Washington. They have not forgotten the secret meetings of the friends of Harry Hopkins and Aubrey Williams. Nor the hidden retreat of Rex Tugwell and his 50 comrades to Buckhill Falls, Pa., where they were to decide how and where to spend $680,000,000 to build resettlement camps for the so-called one-third ill-housed, ill-clothed, and ill-fed.

The voters in America have not forgotten the radicals who were seated as delegates in the 1936 convention that nominated the President, nor his appeal for the support of the Communists and all other organized radical minorities in the campaign that followed. When these facts were presented to the voters in 1936 the President replied that the capitalists were merely dragging a red herring across the trail. But the immortal Abe Lincoln was right when he said, "You cannot fool all the people all the time."

However, and you can believe it or not, the President evidently thinks that after affording every protection under the sun to the red herrings of 1936, he can drag the "fifth column" across the trail of American tradition in 1940.

Mr. Speaker, to paraphrase a great Roman, "How much longer, O Congress, could such audacity fool the American people?"

As recently as a year ago the President referred to the House Committee on Un-American Activities as a sordid thing. But less than a month ago Mr. Roosevelt was able to recognize some valuable information in the files of that committee.

Then, Mr. Speaker, some of the more naive third-termites took his remarks as their cue and immediately began yelling "fifth column," Trojan horses, and hastened to resign from the same columns and phalanx that they have succored and helped to protect for, lo, these 7 long years.

Some of them high in the councils of our Government are now reduced to the expedient of exacting an oath of allegiance by their underlings, although none was deemed requisite heretofore.

Is it possible, Mr. Speaker, that this activity indicates a purpose on the part of the New Deal to purge itself? And, if so, fellow Members, I wonder if the leopard ever changes its spots?

You surely cannot forget the ranting, flood of billingsgate loosened by the great Cabinet commissar whom the Washington Times-Herald denominates as "Dishonest Harold," and how he has steadfastly endeavored to cover for the Writers' Guild, the Lawyers' Guild, the American Civil Liberties League of Roger Baldwin, the American Youth Congress, the League for Peace and Democracy, and many other transmission belts for communism.

Judge Pecora, a distinguished so-called liberal, resigned from the Lawyers' Guild many months ago, but only within the last few days has Mr. Jackson, the eminent United States Attorney General, and Mr. Berle, one of the Assistants Secretary of State, found it expedient to resign from that organization. It should be interesting to note the names, and from what organizations other parachutists descend. However, after the November election the Republican Party will be out in full force to attend to the round-up, and the mop-up, of all the so-called radical liberals in American politics—a great majority of voters will see to that. But of all the Trojan horse methods used in American politics, the transfer of the Immigration Department from "Muddam" Perkins to Bob Jackson, and the appointment of Sidney Hillman as the representative of labor on the President's newly created Preparedness Board are the most paradoxical. It would be interesting to know just why the Justice Department was chosen in contradistinction to the State Department.

Now, a few words about Sidney Hillman. And I quote from a pamphlet published by the owners of the National Republic Magazine. "Mr. Hillman is the president of the Amalgamated Clothing Workers Union, and an official of the C. I. O. He was born in Lithuania but spent most of his days in promoting Marxism and radical labor unionism. He organized the Russian-American Industrial Corporation in New York City, of which he became President in 1922. This organization sent over $1,000,000 to Russia. Hillman also helped organize recently a campaign for raising funds in the United States in support of the Spanish Red Government. He rushed over to Italy in 1920 to learn new labor tactics used during the Communist siege of sit-down strikes in an industrial unionism drive in the metalworkers' industry there. On his return he reported to the National Convention, which was being held in Chicago, as follows:

> In Rome I was doubly welcomed; the Secretary of the Metal Workers' Union gave me a letter, the only key to open the gates of the factory. With my Italian comrades I landed in front of the factory, which looked attractive because of the fine red flag which adorned the building and the red sentinel who was keeping watch. I stayed for lunch with the members of the factory council. The council then took me through the factory. The first thing that attracted my attention was a series of inscriptions on the walls, including the Soviet emblem. [Applause.] (From proceedings, 1922, convention, p. 426, Amalgamated Clothing Workers of America.)

Hillman was one of the early new dealers in Washington. He is well known in most of the revolutionistic circles in the United States, having served on many of their organizational boards. Hillman is reported to have served on the I. W. W. defense committee several years ago, according to the Northwest Messenger. He was expelled from the American Federation of Labor during the Nashville, Tenn., convention in 1914, together with a number of other radicals, after which he organized the union which he now heads, a C. I. O. unit. The preamble of the constitution of this union is said to include a demand for a struggle against capitalism. The plan for "the one big union"—industrial union—is said to have been first introduced at the second national session of the Hillman union by William Z. Foster, then an I. W. W. and now head of the Communist Party in the United States. Hillman received a wire from Rykoff in Moscow in 1932, in which he, as representative of Lenin, expressed the satisfaction of the Soviet Government over results of Hillman's actions.

Some more about Mr. Hillman—and this is the man the President has selected and appointed to represent the American people in the matter of production for preparedness. This additional information about Mr. Hillman is from the New York Times of December 2, 1922, and December 4, 1922. The first article is headed:

> A. C. W. capital in Russia safe, Hillman says—Union head reports at meeting on his investigation abroad—Thompson sends message of sympathy.

The text of that article discloses that after Sidney Hillman had held conferences with Nicolai Lenin, L. Kameneff, he returned to New York and requested his union, of which he was the president, to loan the Russian Government $1,000,000 at 8 percent interest in American money to build textile factories and to manufacture clothing, with the understanding that the invested capital must remain in Russia for at least 3 years, and that the corporation was to be subjected to all the laws of Russia with regard to its management and activities. At that meeting a supposed radiogram from William Thompson, who resigned as financial adviser of the Russian American Industrial Corporation, while in Russia with Hillman, was read at the meeting, and which stated that Thompson expressed full sympathy with the union's venture. The second article from the New York Times was cabled special to the New York Times from London, December 4, 1922, which is captioned:

> Warned Hillman of risk in Russia—William O. Thompson says he advised vainly against investing in clothing enterprise—No security for money—Would merely be handing over $1,000,000 to Soviet Government for its own purposes.

Time has proved that Mr. Thompson's prediction was most accurate, for I am reliably informed that Stalin now has the million dollars and the accrued interest. The Members of the House should take the time to read those articles, so that they might get better acquainted with the President's new labor coordinator.

With the above information in mind, I am willing to leave it to the Members of Congress to determine to what column Mr. Hillman belongs.

A short time ago my attention was called to a news item in one of the Washington daily papers to the effect that Mr. Ickes had endorsed the complaint of one Abe Fortas, a $9,500 attorney for the Bituminous Coal Division, made to the General Accounting Office in regard to certain findings reported by the Acting Comptroller General to the Speaker of the House and the President of the Senate concerning the use of Government buildings and equipment to conduct postgraduate colleges supposedly for the training of Government personnel, and certain internships. The Comptroller's report to Congress does not purport to be a complete exposé of all the educational and training activities in the Government; but, as to those activities covered, I feel sure it is complete and accurate.

The Comptroller's report points out that one of the interns studying government functions, from the University of Chicago, was appointed to receive his training under Mr. Abe Fortas.

From what I have learned of Mr. Fortas' record and activities, and if the Department of Justice will report to Congress on the activities of Mr. Fortas, I do not believe there is a Member of this body who would care to have Mr. Fortas train any interns for Government service.

As I remember, Mr. Fortas complained that the report of the Acting Comptroller accused him of being a member of the League for Peace and Democracy, which he kicked up a lot of dust to deny. But, like the animal that furnishes its own scent to destroy its own trail, he neglected to disclose all his connections with, and undoubted activities in and as a member of the notorious International Juridical Association, because on a letterhead of that association is listed Mr. Fortas' name as a member of the association's national committee representing the District of Columbia, along with John P. Davis, Thomas I. Emerson, Charles Houston, Joe Kovner, Lee Pressman, Nathan Witt, David Ziskind, and other kinds.

Mr. Fortas came into prominence recently when it was established that he was the husband of a young lady who was employed as a review attorney by the National Labor Relations Board within a few weeks after she graduated from law school, and before she was ever admitted to the bar. She has since that publicity been transferred to the Department of Justice, in order, no doubt, to cover the trail.

In passing, I should add that anyone who will take the time to ascertain the objectives of the International Juridical Association, and its sources of income, would not complain of being falsely accused of being a member of the League for Peace and Democracy. Especially, one so active as being a member of that association's national committee.

Mr. Speaker, coming again to the report of the Acting Comptroller General, which has been printed by the Senate Committee on Expenditures in the Executive Departments as Senate Document No. 182, this session, I want to say that it seems perfectly clear that none of the educational and training activities referred to therein as being conducted in the departments and agencies of Government have the sanction of law; and that, if they are to continue, they should do so under clarifying and authorizing legislation, as recommended by the Acting Comptroller. In my judgment, also, judging from some of the subjects and sources being given, and the names of some instructors, some of these educational and training activities might well receive the early attention of the Department of Justice's new bureau for investigating "fifth column" activities.

In connection with these schools of new dealism and peculiar liberalism, I want to call the attention of Congress to the fact that we have a committee at this time busily engaged in investigating investment trusts. I want to warn Congress and the people of this country who are interested first in preserving simon-pure Americanism, that it is high time Congress was investigating some of the well-known irrevocable trusts that are still in existence—if for no other purpose than to determine who is managing these trusts, and whether the wills of the donors and testators are being honestly executed.

We are witnessing today a complex situation wherein our young boys and girls are accepting scholarships at the expense of trust foundations and entering Government service, and in all other conceivable ways trying to destroy the hand that fed them.

In this connection, I want to mention the Honorable Charles Merriam, headmaster of the Spellman Foundation; and Louis Brownlow, the only man, living or dead, who ever promised an American taxpayer a dividend on his taxes. I am told that Mr. Merriam once wrote a book on sovereignty. So far as I know, the nearest he ever came to learning anything about sovereignty was when he was defeated for mayor of Chicago, and had as his campaign manager bellowing Harold L. Ickes. Mr. Brownlow was once a District of Columbia Commissioner. I am reliably informed, however, that he later bankrupted two perfectly good and substantial cities while endeavoring to operate them under his so-called city-manager plan, and that he left Knoxville, Tenn., before an overwhelming recall vote could be counted. [Laughter and applause.]

But, at any rate, Mr. Merriam and Mr. Brownlow have always been most fortunate in finding someone's else money to spend. So, according to Senator GLASS, that makes both of them true-blue liberals. And now I want the RECORD to show some of the organizations they have been able to find money to finance: American Municipal Association, American Public Welfare Association, American Public Works Association, American Society of Planning Officials, Municipal Finance Officers Association, National Association Assessing Officials, National Association Housing Officers, Public Administration Clearing House, Public Administration Service, Civil Service Assembly, Council of State Governments, International City Managers Association, and National Institute of Public Affairs.

These organizations advocate government by bureaucrats, and it is known that numerous Government officials spend money annually from the Treasury traveling to their meetings and conventions. And it is their hope and ambition to plant a little Mussolini to govern every city and State in America, as well as the Federal Government.

It is of especial interest to note that all of the organizations I have named are financed and supported with funds from the Rockefeller and Spellman foundations.

Just a further word about the National Institute of Public Affairs, and I shall close. According to their literature, published in November 1939, the 1928–39 intern group numbered 106, which means that the institute had that number of interns in the departments and agencies of Government studying for employment in the public service. Of that number 63, or 59.4 percent, were still in Government service; 8, or 7.5 percent, were working for some State government or subdivision thereof; 25, or 33 percent, had thrown in the sponge and found some other mode of livelihood. So I wonder how much good money is squandered and wasted annually by the directors and trustees of these irrevocable trusts, to say nothing of what the Government spends by cooperating with this institute. So that the Members of Congress may get a bird's-eye conception of the funds being contributed by private trusts to the above organizations, it is a matter of record that the Public Administration Service received $1,484,750 in 1939 from one trust alone, and the Civil Service Assembly received $210,759 in 1939 from the same trust.

There is no semblance of authority in law for the training of persons for Government service by internships, as is being done at the behest of this National Institute of Public Affairs. And once their admission to internship is obtained they receive their training from a long list of liberals, such as Abe Fortas, David Ziskind, and many others, who manifestly believe in their own peculiar brand of alien liberalism.

So, Mr. Speaker, if the President means anything by the transfer of the Immigration and Naturalization Service to the Department of Justice, I think the Congress should insist upon receiving detailed reports of the activities of the Department of Justice, so that the American people can be forewarned and put on guard against all columns and subverters who are endeavoring to destroy our Government, our institutions, and our liberties by their insidious conduct and cowardly hiding behind the screen of free speech, freedom of the press, and, as one of their leaders has been reported as saying, "We will destroy America in the American way." [Applause.]

Mr. SNYDER. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

The SPEAKER pro tempore (Mr. COLE of Maryland). The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Amendment No. 3: On page 2, line 2, insert *"Provided*, That not to exceed $50,000 of the appropriations contained in this act for military activities shall be available for the payment of actual transportation expenses and not to exceed $10 per diem in lieu of subsistence and other expenses of persons serving while away from their homes, without other compensation, in an advisory capacity to the Secretary of War, and for the temporary employment of persons or organizations, by contract or otherwise, without regard to section 3709 of the Revised Statutes or the civil service or classification laws."

Mr. SNYDER. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 19: Page 7, line 15, after the word "paragraph", insert *"Provided*, That section 3709, Revised Statutes, shall not apply to any procurement under this appropriation which does not exceed $100 in amount."

Mr. SNYDER. Mr. Speaker, I move to recede and concur in the Senate amendment with an amendment which I send to the desk.

The Clerk read as follows:

Mr. SNYDER moves to recede and concur in amendment No. 19 with an amendment as follows: In lieu of the amount named in said amendment, insert "$50."

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 21: Page 9, after line 7, strike out "$2,000,000" and insert "$16,250,000."

Mr. SNYDER. Mr. Speaker, I move to recede and concur in the Senate amendment with an amendment, which I send to the desk.

The Clerk read as follows:

Mr. SNYDER moves to recede and concur in amendment No. 21 with an amendment as follows: After the amount named in said amendment, insert the following: "*Provided*, That the Secretary of War shall submit to Congress as early as may be practicable at the next regular session a detailed report of all expenditures from appropriations under this head for the period ending December 31, 1940."

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 36: Page 14, in line 19, after the figures "(803)" insert "*Provided further*, That the appropriations contained in this act shall not be subject to the limitations contained in section 13a of the National Defense Act, as amended (10 U. S. C. 291), as to the number of enlisted men and flying cadets in the Army Air Corps."

Mr. SNYDER. Mr. Speaker, I move to recede and concur in Senate amendment numbered 36.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 38: Pages 17, in line 20, after the word "immediately", insert "and $2,214,196 shall remain available until June 30, 1942."

Mr. SNYDER. Mr. Speaker, I move to recede and concur with an amendment which I send to the desk.

The Clerk read as follows:

Mr. SNYDER moves to recede and concur in amendment No. 38 with an amendment as follows: Strike out the matter inserted by said amendment, and on page 16, line 16, of the engrossed House bill, insert after the word "for", "military posts."

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 67: Page 31, in line 21, after the amount insert "emergency construction, $47,976,962."

Mr. SNYDER. Mr. Speaker, I move to recede and concur with an amendment.

The Clerk read as follows:

Mr. SNYDER moves to recede and concur in the Senate amendment No. 67 with an amendment as follows: After the amount named in Senate amendment, insert the following: "including the acquisition of necessary land therefor, without regard to the provisions of sections 355 and 1136, Revised Statutes, as amended (10 U. S. C. 1339; 40 U. S. C. 255)."

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 78: Page 36, in line 23, after the amount insert "of which $137,374 shall remain available until June 30, 1942."

Mr. SNYDER. Mr. Speaker, I move to recede and concur with an amendment which I send to the desk.

The Clerk read as follows:

Mr. SNYDER moves to recede and concur in the Senate amendment No. 78 with an amendment as follows: Strike out the matter inserted by said amendment, and in line 17, page 33 of the House engrossed bill, insert before the period the following: "and, in addition, $470,000 for the acquisition of a site for such building, the design for which shall be prepared under the direction and supervision of the Secretary of War and Surgeon General of the Army, who shall select the architect."

Mr. TABER. Mr. Speaker, I rise to a point of order.

Mr. COLLINS. Mr. Speaker, will the gentleman withhold the point of order for an inquiry?

Mr. TABER. I reserve it for an inquiry.

Mr. COLLINS. Mr. Speaker, this amendment is necessary so that the Army will be able to acquire a block of ground near or adjacent to the Library of Congress to house the Army Medical Library and Museum.

At the Army Medical Library and in the same building, is the medical museum, where there are hundreds of gallons of alcohol that is highly inflammable. The medical library is the finest in the world and should be housed so it cannot be destroyed by fire. The committee feels that land should be immediately acquired. The building to house the books will follow later. I do hope the gentleman will not make the point of order. I know he is within his rights, but the present building is a firetrap. In view of the circumstances, I believe the gentleman should let us go along with a much-needed job that has already been delayed too long.

Mr. TABER. Mr. Speaker, I shall feel obliged to make the point of order. I dislike to do anything contrary to the personal desires of the gentleman from Mississippi [Mr. COLLINS], for whom I have the very highest regard, but this is the situation: It means putting up $470,000 to buy land at a time when we ought not do it. It is at a time when we are undoubtedly in a very serious situation, when probably we shall have to do things that are immediately necessary that will require the acquisition of land for real military purposes. Undoubtedly when the emergency is over these records should be properly housed, but for such a thing to happen now, to my mind, is sacrilegious.

I shall feel obliged to make a point of order against the part of the amendment beginning with the comma in the first line thereof and continuing through the balance of the language, because it is legislation on an appropriation bill; not authorized by law; and that it is not an amendment to an amendment to which it is offered, it being an amendment to the language on page 37, line 6, to which paragraph the Senate made no amendment whatever. On the further ground that it is an amendment beyond the range of those that might be offered to an amendment in disagreement at this time.

The SPEAKER pro tempore (Mr. COLE of Maryland). Does the gentleman from Pennsylvania desire to be heard on the point of order?

Mr. SNYDER. I concede the point of order, Mr. Speaker.

The SPEAKER pro tempore. The Chair sustains the point of order.

Mr. SNYDER. Mr. Speaker, I move that the House insist upon its disagreement to the amendment of the Senate numbered 78.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 79: On page 39, line 17, after the word "required", strike out "$9,447,438" and insert "; for all expenses incident to the preparation of plans, and construction, purchase, installation, equipment, maintenance, repair, and operation of aircraft warning service systems, and their accessories, including purchase of lands and rights-of-way, acquisition of leaseholds and other interests therein, and temporary use thereof, $49,690,649, of which $31,559,243 shall remain available until June 30, 1942."

Mr. SNYDER. Mr. Speaker, I move to recede and concur with an amendment.

The Clerk read as follows:

Mr. SNYDER moves that the House recede from its disagreement to the amendment of the Senate numbered 79 with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following: "for all expenses incident to the preparation of plans, and construction, purchase, installation, equipment, maintenance, repair, and operation of aircraft warning service systems, and their accessories, including purchase of lands and rights-of-way, acquisition of leaseholds and other interests therein, and temporary use thereof, $49,690,649."

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 80: On page 40, line 4, after "1940", insert ", and in addition, the Chief Signal Officer, when authorized by the Secretary of War, may enter into contracts prior to July 1, 1941, to an amount not in excess of $1,700,000 for the procurement of Signal Corps equipment."

Mr. SNYDER. Mr. Speaker, I move to recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 90: On page 44, line 1, after the word "immediately", change the period to a colon and insert "*Provided further*, That this appropriation may be expended without reference to the limitation contained in section 1 of the act approved April 3, 1939 (Public, No. 18, 76th Cong.), as to the number of airplanes to be procured and maintained."

Mr. SNYDER. Mr. Speaker, I move to recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreeemnt.

The Clerk read as follows:

Amendment No. 97: On page 51, after the figures "1939", insert "*Provided*, That in addition to the amount herein appropriated, the Chief of Chemical Warfare Service, when authorized by the Secretary of War, may enter into contracts prior to July 1, 1941, for the procurement of chemical warfare equipment to an amount not in excess of $2,036,910, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof."

Mr. SNYDER. Mr. Speaker, I move to recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 108: Page 54, in line 16, after the amount, insert "and in addition, when authorized by the Secretary of War, contracts may be entered into prior to July 1, 1941, for the procurement and installation of equipment for seacoast defenses as follows:
"United States, $5,639,726;
"Insular departments, $384,975;
"Panama Canal, $4,393,346;
"In all, $10,418,047."

Mr. SNYDER. Mr. Speaker, I move to recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 117: On page 74, in line 17, insert a new paragraph as follows:

"EMERGENCY FUND FOR THE PRESIDENT

"To enable the President, through the appropriate agencies of the Government, to provide for emergencies affecting the national security and defense and for each and every purpose connected therewith, including all of the objects and purposes specified under any appropriation available or to be made available to the War Department for the fiscal years 1940 and 1941; the furnishing of Government-owned facilities at privately owned plants; the procurement and training of civilian personnel necessary in connection with the production of critical and essential items of equipment and material and the use or operation thereof; and the procurement of strategic and critical materials in accordance with the act of June 7, 1939, without reference to section 3709, Revised Statutes, $66,000,000; to be immediately and continuously available until June 30, 1942; and, in addition, the President is authorized, through such agencies, on and after the enactment hereof, to enter into contracts for the same purposes to an amount not exceeding $66,000,000: *Provided*, That an account shall be kept of all expenditures made or authorized hereunder, and a report thereon shall be submitted to the Congress on or before June 30, 1942."

Mr. SNYDER. Mr. Speaker, I move to recede and concur with an amendment.

The Clerk read as follows:

Mr. SNYDER moves that the House recede from its disagreement to the Senate amendment numbered 117 and agree to the same with an amendment, as follows: In the third line of said amendment, after the comma following the word "Government", insert: "without reference to section 3709, Revised Statutes"; and in the fourteenth and fifteenth lines of said amendment, strike out the following: "without reference to section 3709, Revised Statutes."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 119: On page 76, after line 17, insert:
"SEC. 3. Not to exceed 10 percent of any of the foregoing appropriations for the Military Establishment may be transferred, with the approval of the Director of the Bureau of the Budget, to any other of such appropriations, but no appropriation shall be increased more than 10 percent thereby."

Mr. SNYDER. Mr. Speaker, I move that the House insist upon its disagreement to the Senate amendment numbered 119.

The motion was agreed to.

Mr. SNYDER. Mr. Speaker, amendments Nos. 120, 121, 122, 123, and 126 are all in the same category. The action just taken on amendment No. 119 makes necessary a modification of the section numbers proposed by the Senate. I ask unanimous consent that they all may be considered together.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read as follows:

Amendment No. 120: Page 76, line 24, strike out "2" and insert "4."
Amendment No. 121: Page 77, line 5, strike out "3" and insert "5."
Amendment No. 122: Page 77, line 24, strike out "4" and insert "6."
Amendment No. 123: Page 78, line 7, strike out "5" and insert "7."
Amendment No. 126: Page 80, line 9, strike out "7" and insert "10."

Mr. SNYDER. Mr. Speaker, I move that the House recede from its disagreement to the amendments of the Senate numbered 120, 121, 122, 123, and 126, and concur therein with amendments as follows: By inserting in lieu of the section numbers proposed by the Senate, the numbers 3, 4, 5, 6, and 9, respectively.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 124: Page 78, line 15, strike out all of lines 15 to 23, inclusive, and insert in lieu thereof the following:
"SEC. 8. No part of any appropriation contained in this act shall be used directly or indirectly after May 1, 1941, except for temporary employment in case of emergency, for the payment of any civilian for services rendered by him on the Canal Zone while occupying a skilled, technical, clerical, administrative, executive, or supervisory position unless such person is a citizen of the United States of America or of the Republic of Panama: *Provided, however*, (1) That at no time shall the number of Panamanian citizens employed in the above-mentioned positions exceed the number of citizens of the United States so employed, if United States citizens are available in continental United States or on the Canal Zone; (2) that nothing in this act shall prohibit the continued employment of any person who shall have rendered 15 or more years of faithful and honorable service on the Canal Zone; (3) that in the selection of personnel for skilled, technical, administrative, clerical, supervisory, or executive positions, the controlling factors in filling these positions shall be efficiency, experience, training, and education; (4) that all citizens of Panama and the United States rendering skilled, technical, clerical, administrative, executive, or supervisory service on the Canal Zone under the terms of this act shall (a) normally be employed not more than 40 hours per week, (b) shall receive as compensation equal rates of pay based upon rates paid for similar employment in continental United States plus 25 percent; (5) this entire section shall apply only to persons employed in skilled, technical, clerical, administrative, executive, or supervisory positions on the Canal Zone directly or indirectly by any branch of the United States Government or by any corporation or company whose stock is owned wholly or in part by the United States Government."

Mr. SNYDER. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate No. 124 and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following:

SEC. 8. No part of any appropriation contained in this act shall be used, directly or indirectly, after May 1, 1941, except for temporary employment in case of emergency, for the payment of any civilian for services rendered by him on the Canal Zone while occupying a skilled, technical, clerical, administrative, executive, or supervisory position unless such person is a citizen of the United

States of America or of the Republic of Panama: *Provided, however,* (1) That, nothwithstanding the provision in the act approved August 11, 1939 (53 Stat. 1409), limiting employment in the above-mentioned positions to citizens of the United States from and after the date of the approval of said act, citizens of Panama may be employed in such positions; (2) that at no time shall the number of Panamanian citizens employed in the above-mentioned positions exceed the number of citizens of the United States so employed, if United States citizens are available in continental United States or on the Canal Zone; (3) that nothing in this act shall prohibit the continued employment of any person who shall have rendered 15 or more years of faithful and honorable service on the Canal Zone; (4) that in the selection of personnel for skilled, technical, administrative, clerical, supervisory, or executive positions the controlling factors in filling these positions shall be efficiency, experience, training, and education; (5) that all citizens of Panama and the United States rendering skilled, technical, clerical, administrative, executive, or supervisory service on the Canal Zone under the terms of this act (a) shall normally be employed not more than 40 hours per week; (b) may receive as compensation equal rates of pay based upon rates paid for similar employment in continental United States plus 25 percent; (6) this entire section shall apply only to persons employed in skilled, technical, clerical, administrative, executive, or supervisory positions on the Canal Zone, directly or indirectly, by any branch of the United States Government or by any corporation or company whose stock is owned wholly or in part by the United States Government: *Provided further,* That the President may suspend compliance with this section in time of war or national emergency if he should deem such course to be in the public interest.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 125, page 80, line 6:

SEC. 9. All funds appropriated by this act, and all amounts herein made available for contractual obligation, shall be immediately available.

Mr. SNYDER. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate No. 125 and agree therein with an amendment as follows:

Strike out "Sec. 9" and insert "Sec. 8."

Mr. SNYDER. Mr. Speaker, I yield 4 minutes to the gentleman from Wisconsin [Mr. SCHAFER].

Mr. SCHAFER of Wisconsin. Mr. Speaker, I will use these 4 minutes to read a remarkable newspaper article from a Washington paper of June 7, an International News Service report, which reads as follows:

ALIENS CROWDED MANY AMERICANS OFF REFUGEE SHIPS

To bring home Americans crowded off other refugee ships, the steamship *Washington* has been ordered to abandon its trip to Genoa, Italy, and pick up passengers assembled at Galway, Ireland.

Announcing the sudden switch yesterday, the State Department explained that it was considered more imperative to take evacuees from Great Britain for whom no accommodations could be arranged on the *President Roosevelt,* now due back in New York Sunday.

NEW YORK, June 6.—Almost half the 1,914 passengers aboard the incoming line *Manhattan* are aliens, shipping officials said tonight, one official placing the number at 862 and saying most of them were Jewish refugees.

The United States Lines said it was unable to bar the aliens from boarding the ship in Genoa and Naples because they had bought their tickets before a State Department order ruled that Americans must be given first choice.

A line agent at Genoa said on June 2, the day the *Manhattan* left there, that 1,000 Americans remained in that port and others were at Naples. The *Manhattan* is due in New York Monday.

Mr. Speaker, I rise to bring this matter before the Congress and ask that the Dies committee investigate this very un-American activity of bringing in 862 aliens in a United States flagship and leaving more than 1,000 American citizens, who wanted to return home, in a foreign country where war is now raging. Let us return our American citizens from the war zones instead of bringing aliens into the United States in ships which are subsidized by the United States Treasury and which fly the stars and stripes. [Applause.]

[Here the gavel fell.]

Mr. D'ALESANDRO. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at this point.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. D'ALESANDRO. Mr. Speaker, the sad news that Italy has entered the war has come to us today.

I know that the millions of patriotic American citizens of Italian extraction throughout our country agree with me when I state that Mussolini has made a very serious mistake by entering into the war. We feel that he should have listened to the advice given him by His Holiness Pope Pius XII, who pleaded that peace be maintained. Mussolini cannot gain anything by tying up with a madman.

So far as the American citizens of Italian ancestry are concerned, none will continue to be more loyal American citizens than they. We will continue to support the Constitution and the President of the United States loyally and faithfully. If a call comes for volunteers for the protection of America, those citizens of Italian blood will be among the first to respond, as they always have in the past. We are part and parcel of this great Nation, and we will defend it with our blood. We are Americans. This is no time for the hyphenated citizen.

The SPEAKER. The question is on the motion to recede and concur with an amendment.

The motion was agreed to.

Mr. SNYDER. Mr. Speaker, I move to reconsider the vote by which the several amendments in disagreement were disposed of and to lay that motion on the table.

The motion was agreed to.

COMMITTEE ON WAYS AND MEANS

Mr. COOPER and Mr. TREADWAY rose.

The SPEAKER. For what purpose does the gentleman from Tennessee rise?

Mr. COOPER. To submit a unanimous-consent request.

The SPEAKER. The gentleman will state it.

Mr. COOPER. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means may have until midnight tonight to file a privileged report on the tax bill, and that the minority members of that committee may have the same time in which to file minority views.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The SPEAKER. Does the gentleman from Massachusetts wish to be recognized?

Mr. TREADWAY. Mr. Speaker, the gentleman from Tennessee has submitted the request I wished to make with regard to the filing of minority views.

Mr. NELSON. Mr. Speaker, I ask unanimous consent that the Rules Committee may be permitted to file a report at any time between now and midnight on the tax bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. NELSON]?

There was no objection.

HOUR OF MEETING TOMORROW

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow morning.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. RAYBURN]?

Mr. TREADWAY. Mr. Speaker, on behalf of the minority of the Ways and Means Committee, may I join in asking that the members of the minority promptly report at 11 o'clock in order to avoid the necessity of a quorum call, so that we may proceed immediately to the consideration of the tax bill?

Mr. RAYBURN. I trust both sides will respond to the request of the gentleman from Massachusetts.

Mr. DITTER. Mr. Speaker, reserving the right to object, I wonder whether the majority leader has discussed this matter with the minority leader?

Mr. RAYBURN. I have been looking for the minority leader, and I found the gentleman from Massachusetts [Mr. TREADWAY], who said he had discussed it with the minority leader.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. RAYBURN]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. COOPER. Mr. Speaker, I ask unanimous consent to proceed for one-half minute to make an announcement.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee [Mr. COOPER]?

There was no objection.

Mr. COOPER. Mr. Speaker, I want to announce that the committee prints of the tax bill are now available at the document desk. All Members, by calling there, may secure copies of the tax bill which has been unanimously reported by the Ways and Means Committee.

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. TREADWAY]?

There was no objection.

Mr. TREADWAY. After long consideration, Mr. Speaker, the Ways and Means Committee this morning, the minority and majority combined, reached a perfect agreement in connection with the consideration of that bill tomorrow. With the chairman and the gentleman from Tennessee [Mr. COOPER] I appeared before the Rules Committee requesting a rule. In that hearing we requested 6 hours for general debate and arranged to meet at 11 o'clock in order to expedite consideration. A member of the Rules Committee informs me now that the Rules Committee has cut that time down to 4 hours. I do not think this is fair in view of the considerations under which the Ways and Means Committee agreed to 6 hours, and I think the time should be changed to 6 hours. I think it is only fair to the Ways and Means Committee that that be done in view of the time we have given to the matter.

Mr. NELSON. I feel sure that can be worked out.

Mr. TREADWAY. Do we have the assurance of the majority leader?

Mr. RAYBURN. I may say to the gentleman from Massachusetts that I hope that may be done. Unanimous consent has been given to meet at 11 o'clock.

Mr. TREADWAY. We have done everything in our power to expedite the consideration of the bill, and the attitude I am taking is entirely agreeable to the majority side. With the assurance of the gentlemen on the Rules Committee that it can be worked out satisfactorily, I have nothing further to say.

Mr. MICHENER. I do not think there will be any difficulty about getting the matter extended from 4 to 6 hours.

Mr. COX. I think we can work it out.

Mr. TREADWAY. I am sure that the 6 hours will be eventually granted.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. ALLEN of Louisiana. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a resolution of the Alexandria, La., Chamber of Commerce.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana [Mr. ALLEN]?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein a communication from the State Department.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts [Mrs. ROGERS]?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD regarding the conference report just agreed to.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts [Mrs. ROGERS]?

There was no objection.

Mr. DITTER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a radio address delivered by the minority leader, the gentleman from Massachusetts [Mr. MARTIN] on Saturday last.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. DITTER]?

There was no objection.

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short editorial appearing in today's Washington News.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. HALLECK]?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. DREWRY, indefinitely, on account of illness.

To Mr. CROWE, for 2 days, on account of illness.

EXTENSION OF REMARKS

Mr. HOOK. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein a proclamation.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. HOOK]?

There was no objection.

The SPEAKER. Under a special order heretofore entered, the gentleman from California [Mr. VOORHIS] is recognized for 30 minutes.

FOR NATIONAL UNITY

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include a letter from Mr. Carroll R. Reed, president, American Association of School Administrators, and other school administrators on the subject of vocational training for technical work in connection with national defense.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. VOORHIS]?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on another subject.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. VOORHIS]?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, the American people today are possessed of a new spirit, a spirit in which they are capable of great things, a spirit of willingness to sacrifice for the sake of their Nation and for the sake of the preservation of values which they hold more dear than they do their own happiness or even their own lives. This spirit, too, carries a greater insistence on national unity, a greater willingness on the part of many people to try to see the point of view of other people and to cooperate, even though they do not always agree. I will make selfishness on the part of individuals or groups distinctly out of style.

THE PLACE TO BEGIN

In line with this spirit it would be fine if we provided for a reduction in Government salaries above $3,000 per year, including, obviously, our own. I would oppose reductions in the pay of Government employees who receive less than that figure. One of the most important things in the days that lie ahead for our United States is going to be a greater sharing of life and of our common lot together in a difficult world. Some of the inequalities must be ironed out.

My speech today is to urge that we do not neglect three things in connection with this crisis in the life of our country. The first one is that we must not fail to count the cost, to face up to the cost of the national-defense effort on which we have embarked. The second one is that we must see the whole picture of what national defense really includes, and, above all, we must understand that its whole basis must be in the general production of wealth in the Nation. Unless we achieve full employment and full production we cannot have strong

national defense nor can we effectively meet the challenge of dictatorship, which is, of course, the whole purpose of our efforts.

In the third place, we must not forget to use this period in the life of our country to draw all Americans of every class and group and race and religion closer together and to battle every short-sighted attempt to drive them apart with misunderstanding.

We find that today throughout this country there is a great deal of talk about "fifth columns" and disloyal activities. All of us know that this is a problem that must be faced and dealt with, that wherever we find there are elements in the population whose loyalty is elsewhere than to our own country they must be exposed and that the problem must be taken care of.

Before this in the House the warning has been issued both by myself and by other Members that it is of basic importance that we do not confuse disloyalty with a point of view on the part of people that happens not to agree with our own. It is important that we do not confuse the sincere advocacy of measures which people sincerely believe are best for the country they love with attempts to work the will of foreign powers to the detriment of our own Government.

THE "FIFTH COLUMN" JOB IS ONE FOR PROFESSIONAL GOVERNMENT AGENTS

This job of dealing with the "fifth column" is a job for professionals and not a job for amateurs. I do not know any agency in the Nation equipped to do it as well as the Federal Bureau of Investigation. Our Committee on Un-American Activities can help, but the Federal Bureau of Investigation, after all, is the agency upon which devolves the responsibility for actually apprehending people guilty of espionage and sabotage. I think I am safe in saying that to the extent necessary the F. B. I. will be equipped with the manpower necessary to handle this job. Private groups organizing themselves throughout the country should confine their activities to attempting to do a constructive job of building the strength of the Nation and the life of their communities.

They should not become involved in attempting to make accusations on the basis, perhaps, of most inconsequential evidence against people they happen not to like. I believe that is a very real danger. Reports can be made to the F. B. I. by anyone or any group which believes there is evidence of "fifth column" activities. But the job of investigation and action must be left to those agencies and authorities which we have set up for that purpose.

I have heard it suggested, indeed, that one thing that should be done is that employers throughout the country should supply arms to a certain number of people in their plants in order that those people might become guards in the plants. I merely suggest to you that if such a thing is done you are sowing the seeds of what might become a very serious situation, for, after all, men confronted with a situation of that kind are certainly not going to appreciate the obvious suggestion that they are going to be disloyal, and they will inevitably react against that kind of a move in a most hostile way. After all, loyalty is something you can neither force nor buy; it is something you have a right to assume from every person in the Nation and something you will get from the vast majority of the people in the Nation. As I said a while ago, it seems to me that it is the job primarily of the Federal Bureau of Investigation to keep track of those people from whom that loyalty will not be forthcoming and to deal with acts of espionage and sabotage.

WHAT THE CITIZEN CAN DO

On the other hand, I believe there is work to be done by civilians throughout the country who are earnestly desirous of making their contribution in this time of crisis for our country. I believe they might, for example, be told—and one of my extensions of remarks in the RECORD bears on this point—that they might be very useful in attempting to expand through their own local school systems the opportunities for vocational education for young people in this country, so that they might be equipped to do the kind of jobs this country is going to need to have done so much.

I could suggest also that those civilian groups might well stress the constructive side of citizenship—the preparation of people who may be young people about to become voters or who may be aliens for citizenship of a constructive sort in this country. I can hardly overemphasize the extent to which work of this kind would be important in my own section of the country in connection with the young second-generation Mexicans who live there in such large numbers, and who, I am positive, with a little careful guidance on the part of earnest Americans, can be made into the most loyal citizens of this country. Such groups ought not to be neglected.

In addition, there is the need for making on a voluntary basis careful surveys of the resources, the productive potentialities, of the different sections of the country, bringing that information together for the benefit of Government agencies which might make use of it.

The whole burden of this portion of my speech, then, is this, that the "fifth column" problem can be dealt with and it is going to be dealt with, but it should be dealt with by professional people who know their jobs and who will not do injustice to anybody. The job of Congress is to see to it that those law-enforcing bodies have at their command sufficient ability and a sufficient staff to carry out that work.

FACING THE REAL FACTS

Now, the next thing I want to say is this. I said there were three things we needed to remember today and the first one that I mentioned was that we needed to face fearlessly the real facts of the present situation. There are many people who write to you and me and they say they want us to keep our country out of war. I understand what they mean. I sympathize with them. And everything I can do to accomplish what they plead for I will do. I know that people who take that point of view have got to face up to the fact that maybe they are going to have to face a triumphant German dictator. You have got to face that if you take that attitude. Then there are other people who write to us and they say that we should give all aid to the Allies, and I understand what they mean, and I know how they feel, because I do, too; but those people have got to be prepared to run the risk that such a policy can easily result in, our finding ourselves actually involved in war as the result of precipitous action. That is the chance we take with that policy.

THE CYCLE OF HISTORY

You know, Mr. Speaker, it is true that once about every 500 years in the history of this old world, great and fundamental changes have taken place. I can take you back through history and show you that that is true. I can show you that 1000 B. C. was the approximate date when the ancestors of the Greeks came down and settled that peninsula, there to lay the basis of the first great civilization. About 500 B. C. was the time when the little Roman city started out on her career of world conquest. In the year 1 the greatest event in all the history of the world took place, an event which was sufficient in its import to rock empires to their foundations and to challenge every evil institution in the world even today, and the year 500, or almost that date, 476, to be exact, was the date of the fall of the Roman Empire and the coming of the barbarians and the opening or the beginning of the Dark Ages. The year 1000 was the beginning of the great Crusade and the opening of people's minds to new possibilities. One thousand five hundred was almost the date upon which Columbus discovered America and opened the whole western world and an era of hope which has led people toward the setting sun until finally that westward migration has ended in my own State of California and we are faced across the Pacific with the teeming millions of Asia. We know that age is passed. Now we face the year 2000 and it is no wonder, it seems to me, that God tries this generation and this age in the same fire He has tried these other ages. It is no wonder we find ourselves confronted with problems and dangers and difficulties which seem to be

too great for us, but always before, when they had to, men have overcome even the dangers and difficulties which sometimes seemed too great for men to meet. We can do great things if we know we are called upon to do them. And it is in that spirit that we must face them.

SOLUTION OF UNEMPLOYMENT OF EQUAL IMPORTANCE WITH MILITARY DEFENSE

Now, I want to point out this, that no matter what happens, it is of equal importance, not greater, perhaps, but of at least equal importance with the provision of the implements of national defense that we should solve domestically within the United States the problem of nonproduction and unemployment. [Applause.]

Let me show you what the possibilities are. Maybe I am talking too frankly here today; I do not know, but one possibility is a quick victory for Mr. Hitler and his Italian ally. In that case our system of economics and our form of government would have to learn to live side by side in a small world with his system. We would have to match his efficiency with a better type of efficiency, because more loyal and more resourceful.

The second possibility is for a quick Allied victory. I am afraid I need not dwell on that for any length of time. I cannot see any real possibility of such a result.

The third possibility is a stalemate, in which case either this country will or will not succeed in maintaining a peaceful policy. But no matter what happens, this conflict must end sometime, and when that conflict does end, we will be confronted almost certainly with a depression and economic dislocation far more serious than any the world has yet seen, unless an answer to unemployment and the curse of nonproduction has been found before that time. We will be confronted with the danger of the rise of totalitarian movements even in democratic countries which will be most serious indeed. And so, gentlemen, I make an appeal to you today—that we should not think our duty has come to an end when we provide for national defense in the narrow sense, but that we should understand that all of the labor that we could put upon it would not be too much to at the same time work out an answer to that problem of unemployment, the basic problem of the twentieth century.

WE MUST SACRIFICE OUR COMPLACENCY ABOUT UNEMPLOYMENT

There are two necessities; first, a great national-defense effort, on which we have already embarked and which we hope will be the means of preventing us from becoming involved in war and to insure us against future attack and to keep future peace; and, second, no matter what happens—whether competition with the totalitarian system or dealing with postwar depression, or both—the solution of unemployment and bringing to an end the paradox of unnecessary poverty in the face of idle machinery and unused farm crops. The real weakness of democracy is found here, and the real challenge of the dictator is, after all, his claim, whether properly based or not, that "all our people are at work." The German dictator spent many years, first bringing about full production of all German industry, and that was the basis for his national might. Then he turned to armament, and I am told that he spent one hundred billion in terms of American money on that armament. We can match that, if we must, for the sake of democracy and freedom, and a way of living in which we believe, but we must not underestimate the cost, and it is not fair to our people to do so. I think I am conservative in saying that $25,000,000,000 in the next 4 or 5 years will be required unless somehow by a blessed miracle a real peace can be established. Part of the cost of national defense is going to have to be a certain sacrifice, not only of things we may have to do without but also the most logical sacrifice of all, namely, the sacrifice of unemployment. Military expenditures, however great, are not going to accomplish a solution of that problem. Our effort is to make America and our democracy strong. All groups will have to give something, and those who have most will have to give most. It is important, above all things, that just dealing with all groups be had, so that all groups will recognize that just dealing and will know that the burden is being placed evenly in relation to the ability to bear it.

Then we will get a response, and a solution of unemployment is most important for everybody in this connection. I shall not this afternoon attempt to discuss in full a solution of that problem. We have had a group in Congress studying that problem for many months—our House Conference on Unemployment. The product of their work will finally be considered tonight—the final report. It will be a pooling of thoughts of members of all political parties in this House. That report is going to have great value and in the next days it will be put into the RECORD.

There is one central principle that seems to me basic in overcoming unemployment and bringing about full production and that is that it is necessary as your production of wealth increases, from whatever cause, the expansion of purchasing power in the hands of the people of the Nation must expand in proportion to that increased production. The main reason we have unemployment is because the power to produce increases so much faster than the distribution to the people of the capacity to consume. And to live with the machine and to sustain mass production, and mass employment, there must be mass consumption. We have a spirit about this attack on national defense and it is a spirit that sweeps away all thought of the national debt limit, the balance of the Budget, and all of the things that have worried people so long. They are regarded as of secondary importance. The overshadowing thing is the matter of national defense. If we had had that spirit about the solution of the unemployment problem we would have solved it before this. And our Nation would be far stronger than she is today in consequence. Gentlemen we must have the same spirit about the solution of the unemployment problem that prompts our actions with regard to national defense.

Mr. GIFFORD. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. Yes, I yield.

Mr. GIFFORD. As I read it, the purchasing power of the German people was not greatly increased by this vast expenditure of money. I understand they have had to deprive themselves of tremendous necessities.

Mr. VOORHIS of California. I am glad the gentleman brought that up, because I have some fairly accurate figures on that. Up until about 1935, in the first 2 years of the Hitler regime, the standard of living of the German people increased about one-third. Since that time it has not increased at all, the reason being, however, that instead of increasing the standard of living of the people by producting consumption goods, the production went into armaments. It is obvious, of course, that to the extent that production is directed into armaments, the energies of the Nation are used in that, and there are not additional consumption goods produced. Either the price of them must increase or else the people must consume fewer of them, and probably both.

Mr. HEALEY. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. HEALEY. Can the gentleman tell us the percentage of increase of production in Germany from that time on—1935?

Mr. VOORHIS of California. I have some figures here that I think are pretty accurate. I have every reason to think they are. Between 1933 and 1938 German industrial production is supposed to have increased about 100 percent—that is, it approximately doubled.

Mr. HEALEY. But the point is that the production increased greatly but the standard of living was not commensurate with the rate of production?

Mr. VOORHIS of California. That is correct. It was a very tremendous increase, for example, in the capacity to produce in the machine-tool industry, and things like that, and in total production, but so much of it was put into armaments that the possibility of increased standard of living of the people was not great.

We must remember that the total potential productive power of the United States of America today is as great as that of all the European belligerents put together. It is

altogether possible for this Nation to sustain the greatest national-defense program in history and at the same time, if we have full production, to sustain a very decent standard of living for every American family. But that possibility depends on our getting rid of unemployment and getting all our people and our plants to work.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. SCHAFER of Wisconsin. None of us wants any form of dictatorship in America, whether it be the Hitler, Stalin, Mussolini, or any other brand.

Mr. VOORHIS of California. Of course, that is true.

Mr. SCHAFER of Wisconsin. In connection with the interesting and valuable information which the gentleman has presented, is it also a fact that at the time of the negotiation of the Italian debt settlement, unemployment in Italy was very serious and the standard of living in Italy was exceedingly low, and the dictator, Mussolini, has decreased unemployment and increased the standard of living? That is another reason why we should attempt to solve our serious unemployment and economic problems which we have in America today.

Mr. VOORHIS of California. That is right. Of course, when any dictator gets supreme power he can move things around as he sees fit. Almost anyone could increase production and raise the standard of living in a country when he has power like that, but we do not want to pay that heavy a price. We believe we can do the job a better way—a democratic way. And we can do it if we really try. What I am saying is that out of the earnestness of sincere patriotic effort, out of the willingness of various groups of people in the United States to see clear through this picture, we have got to base full production of wealth in this country on far more solid ground than a dictator's power, and if we do we will give a challenge to the people of every dictator in the world, which the dictator cannot possibly stand up against [applause], because never have the people of any nation in this world ever voluntarily given up their freedom and liberty. They gave it up because they had to give it up to get something more important, which is mostly food.

Mr. GIFFORD. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. GIFFORD. I agree with the gentleman. I feared the gentleman said a while ago we would have to compete with that method of economy; that we might have to copy or imitate it. I now wish he would follow that up and write another page in that book of condemnation of that dictator. I am glad the gentleman suggests nothing that would indicate that we must copy the method of the dictator. I feared the gentleman made that suggestion that we would have to come to that method of economy.

Mr. VOORHIS of California. By no means. I am sorry the gentleman suggested that.

Mr. GIFFORD. You suggested we would have to meet it and compete with it.

Mr. VOORHIS of California. That is right. We have got to do better.

Mr. GIFFORD. But you suggest other weapons.

Mr. VOORHIS of California. Of course, I suggest other weapons; otherwise you do not have a democracy.

Mr. GIFFORD. That is right; but accompany that with a curse for those weapons that he has used, if you will.

Mr. VOORHIS of California. Well, I find it difficult to put that in words, I will say to the gentleman. Nor am I sure it does much good to do so. Suffice it to say, it seems to me there is all the difference between day and night between the point of view of a government which values human beings and one that does not. I do not think I need say any more. We have got to be big enough, then, in our thinking to be worthy of the day in which we live.

CENTRAL CAUSE OF UNEMPLOYMENT AND THE CENTRAL THING WE SHOULD DO

In connection with our study of unemployment, I think, speaking personally, that I can say that the central cause of unemployment is the failure of our Nation to maintain a scientific balance between increased production of goods and services and expansion of the volume of the means to enable people to buy those goods. It is along that line, it seems to me, Mr. Speaker, that the solution of unemployment must be found—not in control by government of industry, but in seeing to it that, first liquid funds are not hoarded and held out of use while industry and agriculture need that purchasing power to move their goods already produced; second, that the Nation be freed from the necessity of borrowing its own credit at interest from the banks in order to bring money into circulation, when its people themselves, its inventors, its industrialists, its farmers, and everybody else, have laid the basis for an increased production of real wealth. Under this situation the increase in volume of the medium of exchange should come debt-free from government.

May it not be time that we can no longer afford the luxury of a hit-and-miss monetary system?

Our money is not only a commodity in which speculation can be and is carried on—which is hoarded as now in tax-exempt securities—in the hope of a possible rise in its buying power. Our money system also makes possible speculative activity in every article of wealth in the whole Nation. He who controls the creation, ebb, and flow of the money supply controls the value of every farm, factory, loaf of bread, bushel of corn, and pair of shoes. The reason all this is so is because money in America is not a national medium of exchange created by the people to facilitate trade and commerce. Instead, it consists almost entirely of bank deposits brought into being through the mortgaging of real wealth to the money-creating banks. The Nation itself, through Congress, has chosen to render itself helpless in this situation by acquiescing in it. Thus the only way the Nation can influence the situation is by increasing its own debt in order to induce bankers to manufacture bank-deposit money for public use.

Schacht did not, as many people believe, abolish the debt-money system in Germany. But what he did do was to assume dictatorial control over the creation of debt money and to cause it to be brought into being according to a certain definite principle. That principle is that since production of wealth is what gives value to the medium of exchange, therefore money or credits can and should be expanded in volume according as it is possible to increase production. This is a principle of vast importance and it answers the question as to how Hitler has built up his gigantic war machine, and financed the most terrible war in history, to say nothing of the other things he has done—all without any gold or any of the supposedly essential elements of an orthodox monetary system.

What we must do is to devise a monetary and credit system superior to both the one we have now and the one employed for destructive purposes by Mr. Hitler. Ours must be a democratic system which will depend not on a government fiat or dictatorial decree, but on the nature of the system itself for the bringing about of full production and full employment. The essential elements in such a system are two. First, that the Nation's money and credit shall be originally created by the Congress of the United States and by no other agency. Second, that money and national credit shall be created in accordance with the need for it, that is in such amounts from year to year as will support with an adequate medium of exchange the expansion of production of real goods and services of which the Nation as a whole is capable. The important matter is that as long as new money or credit created in this way is matched by increasing production the Government should contract no debt to anyone when it creates the money or credit. The first step in the accomplishment of these purposes should be purchase by the Government of the capital stock of the Federal Reserve banks.

Then our Nation will for the first time be free to produce to the full, then there will be no fluctuations in the value of money, hence no inducement to hoard it against a possible rise in its buying power. Then we shall be more than a match

for the totalitarian machine of any nation. For we can have full production under democracy.

[Here the gavel fell.]

Mr. SCHAFER of Wisconsin. Mr. Speaker, we have taken a great deal of the gentleman's time asking questions. I ask unanimous consent that the gentleman's time be extended 10 minutes.

The SPEAKER pro tempore (Mr. SPARKMAN). There is another special order.

Mr. SCHAFER of Wisconsin. The gentleman is not here.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The SPEAKER pro tempore. The gentleman from California is recognized for 10 additional minutes.

Mr. VOORHIS of California. I thank the gentleman very much.

The important principle to be observed in this connection is that as the volume of money or national credit increases, if it is matched by increasing production then no inflation is possible and no additional public debt should be necessary in order to back that money. The thing that gives value to an interest-bearing Government bond is the production of wealth by the people and the power of the Government to tax. If that bond bore no interest, if it were a non-interest-bearing obligation, or if it were currency of the United States, the same production of wealth by the people and the same power of taxation would give to that money or non-interest-bearing bond value.

Mr. Speaker, it is all a question of who derives the benefit from the original creation of a medium of exchange required by a great nation. I believe that in this hour it is most important that that benefit be derived by our own Nation; and that is why I believe we should make the 12 central Federal Reserve banks Government institutions by the simple process of purchasing their stock. The problem of financing the things that we need to do would be much simplified if we did that, and our Nation would be free to produce to the full. There would be no violent changes in the value of our dollar, thus artificially and for no real reason driving up and down the value of every bit of property in this country, every farm, every factory, every pair of shoes, and every loaf of bread; and there would be no inducement to hoard money against a hoped-for rise in its value which means a hoped-for fall in the value of all other things. Then, as I have said, we shall be more than a match for the totalitarian machine of any nation, for we can have full production under democracy.

We must see things in their true magnitude. We must think big thoughts.

These are days in which we need to have big thoughts, Mr. Speaker. For example, we have got to work against monopoly control, we say, and try to restore a free market, but we do not think big thoughts about that. Indeed, we have today an Antitrust Division in the Department of Justice that, to my mind, for the first time in American history has enforced the antitrust laws that are on the books. And yet we "saved" $100,000 to "help balance the Budget" by taking that appropriation away from this key agency that is turning twice its appropriations back into the Treasury through fines following convictions in antitrust cases.

We know that one of our troubles is surplus savings. One of our troubles is to devise a means of shifting out of idle savings into the stream of consumer buying power a certain portion of those funds seeking, but not finding, investment. Part of it is going to be done by national defense, it is true, but what we need is a program that can do it consistently after this thing is over, a means of justice, a means of enabling all of the people of the Nation to share together the national prosperity.

A Member of another body from my State has made a proposal of the bold character which I mentioned this afternoon. He has proposed that we build a great superhighway system over this country the cost of which would be billions of dollars a year. But he contends such a program will be effective in bringing about a great increase in national income. He is the junior Senator from my State, Senator DOWNEY. He submitted to me a table carefully prepared to show what the Government revenue would be at certain levels of total national income. He commenced by assuming a national income of $70,000,000,000 at present. On this the Government revenue would be $6,000,000,000. On a national income of $90,000,000,000 the Government revenue would be $10,600,000,000. On a national income of $110,000,000,000 the Government's revenue would be $17,000,000,000. And we wonder how we are going to balance the Budget.

Mr. Speaker, we are going to balance the Budget out of the production of real wealth by the people of the United States. That is the way we are going to do it. We are going to do it by having a vision of what this country can be. We are going to do it by having a vision of what this country can produce and by having the people, the producers of this Nation, realize that as they produce the wealth the means of payment for it is going to be present in the hands of purchasers.

PROBLEMS OF AGRICULTURE

When we come to agriculture we note the effect of this war on agriculture is going to be not to help agriculture, as it did before, but to hurt it terribly, and that has already happened. The foreign markets for agricultural products are very largely at the moment curtailed, and many of them are gone. The fruit and vegetable people in my own State are in a most desperate situation. What shall we do? We all know one thing we can do. We have at last found out that one thing to do with so-called surpluses of agricultural commodities is to get them into the hands of people who do not have enough food. What we have not found out is that we can monetize those agricultural surpluses. They are real wealth, and real wealth is the basis for real credit.

Furthermore, I think this Congress should pass legislation to stop speculation in basic food commodities. I think we should stop the speculation in agricultural commodities as a measure of national defense. I do not see why that could not be done.

This is a rather rambling speech, but I have been kind of pouring out my heart here. There is a new spirit of unity and sacrifice in the people of America, but we have not achieved yet the full spirit we need. Some groups still try to gain a particular advantage for themselves. In some respects we in Congress still try to take the easy way of not interfering with any existing privileges or prerogatives. But 50,000 planes a year, if that is what we want, are going to cost several billion dollars a year. Freedom is worth it. But we must not fool ourselves about the cost. We can pay for that either by a lowered standard of living or out of an increased national income. Perhaps at first both are going to be necessary. But the one thing we must not do is to permit a situation where part of our people are made to feel they have no part in this national effort. That must not happen. Every man and every woman, especially every young man and woman, in America, has got to be made to feel that he and she has a part to do, a job to do. That is another way of saying we must end unemployment. [Applause.]

May I close by saying that I have not had the opportunity this afternoon to give you a detailed program for the solution of the unemployment problem. My main effort today is to show that it must be attacked in the same spirit we now feel toward national defense. We can do a good enough job on it to show the way to every dictator in the world. I only ask that we see a vision of how important that thing is.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Wisconsin.

Mr. SCHAFER of Wisconsin. The gentleman states we have to increase the purchasing power of our people, and I agree with him. Our relief bill will furnish employment for about one-third of our unemployed. Does the gentleman not think it would be a fine start to repeal the gold legislation under which billions of dollars of foreign gold are imported each year and foreigners handed a bonus at the expense of the American people amounting to the difference between

$20.67 an ounce and $35 on ounce? If we want to play Santa Claus, let us stop playing Santa Claus to foreign gold importers and speculators to the tune of billions of dollars a year and use that money to purchase food, these so-called agricultural surpluses, to distribute to our people who are ill-housed, ill-clothed, and ill-fed?

Mr. VOORHIS of California. The gentleman always asks me that question, and I appreciate it.

Mr. SCHAFER of Wisconsin. It is a big question.

Mr. VOORHIS of California. It is a big question, and one that would take a long time to discuss. It presents us with a real problem at the present time. It is too bad that we should be concerned over the holding up of the value of that gold. If I had my way, what I would do would be to make a constructive monetary use of some of that gold instead of increasing the public debt.

Mr. SCHAFER of Wisconsin. For the benefit of Americans and not foreigners?

Mr. VOORHIS of California. Yes. One last thing, I do not think we should adjourn the Congress. My reason is a simple one. I think we have too many important things we ought to do. I have mentioned some of them in this speech.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. MOSER asked and was given permission to extend his own remarks in the RECORD.

Mr. THILL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on two subjects, and to include under each subject a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. THILL]?

There was no objection.

UNLAWFUL USE OF THE BADGE, MEDAL, ETC., OF VETERANS' ORGANIZATIONS

Mr. WALTER filed a conference report and statement on the bill (H. R. 5982) for the protection against unlawful use of the badge, medal, emblem, or other insignia of veterans' organizations incorporated by act of Congress, and providing penalties for the violation thereof.

EXTENSION OF REMARKS

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD, and to include an editorial by Hugh Johnson, expressing his opinion on the present legal situation in connection with the sale of planes.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. HINSHAW].

There was no objection.

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter from Gov. Sam H. Jones, of Louisiana, on United States housing.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana [Mr. BROOKS]?

There was no objection.

The SPEAKER. Under a previous special order, the gentleman from Montana [Mr. THORKELSON] is recognized for 15 minutes.

SPECIAL ORDER

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include in connection therewith a letter by Amos Pinchot.

The SPEAKER. Is there objection?

There was no objection.

Mr. THORKELSON. Mr. Speaker, last Saturday after leaving my office I was intercepted on the corner of Delaware and Constitution Avenues by a policeman who held up the traffic of all cars. While I sat in my car waiting and perspiring, I wondered why the traffic was stopped. Becoming more or less curious about the delay, I stepped out of the car and, lo and behold, up Constitution Avenue came a cavalcade of cars surrounded by armed motorcycle policemen. I did not know just who they were, but upon investigation I found it was a White House party bound for the Navy Yard for a week-end trip down the Potomac. I wondered why we should go to the expense of providing armed escorts for fishing parties. Surely the taxpayers of the United States are entitled to greater consideration than that.

If the armed force that traveled up the avenue was to impress people and to produce a war psychosis, I am reasonably sure that the attempt fell flat, because everyone that saw it was not impressed but was instead amused at the precaution taken to protect this party.

It appears to me that the administration is continually attempting to bring about a state of mind on the part of our people in which they will actually believe they are to be invaded by someone, by some foreign power, a power that is not designated but simply alluded to by implication and otherwise. This is perfectly silly, because we are not going to be invaded by anyone. We are already invaded and have been for the past 7 years by the Communist Party, a party which is not only persona grata within the United States but which has received the blessings of the administration and the protection of the justice- and law-enforcing departments.

It occurs to me that it is quite strange that they cannot find the "fifth column" in the United States. Over the air last night one of the commentators included even myself in the "fifth column."

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. THORKELSON. I yield to the gentleman from Wisconsin.

Mr. SCHAFER of Wisconsin. Does the gentleman refer to the war-intervention propagandist, Moses Weinstein, alias Walter Winchell, the Jergen's hand lotion barker, who is spreading poison and propaganda on the air over the radio, notwithstanding the fact that the radio monopoly has taken such people as Father Coughlin off the air, under an illegal and unconstitutional code on the ground that nobody could discuss controversial questions except Moses Weinstein, alias Walter Winchell, Dorothy Thompson, and Walter Lippmann and a few more?

Mr. THORKELSON. The gentleman from Wisconsin is quite right in his reference to gentlemen who engage in disseminating personal scandal and vituperation and who respect the reputation of no man, whether he be a private individual, a Member of Congress, or anyone else.

Mr. SCHAFER of Wisconsin. This Jergen's hand lotion radio salesman is a great warrior—vocal and long distance. The gentleman apparently does not realize that there are no laws on the statute books which would prevent him from going to Canada and enlisting in the new British Foreign Legion or the French Foreign Legion. Before he leaves for the front he should go to Florida and take a "Florida PEPPER" with him to throw in the eyes of Hitler, and then wash his own and Hitler's hands with some of the Jergen's lotion which he peddles on the air while singing hymns of hate which flagrantly violate the very radio code which has taken Father Coughlin off the air.

Mr. THORKELSON. I should like to say to the gentleman from Wisconsin that I am heartily in accord with his sentiment that all those who are so anxious to involve the United States in war should enlist. There is nothing to hold them. There are no strings that tie them to the United States, and there is no law which prevents them from going forth and fighting for the principles in which they believe, but, in 1936:

> The Central Conference of American Rabbis reaffirms its conviction that conscientious objection to military service is in accordance with the highest interpretation of Judaism and therefore petitions the Government of the United States to grant to Jewish religious conscientious objectors to war the same exemptions from military service as has long been granted to members of the Society of Friends and similar religious organizations.

Mr. SCHAFER of Wisconsin. Is it not peculiar that in view of the incessant radio and newspaper propaganda of many of the great multimillionaire newspaper publishers in favor of helping the Allies that the American Red Cross has been unable to raise a few million dollars for relief in foreign

lands? Many of these "help the Allies" people are great liberals—liberal with other people's money. The gentleman no doubt has received a copy of the June 2, 1940, Philadelphia Inquirer, owned and published by Moses L. Annenberg, formerly of Milwaukee, the very wealthy tax dodger, who is liberal with other people's money, the same as President Roosevelt. This issue of the Philadelphia Inquirer advocates that we raid our almost-bankrupt Federal Treasury and help the Allies. Why should not Mr. Moses L. Annenberg go to Canada and enlist in the British or French Foreign Legion? There are trains running to Canada 24 hours a day. Why should not he hand his own millions to the Allies, instead of asking that Uncle Sam's almost-bankrupt Treasury be raided for that purpose?

Mr. THORKELSON. That is exactly my opinion. That is what I suggest all of them do.

I have received a few letters in which they advocate that we give aid to the Allies. I want to say now that we have given all the aid anyone can possibly give to anyone. Last year we passed the so-called Neutrality Act, and if you will look at my remarks made at that time you will find that what I stated in those remarks is happening here in the United States today. The Neutrality Act was not an act to provide neutrality; it was simply to legalize the procedure which the President is now pursuing in gradually bringing the United States and all its people up to the point where they are on the verge of war, not short of war, but on the verge of war.

Mr. SCHAFER of Wisconsin. There is no provision in the Neutrality Act or any laws on the statute books which would prevent another warmonger, Walter Lippmann, from going to Canada and enlisting for service overseas and doing some fighting, instead of promoting a war for other Americans to fight. There is nothing in the law to prevent his other stooge, war propagandist, Dorothy Thompson, from going overseas to drive an ambulance in the service of the Allies whose cause she so vociferously expounds. We all know that during the World War, when you and I were overseas, there were many women over there driving ambulances.

Mr. THORKELSON. And I may say that Dorothy Thompson was over there not long ago, but when she anticipated that Italy would become involved in the war she hot-footed it back home.

Mr. SCHAFER of Wisconsin. Just like Hubert Pierlot, the Prime Minister of Belgium, and his associates who took all the gold out of that country and ran to France when things got hot in Belgium, and then met in a dance hall in Paris and gave the King of Belgium hell for surrendering after he had been fighting until his men ran out of food, water, and ammunition.

Mr. THORKELSON. But the Belgian King stayed in the field and protected the lives of his people and that is more than his ministers did when they were criticizing him.

Now, just what aid have we given to the Allies over a period of 6 or 7 years? We have actually donated five and a half billion dollars of merchandise to all foreign nations who have delivered gold into the United States. We must realize that gold itself today is only worth $20.67 per ounce, as it has always been priced, and it is now sold at $35 an ounce. The difference between that is $14.33 or a matter of 69 percent of the original price of the gold. This is the difference we have donated to foreign nations in merchandise and in materials which have been bought in the United States.

That is not all we have given them. We have, by the trade pacts and trade treaties, also given them free importation of other commodities and food supplies that in reality we should have allowed our own farmers to produce and furnish to our own people as food supplies, but we have imported all that from foreign nations. For what purpose? Not to help the United States, not to help our own farmers, but in order to help some unseen foreign interest which has a very insidious influence on this administration.

This is not all we have done either. We established a neutrality patrol, and that patrol was nothing but a scouting fleet for the British Navy. I have said so before, and if you will recall the capture of the *Columbus*, the *Tuscaloosa* reported the position of that ship to Washington until the British destroyer came up and sank the ship, and it was finally found, I discovered, and it was so published in one of the international magazines, that the captain, the radio operator, the communication officers, were all of Jewish extraction. Well, you can readily see why they would report this ship to the British Navy, because the British Government is composed of nothing but internationalists.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. THORKELSON. I yield.

Mr. SCHAFER of Wisconsin. The Jergen's hand-lotion salesman last night on the air delivered a lengthy denunciation of communism. Is it not a fact that Moses Weinstein, alias Walter Winchell, the Jergen's hand-lotion salesman, only a few months ago was advertising on the air and sending to Members of Congress a book called Secret Armies, written by John L. Spivak, a most notorious Communist?

Mr. THORKELSON. I received a copy of that book and I know the statement the gentleman now makes is absolutely correct. It appears that the Communist Party is dominating not only the United States, but is actually directing the way of the administration, and that is quite evident in the precaution that was taken not to bring up the deportation bill against Harry Bridges. There is no reason why that gentleman should remain in the United States and there is no reason why anyone else who does not subscribe to the principles set forth in the Constitution of the United States should remain here.

We must at some time in the future reach some definite position in that respect. It should in fact be taken for granted that if each and every one of us subscribes to the fundamental principles of this Government as set forth in the Constitution we will all be united Americans, but that is not the case. We have a great many different organizations here operating entirely in conflict with our own basic law and under the protection of our own Justice and Intelligence, and law-enforcement departments. In other words, the Government itself is the biggest offender in the United States today.

The SPEAKER pro tempore. The time of the gentleman from Montana has expired.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended for 5 minutes.

The SPEAKER pro tempore. Is there objection?

Mr. TERRY. Mr. Speaker, I regret very much to have to object. The gentleman was late in getting here. He was more than 10 minutes late in coming to his assignment, and that time was given to the gentleman from California [Mr. VOORHIS]. I feel that I shall have to object.

Mr. SCHAFER of Wisconsin. If the gentleman had been here the gentleman from California would not have been able to get the additional time. I think the gentleman, as well as all Members present, wanted the gentleman from California to have that additional time because he was making a fine, informative speech.

The SPEAKER pro tempore. Does the gentleman object?

Mr. TERRY. I shall not object at this time, but I shall notify the gentleman now that I shall object to any future extension of time.

Mr. THORKELSON. I thank the gentleman for his courtesy.

Mr. SCHAFER of Wisconsin. The gentleman wonders why Harry Bridges, the alien British Communist, has been permitted by the New Deal to carry on his guerilla warfare and undermine our American merchant marine, which is an essential part of our national defense. The New Deal thinks more of aliens than of American citizens. That might be the reason why the New Deal ordered our American flagship, the Manhattan, to Italy to bring 892 aliens to the United States and leave more than 1,000 American citizens in the war zone. It appears that our New Deal administration follows the principle of aliens first and Americans last.

Mr. THORKELSON. I would state to the gentleman from Wisconsin that I am informed that we have in the employ of the Federal Government people who have been in the United States only 4 or 5 or 6 weeks and who are now drawing $200 a month, $2,400 a year, when our own people are walking the streets looking for work. It seems to me that the Government has set itself aside as an employment agency for foreign refugees of all different sorts and types that have come into the United States. Surely I want to see these people taken care of, but I cannot see why the United States should be used as a dumping ground for every undesirable alien not wanted by any other nation.

Mr. Browder is the chief Communist in the United States. He was convicted on a passport fraud charge. He is still at large, and I saw the other day where he addressed 20,000 people at the Madison Square Garden and was received with great acclaim. I inform the Members of Congress now, because it concerns free speech, that I was asked to speak in New York 3 or 4 weeks ago. The program was printed, and my subject was to be Constitutional Government and Sound Money. When the management of the hotels found that I was to speak, the reservation was canceled in each one of the three hotels, in spite of the fact that arrangements had been made and a deposit had also been placed with the management of the hotels.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. THORKELSON. I yield to the gentleman.

Mr. SCHAFER of Wisconsin. Did your New York speaking engagements in competition with Earl Browder include a billing at the Stork Club where the Jergen's hand lotion salesman and his Communist pal, John L. Spivak, hang out. [Laughter.]

Mr. THORKELSON. I want to say to the gentleman from Wisconsin that I have made up my mind to have the Jergen's company prove what their commentator has said in regard to myself. If I am a Nazi or a Fascist the Federal Bureau of Investigation should come here and take me out. I am here waiting for them. If I am not, I want Walter Winchell and his kind to prove just exactly what I am.

I have recently initiated two suits of that sort. In one case it was against a paper that was called Voice for Human Rights. They apologized for the libel that they committed in respect to myself. The other gentleman, who published the Pressure Boys, and stated that I was a diploma-mill doctor, withdrew his libel and paid for it in addition.

Mr. SCHAFER of Wisconsin. Will the gentleman yield further?

Mr. THORKELSON. I yield.

Mr. SCHAFER of Wisconsin. I hope the gentleman will press his case against this Jergen's hand lotion salesman, because if the gentleman from Montana is a member of a "fifth column," whether it is a Nazi, Fascist, or Communist gang, I want to vote to kick him out of the House of Representatives.

If he is not a "fifth column" member, I want the libel laws enforced so that this Moses Weinstein, alias Walter Winchell, can peddle his Jergen's hand lotion among the convicts in a Federal penitentiary. [Laughter and applause.]

Mr. THORKELSON. I want to say I think it is the duty of the Executive to see that the laws are faithfully obeyed, and if there are any Communists, Nazis, or Fascists in the Congress of the United States, he certainly ought to enforce the law and see that they are brought before the bar of justice. [Applause.]

The SPEAKER pro tempore (Mr. SPARKMAN). The time of the gentleman from Montana has again expired.

EXTENSION OF REMARKS

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to extend my remarks and include a short editorial from the Washington Daily News of Saturday, June 8.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

ENROLLED BILLS SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 808. An act to confer jurisdiction upon the District Court of the United States for the Southern District of Florida to hear, determine, and render judgment upon the claim of Zook Palm Nurseries, Inc., a Florida corporation.;

H. R. 2417. An act to facilitate the control of soil erosion and/or flood damage originating upon lands within the exterior of boundaries of the Sequoia National Forest, Calif.;

H. R. 2418. An act to extend the provisions of the Forest Exchange Act, as amended, to certain lands so that they may become parts of the Whitman, Malheur, or Umatilla National Forests;

H. R. 7643. An act to facilitate and simplify national-forest administration;

H. R. 8096. An act for the relief of certain disbursing officers of the Army of the United States and for the settlement of individual claims approved by the War Department;

H. R. 8438. An act making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1941, and for other purposes;

H. R. 9243. An act to provide for the promotion of promotion-list officers of the Army after specified years of service in grade, and for other purposes;

H. R. 9326. An act to provide educational employees of the public schools of the District of Columbia with leave of absence, with part pay, for purposes of educational improvement, and for other purposes; and

H. R. 9109. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1941, and for other purposes.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 163. An act directing the Secretary of the Interior to issue to Albert W. Gabbey a patent to certain lands in the State of Wyoming;

S. 505. An act authorizing the President of the United States to summon Sam Alexander before an Army retiring board, and for other purposes;

S. 897. An act to correct the military record of Walter Ballhaus;

S. 1326. An act for the relief of Janet Hendel, nee Judith Shapiro;

S. 1328. An act for the relief of Lena Hendel, nee Lena Goldberg;

S. 1608. An act to repeal the provisions of Private Law No. 347, Seventy-first Congress, pertaining to Victoria Kessel;

S. 1635. An act for the relief of the Acme Die-Casting Corporation;

S. 1638. An act for the relief of Thermal Syndicate, Ltd.;

S. 1678. An act for the relief of Charles B. Chrystal;

S. 1977. An act for the relief of John A. Farrell;

S. 2209. An act for the relief of Earle Embrey;

S. 2250. An act for the relief of Joseph F. Tondre;

S. 2295. An act authorizing the President to reappoint and honorably discharge David J. Sawyer, second lieutenant, National Army, as of May 11, 1919;

S. 2735. An act authorizing the issuance to Orville Wright of honorary aircraft pilot's certificate No. 1;

S. 3009. An act authorizing the President to present the Navy Cross to Capt. Frank N. Roberts, United States Army;

S. 3038. An act to provide for the advancement of John L. Hines on the retired list of the Army;

S. 3044. An act for the relief of Nadine Sanders;

S. 3061. An act for the relief of Andrew Olson;

S. 3095. An act for the relief of Harry Hutson;

S. 3245. An act for the relief of Maria Teresa Valdes Thompson;

S. 3306. An act for the relief of Roy F. Lassly, former Acting Chief Disbursing Clerk, Department of the Interior;

S. 3337. An act for the relief of Lewis State Bank, of Tallahassee, Fla.;

S. 3338. An act for the relief of Alice C. Wainwright;

S. 3673. An act to enable Kurt Frings to enter and remain permanently in the United States; and

S. 3887. An act for the relief of Laura Trice Converse.

BILLS PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 808. An act to confer jurisdiction upon the District Court of the United States for the Southern District of Florida to hear, determine, and render judgment upon the claim of Zook Palm Nurseries, Inc., a Florida corporation;

H. R. 2417. An act to facilitate the control of soil erosion and/or flood damage originating upon lands within the exterior of boundaries of the Sequoia National Forest, Calif.;

H. R. 2418. An act to extend the provisions of the Forest Exchange Act, as amended, to certain lands, so that they may become parts of the Whitman, Malheur, or Umatilla National Forests;

H. R. 7643. An act to facilitate and simplify national-forest administration;

H. R. 8096. An act for the relief of certain disbursing officers of the Army of the United States and for the settlement of individual claims approved by the War Department;

H. R. 8438. An act making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1941, and for other purposes;

H. R. 9109. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1941, and for other purposes;

H. R. 9243. An act to provide for the promotion of promotion-list officers of the Army after specified years of service in grade, and for other purposes; and

H. R. 9326. An act to provide educational employees of the public schools of the District of Columbia with leave of absence, with part pay, for purposes of educational improvement, and for other purposes.

ADJOURNMENT

Mr. TERRY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 15 minutes p. m.) the House, pursuant to its order heretofore entered, adjourned until tomorrow, Tuesday, June 11, 1940, at 11 o'clock a. m.

COMMITTEE HEARINGS

COMMITTEE ON MINES AND MINING

The Subcommittee on Mines and Mining that was appointed to consider S. 2420 will continue hearings on Tuesday, June 11, Thursday, June 13, and Friday, June 14, 1940, at 10 a. m. in the committee rooms in the New House Office Building.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold a public hearing on Tuesday, June 11, 1940, at 10 a. m., on the following bill:

H. R. 9982, to require, during an emergency, the shipment and discharge of seamen on certain vessels of the United States before shipping commissioners, and for other purposes.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization on Tuesday, June 11, and Wednesday, June 12, 1940, at 10:30 a. m., for the consideration of Senate bills on Tuesday and unfinished business on Wednesday.

COMMITTEE ON THE JUDICIARY

On Wednesday, June 12, 1940, at 10 a. m., there will be held before Subcommittee No. I of the Committee on the Judiciary a hearing on House Joint Resolution 553, to authorize the Federal Bureau of Investigation of the Department of Justice to conduct investigations in the interests of national defense, and for the purpose to permit wire tapping. The hearing will be held in the Judiciary Committee room, 346 House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1747. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated June 4, 1940, submitting a report, together with accompanying papers and illustrations, on a beach-erosion study, St. Simon Island, Ga., authorized by the River and Harbor Act approved July 3, 1930, and by act of Congress approved June 26, 1936 (H. Doc. No. 820); to the Committee on Rivers and Harbors and ordered to be printed, with 12 illustrations.

1748. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated May 10, 1940, submitting a report, together with accompanying papers and an illustration, on reexamination of Missouri River with respect to flood control for the municipalities of Sioux City and Council Bluffs, Iowa, and Omaha, Nebr., and on main stem from Sioux City, Iowa, to Kansas City, Mo., requested by resolutions of the Committee on Flood Control, House of Representatives, adopted February 10, 1938, and the Committee on Commerce, United States Senate, adopted February 13, 1939 (H. Doc. No. 821); to the Committee on Flood Control and ordered to be printed, with an illustration.

1749. A letter from the Comptroller of the Near East relief, transmitting the report of the Near East relief for the year ending December 31, 1939; to the Committee on the Judiciary.

1750. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Department of Commerce for the fiscal year 1941 amounting to $1,560,000 (H. Doc. No. 813); to the Committee on Appropriations and ordered to be printed.

1751. A communication from the President of the United States, transmitting a draft of a proposed provision affecting the estimate of appropriation of the Navy Department for aviation, Navy, contained in House Document No. 806 (H. Doc. No. 814); to the Committee on Appropriations and ordered to be printed.

1752. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of State, for the fiscal year 1941, amounting to $7,500 (H. Doc. No. 815); to the Committee on Appropriations and ordered to be printed.

1753. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated May 13, 1940, submitting a report, together with accompanying papers and illustrations, on reexamination of Bridgeport Harbor, Conn., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted November 3, 1939 (H. Doc. No. 819); to the Committee on Rivers and Harbors and ordered to be printed, with 2 illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. SABATH: Committee on Rules. House Resolution 503. Resolution providing for the consideration of H. R. 9877, a bill authorizing the Secretary of the Interior to promulgate and to put into effect charges for electrical energy generated at Boulder Dam, providing for the application of revenues from said project, authorizing the operation of the Boulder Power Plant by the United States directly or through agents, and for other purposes; without amendment (Rept. No. 2482). Referred to the House Calendar.

Mr. McCORMACK: Committee on Ways and Means. H. R. 9909. A bill to amend sections 2803 (c) and 2903 of the Internal Revenue Code; without amendment (Rept. No. 2483). Referred to the Committee of the Whole House on the state of the Union.

Mr. PEARSON: Committee on Interstate and Foreign Commerce. H. R. 10009. A bill to amend section 13 (d) of the Railroad Unemployment Insurance Act; without amendment (Rept. No. 2484). Referred to the Committee of the Whole House on the state of the Union.

Mr. PETERSON of Florida: Committee on Merchant Marine and Fisheries. S. 3958. An act to authorize the Secretary of the Treasury to grant to the Road Department of the State of Florida an easement for a road right-of-way over the Coast Guard Reservation at Flagler Beach, Fla.; without amendment (Rept. No. 2485). Referred to the Committee of the Whole House on the state of the Union.

Mr. O'LEARY: Committee on Merchant Marine and Fisheries. Senate Joint Resolution 260. Joint resolution to make emergency provision for the maintenance and essential vessels affected by the Neutrality Act of 1939, and for adjustment of obligations with respect to such vessels; without amendment (Rept. No. 2486). Referred to the Committee of the Whole House on the state of the Union.

Mr. PETERSON of Florida: Committee on Merchant Marine and Fisheries. H. R. 9995. A bill to amend the act of April 6, 1938 (52 Stat. 201), entitled "An act authorizing the Secretary of the Treasury to exchange sites at Miami Beach, Dade County, Fla., for Coast Guard purposes"; without amendment (Rept. No. 2487). Referred to the Committee of the Whole House on the state of the Union.

Mr. BULWINKLE: Committee on Interstate and Foreign Commerce. S. 2059. An act authorizing a grant to the city of Fargo, N. Dak., of an easement in connection with the construction of water and sewer systems; with amendment (Rept. No. 2488). Referred to the Committee of the Whole House on the state of the Union.

Mr. DOUGHTON: Committee on Ways and Means. H. R. 10039. A bill to provide for the expenses of national preparedness by raising revenue and issuing bonds, to provide a method for paying for such bonds, and for other purposes; without amendment (Rept. No. 2491). Referred to the Committee of the Whole House on the state of the Union.

Mr. WEAVER: Committee on the Judiciary. H. R. 4587. A bill to give the Supreme Court of the United States authority to prescribe rules of pleading, practice, and procedure with respect to proceedings in criminal cases prior to and including verdict, or finding, or plea of guilty; with amendment (Rept. No. 2492). Referred to the House Calendar.

Mr. MAY: Committee on Military Affairs. House Joint Resolution 555. Joint resolution to provide for the observance, safeguarding, and enforcement of neutrality, and the strengthening of the national defense, and the promotion of peace; without amendment (Rept. 2493). Referred to the Committee of the Whole House on the state of the Union.

Mr. SABATH: Committee on Rules. House Resolution 518. Resolution for consideration of H. R. 10039, a bill to provide for the expenses of national preparedness by raising revenue and issuing bonds, to provide a method for paying for such bonds, and for other purposes; without amendment (Rept. No. 2494). Referred to the House Calendar.

Mr. WALTER (for Mr. SUMNERS of Texas): Committee of conference on the disagreeing votes of the two Houses. H. R. 5982. A bill for the protection against unlawful use of the badge, medal, emblem, or other insignia of veterans' organizations, and for other purposes (Rept. No. 2495). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. H. R. 10010. A bill to increase the size of the Regular Army of the United States; without amendment (Rept. No. 2496). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. MACIEJEWSKI: Committee on Immigration and Naturalization. H. R. 3004. A bill for the relief of Dimitreos Bizos; without amendment (Rept. No. 2480). Referred to the Committee of the Whole House.

Mr. MACIEJEWSKI: Committee on Immigration and Naturalization. H. R. 8901. A bill for the relief of Welenty Slusarz; without amendment (Rept. No. 2481). Referred to the Committee of the Whole House.

Mrs. O'DAY: Committee on Immigration and Naturalization. H. R. 5103. A bill for the relief of Kurt Schene; with amendment (Rept. No. 2489). Referred to the Committee of the Whole House.

Mrs. O'DAY: Committee on Immigration and Naturalization. H. R. 8293. A bill to enable Thaddeus Kirchlechner (Theodore Metsch) to remain permanently in the United States; without amendment (Rept. No. 2490). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DOUGHTON:

H. R. 10039. A bill to provide for the expenses of national preparedness by raising revenue and issuing bonds, to provide a method for paying for such bonds, and for other purposes; to the Committee on Ways and Means.

By Mr. BYRNS of Tennessee:

H. R. 10040. A bill to increase the size of the Regular Army of the United States; to the Committee on Military Affairs.

By Mr. DELANEY:

H. R. 10041. A bill to authorize the Secretary of the Navy to acquire Floyd Bennett Airport; to the Committee on Naval Affairs.

By Mr. KEE:

H. R. 10042. A bill authorizing the Big Creek Bridge Co., Consolidated, its successors and assigns, to construct, maintain, and operate a bridge across the Tug Fork of the Big Sandy River at or near Nolan, W. Va.; to the Committee on Interstate and Foreign Commerce.

By Mrs. CLARA G. McMILLAN:

H. R. 10043. A bill to permit certain classes of persons to mail firearms for repairs or replacement of parts; to the Committee on the Post Office and Post Roads.

By Mr. PACE:

H. R. 10044. A bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes; to the Committee on Rivers and Harbors.

H. R. 10045. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to include peanuts, and for other purposes; to the Committee on Agriculture.

By Mr. SHAFER of Michigan:

H. R. 10046. A bill to authorize the Secretary of War to grant a right-of-way to Grand Trunk Western Railroad Co. across the Kalamazoo National Guard target range, Michigan; to the Committee on Military Affairs.

By Mr. THOMAS of New Jersey:

H. R. 10047. A bill to provide for military instruction and training for members of the Civilian Conservation Corps; to the Committee on Labor.

By Mr. WOOD:

H. R. 10048. A bill to provide for the loan to the American Legion, Department of Missouri, of cots, mattresses, and blankets for use in connection with the 1940 State convention to be held in Sedalia, Mo., September 1, 2, and 3, 1940; to the Committee on Military Affairs.

By Mr. BELL:

H. R. 10049. A bill to create a Department of Aeronautics; to the Committee on Expenditures in the Executive Departments.

By Mr. HINSHAW:

H. R. 10050. A bill authorizing the Secretary of War to execute an easement deed to the city of Los Angeles, Calif., for the use and occupation of lands and water areas in connection with the Sepulveda Dam and Reservoir project and the Hansen Dam and Reservoir project on the Los Angeles River; to the Committee on Flood Control.

By Mr. COLMER:

H. R. 10051. A bill to provide for the transfer of certain land in the De Soto National Forest to the Secretary of War for use for military purposes; to the Committee on Agriculture.

By Mr. FADDIS:

H. J. Res. 567. Joint resolution to provide for the strengthening of the national defense; to the Committee on Military Affairs.

By Mr. GOODWIN:

H. J. Res. 568. Joint resolution authorizing an appropriation to control the chinch-bug menace in the Corn Belt; to the Committee on Appropriations.

By Mr. KING:

H. Res. 519. Resolution authorizing the printing of the report on "Labor in the Territory of Hawaii," prepared by the Bureau of Labor Statistics, as a document; to the Committee on Printing.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Louisiana, memorializing the President and the Congress of the United States to consider their House Concurrent Resolution No. 21, with reference to air bases in the national-defense program; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. KING:

H. R. 10052. A bill for the relief of Fred Heihei; to the Committee on Claims.

By Mr. PATRICK:

H. R. 10053. A bill conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment on the claim of R. Brinskelle and Charlie Melcher; to the Committee on Claims.

By Mr. WALTER:

H. R. 10054. A bill for the relief of certain American citizens for losses suffered as the result of the acquisition by the United States of seven Austrian merchant ships; to the Committee on Claims.

H. Res. 520. Resolution calling on the Court of Claims to make certain findings; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8649. By Mr. BOEHNE: Petition of R. B. Watson and others, of Corydon, Ind., requesting consideration of the Townsend recovery plan, known as House bill 8264, by the Seventy-sixth Congress; to the Committee on Ways and Means.

8650. By Mr. HART: Memorial of Hon. Harry J. Thourot, mayor of Union City, N. J., requesting that the services of war veterans be utilized in connection with the national-defense program; to the Committee on Military Affairs.

8651. By Mr. KEOGH: Petition of the Chamber of Commerce of the State of New York, opposing Senate Joint Resolution 92, the Federal Government's claim to submerged coastal lands; to the Committee on the Judiciary.

8652. Also, petition of the Chamber of Commerce of the State of New York, concerning alien registration; to the Committee on Immigration and Naturalization.

8653. Also, petition of the Chamber of Commerce of the State of New York, concerning national defense and the European crisis; to the Committee on Military Affairs.

8654. Also, petition of the National Public Housing Conference, Inc., New York City, favoring legislation for the rehousing of at least 200,000 families during the next 12 months; to the Committee on Banking and Currency.

8655. By Mr. PFEIFER: Petition of the Chamber of Commerce of the State of New York, New York City, concerning the national defense and European crisis; to the Committee on Foreign Affairs.

8656. Also, petition of the Chamber of Commerce of the State of New York, New York City, approving of the alien registration and fingerprinting bill; to the Committee on Immigration and Naturalization.

8657. Also, petition of the Chamber of Commerce of the State of New York, New York City, opposing Senate Joint Resolution 92, the Federal Government's claim to submerged coastal lands; to the Committee on the Judiciary.

8658. Also, petition of the Chamber of Commerce of the State of New York, New York City, concerning the Hatch bill; to the Committee on the Judiciary.

8659. By Mr. SCHIFFLER: Petition of Thomas H. George and 105 other citizens of Wellsburg, W. Va., urging the United States Government to aid the Allies immediately by every effective means and weapon which can be made available to them; to the Committee on Foreign Affairs.

8660. By the SPEAKER: Petition of Mr. Roman and others of San Francisco, Calif., petitioning consideration of their resolution with reference to war; to the Committee on Foreign Affairs.

8661. Also, petition of John H. Smith, of Longview, Tex., petitioning consideration of their resolution with reference to a rigid dirigible airship plan; to the Committee on Naval Affairs.

8662. Also, petition of the Italian-American Citizen League, Inc., Orange, N. J., petitioning consideration of their resolution with reference to neutrality; to the Committee on Foreign Affairs.

8663. Also, petition of the Workers Alliance, G. 19, petitioning consideration of their resolution with reference to Government reorganization; to the Select Committee on Government Organization.

8664. Also, petition of the Lions International, Sixteenth District, Hoboken, N. J., petitioning consideration of their resolution with reference to national defense; to the Committee on Military Affairs.

8665. Also, petition of the Lions International Club, Pineland, Tex., petitioning consideration of their resolution with reference to national defense; to the Committee on Military Affairs.

8666. Also, petition of Edith A. Hately and Josephine Schott, of Chicago, Ill., petitioning consideration of their resolution with reference to national defense; to the Commitee on Military Affairs.

8667. Also, petition of the Marion Lions Club, Marion, Ind., petitioning consideration of their resolution with reference to national defense; to the Committee on Military Affairs.

8668. Also, petition of the American Federation of Hosiery Workers, No. 43, Los Angeles, Calif., petitioning consideration of their resolution with reference to deportation of Harry Bridges; to the Committee on Immigration and Naturalization.

8669. Also, petition of Local No. 109, International Union of Mine, Mill, and Smelter Workers, Bessemer, Ala., petitioning consideration of their resolution with reference to defense program; to the Committee on Military Affairs.

8670. Also, petition of the Workers Alliance, G 219, San Pedro, Calif., petitioning consideration of their resolution with reference to deportation of Harry Bridges; to the Committee on Immigration and Naturalization.

8671. Also, petition of G. F. Benson and others, petitioning consideration of their resolution with reference to adjournment of Congress of the United States of America; to the Committee on Ways and Means.

8672. Also, petition of the International Longshoremen's and Warehousemen's Union, 31–20, Los Angeles, Calif., petitioning consideration of their resolution with reference to deportation of Harry Bridges; to the Committee on Immigration and Naturalization.

8673. Also, petition of the Lions Club of Temple, Tex., petitioning consideration of their resolution with reference to the defense program; to the Committee on Military Affairs.

8674. Also, petition of the Gardena Valley Lions Club, Gardena, Calif., petitioning consideration of their resolution with reference to the defense program; to the Committee on Military Affairs.

8675. Also, petition of Harlem Council of the Jewish Peoples Committee, petitioning consideration of their resolution with reference to House bill 9858, concerning immigration; to the Committee on Immigration and Naturalization.

8676. Also, petition of the Maryland Police Association, Baltimore, Md., petitioning consideration of their resolution with reference to suppression and elimination of treasonable and un-American activities; to the Committee on the Judiciary.

8677. Also, petition of the Maryland State and District of Columbia Federation of Labor, Washington, D. C., petitioning consideration of their resolution with reference to civil service and noncivil service; to the Committee on the Civil Service.

8678. Also, petition of the International Lions Club, Boerne, Tex., petitioning consideration of their resolution with reference to the defense program; to the Committee on Military Affairs.

8679. Also, petition of the city of Selma, Ala., petitioning consideration of their resolution with reference to the defense program; to the Committee on Military Affairs.

8680. Also, petition of the International Union, United Automobile Workers of America, Bay City, Mich., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8681. Also, petition of the International Workers Order, Inc., Iskra Branch 3502, Chicago, Ill., petitioning consideration of their resolution with reference to neutrality; to the Committee on Foreign Affairs.

SENATE

TUESDAY, JUNE 11, 1940

(Legislative day of Tuesday, May 28, 1940)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty God, our Heavenly Father, in whose image we were created, grant to the people of this Nation such a sense of freedom that, in its defense, we may fearlessly contend against evil and make no peace with oppression, that, being endued with courage and loyalty, we may serve our God and our country without reproach. Keep us so true to the ideals of conduct that we may never betray or deny the wondrous love of God that sanctifies our manhood and lures us to the holy heights of aspiration.

Strengthen our weakness, purify us from all uncleanness, and grant us a new and clearer vision, that, as sons of God, we may go forth on the path of duty, having no fear save that of wounding Thee. We ask it in the name of Thy dear Son, Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Monday, June 10, 1940, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Brown	Clark, Mo.	Guffey
Andrews	Bulow	Connally	Gurney
Ashurst	Burke	Danaher	Hale
Austin	Byrd	Davis	Harrison
Bailey	Byrnes	Donahey	Hatch
Bankhead	Capper	Ellender	Hayden
Barbour	Caraway	George	Herring
Barkley	Chandler	Gerry	Hill
Bilbo	Chavez	Gillette	Holman
Bone	Clark, Idaho	Green	Holt
Hughes	Miller	Russell	Townsend
Johnson, Calif.	Minton	Schwartz	Truman
Johnson, Colo.	Murray	Schwellenbach	Tydings
King	Neely	Sheppard	Vandenberg
La Follette	Norris	Shipstead	Van Nuys
Lee	Nye	Slattery	Wagner
Lodge	O'Mahoney	Smith	Walsh
Lucas	Overton	Stewart	Wheeler
Lundeen	Pepper	Taft	White
McKellar	Pittman	Thomas, Idaho	Wiley
McNary	Radcliffe	Thomas, Okla.	
Maloney	Reed	Thomas, Utah	
Mead	Reynolds	Tobey	

Mr. MINTON. I announce that the Senator from Virginia [Mr. GLASS] and the Senator from Nevada [Mr. MCCARRAN] are necessarily detained from the Senate.

The Senator from California [Mr. DOWNEY] is absent on official business for the Committee on Banking and Currency.

The Senator from New Jersey [Mr. SMATHERS] is absent because of illness in his family.

Mr. AUSTIN. I announce that my colleague, the junior Senator from Vermont [Mr. GIBSON], and the Senator from North Dakota [Mr. FRAZIER] are necessarily absent.

Mr. TOBEY. I announce that the senior Senator from New Hampshire [Mr. BRIDGES] is detained by air conditions.

The VICE PRESIDENT. Eighty-nine Senators have answered to their names. A quorum is present.

HARRIETT BOSWELL, GUARDIAN OF BETTY FISHER

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 1024) for the relief of Harriett Boswell, guardian of Betty Fisher, which was on page 1, line 7, to strike out "$3,000" and insert "$2,500."

Mr. CHANDLER. Mr. President, this bill was sponsored in the Senate by my distinguished predecessor, the late Senator M. M. Logan, of Kentucky, for the benefit of one of our fellow citizens. I move that the Senate concur in the House amendment.

The motion was agreed to.

EDWARD SMITH

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 3578) for the relief of Edward Smith, which was on line 12, after "Wisconsin", to insert:

Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. LA FOLLETTE. I move that the Senate concur in the House amendment.

The motion was agreed to.

CORRECTION

Mr. BONE. Mr. President, yesterday on the floor of the Senate I indulged in a colloquy with my good friend the Senator from Oklahoma [Mr. LEE] in regard to a statement of mine as to what results I thought the cost of war might produce here in the United States. In the course of that colloquy I stated that, regardless of which side won, the aftermath of war would be so terrifying that there would not be a victory for even the alleged winner. I have repeated that statement many times. In fact, I see an advertisement in the morning newspaper which says that a world revolution threatens us. Those things are inevitably the price of war.

I notice, however, that in reporting what I said—it is my misfortune to speak very rapidly—through a typographical error, or that of the reporter, a semicolon has been inserted in my statement where I, using the ordinary vernacular, said:

I do not care which side wins, or claims to win, in this terrible struggle, I do not believe any nation in the world can win one of these total wars.

Obviously, the thought is true. No nation will win one of these total wars. In view, however, of the fact that through a typographical error there is a semicolon after the words "I do not care which side wins, or claims to win, in this terrible struggle," I want to make it plain that the semicolon should not be there. Like the average American, I fall readily into the habit of using colloquial terms instead of using more precise English. It is merely my misfortune to use my mother tongue in a way that escapes the limpid purity that characterizes the grammar of my brethren.

I shall content myself at this time with saying that the typographical error may put me in the position of saying I do not care which side wins, whereas I think everybody knows that I sincerely hope the Allies will be completely victorious; and I hope that out of their victory will come a peace not characterized by such bitterness as to make living in Europe impossible for the 450,000,000 people there, and that out of this war with all its horrors will not come pestilence and famine to further bedevil Europe. It is the increasing horror of the "total war" that, regardless of which side may seem to win, makes a real victory in a true sense an impossibility. Misery and despair are the real victors in our modern wars.

REPORT OF BOARD OF ACTUARIES OF CIVIL SERVICE RETIREMENT AND DISABILITY FUND

The VICE PRESIDENT laid before the Senate a letter from the president of the United States Civil Service Commission, transmitting, pursuant to law, the Nineteenth Annual Report of the Board of Actuaries of the Civil Service Retirement and Disability Fund, which, with the accompanying report, was referred to the Committee on Civil Service.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the following concurrent resolution of the Legislature of the State of Louisiana, which was referred to the Committee on Military Affairs:

Resolution memorializing the Congress of the United States and the Civil Aeronautics Authority to establish an aviation base at or near the Tchfuncta Park, St. Tammany Parish, La.

Whereas the United States in its defense program is seeking to establish aviation bases in various sections of the country; and

Whereas certain lands belonging to the Department of Conservation of the State of Louisiana, and being situated north of Highway No. 190 near the Tchfuncta Park, St. Tammany Parish, La., would be an ideal location; and

Whereas such a location would, being in the Ozone Belt, be ideal from the standpoint of health and could be used as a defense point from attacks through the Gulf of Mexico: Therefore be it

Resolved by the house of representatives (the senate concurring), That we do respectfully urge upon the Congress of the United States now in session and the Civil Aeronautics Authority, that the proper authorities vested with the selection of air bases in the national-defense program be requested to make said location one of its air bases; be it further

Resolved, That copies of this concurrent resolution be forwarded to the President of the United States Senate, the Speaker of the House of Representatives of the United States, and to the Louisiana senatorial and the congressional Representatives in Washington, and to the press.

The VICE PRESIDENT also laid before the Senate a telegram from Walter Morgan, of Philadelphia, Pa., dated the tenth instant, stating "that he had advised the President by telegraph 'that Americans, regardless of party, support his leadership for immediate material and even financial aid to the democracies,'" which was referred to the Committee on Military Affairs.

Mr. ASHURST presented petitions of sundry citizens of Nogales, Santa Cruz County, Ariz., praying that all means be used immediately to render material help to France and England short of actual war, which were referred to the Committee on Military Affairs.

Mr. REYNOLDS. Mr. President, I ask consent that there be published under the heading "Petitions and Memorials" a petition entitled "Petition to the President of the United States," dated May 30, 1940, reading as follows:

We, the undersigned citizens of Roanoke Rapids and Halifax County, N. C., after calm and deliberate consideration, respectfully petition that legislation be enacted to repeal the so-called Neutrality Act and any other acts which prohibit freedom of action of the people of the United States who desire to give aid and comfort to the Allies in their unequal struggle against Germany.

Our belief is that the German Army and the German people, by their invasion of friendly, neutral countries, and by their inhuman treatment of these conquered people, no longer are entitled to the respect or sympathy of civilized nations. Their utter disregard of all the moral and humane principles which we hold sacred forces us to the conclusion that our duty lies with those nations who are now struggling for the preservation of life, liberty, and the peaceful pursuit of happiness.

It is also our belief that the vast majority of the people of this Nation desire some immediate action on our part which will hearten the nations who are now desperately struggling against utter destruction, and in this struggle are fighting for us as well as themselves and that the Neutrality Act does not represent the present thought and feeling of our people.

We, therefore, believe that it would be for our best interests and the lasting benefit of humanity to give to the Allies everything they may require of our material resources regardless of price or terms.

This petition was drafted as a test of public opinion by Col. Carroll Wilson, editor and owner of the Roanoke Rapids Herald, of Roanoke Rapids, N. C., which is located in Halifax County, one of the most historic counties in my Commonwealth of North Carolina. This petition has been voluntarily signed by more than 1,000 citizens of Roanoke Rapids, N. C., Roanoke Rapids being one of the industrial centers of my State.

The citizenship of Roanoke Rapids is composed of native white Americans. It is a typical American community of 10,000 population.

This petition was brought to Washington personally by Colonel Wilson and, at his request, I am hereby asking unanimous consent that it be published in the main body of the CONGRESSIONAL RECORD and appropriately referred.

I am advised by Colonel Wilson that the signatures attached to this petition were entirely of a voluntary nature, the petitions themselves having been left at sundry stores, and that no effort on the part of Colonel Wilson or any of his associates interested in the matter was put forth urging signatures to the petition.

The VICE PRESIDENT. Without objection, the petition will be referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

Mr. JOHNSON of Colorado, from the Committee on Interstate Commerce, to which was referred the joint resolution (S. J. Res. 267) providing for the acquisition by the Railroad Retirement Board of data needed in carrying out the provisions of the Railroad Retirement Acts, reported it without amendment and submitted a report (No. 1805) thereon.

Mr. MEAD, from the Committee on Post Offices and Post Roads, to which was referred the bill (H. R. 6424) to provide for the transportation and distribution of mails on motor-vehicle routes, reported it with an amendment and submitted a report (No. 1806) thereon.

Mr. ASHURST, from the Committee on Indian Affairs, to which was referred the bill (S. 3931) for the acquisition of Indian lands for the Parker Dam and Reservoir project, and for other purposes, reported it with amendments and submitted a report (No. 1807) thereon.

Mr. THOMAS of Oklahoma, from the Committee on Indian Affairs, to which was referred the bill (S. 4042) to provide for the acquisition of flowage rights and the payment of certain damages in connection with the operation of the Fort Hall Indian irrigation project, Idaho, reported it without amendment and submitted a report (No. 1808) thereon.

Mr. SHIPSTEAD, from the Committee on Indian Affairs, to which was referred the bill (S. 3353) for expenditure of funds for cooperation with the public-school board of school district numbered 5 at Onigum and Walker, Minn., for the construction, extension, equipment, and improvement of public-school facilities to be available to all Indian children in the district, reported it with amendments and submitted a report (No. 1809) thereon.

He also, from the same committee, to which was referred the bill (S. 3954) relating to the issuance by the Secretary of the Interior of a patent to the State of Minnesota for certain lands in that State, reported it without amendment and submitted a report (No. 1810) thereon.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SCHWELLENBACH:

S. 4124. A bill for the relief of Vashti Geer Coape-Arnold; to the Committee on Claims.

By Mr. TRUMAN (for himself, Mr. HATCH, Mr. GILLETTE, and Mr. MEAD):

S. 4125. A bill to reduce interest rates on Federal land-bank and Land Bank Commissioner loans; to increase the earnings and strengthen the financial structure and cooperative features of national farm-loan associations and increase their statutory functions and duties; to increase farmer-elected representatives on the district farm-credit boards, and to provide means for their nomination and election; to authorize the Federal Farm Mortgage Corporation and the Federal land-banks to make exchanges of Federal land-bank bonds; to authorize the creation and prescribe the duties and functions of the Federal Farm Credit Commission, and for other purposes; to the Committee on Banking and Currency.

By Mr. PITTMAN:

S. 4126. A bill for the relief of Anne Howard Lay; to the Committee on Foreign Relations.

By Mr. PEPPER (for himself and Mr. LEE):

S. J. Res. 276. Joint resolution to authorize the President to exercise certain authority to preserve and promote the peace and safety of the Western Hemisphere; to the Committee on Foreign Relations.

TAXATION TO MEET EXPENSES OF NATIONAL PREPAREDNESS—AMENDMENT

Mr. BYRD submitted an amendment intended to be proposed by him to the bill (H. R. 10039) to provide for the expenses of national preparedness by raising revenue and issuing bonds, to provide a method for paying for such bonds, and for other purposes, which was referred to the Committee on Finance and ordered to be printed, as follows:

At the proper place in the bill to insert the following new section:

"SEC. (a) The President is hereby authorized and directed to reduce appropriations for the executive branch of the Government for the fiscal year ending June 30, 1941 (except appropriations for national defense, fixed charges, and trust funds), in such manner that the total amount of such reductions shall not be less than 10 percent of the total amount of the appropriations affected. Such reductions in appropriations shall be impounded and returned to the Treasury.

"(b) The amount of such reduction shall be available for expenditure for any national-defense purposes authorized by law."

APPROPRIATIONS FOR WORK RELIEF AND RELIEF—AMENDMENTS

Mr. BILBO submitted an amendment intended to be proposed by him to the joint resolution (H. J. Res. 544) making appropriations for work relief and relief, for the fiscal year ending June 30, 1941, which was ordered to lie on the table and to be printed, as follows:

On page 3, line 17, after the word "utilities", to strike out "electric transmission and distribution lines or systems to serve persons in rural areas, including projects sponsored by and for the benefit of nonprofit and cooperative associations", and in lieu thereof to insert "refrigerated cold-storage plants and electric transmission and distribution lines or systems, together with offices and buildings to serve persons in rural areas, including projects sponsored by and for the benefit of nonprofit corporations and cooperative associations."

Mr. BURKE submitted an amendment intended to be proposed by him to the joint resolution (H. J. Res. 544) making appropriations for work relief and relief, for the fiscal year ending June 30, 1941, which was ordered to lie on the table and to be printed, as follows:

On page 25, line 16, of the committee amendment, after the words "and are American citizens", to insert the following proviso:

"*Provided*, That the fact that a person is entitled to, or has received, either adjusted-service bonds or a Treasury check, in payment of an adjusted-compensation certificate, or has an insurance policy with the United States Government, shall not be considered in determining actual need of such employment."

ADDRESS BY THE PRESIDENT AT CHARLOTTESVILLE, VA.

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD the address delivered by the President of the United States on Monday, June 10, 1940, at Charlottesville, Va., which appears in the Appendix.]

EDITORIAL COMMENTS ON PRESIDENT'S ADDRESS AT CHARLOTTESVILLE

[Mr. PEPPER asked and obtained leave to have printed in the RECORD editorial comments upon the address of the President of the United States on June 10, 1940, at Charlottesville, Va., which appear in the Appendix.]

ADDRESS BY SENATOR MALONEY AT CONNECTICUT DEMOCRATIC STATE CONVENTION

[Mr. MALONEY asked and obtained leave to have printed in the RECORD an address delivered by him at the Democratic State convention in Hartford, Conn., on June 3, 1940, in accepting the nomination as candidate for reelection to the United States Senate, which appears in the Appendix.]

ADDRESS BY RICHARD JOYCE SMITH NOMINATING SENATOR MALONEY FOR REELECTION

[Mr. WALSH asked and obtained leave to have printed in the RECORD an address delivered by Richard Joyce Smith in nominating Senator MALONEY for reelection at the Democratic State convention in Connecticut, which appears in the Appendix.]

AID TO THE ALLIES—ADDRESS BY SENATOR PEPPER

[Mr. MINTON asked and obtained leave to have printed in the RECORD a radio address delivered by Senator PEPPER on June 9, 1940, on the subject of aid to the Allies, which appears in the Appendix.]

SALE OF SUPPLIES TO ALLIES—ADDRESS BY SENATOR LUNDEEN

[Mr. CLARK of Missouri asked and obtained leave to have printed in the RECORD an address delivered by Senator LUNDEEN on June 9, 1940, which appears in the Appendix.]

POST-WAR WRITERS AND PRE-WAR READERS—ADDRESS BY ARCHIBALD MAC LEISH

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an address delivered by Hon. Archibald MacLeish before the American Association for Adult Education on the subject Post-War Writers and Pre-War Readers, which appears in the Appendix.]

ADDRESS BY HON. J. REUBEN CLARK, JR., ON WHY I AM AN AMERICAN

[Mr. KING asked and obtained leave to have printed in the RECORD a radio address delivered by Hon. J. Reuben Clark, Jr., on the subject Why I Am An American, at Salt Lake City, Utah, on May 29, 1940, which appears in the Appendix.]

ADDRESS BY M. NEY WILLIAMS AT HINDS COUNTY (MISS.) DEMOCRATIC CONVENTION

[Mr. BILBO asked and obtained leave to have printed in the RECORD an address delivered by M. Ney Williams on June 4, 1940, at the Hinds County, Miss., Democratic Convention, which appears in the Appendix.]

"AN APPEAL TO THE CONSCIENCE OF AMERICA"—ARTICLE BY THOMAS E. BURKE

[Mr. AUSTIN asked and obtained leave to have printed in the RECORD an article by Thomas E. Burke entitled "An Appeal to the Conscience of America," published in the Journeymen Plumbers and Steamfitters Journal of June 1940, which appears in the Appendix.]

WANTED: A MILITARY POLICY—ARTICLE BY MAJ. GEORGE FIELDING ELIOT

[Mr. LODGE asked and obtained leave to have printed in the RECORD an article by Maj. George Fielding Eliot entitled "Wanted—A Military Policy," which appears in the Appendix.]

FARM LEGISLATION—EDITORIAL FROM MONTANA FARMERS UNION NEWS

[Mr. WHEELER asked and obtained leave to have printed in the RECORD an editorial in reference to proposed farm legislation, published in the Montana Farmers Union News of the issue of May 22, 1940, which appears in the Appendix.]

"FIXING THE BLAME"—EDITORIAL BY DAVID LAWRENCE

[Mr. TOBEY asked and obtained leave to have printed in the RECORD an editorial by David Lawrence, published in the June 14 number of the United States News, entitled "Fixing the Blame," which appears in the Appendix.]

EDITORIAL REFERENCES TO DEATH OF DR. ROBERT RUSSA MOTON

[Mr. MEAD asked and obtained leave to have printed in the RECORD three editorials commenting upon the death of Dr. Robert Russa Moton, who succeeded Booker T. Washington as president of Tuskegee Institute, which appear in the Appendix.]

ACHIEVEMENTS OF F. B. I.—LETTER BY PAUL S. ANDREWS

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD a letter addressed to the editor of the New York Times by Mr. Paul S. Andrews, of Syracuse University, under the heading "Achievements of F. B. I.—Americans found to owe debt of gratitude to Bureau," which appears in the Appendix.]

ACQUISITION OF ISLAND OUTPOSTS

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an editorial from the Wilmington Morning Star, of Wilmington, N. C., of Saturday, June 8, 1940, under the heading "These outposts needed," which appears in the Appendix.]

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9209) making appropriations for the Military Establishment for the fiscal year ending June 30, 1941, and for other purposes; that the House receded from its disagreement to the amendments of the Senate Nos. 3, 36, 80, 90, 97, and 108 to the bill, and severally concurred therein; that the House receded from its disagreement to the amendments of the Senate Nos. 19, 21, 38, 67, 79, 120, 121, 122, 123, 124, 125, and 126 to the bill, and concurred therein, severally with an amendment, in which it requested the concurrence of the Senate; that the House receded from its disagreement to the amendment of the Senate No. 117 to the bill, and concurred therein, with amendments, in which it requested the concurrence of the Senate, and that the House insisted upon its disagreement to the amendments of the Senate Nos. 78 and 119 to the bill.

The message also announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 9907. An act to provide for the recording and releasing of liens by entries on certificates of title for motor vehicles and trailers, and for other purposes;

H. R. 10011. An act to prohibit the sale in the District of Columbia of products of convict labor; and

H. J. Res. 559. Joint resolution authorizing a reduction in the rate of interest to be paid on certain loans and advances made to the District of Columbia by the United States of America through the Public Works Administration.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 163. An act directing the Secretary of the Interior to issue to Albert W. Gabbey a patent to certain lands in the State of Wyoming;

S. 505. An act authorizing the President of the United States to summon Sam Alexander before an Army retiring board, and for other purposes;

S. 897. An act to correct the military record of Walter Ballhaus;

S. 1326. An act for the relief of Janet Hendel, nee Judith Shapiro;

S. 1328. An act for the relief of Lena Hendel, nee Lena Goldberg;

S. 1608. An act to repeal the provisions of Private Law No. 347, Seventy-first Congress, pertaining to Victoria Kessel;

S. 1635. An act for the relief of the Acme Die-Casting Corporation;

S. 1638. An act for the relief of Thermal Syndicate, Ltd.;

S. 1678. An act for the relief of Charles B. Chrystal;

S. 1977. An act for the relief of John A. Farrell;

S. 2209. An act for the relief of Earle Embrey;

S. 2250. An act for the relief of Joseph F. Tondre;

S. 2295. An act authorizing the President to reappoint and honorably discharge David J. Sawyer, second lieutenant, National Army, as of May 11, 1919;

S. 2735. An act authorizing the issuance to Orville Wright of honorary aircraft pilot's certificate No. 1;

S. 3009. An act authorizing the President to present the Navy Cross to Capt. Frank N. Roberts, United States Army;

S. 3038. An act to provide for the advancement of John L. Hines on the retired list of the Army;

S. 3044. An act for the relief of Nadine Sanders;

S. 3061. An act for the relief of Andrew Olson;

S. 3095. An act for the relief of Harry Huston;

S. 3245. An act for the relief of Maria Teresa Valdes Thompson;

S. 3306. An act for the relief of Roy F. Lassly, former Acting Chief Disbursing Clerk, Department of the Interior;

S. 3337. An act for the relief of Lewis State Bank, of Tallahassee, Fla.;

S. 3338. An act for the relief of Alice C. Wainwright;

S. 3673. An act to enable Kurt Frings to enter and remain permanently in the United States;

S. 3887. An act for the relief of Laura Trice Converse; and

H. R. 6446. An act to amend the act entitled "An act to authorize the city of Pierre, S. Dak., to construct, equip, maintain, and operate on Farm Island, S. Dak., certain amusement and recreational facilities; to charge for the use thereof; and for other purposes," approved August 16, 1937.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles and referred to the Committee on the District of Columbia:

H. R. 9907. An act to provide for the recording and releasing of liens by entries on certificates of title for motor vehicles and trailers, and for other purposes;

H. R. 10011. An act to prohibit the sale in the District of Columbia of products of convict labor; and

H. J. Res. 559. Joint resolution authorizing a reduction in the rate of interest to be paid on certain loans and advances made to the District of Columbia by the United States of America through the Public Works Administration.

EXPEDITION IN STRENGTHENING THE NATIONAL DEFENSE

The Senate resumed the consideration of the bill (S. 4025) to expedite the strengthening of the national defense.

The VICE PRESIDENT. The Senator from Oklahoma [Mr. LEE] has given the Chair notice that he would like to address the Senate; and the Chair recognizes the Senator from Oklahoma.

Mr. LEE. Mr. President, on yesterday the State Democratic Convention of Oklahoma met and passed a resolution endorsing by a vote of 160 to 41 the policy of giving material aid—not men—to the Allies. They also passed a resolution instructing the delegation for Mr. Roosevelt.

Mr. President, we heard President Roosevelt's speech last night calling for full steam ahead. The skipper of the old ship of state has called upon the crew for full speed ahead. We are taking some steps toward national defense, but not enough; not as much as we can. We are not mobilizing our industrial resources fast enough. Our race is against time. Our goal is to place our country in a state of preparedness. It is now 6:30 in the evening, and the chores are not done, and the night cometh when no man can work, as it has come to England, as it has come to France. They had warnings. They ignored the warnings of persons who knew.

Adolf Hitler did an amazing thing. He drew up a blueprint map of his plans and gave it to the world. It was so incredible that the world discounted it. To several close associates and friends of his he stated exactly what he planned to do, and up to this good hour he has carried out his plans. He has fulfilled every one of his predictions.

I wish to read at this point a story reported by Harlan Miller in his column of yesterday in the Washington Post,

in which he tells a story which was given by Herman Rauschning. We might discount it except for the fact that Herman Rauschning is the same one who reported Mr. Hitler as saying that his troops would suddenly appear "in the streets of their capitals." Speaking in the first person, he said:

My troops will appear in the streets of their capitals suddenly, and they will be fully uniformed and armed, and no one will stop them.

Did not that happen actually and literally in the streets of Denmark and in the streets of Norway? And did not the "fifth column" prepare the way for his troops? Never before has anyone so coordinated an operation from within with an operation from without as Hitler has.

The story goes that this expression "fifth column" came from General Franco. When he was referring to the siege of Madrid, he said:

I have four columns on the outside and one column working on the inside.

Not only that; when someone questioned Mr. Hitler about what his generals thought of war, he flauntingly said:

Generals! Pshaw—generals! I do not follow them. They obey my orders because generals want to fight on the field of honor like knights of old, but I will use all methods that will carry out my plans, and my troops will suddenly appear in the streets of their capitals.

Let us see what this same Herman Rauschning said with respect to Hitler's plans concerning South America. I read:

ADOLF DREAMS ON HIS TERRACE

One summer evening, sitting on the terrace of his mountain hideout, Adolf Hitler conquered South America.

His schemes are significant, in view of the current alarm about our exposed flank to the south, sending of cruisers, talk of landing marines at Natal, in Brazil, and the leasing of air bases to the south.

The story is told in The Voice of Destruction by Herman Rauschning, who was a member of the Reichstag, a friend of Hitler, and who was on the terrace the evening Hitler took Brazil. It was after dinner. Hitler had been questioning a trusted leader of the Sturmabteilung just back from South America.

"We shall create a new Germany there," he cried with the excitement he often feels at such moments.

"We shall find everything we need there." There, he exclaimed, was a "corrupt mestizo state" which by revolution could—this was in 1933—be transformed into a German dominion in a few years.

His scheme was to woo the Latin aristocrats while inciting the peons to rebel against them.

Here in Washington these schemes of Hitler are vividly in the minds of State, War, and Navy officials, and of Latin-American diplomats, as they focus now on the Trojan horse south of the Rio Grande and south of the Canal.

"Besides, we have a right to that continent," Hitler went on, "for the Fuggers and Welsers had possessions there. The time has passed for us to give place to Spain and Portugal."

The Fuggers were a wealthy German family which helped pillage South America 300 years ago.

With the United States, Hitler asserted confidently, the Latin Americans were fed up: "They knew they were being exploited by them, and had nothing to expect from them for the development of their country."

But if they weren't sure of this, Hitler was ready to help them realize it, by sending over energetic, unscrupulous representatives of overseas Germanhood.

"Our conquistadores, my dear Von P.," he said, "have a more difficult task than the original ones, and for this reason they have more difficult weapons."

"We shall make them a gift; our philosophy," said Hitler. "If ever there is a place where democracy is senseless and suicidal, it is in South America. They must be enabled to throw both their liberalism and their democracy overboard."

"But we must send our people out to them," Hitler said, and when he says something like that it's jotted down on the cuff as an order. "Our youth must learn to colonize * * *. Audacious youth is what we want. They need not go into the jungle, either, to clear the ground. What we want are people in good (South American) society."

Von P., a pioneer of the Nazi propaganda in South America, demurred. He felt that good society was not a good bet for propaganda. He thought "we should attain our purpose more quickly by making use of other classes, such as the Indios and the mestizos."

"Both, my dear von P.," Hitler interrupted impatiently. "We require two movements abroad, a loyal and a revolutionary one. Do you think that so difficult? I think we have proved that we are capable of it. We should not be here otherwise."

In other words, Hitler's scheme for South America is to stuff Nazi "fifth columnists" and agitators both into the government groups and into the revolutionists in South America; to get "loyalist" Nazis into the high places and "revolutionary" Nazis into the masses.

Hitler decreed that along with Brazil, both Argentina and Bolivia were in "the first line of Nazi interest." He propounded ideas "later realized by Bohle on the one hand and Ribbentrop on the other, in two mutually antagonistic onslaughts of propaganda."

A year later Hitler turned his attention actively to Mexico. That was in 1934, so the Nazis have had 6 years to work on the Mexicans. * * * By this time Adolf Hitler must be closer to reclaiming the heritage of the Fuggers and making the Latins a gift of his philosophy.

Mr. President, this should give us some indication of the diabolical scheme of this man who is dreaming of world domination. He is too shrewd to overlook the chance which would be his if once he had in his possession the Allied fleets, and that is also a part of his plan.

He has smarted under the fact that Germany has everything except a fleet. Germany has superiority in the air, Germany has superiority on the land, but Germany does not have superiority on the seas. Do not think a man with Hitler's insatiable lust for power would not smart under that lack of power. Do not think he would not lay his plans to seize the fleets of the Allies.

I know we were somewhat encouraged when Prime Minister Churchill announced that England would never surrender her fleets, but life is sweet, sometimes at any cost, even when the alternative is bondage and subjugation, and if when the blitzkrieg strikes the British Isles the Germans give the British a taste of what total war means, and the British see their people subjected to the horrors of modern warfare, and they are tempted with the chance of purchasing sweet life by the surrender of their Navy, they will say to themselves, "What good will the Navy do us if all of our people are destroyed, if England is gone?"

Do not think that Hitler is not wise enough to know that if he puts the pressure on England strong enough, if he makes the alternative horrible enough, Britain will yield control of the Navy in return for life, even though it means subjugation.

Mr. CONNALLY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from Texas?

Mr. LEE. I yield.

Mr. CONNALLY. Why does the Senator say that? Does he know what the British are going to do? He says the British are going to surrender their fleet, as I understand.

Mr. LEE. I will amend that, and I thank the Senator, because I do not want to make the statement that strong. I will amend it by saying that they might surrender their Navy in return for a promise that the lives of their people be spared.

Mr. CONNALLY. It might interest the Senator to know that the report is in circulation that the British Fleet has just sunk 20 Italian ships. I do not know whether or not that is accurate. I do not know whether they are merchant ships or warships. I hope they are both.

Mr. LEE. I hope they are all warships.

Mr. SCHWARTZ. Mr. President——

Mr. LEE. I will make a brief rejoinder to the statement of the Senator from Texas, then I will yield.

We would not have thought a month ago that King Leopold would have surrendered under the circumstances under which he did surrender.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. LEE. I yield.

Mr. CONNALLY. King Leopold had certain family connections, and there were matters of that kind which might have unduly influenced him. But I am willing to accept the assurances of Mr. Churchill, who says that the British will never surrender their fleet, that before they will surrender their fleet they will bring it to Canada and establish the government there. I admire the courage and the fortitude and the forthrightness of Mr. Churchill. The minute the British Empire surrenders its fleet there will no longer be a British Empire, and they know it; and they will not surrender their fleet.

Mr. KING. Mr. President, will the Senator from Oklahoma yield?

Mr. LEE. I yield.

Mr. KING. Let me say to my able friend from Oklahoma that undoubtedly if the Allies should be defeated, Hitler—with the one who is now his associate, whom the people call Mussolini, though some give him a proper title—will demand the surrender not only of the French Fleet but of the English Fleet. It is to be hoped that Hitler will not be so successful, and that if his demands are made, they will be resisted, as they will be, and that in the end democracy shall triumph against the dictatorial authority which seeks to subjugate the world and impose its philosophy upon democratic nations.

Mr. LEE. Mr. President, I certainly subscribe to that, and I do not find myself in disagreement with the Senator from Texas. I am merely pointing out the possibilities and the thin thread on which we base our hope, which is nothing more than the reaction of human beings. I am pointing out a possibility which could easily become a reality. I myself could not sit in judgment on the British Government if, in return for the lives of the British people, they were forced to surrender the British Fleet.

Mr. SCHWARTZ. Mr. President, will the Senator yield?

Mr. LEE. I yield.

Mr. SCHWARTZ. I do not often speak, but I should like to ask the Senator from Oklahoma a question. I ask him whether he does not believe that we are doing and will continue to do what we can to aid the Allies. Does he not believe that we are engaged in a program of preparedness, doing everything we can do? Does he not believe—and I speak because I have sons, and many of us have sons—that the sooner we get to a vote the sooner will we assure ourselves that our boys will not go into the trenches? While I have listened to the debate for days, and I am listening to it now, I believe that there comes a time when we should endeavor to get down to a vote. We have the votes. Let us go ahead and vote.

Mr. KING. Mr. President, will the Senator yield?

Mr. LEE. I yield.

Mr. KING. I do not know whether the able Senator from Wyoming intends to apply his remark as a criticism of the fine position occupied by the Senator from Oklahoma. Of course, we will vote not only for the bill now pending but for whatever is necessary to prepare the United States immediately to resist the demands of Mr. Hitler, or of any organization or association. But there is no reason whatever why Senators should not rise and expose the perfidy of Hitler and Mussolini, and the ruthless, not to say cowardly, and diabolical methods they are adopting to destroy democratic nations, and to kill millions of human beings.

Mr. LEE. I thank the able Senator from Utah. I am not delaying the Senate. As a matter of fact, I do not understand that I am holding up any of the defense program which could be gotten through any faster. We have done our part in passing appropriations, and I certainly would not speak at the expense of time. I am merely pointing out that time is of the essence, and we are not doing all we can. If we were suddenly placed in the same position which confronts England, I know we could speed up our defense and do severalfold more than is now being done.

In that regard, Mr. President, I wish to urge that we immediately make an appropriation of $50,000,000 or more with which to purchase surplus commodities in this country and give them to the refugees who are now a burden upon the Allies. I believe such a resolution should give wide powers to the President. I believe we should turn that money over to the President, with wide power to purchase surplus commodities in this country and give them to the refugees. We should give the President wide powers because it might be necessary to handle some of these commodities through the temporary governments of the refugee countries; also it might be necessary to handle these commodities through the governments of the Allies upon whom the burden has fallen of supporting this army of refugees.

Mr. President, we do not see the heartbreaking stream of refugees moving toward Germany. They are all going the other way, in order to get away from the "scourge of Europe." This army of refugees constitutes a heavy burden upon the Allies, and within the limits of law and in keeping with America's tradition we certainly could help them by giving to them surpluses that are weighing on our own markets.

By the same act we would be helping the farmers in America. We would take surpluses that are embarrassing to us and put them where they were most needed. Not only would it be an act of love and charity, not only would it help the poor who are so helpless now, but it would lift a heavy burden from the Allies, and release more of their strength to be used against the common enemy. I believe we should do that immediately.

Mr. President, the chances of war for America increase with every Allied soldier who falls. Therefore, as I see it, our chances of escaping war are increased in direct ratio with the increased strength of the Allies. Therefore, by America feeding and clothing the army of refugees the Allies will be better able to feed and arm their own army.

Mr. President, if the time should come when the Union Jack should be hauled down from the masthead of the British Fleet, and the Nazi swastika raised in its place, it would be a dark day so far as America is concerned, because war would be that much closer to us. In direct ratio as the Germans drive toward the citadels of democracy in France, in that direct ratio is the distance between war and America shortened.

I favor peace, and I am willing to do something about it. There are those who would try to make the United States believe that we can have peace by doing nothing, when war is coming toward us. The only champion of peace who seems to be to be realist enough to be effective is one who would do all he could to stop war in its approach upon this country. The further the Allied line is driven back the closer war comes to America.

Mr. President, the Allies held the enemy at bay in 1917. America has not changed its ideals since we fought in 1917. There are those who try to make people believe that America was played for a sucker in 1917. I do not subscribe to that. The moral revulsion that swept over America was caused by resentment and anger that some were allowed to profiteer out of a war when men were dying for ideals. I serve notice, so far as I am concerned, God help the profiteer if America should ever enter war, so long as I am in official position, so far as I can do anything to prevent profiteering, and to recover excess profits resulting from war. If I interpret correctly the expressions of other Members of this body and Members of the House, war profiteering will not be tolerated.

The moral revulsion which swept over America was not a revulsion against the ideals of 1917, but it was a revulsion against the unholy profits which some persons realized from the World War.

War does not create wealth. It destroys wealth. When some persons profiteer others must pay a double price. That was what caused the moral revulsion in 1917. We may have to revise the practical application of our idealism. We may have decided to limit the application of it to the western world, and I believe that represents the belief in our country, but that does not change our belief that man was not made to be enslaved, that his wrists were not made for shackles, that his ankles were not made for chains. We still believe that. So far as we are concerned, we intend to uphold this ideal of liberty in our part of the world.

We intend to continue support of the Monroe Doctrine, but in order to do that we must be practical and be realists. We see danger approaching. We know we can lessen that danger by sending aid to the Allies. What is one airplane worth if it remains in the shed in America? What is the enemy that threatens our peace and liberty? There is but one, and that enemy is despotism as it is moving toward America. What good will that stored warplane do? What good will it do America if it remains in storage? If Herr Hitler and Signor Mussolini should break through the Allied line, how effective would such an airplane be? It would not

be effective enough. But if that airplane now were added to the planes which are being used in the war against despotism it would be equal to five planes if the enemy broke through the Allied line and if it would be necessary for us to use that plane over here in fighting the battle alone. For every plane that falls out of the sky over there danger comes that much closer to the youth of America. I want to stop that danger over there.

Mr. President, I do not know whether the gallant French will be able this time to stop the onrush of the German machine at the Marne. They did before, but now a different kind of warfare is being waged. In the previous war the Germans had begun their final push; they had put on their dress helmets and were marching toward Paris. Paris was the objective. But at the Marne a slogan was born. No one invented that slogan. It came from no one knows where. That slogan was, "They shall not pass." "Ils ne passeront pas"—They shall not pass. Taxi drivers got into their cabs and drove them out to the line of battle, in order to increase the barricades, and old men with feeble arms and dim eyes went out to help.

"Ils ne passeront pas"—They shall not pass. It rattled in the throats of the dying. It was written on the faces of the dead. It was shouted by the living. And the enemy did not pass.

Mr. President, the French held the enemy then, but today every time a French 75 is silenced there is one less gun to speak for democracy.

America, let us hasten! We are doing something, but it is not enough. Let us send food and clothes; let us hurry these supplies to the 5,000,000 refugees. Let us get them over there and take that load off the shoulders of the Allies, who are holding back the enemy.

The dictators are looking with hungry eyes toward America.

Mr. President, already Hitler sees world domination. He knows where the greatest store of gold is. He knows where the "mother lode" is. It is buried in Kentucky. If he can tap that gold mine, then with that gold he can conquer the world. Do not think he has not thought about it.

Let us rush food to the Allies to feed the refugees. Let us rush all material aid possible to the Allies. Let us put every factory on a 24-hour basis and speed up. Let us divert all possible funds away from W. P. A. and put them toward defense measures, building military highways, so we can rapidly transport our Army from one side of the country to the other. Let us put men to work digging another Panama Canal. Let us put men to work building underground storage bases and depots for our supplies. Let us put men to work building permanent military barracks. Let us swing Yankee ingenuity into high gear.

I thank the Senate.

Mr. WILEY obtained the floor.

Mr. DANAHER. Mr. President, will the Senator from Wisconsin yield to me?

Mr. WILEY. I yield.

Mr. DANAHER. Yesterday I sent an amendment to the desk and asked that it lie on the table. I have since discussed the amendment with the Senator from Texas [Mr. SHEPPARD], in charge of the pending bill. Yesterday he introduced a series of amendments, most of which he intended to offer today. Technically, his amendment No. 4 is the pending order. The Senator from Texas has assured me of his willingness to withdraw the pending amendment in order that I may make my amendment the pending business.

Mr. SHEPPARD. I withdraw the pending amendment temporarily in order that the Senator from Connecticut may offer his amendment.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DANAHER. Mr. President, I offer an amendment to the pending bill, on page 2, in line 2, before the word "supplies", to insert the word "critical", and on page 2, line 5, before the word "supplies", to insert the word "critical."

The PRESIDENT pro tempore. Is the amendment in writing?

Mr. DANAHER. The amendment will be submitted in writing instantly.

The PRESIDENT pro tempore. The amendment offered by the Senator from Connecticut will be stated.

The LEGISLATIVE CLERK. On page 2, line 2, before the word "supplies", it is proposed to insert the word "critical", and in line 5, before the word "supplies", to insert the word "critical."

Mr. KING. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. KING. What is the purpose of the amendment? Is it to characterize the quality, nature, or purpose of the supplies to which reference is made?

Mr. DANAHER. Mr. President, if the Senator from Wisconsin will yield to me for a moment, I shall be happy to explain the amendment to the Senator from Utah.

Mr. WILEY. I yield.

Mr. DANAHER. In the War Department there are several classes of supplies. Very definitely there is a category called critical supplies, those necessary for our defense, for the equipment of our Army, and for the continuation of its services, whether in peace or in wartime, which supplies are not normally made by peacetime industry.

On the other hand, there is a list of supplies called noncritical supplies, which can be procured at almost any time, for the simple reason that industry commonly manufactures such articles and supplies for normal peacetime uses. Therefore, let me say to the Senator from Utah that if the United States Government is to be authorized to manufacture, we ought, as a matter of principle, somehow to apply the distinction between the legitimate and proper field for its endeavor and the production of supplies which normally can be procured elsewhere.

Does that answer the question of the Senator from Utah?

Mr. KING. I was wondering whether or not there is anything in the bill itself which would properly define what are critical and what are noncritical supplies, or whether the determination of what is critical and what is noncritical is left to the unbounded discretion of some Federal officer.

Mr. DANAHER. There is nothing in the bill itself defining what are critical and what are noncritical supplies; but the War Department's classification is of long standing, and the list is thoroughly understood. I have no doubt that in due course, when the amendment now pending comes up for discussion, the Senator from Texas [Mr. SHEPPARD] can give the Senator from Utah complete information on the categories of supplies comprehended by these terms.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. BARKLEY. The provision which the Senator seeks to amend is much broader than merely the manufacture of such things. It provides for their storage. Why does the Senator want to limit the storage of supplies to critical supplies? The Government should be in a position to store and maintain all its supplies. The language in both places contemplates the maintenance, preservation, and storage of all supplies; and it seems to me that the Senator's amendment would limit those activities to critical supplies, without providing for other supplies which are important.

Mr. DANAHER. I thank the Senator from Kentucky. I have no doubt that we can adequately and properly frame and narrow the issue as to where the line shall be drawn.

I do not wish further to trespass on the time of the Senator from Wisconsin, but in due course I shall explain exactly the principle involved.

I thank the Senator from Wisconsin.

Mr. WILEY. Mr. President, we have heard much of late in this body on the subject of preparedness. One phase of that subject relates to the commonly accepted term "preparedness" as applied to the Army, the Navy, and the Air Corps. In the last issue of the United States News, dated June 14, 1940, David Lawrence has a very thought-provoking

editorial on the subject Fixing the Blame. I ask that it be incorporated in the RECORD at this point in my remarks.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The editorial is as follows:

[From the United States News of June 14, 1940]

FIXING THE BLAME

(By David Lawrence)

American public opinion has shifted so rapidly in the last few weeks that many observers regard the change as phenomenal. But it isn't. The change from a state of indifferent isolation to a state of alert awareness of the dangers that face American security is the result of a simple and natural process—the conquest of the fallacy by truth.

For several years now we have been fed fantastic propaganda about the origin of war. Sincere though misguided men among us, so-called liberals, have been insisting that only munitions makers bring on wars. Or else the contention has been seriously advanced that profiteers contrive in diabolical ways to involve our sons in war.

The blame for the present plight of France and Britain must be placed on those statesmen who refused to face the truth and to drive fallacy to the wall. We in America contributed our share to the debacle. Even the Senate of the United States by its widely publicized munitions investigation gave credence to the doctrine that munitions making makes wars. All over the world the charges and countercharges were exploited. And what was the result? The democracies, including ourselves, stifled the making of munitions by private industry and coincidentally failed to build up the Government plants which were urged so eloquently as the proper alternative.

What powder-making factories do we have today? We haven't a first-class plant available to make munitions. We have been misled just as were the British and French before 1937. It takes a long time to build up a supply of munitions and to develop the technique of munition making. Only last week a few of the "educational orders" designed to give private industry the stimulus for expanding production were let by our Government. This should have been done 2 and 3 years ago.

INDIFFERENCE TO SECURITY IS INEXCUSABLE

The same group of men who smeared the private munitions makers smeared also a President of the United States on the ground that he dragged America into war to protect our credits and trade. This libel on the character of Woodrow Wilson was widely disseminated so as to bolster the theory that wars are made for gain and not for the defense of ideals or human liberty.

Public opinion became antiwar at the same time public opinion became antidefense. Indifference to security is inexcusable. The names of the men who have been responsible for failing to permit America's defenses to be built up should be written plainly on the tablets of American history so that this generation may know who it was that conceived the plot to weaken the war defenses of democratic nations.

BLAME FOR OUR UNPREPAREDNESS MUST BE FIXED

It is not too late to institute an inquiry into what influences were at work in the United States between 1934 and 1940 to sap the economic vitality of the Nation on the production side and to frustrate the granting of the requests of the Army and the Navy for new weapons and adequate supplies.

The blame for unpreparedness must be fixed, and fixed soon. America today has very few airplanes, hardly any mechanized weapons for the Army's use, and not enough transports or patrol vessels to take care of contingencies on our long seacoasts. Why have our defenses been neglected?

Certainly the facts about the world situation have been known to our Government. Our military and naval intelligence representatives abroad have told their superior officers in Washington for 3 years just what Germany has been doing. President Roosevelt has had detailed reports from diplomatic representatives of the United States stationed in foreign capitals. The danger that faced the democracies has been well known to the President. Why did he fail to tell the American people so that the Congress would respond by appropriating the necessary sums to build up our airplane industry for defense purposes?

The most commonly advanced explanation is that if Mr. Roosevelt had attempted to arouse the Nation he would have been called a warmonger, and that he would have been refused by Congress the grants of funds. But this is no answer. Leadership based on revelation of the facts may fail temporarily, but if the debate is begun soon enough truth will in time prevail.

What would have happened had Mr. Roosevelt tried in January 1937 to advise the people of the United States of the need for enlarged defenses? He might have been balked by public opinion for the time being, but if it were clear to the people that Mr. Roosevelt wanted nothing for himself, that he had no third-term ambitions, the people would have accepted his argument as a disinterested expression.

Mr. Roosevelt even in 1938 and 1939 had nothing to lose by urging preparedness—nothing except possibly a third term. And many a fair-minded person will say that as between a political loss for oneself and the development of a policy which in the long run looks to the protection of the people against foreign aggression, the doubt should have been resolved in favor of an uncompromising campaign for national defense.

Ambition has ruined many a statesman in history. Consideration of self has beclouded the vision of many a would-be leader of democracy. Conversely, the heroes of centuries of human achievement have been men who have cast aside all thought of self in the sacrifices that bring spiritual rather than material compensations.

We are on the verge of war. No man can foretell how soon we will realize that all democracy faces a threat of extinction and that we must recognize a state of war exists now against our own democracy. These are not times when wars are declared. They simply happen overnight and only the democracies insist on taking time for the formalities while the aggressors bomb airdromes and render defenses impotent.

The President's duty is very plain. He must sacrifice his political ambitions for the good of the Nation. He might well consider the recommendation to the Congress of a program putting America immediately on a war basis. At the same moment the President ought to announce that he will respect the American tradition and refuse to run for a third term.

NATIONAL UNITY CANNOT BE BUILT ON DISTRUST

A change in the Presidency is not likely to cause any dislocation in industry, especially if Mr. Roosevelt will appoint now or give power to men already appointed to accelerate the industrial production of the Nation for defense. Whether another Democrat is chosen—and there are many capable leaders in the Democratic Party—or whether the country chooses a Republican, the fact remains that at this of all times democracy must prove the worth of its institutions. In the middle of a critical period, Britain changed prime ministers last month and so did France.

If America is to go into war, it must be with a leadership that is freed from the handicaps that would face a third-term President. National unity cannot be built upon foundations of distrust. And unhappily industry today does not feel that the President is as concerned about the national defense as he should be or else he would not be temporizing with advisory councils and insisting on maintaining the restrictions and barriers that have hamstrung industry for the last 7 years.

ALL POLITICAL AMBITIONS MUST BE SACRIFICED

Mr. Roosevelt cannot do the job of directing industrial operations himself. He must delegate authority and do so promptly. He must also tell the people the truth about the need for a modification in the restrictions imposed by the New Deal on business management and industrial production. If this is not done, it will be said with emphasis on every side that the administration is more interested in saving the New Deal than in saving America.

To attain the desired end—national unity—the third-term issue must be disposed of by the President himself. To refuse a third-term nomination would, to be sure, disappoint the selfish politicians and parasites who infest Washington and who have imposed long enough on the good nature of a generous-minded President.

But to refuse a third term would put the name of Franklin D. Roosevelt alongside that of George Washington and Thomas Jefferson. The excuse of a war emergency, offered by the proponents of a third term, is a shallow one. To surrender the democratic process in the face of a challenge to democracy itself is to misconstrue the innate capacity of the American people to govern themselves and to give their lives and their properties for an ideal.

The time has come for men in public life to raise the quality of statesmanship by sacrificing the political ego for the common good. Only by such an example can the thousands of men, young and old, in our midst be encouraged to make the supreme sacrifice of self. For such sacrifices will have to be made if the women and children in our cities are to be protected from the bombs that can be so readily dropped by aircraft operating from nearby ocean bases left unprotected by the defeat of Britain and France.

Will America learn the lesson of her neglect of defenses of these last few years or will historians fix the blame for America's downfall on the blindness and selfishness of her political leaders of today?

Mr. WILEY. Mr. Lawrence makes the significant statement that blame for the present plight of France and Britain must be placed on misguided statesmen and individuals among us—so-called liberals—who have insisted that the munitions makers brought on the war. I can remember a few years ago reading a number of articles and observations by various individuals who made the country conscious of that view.

Mr. President, this great editorial writer makes the significant statement that we have no first-class plant available to make munitions in this country, and he says that our indifference to security is inexcusable. He says that the names of the men who have permitted America to become defenseless should be written plainly on the tablets of American history

so that this generation may know who it was who weakened the war defenses of democratic nations.

Mr. President, the same process goes on. Now that we have to dig down until it hurts we find groups asking that they be exempted from paying the war bill which the dictators of Europe have imposed directly upon every American citizen—a war bill which we shall be paying as long as any of us continue to breathe.

The country owes a real debt of gratitude to the senior Senator from Maryland [Mr. TYDINGS] for his exposition of what the war program will cost America, and for his statement of the unvarnished truth that for 10 years our Budget has been unbalanced to the tune of $2,700,000,000. But the country needs to thank him, especially, for calling attention to the fact that the longer we put off facing the realities, the harder it will be for us and our children to handle the problem which is bound to come after the war is over. I agree with him that the tax bill cannot be any hypocrite's act. There is no need of our fooling, or attempting to fool, the people of the country any longer.

On that subject, Mr. President, I ask unanimous consent to have printed in the RECORD at this point an editorial taken from a newspaper in my home town, Chippewa Falls, Wis., entitled "Let Congress Stay and Saw Wood."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

LET CONGRESS STAY AND SAW WOOD

Just at the time when everybody else is being urged to work harder and to slug away all the more earnestly at important business, Congress proposes to pack up and go home.

Month after month of work is tiresome for Congressmen, it is said. So it is for all of us. Congressmen have campaigning to do this fall, they protest. The country isn't interested in that.

The country is interested in getting its work done.

The country is interested in seeing that the armament program is actually followed through and results shown.

The country is interested in seeing that arrangements are made to pay for armament. It is ready to be taxed for security.

For Congress merely to appropriate any requested number of billions of dollars and then go gaily home is not good enough.

Congress may have its faults. But they are the faults of the people. Congress is the people in action. To argue that its presence in Washington would somehow hamper and handicap the preparedness effort seems foolish. We have not yet reached the point which England reached when it turned everything over to Churchill.

Congress is highly valuable in times like these as a sort of national listening post and broadcasting station in Washington. Its presence should have a steadying influence on the President, a constant reminder that he is responsible to the people, a constant source of strength in the thought that the "other half of the defense team" is still pulling.

A tax bill to take care of increased military expenditures should be passed before Congress adjourns. The old political belief always was that to levy taxes in an election year was unpopular. This year things are different. The Nation is aroused. It may be more unpopular not to levy taxes than to levy them.

The session should not close before definite provisions have been made for the Alaskan and pan-American highways. Both are defense measures that should be pushed forward this summer, not next year. Access to Alaska and the Canal Zone by land will not wait. There are many other vital measures awaiting action.

The European situation cannot be predicted 24 hours in advance. The rise of any morning's sun may look upon some completely unforeseen situation. Congress, direct representative of the people, should be on hand—not at the discretion of the President to recall it, but because, like everybody else these days, it is sticking to its job.

Mr. WILEY. Mr. President, the editorial states, in substance, that the people are interested. I have just been back in my own State, and know what the sentiment is. The people are interested in seeing that the armament program is actually followed through, and they are interested in paying for the program. Yes, the people are ready to pay taxes for security. But the people will not be satisfied to see us appropriate the money, levy the tax, and then go home and let someone spend it on a spree. It is not enough simply to appropriate the money. The people want us to stay here. Why? Because, as the editorial writer says, "Congress is the people in action." The people are not ready to have Congress turn everything over to the President, as England turned everything over to Churchill. Why? Because this is not the time or the place for such acts. The people want to see that the other half of the defense team, Congress, is in session, and is pulling to accomplish the desired results.

Let me read the closing paragraph of this editorial:

The European situation cannot be predicted 24 hours in advance.

How true that is.

The rise of any morning's sun may look upon some completely unforeseen situation. Congress, direct representative of the people, should be on hand, not at the discretion of the President to recall it, but because, like everybody else these days, it is sticking to its job.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a recent editorial in the Washington Post, entitled "If Congress Quits," by Mr. Mark Sullivan.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post of June 11, 1940]

IF CONGRESS QUITS—EMERGENCY NEEDS

(By Mark Sullivan)

About Congress, the question is, Should it go home next week, as Mr. Roosevelt wishes; or should it remain here, with perhaps recesses of a few days at a time, such would accommodate Congressmen who wish to attend the national conventions of the two parties?

The most obvious argument for Congress remaining here runs thus: Emergencies are certain to arise. They cannot be foreseen—they will spring up suddenly, out of turns the war in Europe will take, out of actions by the dictator governments of Europe. To these emergencies, our Government must adjust itself, and must do it instantly. As to many emergencies, the President does not have the power to act. He can only get the necessary power by action of Congress. If Congress is there, and if a step proposed by the President has general support, he can get the necessary power from Congress in a few hours.

If, on the other hand, Congress is not here, dangerous situations will arise, some emergency will have happened, action by our Government will be necessary. With Congress not here, there will be temptation upon the President to act without authority, to exceed his authority. That way lies distortion of our frame of government. That way lies excessive expansion of Presidential power. That would be the path toward one-man government. That we do not want.

There is a third possibility, a third way of providing for the situation. It has not been suggested yet, at least not publicly. But it is likely to be suggested. If the plan of having Congress go home makes headway, someone will make this proposal. The proposal will be: that Congress just before adjourning, pass a blanket resolution, conferring discretionary powers on the President. Then, as emergencies arise, with Congress away, the President could take such action as he wishes.

But that way, too, is the path toward expansion of Presidential power. That too, would be a path toward one-man government. That we do not want.

What is so far said here is the most obvious argument for Congress remaining in Washington. It speaks for itself.

There is an additional argument for Congress remaining here, not so widely understood, but equally strong.

There has existed, during this administration, ever since its beginning, on the part of a group not large in numbers but strongly entrenched, an effort or desire or tendency to take the United States into a changed form of society. To give a name to what the new form would be would run risk of inexactness and would excite disagreement. Some think that the new form, once brought about and operating, would ultimately not differ materially from communism. Some who would resent the word "communism" would agree to the word "socialism." The official term for the only Communist Government existing in the world includes the word "Socialist"—the official name of Russia is Union of Soviet Socialist Republics.

But to use either socialism or communism as the term for what some desire or anticipate in America would run risk of inexactness. Also it would encounter the dialectical objections of those who believe in the new order. They would deny that the thing they wish is either socialism or communism.

There is a third word that might be used. The proposed new order could be called collectivism. Hardly could the advocates of the new order deny that word as the description of it. If they should deny it, they could be refuted. Some of them have themselves used that word.

But let us dismiss all the words. Let us just say that there exists an attempt or wish or tendency to bring about a new order, which would include, among other features, a great increase of power for the Government over the individual. It would include also an immense centralization of power at Washington and, within the centralization at Washington, an immense increase of power for the executive branch of government.

That the new order is desired, or being attempted, or comes as a tendency is common knowledge. It is taken for granted; offhand allusions are made to it. Evidence of it is in the records of investigations by committees of Congress.

To those who wish to bring about the new order, or who think the new order is desirable, or who think it inevitable in the present state of the world—to all such the war is opportunity and justification. In war at any time there is a strong tendency toward centralized power and toward one-man power. It was present during the Great War. It was practiced under President Wilson. But under Wilson it was practiced as an emergency condition only. Wilson, being a strong believer in our constitutional form of government and in individual freedom—Wilson, as soon as the war was over, surrendered all his war powers; turned back to Congress all the extraordinary power he had been granted.

The tendency toward centralization and toward expansion of Executive power, natural in time of war or defense against war, should be guarded. For guarding it, the presence of Congress in Washington is indispensable.

Mr. WILEY. Let me read a paragraph from that editorial. The writer speaks of an added reason why Congress should remain in session. He says:

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But to use either socialism or communism as the term for what some desire or anticipate in America would run risk of inexactness. Also it would encounter the dialectical objections of those who believe in the new order. They would deny that the thing they wish is either socialism or communism.

There is a third word that might be used. The proposed new order could be called "collectivism." Hardly could the advocates of the new order deny that word as a description of it. If they should deny it they could be refuted. Some of them have themselves used that word.

Mr. President, it seems to me that Mr. Mark Sullivan has stated a real reason why the Congress should stay in Washington and not go home. Our business is to stick to the job and see that a tax bill is passed—one which is not a sugarplum, one which is not a piece of camouflage, one which will make the people realize that this Congress is not putting off the day of reckoning, as Congress has been doing for more than 7 years. If there is any question in the mind of any Member of the Senate as to what should be done, I ask him to turn to the tables which the Senator from Maryland [Mr. TYDINGS] has introduced into the RECORD. I do not think that any man who is running for public office need fear passing a tax bill such as he suggested, which is not a $1,000,000,000 tax bill, but something nearer $3,000,000,000. Why should anyone hesitate? He has the perfect answer.

Hitler made this tax bill necessary. It was necessary to pass this bill in order that our loved ones may be free and protected from bombs, air raids, and invasion. That is the gist of the arguments the distinguished Senators have been presenting in Congress for the last week or so. That is the answer, and America wants the Congress not to "pass the buck" any longer. America wants Congress to face realities, and meet them head on with a tax bill that is a tax bill. I say the average American is a good sport. He wants to pay the bill in this preparedness program, although he wants America to stay out of the war.

Mr. President, the Senator from Maryland in his remarkably enlightening address has called attention to the fact that after the war is over in Europe, whether we ever become involved in it or not, there will be a period of readjustment, a depression period, probably such as the world has never seen, and that, therefore, there is a need that we carry as large a proportion as possible of the load we are incurring, that we carry it now, and not postpone it for a time when we will be less able to carry the load. This is, indeed, the expression of a statesman, and my hope is that Congress will pay heed.

We are not simply here as boys to "pass the buck;" we are here to face problems and solve them; not to put them off to a day when probably they cannot be solved.

But, Mr. President, there is another angle to this preparedness program, which fits in with the other two.

First, we have the equipment, the Army, the Navy, and the air force. Secondly, we have a financial program which digs deep into the earnings and income of our people. Thirdly, there is an added feature which I would have the Senate consider. It is that now we plan to become more and more self-sufficient so that when the war is over, and during the war, we will be able to stand on our own feet as a Nation. Let me call attention to certain matters.

Mr. President, at this time I direct attention to the slowness of the United States in becoming economically self-sufficient. It is now apparent that the development of the Government purchasing program last fall, under the provisions of the Strategic and Critical Materials Act of June 7, 1939, has not been as rapid in some directions as it should have been. It is obvious that the present European conflict has many far-reaching economic implications, and it is increasingly important that all sovereign powers become economically independent.

We know that Germany appears to a certain degree to have achieved economic self-sufficiency. We know that Great Britain has been concerned with attaining a similar economic self-sufficiency, which has made it necessary for her to attempt to keep her sea lanes open for the transportation of raw materials. Our country has lagged behind, however, in taking the necessary steps to safeguard our strategic and critical materials, though some steps in this direction have been taken since last year.

A casual survey of the international economic history of the past 25 years reveals that the economic self-sufficiency of European countries has increased, while ours has, in a sense, decreased. We know that the British Empire, as an illustration, has become a self-sufficient unit in the production of copper, lead, tin, rubber, wool, and zinc, while we have become more dependent on foreign sources. As an illustration, let me mention two incidents. There was a time when Canadian nickel used to be refined in the United States. During the last war the submarine *Deutschland* took something like 70 tons of nickel from American ports. That, of course, created a tremendous furor in Canada, and eventually forced the transference of the chief refining operations of the international nickel concern to Canada. They remain in Canada today in an easily fortified valley. Similarly the Aluminum Corporation in America has been forced to put a large refinery in Canada as the price of bauxite concessions in British Guiana.

All this means that our economic self-sufficiency has decreased. That is partly true because our progress here has necessitated greater sources of supply. For example, we have developed the use of alloyed steel to such a point that we are today even more dependent on foreign chromite than we were in 1918. At that time we needed it largely for furnace walls, but today the use of chrome-nickel steel has increased our need, which is supplied largely by the British Empire in Africa. Similarly the use of aluminum has increased tremendously in the last few years for lightweight rail cars and household utensils, and at the present time we are concerned with the use of aluminum in the production line of the airplane industry. As a consequence, we have outrun our bauxite sources, and we must now import from Surinam in British Guiana.

Our quicksilver sources have also been depleted, through the development of mercury-vapor boilers which require a larger source, so that today we are required to get this material from Spain and from Italy.

I do not mean to imply, Mr. President, that we have not developed some other sources. Certainly the development of our chemical industry has contributed materially to a better degree of self-sufficiency since the last World War.

The report of the director of the United States Fixed Nitrogen Research Laboratory, dated September 13, 1923, reveals an appreciable advance in nitrogen research. When the United States entered the World War it was brought forcibly to the attention of our Government that we were seriously unprepared in the matter of nitrogens, which are so essential for explosives. Since those years we have come to a

realization that the peacetime requirements of nitrogen must come in increasingly greater proportion from sources other than the ordinary natural deposits. During recent years and prior to the submission of this report Germany by far outstripped other countries in producing fixed nitrogen, but since that time many other nations have made progress along this line.

After the signing of the armistice a fixed-nitrogen research laboratory was established by the Secretary of War on March 29, 1919. It was established in order to coordinate knowledge obtained concerning nitrogen fixation by the War Department with further information necessary for the peacetime utilization of the Government nitrates plant.

The 1922 report of the Nitrates Division of the Ordnance Office of the War Department on the fixation and utilization of nitrogen reveals the development of direct synthetic processes in the United States and England and of the Claude process in France. It reveals further that at that time we began development work on new processes. Attention was directed to this problem as far back as June 30, 1915, when the Chief of Ordnance commented on the fact that a vital wartime defense material was nitric acid, the principal ingredient in gunpowder, as well as of certain other explosives which are formed by treating cotton with nitric acid. At that time all the nitrogen in the nitric acid was obtained solely from sodium nitrate, which came almost exclusively from Chile, so that our country at that time was almost completely dependent for its powder manufacture on Chile.

In the report that was made in 1937 on chemical nitrogen in a survey of processes, organizations, and international trade in nitrogens it was revealed that the nitrogen industry of the United States more or less parallels that in other leading industrial countries. This report points out that since the war the byproducts nitrogen branch in the United States has become the greatest in the world.

The postwar development of our air nitrogen branch has been extensive, although the United States in 1937 was cited as the largest industrial nation without any production of cyanamide.

Another field in which we have made a definite advance has been the chemical field, involving the production of drugs. At the present time we have brought the production of drugs up to a certain degree of economic self-sufficiency, so that we need not be unduly concerned about the lack of important drugs due to war abroad.

It must also be noted that our country now produces a major part of the potash it consumes. It must further be noted that we have been active in the development of a chemical rubber made from coal, limestone, and salt. The name of the chemical rubber is Neoprene. This rubber gives every promise of serving in the place of natural rubber. At the present time it is produced only in small quantities, and at a cost less than the cost of natural rubber during the early war days.

The United States Bureau of Mines has done excellent work in the development of our unique helium reserve in the Texas Panhandle area. The R. F. C. has been very helpful in granting a loan which was instrumental in the development of American platinum resources in Alaska.

But, for the most part, it is worthy of note that American private capital has brought about the expansion of our sources of potash, of sulfur, and of phosphate. As a matter of fact, we may safely assume that many large American key industries have already made progress which may be a vital portion of our preparedness program. An example of that is the fact that the American Steel Co., in 1936, bid for manganese, and loaded up so heavily that by the end of 1938 they still had about a year's supply on hand. It has been intimated that Army and Navy officials in the last year have been suggesting to manufacturers that they lay in permanent inventories of certain raw materials whose production has been deficient in this country. If that is so, it is a commendable and a desirable step.

There are probably a number of reasons why this country's economic preparedness program has lagged behind that of Europe. First of all, it was hard for us to see the necessity for such an economic preparedness program. Secondly, there is a natural public indifference to such a program, because it is less dramatic than the creation of a military defense as visualized in guns and battleships. Another reason for our somewhat inadequate economic preparedness has apparently been economy. In our preparedness appropriations in recent years we have apparently not seen fit to appropriate or to designate much money for the specific purpose of accumulating so-called strategic and critical materials. I believe everyone agrees that today we must direct our attention to this phase of our preparedness program.

The actual cost will probably not be unduly large, because there are but some 17 such commodities, such as manganese ore and tungsten concentrate.

The point I want to stress is that when we lay up such stores we are not necessarily doing so in anticipation of actual war. We lay up such supplies so that we have some of these materials on hand if we are cut off from our regular sources by belligerents. As a matter of fact, if we succeed in obtaining a large supply of these critical materials and have them on hand, they even have an appreciable tendency to decrease the duration of the war for nations that are belligerents and need such materials.

Of course, at the present time such a program of accumulating critical materials is more costly because purchases at this time during a short period will drive up the price materially. We have a 4-year $100,000,000 strategic materials program, in addition to whatever special efforts may be made under the special defense program, but we must still combat the hazards of public indifference to this problem.

The last World War did a great deal to stimulate economic self-sufficiency in this country. For example, it established the position of the United States as the silk-manufacturing center of the world, though it also resulted in stimulating the manufacture of silk in the Far East at the expense of Europe. While our manufacturers' spun silk was given great impetus by reason of the war, there still are very large imports from abroad.

Another branch of economic self-sufficiency in this country which has developed since the last World War is the glass industry. Here we have developed the manufacture of optical glass, laboratory or chemical ware, glass-gage tubing, glazing glass, watch crystals, glass bricks, oven glass, siphon bottles, high-grade picture glass, and photographic glass.

We have also made some progress in the production of dyes and coal-tar chemicals.

Certainly our production of surgical instruments has been given very great impetus since the last World War, when we were forced to import nearly all our instruments, particularly from Germany.

Mr. President, we are 48 States, several Territories, and other possessions. We are a world in ourselves; and while we want to trade with the world if the world is ready to trade with us, yet it is imperative that now we anticipate the conditions we are to face so that for those things which we ourselves have not within our boundaries we may substitute, if necessary, our own home-made "ersatz." What is more, Mr. President, if we go into this war program and devote a large percentage of our plants to war production, we want to make sure that when the war is over and we have no need of the plants for war materials the plants can be converted to take care of a nation's normal needs. Consequently, we should slow up now on a great number of our internal improvements. I think President Roosevelt has made a suggestion to that effect.

If the automobile factories make munitions, we should slow up on our total production of automobiles. Public improvements should be cut to a minimum. Why? Because this war-preparedness program should absorb a large percentage of the workers now on these jobs. Then a demand will grow for public improvements, for automobiles, and domestic needs, and then when that time approaches, when the war industries have no more orders, there will still be jobs for our workmen. There will be great internal improvements to be undertaken

in the Nation. To me, Mr. President, this third angle of the preparedness program is as important as either of the other two, especially if we want democracy to continue.

I spoke on this subject on the 23d day of October 1939 in the Senate of the United States, saying:

> The political leadership of America can formulate legislation and plans that not only will aid our national economy now but will especially prepare for the shocks and problems which will arise when the present war in Europe ceases.

Mr. President, there is a fourth angle to the preparedness program. It will be noticed that the three phases to which I have referred have to do with doing the necessary thing to protect our beloved America. The fourth angle also would protect America, but it would do something for someone else.

Mr. President, last Thursday I called attention to the fact that there were great spiritual laws and principles which war could not abrogate. I particularly stressed the fact that, because of conditions in Europe, England was talking about transporting a large number of her children to Canada and to other of her Dominions. Her problem has been made more difficult because she has been the haven of refuge for the refugees who could reach her island home. I asked then if there was any reason why America should not offer to arrange for the transportation of children who are facing hell if they remain in England.

I quoted the saying of Jesus when He said:

> Inasmuch as ye have done it unto one of the least of these (children), my brethren, ye have done it unto Me.

We have ships that could do this job, and I am sure Hitler would agree not to torpedo them while on such a voyage of mercy.

But, Mr. President, I did not rise today to address the Senate primarily on this subject. I have another thought I would give to the Senate for consideration.

I was talking the other day to one of the high officials of our Government who pictured a very grave situation for me. He said that famine threatens all the nations involved in this struggle, and that means the starvation of untold millions.

Not only are the millions who are engaged in war withdrawn from agriculture, fishing, and the production of food, but, because of the war, many of the noncombatants are not able to engage in the production of food. Norway cannot carry on her fishing. Denmark and southern Norway cannot produce their butterfats because they cannot import the food for the cattle which still remain. Many of their cattle have gone into Germany to feed her army. So agriculture and fishing are so disrupted that the world is facing a catastrophe of major magnitude.

I repeat, famine is threatening on such a scale as the world has not known for a long, long time.

Now, what is our responsibility? We can move these children, certainly, to Canada and other places where they will get food. But, Mr. President, there is something else. America should not restrict her production this year. The program of scarcity should be canceled.

God still reigns, and when America follows the injunction to feed the hungry, America will be doing the God-like thing. We will not be sowing dragon's teeth with such acts that would return to us a hundredfold in hatred. No; doing this thing—feeding the millions who are hungry and in want—may save the race from barbarism and famine.

I repeat, there are spiritual laws in operation, and every time this Nation performs an act that is fine and generous, a deed that is altruistic, she not only helps herself but shoves back those forces which would seek to destroy blinded humanity.

Mr. President, I spoke in my own State last Sunday. When I mentioned the thought that the lid should be taken off the production of the farmer in order that we might be able to meet the condition in which Europe is likely to be in a very few months, it struck a responsive chord. I believe that God made America the granary of the world for just such a purpose, and I believe that America will remain at peace if it grasps this spirit, in His name, to feed the hungry and the maimed.

Mr. President, I have listened to every speech that has been made by the distinguished Senator from Florida [Mr. PEPPER], and the distinguished Senator from Oklahoma [Mr. LEE], on the subject of aid to the Allies. I believe that these Senators are sincere in their convictions, even though at times when they spoke they cried out with the floodgates of emotion wide open. One could not disagree with most of the things they said, especially when they spoke about downtrodden, crucified humanity. One could not disagree with their conclusions in relation to the main actor or actors on this stage of history; and it is possible that not many more than 1 percent of the people in this country disagree with their conclusions that America should aid the Allies.

But, Mr. President, the Allies have been getting most of the airplanes produced in this country; the Allies have been getting all the munitions which we could manufacture; the Allies are now getting planes and other materials which the Government has sold, not to the Allies, but back to the manufacturer. The only difference between the conclusions of these distinguished gentlemen and this deliberative body, as evidenced by the Judiciary Committee, is this:

> The gentlemen would have America—the America that stands in a troubled world for law and order—violate the law and order that the ages have built up and which Hitler and others would set at naught.

It does not do to call men with sincere convictions mere legalists. It does not do to say that these men, because of a mere legal formula would stand in the way of saving Paris and France and England. As a matter of fact, there is absolutely no prohibition against the Allies buying any and everything they want from the nationals of this country. But there is law—international law—which, before many years have passed, we hope to see reinvigorated and constituted a rule of conduct for the nations.

Grave as the European situation appears, we in America need not be appalled; we need not fear and distrust the future of our country. Men's minds here are alert, independent. They are not palsied; they are active. We are arising to meet the challenge head-on, and my faith is that it will be met and America will remain at peace. In spite of the fear mongers and the hysteria begetters, I am glad to ascertain that more and more people are coming to the conclusion that we will not be drawn into this European war.

Mr. President, before I close my remarks I want to compliment the personnel of this great body. To thinking people most of the Senators have by their calmness of attitude and their abstention from hysterical comments increased their stature before the country.

Oh, I know there are some who think that loud talking, impassioned appeals, hysterical utterances make for statesmanship.

But, Mr. President, in times of storm it is the calmness of the captain on the bridge who sails the ship safely into port that inspires confidence.

I desire to compliment the President of the United States on his lack of passion in his speech of yesterday. We have all heard him at times when his voice was more full of power and rabble-rousing force, but, thank God, not so yesterday. He was calm and cool; and while his voice carried conviction, it was the sober voice of an Executive of this Nation.

All the world is on fire; but that is all the more reason why we should not fire our brains with hate, and unbalance our judgment with hysteria.

I have seen mobs of men calmed and deterred from their attempts to destroy property or take life by the calm voice of a leader; and I have seen men aroused to a pitch of irrationality by the impassioned appeal of an advocate.

But, Mr. President and Members of the Senate, this body is coolly deliberate. It is not swept off its feet. This group is thinking things through. This group has not lost its sense of high responsibility to the Nation and to the future. This group of men is not composed of mere "fearists" or theorists, but of men who are sensible to the challenges of the hour. These are the qualities that make for sane action.

I utter these words because I know, from my contact with people through the country, that the people back home are influenced, of course, by the newspaper accounts of utterances made on the floor of the Senate. I am calling attention to the fact that when the people analyze the situation they will see that it is what was not said that counts. There have been only 2 Senators who have flung impassioned appeals into the arena. There have been 94 Senators who have refrained from such utterances; and there have been no Senators who have suggested war. This is a significant fact that all the people of the land should ponder.

KURT WESSELY—CORRECTION IN ENROLLMENT OF BILL

The PRESIDING OFFICER (Mr. HERRING in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 2598) for the relief of Kurt Wessely, which was, in line 8, to strike out "two" and insert "one."

Mr. LUCAS. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

Mr. LUCAS submitted a concurrent resolution (S. Con. Res. 51), which was considered by unanimous consent and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate be, and he is hereby, authorized and directed, in the enrollment of the bill (S. 2598) for the relief of Kurt Wessely, to make the following change, namely: In line 9 of the engrossed bill strike out "numbers" and insert "number."

AMENDMENT OF SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT

The PRESIDING OFFICER (Mr. HERRING in the chair) laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 9594) to amend section 12 (b) of the Soil Conservation and Domestic Allotment Act, as amended, by authorizing the transfer of funds to cover advances for crop insurance, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. SMITH. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. BANKHEAD, Mr. HATCH, and Mr. WILEY, conferees on the part of the Senate.

EXPEDITION IN STRENGTHENING THE NATIONAL DEFENSE

The Senate resumed the consideration of the bill (S. 4025) to expedite the strengthening of the national defense.

Mr. DANAHER. Mr. President, I have offered an amendment which is pending, but I should like now to modify my amendment. I ask that the clerk state the amendment as modified.

The PRESIDING OFFICER. The amendment, as modified, will be stated.

The LEGISLATIVE CLERK. On page 2, line 2, after the word "and" where it first occurs, it is proposed to insert the word "critical", and after the word "supplies", it is proposed to insert "for the storage of noncritical supplies", so that, if amended, the sentence will read in part as follows:

And storage of military equipment, munitions, and critical supplies, for the storage of noncritical supplies, and for shelter—

And so forth, and the same amendment in line 5.

Mr. WAGNER. Mr. President, will the Senator yield?

Mr. DANAHER. I yield to the Senator from New York.

Mr. WAGNER. I should like to ask the Senator a question. I have listened to his amendment, and I desire to ask him why he did not also include strategic materials as well as critical materials.

Mr. DANAHER. Let me say to the Senator from New York that if he will turn to the bill on page 3 he will find that that is already provided for in the grant to the President. It appears in lines 23 and 25 at the bottom of page 3.

Mr. WAGNER. The word "strategic" is there, is it?

Mr. DANAHER. Yes.

Mr. WAGNER. Then the Senator is simply adding "critical" supplies?

Mr. DANAHER. That is correct.

Mr. WAGNER. I think the Senator is right. It is a different classification.

Mr. SHEPPARD. There is a distinction between raw materials and supplies, as viewed by the War Department. Supplies are finished products, finished items of equipment, and have no necessary relation to strategic raw materials.

Mr. WAGNER. I was looking at the report submitted by the junior Senator from Utah [Mr. THOMAS] when his bill authorizing the purchase of strategic and critical materials was before the Senate. In that report are set forth what are regarded as strategic materials, and what are regarded as critical materials, and the terms are not all-inclusive.

Mr. DANAHER. That is correct.

Mr. WAGNER. They are different types of materials, so I wanted to be sure. I thank the Senator for the answer that both types of materials are included.

Mr. McNARY. Mr. President, I understand that the able Senator from Connecticut has modified his amendment, and now desires to discuss it. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Davis	Lodge	Sheppard
Andrews	Donahey	Lucas	Shipstead
Ashurst	Ellender	Lundeen	Slattery
Austin	George	McKellar	Smith
Bailey	Gerry	McNary	Stewart
Bankhead	Gillette	Maloney	Taft
Barbour	Green	Mead	Thomas, Idaho
Barkley	Guffey	Miller	Thomas, Okla.
Bilbo	Gurney	Minton	Thomas, Utah
Bone	Hale	Murray	Tobey
Brown	Harrison	Neely	Townsend
Bulow	Hatch	Norris	Truman
Burke	Hayden	Nye	Tydings
Byrd	Herring	O'Mahoney	Vandenberg
Byrnes	Hill	Overton	Van Nuys
Capper	Holman	Pepper	Wagner
Caraway	Holt	Pittman	Walsh
Chandler	Hughes	Radcliffe	Wheeler
Chavez	Johnson, Calif.	Reed	White
Clark, Idaho	Johnson, Colo.	Reynolds	Wiley
Clark, Mo.	King	Russell	
Connally	La Follette	Schwartz	
Danaher	Lee	Schwellenbach	

The PRESIDING OFFICER. Eighty-nine Senators having answered to their names, a quorum is present.

The question is on agreeing to the amendment offered by the Senator from Connecticut [Mr. DANAHER] as modified.

Mr. DANAHER. Mr. President, the principle involved in and presented by the pending amendment is one of the most important which the Congress will be called upon to decide with reference to the whole matter of national defense. As the bill now reads, the Secretary of War would be authorized to develop, manufacture, maintain, and store military equipment, munitions, and supplies, and provide for shelter.

With the objectives declared and urged as the ends of the particular measure now pending, there can be no quarrel. There is not a member of this body who would not do anything and everything necessary for the national defense. But this very language in the bill at the top of page 2 would authorize the Secretary of War, in his discretion, without the fixing of standards by the Congress in any way, to proceed to manufacture any and all kinds of supplies without restraint. There is no limitation either in the thought, or in the words used to convey the thought.

The Secretary of War not only is implemented, under the bill, to provide for military equipment and munitions, as to which there can be no question, but he is also authorized to build plants, acquire sites, and, under an amendment which is now on the desk, and which will be offered by the Senator from Texas, he will be authorized "to provide for the operation and maintenance of any plants, buildings, facilities, utilities, and appurtenances thereto constructed," in accordance with the authorizations herein contained.

Mr. President, whether or not the people of the United States wish to authorize the Secretary of War to build plants and to manufacture supplies, whatever they may be, goes fundamentally to the question of what turn American defense is to take, and what course the American people are to follow.

If we turn to the regular appropriation bill which was sent to us from the House of Representatives on May 23, House bill 9209, we will find in that many pages which deal with regular supplies of the Army, and, in addition, items which deal with special supplies for the Army. For example, we find that we specifically provided for the acquisition by the Army of field ranges, field stoves, coffee roasters, field bakery equipment, appliances for cooking and serving food of whatever kind, candles, matches, soap, toilet paper, towels, textbooks, typewriters, and so forth. We find all kinds of toilet articles provided for, barber and toilet materials, cloth, woolens, materials of whatever kind for uniforms, and the like. Of course, in addition, there are all sorts of nonmilitary supplies comprehended within the term "supplies." Indeed, the dictionary tells us that a supply is that which is or can be supplied, something which is or may be made available. So when the Secretary of War in the language before us undertakes to get authority from the Congress to manufacture supplies, he actually is asking us to authorize the United States Government to manufacture anything it chooses to make, within the sole discretion of the Secretary of War.

Mr. President, there is a definite classification of what is military equipment. That is why the term "military equipment" is used, as it appears in lines 1 and 2. There is a definite classification of what are munitions. That is why the word "munitions" is used, appearing in line 2.

There can be, as already remarked, no question that we should have shadow plants, as the Army terms them, "stand-by" plants, to produce during peacetime for wartime emergency use the supplies, the equipment, the munition, if you choose, Mr. President, which peacetime demands of the American people will not require. But there is no authorization and no justification whatever for the Secretary of War to seek authority to manufacture noncritical supplies.

With those thoughts in mind, Mr. President, I submitted the proposed amendment, which would insert the word "critical" before the word "supplies", and consequently limit this manufacture to what the Army itself may find to be a critical supply, that type of supply absolutely necessary for our defense and for Army use, and which is not normally produced in peacetime, or is not even available to the Army in wartime, because plants are not geared or equipped to produce such supplies. But if we authorize the manufacture of critical supplies, it is no more than reasonable, of course, that we equally authorize the storage of noncritical supplies.

So, Mr. President, the amendment in its whole comprehends both phases. It limits the manufacturer to the manufacture of critical supplies, but it also authorizes the accumulation and storage of noncritical supplies, but which none the less would be required in time of war.

The Senator from Kentucky pointed out earlier that the noncritical supplies feature had not been comprehended in the original language submitted by me, and I thought he was right, and therefore modified the amendment to make it all-inclusive, and the amendment now before the Senate as the pending question includes both classes.

So, Mr. President, when we realize that this particular bill goes further than anything we have ever undertaken, either in war or peace; when we realize that the authority which is here sought, and which will be sought under the amendments of the Senator from Texas, now on the desk, goes further than anything that the United States has ever previously done; when we realize further that this particular question turns on the principle of whether or not we will give the United States Government unlimited authority to manufacture anything whatever which may be termed by the Secretary of War as a supply, we can focus attention upon a departure from principle if the amendment pending is not accepted. That principle is that of private enterprise, the theory upon which our whole structure of nonsocialist government and nontotalitarian state and nontotalitarian government has been developed—a form of government, I submit, which is still the best that the world has ever seen.

Mr. President, we have a form of government whose means and modus operandi ought to be preserved, but the entering wedge by means of which we can easily depart from anything and everything that we have ever held dear as a matter of principle lies in the authority that is sought by the Secretary of War in the bill now pending.

With those thoughts, Mr. President, I ask that the Senate agree to the pending amendment, which will actually save, in that very kernel, the principle upon which we have hitherto proceeded.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Connecticut, as modified, on page 2, lines 2 and 5.

Mr. SHEPPARD. Mr. President, I trust the amendment will be rejected. There is no necessity and no logic for the distinction of critical and noncritical items in connection with the matter of supplies. Military supplies include gasoline for airplanes and motor trucks; lubricating oil, cleaning and preserving; medicines; all sorts of medical supplies; similar dental supplies; batteries; wire; insulators, and so forth; radio parts, mapping paper; photographic paper; lenses; films; tools; surgical and hospital supplies; camp and mess equipment, mess pans and all cooking utensils; hardware. Any one of these articles may be critical at one time and not critical at another.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. SHEPPARD. I yield.

Mr. DANAHER. Does the Senator think that the United States Government ought to enter the business of producing gasoline?

Mr. SHEPPARD. Only in case of an emergency. The bill does not require the Government to manufacture gasoline. It merely authorizes the Government to do so in case of emergency. It provides that the Secretary of War may:

> Provide for the development, purchase, manufacture, shipment, maintenance, and storage of military equipment, munitions, and supplies * * * at such places and under such conditions as he may deem necessary

During the remainder of this fiscal year.

Mr. DANAHER. Mr. President, the Senator has been very courteous in cooperating with me in our discussions on this subject. We simply disagree on the principle involved. I should like to ask the Senator from Texas, if he will bear with me, if he does not understand and expect that the Secretary of War will undertake to carry out the duties conferred upon him by this bill, and do it forthwith?

Mr. SHEPPARD. Certainly.

Mr. DANAHER. And is it not the purpose, as stated in the bill itself, to expedite the building up of the national defense?

Mr. SHEPPARD. Yes; but the Secretary is not required to manufacture anything.

Mr. DANAHER. Mr. President, does the Senator think the Secretary of War ought to be engaged in the manufacture of hardware?

Mr. SHEPPARD. It depends on the emergency. There might be an emergency in which he would have to manufacture hardware of certain types in Government arsenals.

Mr. BARKLEY. Mr. President, will the Senator from Texas yield to me?

Mr. SHEPPARD. I yield.

Mr. BARKLEY. Of course, it is contemplated that, if at all, the War Department shall engage in the manufacture of anything only in the event private industry falls down and does not supply the War Department. Certainly we would not want to cripple our Army and our defense if such a situation should arise as that, and probably it would not.

Mr. DANAHER. Mr. President, will the Senator from Texas yield to me to make an inquiry of the Senator from Kentucky?

Mr. SHEPPARD. I yield.

Mr. DANAHER. Would the Senator object to language which I can easily put in there that there will be no manufacturing done unless private industry falls down?

Mr. BARKLEY. Mr. President, I try not to walk up a blind alley in advance. I should like to see the language.

Mr. DANAHER. Would the Senator agree to the language?

Mr. BARKLEY. I will not agree to anything in advance of knowing what it is. I think the language of the amendment is sufficient, and I think the amendment should be adopted. That is my position about the matter.

Mr. DANAHER. Mr. President, will the Senator again yield to me?

Mr. SHEPPARD. I yield.

Mr. DANAHER. Let me point out that the Senator from Kentucky understands that it is in contemplation. He does not say in whose contemplation. He says it is in contemplation.

Mr. BARKLEY. Well, it is in contemplation of the language of the bill. The language speaks for itself.

Mr. DANAHER. Then does the Senator, in the language that speaks for itself, find any statement that there will be no manufacture unless private industry falls down? Where does the Senator find that?

Mr. BARKLEY. Of course it is not necessary for language to go into all the details. It carries with it authority to do certain things in the event it is necessary, if the emergency requires it. It is inconceivable that private industry would fall down on the manufacture of certain things, such as clothing, or shoes, or uniforms, or even hardware, or gasoline. Certainly it is not contemplated that the private manufacturers of gasoline will go out of business and will not be able to supply that commodity. But if in any of these multiplied fields of supplies for the military forces of the United States it should become necessary for the Government to do things that cannot be otherwise done, certainly the Senator from Connecticut would not want our defense forces crippled for lack of supplies, merely because some private manufacturers cannot make them.

Mr. DANAHER. Mr. President, the Senator from Kentucky was never more right than when he said that I, the Senator from Connecticut, would not want to interfere when private industry cannot supply the necessary materials. I submit that the bill does not say any such thing. I submit that it contains an absolutely unbridled grant of authority to the Secretary of War to do just the things, to engage in the manufacture of just the items listed by the Senator from Texas, and I submit that private industry is amply able to provide any and all normal supplies.

Those commodities which are critical, which are military in their nature, and which are not the result of peacetime production in this country, I am perfectly willing the Government should manufacture, just as the Government manufactures in its own navy yard in Washington and at the arsenal in Springfield, weapons for which, of course, there is no peacetime use. Certainly, the Government should have stand-by plants, and, certainly it should have equipment capable of producing critical supplies, and that very provision is incorporated in the amendment now pending.

We all want to do whatever is necessary for national defense, but we certainly do not want to see some form of creeping paralysis of government spreading over the Nation, giving the Government unlimited authority to do anything it chooses, without the Congress having anything whatever to say, so that the Secretary of War may himself decide when and where he will erect a plant and produce automobiles, if he desires, and then proceed to the manufacture of what he says are supplies.

Mr. President, my amendment is a perfectly plausible and reasonable limitation upon what is otherwise an unlimited grant of power.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Connecticut, as modified, on page 2, in lines 2 and 5.

Mr. DANAHER. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. SHIPSTEAD (when his name was called). I have a pair with the senior Senator from Virginia [Mr. GLASS]. I am informed that if he were present he would vote as I shall vote. I vote "nay."

Mr. THOMAS of Utah (when his name was called). I have a general pair with the senior Senator from New Hampshire [Mr. BRIDGES]. I transfer that pair to the senior Senator from New Jersey [Mr. SMATHERS] and will vote. I vote "nay."

The roll call was concluded.

Mr. MINTON. I announce that the Senator from New Jersey [Mr. SMATHERS] is absent from the Senate because of illness in his family.

The Senators from Alabama [Mr. BANKHEAD and Mr. HILL], the Senator from Nebraska [Mr. BURKE], the Senators from New Mexico [Mr. CHAVEZ and Mr. HATCH], the Senator from Virginia [Mr. GLASS], the Senator from Minnesota [Mr. LUNDEEN], the Senator from Nevada [Mr. MCCARRAN], the Senator from West Virginia [Mr. NEELY], the Senator from Louisiana [Mr. OVERTON], and the Senator from Massachusetts [Mr. WALSH] are necessarily detained.

The Senator from California [Mr. DOWNEY] is absent on official business for the Committee on Banking and Currency.

The Senator from Alabama [Mr. HILL] is paired with the Senator from Kansas [Mr. REED]; the Senator from California [Mr. DOWNEY] with the junior Senator from North Dakota [Mr. NYE]; and the Senator from New Mexico [Mr. HATCH] with the senior Senator from North Dakota [Mr. FRAZIER]. I am not advised how these Senators would vote, if present.

Mr. AUSTIN. I announce the general pair of the Senator from Vermont [Mr. GIBSON] with the Senator from Nevada [Mr. MCCARRAN]. I am not advised how either Senator would vote, if present.

The Senators from North Dakota [Mr. FRAZIER and Mr. NYE] are necessarily absent.

The result was announced—yeas 17, nays 60, as follows:

YEAS—17

Barbour	Hale	Taft	White
Capper	Holman	Thomas, Idaho	Wiley
Danaher	Johnson, Calif.	Tobey	
Davis	Lodge	Townsend	
Donahey	McNary	Vandenberg	

NAYS—60

Adams	Clark, Mo.	King	Russell
Andrews	Connally	La Follette	Schwartz
Ashurst	Ellender	Lee	Schwellenbach
Austin	George	Lucas	Sheppard
Bailey	Gerry	McKellar	Shipstead
Barkley	Gillette	Maloney	Slattery
Bilbo	Green	Mead	Smith
Bone	Guffey	Miller	Stewart
Brown	Gurney	Minton	Thomas, Okla.
Bulow	Harrison	Murray	Thomas, Utah
Byrd	Hayden	O'Mahoney	Truman
Byrnes	Herring	Pepper	Tydings
Caraway	Holt	Pittman	Van Nuys
Chandler	Hughes	Radcliffe	Wagner
Clark, Idaho	Johnson, Colo.	Reynolds	Wheeler

NOT VOTING—19

Bankhead	Frazier	Lundeen	Overton
Bridges	Gibson	McCarran	Reed
Burke	Glass	Neely	Smathers
Chavez	Hatch	Norris	Walsh
Downey	Hill	Nye	

So Mr. DANAHER's amendment was rejected.

Mr. DANAHER. Mr. President, when the previous amendment was being discussed, the Senator from Kentucky apparently convinced the majority that the amendment should be rejected, for he said he did not wish to have it appear that the Secretary of War would engage in the manufacture of supplies unless private industry could not supply them. In order that it may definitely appear that such is the intention of Congress, and that the legislation before us carries

out that intention, as expressed by the Senator from Kentucky, I offer an amendment, on page 2, at the end of line 12, to read:

Provided further, That the Secretary of War shall not engage in the manufacture of any supplies unless private industry shall be found unable adequately to provide such supplies.

I ask that the amendment be formally stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Connecticut will be stated.

The CHIEF CLERK. On page 2, at the end of line 12, it is proposed to insert the following:

Provided further, That the Secretary of War shall not engage in the manufacture of any supplies unless private industry shall be found unable adequately to provide such supplies.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Connecticut.

The amendment was rejected.

Mr. WAGNER. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from New York will be stated.

The CHIEF CLERK. On page 2, line 12, after "1942", it is proposed to insert a colon and the following:

Provided, That contracts entered into pursuant to the provisions of this section shall not be deemed to be contracts for the purchase of such materials, supplies, articles, or equipment as may usually be bought in the open market within the meaning of section 9 of the act entitled "An act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes", approved June 30, 1936 (49 Stat. 2036; U. S. C., Supp. V, title 41, secs. 35–45).

And on page 4, line 10, after "1942", it is proposed to insert a colon and the following:

Provided, That contracts entered into pursuant to the provisions of this section shall not be deemed to be contracts for the purchase of such materials, supplies, articles, or equipment as may usually be bought in the open market within the meaning of section 9 of the act entitled "An act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes," approved June 30, 1936 (49 Stat. 2036; U. S. C., Supp. V, title 41, secs. 35–45).

Mr. WAGNER. Mr. President, I have conferred with the chairman of the Committee on Military Affairs [Mr. SHEPPARD], who has no objection to the amendment. I have also conferred with the chairman of the Naval Affairs Committee [Mr. WALSH], and he has informed me that a similar amendment is to be included in the bill to expedite naval construction.

Mr. CLARK of Missouri. Mr. President, will the Senator explain the amendment?

Mr. WAGNER. I was about to do so. Under the pending bill, contracts for the purchase of supplies may be of two kinds, either those entered into as the result of advertising, which, of course, means bidding, or those entered into as the result of negotiation, which are called negotiated contracts. A question has arisen—and the amendment is simply to remove the ambiguity—as to whether the Walsh-Healey Act, which is now definitely applicable to a contract for the purchase of supplies as a result of advertising, will also apply to a negotiated contract. The only real difference between the two contracts is that one takes a longer time, because of the necessity for advertising, whereas a negotiated contract may be entered into immediately. The work is exactly the same, and the same type of worker is employed. It seems to me a great injustice would be imposed on the workers unless some such amendment as I now propose were adopted.

I may say that the contracts let as the result of advertising and subject to the Healey-Walsh Act since its adoption in 1936 involved about 3,000,000 workers. Unless this amendment is adopted we would have this anomalous situation: Under a contract entered into with the Government as the result of public bidding one set of minimum wages, that is, the prevailing wages, would be applied, whereas under another contract entered into as a result of negotiations, a much lower minimum wage would be paid, that is, the flat minimum under the Wage and Hour Act. This situation would present an opportunity for exploitation, since a contractor under a negotiated contract might be paying wages in some instances 25 percent to 75 percent below those required under the Healey-Walsh Act. I am sure that we would not want to invite any such exploitation.

I am informed that the Navy Department suggested this very amendment to the Naval Affairs Committee, and the chairman of that committee informed me that the committee proposed to incorporate it in the naval bill to be acted upon by them. Neither the administration nor Congress would want to be a party to such exploitation as I have described. The amendment simply makes it very clear that the minimum wage and other standards under the Healey-Walsh Act shall apply to both types of contracts, because, as I say, there is no difference between them at all except in the matter of advertising.

Mr. BARBOUR. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from New Jersey?

Mr. WAGNER. I yield.

Mr. BARBOUR. Mr. President, the distinguished Senator from New York, of course, needs no endorsement or confirmation by me when he makes a statement, because I am sure that he never makes a statement unless that statement is a true statement. Inasmuch, however, as the chairman of the Naval Affairs Committee is necessarily temporarily absent from the Chamber at the moment, and inasmuch as I am a member of the committee and have attended all the hearings of this important committee in connection with the naval bill referred to by the Senator from New York, I think perhaps the Senator from New York would really like to have me confirm from my own knowledge as a member of that committee that his statement, so far as the situation with respect to the Naval Affairs Committee and its labors are concerned, is absolutely true. The amendment the Senator has offered is in exact accord with the one presented to the Naval Affairs Committee, which, as I understand, will be incorporated in the Navy bill. Certainly I personally have worked and will continue to work to that end.

Mr. WAGNER. I thank the distinguished Senator from New Jersey. As a matter of fact, the words of this amendment were taken from the amendment which is to be adopted by the Naval Affairs Committee with reference to naval construction.

Mr. BARBOUR. I recognize that the wording is exactly the same.

Mr. SHEPPARD. Mr. President, the amendment is acceptable to me.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New York [Mr. WAGNER].

The amendment was agreed to.

Mr. LA FOLLETTE. Mr. President, I desire to call up an amendment which I think is at the desk and which I have previously presented.

The PRESIDING OFFICER. The amendment offered by the Senator from Wisconsin will be stated.

The CHIEF CLERK. On page 3, line 8, after the comma, it is proposed to strike out the remainder of line 8 and all of lines 9, 10, 11, and 12, and insert in lieu thereof the following:

That notwithstanding the provisions of section 6 of the act of August 24, 1912 (37 Stat. 555; U. S. C., title 5, sec. 652), the Secretary of War may remove from the classified civil service of the United States any employee of the Military Establishment forthwith upon a finding that such person has been guilty of conduct inimical to the public interest in the defense program of the United States and upon the giving of notice to such person of such charges: *And provided further,* That within 30 days after such removal such person shall have an opportunity personally to answer such charges in writing and to submit affidavits in support of such answer.

Mr. LA FOLLETTE. Mr. President, I will say a few brief words of explanation concerning this amendment. Section 6 of the act of August 12, 1912, sets up procedure for the removal of persons in the classified civil service of the United States. It also contains provisions which assure to Federal

employees their right to join organizations for their mutual protection and advancement and to petition Congress. It may not be improper to remind the Senate that prior to the enactment of this section of the statute, which has come to be known as the Lloyd-La Follette Act, the employees in the Federal service were penalized for petitioning Congress or for joining an organization for their own mutual aid and protection.

The provision of the statute for which the amendment is offered as a substitute gives wide, sweeping powers to the Secretary of War to suspend the entire section. After conferring with the chairman of the committee, I ascertained that the only desire on the part of the War Department was to suspend the procedure for removal of employees in cases where there was evidence of sabotage or espionage.

Therefore this amendment grants such power to the Secretary of War but saves to the employees the other rights contained in the section of the statute to which reference is made.

Mr. President, I ask that there may be printed as a part of my remarks section 652 of the Revised Statutes.

There being no objection, the section was ordered to be printed in the RECORD, as follows:

SEC. 652. Removals from classified civil service only for cause: No person in the classified civil service of the United States shall be removed therefrom except for such cause as will promote the efficiency of said service and for reasons given in writing, and the person whose removal is sought shall have notice of the same and of any charges preferred against him, and be furnished with a copy thereof, and also be allowed a reasonable time for personally answering the same in writing; and affidavits in support thereof; but no examination of witnesses nor any trial or hearing shall be required except in the discretion of the officer making the removal; and copies of charges, notice of hearing, answer, reasons for removal, and of the order of removal shall be made a part of the records of the proper department or office, as shall also the reasons for reduction in rank or compensation; and copies of the same shall be furnished to the person affected upon request, and the Civil Service Commission also shall, upon request, be furnished copies of the same. Membership in any society, association, club, or other form of organization of postal employees not affiliated with any outside organization imposing an obligation or duty upon them to engage in any strike, or proposing to assist them in any strike, against the United States, having for its objects, among other things, improvements in the condition of labor of its members, including hours of labor and compensation therefor and leave of absence, by any person or groups of persons in said Postal Service, or the presenting by any such person or groups of persons of any grievance or grievances to the Congress or any Member thereof shall not constitute or be cause for reduction in rank or compensation or removal of such person or groups of persons from said service. The right of persons employed in the civil service of the United States, either individually or collectively, to petition Congress, or any Member thereof, or to furnish information to either House of Congress, or to any committee or member thereof, shall not be denied or interfered with (Aug. 24, 1912, ch. 389, sec. 6, 37 Stat. 555).

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin [Mr. LA FOLLETTE].

Mr. SHEPPARD. I have no objection to the amendment.

The PRESIDING OFFICER. Without objection, the amendment was agreed to.

Mr. LA FOLLETTE. I desire to offer another amendment.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 3, at the end of section 4, it is proposed to insert the following:

Notwithstanding the provision of any other law, the regular working hours of employees of the War Department and its field services shall be 8 hours per day and 40 hours per week during the period of any national emergency declared by the President to exist. *Provided*, That under such regulations as the Secretary of War may prescribe, these hours may be exceeded, but compensation for employment in excess of 40 hours in any administrative workweek, computed at a rate not less than one and a half times the regular rate, shall be paid per annum, per hour, per diem, and piecework employees. *Provided further*, That in determining the overtime compensation of per annum Government employees the pay for 1 day shall be considered to be one three-hundred and sixtieth of their respective per annum salaries.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin.

Mr. LA FOLLETTE. Mr. President, a few brief words of explanation of this amendment. My understanding is that an amendment similar to this is now under consideration by the Naval Affairs Committee of the Senate in its consideration of what may be termed a companion bill to the one now before the Senate, which relates to the Naval Establishment. It would seem only just and reasonable that equal treatment should be accorded employees in the Naval Establishment and in the Military Establishment.

In the pending bill as it now stands there is no provision covering overtime pay. I have conferred with the chairman of the committee, and he informs me that he is willing to accept the amendment in order that the subject matter may be in conference, and when the final policy is worked out upon the naval bill it will give the conferees on the Army bill an opportunity to bring the two measures into uniformity so far as the pay of employees who are required to work overtime is concerned.

Mr. SHEPPARD. Mr. President, the amendment is acceptable to me.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. SCHWARTZ. Mr. President, I offer an amendment.

The PRESIDING OFFICER. The amendment offered by the Senator from Wyoming will be stated.

The CHIEF CLERK. On page 2, line 23, it is proposed to strike out the period, insert a colon, and the following proviso:

Provided, That no person shall be excluded from enlistment in any branch of the Military Establishment on account of race, creed, or color.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wyoming.

Mr. SHEPPARD. I have no objection to that amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. SHEPPARD. Mr. President, the Senator from Washington [Mr. SCHWELLENBACH] had an amendment to offer. I do not see him in the Chamber at this time. Perhaps he will come in later.

I now reoffer the amendment which was pending when the Senate adjourned.

The PRESIDING OFFICER. The amendment offered by the Senator from Texas will be stated.

The LEGISLATIVE CLERK. On page 2, line 7, after the word "contracts", it is proposed to insert:

(Including contracts for educational orders, and for the exchange of deteriorated, unserviceable, obsolescent, or surplus equipment, munitions, and supplies for other equipment, munitions, and supplies of which there is a shortage).

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Texas.

Mr. VANDENBERG. Mr. President, let us have an explanation of the amendment.

Mr. SHEPPARD. Mr. President, I endeavored to explain the amendment yesterday. I shall say again that the amendment lifts the restriction in the educational-orders law requiring that bids be solicited from a selected list of those considered to be qualified to receive such orders. This is necessary in the interest of expedition and of procedure without undue delay. The bill does not lift the requirement of existing law that educational orders shall be approved by the President.

Also, the amendment enables the Department to dispose of, by exchange, deteriorated, unserviceable, obsolescent, or surplus equipment, munitions, and supplies for other equipment, munitions, and supplies.

Section 3617 of the Revised Statutes authorizes the sale of unserviceable, deteriorated, or surplus equipment, munitions, and supplies, the proceeds of which must be deposited to the credit of the Treasury. What this amendment does is to enable the manufacturer to credit the Government with the proceeds of sale, and apply that credit to the manufacture of new material. Under the amendment the amount will not be turned into the Treasury, but will be credited to the Government by the manufacturer, thereby obviating the necessity of another appropriation.

The act of May 12, 1917, authorizes the exchange of motor-propelled vehicles, airplanes, engines, and engine parts in part payment for new equipment of similar character, to be used for the same purpose as those proposed to be exchanged. This measure proposes, as I said yesterday, the exchange of surplus munitions for any kind of new material of which there is a shortage in the Army.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. SHEPPARD. I yield.

Mr. VANDENBERG. When the Senator offered this amendment last night, the Senator from West Virginia asked the Senator from Texas to obtain, if he could, a list of the surplus commodities and materials which might be contemplated within the scope of these exchanges, and the able Senator from Texas said he would try to get the information. I wonder if he has it.

Mr. SHEPPARD. Yes. The War Department considers surplus anything not needed for an army of 2,000,000 men.

Mr. VANDENBERG. Can the Senator give us some examples of what are to be exchanged under this authority?

Mr. SHEPPARD. Enfield rifles constitute one example, and any other equipment declared unserviceable or surplus.

Mr. VANDENBERG. Where does the responsibility lie for certifying that the traded materials are either deteriorated, unserviceable, obsolescent, or surplus?

Mr. SHEPPARD. With the Secretary of War.

Mr. LODGE. Mr. President, will the Senator yield?

Mr. SHEPPARD. I yield.

Mr. LODGE. Is not an Enfield rifle, if it is in good condition, better than no rifle at all?

Mr. SHEPPARD. We have had quite a controversy over rifles, and I should not like to enter into that controversy on the floor at this time. I think the Enfield rifle is an excellent firearm, however.

Mr. LODGE. And a man with one of those rifles is better off than a man with no rifle at all.

Mr. SHEPPARD. Absolutely.

Mr. CLARK of Missouri. Mr. President, I should like to ask the Senator, if he will permit me, how many rifles the War Department have on hand now, if these Enfields are surplus. It has been repeatedly stated here that we did not have on hand enough rifles to arm an army to the extent to which the extension might be necessary immediately on the outbreak of war. When did these Enfields become surplus?

Mr. SHEPPARD. When the War Department determined it did not need all it had. Whoever said we did not have enough rifles was referring to the so-called Garand rifle, which is a modern type of rifle.

Mr. CLARK of Missouri. I consider that the Springfield rifle is very much better than the Enfield. We were armed with the Enfield during the last war because our factories were not jigged and died for Springfields. For years we have had facilities for making the best small arm in the world, unless the Garand turns out to be better, in the Springfield rifle; but during the last war our troops were not armed with Springfields; they had to take Enfields, because our factories were jigged and died and gaged to make Enfields. But the Enfield, while considerably inferior to the Springfield, is, as the Senator from Massachusetts [Mr. LODGE] suggested, certainly very much better than no rifle at all. It is very much better than fighting with pitchforks or scythes or muzzle-loaders, which we might have to do if we did not have rifles.

I should like to ask the Senator how many rifles will be left to the United States if this contemplated order goes through.

Mr. SHEPPARD. I should say that there would be perhaps 2,000,000 at the present. Let me add, however, that among this number there is another rifle, of which the Army has, I think, six or seven hundred thousand, the Browning.

Mr. CLARK of Missouri. What I am getting at is this, if the Senator will permit me:

Before the last war a gun had been invented by an American Army officer, Colonel Lewis, which the War Department turned down and refused to purchase, because the War Department officials, or some officials in the War Department, insisted that it was possible to make a better gun; so we did not have any Lewis guns until we got into the war. We were still experimenting with the light Browning; and when we got over to France we were armed with what Lewis guns we could borrow from the British, the Lewis gun in the meantime having been sold to the British. We were armed with the Lewis gun, which was at that time the best light automatic rifle in the world, and with a rifle called the Chauchat, a French alleged automatic rifle which was said by American soldiers to be so bad that the only way you could injure a German with it was by hitting him over the head with it, or throwing it at him. [Laughter.] What I should like to know is whether we are going to sell the rifles that we have on hand—the regular rifles, the Enfields—and then let the War Department engage in this interminable dispute until the war is over, or until an emergency might arise and find us entirely unprepared.

After the last war was over, after we got home from France, long after the armistice, the War Department did produce the light Browning, which was a far superior gun to the Lewis; but while finding fault with the Lewis gun, they sent us into the war without any light automatic at all. It seems to me that engaging in this dispute about rifles, between the Garand and the other rifle, while at the same time selling the surplus store, if it is surplus, of Enfields, might put the United States in a position of very great unpreparedness so far as small arms are concerned.

Mr. SHEPPARD. I agree with the Senator that the matter ought to be straightened out, and straightened out quickly.

Mr. THOMAS of Oklahoma. Mr. President, on this matter I cannot speak as an expert, but I can speak from the record. The record shows that we have more than enough rifles to outfit an army of 5,000,000 men. That statement is based on the assumption that only a small part of an army uses rifles of the kind we are talking about.

It was testified before my subcommittee that 275,000 rifles were ample for an army of 1,000,000 men. The remainder of the million men would be engaged in the kind of fighting that did not require a shoulder rifle.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. CLARK of Missouri. Until we get the other equipment—the mechanized equipment and the automatic-fire equipment—for an Army of a million men, the same proportion of the Army as hitherto would have to be armed with the old-fashioned rifle, would it not? In other words, unless we have the tanks and the automatic rifles and the machine guns, which we have not, the only way we can arm our Army of a million men is with the old-fashioned rifle and the bayonet, is it not?

Mr. THOMAS of Oklahoma. Mr. President, we have, according to the record, over two and a half million Enfield and Springfield rifles. We now have more than 40,000 Garand rifles. They are the semiautomatic rifles.

Mr. JOHNSON of Colorado. Mr. President, before a vote is taken on the pending amendment, I wish to go on record in opposition to its adoption. In my opinion, the amendment would open wide the door to graft, conspiracy, and corruption.

A few days ago I received a letter from a friend of mine in Colorado, a very well-to-do attorney, who is a new dealer, by the way, although that has nothing whatever to do with the incident I am about to relate. He made this statement:

> I bought some blankets on the market the other day, United States Army blankets. Across the corner there was a gash about 6 or 7 inches long, all sewed up, so that the blankets could not be sold back to the United States Government again. These blankets are perfect blankets. I bought them for about one-half what a blanket would have cost on the regular market.

When an amendment such as the one before us is adopted, that is the sort of opportunity to graft which will be opened up. The Government will buy a supply of new blankets; some officer will turn them back to the firm that made them

at a very low price; and the Government will take some more new blankets; and there will be no end to that sort of thing. I use blankets merely as an example to indicate the process. Army blankets cost very little money; other military equipment runs into huge figures.

I have another objection to the amendment. It will open wide the door to flagrant violations of international law. I do not suppose I will have a chance to vote on the amendment. I merely wanted to state that I had these objections to its adoption.

Mr. CLARK of Missouri. Mr. President, I realize that it is entirely futile to undertake to stop this evasion of international law and of the Neutrality Act, even by defeating the pending amendment, if it were possible to do that, because it would be like locking the stable after the horse was gone. Already, under a ruling of the Attorney General, many of our first-line planes have been turned back for sale abroad to belligerents. Therefore to undertake to stop such action in connection with this more or less minor item, concerning these rifles, as I have said, would be in the nature of locking the stable door after the horse was gone, because far more important defensive weapons have already gone from our national-defense line under the ruling of the Attorney General.

Let me say in passing that of course I realize, as must everyone else, that it is a very poor President who could not get a ruling he wanted from his own Attorney General. I know of only one instance in the history of our Government to the contrary, and Andrew Jackson dismissed that Attorney General.

I do desire to go on record in protest against this whole system of evasions of our laws. Nothing becomes surplus in a military sense until it has been replaced with something equally good or better. It may be that these Enfield rifles, for example, are obsolescent according to the standard of some of the rifles which have been developed since the Enfield was in use, but until the needs of the United States to the fullest possible extent are completely met by something as good or better, these rifles are not surplus.

It may be said that the old war 75's, which we bought from the French during the war, when we went over to France, may be obsolescent, because there may have been some improvements in that weapon, but it has been found in the present war, by the French themselves, that those old wartime 75's, massed and firing point blank, are the most effective weapons which have been found for combating the tanks.

I say that nothing is surplus, so far as the defense of the United States to its fullest extent is concerned, until something equally good or better has been supplied to the extent of our own needs.

I stated on the floor of the Senate a few days ago that if we sent our 75's to France, or to England, or anywhere else in the world, if we sent our airplanes, if we sent our ships, until the defense needs of the United States have been absolutely provided for, and we got into the war as a result, without the fullest provision for the adequate defense of the United States, and an invader came over to attack the United States, and found our preparation for defense even more deficient than it is now, by reason of our sale of arms, or gift or shipment of arms to some other nation, Congress and every one connected with it would be guilty, would be blamable, to a great extent which would deserve the condemnation of the American people for time immemorial.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. TYDINGS. I do not believe the Senator would have any objection to the sale of deteriorated or unserviceable or obsolescent equipment, but the word "surplus" is a word which allows almost anything to be sold.

Mr. CLARK of Missouri. I agree entirely with the Senator. Of course, we know that arms may be sold as being inferior which are a good deal better than none at all. But even so, I, of course, have no objection to the practice which has always obtained, under the law, of selling condemned arms or equipment of any sort. What I object to is the sale of goods which could only be considered surplus if our Army were armed to the fullest extent contemplated by modern practice. For instance, the Senator from Oklahoma stated awhile ago that it would take 270,000 rifles to equip an army of a million men. But that contemplates that the Army would be fully equipped with the newest of automatic-firing weapons; the newest mechanical services, which we do not at present have; and new artillery equipment. So that if we were to be forced to put an army of a million men into the field, assuming we could readily assemble a million men, it would not have 270,000 rifles as contemplated if we had the new equipment, but until we procured the new equipment it would be the same number of rifles which have hitherto been required under our tables of organization. Until the Army is completely equipped, this is not surplus material.

Mr. TYDINGS. Mr. President, I should like again to stress the fact that surplus equipment, munitions, and so forth, is very vaguely defined; and while I have not the words to suggest, it seems to me there should be some safeguards thrown around what is really surplus equipment, because in the light of present events, if I may so suggest, it is perfectly possible for us to get into a war without declaring war; and in that event, unless what Congress means by "surplus equipment" is pretty narrowly defined, we may not have sufficient equipment, in line with what the Senator has pointed out, to take care of our own defensive needs.

I am not for a moment suggesting that really surplus equipment, or deteriorated or unserviceable or obsolescent equipment, should not be disposed of in line with the committee amendment, but I think we should not leave it open so wide that practically everything we have could be given away, until we get something to take its place. I would not be opposed to much of it being given away, perhaps, if I knew what it was, but on our own responsibility are we to allow the door to be opened wide so that all the equipment of the Army and the Navy can be declared surplus as a result of someone's whim? Certainly that is not unlikely to happen, at least to a large degree.

Mr. CLARK of Missouri. Of course, the Senator is perfectly familiar with the fact that in the case of airplanes, a plane is regarded as obsolescent the moment a plane anywhere in the world may be made with some feature that is considered an improvement. While still a first-line fighting ship a plane is placed on the obsolescent list, as I think the Senator from Texas will bear me out, the very moment an improvement is discovered. But every nation in the world necessarily must employ a tremendous number of planes as first-line fighters which may be obsolescent in the sense that they are not the very latest development in warfare. I am opposed to anything which permits the sale of ships which are serviceable as front-line ships for the United States until we get something that is better.

Mr. TYDINGS. I merely make the suggestion that it would not cure the defect I have pointed out, but if the word "actual" were inserted before the word "surplus", it seems to me at least the intent of the Congress would be made clear. Surplus equipment might be anything. The provision should cover "actual" surplus equipment.

Mr. LODGE. Mr. President, will the Senator from Missouri yield?

Mr. CLARK of Missouri. I yield.

Mr. LODGE. I submit to the Senator from Missouri the thought that if a nation wants to make a major effort there is no such thing as surplus. It should keep everything it has that is obsolete, and then add some more.

Mr. CLARK of Missouri. I agree with the Senator from Massachusetts that if one did not have a better gun, he might be glad to use an old flintlock, or muzzle loader, or any other sort of gun, and if he did not have a gun at all, he might have to use a scythe, or a pitchfork. I do not think we should sell anything that is necessary to our maximum effort.

Mr. LODGE. Is it not true that if this Nation should become involved in a major emergency, if the National Guard in the several States were called out, the home guards who would be set up would have to be provided rifles?

Mr. CLARK of Missouri. Undoubtedly.

Mr. CLARK of Idaho. Mr. President, will the Senator from Missouri yield to me?

Mr. CLARK of Missouri. I yield.

Mr. CLARK of Idaho. I suggest to the Senator from Missouri that the very fact that a thousand first-line planes have been interpreted as surplus is a glaring example of the utter duplicity behind this whole program, and shows what a travesty the whole proceeding is, and what a horrible fraud it is on the American people. As Major Williams, the aviation editor for the Scripps-Howard newspapers, has so well pointed out, even if those planes were 2 or 3 years old, they are of the utmost necessity for training the pilots who are going to fly the new planes. To class 1,000 of those first-line Army and Navy planes as obsolete, or as surplus, merely because they do not have puncture-proof gas tanks and armored cockpits, is, to my way of thinking, an utter fraud. I merely want to leave that suggestion with the Senator.

Mr. CONNALLY. Mr. President, will the Senator yield to me?

Mr. CLARK of Missouri. I yield.

Mr. CONNALLY. I may ask the Senator from Missouri would not the use of the word "surplus" here be accepted in its usual and nontechnical sense? In other words, "surplus" is something we do not need. "Surplus" is something over and above our necessities. I suppose no one wants to sell anything to anyone which we still need—that is necessary to help our defense—but if we need only 100,000 of a certain article, and if perhaps we have 200,000, I see no reason for not disposing of the second 100,000.

Mr. CLARK of Missouri. The Senator from Idaho has cited the particular example of naval planes which exactly answers the statement of the Senator from Texas. We are told on every side that more planes are needed for the extension of naval aviation. We do not have anything like the number of airplanes we need for our own protection under any conditions, even without being engaged in a major war, and yet, before the real construction under the tremendous new aviation program is even started, we are already treating as surplus and sending abroad about a thousand of our planes, many of which are good and, in the judgment of the Navy Department itself, first-line fighting planes, and which might be of vital necessity in the event of our being engaged in war.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. BARKLEY. The law providing for the "trading in," to use the common expression, of these motor vehicles, airplanes, and vessels existed before the present emergency. That statute has been on the books for a long time. Of course, we have to leave to the judgment of the War Department and the Secretary of the Treasury as to what is surplus. It is difficult to describe surplus or define it by law.

Take the rifles which were referred to a while ago. The Senator from Oklahoma stated we had a sufficient number of Enfield rifles now to equip an army of 5,000,000 men.

Mr. CLARK of Missouri. That is on the theory that the Army has all the additional equipment by way of tanks and automatic rifles and everything of that sort, which it does not have at the present time.

Mr. BARKLEY. Neither do we have the 5,000,000 men, and we are no nearer having the 5,000,000 men than we are to having the automatic equipment. The point is, it seems to me, that by the time we would have 5,000,000 men in the Army, or a number sufficient to absorb these rifles, we would have more modern equipment. It is not proposed that we raise an army of 5,000,000 men, or even of 1,000,000 men. So that, so far as the present situation is concerned, any matériel that is on hand, that may have been bought years ago under different circumstances, that is not required to supply our present Army, or any reasonable or expected increase, might be regarded as surplus. We are bound to assume that in the process of adding enough men to our Army to make it 5,000,000 we are also going to add a great amount of equipment which will be more modern than that which we now have.

Mr. CLARK of Missouri. Mr. President, I return to the proposition that this equipment does not become surplus until its place is taken by the other equipment. The conception that 270,000 rifles are sufficient for a million men is based upon the theory that the Army of a million men would have vast quantities of automatic equipment which we do not possess and do not have immediately in prospect.

Mr. BARKLEY. Mr. President, suppose the Government bought more than it needed, more than it could use, more than it contemplated it could use within a reasonable time; it seems to me that it is not far-fetched to interpret that excess as a surplus from the very time it was obtained by the Government, if it is not needed. So in that sense I do not see anything wrong with the use of the word "surplus" here. The word "actual" would not add anything to it.

Mr. CLARK of Missouri. Mr. President, the objection to the word "surplus" is the use to which the word "surplus" has been put in the recent case of the Navy's planes. The Navy has been selling first-line planes because of a policy of trying to evade international law and the neutrality statutes by supplying arms to foreign powers before they actually become surplus.

Mr. BARKLEY. During all the time that the law has been on the statute books authorizing the return of the airplanes and the engines and equipment, and getting credit on new planes, engines, and equipment, no one ever made the complaint that it was done to evade the law or the neutrality statute.

Mr. CLARK of Missouri. To what extent have first-line planes ever before been turned in to the manufacturers in advance of the time they actually became surplus?

Mr. BARKLEY. I am not able to give the Senator the figures as to how many have been turned in.

Mr. CLARK of Missouri. It seems to me that that figure should be given before the pending proposition is submitted to the Senate.

Mr. BARKLEY. It seems to me it is no more unreasonable to authorize the Government of the United States to turn back to the manufacturers used material and get credit for it than it is for a private owner of an automobile to be able to do the same thing.

Mr. CLARK of Missouri. It seems to me, as I pointed out yesterday, that that analogy is by no means good, for the reason that we have been told repeatedly from the highest quarters that we are likely to be attacked; that our own national defense is at stake; that our own national safety may be imperiled. Yet we are asked to turn in planes which might be of the most vital necessity in the front-line defense of the United States, in the hope of getting planes at some future time. To attempt to liken this to the situation of a man driving his car down to an automobile dealer and turning it in on a new car and driving the new car away seems to me absurd. It does not seem to me there is any analogy at all so far as credit from the airplane manufacturer is concerned.

Mr. BARKLEY. Of course, if our capacity for producing airplanes and engines is increased in proportion to the probable need, we will be better off with the possibility of obtaining new airplanes and engines when we need them than we will by keeping the old ones.

Mr. CLARK of Missouri. If we want to keep the old ones until we get the new ones it does not seem to me that the productive capacity of the United States would be in the slightest diminished, and our defensive situation would be greatly enhanced.

Mr. GURNEY. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. GURNEY. For the information of the Senate at this time I wish to say that I secured from the War Department 5 days ago information as to the number of rifles on hand,

and on June 5 or 6 we had 40,000 Garand rifles, 890,000 Springfield rifles, and 2,045,000 Enfield rifles.

Mr. GILLETTE. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. GILLETTE. If material is exchanged, not because it has deteriorated and is unserviceable or obsolescent, but merely because it is surplus, what is the reason why the material for which it is exchanged does not also become surplus?

Mr. CLARK of Missouri. It seems to me that proposition is inescapable.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Texas, on page 2, line 7.

Mr. HILL. Mr. President, before the vote is taken I wish to call attention to the fact that today under the Revised Statutes the War Department has the authority to sell unserviceable, deteriorated, or surplus equipment, munitions, and supplies, the proceeds of which go to the credit of the Treasury. In other words, as the law now stands, the War Department has full power, full authority to sell unserviceable, deteriorated, or surplus equipment.

What the pending amendment would do would be simply to permit the War Department—not force the War Department to sell the equipment, and to turn the money into the Treasury—but simply permit the War Department, as the language of the amendment clearly states, to exchange deteriorated, unserviceable, obsolescent, or surplus equipment, munitions, and supplies for other equipment, munitions, and supplies of which there is a shortage.

Mr. GILLETTE. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. GILLETTE. May I address to the Senator the same question I just addressed to the Senator from Missouri? The present law, to which the Senator refers, provides for the exchange of unserviceable or surplus material, and recovering the proceeds into the Treasury.

Mr. HILL. The War Department has the right to sell this equipment, get a cash price for it, and turn the money into the Treasury. The amendment would authorize the War Department to take obsolete, or unserviceable, or surplus equipment and exchange it in kind, so to speak, for other equipment that is serviceable, that is not surplus, that is up to date, that is modern, that is usable now.

Mr. GILLETTE. That is perfectly logical. Will the Senator yield further?

Mr. HILL. I yield.

Mr. GILLETTE. If it is sold and the proceeds of the sale are covered into the Treasury, that is one thing; but if it is disposed of for other materials merely because it is surplus, why does not the other material become surplus?

Mr. HILL. The other material does not become surplus for the reason that what is obtained in exchange may not be exactly the same as the material turned in. In other words, obsolete rifles might be exchanged for new tanks, or obsolete machine guns for modern machine guns. That is why it does not become surplus.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. BARKLEY. Not only that, but it is not necessary to take back at once what is obtained by the exchange. A backlog of credit may be created which will be available whenever the goods are delivered. As the Senator says, we do not have to exchange the things in kind. We do not have to swap rifles for rifles. We may swap rifles for pistols, or machine guns, or tanks, or antiaircraft guns, which would not be surplus. But even if we were required to exchange them in kind, kind for kind, we would not have to take them until they were needed. We would have the backlog of credit there against the time when the materials would be purchased.

Mr. HILL. The Senator from Kentucky is absolutely correct.

Mr. CLARK of Missouri. Mr. President, will the Senator yield to me so I may ask the Senator from Kentucky a question?

Mr. HILL. I yield for that purpose.

Mr. CLARK of Missouri. I understand that the great advantage of this proposition, according to the Senator from Kentucky, is that we do not have to take these guns, we do not have to take this equipment until some future time. I thought the whole process, the whole theory of this tremendous program and feverish appropriation, was to obtain the arms and munitions as soon as possible and put the United States in a complete state of self-defense at the earliest possible moment. Now, we are told by the Senator from Kentucky that the great advantage of the proposal is that we do not have to take these things until some time away off in the future.

Mr. BARKLEY. Mr. President, I am afraid the Senator is becoming too technical. I did not say that we would not need to acquire this material, but I said we would not have to take it back on the same day when we turn in the surplus material. We would receive credit.

Mr. CLARK of Missouri. Do we not want the new equipment as soon as we can get it? Is not that the theory?

Mr. BARKLEY. It may depend on circumstances. We may not want it on any particular day, but we may want to dispose of what we do not need while we can dispose of it at a price agreed upon; and then, when we obtain the equipment for which it is exchanged, we shall have a credit in part payment.

Mr. HILL. The Senator is absolutely correct. I can foresee a situation in which we shall perhaps want certain material within 90 days. We shall not want it at once because we may not have the men to use it. The men may have to go through some basic period of training, for 90 days, or even longer, before they are ready for the particular equipment.

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. HILL. I yield to the Senator from Colorado.

Mr. ADAMS. The inquiry I have to make is on the other side of the question. We provide for the exchange of surplus material. That matter has been discussed. But instead of putting the money we receive from the sale of the surplus material into the Treasury, where it may only be taken out pursuant to the Constitution, by appropriations authorized by law, we allow the Army to use the equivalent of money to buy anything it sees fit. It may buy any form of supplies. It evades the requirements of the Constitution as to the appropriation of Federal moneys. The Appropriations Committees and the Congress might not approve the purchase of certain materials which the Army wants, but the Army may dispose of anything which is called surplus and buy anything else, without any supervision by the Congress.

Mr. HILL. Appreciating the diligence with which the Senator from Colorado watches appropriations, ordinarily I should want all appropriations to pass under his care and diligent scrutiny. However, in this case I do not think many dollars worth of property would be involved. I believe that in many instances the Government could obtain more for its surplus property by an exchange than it could by selling it for cash. No doubt some munitions factories would allow more in an exchange, when the Government is to obtain other material from that particular factory, than the Government would receive if it were to sell the material for cash.

Mr. LUNDEEN and Mr. CLARK of Idaho addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Alabama yield, and, if so, to whom?

Mr. HILL. I yield first to the Senator from Minnesota.

Mr. LUNDEEN. Mr. President, I take it the matter to which the able Senator is referring is that we are to obtain all the war materials, guns, and ammunition we can to aid the Allies—to aid Great Britain. So far as any military or naval men can see, it seems that the days of France are numbered. The British Empire is still in there fighting.

We talk about obsolete materials and planes. Why is it that the best bombers are being taken away from the great air fields in Minnesota and flown to Buffalo? We are to

have certain maneuvers in this country. I have no other report than the press. The newspapers state that the pilots will not be able to have any war plane military exercises, because there will not be any planes for them. I cannot say whether or not that report is correct. That is the report in the press.

I am also informed by the best experts that after the planes have been turned in it may be a year before we receive their equivalent in modern planes of a later design. I may be mistaken. If so, I wish to be set right.

Does anyone think for a moment that the British Empire, fighting a great war against the scientific military forces of Germany, wants any obsolete war material, and obsolete war planes? That Empire wants the best we have, and Great Britain is getting our very best war planes, guns, and war materials.

Mr. HILL. I now yield to the Senator from Idaho.

Mr. CLARK of Idaho. Mr. President, I suggest to the Senator from Alabama that perhaps the reason why the discussion has become so technical and generally unsatisfactory is that it is all a sham and a pretense, and every Senator knows it. We are not disposing of surplus military equipment, and the Senator knows it. We are indulging in an act of war, whether it be right or wrong. That is why all the discussion about surplus material, obsolescence, and things of that kind becomes quite confusing.

Mr. HILL. I will say to the Senator that he may have his ideas and views as to certain action; but, so far as airplanes and motor-propelled vehicles are concerned, the statute providing for their exchange was passed back in 1917. The statute providing for the sale of unserviceable, deteriorated or surplus equipment, munitions, and supplies has been in the law for many a long day. I do not recall the day it was put into the law, but I know it has been there for a long, long time.

Unquestionably, we have a great quantity of old, unserviceable, obsolete, surplus equipment, much of it left over from the World War, which ought to be exchanged for more serviceable, modern, and up-to-date equipment.

Under the present law I believe we can receive more for the old equipment by an exchange than we could from a sale.

Mr. GILLETTE. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. GILLETTE. In view of the Senator's explanation in answer to an inquiry of mine a little while ago, supplemented by the statement of the Senator from Kentucky that there need not be an exchange of material for material in kind, but that it may be exchanged for any other supplies, would the Senator have any objection to the definition in the amendment of military supplies, equipment, and munitions as the term has been used throughout the bill?

Mr. HILL. I am not the chairman of the committee, and I should want his judgment on the matter. I do not know what would be the effect of the word "military." For example, a toothbrush is a military supply. I do not know whether or not it would be construed as such. A tin coffee cup, such as an army carries with it, is a military supply. A cake of chocolate is a military supply. That is true of many things. Many things which would not ordinarily be construed as military supplies are used as supplies for an army. If we add the word "military," we draw a line of distinction between what we might call ordnance articles, such as guns, shells, bombs, and things of that kind, and many other things which an army absolutely needs if it is to stay in the field.

Mr. GILLETTE. As the Senator well remembers, it has been suggested that swivel chairs were important in the last emergency, and there might be a shortage of those. [Laughter.] All through the bill the Secretary of War is given authority for the development, manufacture, maintenance and storage of military equipment, munitions, and supplies, and to provide for the purchase and manufacture of military equipment, munitions, and supplies. What is the objection to carrying the same limitation into the amendment?

Mr. HILL. I do not know whether or not that would be agreeable to the chairman of the committee. He will have to speak for the committee. I cannot speak for him. I do not know how limiting the word "military" would be. If the word "military" were construed to take in all supplies which an army might need, there certainly could be no objection to it. I am inclined to believe that would be the reasonable construction of the word if it were written into the law.

Mr. SHEPPARD. Mr. President, I have no objection to the word "military."

The PRESIDENT pro tempore. Without objection, the Senator from Texas modifies his amendment by inserting the word "military" before the word "equipment."

Mr. VANDENBERG. Mr. President, I should like to have the attention of the able chairman of the committee for a moment. Obviously, the definition of the word "surplus" depends entirely upon what standard of defense we are undertaking to establish. Will the chairman of the committee tell me what is considered to be the official definition of "surplus" as the word is used in the bill?

Mr. SHEPPARD. Anything which is not required by an army of 2,000,000 men would be surplus.

Mr. VANDENBERG. Anything required by an army of 2,000,000 men is not surplus?

Mr. SHEPPARD. That is correct.

Mr. VANDENBERG. Anything beyond that is surplus?

Mr. SHEPPARD. That is true.

Mr. VANDENBERG. Then, am I to understand that when bombers are traded in at Buffalo, it means that we have bombers for an army of 2,000,000 men?

Mr. SHEPPARD. I am not familiar with the transaction at Buffalo.

Mr. VANDENBERG. I think the fantasy of the whole thing discloses itself.

Mr. BARKLEY. Whatever that is, it is done under a law which has been on the statute books for years. It is not involved in this amendment at all.

Mr. VANDENBERG. It is done under a law which requires the money to go back into the Treasury and to be appropriated in the way the Constitution says it ought to be.

Mr. HILL. Mr. President, the Senator is in error, if I may say so with all deference to him. The act of May 12, 1917 (40 Stat. 45, title X, 1272 U. S. C.), authorizes the exchange of motor-propelled vehicles, airplanes, engines and parts thereof, in part payment for new equipment of the same or similar character, to be used for the same purpose as those proposed to be exchanged. So the present law—the law put on the statute books on May 12, 1917—authorizes the exchange of motor-propelled vehicles, airplanes, engines, and parts thereof.

Mr. VANDENBERG. Under what circumstances?

Mr. HILL. The memorandum to which I am referring does not set up any circumstances, and, as I recall the statute, the statute does not set up any circumstances. It simply gives that authority to the War Department without setting up any circumstances or conditions, exactly as the earlier statute gives to the War Department the authority to sell unserviceable, deteriorated, or surplus equipment, munitions and supplies.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Texas [Mr. SHEPPARD], as modified.

The amendment of Mr. SHEPPARD, as modified, is as follows:

On page 2, line 7, after the word "contracts", insert "(including contracts for educational orders, and for the exchange of deteriorated, unserviceable, obsolescent, or surplus military equipment, munitions, and supplies for other military equipment, munitions, and supplies of which there is a shortage)."

Mr. CLARK of Missouri. On the amendment I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. THOMAS of Utah (when his name was called). I have a general pair with the senior Senator from New Hampshire [Mr. BRIDGES]. I transfer that pair to the senior Senator from New Jersey [Mr. SMATHERS], and will vote. I vote "yea."

The roll call was concluded.

Mr. SHIPSTEAD. I have a general pair with the senior Senator from Virginia [Mr. GLASS]. I am informed that, if present, he would vote "yea." If permitted to vote, I should vote "nay."

Mr. MINTON. I announce that the Senator from New Jersey [Mr. SMATHERS] is absent from the Senate because of illness in his family.

The Senator from California [Mr. DOWNEY] is detained on official business for the Committee on Banking and Currency.

The Senator from Virginia [Mr. GLASS], the Senator from New Mexico [Mr. HATCH], the Senator from Minnesota [Mr. LUNDEEN], and the Senator from Nevada [Mr. MCCARRAN] are necessarily detained.

Mr. AUSTIN. I announce the following general pairs:

The Senator from Vermont [Mr. GIBSON] with the Senator from Nevada [Mr. MCCARRAN];

The Senator from North Dakota [Mr. NYE] with the Senator from California [Mr. DOWNEY]; and

The Senator from North Dakota [Mr. FRAZIER] with the Senator from New Mexico [Mr. HATCH].

The result was announced—yeas 67, nays 18, as follows:

YEAS—67

Adams	Chavez	King	Reynolds
Andrews	Connally	Lee	Russell
Ashurst	Davis	Lucas	Schwartz
Austin	Donahey	McKellar	Schwellenbach
Bailey	Ellender	Maloney	Sheppard
Bankhead	George	Mead	Slattery
Barbour	Gerry	Miller	Smith
Barkley	Gillette	Minton	Stewart
Bilbo	Green	Murray	Thomas, Okla.
Brown	Guffey	Neely	Thomas, Utah
Bulow	Gurney	Norris	Truman
Burke	Hale	O'Mahoney	Tydings
Byrd	Harrison	Overton	Van Nuys
Byrnes	Hayden	Pepper	Wagner
Capper	Herring	Pittman	Wheeler
Caraway	Hill	Radcliffe	White
Chandler	Hughes	Reed	

NAYS—18

Bone	Holt	McNary	Vandenberg
Clark, Idaho	Johnson, Calif.	Taft	Walsh
Clark, Mo.	Johnson, Colo.	Thomas, Idaho	Wiley
Danaher	La Follette	Tobey	
Holman	Lodge	Townsend	

NOT VOTING—11

Bridges	Gibson	Lundeen	Shipstead
Downey	Glass	McCarran	Smathers
Frazier	Hatch	Nye	

So Mr. SHEPPARD's amendment, as modified, was agreed to.

APPROPRIATIONS FOR THE MILITARY ESTABLISHMENT—CONFERENCE REPORT

Mr. THOMAS of Oklahoma submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9209) making appropriations for the Military Establishment for the fiscal year ending June 30, 1941, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 13, 14, 23, 35, 40, 42, 44, 46, 48, 55, 57, 75, 83, 100, 103, 106, 114, and 116.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 15, 16, 18, 20, 22, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 37, 39, 41, 43, 47, 49, 51, 52, 53, 54, 56, 58, 59, 60, 61, 62, 63, 64, 65, 66, 68, 69, 70, 73, 77, 81, 82, 84, 85, 86, 87, 88, 89, 94, 98, 99, 101, 102, 104, 105, 107, 109, 110, 111, 112, 113, and 115; and agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$838,500"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$6,767,947"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert "$106,880"; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert "$75,004,376"; and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert: "$64,999,664"; and the Senate agree to the same.

Amendment numbered 71: That the House recede from its disagreement to the amendment of the Senate numbered 71, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following:

"Toward the acquisition of land at Fort Devens, Massachusetts, $386,667; Fort Ethan Allen, Vermont, $120,000, as authorized by the Act of July 26, 1939 (53 Stat. 1123), to remain available until July 1, 1942."

And the Senate agree to the same.

Amendment numbered 72: That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with an amendment, as follows: In lieu of the sum of "$1,000,000" named in said amendment insert "$666,667"; and the Senate agree to the same.

Amendment numbered 74: That the House recede from its disagreement to the amendment of the Senate numbered 74, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$205,000"; and the Senate agree to the same.

Amendment numbered 76: That the House recede from its disagreement to the amendment of the Senate numbered 76, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert "$19,534,053"; and the Senate agree to the same.

Amendment numbered 91: That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert "$6,875,978"; and the Senate agree to the same.

Amendment numbered 92: That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert "$21,565,263"; and the Senate agree to the same.

Amendment numbered 93: That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert "$302,422,312"; and the Senate agree to the same.

Amendment numbered 95: That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert "$3,776,541"; and the Senate agree to the same.

Amendment numbered 96: That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert "$24,713,053"; and the Senate agree to the same.

Amendment numbered 118: That the House recede from its disagreement to the amendment of the Senate numbered 118, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert:

"SEC. 2. The foregoing appropriations for 'Regular Supplies of the Army', 'Clothing and Equipage', 'Army Transportation', 'Signal Service of the Army', 'Air Corps, Army', 'Medical and Hospital Department', 'Engineer Service, Army', 'Ordnance Service and Supplies', 'Chemical Warfare Service', and 'Seacoast Defenses' shall each be available for the pay and allowances, including travel allowances, of such Reserve officers as the President may, with their consent, order to active duty for such periods, not in excess of two years, as their service may be required in the procurement or production of equipment therein appropriated for, or on duty pertaining to aviation."

And the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 3, 19, 21, 36, 38, 67, 78, 79, 80, 90, 97, 108, 117, 119, 120, 121, 122, 123, 124, 125, and 126.

ELMER THOMAS,
CARL HAYDEN,
JOHN H. OVERTON,
RICHARD B. RUSSELL,
MORRIS SHEPPARD,
JOHN G. TOWNSEND, JR.,
STYLES BRIDGES,
Managers on the part of the Senate.

J. BUELL SNYDER,
DAVID D. TERRY,
JOE STARNES,
ROSS A. COLLINS,
GEORGE MAHON,
D. LANE POWERS,
ALBERT J. ENGEL,
FRANCIS CASE,
Managers on the part of the House.

Mr. THOMAS of Oklahoma. I move the adoption of the conference report.

The motion was agreed to.

The PRESIDING OFFICER (Mr. HERRING in the chair) laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 9209, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, UNITED STATES,
June 10, 1940.

Resolved, That the House recede from its disagreement to the amendments of the Senate Nos. 3, 36, 80, 90, 97, and 108 to the bill (H. R. 9209) making appropriations for the Military Establishment for the fiscal year ending June 30, 1941, and for other purposes, and concur therein;

That the House recede from its disagreement to the amendment of the Senate No. 19 to said bill and concur therein with an amendment as follows: In lieu of the amount named in said amendment insert "$50";

That the House recede from its disagreement to the amendment of the Senate No. 21 to said bill and concur therein with an amendment as follows: After the amount named in said amendment insert: "*Provided*, That the Secretary of War shall submit to Congress as early as may be practicable at the next regular session a detailed report of all expenditures from appropriations under this head for the period ending December 31, 1940";

That the House recede from its disagreement to the amendment of the Senate No. 38 to said bill and concur therein with an amendment as follows: Omit the matter inserted by said amendment and on page 16, line 16, of the House engrossed bill, after "for" insert "military posts";

That the House recede from its disagreement to the amendment of the Senate No. 67 to said bill and concur therein with an amendment as follows: After the amount named in said amendment insert "including the acquisition of necessary land therefor, without regard to the provisions of sections 355 and 1136, Revised Statutes, as amended (10 U. S. C. 1339; 40 U. S. C. 255)";

That the House recede from its disagreement to the amendment of the Senate No. 79 to said bill and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment insert "for all expenses incident to the preparation of plans, and construction, purchase, installation, equipment, maintenance, repair, and operation of aircraft warning service systems, and their accessories, including purchase of lands and rights-of-way, acquisition of leaseholds and other interests therein, and temporary use thereof, $49,690,649,";

That the House recede from its disagreement to the amendment of the Senate No. 117 to said bill and concur therein with the following amendments: In the third line of the matter inserted by said Senate engrossed amendment, after "Government," insert "without reference to section 3709, Revised Statutes"; and in lines 14 and 15 of said amendment, strike out "without reference to section 3709, Revised Statutes";

That the House recede from its disagreement to the amendment of the Senate No. 120 to said bill and concur therein with an amendment as follows: In lieu of the figure inserted by said amendment insert "3";

That the House recede from its disagreement to the amendment of the Senate No. 121 to said bill and concur therein with an amendment as follows: In lieu of the figure inserted by said amendment insert "4";

That the House recede from its disagreement to the amendment of the Senate No. 122 to said bill and concur therein with an amendment as follows: In lieu of the figure inserted by said amendment insert "5";

That the House recede from its disagreement to the amendment of the Senate No. 123 to said bill and concur therein with an amendment as follows: In lieu of the figure inserted by said amendment insert "6";

That the House recede from its disagreement to the amendment of the Senate No. 124 to said bill and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment insert:

"SEC. 7. No part of any appropriation contained in this act shall be used directly or indirectly after May 1, 1941, except for temporary employment in case of emergency, for the payment of any civilian for services rendered by him on the Canal Zone while occupying a skilled, technical, clerical, administrative, executive, or supervisory position unless such person is a citizen of the United States of America or of the Republic of Panama: *Provided, however*, (1) That, notwithstanding the provision in the act approved August 11, 1939 (53 Stat. 1409), limiting employment in the above-mentioned positions to citizens of the United States from and after the date of the approval of said act, citizens of Panama may be employed in such positions; (2) that at no time shall the number of Panamanian citizens employed in the above-mentioned positions exceed the number of citizens of the United States so employed, if United States citizens are available in continental United States or on the Canal Zone; (3) that nothing in this act shall prohibit the continued employment of any person who shall have rendered 15 or more years of faithful and honorable service on the Canal Zone; (4) that in the selection of personnel for skilled, technical, administrative, clerical, supervisory, or executive positions, the controlling factors in filling these positions shall be efficiency, experience, training, and education; (5) that all citizens of Panama and the United States rendering skilled, technical, clerical, administrative, executive, or supervisory service on the Canal Zone under the terms of this act (a) shall normally be employed not more than 40 hours per week; (b) may receive as compensation equal rates of pay based upon rates paid for similar employment in continental United States plus 25 percent; (6) this entire section shall apply only to persons employed in skilled, technical, clerical, administrative, executive, or supervisory positions on the Canal Zone directly or indirectly by any branch of the United States Government or by any corporation or company whose stock is owned wholly or in part by the United States Government: *Provided further*, That the President may suspend compliance with this section in time of war or national emergency if he should deem such course to be in the public interest.";

That the House recede from its disagreement to the amendment of the Senate No. 125 to said bill and concur therein with an amendment as follows: In line 1 of the matter inserted by said Senate engrossed amendment strike out "9" and insert "8";

That the House recede from its disagreement to the amendment of the Senate No. 126 to said bill and concur therein with an amendment as follows: In lieu of the figure inserted by said amendment insert "9"; and

That the House insist upon its disagreement to the amendments of the Senate Nos. 78 and 119 to said bill.

Mr. THOMAS of Oklahoma. I move to concur in the amendments of the House to the amendments of the Senate numbered 19, 21, 38, 67, 79, 117, 120, 121, 122, 123, 124, 125, and 126 to the bill. If there be inquiries I shall be glad to explain these amendments.

The motion was agreed to.

Mr. THOMAS of Oklahoma. I now move that the Senate recede from its amendments numbered 78 and 119. If there be any question I shall be glad to explain what is involved.

The motion was agreed to.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. Yes.

Mr. BARKLEY. Does that complete the legislation?

Mr. THOMAS of Oklahoma. That completes the legislation. The bill is ready for enrollment and the signature of the President.

APPROPRIATION FOR THE RED CROSS—AID AND RELIEF ABROAD

The PRESIDENT pro tempore. The Chair will ask the clerk to read a letter from the President of the United States.

The Legislative Clerk read as follows:

THE WHITE HOUSE,
Washington, June 11, 1940.

MY DEAR MR. VICE PRESIDENT: World events have made it clear to the American people that in the interest of American defense it is necessary for us to engage in a greatly enlarged program of training and armament.

At the same time our deepest sympathy has gone out to the civilian populations of war-torn areas, and I believe that this sympathy should be expressed by a concrete example of our inherent and decent generosity.

Many millions of dollars have been given to the American Red Cross for relief purposes in Europe, but I feel that the Government itself should greatly add to the assistance that is now being given.

In the pending relief bill before the Congress we are making possible the expenditure of over $1,000,000,000 for the relief of the needy unemployed in the United States. And in addition to this, large further sums are being spent from day to day by States and municipalities in the care of the needy who cannot be given employment on work-relief projects.

In view of these large sums spent at home, I feel that the Congress would receive Nation-wide support if it were to add an appropriation to the relief bill in the sum of at least $50,000,000 as a token of our deep-seated desire to help not only Americans but people who are destitute in other lands.

Clearly the greater part of the amount appropriated will be spent in the United States for the purchase and export of food materials—nearly all of which represent surplus in this country. These surpluses are due principally to the war situation in other lands. We have used and are using a part of these surpluses for distribution to our own needy families. But there is still an excess which tends, incidentally, to depreciate the prices which American farmers receive for their products. Further export of

these surplus food products will help the economics of our very large agricultural population.

There are other things which the destitute refugees need across the seas—medicines and medical and nursing aid; bandages, surgical dressings, hospital garments, and even cots and blankets and sheets; ambulances; clothing against the winter which will be upon them soon; safeguards against epidemics which could well spread throughout the world.

The funds of the Red Cross will be needed and used for these purposes. The appropriation I am suggesting will supplement their efforts.

The appropriation should, I think, be kept in somewhat elastic form because it is clear that at this time it is impossible to forecast either the exact needs or the exact methods of meeting them.

I call attention to the fact that such an appropriation in no way lightens the burden which the American Red Cross has already assumed. It is necessary that the American Red Cross continue its splendid service for wounded and sick soldiers and civilians. An appropriation by the Congress will supplement the work of the Red Cross to meet the many additional crying needs of the civilian populations who have been driven from their homes.

Very sincerely yours,

FRANKLIN D. ROOSEVELT.

The Honorable the VICE PRESIDENT of the United States,
The United States Senate, Washington, D. C.

The PRESIDENT pro tempore. The letter will be referred to the Committee on Appropriations.

EXPEDITION IN STRENGTHENING THE NATIONAL DEFENSE

The Senate resumed the consideration of the bill (S. 4025) to expedite the strengthening of the national defense.

Mr. SCHWELLENBACH. Mr. President, I ask the attention of the Senator from Texas [Mr. SHEPPARD] to an amendment which I am about to propose.

I discussed a few days ago with the Senator from Texas the amendment to come in on page 4, line 15, section 6, of the bill. I was very much interested and delighted yesterday when the Senator from Texas indicated that it was the belief of the committee that section 6 would give to the President the right to prohibit the exportation of scrap iron. As the Senator knows, for the last 3 years, I have had a bill before the Congress, and have sought for it the support of the executive branch of the Government, providing for the prohibition of the exportation of scrap iron and scrap steel.

I have no objection to the language of section 6 except that it seems to me that it is not sufficient to cover the possibility of the exportation of gasoline and oil. If the Senator will look at line 15, it provides for the curtailment of the exportation of any military equipment or munitions, or component parts thereof, or machinery, tools, or material necessary for the manufacture or servicing thereof. I have read in a number of dictionaries the definition of the words "material" and "servicing," and I am satisfied that the definition is not sufficient to cover gasoline or oil, which, it seems to me, it is very desirable that we should preserve.

So I move on line 15, after the word "material", the first word in line, that there be inserted the words "or supplies"; that the word "or", preceding the word "servicing", be stricken out, and that after word "servicing" there be inserted the words "or operation", so as to make the clause read:

Whenever the President determines that it is necessary in the interest of national defense to prohibit or curtail the exportation of any military equipment or munitions, or component parts thereof, or machinery, tools, or material or supplies necessary for the manufacturer, servicing, or operation thereof.

Mr. SHEPPARD. I have no objection to the amendment.

The PRESIDENT pro tempore. Without objection, the amendment of the Senator from Washington is agreed to.

The amendment was agreed to.

The PRESIDENT pro tempore. The bill is open to further amendment.

Mr. SHEPPARD. Mr. President, I offer an amendment to be inserted on page 2, line 9.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 2, line 9, beginning with the word *"Provided"*, it is proposed to strike out through the period in line 12, and to insert in lieu thereof the following:

Provided, That the limitations contained in sections 1136 and 3734 of the Revised Statutes, as amended, and any statutory limitation with respect to the cost of any individual project of construction, shall be suspended until and including June 30, 1942, with respect to any construction authorized by this act.

Mr. SHEPPARD. Mr. President, this amendment lifts temporarily the prohibition imposed in section 3734 of the Revised Statutes against the expenditure of money on any public building until after sketch plans showing the tentative design and arrangement of such buildings, and detailed estimates of the cost thereof, shall be filed with the Supervising Architect of the Treasury Department and approved by the Secretary of the Treasury and the head of every department which may have officials located in such buildings. Obviously, that is a source of much delay. The purpose of the amendment is to lift that requirement for a limited term.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Texas.

The amendment was agreed to.

The PRESIDENT pro tempore. The next amendment offered by the Senator from Texas will be stated.

The CHIEF CLERK. On page 2, between lines 12 and 13, it is proposed to insert the following new subsection:

(b) The Secretary of War is further authorized, with or without advertising, to provide for the operation and maintenance of any plants, buildings, facilities, utilities, and appurtenances thereto constructed pursuant to the authorizations contained in this section and section 5, either by means of Government personnel or through the agency of selected qualified commercial manufacturers under contracts entered into with them, and, when he deems it necessary in the interest of the national defense, to lease any such plants, buildings, facilities, utilities, appurtenances thereto, and land, for such periods and under such terms and conditions as he may deem advisable, and without regard to the provisions of section 321 of the act of June 30, 1932 (47 Stat. 412).

Mr. SHEPPARD. Mr. President, this new subsection makes it clear that the Secretary of War is authorized to operate and maintain the plants designated in section 1 by Government personnel or by private manufacturers under contracts entered into with them or to lease these plants when the Secretary of War deems that such action will promote the national defense. The tremendous procurement program before us necessitates the employment of the promptest methods available. We have a dangerous shortage of munitions, particularly as to powder, which must be remedied as soon as possible. This amendment will help substantially in this direction.

Mr. KING. Mr. President, will the Senator yield?

Mr. SHEPPARD. I yield to the Senator from Utah.

Mr. KING. Has this amendment the approval of the majority of the members of the committee?

Mr. SHEPPARD. It has.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Texas.

The amendment was agreed to.

Mr. SHEPPARD. I offer the next amendment.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. After the amendment just agreed to, it is proposed to insert the following:

(c) Whenever, prior to July 1, 1942, the Secretary of War deems it necessary in the interest of the national defense, he is authorized, from appropriations available therefor, to advance payments to contractors for supplies or construction for the War Department in amounts not exceeding 30 percent of the contract price of such supplies or construction. Such advances shall be made upon such terms and conditions and with such adequate security as the Secretary of War shall prescribe.

Mr. SHEPPARD. Mr. President, this new subsection enables the Secretary of War to make advances to contractors

to the extent of not more than 30 percent of the contract price—the advances to be covered by sufficient security.

Mr. BONE. Mr. President, will the Senator yield?

Mr. SHEPPARD. I yield.

Mr. BONE. I desire to say to the Senator that substantially the same amendment was adopted in the Naval Affairs Committee the other day with respect to the new naval program.

Mr. SHEPPARD. I thank the Senator for that information.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Texas.

The amendment was agreed to.

The PRESIDENT pro tempore. The next amendment offered by the Senator from Texas will be stated.

Mr. SHEPPARD. The next three amendments may be considered. I submitted an explanation of them yesterday.

The CHIEF CLERK. On page 3, line 13, after the comma, it is proposed to insert "with or without advertising." On page 4, lines 1 and 2, it is proposed to strike out "without regard to section 3709 of the Revised Statutes." On page 4, line 15, after the word "manufacture", it is proposed to insert ", operation."

The PRESIDENT pro tempore. The question is on agreeing to the amendments offered by the Senator from Texas.

The amendments were agreed to.

The PRESIDENT pro tempore. The bill is still open to amendment. If there be no further amendments to be proposed, the question is on the engrossment and third reading of the bill.

Mr. THOMAS of Idaho. Mr. President, it is not my intention to detain the Senate for more than a moment.

The impelling reason for my accepting appointment as Senator was a sense of duty and a deep concern over events affecting the future of this country. Since my arrival in Washington I have not been out of reach of the roll call in the Senate on a single day, because I felt the importance of momentous events which might occur at any hour.

I fully realize, Mr. President, that we are on the eve of a presidential election, and the importance to individual Members of Congress of the campaigns for reelection which every Member of the House and one-third of the Members of the Senate face this fall. I am not unmindful of my personal situation; but the welfare of the United States demands that our own personal desires and our personal welfare be made secondary to the welfare of the country.

Since the speech of the President last night, it must be evident to every American that the situation the country faces is very critical. This is no time for hysteria and emotional action. We must not take steps that would draw us into war. The day we enter war, the personal liberties of every American citizen which makes this country a democracy will disappear, perhaps never to return. No event can occur that would warrant our sending boys to Europe.

It is my understanding that the majority leaders, in conference with the President, have set June 22 as the date for the adjournment of Congress. I get this understanding as a rumor. It may not be authentic. I hope not. If adjournment should take place on June 22, no power on earth but the President could call us back. Until we were called back, the sole control over our foreign policy would remain in the hands of the President. The issue is not whether we do or do not trust the President, or whether we agree with his foreign policy. It is simply that the responsibility for the sole direction of the foreign policy of the United States in days like these is too much, under a democracy, for one man to have. That would be true regardless of the party or the political beliefs of the man who might be President.

The minority has cooperated to the fullest extent in every preparedness measure asked by the President. There has been no division concerning vital matters relating to the welfare of America. There must be no division. Yet the situation is changing so rapidly that if we are to meet these new problems as a democracy must meet its problems, Congress must be kept in continuous session.

The duty of every Senator who is loyal to his oath of office is to stay in Washington regardless of his personal comfort or his political future. As far as I am concerned, I shall oppose in every way I can the adjournment of Congress as long as the present emergency lasts.

Mr. PEPPER. Mr. President, I have just come to the desk of the chairman of the Committee on Military Affairs to ask if I may submit to him a proposed amendment, and see whether or not he thinks it appropriate to offer it from the floor. The amendment contemplated would read:

> The Secretary of War is hereby authorized to create a Bureau of Home Defense, to be an integral part of the national-defense system, the personnel thereof, except instructors, to be volunteers, and the Bureau to be conducted without expense to the Government except expense of administration.

I should like to say just a word, because I do not want to interfere with the passage of the pending bill.

I know that we have all seen, to our regret, that in the countries which have been attacked by methods of modern war, the parachute troops, and the others who came ahead of the main columns were able to demoralize the local communities, because the local communities did not have any form of organization for defense.

Some men who have large experience in military affairs have suggested to me the virtue of the sort of thing contemplated by the amendment I am offering, which would make it possible for the Government, either through Reserve officers, or National Guard officers, or Regular Army officers, to assist citizens in various communities, where there are airports, for example, to organize themselves into volunteer units, furnishing their own weapons, furnishing their own uniforms, perhaps, but allowing them to get some effective training from the armed forces of their country for home defense, which it seems to me would be a valuable adjunct to the national defense.

I regret to offer the amendment at this time, and I will not offer it if the chairman of the committee thinks it best that it be not offered. I thought perhaps the Secretary of War did not have this authority under existing law, and that if the chairman of the committee considered that the amendment had any virtue it could be perfected in conference. For that reason I submit it to the chairman of the committee. If he thinks it worthy to be taken to conference, I should like to have his approval of it. If he would rather not do that, I will not offer the amendment.

Mr. SHEPPARD. Mr. President, I appreciate the suggestion of the Senator from Florida. In the Senate Committee on Military Affairs we are studying this very matter. I think we can handle it perhaps better in the committee than in connection with this bill and I promise the Senator we shall give it thorough study.

The PRESIDENT pro tempore. The bill is still open to amendment. If there be no further amendment to be offered, the question is on the engrossment and third reading of the bill.

Mr. SHEPPARD. Mr. President, I move that the Senate proceed to the consideration of House bill 9850, a House bill on the same subject as that of the bill we are considering.

The motion was agreed to, and the Senate proceeded to consider the bill (H. R. 9850) to expedite the strengthening of the national defense.

Mr. SHEPPARD. Mr. President, I move to amend the bill by striking out all after the enacting clause and inserting Senate bill 4025, as it has been amended in the Senate.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time. The bill was read the third time.

The PRESIDENT pro tempore. The question now is, Shall the bill pass?

Mr. BARKLEY. I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. McNARY (when his name was called). I have a general pair with the senior Senator from Mississippi [Mr. HARRISON]. I am advised that if present he would vote as I am about vote. I vote "yea."

Mr. THOMAS of Utah (when his name was called). I have a pair with the senior Senator from New Hampshire [Mr. BRIDGES]. I have been informed that the Senator from New Hampshire would vote as I am about to vote. I vote "yea."

Mr. RADCLIFFE (when Mr. TYDINGS name was called). My colleague, the senior Senator from Maryland [Mr. TYDINGS], is necessarily detained. I am informed that if he were present his vote on the pending bill would be "yea."

The roll call was concluded.

Mr. HILL. My colleague, the senior Senator from Alabama [Mr. BANKHEAD], is absent on important business in the State Department. If present, he would vote "yea."

Mr. AUSTIN. My colleague, the junior Senator from Vermont [Mr. GIBSON], is necessarily absent. If present, he would vote "yea." The Senators from North Dakota [Mr. NYE and Mr. FRAZIER] are necessarily absent.

Mr. GEORGE. My colleague, the junior Senator from Georgia [Mr. RUSSELL], is necessarily absent on official business. If he were present, he would vote "yea."

Mr. SHIPSTEAD. I have a pair with the senior Senator from Virginia [Mr. GLASS]. I am informed that if he were present he would vote as I am about to vote. I vote "yea."

Mr. MINTON. I announce that the Senator from New Jersey [Mr. SMATHERS] is absent from the Senate because of illness in his family.

The Senator from California [Mr. DOWNEY] is detained on official business for the Committee on Banking and Currency.

The Senators from New Mexico [Mr. CHAVEZ and Mr. HATCH], the Senator from Missouri [Mr. CLARK], the Senator from Virginia [Mr. GLASS], the Senator from Mississippi [Mr. HARRISON], and the Senator from Nevada [Mr. MCCARRAN], are unavoidably detained.

I am advised that if present and voting, the Senators whose absences I have announced, would vote "yea."

The Senator from Minnesota [Mr. LUNDEEN] is unavoidably detained.

The result was announced—yeas 80, as follows:

YEAS—80

Adams	Davis	Lee	Schwellenbach
Andrews	Donahey	Lodge	Sheppard
Ashurst	Ellender	Lucas	Shipstead
Austin	George	McKellar	Slattery
Bailey	Gerry	McNary	Smith
Barbour	Gillette	Maloney	Stewart
Barkley	Green	Mead	Taft
Bilbo	Guffey	Miller	Thomas, Idaho
Bone	Gurney	Minton	Thomas, Okla.
Brown	Hale	Murray	Thomas, Utah
Bulow	Hayden	Neely	Tobey
Burke	Herring	Norris	Townsend
Byrd	Hill	O'Mahoney	Truman
Byrnes	Holman	Overton	Vandenberg
Capper	Holt	Pepper	Van Nuys
Caraway	Hughes	Pittman	Wagner
Chandler	Johnson, Calif.	Radcliffe	Walsh
Clark, Idaho	Johnson, Colo.	Reed	Wheeler
Connally	King	Reynolds	White
Danaher	La Follette	Schwartz	Wiley

NOT VOTING—16

Bankhead	Downey	Harrison	Nye
Bridges	Frazier	Hatch	Russell
Chavez	Gibson	Lundeen	Smathers
Clark, Mo.	Glass	McCarran	Tydings

So the bill (H. R. 9850) was passed.

Mr. SHEPPARD. Mr. President, I move that the Senate insist upon its amendment to the bill, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. SHEPPARD, Mr. REYNOLDS, and Mr. AUSTIN conferees on the part of the Senate.

The PRESIDENT pro tempore. Without objection, Senate bill 4025 is indefinitely postponed.

APPROPRIATIONS FOR WORK RELIEF AND RELIEF

Mr. ADAMS. Mr. President, I move that the Senate proceed to the consideration of House Joint Resolution 544, making appropriations for work relief and relief, for the fiscal year ending June 30, 1941.

The motion was agreed to; and the Senate proceeded to consider the joint resolution (H. J. Res. 544) making appropriations for work relief and relief for the fiscal year ending June 30, 1941, which had been reported from the Committee on Appropriations with amendments.

Mr. ADAMS. Mr. President, I ask unanimous consent that the formal reading of the joint resolution be dispensed with, that it be read for amendment, and that committee amendments be first considered.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will proceed to state the amendments reported by the Committee on Appropriations.

The first amendment of the Committee on Appropriations was, under the heading "Work Projects Administration," on page 2, line 24, after the words "such period", to strike out—

, and in such case shall be so administered that the average monthly employment of relief workers paid from such funds will not exceed the number set forth in the following schedule for the months therein specified:
July 1940, 1,700,000;
August 1940, 1,700,000;
September 1940, 1,700,000;
October 1940, 1,800,000;
November 1940, 2,000,000.

So as to read:

SECTION 1. (a) In order to continue to provide work for needy persons on useful public projects in the United States and its Territories and possessions, there is hereby appropriated to the Work Projects Administration, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1941, $975,650,000, together with all balances of appropriations under section 1 (a) of the Emergency Relief Appropriation Act of 1939, which remain unobligated on June 30, 1940, including such unobligated balances of funds transferred to other Federal agencies for nonconstruction projects under the provisions of section 11 (a) of such act of 1939, or set aside for specific purposes in accordance with other law: *Provided*, That notwithstanding any other provision of law, funds heretofore irrevocably set aside for the completion of Federal construction projects under authority of the Emergency Relief Appropriation Acts of 1938 and 1939 shall remain available until June 30, 1941, for such completion, and any such funds which remain unobligated by reason of the completion or abandonment of any such Federal construction project shall be returned to this appropriation: *Provided further*, That the funds appropriated by this section may be apportioned for a lesser period than 12 months of the fiscal year 1941, but not for less than 8 months, as determined by the President, if in his judgment such action is required to meet unemployment conditions during such lesser period, but the funds so appropriated shall be so administered during such period as to constitute the total amount that will be furnished to such Administration during such period.

The amendment was agreed to.

The next amendment was, on page 4, line 12, after the word "training", to insert "for manual occupations in industries engaged in production for national-defense purposes", and in line 16, after the word "projects", to strike out the comma and "which shall include drought conditions", so as to read:

(b) The funds provided in this section shall be available for (1) administration; (2) the prosecution of projects approved by the President under the provisions of the Emergency Relief Appropriation Acts of 1937, 1938, and 1939; and (3) the prosecution of the following types of public projects, Federal and non-Federal, subject to the approval of the President, namely: Highways, roads, and streets; public buildings; parks, and other recreational facilities, including buildings therein; public utilities; electric transmission and distribution lines or systems to serve persons in rural areas, including projects sponsored by and for the benefit of nonprofit and cooperative associations; sewer systems, water supply, and purification systems; airports and other transportation facilities; flood control; drainage; irrigation, including projects sponsored by community ditch organizations; water conservation; soil conservation, including projects sponsored by soil conservation districts and other bodies duly organized under State law for soil erosion control and soil conservation, preference being given to projects which will contribute to the rehabilitation of individuals and an increase in the national income; forestation, reforestation,

and other improvements of forest areas, including the establishment of fire lanes; fish, game, and other wildlife conservation; eradication of insect, plant, and fungus pests; the production of lime and marl for fertilizing soil for distribution to farmers under such conditions as may be determined by the sponsors of such projects under the provisions of State law; educational, professional, clerical, cultural, recreational, production, and service projects, including training for manual occupations in industries engaged in production for national-defense purposes, for nursing and for domestic service; aid to self-help and cooperative associations for the benefit of needy persons; and miscellaneous projects:

The amendment was agreed to.

The next amendment was, on page 5, line 15, after the word "conclusive", to insert a colon and the following additional proviso:

Provided further, That not to exceed $25,000,000 of funds herein appropriated to the Work Projects Administration may be used by the Commissioner to supplement the amounts so authorized for other than labor costs in any State, Territory, possession, or the District of Columbia in connection with the prosecution of projects which have been certified by the Secretary of War or by the Secretary of the Navy as being important to the national defense.

The amendment was agreed to.

The next amendment was, on page 6, line 8, after the words "may be", to insert the following:

Provided, That the provisions of this subsection shall not apply to projects which have been certified by the Secretary of War or by the Secretary of the Navy as being important to the national defense and in addition shall not apply to projects which authorize necessary temporary measures to avert danger to life, property, or health in the event of disaster or grave emergency caused by flood, storm, fire, earthquake, drought, or similar cause.

So as to read:

(d) In administering the funds appropriated in this section, not to exceed three-fourths of the total cost of all non-Federal projects approved after January 1, 1940, to be undertaken within any State, Territory, possession, or the District of Columbia, with respect to which any such funds are used, shall be borne by the United States, and not less than one-fourth of such total cost shall be borne by the State and its political subdivisions, or by the Territory, possession, or the District of Columbia, as the case may be: *Provided*, That the provisions of this subsection shall not apply to projects which have been certified by the Secretary of War or by the Secretary of the Navy as being important to the national defense and in addition shall not apply to projects which authorize necessary temporary measures to avert danger to life, property, or health in the event of disaster or grave emergency caused by flood, storm, fire, earthquake, drought, or similar cause. The facts constituting compliance with the requirements of this subsection shall be determined by the Commissioner, and his determinations, made in conformity with rules and regulations prescribed by him, shall be final and conclusive.

The amendment was agreed to.

The next amendment was, on page 7, line 21, after the words "sum of", to strike out "$39,348,000" and insert "$43,720,000"; in line 24, after the word "Salaries", to strike out "$32,310,000" and insert "$35,900,000"; in line 25, after the word "service", to strike out "$580,500" and insert "$645,000"; on page 8, line 1, before the word "and", to strike out "$3,420,000" and insert "$3,800,000"; and in the same line, after the word "binding", to strike out $414,000" and insert "$460,000", so as to read:

(g) The amount which may be obligated for administrative expenses of the Work Projects Administration in the District of Columbia and in the field shall not exceed in the aggregate the sum of $43,720,000 during the fiscal year 1941, of which sum the amounts so to be obligated for the following respective purposes shall not exceed these sums: Salaries, $35,900,000; communication service, $645,000; travel, $3,800,000; and printing and binding, $460,000:

The amendment was agreed to.

The next amendment was, on page 8, line 9, after the word "exceed", to strike out "$29,250,000" and insert "$32,500,000"; in line 10, after the word "exceed", to strike out "$24,277,500" and insert "$25,975,000"; in line 11, after the word "salaries", to strike out "$396,000" and insert "$440,000"; in line 12, after the word "service", to strike out "$2,403,000" and insert "$2,670,000"; and in line 13, after the word "and", to strike out "$306,000" and insert "$340,000", so as to make the proviso read:

Provided, That if the President shall determine under section 1 (a) that the appropriation made by such section shall be apportioned for a period less than the entire fiscal year, the Director of the Bureau of the Budget shall apportion the amounts which may be obligated for administrative expenses for such period, but if the period determined is an 8 months' period there may be obligated for administrative expenses not to exceed $32,500,000, of which sum not to exceed $26,975,000 shall be available for salaries; $440,000 for communication service; $2,670,000 for travel; and $340,000 for printing and binding.

The amendment was agreed to.

The next amendment was, under the heading "Department of Agriculture", on page 9, line 19, after the numerals "1941", to strike out "$115,000,000" and insert "$75,000,000", so as to read:

SEC. 2. (a) In order to continue to provide assistance through rural rehabilitation and relief to needy farmers and relief to other needy persons in the United States, its Territories and possessions, there is hereby appropriated to the Department of Agriculture, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1941, $75,000,000, together with the balance of the appropriation under section 3 of the Emergency Relief Appropriation Act of 1939 which remains unobligated on June 30, 1940.

The amendment was agreed to.

The next amendment was, on page 9, line 23, after the word "funds", to strike out "provided in" and insert "appropriated by subsection (a) of", and in line 25, after the word "exceed", to strike out "$6,000,000" and insert "$7,500,000", so as to read:

(b) The funds appropriated by subsection (a) of this section shall be available for (1) administration (not to exceed $7,500,000); (2) farm debt adjustment service and making and servicing of loans and relief under this section and prior law; (3) loans; (4) relief; (5) the prosecution of projects approved by the President for the Farm Security Administration under the Emergency Relief Appropriation Acts of 1938 and 1939; and (6) the following types of useful public projects, Federal and non-Federal, subject to the approval of the President: (a) Projects involving provision of additional water facilities, (b) projects involving construction and operation of migratory labor camps, and (c) projects involving land development (to provide work relief for homesteaders) on rural rehabilitation projects.

The amendment was agreed to.

The next amendment was, on page 10, after line 12, to insert:

(c) In order to furnish the Secretary of Agriculture with additional funds for the purpose of making rural rehabilitation loans, the Reconstruction Finance Corporation is authorized and directed until June 30, 1941, to make advances not in excess of an aggregate amount of $125,000,000 to the Secretary of Agriculture upon his request, such advances to be made: (a) With interest at a rate of 3 percent per annum payable semiannually; (b) upon the security of obligations acceptable to the Corporation heretofore or hereafter acquired by the Secretary pursuant to law; (c) in amounts which shall not exceed 75 percent of the then unpaid principal amount of the obligations offered as security therefor; and (d) upon such other terms and conditions and with such maturities, notwithstanding any other provision of law, as may be satisfactory to the Corporation; and the Secretary of Agriculture is authorized to comply herewith and to make repayments by paying to the Reconstruction Finance Corporation, currently as received by him, all moneys collected as payments of principal and interest on the loans made from funds so borrowed or upon any obligations held by the Reconstruction Finance Corporation as security for such loans. The amount of notes, debentures, bonds, or other such obligations which the Corporation is authorized and empowered to issue and to have outstanding at any one time under existing law is hereby increased by an amount sufficient to carry out the provisions of this section.

The amendment was agreed to.

The next amendment was, on page 11, line 23, before the word "The", to strike out "(d)" and insert "(e)"; in line 25, after the word "proceeds", to insert "may be used only for such purposes, and shall continue subject to such trust and"; and on page 12, line 4, after the word "purposes", to insert "It shall be unlawful for any borrower to use the proceeds of any loan made to him for any purpose other than those stated in his loan application, except with the written permission of the Secretary of Agriculture or his duly authorized representative. Any person who willfully violates any of the provisions of this section shall, upon conviction thereof, be punished by a fine of not more than $1,000, or by imprisonment for not more than 6 months, or both", so as to read:

(e) The proceeds of each loan made under this section shall be impressed with a trust for the purposes for which such loan is

made, and such proceeds may be used only for such purposes, and shall continue subject to such trust and shall be free from garnishment, attachment, levy, or seizure by or under any legal or equitable process whatever until used by the borrower for such purposes. It shall be unlawful for any borrower to use the proceeds of any loan made to him for any purpose other than those stated in his loan application, except with the written permission of the Secretary of Agriculture or his duly authorized representative. Any person who willfully violates any of the provisions of this section shall, upon conviction thereof, be punished by a fine of not more than $1,000, or by imprisonment for not more than six months, or both.

The amendment was agreed to.

The next amendment was, on page 12, line 13, before the word "No", to strike out "(e)" and insert "(f)", and in the same line after the word "loan", to insert "or grant", so as to read:

(f) No loan or grant shall be made under this section to any person to enable him to subscribe or pay for stock or membership in any cooperative association.

The amendment was agreed to.

The next amendment was, under the heading "Puerto Rico Reconstruction Administration," on page 12, line 20, after the word "continue", to insert "rural rehabilitation for needy persons in Puerto Rico and for other", and on page 13, line 1, before the word "together", to strike out "$3,500,000" and insert "$5,000,000", so as to read:

SEC. 3. (a) In order to continue rural rehabilitation for needy persons in Puerto Rico and for other projects described in this section there is hereby appropriated to the Puerto Rico Reconstruction Administration, Department of the Interior, out of any money in the Treasury not otherwise appropriated for the fiscal year ending June 30, 1941, $5,000,000, together with the balance of the appropriation under section 4 of the Emergency Relief Appropriation Act of 1939, and the balance in the special fund created under the Act of February 11, 1936 (49 Stat. 1135), which remain unobligated on June 30, 1940.

The amendment was agreed to.

The next amendment was, on page 13, line 7, after the word "loans", to strike out "and"; and in line 10, after the numerals "1938", to insert a semicolon and "and (4) subject to the approval of the President, for projects involving rural rehabilitation of needy persons", so as to read:

(b) The funds provided in this section shall be available for (1) administration; (2) loans; (3) the prosecution of projects approved by the President for the Puerto Rico Reconstruction Administration under the provisions of the Emergency Relief Appropriation Acts of 1935 and 1938; and (4) subject to the approval of the President, for projects involving rural rehabilitation of needy persons.

The amendment was agreed to.

The next amendment was, on page 13, after line 12, to insert:

(c) That section 5 of the Fair Labor Standards Act of 1938 is amended by adding at the end thereof the following:

"(e) No industry committee appointed under subsection (a) of this section shall have any power to recommend the minimum rate or rates of wages to be paid under section 6 to any employees in Puerto Rico or in the Virgin Islands. Notwithstanding any other provision of this act, the Administrator may appoint a special industry committee to recommend the minimum rate or rates of wages to be paid under section 6 to all employees in Puerto Rico or the Virgin Islands, or in Puerto Rico and the Virgin Islands, engaged in commerce or in the production of goods for commerce, or the Administrator may appoint separate industry committees to recommend the minimum rate or rates of wages to be paid under section 6 to employees therein engaged in commerce or in the production of goods for commerce in particular industries. An industry committee appointed under this subsection shall be composed of residents of such island or islands where the employees, with respect to whom such committee was appointed, are employed and residents of the United States outside of Puerto Rico and the Virgin Islands. In determining the minimum rate or rates of wages to be paid, and in determining classifications, such industry committees and the Administrator shall be subject to the provisions of section 8 and no such committee shall recommend, nor shall the Administrator approve, a minimum wage rate which will give any industry in Puerto Rico or in the Virgin Islands a competitive advantage over any industry in the United States outside of Puerto Rico and the Virgin Islands."

The amendment was agreed to.

The next amendment was, on page 14, after line 17, to insert:

(d) No wage orders issued by the Administrator pursuant to the recommendations of an industry committee made prior to the enactment of this joint resolution pursuant to section 8 of the Fair Labor Standards Act of 1938 shall after such enactment be applicable with respect to any employees engaged in commerce or in the production of goods for commerce in Puerto Rico or the Virgin Islands.

The amendment was agreed to.

The next amendment was, on page 14, after line 24, to insert:

(e) Section 6 of the Fair Labor Standards Act of 1938 is amended by adding at the end thereof the following:

"(c) The provisions of paragraphs (1), (2), and (3) of subsection (a) of this section shall be superseded in the case of any employee in Puerto Rico or the Virgin Islands engaged in commerce or in the production of goods for commerce only for so long as and insofar as such employee is covered by a wage order issued by the Administrator pursuant to the recommendations of a special industry committee appointed pursuant to section 5 (e)."

The amendment was agreed to.

The next amendment was, on page 15, after line 9, to insert:

(f) Section 6 (a) of the Fair Labor Standards Act of 1938 is amended by adding at the end thereof the following:

"(5) if such employee is a home worker in Puerto Rico or the Virgin Islands, not less than the minimum piece rate prescribed by regulation or order; or, if no such minimum piece rate is in effect, any piece rate adopted by such employer which shall yield, to the proportion or class of employees prescribed by regulation or order, not less than the applicable minimum hourly wage rate. Such minimum piece rates or employer piece rates shall be commensurate with, and shall be paid in lieu of, the minimum hourly wage rate applicable under the provisions of this section. The Administrator, or his authorized representative, shall have power to make such regulations or orders as are necessary or appropriate to carry out any of the provisions of this paragraph, including the power without limiting the generality of the foregoing, to define any operation or occupation which is performed by such home-work employees in Puerto Rico or the Virgin Islands; to establish minimum piece rates for any operation or occupation so defined; to prescribe the method and procedure for ascertaining and promulgating minimum piece rates; to prescribe standards for employer piece rates, including the proportion or class of employees who shall receive not less than the minimum hourly wage rate; to define the term 'home worker'; and to prescribe the conditions under which employers, agents, contractors, and subcontractors shall cause goods to be produced by home workers."

The amendment was agreed to.

The next amendment was, under the heading "Administrative agencies", on page 17, line 18, after the word "Aeronautics", to strike out "Authority" and insert "Board", so as to read:

SEC. 5. (a) In order to provide for administrative expenses incidental to carrying out the purposes of this joint resolution, there is hereby appropriated to the following agencies, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1941: (1) General Accounting Office, $5,600,000; (2) Treasury Department: (a) Procurement Division, $3,225,000; (b) Division of Disbursement, $1,724,516; (c) Office of the Treasurer, $490,000; (d) Secret Service Division, $163,000; (e) Office of Commissioner of Accounts and Deposits and Division of Bookkeeping and Warrants, $3,827,400, for administrative accounting; total, Treasury Department, $9,429,916; (3) Public Health Service of the Federal Security Agency, $200,000; and (4) Civil Aeronautics Board, $175,000.

The amendment was agreed to.

The next amendment was, under the heading "Executive Office of the President", on page 19, line 20, after "Plan No. II", to strike out "$500,000" and insert "$830,000", so as to read:

SEC. 7. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1941, for all necessary administrative expenses to enable the Office of Government Reports, Executve Office of the President, to perform the functions of the National Emergency Council, transferred to and consolidated in the Executive Office of the President on July 1, 1939, by Reorganization Plan No. II, $830,000.

The amendment was agreed to.

The next amendment was, under the heading "General and special provisions", on page 20, line 10, after the word "exceed", to strike out "$40,000,000" and insert "$20,000,000", so as to read:

SEC. 10. (a) The Commissioner is authorized to allocate not to exceed $20,000,000 to other Federal agencies for the operation, under such rules and regulations as the Commissioner may prescribe, of projects of the type specified in subsection (b) of section 1 which are within the scope of the functions usually carried out by such agencies, including administrative expenses of such agencies incident to such operation: *Provided*, That not to exceed 4 percent

of the total amount so allocated to any such agency shall be used for such administrative expenses: *Provided further*, That no project shall be prosecuted under any allocation under this subsection upon which the percentage of nonrelief persons employed exceeds 10 percent of the total number of persons employed.

Mr. SCHWELLENBACH. Mr. President, in reference to this amendment I should like the attention of the Senator from Colorado. My understanding is that the amendment, which makes a reduction from $40,000,000 to $20,000,000, is based on the recommendation of the head of the W. P. A., and on the Budget estimate, and is in accordance with the position taken by the House committee.

Mr. ADAMS. That is correct.

Mr. SCHWELLENBACH. And that on the floor of the House, without very much objection by the House committee, the amount was raised from $20,000,000 to $40,000,000.

My interest in the matter is caused by the contention which has been made to me that if this reduction is made from $40,000,000 to $20,000,000, it will mean that the Department of Agriculture will be deprived of the opportunity of continuing its work on blister rust, and its shelterbelt work. I understand there is a dispute as to that contention. If the committee amendment is accepted by the Senate, the matter then goes to conference, and I should like to ask the Senator from Colorado whether or not he is willing to agree that that matter will be discussed in conference fully, to see whether or not the contention of the head of the W. P. A. is correct, or whether the contention of those who made the argument in the House is correct, so that we may have protection, if it is necessary to have protection, in the matter of the continuation of this blister-rust work.

Mr. ADAMS. The Senator understands, of course, that this amendment does not change the aggregate appropriation. It merely limits the amount of money which is absolutely set over under the control of Federal agencies other than the W. P. A. The W. P. A. felt that the same work could be done better under their control, rather than by merely allocating the money.

I will say to the Senator that of course any presentation made by the House conferees would be given consideration. What we try to do in conference, as we do in committees and on the floor, is to reach a just result, and accomplish the most with the money appropriated.

Mr. SCHWELLENBACH. Myunderstanding is that the Senator from Colorado does not feel that the amendment would result in any elimination of the blister-rust work, but that it is simply a technical matter of how much would be allocated, and how much could be allocated by the State administration to W. P. A.

Mr. ADAMS. Even this language does not provide any definite allocation. Even if we had $40,000,000, it would still be left to the W. P. A. Administrator to determine how it should be allocated. There would still be the same problem as to how much money should go to blister-rust eradication work. The money is set aside to be absolutely allocated. The Administrator may allocate one sum or another for a particular purpose. So I think there is no change in the ultimate control of the situation so far as the amount of money going to the purpose is concerned. The change is as to the administration of the fund.

The PRESIDENT pro tempore. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The next amendment was, on page 21, line 15, after the word "value", to strike out the comma and "and such rules and regulations shall also allow credit only to the extent that the furnishing of such contributions represents a financial burden which is undertaken by the sponsors on account of Work Projects Administration projects, or other sponsored projects", so as to read:

(c) No non-Federal project shall be undertaken or prosecuted under appropriations under this joint resolution (except under section 3) unless and until the sponsor has made a written agreement to finance such part of the entire cost thereof as the head of the agency, if the agency administers sponsored projects, determines under the circumstances is an adequate contribution taking into consideration the financial ability of the sponsor. The head of the agency shall prescribe rules and regulations relating to the valuation of contributions in kind by sponsors of projects through furnishing the use of their own facilities and equipment and the services of their own employees, which shall represent an actual cash value.

The amendment was agreed to.

The next amendment was, on page 21, after line 19, to insert:

SEC. 11. None of the funds made available by this joint resolution shall be expended on the construction of any building (1) the total estimated cost of which, in the case of a Federal building, exceeds $100,000, or (2) the portion of the total estimated cost of which payable from Federal funds, in the case of a non-Federal building, exceeds $100,000, unless the building is one (a) for which the project has been approved by the President on or prior to May 15, 1940, or for which an issue of bonds has been approved at an election held on or prior to such date, or (b) for the completion of which funds have been allocated and irrevocably set aside under prior relief appropriation acts: *Provided*, That the provisions of this section shall not apply to any projects which have been certified by the Secretary of War or by the Secretary of the Navy as being important to the national defense.

The amendment was agreed to.

The next amendment was, on page 23, line 21, after the word "Commissioner", to strike out "shall require a lesser number of hours of work not to exceed 65 hours per month" and insert a comma and "in his discretion, may require a lesser number of hours of work per month", so as to read:

SEC. 14. (a) The Commissioner shall fix a monthly earning schedule for persons engaged upon work projects financed in whole or in part from funds appropriated by section 1 which shall not substantially affect the current national average labor cost per person of the Work Projects Administration. Such monthly earning schedule shall not be varied for workers of the same type in different geographical areas to any greater extent than may be justified by differences in the cost of living. The Commissioner shall require that the hours of work for all persons engaged upon work projects financed in whole or in part by funds appropriated by section 1 shall (1) be 130 hours per month except that the Commissioner, in his discretion, may require a lesser number of hours of work per month in the case of relief workers with no dependents and the earnings of such workers shall be correspondingly reduced, and (2) not exceed 8 hours in any day and (3) not exceed 40 hours in any week.

The amendment was agreed to.

The next amendment was, on page 24, line 6, after the word "work", to insert "on projects determined to be of value to the national defense", so as to read:

(b) The Commissioner may authorize exemptions from the above limitations of monthly earnings and hours of work on projects determined to be of value to the national defense; to protect work already done on a project; to permit making up lost time; in the case of an emergency involving the public welfare; and in the case of supervisory personnel employed on work projects.

The amendment was agreed to.

The next amendment was, on page 24, after line 10, to strike out:

SEC. 15. (a) In employing or retaining in employment on Work Projects Administration work projects, preference shall be determined, as far as practicable, on the basis of relative needs and shall, where the relative needs are found to be the same, be given in the following order: (1) Veterans who have had active service in the United States Army, Navy, Marine Corps, or Coast Guard, or in some campaign or expedition in which the United States has been engaged, unmarried widows of such veterans, and wives of such veterans, as are unemployable, who are in need and are American citizens and if the income of any such person from any Government agency is less than the amount to which he or she would be entitled for work on a Work Projects Administration project, for which he or she is qualified, then he or she shall be certified for employment, and shall be assigned to work for at least a sufficient number of hours each month to bring his or her total income up to the amount he or she would receive if assigned for full-time work on such project; and (2) other American citizens, Indians, and other persons owing allegiance to the United States who are in need.

And in lieu thereof to insert the following:

SEC. 15. (a) In employing or retaining in employment on Work Projects Administration work projects, preference shall be determined, as far as practicable, on the basis of relative needs and shall, where the relative needs are found to be the same, be given in the following order: (1) Veterans of the World War and the Spanish-American War and veterans of any campaign or expedition in which the United States has been engaged (as determined on the basis of the laws administered by the Veterans' Administration) who are in need and are American citizens; and (2) other American citizens, Indians and other persons owing allegiance to the United States who are in need.

Mr. CHANDLER. Mr. President, I offer an amendment to section 15 (a), in the committee amendment. The language of my amendment was originally included in the House langauge which was stricken out by the Senate committee.

I wish to call the wording of the amendment to the attention of the Senator from Colorado. I wish to add, in that section, in line 15, after the word "Administration", the following:

And unmarried widows of such veterans and the wives of such veterans as are unemployable.

That amendment should appear in two places.

Mr. ADAMS. Mr. President, I think it was the intention of the committee that that amendment should be included. Therefore, so far as I am personally concerned, it would be agreeable to me to have it in. I have no control over what the Senate might do.

Mr. CHANDLER. I should be glad to have the Senator agree to accept the amendment.

Mr. ADAMS. So far as I am individually concerned, I accept it.

Mr. CHANDLER. I move the adoption of the amendment.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Kentucky to the committee amendment on page 25, in line 15.

The amendment to the amendment was agreed to.

Mr. GURNEY. Mr. President, I believe that the amendment offered by me, which was ordered to be printed and to lie on the table yesterday, and which has now been agreed to by the Senate, should appear in two places on page 25—once after the word "Administration", in line 15, and once after the word "veterans", in line 21.

Mr. ADAMS. Mr. President, line 21 is stricken out.

Mr. McKELLAR. Not all of it.

Mr. GURNEY. Mr. President, in line 21, on page 25, the words "unmarried widows of such veterans and wives of such veterans who are unemployable" are stricken out.

The PRESIDENT pro tempore. We have not reached the amendment to which the Senator from South Dakota is now referring. When we reach that amendment, it will be subject to amendment.

Mr. GURNEY. Do I correctly understand that the amendment in section 15 (a) has been agreed to?

The PRESIDENT pro tempore. Yes.

Mr. BONE. Mr. President, the amendment tendered by the Senator from Kentucky [Mr. CHANDLER], which has been agreed to, was the same amendment which I had lying on the table at the time of its adoption. I have suggested another amendment to section 15 (a), which consists of the addition of certain words after the words "and are American citizens", in line 16. I should like to have that amendment stated. It lies on the table.

The PRESIDENT pro tempore. The amendment offered by the Senator from Washington to the committee amendment will be stated.

The CHIEF CLERK. On page 25, line 16, in the committee amendment, after the words "and are American citizens," it is proposed to change the semicolon to a comma and to insert "who have been certified as in need of employment by Work Projects Administration or by any agency designated by it so to certify."

Mr. BONE. Mr. President, I think the reason for this amendment is self-evident. I do not care to discuss it. I think it is a worth-while amendment, and should be agreed to.

Mr. ADAMS. Mr. President, I ask the Senator whether or not the amendment is covered by other provisions in the joint resolution?

Mr. BONE. I have not examined the joint resolution in detail.

Mr. ADAMS. I think the Senator will find that it is covered in a later section.

Mr. BONE. If that be true, it can do no harm here, and will certainly tend to clarify any doubt in the minds of many who have examined the joint resolution very carefully. I do not believe there can be any objection to the amendment. If it be stated in a somewhat different form in other sections of the joint resolution, it can do harm to restate it in this very important section, which deals with the employment and retention of men in the W. P. A.

Mr. KING. Mr. President, what is the purpose of the amendment?

Mr. BONE. The Senator from Colorado has said that it appears in another section of the joint resolution.

Mr. BYRNES. Mr. President, will the Senator yield?

Mr. BONE. I yield.

Mr. BYRNES. As I caught the reading of the amendment, it simply adds, after the word "citizens", substantially this language: "as are certified by the W. P. A. or by some agency designated by the W. P. A."

Mr. BONE. That is correct.

Mr. BYRNES. Of course, no one could obtain employment unless he were certified.

Mr. BONE. That is true; but there has been some confusion, which led those interested to suggest an amendment referring definitely to certification. The Senator from Colorado suggests that this matter is made clear elsewhere in the joint resolution.

Mr. BYRNES. There is no question about it. The Senator from Colorado is correct. No one can be employed unless he is certified as eligible; and if the suggested words were added, I do not believe they would give any additional weight to the provision.

Mr. BONE. I know there has been confusion in many places because of the question of who was to certify. Sometimes the State and local agencies are careless, or they do not exist in the right form; and consequently the W. P. A. has had to set up its own certifying agency. This amendment will not hamper the W. P. A.

Mr. ADAMS. Mr. President, while I think the amendment is a duplication, I do not think there is any need to argue the matter, and so far as I am concerned, I am perfectly willing to have it go in.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Washington [Mr. BONE] to the committee amendment.

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

The next amendment was, on page 25, line 21, after the word "veterans", to strike out "unmarried widows of such veterans and wives of such veterans who are unemployable, and also excepting heads of families 45 years of age or older with either a dependent spouse or one or more dependent parents or minor children", so as to read:

(b) There shall be removed from employment on Work Projects Administration projects all relief workers, excepting veterans, who have been continuously employed on such projects for more than 18 months, and any relief worker so removed shall be ineligible to be restored to employment on such projects until after (a) the expiration of 30 days after the date of his removal, and (b) recertification of his eligibility for restoration to employment on such projects.

Mr. GURNEY. Mr. President, I ask that the portion of the committee amendment after the word "veterans" in line 21, and reading as follows: "unmarried widows of such veterans and wives of such veterans who are unemployable" be not agreed to; in other words, that that language be left in the joint resolution.

Mr. KING. Mr. President, will the Senator permit an inquiry?

Mr. GURNEY. I yield.

Mr. KING. I have received a number of communications and visits from veterans who are somewhat concerned about the joint resolution as it passed the House, and as to what rights they will have under the measure as reported to the Senate. Will the Senator advise me as to whether or not there are advantages which ought to be granted to unemployed veterans? Are there any discriminations against them; or does the joint resolution amply provide for giving to them, in all legitimate instances, preference over others who are unemployed and who may seek relief?

Mr. GURNEY. I believe that the amendment just agreed to, in section 15 (a), whereby the unmarried widows and wives of veterans have preference, covers the preferences which the veterans and their dependents should have. The original language gave certain preference to veterans.

Mr. KING. With that assurance from the Senator, I shall not offer an amendment which I had contemplated offering. The Senator is more familiar with the joint resolution than am I; and if he gives us the assurance that veterans have the preference which they ought to have, and which it was intended they should have, I shall not offer the amendment which I had contemplated offering.

Mr. GURNEY. That is my opinion. I understand that other Senators have some amendments which they wish to discuss.

Mr. ADAMS. Mr. President, may I ask the Senator from South Dakota if the amendment which he has offered is verbally the same as the one which is printed and which lies on the table?

Mr. GURNEY. That is correct.

Mr. ADAMS. The Senator offered it in a little different form.

Mr. GURNEY. I simply asked that the language in lines 21 and 22 to which I have referred be left in the joint resolution.

Mr. ADAMS. The difficulty with that is that to reject the committee amendment would leave in more language than that to which the Senator has referred. It is part of several lines, and his amendment relates to only two lines. It would be simpler if the Senator should move to add that language to the committee amendment.

Mr. GURNEY. I so move, on the suggestion of the Senator from Colorado.

Mr. KING. Mr. President, let the amendment be stated.

The PRESIDENT pro tempore. Let the Chair suggest that a committee amendment is pending. The committee amendment is to strike out several lines. Under the existing parliamentary situation, the Chair suggests that the committee amendment may be divided.

Mr. GURNEY. That is what I intended.

The PRESIDENT pro tempore. Without objection, the committee amendment is divided; and the first branch the Senate will vote on is whether or not it will retain the words "unmarried widows of such veterans and wives of such veterans who are unemployable."

Mr. BYRNES. Mr. President, I should like to submit an inquiry to the Senator who offered the amendment. The language of the bill is that there shall be removed from employment on Work Projects Administration projects all relief workers, excepting first, veterans; second, if the Senator's amendment should prevail, unmarried widows of such veterans; and, third, wives of such veterans who are unemployable. It seems to me that, so long as the language is stricken out, it may be considered, and I think some clearer language should be drafted to carry out the intention the Senator has. I am afraid that it would be rather confusing to say that there cannot be removed from employment the wife of a veteran who is unemployable.

Mr. TAFT. May I suggest that the word "who", in line 22, be changed to the word "as."

Mr. BYRNES. If the suggestion of the Senator from Ohio is adopted it undoubtedly would be much better. It would accord with the language on the previous page. The language is "as are unemployable" instead of "who are unemployable."

The PRESIDENT pro tempore. The Chair will suggest that the rejection of that part of the committee amendment which has been referred to by the Senator from South Dakota will then allow the amendment to the text which the Senator from Ohio has suggested. The Chair will, therefore, put the question on the first branch of the committee amendment striking out the words "unmarried widows of such veterans and wives of such veterans who are unemployable.

The amendment was rejected.

The PRESIDENT pro tempore. The question now is on the second branch of the amendment which will be stated.

The CHIEF CLERK. The committee amendment proposes to strike out "and also excepting heads of families 45 years of age or older with either a dependent spouse or one or more dependent parents or minor children."

The PRESIDENT pro tempore. The question is on the second branch of the committee amendment.

The amendment was agreed to.

Mr. TAFT. Mr. President, although perhaps it is out of order, I ask unanimous consent to strike out the word "who", in line 22, and insert the word "as."

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. HOLMAN. Mr. President, I ask permission to recur to page 3, line 17, and to consider the following amendment: After the word "utilities", to strike out the words "electric transmission and distribution lines or systems to serve persons in rural areas, including projects sponsored by and for the benefit of nonprofit and cooperative associations," and in lieu thereof to insert:

Refrigerating and cold storage plants, electric transmission and distribution lines or systems, together with offices and buildings to serve persons in rural areas, including projects sponsored by and for the benefit of nonprofit corporations and cooperative associations.

In explanation of the amendment I may say——

The PRESIDENT pro tempore. The amendment suggested by the Senator from Oregon is not in order at this time. The Senate is now, under a unanimous-consent agreement, considering committee amendments. The amendment of the Senator from Oregon will be in order after the committee amendments shall have been concluded. The clerk will state the next amendment reported by the committee.

The next amendment was, on page 27, after line 2, to insert:

(e) Not to exceed $5,000,000 of the appropriation for prosecution of public projects made in section 1 (a) hereof shall be available for expenditure by the Commissioner in any case he shall deem it necessary and advisable, for aiding, in such form and manner as he shall determine, States, including the District of Columbia, the Territories and possessions, or public agencies thereof, in investigating and certifying employable persons for employment on projects of the Work Projects Administration, conditioned upon the approval by the Commissioner of methods or plans for such service: *Provided*, That in no case shall such aid to any State or agency exceed 33⅓ percent of the estimated cost of such service, as determined by the Commissioner. The determinations of the Commissioner hereunder shall be final.

Mr. KING. Mr. President, I inquire of the Senator having the bill in charge whether the amount proposed is not too large, in view of the other generous provisions which will permit compensation to those engaged in the administration of the act?

Mr. ADAMS. Mr. President, I understand from Colonel Harrington that the cost of certification throughout the country is about $15,000,000. This is a proposal for the W. P. A. to take over one-third of the cost in order to have some hand and control over certifications. In the past certification has been perfectly satisfactory in some places and very unsatisfactory in other places. Colonel Harrington says he believes he will more than save this amount of money as well as have a fairer distribution of the employees under the W. P. A. if the W. P. A. have that degree of control.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. ADAMS. Certainly.

Mr. CONNALLY. I wish to reinforce what the Senator from Colorado has said. The only fear I have is that this amount will not be sufficient. I know in my State we have difficulty in coordinating the eligibility of the workers in the different areas because the counties in each instance pay for the work of examining applicants and qualifying them. In some places they are not able to do it, and the result is it clogs up the machinery. I think, at least, it ought to be under the supervision of the W. P. A., and I hope the amount of $5,000,000 will be sufficient.

Mr. ADAMS. It was intended to leave the burden upon the counties of providing the other two-thirds, the Federal

Government to provide one-third of the cost, which would give it some control it does not now have.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The next amendment was, on page 27, line 17, before the word "No", to insert "(f)"; in the same line, after the word "receiving", to strike out "Federal Social Security"; and in line 18, before the word "shall", to insert "under the Social Security Act, as amended", so as to read:

(f) No blind person receiving aid under the Social Security Act, as amended, shall be prohibited from temporarily relinquishing such aid to accept employment on a Work Projects Administration project.

The amendment was agreed to.

The next amendment was, on page 33, line 20, after the word "used", to strike out "(a) for the operation of any theater project, (b)" and insert "(a)"; in line 22, after the word "or", to strike out "(c)" and insert "(b)"; and in line 23, after the word "broadcasting", to insert "time", so as to read:

SEC. 24. None of the funds made available by this joint resolution shall be used (a) for the operation of any project sponsored solely by the Work Projects Administration, or (b) for radio broadcasting time or for the acquisition, rental, or distribution of motion-picture films.

The amendment was agreed to.

The next amendment was, on page 35, line 3, after the word "affiliations", to insert "(except as provided in section 15 (g)", so as to read:

SEC. 27. Any person who knowingly and with intent to defraud the United States makes any false statement in connection with any application for any work project, employment, or relief aid under the appropriations in this joint resolution, or diverts, or attempts to divert or assists in diverting, for the benefit of any person or persons not entitled thereto, any portion of such appropriations, or any services or real or personal property acquired thereunder, or who knowingly, by means of any fraud, force, threat, intimidation, or boycott, or discrimination on account of race, religion, political affiliations (except as provided in section 15 (g)), or membership in a labor organization, deprives any person of any of the benefits to which he may be entitled under any such appropriations, or attempts so to do, or assists in so doing, or who disposes of, or assists in disposing of, except for the account of the United States, any property upon which there exists a lien securing a loan made under the provisions of this joint resolution or the Emergency Relief Appropriation Acts of 1935, 1936, 1937, 1938, and 1939, shall be deemed guilty of a felony and fined not more than $2,000 or imprisoned not more than 2 years, or both. The provisions of this section shall be in addition to, and not in substitution for, any other provisions of existing law or of this joint resolution.

The amendment was agreed to.

The next amendment was, on page 36, line 12, before the word "section", to insert "section 15 (g) and", so as to read:

(b) Except as may be required by the provisions of section 15 (g) and section 30 hereof, it shall be unlawful for any person to deprive, attempt to deprive, or threaten to deprive, by any means, any person of any employment, position, work, compensation, or other benefit, provided for or made possible by this joint resolution, on account of race, creed, color, or any political activity, support of, or opposition to any candidate or any political party in any election.

Mr. McNARY. Mr. President, the amendment on page 33 has been passed, but I should like to inquire of the able Senator having charge of the bill what is the reason for cutting out the theater project?

Mr. ADAMS. Mr. President, the situation, I will say to the Senator from Oregon, was this: There has been a difference of opinion between the House and the Senate as to the theater project. The House has been very insistent that no theater project should be recognized as a W. P. A. project. The Senate's position has been that theater projects should be treated the same as any other project. Originally it was not the purpose of the W. P. A. to put theater projects in a preferred status, but the House has put them on a prohibitive basis. Our idea is to put them on the same basis as any other project. In other words, if the city of Portland wants to establish a theater project, it would pay the same percentage as if it wanted to build a bridge. It is the idea of the Senate not to discriminate against or for a theater project.

Mr. McNARY. Then, it is not contemplated that there shall be a prohibition of such projects?

Mr. ADAMS. On the contrary, the prohibition in the House bill has been removed.

Mr. McNARY. I am pleased to have the Senator's explanation.

The PRESIDENT pro tempore. The question is on agreeing to the amendment on page 36, line 12.

The amendment was agreed to.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 1560. An act for the relief of Amos B. Cole;

S. 2013. An act to amend the Code of the District of Columbia to provide for the organization and regulation of cooperative associations, and for other purposes;

S. 2782. An act for the relief of Harold W. Kinderman;

S. 3683. An act to extend the time limit for cooperation between the Bureau of Reclamation and the Farm Security Administration in the development of farm units on public lands under Federal reclamation projects; and

S. 3813. An act to authorize the presentation of a special gold medal to William Sinnott.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

APPROPRIATIONS FOR WORK RELIEF AND RELIEF

The Senate resumed the consideration of the joint resolution (H. J. Res. 544) making appropriations for work relief and relief for the fiscal year ending June 30, 1941.

The PRESIDENT pro tempore. The next amendment reported by the committee will be stated.

The next amendment was, on page 38, line 15, after the word "factories", to strike out "stores"; in line 16, after the word "manufacture", to strike out "handle, process"; in line 17, after the word "produce", to insert "for sale", and in line 18, after the word "sweetpotatoes", to insert "and naval stores products", so as to read:

SEC. 33. No funds appropriated in this joint resolution, whether administered by the Federal Government or by the States or local governmental agencies from funds contributed in whole or in part by the Federal Government, shall be used by any Federal, State, or other agency to purchase, establish, relocate, or expand mills, factories, or plants which would manufacture, or produce for sale articles, commodities, or products (other than those derived from the first processing of sweetpotatoes and naval stores products) in competition with existing industries.

The amendment was agreed to.

The next amendment was, on page 40, after line 14, to insert:

SEC. 37. Any Administrator or other officer named to have general supervision at the seat of government over the program and work contemplated under the appropriations contained in this joint resolution and receiving a salary of $5,000 or more per annum from such appropriations, and any State or regional administrator receiving a salary of $5,000 or more per annum from such appropriations (except persons now serving as such under other law) shall be appointed by the President, by and with the advice and consent of the Senate: *Provided*, That the provisions of section 1761 of the Revised Statutes shall not apply to any such appointee and the salary of any person so appointed shall not be increased for a period of 6 months after confirmation.

The amendment was agreed to.

The next amendment was, on page 41, after line 3, to insert:

SEC. 38. Notwithstanding the provisions of any other law, the President is authorized, in his discretion, and under such regulations as he may prescribe, to provide within the Civilian Conservation Corps such training of enrollees therein in noncombatant subjects essential to the operations of the Military and Naval Establishments as he considers may contribute materially to the interests of the national defense. Such subjects may include, but are not restricted to, cooking, baking, first aid to the injured, operation

and maintenance of motor vehicles, road and bridge construction and maintenance, photography, signal communications, and other matters incident to the successful conduct of military and naval activities: *Provided*, That the appropriations under the heading "Civilian Conservation Corps" contained in the Federal Security Agency Appropriation Act, 1941, shall be available for carrying out the purposes of this section, and the limitations and conditions on the expenditure of such funds are hereby waived to the extent necessary to accomplish the purposes of this section: *Provided further*, That no person shall be excluded from the training program authorized by this section on account of race, color, or creed.

Mr. GEORGE. Mr. President, we have now reached section 38 on page 41, which gives to the President the authority, "in his discretion, and under such regulation as he may prescribe, to provide within the Civilian Conservation Corps such training of enrollees therein in noncombatant subjects," and so forth. For the purpose of offering an amendment, I desire to inquire of the Senator in charge of the bill why the training is limited to noncombatant subjects?

Mr. ADAMS. Mr. President, the Senator from South Carolina is familiar with that provision, and I will ask him to answer the inquiry.

Mr. BYRNES. Mr. President, I will say to the Senator from Georgia that when I first investigated the matter I had in mind that the training should not be so restricted. After consulting General Marshall, I was advised that, so far as the Army were concerned, they greatly preferred that the training in C. C. C. camps should be limited in accordance with the language contained in this amendment. They gave as reasons for their opinion, first of all, that the Army was more in need of skilled workers of the classes referred to in the amendment that they were of men who were otherwise trained in the service. General Marshall stated—and it was stated to the committee later—that while it was possible, in a relatively short time, to train men in drill and military tactics, it was impossible in a short time to train men to be skilled mechanics, such as photographers, radio operators, which are essential to the Army. My recollection is that, either before the committee or in conference with me, he called my attention to the fact that for an army of a million men there were needed only 240,000 men carrying rifles, and that the remainder of such an army of 1,000,000 should be constituted of workers skilled along the lines of training which it is sought to give to C. C. C. enrollees by this section of the bill.

One additional reason stated was that, as a practical matter, the Army would find it exceedingly difficult to train in the combatant service the men who are in the C. C. C. camps; that if the Congress desired to provide that young men should receive training, they vastly preferred that they be placed entirely in charge of the Army, to which camps they could assign officers who would give all of their time to training these men; that in the C. C. C. camps these men would be employed upon projects; that one-half of their time would be consumed upon conservation projects and upon the other projects in the Forestry Service, and they would have officers assigned to the camps having only one-half of their time occupied, whereas they anticipate a shortage in officers for training.

It is the intention of the Army to submit to the Congress—and I expect that it will be submitted within the next day or two—a very comprehensive training plan. It is contemplated in that plan that there should be an expansion of the C. M. T. C. to care for the training of young men to the number, it is hoped, of about 100,000 instead of 30,000. It is also contemplated that that program shall have an expansion of the enlisted Army and Navy Reserve into which it is hoped young men will go this summer for training in the Army or in the Navy, as the case may be. But so far as these camps are concerned, it is the opinion of General Marshall, speaking for the Army, that they would prefer not to be charged with the duty of training these men in combatant service, but to give the authorities the opportunity to make of them skilled mechanics and photographers and radio operators and similar classes of skilled workers.

Mr. GEORGE. Mr. President, I do not see why the Army would have to train the enrollees in the C. C. C. camps. The section placed in the joint resolution by the committee merely gives the President authority, in his discretion and under such regulations as he may prescribe, to provide within the Civilian Conservation Corps a certain type of training, which is substantially what they are now getting in the Civilian Conservation Corps; perhaps in a limited way, but substantially that.

Mr. President, it seems to me there is no reason why the President could not provide for elementary military training in these camps without calling the Army to take charge, because there are in connection with nearly all of these camps Reserve officers, men who are amply able certainly to give instruction in ordinary elementary military training. So I do not see why General Marshall should raise any objection to the preliminary elementary training of the young men of military age in these camps; and I do not see why the training should be restricted as the committee has restricted it in the amendment.

Mr. President, I am somewhat heartened to think that at least some one connected with the Government is not immediately excited that the country is about to be invaded, even if some of us in the Congress do think otherwise. If we were about to be invaded we certainly would not object to a reasonable amount of training for the young men in the C. C. C.

Mr. President, the young men in the C. C. C. camps are of military age. If they are physically qualified, there is no reason on earth why they should not have elementary military training. Indeed, for the noncombatant services for which men may be trained in the Army, elementary military training is absolutely essential, or else there will be confusion and disorder in the organization of every unit to which such trained enrollees may subsequently be attached.

The enrollees are not required to enter into any Reserve Corps after they have certain preliminary training in the C. C. C. camps. I think that would be manifestly unfair. I think it would be improper to require of the enrollees subsequent service, even as members of the Reserve, because it is not exacted of everybody else; and until it is exacted of every other person of military age it ought not to be exacted of the enrollees. But during the time that they are in the camps I submit that there is no real reason why they should not receive elementary military training. I also submit that if we give them all the noncombatant service in the world that is desired, without some elementary military training, we shall just have confusion.

General Marshall need not worry about disrupting the Army to furnish some Reserve officers who will give the young men in these camps a little preliminary military training.

Mr. President, I move that the pending amendment be further amended by inserting, after the word "Corps," on line 7, page 41, the words "elementary military training and," so that it will still be discretionary with the President, under such rules and regulations as he may prescribe.

Mr. BARKLEY. Mr. President, will the Senator from Georgia yield for a question?

Mr. GEORGE. Yes; I yield.

Mr. BARKLEY. There has been a great deal of discussion about enacting some form of compulsory military training in the United States; and we may come to it. I am not committing myself one way or the other on the matter, depending upon the extent of it and the methods; but it may be necessary. It has occurred to me that it would be a mistake to pick out enrollees in the C. C. C. camps first to train from the military standpoint, because it would be compulsory if the President should put it into effect. Of course, the President is not required, under the amendment, to do it.

These young boys come from the poorer families of the country. They come from families which otherwise would be on relief. They are required to send home a considerable portion of their compensation—which is not great, but under the circumstances I am sure is satisfactory—in order that their families may not be put on relief.

I may be wrong about the matter, but I have the feeling that when we do inaugurate any form of compulsory military training, whether it is elementary or otherwise, we ought to make it apply to all young men in the country alike. We ought not to segregate any class or group and train them first, because, in all probability, the first who are trained will be the first called upon to serve in a military way.

I am sympathetic with what the Senator from Georgia has in mind in regard to training young men whenever it is necessary to do it; but I doubt the wisdom of beginning on these young men, who represent the poorer families of the United States—I might say relief families—picking out young men because they happen to go to these camps and giving them elementary military training before we do the same thing for young men of the same type in all the other families of the United States.

I offer that suggestion to the Senator. No doubt he has thought about it.

Mr. GEORGE. Yes; I have thought of it, Mr. President; but I answer the Senator from Kentucky by saying that it is not compulsory on anybody to go to the C. C. C. camps.

Mr. BARKLEY. Oh, no; of course not.

Mr. GEORGE. If young men desire to enter these camps, and if they do enter the camps and may be given noncombatant training, why may they not be given elementary military training?

Mr. BARKLEY. They may be, of course.

Mr. GEORGE. They are not required to enter the Reserve. I should not favor that unless we had universal military training.

Mr. BARKLEY. They are not required, as the Senator says, to enter the camps; but there is a sort of compulsion that is almost as great as legal compulsion. Many of them either have to go to the camps or remain idle; and one of the things of which we are all proud is the work of the C. C. C. camps in the United States. They have taken two and a half or three million young men off the streets or out of idleness and given them this training, and, as I believe, have taught them a new relationship between themselves and their Government and society as a whole. Personally, however, I doubt whether in a sense advantage ought to be taken of their necessity to impose upon them some form of compulsory military training which does not apply to young men within the same ages in all the families of the United States.

That is the feeling that I have.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. GEORGE. I yield to the Senator from Texas.

Mr. CONNALLY. In response to the suggestion of the Senator from Kentucky let me suggest to the Senator from Georgia that the Senator from Kentucky seems to think military training is a punishment; that it is going to hurt these boys in some way. There is not a boy in a C. C. C. camp who will not be better off if he has elementary military training.

Mr. BARKLEY. I agree to that statement. I am not suggesting that it is a punishment.

Mr. CONNALLY. But the Senator seems to say that if we do not get everybody, we should not get anybody.

Mr. BARKLEY. No; but if they are to be given elementary military training it is not primarily to benefit their physique. If that were the object of it, we ought to have started it when we started the C. C. C. camps.

Mr. CONNALLY. We should have.

Mr. BARKLEY. And we should have given the same training to all the two and a half million young men who have already gone through the camps.

Mr. CONNALLY. We should have done so.

Mr. BARKLEY. I am now talking about elementary military training from the military standpoint. If we inaugurate any form of universal military training in this country, I think we ought to be frank and say that it is for the purpose of possibly later using the advantages and benefits of that training in the Army of the United States.

It is in that sense that I feel that we cannot afford to make a distinction and give such training to the boys who have to go to camps, who are taken from the poorer families of the country, unless we are willing to go the whole length and give the same sort of training to every boy in the United States within the same ages.

Mr. CONNALLY. Mr. President——

The PRESIDING OFFICER (Mr. ELLENDER in the chair). Does the Senator from Georgia yield to the Senator from Texas?

Mr. GEORGE. I yield.

Mr. CONNALLY. Let me suggest that these boys, no matter from what group they are, will not be injured, but will be benefited by elementary military training. This is not a provision for drafting them for war. If later on we have a draft, either for war or for military training, these boys, instead of having been injured, will be corporals, perhaps, where the boys who have not had any military training will be privates.

Mr. BARKLEY. Mr. President——

Mr. CONNALLY. I should like to proceed for a moment. The Senator has twice interrupted what I hope will be my very brief speech, and I will get out of the way in a moment for the passenger train. Freight trains always get on the siding for passenger trains.

Mr. BARKLEY. The Senator means a caboose. [Laughter.]

Mr. CONNALLY. There is no reason on earth why these boys should not take both the noncombatant training of their hands, and learn manual trades, and take elementary military training, learn a little discipline as they are going along, learn a little of the school of the soldier. We do not expect to make major generals out of these boys, and they will not be handicapped, because if there should be a draft, this would have nothing to do with the draft. The approach of the Senator from Kentucky seems to be that we will drill these boys and then take them right off to the Army. They will have the same chance to get out of the draft everyone else will have later on, and if they are drafted, they will be much better off, and probably be corporals or sergeants, instead of high privates. I think we should have had military training in the camps all the time, since they were first initiated, and because we did not provide for it then is no reason why we should not do so now.

Mr. HAYDEN. Mr. President, will the Senator from Georgia yield?

Mr. GEORGE. I yield.

Mr. HAYDEN. In the beginning, I had identically the same view as that of the Senator from Georgia, and I agree with the Senator from Texas; if I had had my way about it, from the very beginning there would have been military instruction in all these camps. But we come to a very practical situation, which General Marshall developed by his own contact with the Civilian Conservation Corps. He was in charge of the entire Northwest area, where there were 100 or more camps, and he knows exactly how the training was carried on in all of them. The practical question is that there are practically only so many hours a day in which a man may obtain instruction.

Mr. GEORGE. That is true, Mr. President, and the same remark would apply to every man in the R. O. T. C. and to every school and college in this country. Certainly there are only so many hours in a day.

Mr. HAYDEN. Let me point out what a C. C. C. enrollee has to do in the 24 hours. At 8 o'clock in the morning, after he has had his breakfast in the C. C. C. camp, he works during the forenoon under the jurisdiction of the Forest Service, or the Soil Conservation Service, or whatever it may be. He comes back and gets his noonday meal under the jurisdiction of the Army. Then he goes until 4 o'clock under whoever is in charge of the work to be done. The remainder of the day, the time which is available for instruction, he is under the Army. If his time is to be taken up in teaching him the manual of arms, or the school of the soldier, he will not be able to learn how to be a good auto mechanic, or a good cook, or any of the other vocations it is desired that he be taught.

If we want to get the best results for the Army in the minimum time, we should do it in the practical way General Marshall has suggested. As General Marshall pointed out to the committee, the Army can take an ordinary man and teach him the manual of arms, teach him how to fire a rifle, and kindred things, and all that can be learned in 3 months in a camp, with intensive instruction; but to make a good auto mechanic, one who can drive a tank, or a radio operator, or a photographer, would take time every afternoon and evening, and men trained along those lines are much more needed than infantry privates in the Army.

Mr. GEORGE. Mr. President, I think I realize that; but I think our friends on the committee simply yielded to General Marshall's judgment in a field in which he is not supreme, and he should not be allowed to make the policies of the Congress.

It may be true, and doubtless is, that it is possible to get much better results if General Marshall is allowed to organize a group of recruits, put them in the Army, and give them intensive training. I grant all that. But there is this situation: The Government has brought into the C. C. C. camps over 2,000,000 young men since those camps were established. When the distinguished Senator from Oklahoma [Mr. THOMAS] outlined the real defensive strength of this country, in the very impressive address he delivered earlier, he enumerated the members who had passed through the C. C. C. camps as having had at least some preliminary camp-life training which would be valuable in case they were called into the military service.

Mr. President, it is useless to talk about General Marshall having said that this would disrupt or interfere with his Army program. It could not do so. It would simply be an elementary military course which may go along with the other training if the President sees fit to ask any of the young men in the C. C. C. camps to take it. These young men are in the camps; they are paid by the Government; they go there at the expense of the Government; and it is no inconsiderable expense to the Government to maintain these C. C. C. camps.

There is no earthly reason why these young men should not be required to take simple, elementary military training. It would no more interfere with their duties than ordinary training in an R. O. T. C. unit in a high school, or a junior high school, or a junior college, or a college. It would not interfere as much, and it would not take as much of their time.

Mr. BROWN. Mr. President, will the Senator yield at that point?

Mr. GEORGE. I am glad to yield.

Mr. BROWN. As I understand, students in the colleges and in the high schools are not required to take military training in the R. O. T. C. I am wondering whether the Senator would agree to a short amendment, which I shall now suggest to him, which might clear up the situation. Let us add after the words "elementary military training" the words "to such enrollees as shall not object thereto." It would seem to me that if that language were added, there could not be any real objection to the amendment, and I think the great majority of enrollees would not go to the trouble of objecting.

Mr. GEORGE. Mr. President, I think that if the President put into effect any training in the C. C. C. camps, with the broad authority given, he would certainly provide for excusing conscientious objectors, and might make other provisions, that it should be a voluntary act, or they should voluntarily elect to take that particular course. I am satisfied the President would do that. It is true these young men may be unemployed; but there are millions of our people who are unemployed. It is no disgrace to be unemployed; it is no reflection upon these young men that they are unemployed. Indeed, some of the very best young men in my State, and in every other State, I dare say, have been in the C. C. C. camps. There is nothing discreditable, nothing at all dishonorable about it. It is an opportunity which the Government offers to these young men, and they are glad to take advantage of the offer. I think the Government might well say, "If you are of military age, as you are, and if you are physically qualified, and if you have no conscientious objections, or if there is nothing else that the President has provided as a condition to this training, you shall, along with the training for noncombatant service, also take certain elementary military training."

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. DANAHER. I should like to say to the Senator from Georgia that I live within 2 miles of a very large C. C. C. camp. I have known a great many of the boys who work there, and have with admiration watched their progress. But every one of those boys entered that camp on the understanding that he was going to work in the forest, that he was going to be engaged in reforestation, and work of that kind in general. It seems to me the Senator from Michigan has struck in exactly the right direction when he makes the suggestion he has offered. I had previously written, and was going to ask the Senator from Georgia to accept, an amendment to his amendment, and ask the Senator from Colorado to accept both amendments, to the effect that the proposed training program shall not apply to any boy who is now an enrollee. If he has entered on one basis, if this program were to be required of him he would be entering and continuing upon another basis, but as to any boy who may enter the C. C. C. camps from now on, if he knows he is going to receive military training, then it is entirely proper that he do so. I think it would be a gross imposition on the mothers and fathers who have permitted their boys 17 or 18 years of age to join C. C. C. camps to discover that they are being trained, whether in noncombatant or any other kind of training, for the military service.

There are boys within a few miles of my home who enlisted in the C. C. C. thinking they were going to work in Connecticut, and found themselves transferred to Colorado, where they are now working on the mountain sides.

Situations of that kind, Mr. President, grossly contrary to the popular understanding, it seems to me, indicate a trend which we should not encourage by the adoption of an amendment requiring military training, unless we give the boys now in the camps an opportunity to be exempted from the requirement to accept that type of training.

I commend the Senator from Michigan for his efforts, and I agree with the Senator from Georgia that there is much to be said for military training; but I think it should apply to future enrollees, or that the boys at present in the C. C. C. camps be given the chance to refuse to accept that kind of training.

Mr. GEORGE. Mr. President, I may say to the Senator from Connecticut that I have no doubt that if the President should put in either system of training he would say to those already enrolled, "It is optional with you," because the provision gives to the President the broadest possible power and authority. He is not required to exact any training of the enrollees, but he is merely authorized to proceed in his discretion, and under such rules or regulations as he wishes to prescribe. I have no doubt that he would not require anyone already enrolled to take either form of this training, either the kind the committee reported, or that which I suggest as an addition thereto.

Mr. DANAHER. Mr. President, will the Senator further yield?

Mr. GEORGE. I yield.

Mr. DANAHER. Let me say that I had contemplated adding on page 41, after line 24, the following:

Provided further, That no enrollee now in the Civilian Conservation Corps shall be required to receive such training program against his will.

If such language were adopted there is no reason why we should leave the option to the President to make any regulations. We should provide the regulations here now, when we are engaged in writing this provision. Now is the time to do that sort of thing, and not leave it to someone else in the hope that it will be done at some time in the future.

Mr. CLARK of Missouri. Mr. President, will the Senator from Georgia yield?

Mr. GEORGE. I yield.

Mr. CLARK of Missouri. In response to what the Senator from Connecticut has said, I should like to suggest that the proposition which the Senator from Georgia has advanced is not one of drafting these boys and putting them into the Army contrary to their will. I agree entirely with what the Senator from Texas has said, that no one is trying to ask these boys to do anything which is injurious to them. On the contrary, it will be very beneficial to them. When the suggestion is made that it will subject these boys to unusual hardship, there is simply no truth in it.

In addition to that, I should like to point out that these boys get substantially more than soldiers receive who are actually in the Army of the United States. Enlisted men in the Army receive $21 a month. These boys receive $30 a month.

Mr. SCHWARTZ. Mr. President, will the Senator yield to me to ask a question?

Mr. GEORGE. I yield.

Mr. SCHWARTZ. The Senator from Missouri says the boys in the C. C. C. camps receive $30 a month. They receive $5, and the Government sends the other $25 to their families by separate checks.

Mr. CLARK of Missouri. Soldiers in the Army make allotments to their families. There is nothing unusual about that.

Mr. SCHWARTZ. The C. C. C. man does not get $30. He gets $5 a month. The remainder goes for the relief of his family.

Mr. CLARK of Missouri. The same thing happens with respect to the soldiers in the Army. They are required to make allotments to their families.

Mr. LEE. In respect to the question just discussed, I will say that when I was in the Army—and that was the actual Army—I received $6.60 a month, or perhaps it was eight dollars and something, after my allotment had been taken out and sent home, and after my compulsory War Risk Insurance had been paid. I believe I had eight dollars and some odd cents left.

Mr. CLARK of Missouri. That was for overseas service.

Mr. LEE. Yes; that was for overseas service.

If the Senator from Georgia will allow me, I wish to say a word or two in support of the amendment.

I taught in a school for 17 years. When I started we did not have an R. O. T. C. there. When the war came on we established a voluntary R. O. T. C. After the war we established a compulsory R. O. T. C. on the basis that the State was furnishing education for those boys; that they did not have to come to the State university, but if they came to the State university and received the free education which the State of Oklahoma gave to them, it was believed that the Government had a right to expect of them to devote sufficient time to military training to learn the fundamentals of military training and close-order drill. I have visited C. C. C. camps, and I have seen the boys lower the flag in the evening at retreat. The boys stood around and looked like scrambled eggs. They could not even line up in order. There was no system to it. I asked the boys about it, and they themselves did not like it.

Mr. President, I honestly believe that if military training were provided in the C. C. C. camps on a voluntary basis 99 percent of the boys would take it, and they would like it.

Why should we quibble about this when we are here girding up our loins, and taking in our belts, and clearing the decks for action in order to place the Nation in a state of preparedness? Why should we worry about putting 2 or 3 hours of military training in the C. C. C. camps in order to benefit and improve those boys? If a draft should come later, and they should be drafted, they would have received in the camps 3 and 4 months of training, and would have that much advantage over the boys who did not have training. They would be made the noncommissioned officers. They would have more chance to become officers because they would already have had the preliminary training which would equip them better than others would be equipped to take care of themselves.

There was a criticism made in the last war that the American troops were not prepared when they went into action. These C. C. C. boys, by reason of the proposed training, would have that much advantage over others.

Mr. President, I think we should place in the bill the language suggested by the Senator from Georgia, giving the President discretion to provide such rules as he believes should be made. Since the Government furnishes those boys a camp, furnishes them employment, and gives them $5 in cash, and sends $25 in cash home to their people, I think it is not too much to expect them to learn the fundamentals of military science in order that they may, if necessary, do their part in defense of their country.

Mr. HAYDEN. Mr. President, will the Senator yield to me for a question?

Mr. GEORGE. I yield.

Mr. HAYDEN. The boy in the camp has a certain amount of time each day that he can devote to training. If we need Army cooks is it not better for him to learn to be a cook than to have training in close-order drill?

Mr. LEE. The cooks in the Army have to learn to drill.

Mr. GEORGE. Yes; but if they did not learn to do more than to drill we would have a poorly fed Army, I submit to the Senator.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. LUCAS. I should like to call attention of the Senator to the language in the amendment, as follows:

> Such subjects may include, but are not restricted to, cooking, baking, first aid to the injured, operation and maintenance of motor vehicles, road and bridge construction and maintenance, photography, signal communications, and other matters incident to the successful conduct of military and naval activities:

I should like to know whether evidence was adduced before the committee to the effect that there were available in the C. C. C. camps all the necessary expert and technical men to train the boys in the type of noncombatant service referred to. It strikes me that there is much merit in what the Senator from Georgia says, for the reason that, as we know, every C. C. C. camp has at least one military man in it who understands military discipline, and close-order drill, and a few of the fundamentals of military training. Certainly he can do that work. But I wonder where all the experts are coming from to train the boys in noncombatant service. We have the experts to train them in close-order drill.

Mr. GEORGE. Mr. President, in order to meet the objections which the country will regard as somewhat captious, when all the facts are considered, particularly in view of the fact that we are straining and striving and taxing the country to provide for immediate urgent national defense, I am going to put it on the voluntary basis.

Mr. President, I suggest—and I apologize almost to the young men in the C. C. C. camps when I do it, because they are as fine young men as we have in this country—that after the words "within the Civilian Conservation Corps" there be added the words—

> Voluntary elementary military training and—

Such other training as the committee has already recommended.

Mr. President, I do not see how anyone who wants to do anything for national defense, unless he is opposed to military training in any school or organization for which the Government is responsible, can object to that amendment. The training would be purely voluntary. It would be entirely within the discretion of the President whether it should be provided. It would be under such regulations as he may prescribe. No one in a camp now, or who may come into a camp, need take the elementary military training unless he wants to do so.

RELIEF OF CITY OF LEAVENWORTH, KANS.—VETO MESSAGE (S. DOC. NO. 206)

The PRESIDING OFFICER (Mr. ELLENDER in the chair) laid before the Senate the following message from the President of the United States, which was read, and, with the

accompanying bill, referred to the Committee on Claims and ordered to be printed:

To the Senate:

I return herewith, without my approval, S. 1289, a bill authorizing payment of the sum of $14,000 to the city of Leavenworth, Kans., representing the cost of constructing a new intake and sewer extension made necessary by the diversion of the water of the Missouri River from the old intake in connection with the Federal improvement of the river for the benefit of navigation.

These necessary navigation improvements were prosecuted under acts of Congress, and in accordance with a long-settled principle that it is the duty of the Government to preserve and protect the navigability of our navigable waters and that the cost of altering non-Federal structures that obstruct navigation shall be borne by the person, association, corporation, or other body responsible for the structure and not by the Federal Government. Not only is there no legal basis for this claim (as shown in the reports of the War Department to the committees of Congress), but there are, moreover, no other considerations to my mind that would justify this proposed exception to the general rule and thus grant in this case benefits not granted in other cases.

I feel obliged to maintain this general principle with respect to navigation improvements, by withholding approval of this bill, just as I have, for the same reason, withheld approval of H. R. 9381 which would have required the Federal Government to bear the cost of altering bridges over navigable waters.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *June 11, 1940.*

EBERHART STEEL PRODUCTS CO., INC.—VETO MESSAGE (S. DOC. NO. 207)

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which was read and, with the accompanying bill, referred to the Committee on Claims and ordered to be printed:

To the Senate:

I return herewith, without my approval, S. 3789, Seventy-sixth Congress, third session, entitled "An act for the relief of the Eberhart Steel Products Co., Inc."

This enactment would authorize the Court of Claims again to hear and determine and render judgment upon the claims of the Eberhart Steel Products Co., Inc., of Buffalo, N. Y., against the United States growing out of 43 certain contracts, notwithstanding the statute of limitations and without regard to any settlement, adjustment, or termination agreement heretofore made.

On November 22, 1921, disputes having arisen between the Government and the claimant under the contracts referred to, the claimant filed suit in the Court of Claims under these same 43 contracts, the claims covered by the present enactment being included in the suit. During the pendency of that action the claimant and the War Department composed and compromised their differences and on January 24, 1922, entered into a termination agreement under which the 43 contracts were terminated and rescinded by mutual agreement, the Government agreeing to pay and the claimant agreeing to accept the sum of $378,743.05, in addition to payments theretofore made by the Government, in full and final settlement, which sum was duly paid, whereupon the claimant made the following motion in the Court of Claims:

> Comes now the claimant in the above-entitled cause, by its attorneys, and moves that the cause be dismissed, for the reason that the claim on which the above cause was based has been fully adjusted and settled between the claimant and the United States.

On February 20, 1922, this motion was allowed by the court and the case was dismissed.

Thereafter, on February 5, 1924, the Eberhart Steel Products Co., Inc., brought suit in the Court of Claims for $543,897.07, for damages claimed under the identical 43 contracts, notwithstanding the fact that the claimant by the termination agreement referred to above had released the United States from any and all claims arising out of these contracts, and had been paid and had accepted as a compromise in full the sum of $378,743.05. In its decision of June 1, 1925, the court dismissed the suit saying in pertinent part:

> The plaintiff voluntarily entered into the termination contract of January 24, 1922, and it accepted the amount provided in that contract as full settlement and payment of all demands which it had against the United States arising out of the 43 contracts for materials to be supplied to the United States. At the time it entered into this termination contract the plaintiff had pending in this court a suit against the United States for the materials manufactured. After the payment to it of the sum of $378,743.05, it, if its own motion, made a motion to dismiss that suit, stating in the motion that the reason for it was that the claim on which the cause was based "has been fully adjusted and settled between the claimant and the United States."
>
> About 2 years after this settlement was made the plaintiff brings this action, setting up therein the same cause of action, and suing for the manufacture of materials which it sued for in the case which was dismissed on its own motion, and which are in part the subject matter of the termination contract. When parties adjust their controversies in their own way, execute the contract of adjustment, and receive the benefits of it this court will not undertake to set aside such a contract.

I agree with the views thus expressed by the Court of Claims. The termination agreement appears to be entirely valid, made with full knowledge of all the facts, and serves effectively to extinguish any claim against the contractor and consequently against the United States. The settlement was made while the claimant was seeking a judicial ascertainment of its claims and the Government witnesses were available to defend. Instead of proceeding with its litigation, it elected to fully settle its claims. The granting of additional relief to a claimant who, after accepting an amount paid in good faith by the Government in full satisfaction of an obligation, attempts to retain the benefits thus obtained by the agreement, but to ignore its own commitments thereunder would, in my judgment, be entirely unjustified and would establish an unwholesome precedent. Furthermore, the Government would be placed at a tremendous disadvantage when it is considered that 19 years have elapsed during which witnesses may be no longer available and memories may not be clear as to minutiae of transactions. Fair business dealing and sound Government administration demand that such compromise agreements put an end to the obligations of the Government as well as those of the contractor.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *June 11, 1940.*

APPROPRIATIONS FOR WORK RELIEF AND RELIEF

The Senate resumed the consideration of the joint resolution (H. J. Res. 544) making appropriations for work relief and relief.

Mr. BYRNES. Mr. President, I think there can be no question that if the Congress should desire to inaugurate a compulsory military training for all young men, a question would be presented which would require the serious consideration of the Senate at this time. Congress has not done that. No proposal is pending at this time to do it. The question is, To what extend shall we use an existing organization to assist in providing skilled workers which the Army would need in time of war?

We must remember the purpose of this organization, to provide companies of men, 200 to a company, to work in the forests, on soil-conservation projects, or on reclamation projects. They are required to work from 8 o'clock in the morning until 4 o'clock in the afternoon. The question is, What shall we require of those men after they leave work at 4 o'clock in the afternoon? The Army has given consideration to that question.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. BYRNES. I yield.

Mr. GEORGE. I ask the Senator if he does not think that under this language the President could provide that service training, either elementary military training or noncombatant training, should be counted as part of the work. The men could be given credit for the hours they put in. Cer-

tainly so, because the Senator's own committee has provided that the President shall have the discretion and may put the program into effect under such regulations as he wishes.

Mr. BYRNES. Mr. President, I agree that under the language, the regulations approved by the President could lessen the hours of work of the enrollees; but when that is done there must come to our minds some of the thoughts which caused the Army to reach the conclusion it has reached with reference to this matter. We may say that the Army is not in a position to know anything about it; but certainly the Chief of Staff of the Army at this time is in a better position than any other man I know of to give intelligent advice as to the best way to use this organization. For years he has been in charge of it. He stated to the committee that he was in charge of a district or area out West. In the South he was in charge of a large district, and I assume visited more camps than any other man connected with the C. C. C. He has been in charge of the activity. If Senators will read his statement they will see how reasonable is the conclusion which he reached as to the wise solution of this question.

The situation is unique. The Army is in charge of the enrollees at lunch. The Army is in charge of the enrollees after 4 o'clock until the next morning at 8 o'clock. After that time they are in charge of forestry or reclamation officials or the sponsor of the individual project.

So far as discipline goes, the Army is responsible for discipline after 4 o'clock. In addition, a voluntary arrangement for education is provided. Eighty-five percent of the boys take advantage of it. Fifteen percent do not. General Marshall stated to us that in his opinion it would be preferable if the Army were not required to train these men with weapons. I can see his position. He convinced me of the correctness of it. If we put the men on a forestry project, I care not what work we assign to them there; at 4 o'clock, or 3 o'clock, when they come back to camp from the project, 5 or 10 miles away, they are brought to headquarters. The Army officials say that if we want to help those in charge of national defense at this time we should let the Army train the boys in the skills needed by the Army. They say they need them not with weapons in their hands, but with mechanical tools, to enable them to knock down a truck and rebuild it, or to drive a truck. The Army needs photographers. Today it has no photographers, to speak of. If the Army were called upon today it could not obtain enough photographers. It could not obtain them from the schools where we are giving the training which we are discussing. It can obtain boys who have had certain elementary training, but not boys who have had elementary training as photographers, radio operators, and in all the other skills for which the Army is now begging.

I do not profess to be an expert. I know that on every corner and in every drawing room we are all the same. The war abroad has made us discuss military strategy, and what is best to do. When those to whom we must look for the defense of the Nation tell us what they want, I listen seriously to what they have to say. I do not surrender to the Chief of Staff the power to make the policy of the Congress, but when I come to determine the policy of the Congress I am willing to ask the man who is in charge of our defense, "What do you need most?" If he says, "We need this, and that" at this time, I will listen to what he says and not set up my judgment against that of those in charge of the defense of the country.

Mr. BROWN. Mr. President, will the Senator yield?

Mr. BYRNES. I yield.

Mr. BROWN. As I understand, between two million and three million men have gone through the C. C. C. camps. The great need of the Army is for private soldiers. Certainly we do not want between two million and three million cooks or photographers in the Army. It seems to me that what we need substantially is men who can carry guns as private soldiers.

Mr. BYRNES. The Senator may be better informed about the condition of the Army than is the Chief of Staff. Certainly I am not. I am conveying to the Senate the opinion of those who are in charge, and who know upon what sources they can draw.

What is the situation, from a practical standpoint, which causes the Army to reach that conclusion? The Army officials say that the young men coming in at 2 or 3 o'clock in the afternoon—if we want them to spend only 6 hours on a forestry project—have certain tools. Their work is of a certain character. The Army wants to train these men, not to make 2,000,000 cooks. The Senator does not mean that. He knows that the Army would not do that, because that is not practical. The Army wants to train 2,000,000 mechanics, photographers, radio operators, and engineers. The greater part of them would be trained for engineering outfits.

How long did it take us to get those 2,000,000 men? Since 1933. At the end of 5 years we may have another 2,000,000. According to the plan there would not be 2,000,000 cooks, but 2,000,000 engineers, assistants, and mechanics.

But if we do not do it, what do we ask of the Army? We ask of the Army that when the young men come in they must then be put to work doing what the Army says is needed. What is needed is to train one man as a mechanic, to train another man in radio, to train another man in engineering, to train another man in cooking, and another as a photographer. If their regular work stops at from 3 to 3:30, if we are to do anything with them, how can we do it without sending experts there?

This will cost $5,000,000, for what? For technical instructors to send to the camps to do the things that the Army wants. When we pay $5,000,000 for the purpose, and get the technical instructors, and bring them to the camps to train the men after they get back from their day's work in the forests, when are we going to start to drill them? Are we to have three different kinds of training in a single camp for young men?

Even though they may be in need and out of employment, we ought to be somewhat reasonable about the matter. We should not say, "Yes; in a great project which has commanded the respect of the American people, we ask you into these camps. We give you $5 a month for your own use; but if you come in here, we tell you that when you get back from training as an engineer or a cook or a photographer or a mechanic, we will make you drill for the rest of the time." That would not be reasonable.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. BYRNES. I yield to the Senator from Georgia.

Mr. GEORGE. That is not contemplated under my amendment. They may voluntarily take elementary military training or the other training, if they wish to. It is entirely voluntary.

Mr. BYRNES. I was going to reach that subject.

The young men get back from their work, 200 men to the company. Some men say, as they would say, "I want to learn to be a mechanic. When I am out of this camp I want to be a skilled worker in order to be able to get a job somewhere"; and the country needs skilled workers today. "I want to be a mechanic, an engineer, a photographer." Seventy-five men say, "I want to be a soldier. I want to carry a gun." We shall have to provide them with Army officers and technical men if we allow them to train.

That is the practical reason which the Chief of Staff gives—that so far as they are concerned, he hopes we will not put upon them the necessity of having two kinds of training.

What could we do toward training some of the men in these companies in these technical things unless we should provide the machines, the machine tools? They must be provided. That is what we shall have to spend money for. Our difficulty is to get typical teachers of this kind, men who will go into the camps. We cannot get them overnight. I ask where the Army will go for them. They will have to be taken from the high schools. Men who have been teaching in vocational-education schools must be taken in. It is no easy task to get them. Only a certain number of men from the Army can be used for the purpose; but when we do that we have given the Army a great task.

Must we send such teachers to the camps? We must if we say that the boys have a right to volunteer. Some may volunteer to be drilled. Then we shall have to provide a drill ground; we shall have to provide something in the nature of an armory for their guns, their equipment; and we shall have to keep a man there to train them, and train them only in the afternoon. At this time the Army wants something more than that. The Army deliberately is planning, and as a result of its planning an estimate is to be submitted to the Congress, as I said a few moments ago, within the next 48 hours—and I think it will be submitted tomorrow—to provide for this training in what the Army believes is a wiser way.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. BYRNES. I yield to the Senator from Tennessee.

Mr. McKELLAR. The Senator will recall that after the Senator from Georgia had offered his amendment in the subcommittee, this whole question was very thoroughly gone over by all the members of the committee. I think everyone took part in the discussion; and, as I recall, the subcommittee was unanimous in its report to the full committee that this particular provision as reported out should be adopted. Then when the bill came to the full committee, when everyone was there on both sides of the aisle, so to speak—the Republicans and Democrats—and all considered it, it was the unanimous opinion of the committee, with no dissent, that the bill should be reported without a provision for military training; and that was done.

Mr. BYRNES. It was.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. BYRNES. I yield to the Senator from Illinois.

Mr. LUCAS. A moment ago, when I asked a question of the Senator from Georgia, I was under the impression, from reading section 38, that it was necessary for men in the Army only to go into these camps and undergo this noncombatant training; but I take it I am wrong in that conclusion, in view of what the Senator has just said. As I understand from the Senator's last remark, it is contemplated by the Government to go out into civilian life and obtain technical men and experts in order to train these noncombatants in the various types of service described in the bill.

Mr. BYRNES. That is absolutely correct, because if we are going to do it we shall have to do it properly. We shall have to send the best men in the service, if they can be had, some competent instructors from some of the few training camps. If they cannot be had, then from the best available sources instructors will have to be brought to the camps to make these boys proficient in these skills.

Mr. GEORGE. Mr. President——

Mr. BYRNES. I yield to the Senator from Georgia.

Mr. GEORGE. May I ask the Senator from South Carolina if we are to dispense with all military men at these camps?

Mr. BYRNES. No.

Mr. GEORGE. Then I submit that the Senator is engaging in an unfair kind of an argument, because the Senator from Illinois [Mr. LUCAS] said he was under the impression that there would be Army men in the camps. What are we to do with Army men in the camps?

We are now taking a number of persons out of civilian life to give them another form of training, and I am simply saying that they may voluntarily have military training. The officers are there, and it is not going to cost any more.

I think I understand General Marshall's position. I did not hear a bit of his testimony, but undoubtedly he wants to do the job in his own way, and that is all right when it comes to the Army; but here is a large group of young men who are being enrolled by the Government and being cared for by the Government with the finest opportunity on earth to give them a little military training if they voluntarily request it. Some of them will want it, and some of them will want the other kind of training. I do not see why the Army should have anything to do with this matter. They did not originate the C. C. C. camps. That is not a part of their particular job, and I think we have something to say about it.

Mr. BYRNES. Of course the Army did not originate the C. C. C. camps, and we certainly have something to say about it; but if we are planning to change the training provided by the Congress in these camps to a different kind of training for the purpose of helping the Army, it would be the most natural thing for us to ask the Army how we can best accomplish what they want; and I do not know anybody better qualified to go to than the Chief of Staff to ascertain how we can best help the Army, if any kind of military training is to be introduced into the camps.

Mr. MILLER. Mr. President, may I ask the Senator a question?

Mr. BYRNES. I yield to the Senator from Arkansas.

Mr. MILLER. Under the set-up now, the Army is housekeeper for the C. C. C. As the Senator pointed out, there are approximately 200 men in each camp.

Mr. BYRNES. Yes.

Mr. MILLER. It is contemplated that there shall be classes in cooking, and in mechanics, and in various vocations.

Mr. BYRNES. That is correct.

Mr. MILLER. It occurs to me that it would be difficult, if a company of 200 men were split up into so many divisions, because it would be necessary to have so many teachers and so many different instructors, if we permitted purely voluntary selection of the subjects by the enrollees themselves. It seems to me that the average class should be composed of probably fifty or sixty or a hundred men, depending upon the nature of the subject taught. How will we handle it if we let 10 boys select one subject, ten another subject, twenty another, and fifty another? Did the committee take that into consideration?

Mr. BYRNES. If the Senator will look at the testimony of Mr. McEntee, immediately following page 200, he will find that that subject was discussed. The Army officers and the official of the C. C. C. camps have already begun to make plans for this training. They called attention to the very point the Senator from Arkansas has made, that some men would not qualify for certain kinds of training, as cooks, or as engineers; and there cannot be just one instructor for a camp. When there are 200 men, there must necessarily be different trades for which certain men would be fitted, and that is where the expense comes in.

I do not think it is an unfair argument merely to repeat what the Army officials said, that they still are going to be in charge of the camps, but when they cannot find in the Army an instructor in photography, for instance, they are going out to get one. It has been illustrated to us that when it comes to that one art, we are greatly lacking in trained men. Other armies look ahead in that regard and have photographers. If they are needed when a draft comes, they can put their hands on them under the universal-service law. We cannot, because we do not have enough young men in the country trained along that line. This would provide for that particular service.

Mr. BONE. Mr. President, will the Senator yield?

Mr. BYRNES. I yield.

Mr. BONE. As I read the language of the section, I was led to make some such inquiry as that suggested by the Senator from Arkansas [Mr. MILLER]. It has to do purely with the operation of the camps. Suppose that five men in a camp wanted to study photography, which is a very vital thing in military operations. That is a pretty small number of men for whom to require the hiring of a special instructor. Has the idea been considered of trying to concentrate in one camp students who want to take one course, instead of having thirty or forty instructors, to put those men, as nearly as possible, in one camp? I realize that might interfere with the C. C. C. operations, and I have not any ready answer to the question, but I was wondering whether that had been considered.

Mr. BYRNES. It has been considered by the C. C. C. officials who have in mind just the thought the Senator has.

Because I sincerely believe that the Army is right, I offered this amendment in the committee, and am advocating it here now. It does not mean that we are not going to give the men

any training in the use of weapons. The Army believes that that, however, should be done in a camp like the C. M. T. C., where they can do what many Members of the Senate want them to do—take men into camp under military discipline, have them volunteer, where they have nothing to do with forestry, are not working upon conservation projects, or reclamation projects, but are there for military training—and this summer they should have it. Instead of having 30,000, we want more than 100,000. Because it is to be training, those camps must be provided with all of the equipment necessary for such training. It will cost something; it should cost something. But it is not a wise thing to take a camp that is established, and which we say we are still going to keep for the projects under the C. C. C. law, and then provide that the men shall be required to take this noncombatant service and training with weapons. It is not necessary to do it if we carry out the training program the administration is going to ask the Congress to authorize.

Mr. BONE. Is this service training to be given after the regular tour of duty in the woods, or on conservation work?

Mr. BYRNES. Wherever they are, they must be brought back to the camp.

Mr. BONE. After they are back from their tour of duty, they are then taken into the classes and given this training?

Mr. BYRNES. That is correct.

Mr. BROWN. Mr. President, the Senator used the word "required." In the first place, under section 38 the entire matter is discretionary with the President, and that means discretionary with the Army. The statute would read, "Notwithstanding the provisions of any other law, the President is authorized, in his discretion," and so forth. The Army does not need to do it. We merely supply statutory authority for this training if the President—and that means the Army—thinks it should be had.

In the second place, I think the Senator is wrong in using the word "required" because the Senator from Georgia adopted the suggestion made by me and the Senator from Connecticut, that the matter be made voluntary.

Mr. BYRNES. The Senator misunderstood me.

Mr. BROWN. No enrollee needs to do this unless he wants to do it.

Mr. BYRNES. I know the Senator misunderstood me entirely, or I made a mistake in making my statement. What I meant to say was that under this provision, once the President approved these regulations, then the men in the camp would be required to take the training.

Mr. BROWN. No; the Senator from Georgia added an amendment to his original provision. A man might be required to undertake the training which is prescribed in the original committee amendment.

Mr. BYRNES. And that is all I am talking about. As I have said, there was a misunderstanding between us. All I am talking about is the committee amendment, and what was provided by that, and the purpose of it, that once the regulations have been agreed to, then a man who comes in is required to take the training provided under the regulations.

Mr. BROWN. Of course, that does not apply to the George amendment.

Mr. BYRNES. I am not talking about that at all. A man would be required to take that training. Some question was raised about what he could do. If he does not take the training, he can walk out; but if he stays in, then he has to take it. That is what it means.

As originally introduced, a provision was included along the line suggested by the Senator from Connecticut. The members of the committee called my attention to the fact, and I agreed it was correct, that under the language, once the President issued the regulation which required a man to take the training, and he did not take it, he could go out. He does not have to stay in; but if he stays, he has to take the training. That is the situation insofar as the requirement is concerned.

Mr. President, I believe that in this matter we should take the advice of the Army as to how we can best serve the Army, not the C. C. C. camps, and if we want to serve them, we know that by reason of their study they would be advised as to what was best, and if the Army say what is strange from an Army standpoint, that they are satisfied to have training of this character, instead of giving the men training in the use of weapons, I am willing to go a long way in believing that that is an unprejudiced statement on the part of the Army, because they must know what they need better than I do.

Mr. CONNALLY. Mr. President, let me inquire of the Senator from South Carolina whether he wants to have this item disposed of tonight.

Mr. BYRNES. So far as I am concerned, I do not insist on that.

Mr. BARKLEY. I had hoped we might dispose of it this evening, but I am informed that other Senators desire to discuss it.

Mr. GEORGE. I intend to discuss it.

Mr. CONNALLY. I desire to discuss it.

Mr. BARKLEY. Then we might as well suspend at this point.

Mr. CONNALLY. May it be understood that I have the floor when the Senate takes a recess?

The PRESIDING OFFICER. The RECORD will so show.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. ELLENDER in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters on the calendar.

Mr. McKELLAR. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

IN THE MARINE CORPS

The legislative clerk proceeded to read sundry nominations in the Marine Corps.

The PRESIDING OFFICER. Without objection, the nominations in the Marine Corps are confirmed en bloc.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 22 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, June 12, 1940, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate June 11 (legislative day of May 28), 1940

JUDGES OF THE UNITED STATES CUSTOMS COURT

Webster J. Oliver, of New York, to be judge of the United States Customs Court, to fill an existing vacancy.

Thomas J. Walker, of Montana, to be judge of the United States Customs Court, to fill an existing vacancy.

UNITED STATES DISTRICT JUDGES

Benjamin Harrison, of California, to be United States district judge for the Southern District of California, to fill a new position.

Curtis L. Waller, of Florida, to be United States district judge for the Northern and Southern Districts of Florida, to fill an existing vacancy.

J. Cullen Ganey, of Pennsylvania, to be United States district judge for the Eastern District of Pennsylvania, to fill a new position.

UNITED STATES ATTORNEYS

John C. Lehr, of Michigan, to be United States attorney for the Eastern District of Michigan. Mr. Lehr is now serving in this office under an appointment which expires June 20, 1940.

Steve M. King, of Texas, to be United States attorney for the Eastern District of Texas. He is now serving in this office under an appointment which expires June 16, 1940.

UNITED STATES MARSHALS

Jordan B. Royall, of Florida, to be United States marshal for the Northern District of Florida, vice E. Marvin Sessoms, deceased.

Otto F. Heine, of Hawaii, to be United States marshal for the District of Hawaii. Mr. Heine is now serving in this post under an appointmant which expires June 18, 1940.

Frank C. Blackford, of New York, to be United States marshal for the Western District of New York. Mr. Blackford is now serving in this post under an appointment which expires June 20, 1940.

COAST GUARD OF THE UNITED STATES

Arthur E. Larsen to be a chief boatswain from date of oath.

Harry F. Bradley to be a chief machinist from date of oath.

POSTMASTERS

ALABAMA

William A. Coleman to be postmaster at Samson, Ala., in place of W. A. Coleman. Incumbent's commission expired January 23, 1940.

ARIZONA

George T. Stevens to be postmaster at Winslow, Ariz., in place of G. T. Stevens. Incumbent's commission expired June 1, 1940.

ARKANSAS

Esmond L. Williams to be postmaster at Bentonville, Ark., in place of David Compton. Incumbent's commission expired June 8, 1940.

Howard R. Nabors to be postmaster at Chidester, Ark., in place of H. R. Nabors. Incumbent's commission expires July 1, 1940.

CALIFORNIA

Aubrey C. Bieber to be postmaster at Bieber, Calif., in place of T. J. Durfee, retired.

Earle Heath Stanley to be postmaster at Cedarville, Calif., in place of E. H. Stanley. Incumbent's commission expired May 19, 1940.

Eunice Conners to be postmaster at Chester, Calif. Office became Presidential July 1, 1938.

Lillie Evadell Chapman to be postmaster at Gerber, Calif., in place of L. E. Chapman. Incumbent's commission expired April 25, 1940.

James Clyde Strouss to be postmaster at Mill Valley, Calif., in place of J. C. Strouss. Incumbent's commission expires June 17, 1940.

Earl D. Cline to be postmaster at Northridge, Calif., in place of E. D. Cline. Incumbent's commission expired March 25, 1940.

Vera Wettlin to be postmaster at Orange, Calif., in place of Vera Wettlin. Incumbent's commission expired January 23, 1940.

Lois L. Berry to be postmaster at Shafter, Calif., in place of L. L. Berry. Incumbent's commission expired February 9, 1939.

Jennie Root to be postmaster at Waterford, Calif., in place of Jennie Root. Incumbent's commission expired June 18, 1940.

COLORADO

John Bowman to be postmaster at Aspen, Colo., in place of John Bowman. Incumbent's commission expired April 27, 1940.

FLORIDA

Cora R. Williams to be postmaster at Cottondale, Fla., in place of W. T. Graves, retired.

Faltha Huie to be postmaster at Haines City, Fla., in place of Faltha Huie. Incumbent's commission expired June 19, 1939.

HAWAII

Antone Fernandez to be postmaster at Kekaha, Hawaii, in place of Antone Fernandez. Incumbent's commission expired February 14, 1940.

Antone F. Cravalho to be postmaster at Paia, Hawaii, in place of A. F. Cravalho. Incumbent's commission expired April 27, 1940.

Virginia S. Mathias to be postmaster at Waiakoa, Hawaii, in place of V. S. Mathias. Incumbent's commission expired February 5, 1940.

IDAHO

Henry S. Detmer to be postmaster at Orofino, Idaho, in place of H. S. Detmer. Incumbent's commission expires June 25, 1940.

ILLINOIS

Pearl Barnes to be postmaster at De Land, Ill., in place of Pearl Barnes. Incumbent's commission expires June 18, 1940.

Lowell H. Karraker to be postmaster at Dongola, Ill., in place of I. D. Hogue. Incumbent's commission expired May 31, 1938.

Luella Kriete to be postmaster at Kenilworth, Ill., in place of L. H. Ullrich. Incumbent's commission expired June 27, 1939.

Harry O. Johnson to be postmaster at White Hall, Ill., in place of H. O. Johnson. Incumbent's commission expired March 11, 1940.

INDIANA

William A. Maggert to be postmaster at Kendallville, Ind., in place of W. A. Maggert. Incumbent's commission expires June 20, 1940.

Orith A. Imhof to be postmaster at Porter, Ind., in place of O. A. Imhof. Incumbent's commission expires July 1, 1940.

Fred B. Pickett to be postmaster at Richmond, Ind., in place of F. B. Pickett. Incumbent's commission expired June 8, 1940.

IOWA

Ernest E. Carlson to be postmaster at Battle Creek, Iowa, in place of E. E. Carlson. Incumbent's commission expired April 2, 1938.

T. Matthew Conway to be postmaster at Creston, Iowa, in place of J. M. McCoy, removed.

Loren L. Maher to be postmaster at Gilmore City, Iowa, in place of L. L. Maher. Incumbent's commission expired June 10, 1940.

Hugo O. Micheel to be postmaster at Holstein, Iowa, in place of H. O. Micheel. Incumbent's commission expires June 17, 1940.

Roy E. Ferguson to be postmaster at Lake View, Iowa, in place of R. E. Ferguson. Incumbent's commission expired August 26, 1939.

John P. Delaney to be postmaster at Marcus, Iowa, in place of J. P. Delaney. Incumbent's commission expired May 13, 1940.

Mary M. Hollingsworth to be postmaster at Marion, Iowa, in place of M. M. Hollingsworth. Incumbent's commission expires June 20, 1940.

Irvin W. Machamer to be postmaster at Merrill, Iowa, in place of I. W. Machamer. Incumbent's commission expired May 19, 1940.

Ruth M. Pedersen to be postmaster at Pierson, Iowa, in place of R. M. Pedersen. Incumbent's commission expired June 1, 1940.

Amber Bailey to be postmaster at Royal, Iowa, in place of Amber Bailey. Incumbent's commission expired June 1, 1940.

Isaac Hoeven to be postmaster at Sioux Center, Iowa, in place of Izaac Hoeven. Incumbent's commission expired May 29, 1939.

Edwin A. Howe to be postmaster at Webb, Iowa, in place of E. A. Howe. Incumbent's commission expired August 26, 1939.

KANSAS

Clarence H. Kessler to be postmaster at Altamont, Kans., in place of J. G. Christy. Incumbent's commission expired April 24, 1940.

Frederick J. Donovan to be postmaster at Atchison, Kans., in place of E. W. Emery. Incumbent's commission expired February 28, 1938.

Anna L. Miller to be postmaster at Bushton, Kans., in place of A. L. Miller. Incumbent's commission expired April 25, 1940.

John T. Dowd to be postmaster at St. Paul, Kans., in place of J. T. Dowd. Incumbent's commission expired June 10, 1940.

KENTUCKY

Edna H. Smith to be postmaster at Blue Diamond, Ky., in place of G. A. Buckner. Incumbent's commission expires July 1, 1940.

Harold W. Sublett to be postmaster at Bowling Green, Ky., in place of R. A. Logan. Incumbent's commission expired January 23, 1940.

Joseph B. Ellington to be postmaster at Nortonville, Ky., in place of J. B. Ellington. Incumbent's commission expired March 10, 1940.

LOUISIANA

Edward C. Marquette to be postmaster at Napoleonville, La., in place of T. P. Talbot, deceased.

Zollie J. Meadows to be postmaster at Ruston, La., in place of Z. J. Meadows. Incumbent's commission expired June 14, 1938.

Samuel A. Fairchild to be postmaster at Vinton, La., in place of S. A. Fairchild. Incumbent's commission expired April 5, 1940.

MAINE

Wade P. Clifton to be postmaster at Greenville Junction, Maine, in place of W. P. Clifton. Incumbent's commission expired April 21, 1940.

MICHIGAN

Clare C. Hollister to be postmaster at Bronson, Mich., in place of W. P. Mowry, resigned.

Ralph Edward Peterson to be postmaster at Frankfort, Mich., in place of R. E. Peterson. Incumbent's commission expired April 21, 1940.

Roland J. Boudreau to be postmaster at Garden, Mich., in place of R. J. Boudreau. Incumbent's commission expires July 1, 1940.

Gordon M. Gould to be postmaster at Lawrence, Mich., in place of G. M. Gould. Incumbent's commission expires June 17, 1940.

Charles S. Clark, Jr., to be postmaster at St. Johns, Mich., in place of C. S. Clark, Jr. Incumbent's commission expires June 25, 1940.

MINNESOTA

James J. Daly to be postmaster at Frazee, Minn., in place of J. J. Daly. Incumbent's commission expired March 19, 1940.

Frances A. Lamb to be postmaster at Moorhead, Minn., in place of F. A. Lamb. Incumbent's commission expired August 26, 1939.

Thomas G. Schaefer to be postmaster at Sauk Rapids, Minn., in place of T. G. Schaefer. Incumbent's commission expired March 19, 1940.

William Henry Roemer to be postmaster at Storden, Minn., in place of C. H. Ruhberg, deceased.

Josephine D. Smith to be postmaster at Wayzata, Minn., in place of J. D. Smith. Incumbent's commission expired February 5, 1940.

MISSOURI

Georgia A. Brammer to be postmaster at Buckner, Mo., in place of G. A. Brammer. Incumbent's commission expired May 20, 1940.

Mae Creach to be postmaster at Linn Creek, Mo. Office became Presidential July 1, 1939.

Fay R. Webb to be postmaster at Miller, Mo., in place of F. R. Webb. Incumbent's commission expired April 29, 1940.

Dora H. Weber to be postmaster at Tipton, Mo., in place of D. H. Weber. Incumbent's commission expired March 28, 1940.

MONTANA

Mahlon J. Lechner to be postmaster at Winifred, Mont., in place of C. O. Haun, removed.

NEBRASKA

Justin Clay Douthitt to be postmaster at Beatrice, Nebr., in place of J. C. Douthitt. Incumbent's commission expires June 19, 1940.

Mary L. Simmons to be postmaster at Bloomfield, Nebr., in place of M. L. Simmons. Incumbent's commission expired March 12, 1940.

Magnus P. Hemmingsen to be postmaster at Marquette, Nebr., in place of M. P. Hemmingsen. Incumbent's commission expired June 1, 1940.

Charles Hugh Miner to be postmaster at Red Cloud, Nebr., in place of C. H. Miner. Incumbent's commission expired April 25, 1940.

Mary B. Farrell to be postmaster at Schuyler, Nebr., in place of M. B. Farrell. Incumbent's commission expires June 17, 1940.

Sterling E. Tabor to be postmaster at Superior, Nebr., in place of S. E. Tabor. Incumbent's commission expires June 19, 1940.

NEW HAMPSHIRE

Harriet O. Harriman to be postmaster at Jackson, N. H., in place of H. O. Harriman. Incumbent's commission expired April 1, 1940.

Albert F. Priest to be postmaster at Newmarket, N. H., in place of A. F. Priest. Incumbent's commission expired April 29, 1940.

NEW JERSEY

Raymond W. McGreevey to be postmaster at Manasquan, N. J., in place of R. W. McGreevey. Incumbent's commission expired April 30, 1940.

Charles V. L. Booream to be postmaster at Milltown, N. J., in place of C. V. L. Booream. Incumbent's commission expired May 21, 1940.

Charles A. Hildebrand to be postmaster at Ridgefield, N. J., in place of C. A. Hildebrand. Incumbent's commission expires June 17, 1940.

NEW MEXICO

Andrew W. Hockenhull to be postmaster at Clovis, N. Mex., in place of W. W. Mayes, resigned.

Hazel F. Patton to be postmaster at Maxwell, N. Mex., in place of H. F. Patton. Incumbent's commission expires July 1, 1940.

John A. Foreman to be postmaster at Tatum, N. Mex., in place of J. B. Martin, retired.

NEW YORK

William H. O'Brien, Jr., to be postmaster at Baldwinsville, N. Y., in place of W. H. O'Brien, Jr. Incumbent's commission expires June 16, 1940.

Ray C. Kilmer to be postmaster at Castleton on Hudson, N. Y., in place of R. C. Kilmer. Incumbent's commission expires June 25, 1940.

William L. Divver to be postmaster at Cedarhurst, N. Y., in place of W. L. Divver. Incumbent's commission expires June 20, 1940.

Madeline M. Woods to be postmaster at Diamond Point, N. Y. Office became Presidential July 1, 1939.

Matthias F. McDonald to be postmaster at East Williston, N. Y., in place of M. F. McDonald. Incumbent's commission expires June 20, 1940.

Arthur H. Walsh to be postmaster at Garrison, N. Y., in place of A. H. Walsh. Incumbent's commission expired May 22, 1940.

Marguerite F. Grady to be postmaster at Goldenbridge, N. Y., in place of M. F. Grady. Incumbent's commission expired August 2, 1939.

William C. Sharp to be postmaster at Greenwich, N. Y., in place of W. C. Sharp. Incumbent's commission expired March 23, 1939.

Arthur A. Myers to be postmaster at Lily Dale, N. Y. Office became Presidential July 1, 1939.

Edward D. Connelly to be postmaster at Maybrook, N. Y., in place of E. D. Connelly. Incumbent's commission expires June 25, 1940.

Gertrude F. Tracey to be postmaster at Middleport, N. Y., in place of G. F. Tracey. Incumbent's commission expired May 22, 1940.

Peter J. Blake to be postmaster at New Hartford, N. Y., in place of P. J. Blake. Incumbent's commission expires June 25, 1940.

Mary R. Rattigan to be postmaster at North Creek, N. Y., in place of M. R. Rattigan. Incumbent's commission expired April 2, 1940.

Peter Harris Griffing to be postmaster at Northville, N. Y., in place of H. C. Denton, resigned.

Emma J. Claffey to be postmaster at Port Leyden, N. Y., in place of E. J. Claffey. Incumbent's commission expired May 26, 1940.

Edward H. O'Connor to be postmaster at Sherburne, N. Y., in place of E. H. O'Connor. Incumbent's commission expired May 22, 1940.

Albert Prindle to be postmaster at Shushan, N. Y., in place of Albert Prindle. Incumbent's commission expired February 14, 1940.

Devillo Cobb to be postmaster at Sinclairville, N. Y., in place of Devillo Cobb. Incumbent's commission expired August 21, 1939.

Mildred E. Perry to be postmaster at Wampsville, N. Y., in place of M. E. Perry. Incumbent's commission expired August 27, 1939.

William T. Burns to be postmaster at Whitehall, N. Y., in place of W. T. Burns. Incumbent's commission expired August 2, 1939.

NORTH CAROLINA

John G. Kennedy to be postmaster at Beulaville, N. C., in place of J. G. Kennedy. Incumbent's commission expired May 22, 1940.

Robert A. Watson, Sr., to be postmaster at Jonesboro, N. C., in place of R. A. Watson, Sr. Incumbent's commission expires June 15, 1940.

Parley Potter to be postmaster at Magnolia, N. C., in place of Parley Potter. Incumbent's commission expired August 27, 1939.

Robert L. Mattocks to be postmaster at Maysville, N. C., in place of R. L. Mattocks. Incumbent's commission expired April 24, 1940.

Karl M. Cook to be postmaster at Mount Pleasant, N. C., in place of K. M. Cook. Incumbent's commission expires July 1, 1940.

Lacy F. Clark to be postmaster at Raeford, N. C., in place of L. F. Clark. Incumbent's commission expired May 19, 1940.

James B. Hayes to be postmaster at Rocky Point, N. C., in place of J. B. Hayes. Incumbent's commission expires July 1, 1940.

Murphy Lee Carr to be postmaster at Rosehill, N. C., in place of M. L. Carr. Incumbent's commission expires June 25, 1940.

Lucile L. White to be postmaster at Salemburg, N. C., in place of L. L. White. Incumbent's commission expires June 17, 1940.

Roger Mills Laughridge to be postmaster at Shelby, N. C., in place of F. L. Hoyle, Sr. Incumbent's commission expired January 28, 1940.

Harry E. Smith to be postmaster at Vanceboro, N. C., in place of H. E. Smith. Incumbent's commission expires June 25, 1940.

NORTH DAKOTA

Volrath H. Carlson to be postmaster at Drayton, N. Dak., in place of V. H. Carlson. Incumbent's commission expired May 9, 1940.

Florence R. Makee to be postmaster at Noonan, N. Dak., in place of F. R. Makee. Incumbent's commission expired May 9, 1940.

OHIO

Terrence B. King to be postmaster at Deshler, Ohio, in place of T. B. King. Incumbent's commission expired June 1, 1940.

Marguerite E. Martin to be postmaster at Monroeville, Ohio, in place of M. E. Martin. Incumbent's commission expired June 1, 1940.

Ansel C. Bidlack to be postmaster at Oakwood, Ohio., in place of A. C. Bidlack. Incumbent's commission expired May 20, 1940.

John E. Reichard to be postmaster at Willshire, Ohio, in place of W. G. Hoffer, retired.

OKLAHOMA

Jonathan Frank Ramsey to be postmaster at Ponca City, Okla., in place of Blanche Lucas. Incumbent's commission expired June 18, 1939.

William G. Bunyard to be postmaster at Roff, Okla., in place of W. G. Bunyard. Incumbent's commission expired June 2, 1940.

OREGON

Virginia A. Grubb to be postmaster at Gardiner, Oreg., in place of T. W. Angus, retired.

Lorengil C. Holman to be postmaster at Richland, Oreg., in place of C. W. Perry. Incumbent's commission expires July 1, 1940.

Rosemary Schenck to be postmaster at Toledo, Oreg., in place of Rosemary Schenck. Incumbent's commission expired April 25, 1940.

PENNSYLVANIA

Michael S. Karlitsky to be postmaster at Lyndora, Pa., in place of M. S. Karlitsky. Incumbent's commission expired August 27, 1939.

Cleo W. Callaway to be postmaster at Shawnee on Delaware, Pa., in place of C. W. Callaway. Incumbent's commission expired May 3, 1940.

Oscar F. Sutliffe to be postmaster at Somerset, Pa., in place of O. F. Sutliffe. Incumbent's commission expires July 15, 1940.

Elmer F. Bubbenmoyer to be postmaster at West Hamburg, Pa. Office became Presidential July 1, 1939.

PUERTO RICO

Jose Alejandro Principe to be postmaster at Juncos, P. R., in place of J. A. Principe. Incumbent's commission expires June 20, 1940.

SOUTH CAROLINA

Carrie R. Goodman to be postmaster at Clemson, S. C., in place of C. R. Goodman. Incumbent's commission expired April 12, 1940.

Walter C. Kay to be postmaster at Honea Path, S. C., in place of W. C. Kay. Incumbent's commission expired January 20, 1940.

Thomas V. Derrick to be postmaster at Walhalla, S. C., in place of T. V. Derrick. Incumbent's commission expired January 20, 1940.

George Allard Douglass to be postmaster at Whitmire, S. C., in place of G. A. Douglass. Incumbent's commission expired February 5, 1940.

SOUTH DAKOTA

Alva I. Addy to be postmaster at Dallas, S. Dak., in place of A. I. Addy. Incumbent's commission expires June 16, 1940.

Harry F. Evers to be postmaster at Pukwana, S. Dak., in place of H. F. Evers. Incumbent's commission expires June 16, 1940.

TENNESSEE

Walter E. Nixon to be postmaster at Dayton, Tenn., in place of W. E. Nixon. Incumbent's commission expired April 21, 1940.

Luther P. Speck to be postmaster at Monterey, Tenn., in place of L. P. Speck. Incumbent's commission expired March 28, 1940.

Harmon B. Fox to be postmaster at Obion, Tenn., in place of H. B. Fox. Incumbent's commission expires June 25, 1940.

Riley M. Grills to be postmaster at Trimble, Tenn., in place of R. M. Grills. Incumbent's commission expired June 11, 1940.

John O. Bennett to be postmaster at Troy, Tenn., in place of J. O. Bennett. Incumbent's commission expired May 27, 1940.

TEXAS

Marion L. Garvin, Jr., to be postmaster at Como, Tex., in place of M. L. Garvin, Jr. Incumbent's commission expires July 1, 1940.

James H. McClellan to be postmaster at Gatesville, Tex., in place of J. H. McClellan. Incumbent's commission expired May 19, 1940.

Willard Proctor to be postmaster at Grand Saline, Tex., in place of W. H. Roberson. Incumbent's commission expired August 7, 1939.

Mary Thomason to be postmaster at Nacodoches, Tex., in place of W. E. Thomason, deceased.

James R. Kersey to be postmaster at Ozona, Tex., in place of J. R. Kersey. Incumbent's commission expired January 31, 1940.

UTAH

Marvin L. Nielson to be postmaster at Garland, Utah, in place of M. L. Nielson. Incumbent's commission expired August 22, 1939.

Elliott Larsen to be postmaster at Monroe, Utah, in place of Elliott Larsen. Incumbent's commission expired February 14, 1940.

Ray K. Bohne to be postmaster at Mount Pleasant, Utah, in place of R. K. Bohne. Incumbent's commission expired June 1, 1940.

William Warner Mitchell to be postmaster at Parowan, Utah, in place of W. W. Mitchell. Incumbent's commission expires June 25, 1940.

Pontha Calder to be postmaster at Vernal, Utah, in place of Pontha Calder. Incumbent's commission expired February 14, 1940.

VERMONT

Edward J. Owens to be postmaster at Barre, Vt., in place of E. J. Owens. Incumbent's commission expired March 12, 1940.

Margaret H. Walsh to be postmaster at Concord, Vt., in place of M. H. Walsh. Incumbent's commission expired August 26, 1939.

Robert F. Pierce to be postmaster at Lyndonville, Vt., in place of R. F. Pierce. Incumbent's commission expires June 17, 1940.

Healy J. Bashaw to be postmaster at Stowe, Vt., in place of H. J. Bashaw. Incumbent's commission expires June 25, 1940.

VIRGINIA

Mortimer E. Payne to be postmaster at Sharps, Va., in place of C. M. Wright, retired.

WASHINGTON

Vern V. Edwards to be potsmaster at Greenacres, Wash., in place of I. A. Moore, retired.

WEST VIRGINIA

Roscoe B. Holmes to be postmaster at Raleigh, W. Va., in place of R. B. Holmes. Incumbent's commission expired March 6, 1940.

WISCONSIN

Walter F. Netzel to be postmaster at Crandon, Wis., in place of W. F. Netzel. Incumbent's commission expired May 13, 1940.

John F. Clancy to be postmaster at East Troy, Wis., in place of J. F. Clancy. Incumbent's commission expired Feb. 4, 1940.

James Oliver Luce to be postmaster at Platteville, Wis., in place of J. O. Luce. Incumbent's commission expires June 19, 1940.

Alice M. Clinton to be postmaster at Sullivan, Wis., in place of A. M. Clinton. Incumbent's position expired March 8, 1939.

WYOMING

Hazel E. Moore to be postmaster at Edgerton, Wyo., in place of H. E. Moore. Incumbent's commission expired June 1, 1940.

Nellie P. Hopkins to be postmaster at Rawlins, Wyo., in place of N. P. Hopkins. Incumbent's commission expires June 25, 1940.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 11 (legislative day of May 28), 1940

PROMOTIONS IN THE NAVY

MARINE CORPS

To be colonels

John M. Arthur
James T. Moore

To be majors

William P. Kelly	Thomas C. Perrin
Pierson E. Conradt	Leonard B. Cresswell
John W. Lakso	Thomas J. McQuade
William R. Hughes	Kenneth B. Chappell
Thomas B. White	Arthur W. Ellis
Maxwell H. Mizell	Edwin C. Ferguson
Robert J. Straub	Homer L. Litzenberg, Jr.
Robert O. Bare	Wilburt S. Brown
Raymond A. Anderson	Floyd A. Stephenson
Walter J. Stuart	Samuel S. Ballentine
James H. N. Hudnall	David K. Claude
Alexander W. Kreiser, Jr.	

To be captains

Clyde R. Nelson	Harry W. G. Vadnais
John P. Condon	Lawrence B. Clark
Joseph P. Fuchs	Lehman H. Kleppinger
Bennett G. Powers	John E. Weber

To be first lieutenants

John G. Walsh, Jr.	Robert F. Ruge
Arthur W. Fisher, Jr.	John R. Lirette
Joseph A. Gerath, Jr.	Owen A. Chambers

POSTMASTERS

FLORIDA

Avie L. Hansford, Altha.
Herbert L. Eiland, Baker.
Esther M. Stewart, Graceville.
Clarence L. Ware, St. Andrew.

GEORGIA

Carlos Cleveland Hartley, Alamo.

ILLINOIS

Richard M. Laux, Addison.
Charles E. Olds, Albany.
Henry Harris, Auburn.
William C. Hueckel, Caseyville.
Raymond O. Huffman, Catlin.
George R. Bradley, Chatham.

Elizabeth K. Butler, Crystal Lake.
John T. O'Brien, Harvard.
Margaret Marshall, Ipava.
Oral LaVan Dowse, Kempton.
Mildred M. Conwell, La Harpe.
Marshall P. Kuhne, McNabb.
Helen C. Mowen, Macon.
Eugene Hoerrmann, Manhattan.
Harry L. Roberts, Mulberry Grove.
Bona D. Sutter, Pearl.
Guy George Gillespie, Pocahontas.
Melville B. Carr, Scales Mound.
Carney V. Kerley, Simpson.
John Wacker, Techny.
Dominick J. Giacoma, Westville.

IOWA

Raymond F. Sullivan, Afton.
George O. Smither, Anita.
Orren W. Swartfager, Ankeny.
Charles E. Malone, Atlantic.
William A. Fiester, Brandon.
Anthony N. Huber, Calmar.
Joseph Benesh, Chelsea.
Walter H. Eppens, Colesburg.
Genevieve M. Lattin, Dakota City.
Ora F. Ward, Dallas Center.
Samuel H. Sater, Danville.
Clifford A. Brause, Denver.
Mark R. Doud, Douds.
J. Louis Buss, Dow City.
Kathryn D. Finn, Dumont.
William A. Greenwood, Farley.
Paul E. Morf, Fredericksburg.
Juanita Springer, Fremont.
Mabel J. Arnold, Garden Grove.
Audra R. Howe, Greenfield.
Clesson E. Woodward, Griswold.
Vern U. Waters, Havelock.
Palmer H. Hedges, Hedrick.
Fritz H. Schulte, Kensett.
William E. Lovett, Lake City.
J. B. Wood, Lenox.
Frank W. Baumgardner, Livermore.
Bonar B. Wood, Logan.
Wallace G. Strabala, Lohrville.
Edward J. Rutenbeck, Lowden.
Harold H. Johnson, Mondamin.
Grace Ryan, Neola
William H. Theisen, Palmer.
Viola F. McCartan, Pocahontas.
Verne L. Heskett, Pulaski.
George W. Trowbridge, Stuart.
Linus L. Powers, Vail.
Charles E. Lynch, Waucoma.
Eugene T. Alcorn, West Union.
Ella M. Hames, Williams.

KENTUCKY

Samuel J. Spalding, Lebanon.

LOUISIANA

Frank Reed, Basile.
Frank B. Kennedy, Cameron.
Ruth W. Monroe, Elton.
Rene Tate, Eunice.
Richard Broussard, Iota.
H. Ernest Benefiel, Kenner.
Henry P. Sobert, Labadieville.
Raleigh Leslie Wyble, Melville.
Mark D. Sutherlin, Oberlin.
Hubert A. Duhe, Reserve.
Bertha S. Jarnagin, Rochelle.

MINNESOTA

Charles Mechura, Lonsdale.

MISSISSIPPI

Grant Hamilton, Hollandale.
William W. Armstrong, Leland.
Lucy R. Park, Merigold.
Cornelius V. Thurmond, Mound Bayou.
Della A. Myers, Newhebron.
DeWitt D. McEachern, Ruleville.
Ethel B. Comegys, Scott.
John R. Trimm, Tishomingo.

MISSOURI

Anna Watson, Marceline.

MONTANA

Esther M. Evenson, Broadview.
Orion A. Tellifero, Browning.
Alfred T. James, Cascade.
Lars E. Kodalen, Dodson.
Frank H. McLean, Fairfield.
William C. MacCallum, Geraldine.
Mollie B. Cameron, Martinsdale.
Ralph W. Brown, Missoula.
Phyllis M. Crockford, Sweetgrass.

NEW YORK

Sarah B. Keenan, Hague.
Arthur H. Wart, Sandy Creek.

OKLAHOMA

Marcus L. Jarvis, Arapaho.
John A. King, Asher.
Glenn D. Burns, Dover.
Howard R. Wynn, Fort Towson.
Virgil A. Little, Goodwell.
Charles Williams, Hooker.
Mart R. Sargent, Indiahoma.
Frank R. Hendrickson, Quinton.
Anna Wilcox, Seiling.

UTAH

James W. Nielsen, Castlegate.
Gilbert L. Janson, Cedar City.
Fred H. Jones, Gunnison.
Heber M. Rasband, Heber.
Eugene C. Gibson, Helper.
Alice M. Todd, Myton.

WEST VIRGINIA

John T. Hollandsworth, Jr., Beckley.
Nancy Bethel Martin, Belle.
Price M. Bailey, East Beckley.
Austin H. Elrick, Gormania.
James T. Spahr, Kingwood.
Asa T. Miller, Madison.
Edson Stout, Nutter Fort.
James B. Shrewsbury, Princeton.
Lucien Edward Felty, Rowlesburg.

WISCONSIN

Fred V. Starry, Barneveld.
L. Paul Mundschau, Dousman.
Leonard P. Sheehy, Ettrick.
John C. Kiley, Fond du Lac.
Evelyn Wotruba, Milladore.
John A. Fleissner, Milwaukee.
Leonard W. LaBerge, Stetsonville.
Kyle Sowle, Tomah.

HOUSE OF REPRESENTATIVES

TUESDAY, JUNE 11, 1940

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Lord God of the ages past, upon the faith and hope of the Son of man, who dignified and made sacred honest toil, to Him who lived like a servant and died like a God, we look

for the fulfillment of our longings and aspirations. Grant that the blessing of His Spirit may fall upon the stony griefs that cross the ways of human life. We thank Thee for the spirit of the rugged prophet of old who threw himself into the gap that made up the defense of the land; let it fall like a compelling passion upon our fellow countrymen. In this hour, Lord God, give us great men, brave men, true and dauntless who can never be driven against the wall of tyranny and slavery. Bless and inspire, we beseech Thee, the common man, the bulwark of our national existence, as he rises in his glory from the farm and office, from the mine and factory, to make full and free response to preserve our Republic from the white sepulchers of hidden treachery. Let us hear Thy voice calling "gird thyself" in unselfish devotion against the tragedies of this ongoing world. Oh, may we not grow wearied in this challenging task as we feel the world on an incline which ends in the horrors of a great darkness. We pray that a united citizenship may stand in the gaps making up the hedge for God and our dear homeland. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8913) entitled "An act making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1941, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8026) entitled "An act to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6044) entitled "An act to regulate the number of warrant and commissioned warrant officers in the Marine Corps."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9848) entitled "An act to authorize the construction or acquisition of naval aircraft, the construction of certain public works, and for other purposes."

The message also announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 50. Concurrent resolution rescinding the action of the Speaker in signing Senate Joint Resolution 59, relating to prison-made goods, and authorizing its reenrollment with an amendment.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 2782. An act for the relief of Harold W. Kinderman; and

S. 3813. An act to authorize the presentation of a special gold medal to William Sinnott.

NAVAL AVIATION

Mr. VINSON of Georgia. Mr. Speaker, I call up the conference report on the bill (H. R. 9848) to authorize the construction or acquisition of naval aircraft, the construction of certain public works, and for other purposes, and ask unanimous consent that the statement may be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9848) to authorize the construction or acquisition of naval aircraft, the construction of certain public works, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 6.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17, and agree to the same.

CARL VINSON,
P. H. DREWRY,
MELVIN J. MAAS,
Managers on the part of the House.

DAVID I. WALSH,
MILLARD E. TYDINGS,
FREDERICK HALE,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9848) to authorize the construction or acquisition of naval aircraft, the construction of certain public works, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

On amendment No. 1: This amendment modifies the House language to provide that the lighter-than-air craft authorized shall be of the nonrigid type.

On amendment No. 2: This amendment places a maximum on the number of useful airplanes the Navy may have instead of a minimum, as provided by the House.

On amendment No. 3: This amendment modifies the House language to provide that the lighter-than-air craft authorized shall be of the nonrigid type.

On amendment No. 4: This amendment modifies the House language to provide that the aviation facilities authorized under this item may be anywhere in the Hawaiian Islands instead of being restricted to the island of Oahu.

On amendment No. 5: This amendment modifies House language by authorizing that the Secretary of the Navy may provide for auxiliary air bases in such vicinities as he may deem advisable without requiring consultation with the Secretary of War and the Secretary of State.

On amendment No. 6: This amendment restores the House language and places contractors with a fee contract on the same basis as all other contractors doing business with the United States. It removes the language which states such contractors shall be held to be agents of the United States.

On amendment No. 7: This amendment gives authority to the Secretary of the Navy to continue the employment of temporary employees, mostly technical, in the Bureau of Yards and Docks and who have been employed for several years under W. P. A. and P. W. A. acts. The retention of these employees for the work contemplated by this bill will avoid the expense and delay of training new men.

On amendment No. 8: This amendment gives authority to the Secretary of the Navy to proceed with the construction of Public Works projects covered in subsequent amendments which are deemed necessary in view of the increased needs for naval aviation training facilities and for naval preparedness.

On amendment No. 9: This amendment authorizes the construction of temporary storehouses to provide for the increased storage needs for the fleet in Hawaiian waters.

On amendment No. 10: This amendment provides for additional facilities necessary for defense in Guantanamo Bay area.

On amendment No. 11: This amendment provides for the establishment of depots for storage of harbor nets and for additional storage facilities for ammunition.

On amendment No. 12: This amendment provides for increased facilities at Pensacola for training naval aviators to meet the needs of the expanded aviation program.

On amendment No. 13: This amendment provides for training facilities at Miami, Fla., to help care for the increase in the number of aviation students made necessary by the expanded aviation program.

On amendment No. 14: This amendment provides for training facilities at Jacksonville, Banana River, Fla., to help care for the increase in the number of aviation students made necessary by the expanded aviation program.

On amendment No. 15: This amendment authorizes the establishment of a trade school at Jacksonville to train additional aviation mechanics needed for the expanded aviation program and training facilities.

On amendment No. 16: This amendment provides for housing of a temporary nature to care for the temporary increases in the enlisted ranks of the marines.

On amendment No. 17: This amendment provides for additional hospital facilities at existing stations to care for increased requirements made necessary by the temporary increases in the enlisted personnel of the Navy.

CARL VINSON,
P. H. DREWRY,
M. J. MAAS,
Managers on the part of the House.

Mr. COLE of New York. Mr. Speaker, may we have an explanation of the conference report?

Mr. VINSON of Georgia. Certainly. Mr. Speaker, this is the bill that relates to the program for 16,000 aviators, 10,000 airplanes, and the establishment throughout the country of various air bases.

The only matter of consequence in conference was the Senate amendment making contractors the agents of the Government. I am happy to state to the House that the Senate receded on that amendment, and, therefore, the position of the House has been maintained that these contractors should not be agents of the Government.

Mr. COLE of New York. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. COLE of New York. This is the bill which authorizes the establishment of naval air bases in various locations, including Canton Island.

Mr. VINSON of Georgia. Yes; Canton Island is in this bill; it is authorized in the bill, but Canton Island has not been appropriated for by the Appropriations Committee.

Mr. COLE of New York. Is the gentleman prepared to say that the United States has sufficient jurisdiction over Canton Island to authorize anything being done?

Mr. VINSON of Georgia. Sufficient to say that it is not going to be appropriated for, so the gentleman need not disturb his mind along that line.

Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

COMPOSITION OF THE UNITED STATES NAVY

Mr. VINSON of Georgia. Mr. Speaker, I call up the conference report on the bill (H. R. 8026) to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes, and ask unanimous consent that the statement be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8026) to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, and 7; and agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: Immediately after the word and figures "Sec. 11." strike out the word "There" and insert in lieu thereof the following: "In the discretion of the President, there"; and the House agree to the same.

CARL VINSON,
P. H. DREWRY,
MELVIN J. MAAS,
Managers on the part of the House.

DAVID I. WALSH,
MILLARD E. TYDINGS,
FREDERICK HALE,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8026) to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

On amendment No. 1: This amendment modifies the House language to permit a variation of 33,400 tons, instead of 16,700 tons, as proposed by the House in the total tonnages provided in the bill for aircraft carriers, cruisers, and submarines.

On amendment No. 2: This amendment modifies the House language to provide that the lighter-than-air craft authorized shall be of the nonrigid type.

On amendment No. 3: This amendment places a maximum on the number of nonrigid lighter-than-air craft that the Navy may have instead of a minimum as provided by the House.

On amendment No. 4: This amendment raises from 12 to 18 the number of nonrigid lighter-than-air craft the Navy may have.

On amendment No. 5: This amendment modifies the House provision by striking out the specific locations where some of the shipbuilding facilities shall be expanded. It also places a limit of $35,000,000 on the amount that may be expended on expansion of shipbuilding facilities at naval establishments. It authorizes a limit of $6,000,000 as the amount that may be expended for expansion of facilities at either private or Government plants for the production of armor or armament, and it also authorizes the Secretary of the Navy to dispose of such expanded facilities for the production of armor or armament when no longer needed.

On amendment No. 6: This amendment authorizes $6,000,000 for the purpose primarily of increasing the maximum elevation of the turret guns on the battleships *New York*, *Texas*, and *Arkansas*. The amendment is identical with H. R. 7934 reported to the House by the Committee on Naval Affairs on April 26, 1940 (House Rept. 2014).

On amendment No. 7: This amendment authorizes the addition of projects now authorized for all of the Hawaiian area to the existing fee contract, but limits the fee to 6 percent of the estimated cost of the additional work, exclusive of the amount of the fee, and also likewise limits the fee under any contract hereafter made under the original act to 6 percent instead of 10 percent as therein authorized.

On amendment No. 8: This amendment as amended provides that in the discretion of the President a Naval Consulting Board, similar to the one in operation during the World War, may be set up for the purpose of making recommendations to the Secretary of the Navy in any matter concerning the Navy and the national defense.

CARL VINSON,
P. H. DREWRY,
M. J. MAAS,
Managers on the part of the House.

Mr. VINSON of Georgia. Mr. Speaker, the only question in conference here was that the House had designated three places in which building ways should be constructed, Norfolk, Va., Philadelphia, Pa., and Portsmouth, N. H. The House receded in view of the fact that the money has been appropriated for the building of these ways at these places. That was the only matter in conference.

Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

WARRANT AND COMMISSIONED OFFICERS OF THE MARINE CORPS

Mr. VINSON of Georgia. Mr. Speaker, I call up the conference report on the bill (H. R. 6044) to regulate the number of warrant and commissioned warrant officers in the Marine Corps, and ask unanimous consent that the statement may be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6044) to regulate the number of warrant and commissioned warrant officers in the Marine Corps, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

CARL VINSON,
P. H. DREWRY,
MELVIN J. MAAS,
Managers on the part of the House.

DAVID I. WALSH,
MILLARD E. TYDINGS,
FREDERICK HALE,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6044) to regulate the number of warrant and commissioned warrant officers in the Marine Corps submit the following statement in explanation of the effect of the action agreed

upon and recommended in the accompanying conference report as to such amendment, namely:

The language of the House is restored which provides that the number of warrant and commissioned warrant officers of the Marine Corps and their distribution in these grades will be according to the needs of this service instead of being limited to 218, as proposed by the Senate.

CARL VINSON,
P. H. DREWRY,
M. J. MAAS,
Managers on the part of the House.

Mr. VINSON of Georgia. Mr. Speaker, the position of the House in this bill was maintained. It has reference to naming 208 warrant officers. The Senate receded and now we have as many warrant officers as the Marine Corps requires.

Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

CONGRESS SHOULD REMAIN IN SESSION

Mr. COX. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. COX. Mr. Speaker, in the effort to bring about a quick adjournment of Congress, I sense great danger. If there is ever need for the Congress to be in session, it is in time of public excitement. We must not make the matter of adjournment a question of politics and imperil the safety of the Nation in playing the game. We should rise above party loyalty and selfish interest. The place for the soldier in time of battle is on the firing line. The country right now is not interested in the question whether we are good Democrats or good Republicans. It is interested in whether we are good Americans. If we feel we are incapable of serving the Republic, let us say so and go home; otherwise, let us proceed to discharge the public business. Nobody is suffering from overwork. [Applause.]

EXTENSION OF REMARKS

Mr. COOPER. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I expect to make during the day on the tax bill and to include certain tables, data, and material.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee [Mr. COOPER]?

There was no objection.

ADJOURNMENT OF CONGRESS

Mr. BARRY. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. BARRY]?

There was no objection.

Mr. BARRY. Mr. Speaker, after listening to the President's speech at the University of Virginia, I am convinced that Congress should remain in session indefinitely. No one man should be permitted to alone assume the responsibility for the lives of 130,000,000 people.

Since the President regards the Western Hemisphere, if the Allies lose, as "a helpless nightmare of a people without freedom, a people lodged in prison, handcuffed, hungry, and fed through the bars from day to day by the contemptuous, unpitying monsters of other continents," I am gravely concerned with what he intends to do about avoiding this so-called prison, if his short-of-war methods fail to achieve victory for the Allies, and I believe that the people of the United States are entitled to know whether or not if faced with the choice, the President would go to prison or to war. Judging from the rapidly moving events in Europe, this decision may have to be made in the near future.

When one considers the vast and rich territory of the continents of North and South America, their great natural resources, their tremendous manpower, and unexcelled industrial power plus the dependency of other continents on us for trade, the President's prison portrait is nothing short of a gross exaggeration. [Applause.]

EXTENSION OF REMARKS

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in two particulars, and to insert in the RECORD two radio addresses by myself, one on June 6 and one on June 8.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. CELLER]?

There was no objection.

Mr. DELANEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a very short article from the New York Sun.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. DELANEY]?

There was no objection.

Mr. SCHWERT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a brief report of the subcommittee on unemployment and youth.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. SCHWERT]?

There was no objection.

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a radio speech given on June 6, and a letter and two declarations of loyalty from my constituents.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. GEYER]?

There was no objection.

Mr. EDWIN A. HALL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a recent editorial from the Stamford Mirror-Recorder.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. HALL]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts [Mrs. ROGERS]?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to include in my remarks an article by Mark Sullivan.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts [Mrs. ROGERS]?

Mr. RANKIN. Mr. Speaker, reserving the right to object, as I understood the majority leader, he said he would object to inserting these articles in the body of the RECORD.

Mr. RAYBURN. The Speaker understands that, and he grants the request on the condition that the remarks be extended in the Appendix of the RECORD.

Mr. RANKIN. I beg the gentleman's pardon.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts [Mrs. ROGERS]?

There was no objection.

ADJOURNMENT OF CONGRESS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I received a very gracious letter from the chairman of the Ways and Means Committee, the gentleman from North Carolina [Mr. DOUGHTON], stating he could not give me a hearing upon my resolution, introduced May 10, which provided that we remain in continuous session because he was holding hearings upon the tax measure. This bill will undoubtedly be passed today or tomorrow.

I earnestly hope that hearings will be granted on my resolution. I am receiving letters and telegrams every day, not only from people residing within my own district but from people all over the country, demanding that we stay in continuous session. They elected the President of the United States to perform his duty. Also they elected the Members of Congress to perform their duty. I believe they feel we would be nothing but cowards if we ran away and neglected our duty in this great world crisis.

Mr. Speaker, surely we have the courage to remain in continuous session and face the responsibilities and duties we were elected to perform. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include quotations from Save America First.

The SPEAKER. Is there objection to the request of the gentleman from Montana [Mr. THORKELSON]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. GOODWIN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to extend my own remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa [Mr. GOODWIN]?

There was no objection.

[Mr. GOODWIN addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I expect to make today and include therein certain tables.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. JENKINS of Ohio. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address prepared and delivered by me.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. BOLLES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BOLLES. Mr. Speaker, if there was ever any doubt in the mind of any Member of Congress concerning the necessity of this body's continuing in session through the time of whatever emergency we may face, it was dissipated last night when the President of the United States before a great body of students declared war on the entire world. We need at this moment a great restrictive body. This congressional body was created for the purpose of enacting legislation. No declaration of war can be made constitutionally without the consent of Congress. We should stay here so long as is necessary to preserve the constitutional foundations of this Republic. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. JOHNSON of Illinois. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a brief speech delivered by an honor student of a high school in Moline.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

REVOLUTION IN MINNESOTA

Mr. BENDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. BENDER. Mr. Speaker, it is a rare community these days which refuses to stick its hands deep into the pork barrel when the New Deal is handing out its bounty. Even the chambers of commerce, which insist most vehemently that Federal extravagance must stop, can rarely forbear putting in their order for a new post office when the word goes out that post offices are being thrown up by the bushel.

So it is really news when the citizens of a town decide that they will not accept a W. P. A. grant to do a job in their town. New Germany, Minn., wins the rare distinction of being such a community. W. P. A. architects and engineers offered to put up a combined city hall and community center at an estimated cost of $60,000, most of which would be borne by the Federal Government. But New Germany fully recognized that this so-called Federal Government was, after all, composed of millions of small communities throughout the Nation just like its own. The city council declared that the whole job could be done for $25,000. And so, believe it or not, they turned down the W. P. A. offer and built their own hall for some $35,000 less than Washington's W. P. A. wanted to spend.

There must be a lesson in this for all of us. Maybe it would be a good idea for every city councilman elected in every town in the United States to learn how to say "No" before taking his seat. [Applause.]

PERMISSION TO ADDRESS THE HOUSE

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein an editorial from the New York Times.

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, will the editorial go in the Appendix of the RECORD?

Mr. RANKIN. Mr. Speaker, I ask permission to put my remarks and the editorial in the Appendix of the RECORD.

Mr. MARTIN of Massachusetts. I do not care anything about the gentleman's remarks, but I do want to have uniformity in the rule.

Mr. RAYBURN. Mr. Speaker, we might as well have an understanding now. I thought we had settled this matter yesterday. In connection with the statement that objection will be made to extending remarks "at this point" in the RECORD, I do not know who is responsible for taking care of these matters, but I want whoever is responsible to understand that that is not what I am talking about at all. When the Speaker recognizes Members to address the House for 1 minute and they ask permission to extend their remarks in the RECORD, the Speaker understands and states that the remarks are to be extended in the Appendix of the RECORD. Is not that the understanding of the Speaker?

The SPEAKER. That is correct.

Mr. MARTIN of Massachusetts. I want the gentleman from Mississippi to understand that this is nothing personal.

Mr. RANKIN. I understand that. The gentleman is entirely within his rights, and he is entirely correct in this instance. I expect to place it in the Appendix of the RECORD.

Mr. MARTIN of Massachusetts. All I wanted to do was to impress the fact that an editorial should not appear at this point in the RECORD.

Mr. RAYBURN. It should not.

Mr. RANKIN. I do not want it to go in at this point. I want it to go in the Appendix.

The SPEAKER. The Chair gives instructions to the reporters and, as far as possible, to the printer that the agreement entered into with reference to extensions and the 1-minute rule will be strictly observed.

Mr. RICH. Further reserving the right to object, Mr. Speaker, may I say that the Public Printer has asked for $450,000 additional for the RECORD for this session in order that he may print these newspaper editorials the Members of Congress are asking to have placed in the RECORD.

Mr. RANKIN. The gentleman from Pennsylvania takes up more time and more space in the RECORD than probably any other Member of the House. He talks more and says less. [Laughter.]

Mr. HOFFMAN. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. HOFFMAN. Mr. Speaker, I make the point of order that the gentleman from Mississippi did not have the floor, and he violated the rules when he made his statement.

The SPEAKER. The gentleman from Mississippi had asked unanimous consent to revise and extend his remarks, and the whole controversy was with reference to that request.

Mr. HOFFMAN. It was a continuing run.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WOODRUM of Virginia and Mr. HOFFMAN rose.

Mr. WOODRUM of Virginia. Mr. Speaker, I present a privileged report from the Committee on Appropriations.

Mr. HOFFMAN. Mr. Speaker——

The SPEAKER. The Chair has recognized the gentleman from Virginia.

Mr. HOFFMAN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The gentleman from Michigan makes the point of order that a quorum is not present. The Chair will count. [After counting.] Two hundred and twenty-nine Members are present, a quorum.

FIRST SUPPLEMENTAL NATIONAL DEFENSE APPROPRIATION BILL, 1941

Mr. MAY, from the Committee on Military Affairs, reported the bill (H. R. 10010), To increase the size of the Regular Army of the United States, and for other purposes, which was read a first and second time and, with the accompanying report (Rept. No. 2496), was referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

EXTENSION OF REMARKS

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend in the RECORD the remarks I made in the House yesterday afternoon, and I ask unanimous consent to extend my remarks in the appendix and to include therein a column by Westbrook Pegler.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Latta, one of his secretaries.

THE REVENUE BILL OF 1940

Mr. SABATH. Mr. Speaker, I call up House Resolution 518.

The Clerk read as follows:

House Resolution 518

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 10039, a bill to provide for the expenses of national preparedness by raising revenue and issuing bonds, to provide a method for paying for such bonds, and for other purposes, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and shall continue not to exceed 6 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except amendments offered by direction of the Committee on Ways and Means, and said amendments shall be in order, any rule of the House to the contrary notwithstanding. Amendments offered by direction of the Committee on Ways and Means may be offered to any section of the bill at the conclusion of the general debate, but said amendments shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SABATH. Mr. Speaker, I yield 30 minutes to my colleague the gentleman from Illinois [Mr. ALLEN].

The SPEAKER. The gentleman from Illinois is recognized for 30 minutes.

Mr. SABATH. Mr. Speaker, this resolution makes in order an extremely important bill H. R. 10039, known as the National Defense Tax Bill. The resolution provides for 6 hours of general debate and I regret that I am obliged to admit, if the charge is made, that it is a closed rule and that such a charge is correct. Yes, it might even be considered a gag rule.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman.

Mr. MARTIN of Massachusetts. As a matter of fact, it is one.

Mr. SABATH. I am admitting it. [Laughter.]

Mr. MARTIN of Massachusetts. The gentleman said it might be considered a gag rule. I wanted to establish the fact that it is a gag rule.

Mr. SABATH. I said it might be so charged, but it has the support, not only of the Democrats, but I am pleased to say that it also has the support of and was not opposed by the Republicans; and right here I want to say to the minority leader that I compliment and congratulate the Republican members of the Ways and Means as well as those of the Rules Committee upon their cooperation with the majority on this important bill. [Applause.]

The Rules Committee felt that the request of the Ways and Means Committee should be complied with and a closed rule granted. This is the first time in 34 years that I have voted for what I admit can be properly designated a "gag rule," yet it is in line with the nearly unanimous opinion and appeals of the American people in view of the urgency of the existing situation. And I well remember that when the urgency was not nearly as great as today, similar rules were brought in on the Payne-Aldrich tariff bill, the Underwood bill, the Fordney bill, and the Smoot-Hawley bill, all of which were measures to raise revenue the same as this one. So we do have precedents.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman.

Mr. MARTIN of Massachusetts. If we can get over this ancient history and come down to the present, what are the reasons advanced for not permitting the Members of the House to offer an amendment to this bill?

Mr. SABATH. I will explain that briefly, and the gentleman from Tennessee will explain it more thoroughly later on. The Rules Committee has acted upon the request and recommendation of the gentlemen representing the unanimous opinion and desire of the Ways and Means Committee; not only the Democrats, as I have said, but the minority was represented by the able statesman from Massachusetts [Mr. TREADWAY], as he stated that this was a unanimous report, and he thought, and the entire committee thought, that we should bring in a closed rule, because it is a complicated bill and if, by any chance, any important provision is changed in the bill it might require us to amend many other provisions and might throw the entire bill out of adjustment to such an extent that it would have to be returned to Committee, perhaps most of it rewritten, and delay action.

Mr. TREADWAY. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Massachusetts.

Mr. TREADWAY. I think the gentleman is somewhat misrespresenting my position on the adoption of a gag rule. I said it was a unanimous report of the committee, but we were not unanimous in favoring the reporting of a gag rule. We were opposed to the adoption of such a rule, although we were outvoted.

Mr. SABATH. Mr. Speaker, I am sorry if I have misquoted the gentleman from Massachusetts. But I understood him as saying that it was the unanimous report of his committee, and that there would be no serious opposition to a closed rule, only that he desired 6 hours for general debate. It was upon this understanding that the rule was granted.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. COX. The gentleman will recall that on yesterday, when the Rules Committee was conducting a hearing upon this application for a rule, I was probably more critical of the proposal to legislate in this manner than any other Member. The committee discussed the whole question involved

rightfully and in the end it concluded that under existing conditions it would be unwise, and probably few Members of the House desired that we open up the question of amending the proposed revenue act, and, finally, concluded to report the rule that is now before the House, believing that, after all, it was what both Democrats and Republicans most desired; and that considering the bill under this kind of rule would mean one of two things: That we would either have no legislation at all or we would get a tax bill which the Ways and Means Committee, after as careful and as close and as painstaking consideration as has been possible within the time it has been before them, thought the best that might be provided, and in this way the revenues to meet the expenditures that are now being made on the part of the Government, in an effort to provide adequate national defense, might be realized.

Mr. SABATH. Mr. Speaker, the statement the gentleman from Georgia [Mr. COX] has made is correct.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman from Georgia yield?

Mr. COX. If the gentleman from Illinois will yield for that purpose.

Mr. SABATH. I yield.

Mr. MARTIN of Massachusetts. To inquire of the gentleman from Georgia the basis for his statement that no legislation could be enacted if we did not have this rule.

Mr. COX. This is what I said: That considering the bill under the rule would mean that, so far as the pending proposal is concerned, if we got nothing else, we would get at least what the Ways and Means Committee had submitted as representing the best judgment of the members of that great committee, and the Committee on Rules was given the assurance that it is a unanimous report made by that committee. This is no time to play politics.

Mr. MARTIN of Massachusetts. I am not playing politics. The gentleman made a statement that the House could not write a tax bill, and I do not believe he meant that.

Mr. COX. I did not mean that the House is incapacitated to write a tax bill. I meant that if we meant to enter upon the revision of the law that we would dissipate more time than the Congress can safely do at this particular moment.

Mr. MARTIN of Massachusetts. But the gentleman agrees with me——

Mr. COX. Oh, I agree with the gentleman in large measure.

Mr. MARTIN of Massachusetts. The gentleman agrees with me that we should stay in session here all summer and do this bill right?

Mr. COX. Not necessarily all summer. I think it would be a mistake for us to hurry through to adjournment.

Mr. SABATH. Mr. Speaker, I have liberally yielded to the gentleman from Georgia and the gentleman from Massachusetts, feeling that in that way we could best expedite the passage of the rule. So far we have been able to get along nicely, and I have the utmost confidence in the 25 older members of the Ways and Means Committee, who have had much experience in revenue legislation, and I, for one, am ready to follow their judgment and their recommendation. I think these Members know more about it than anyone who has not attended the many, many hearings and devoted many days and many long hours to studying this legislation. The Rules Committee listened carefully yesterday for 4 hours to the able presentation by the gentleman from North Carolina [Mr. DOUGHTON], chairman of that committee, and the gentleman from Tennessee [Mr. COOPER], and the gentleman from Massachusetts [Mr. TREADWAY]. After careful consideration, it was believed that their unanimous request and their recommendation for action upon the bill should receive the approval and favorable action of the Committe on Rules.

Mr. Speaker, I do not wish to state that this is a perfect bill. But I feel that it is a fair bill, and that the committee has done as well as it could. I appreciate they were obliged to yield here and there in order to obtain a unanimous report. Briefly, the bill provides for an increase of $322,000,000 in income taxes and for the lowering of the amount of income subject to tax, namely, a reduction from $1,000 to $800 in the case of single persons and from $2,500 to $2,000 in the case of married persons. The increase in tax is 10 percent of one's present income tax. Title 2 provides for a supertax for the obtaining of a revenue amounting to $682,000,000, the imposition of which is limited to a 5-year period. Most of this sum will be derived from increased taxes on malted and distilled liquors, wines, tobacco, cigarettes, and gasoline. Title 3 provides for an increase in our bonded indebtedness by $4,000,000,000, which is to be retired in 5 years.

The bill in every particular will be explained to you by the chairman of the Ways and Means Committee as well as the other two gentlemen whom I have mentioned. I have prepared, or rather had prepared, an extensive statement as to what the bill contains, but I do not wish to take up the time of the House, knowing that it will be done efficiently by the gentlemen to whom I have referred.

Mr. Speaker, these are trying times. We must recognize that the earliest possible action is necessary, and that there should be no delay. I recall that some years ago we did not lay great stress upon the reports that came to us of what was transpiring in Europe or even in our own midst. The matter is now before us clearly. We realize our duty. I hope to God that our land will not be involved, but we can take nothing for granted; we must prepare. This bill calls for revenue that will provide sufficient funds to meet the appropriations for the preparedness that we have voted. In view of that fact I trust this rule will be adopted and that early action may be had on the bill.

I hope that we can all forego partisanship in these extraordinary and hazardous times, and patriotism dictates such a course. Although the President has on several occasions warned us that conditions on the other side made it incumbent upon us to prepare for any emergency, some of the gentlemen on the other side could not resist saying his warnings were for political purposes. This was in spite of the fact that he has assured us time and again that he was opposed to war and that his sole aim was to keep us out of it.

I myself as long ago as March 1938 called attention to Hitler's activities. I called attention then to the fact that he had his greedy eyes on Czechoslovakia, Poland, Austria, and other European nations that he has since invaded and devastated. I said that even France and Great Britain were anything but safe, and what is transpiring across the water this very day best proves how nearly I was right.

There is no doubt but that Hitler and his dastardly agents have their subtle propagandists at work on our own soil. They work through the various German bunds, silver shirts, un-Christian front, the Mobilizers, and so forth, and have spread their poison perhaps more widespread than is generally realized.

The Nazis have shrewdly and connivingly obtained the cooperation of these and many other organizations for the purpose of detracting from their own subversive and un-American activities by their continuous anti-Jewish and antilabor attacks in charging these groups as leading the communistic movement in this country. They have sought by these means to throw off suspicion from themselves, who constitute the real "fifth column" in our country.

I hope the American people are at last awake, and will not permit themselves longer to be fooled. We are doing the right thing in preparing, preparing now, against any eventuality.

Mr. Speaker, in concluding I wish to state that under the rule I have yielded 30 minutes of the allotted hour to the acting minority member of the Committee on Rules, the gentleman from Illinois [Mr. ALLEN], a portion of which time, I presume, will be given to the gentleman from Michigan [Mr. MICHENER], also a member of the committee, and to the gentleman from Michigan [Mr. HOFFMAN], the latter whom, I fear, will again try to play politics with this extraordinarily important legislation. In my remarks I have refrained from partisanship or political reference, but, knowing the gentleman from Michigan and others as I do, I very much fear they will consume the time yielded to them in finding fault and criticizing the rule, the administration, and the President. Judging from the letter which the gentleman from Michigan

[Mr. HOFFMAN] sent to his Republican colleagues a few days ago, he will continue to abuse the President without justification, accusing him of trying to involve us in war as well as charging that he is responsible for all the ills of the country, real or imaginary.

Mr. Speaker, I imagine the opposition will follow the gentleman from Georgia [Mr. COX], who seems to take great delight at all times in opposing the President and the Democratic majority and in arguing that Congress remain in session. This daily argument on the part of a few Members, like the gentlewoman from Massachusetts [Mrs. ROGERS] and the gentlemen from Wisconsin [Mr. SCHAFER and Mr. BOLLES] and other Wisconsin Members is purely political. Ninety-eight percent of the membership knows that the country has greater confidence in the President than they have in Congress and therefore I hope those Members who in these unprecedented times try to play politics will desist and henceforth work in harmony with the administration for the best interest of our country.

Mr. Speaker, I reserve the remainder of my time.

Mr. ALLEN of Illinois. Mr. Speaker, I yield myself such time as I desire.

The chairman of the Committee on Rules has greatly emphasized about the four members of the Rules Committee going along with this gag rule. I have been in Congress about 8 years, and we all know that the Republicans have fought gag rules continually, and we also know that when the White House sends over a bill and orders a gag rule that it always goes through. Unfortunately we have a New Deal Congress that jumps through the hoop.

First, Mr. Speaker, I desire to congratulate the Ways and Means Committee for bringing in a tax bill. For 10 long years we have fearfully seen our outgo greatly exceed our income. We have witnessed our national debt increase from approximately $16,000,000,000 to over $45,000,000,000. Many of us felt that such a procedure could not go on indefinitely. Many of us felt that a critical time would arrive when it would be paramount that our financial house be in order.

THE CRITICAL TIME HAS ARRIVED

Mr. Speaker, many outstanding economists in the country do not believe that our financial house is in order. I would say here and now, Mr. Speaker, that along with a strong Army and Navy it is important that in order to be adequately prepared that a nation's credit be sound and stable. Personally I would have liked very much to have had this measure raise double the amount in revenue. Before long all of you will see the importance of this statement.

This is a closed rule and all points of order are waived. The only one that can offer amendments is the Ways and Means Committee, and I doubt very much if that committee will do so. This bill has been drafted in a hurry. Undoubtedly there are Members of this body who would like to offer amendments. We can talk here for 6 hours and then do nothing about it, regardless of any discrimination against our constituents. Several Members appeared before the Rules Committee urging more consideration for the tobacco growers. They contended that this additional tax on tobacco growers would be disastrous to them. They stated without contradiction that the American tobacco grower relied upon 60 percent of his product to be exported. Since the war the export market on tobacco has been totally lost. The tobacco grower has reduced his acreage from 11,000,000 to 6,000,000 acres. Still this bill puts an increase in taxes of 16⅔ percent. Personally I do not know whether the tobacco grower can stand this increase, but I do feel as if the Members of this body who represent the tobacco growers should have the opportunity of being heard.

Another item where many of us should have an opportunity of being heard is the additional tax on nonbeverage alcohol. Alcohol used in the manufacturing of extracts, and so forth. At the present time there is a large tax. This bill provides an additional increase. We must not forget that this is going to be a large burden on the housewives who are purchasing extracts, and so forth, for household consumption.

It seems strange to me that we should be compelled to rush this measure designed to raise over $5,000,000,000 in additional revenue the next 5 years in such a hurried manner. The hearings on this tax bill have been printed but an hour. Undoubtedly the reason for this rush being that Mr. Roosevelt is anxious that we adjourn, leaving everything to him. But I want to emphasize, Mr. Speaker, that the great majority of the American people want us to remain here in session. They want us to remain at our posts. After all, this is where we belong.

What does this bill provide? Under title 1 of this bill it is intended to raise three hundred and twenty-two additional millions of dollars. This part of the bill is permanent legislation. It is intended to keep this increase indefinitely. It deals with a general increase of our income-tax laws. It provides for an additional 7,000,000 income-tax payers by lowering the base on single persons from $1,000 to $800; by lowering the base on married persons from $2,500 to $2,000.

Title 2 deals with additional excise taxes. Title 2 is intended to raise six hundred and eighty-two millions additional taxes annually. While additional taxes under title 1 are permanent, additional taxes under section 2 are for a period of 5 years. The additional taxes under title 2 is to be used to pay off the bonds to be issued under title 3.

Title 3 provides for a $4,000,000,000 increase in our national-debt limitation. If this bill is passed, our national-debt limitation will be increased to $49,000,000,000.

In conclusion let me say, Mr. Speaker, that I am very sorry that this administration has rushed this bill through. In doing so they had but one purpose in mind and that is to adjourn. I reiterate that it is the honest belief of the great majority of our people that we remain here to legislate—legislate for our domestic problems, as well as European war problems. With 10,000,000 men and women walking the streets looking for work they cannot find, with millions of our young people graduating from colleges and high schools unable to find jobs, with our cotton, tobacco, corn, and other markets lost, with agricultural prices way below parity prices, it is extremely important that we remain here honestly attempting to save our Nation from its present chaotic condition. Our Nation in the past has been confronted with serious problems. Past Congresses remained on the job and overcame the many problems. Let us do the same. [Applause.]

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield.

Mr. CRAWFORD. Did I understand the gentleman to say that the supertax called for under title 2 will be used in a special manner for the purpose of liquidating the $4,000,000,000 worth of bonds set forth under section 302 of title 3 of the bill?

Mr. ALLEN of Illinois. That is correct; $682,000,000 is nothing but a tax for 5 years. Under title 1 these are permanent taxes which will go on indefinitely. Under title 2 that $682,000,000 additional taxes will go on for 5 years to offset the $4,000,000,000 of bonds that will be issued by the Secretary of the Treasury to increase our national-debt limitation from $45,000,000,000 to $49,000,000,000.

Mr. CRAWFORD. But the bill does not in any way place any restriction on the $4,000,000,000 insofar as disbursements made by the Treasury are concerned?

Mr. ALLEN of Illinois. It merely states that the $4,000,000,000 shall be used for national-defense purposes. Through the discretion of the Secretary of the Treasury, it may be used perhaps to build C. C. C. camps. Who determines what the money will be used for has never been explained in the committee or in the Rules Committee.

Mr. CRAWFORD. Is there anything in the bill which imposes upon the Treasury the obligation to keep this $4,000,000,000 of new funds from being commingled with the general funds of the Treasury? In other words, do the proceeds from the sale of the $4,000,000,000 worth of bonds enter the general funds of the Treasury, and then it is left up to the Treasurer to use his discretion as to how the four billion shall be spent?

Mr. ALLEN of Illinois. It is supposed to be used for national-defense purposes. But, unfortunately, the Treasury

runs two sets of books. It has never been fully explained. I hope it will be fully explained later—the limitation, so that the Secretary of the Treasury cannot use it for a lot of boondoggling jobs.

Mr. BENDER. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. Surely.

Mr. BENDER. The argument has been advanced by speakers on the other side that there is need for haste because of this great emergency. Is it not a fact that these excise taxes begin as of June 30 and the income-tax increase begins as of January 1, 1941? Is it not a fact that we might take the time between now and the first of the month to discuss these excise taxes instead of applying the gag rule? Certainly that would apply with reference to the income taxes which do not become effective until January 1.

Mr. ALLEN of Illinois. I am in accord with the gentleman's views.

Mr. BENDER. Is it not a fact that we have had an emergency ever since Mr. Roosevelt became President, that this is not anything new; we are in an emergency and have been in this emergency ever since he went into office?

Mr. ALLEN of Illinois. Well, perhaps the purpose is to keep the people in a hysterical state of mind. It was mentioned yesterday before the Rules Committee, for the gentleman's information, that we have an unexpended balance of many hundreds of millions of dollars for national defense. Now they come in and ask for $4,000,000,000 more when many people contend we do not have the facilities to build five or six billion dollars worth of national-defense implements within the next 9 or 10 months. [Applause.]

[Here the gavel fell.]

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. MICHENER].

Mr. MICHENER. Mr. Speaker, I regret exceedingly that the chairman of our Rules Committee saw fit to inject politics into this otherwise harmonious occasion.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. No; I do not yield.

Mr. SABATH. I would like to know where I introduced politics.

The SPEAKER. The gentleman has declined to yield. It is contrary to the rules for any Member to inject remarks without consent of the Member occupying the floor. The gentleman from Michigan is recognized.

Mr. MICHENER. Mr. Speaker, it is true that the Rules Committee reported this rule out as it is, but you must not forget there are 14 members of the Rules Committee, 10 of whom are of the party in power, and 4 of the minority.

The chairman of the committee attempted to justify this gag rule by reciting some ancient history. He cited one occasion where—more than 20 years ago—when the Republicans were in power, the Ways and Means Committee did ask for and bring in a gag rule. If we want to go back to the days of the late speaker, Joe Cannon, or the early days of our late beloved Champ Clark on the other side, we will find some very, very arbitrary action was taken. But this is not the time nor the place to discuss those matters. This country is next door to war. This is no time to encourage partisan strife.

Now, what kind of a rule is this? I am not going to discuss the details of this bill. No one in this House knows much about this bill unless he has given the consideration to it that has been given by members of the Ways and Means Committee.

This rule makes in order the consideration of this tax bill. Now let us not lose sight of the fact that it was not necessary for the Ways and Means Committee or the House organization to go to the Rules Committee and get a rule at all, because these tax bills are privileged matters. The Ways and Means Committee came to the Rules Committee for the express purpose of preventing that being done which would have been done under the general rules of the House. Under the rule we have before us, the House is permitted to talk for 6 hours about the bill which we are later to vote upon. At the end of the 6 hours' talk all points of order are waived against the bill. The rule expressly provides that the bill shall not be read for consideration. Then the Ways and Means Committee may offer such amendments as a majority—not political—of the Ways and Means Committee may determine. If the committee determines not to offer any amendments to the bill, there will be no amendments, amendments by the Members are not permitted, and forthwith there will be a vote on the passage of the bill.

You could not get a much more severe rule than that. I realize that it is almost impossible to write a tax bill hurriedly on the floor of the House unless there is some restraint somewhere. This is a case where the House must control itself for the very purpose of protecting itself.

Here is a bill that is presumed to raise $1,004,000,000 in taxes, and under this rule we are going to do it between the time we assemble here this morning and the time we adjourn, without even recessing. I am not criticizing that if it is necessary, but watch what I tell you. When this bill goes over to the Senate sufficient time will be taken to thoroughly discuss it and consider it. I say, therefore, possibly there should not be this mad rush. Someone has said that a stitch in time saves nine. I believe we can trust the House, without gagging its Members. I am sure a vast majority of the House wants to pass a tax bill that will pay these expenses as we go along. We already have a national debt of approximately $45,000,000,000, and this bill will raise that limit by $4,000,000,000, so that when this bill becomes law we shall have a national debt of $49,000,000,000.

[Here the gavel fell.]

Mr. ALLEN of Illinois. Mr. Speaker, I yield two additional minutes to the gentleman from Michigan.

Mr. MICHENER. If the Congress is in favor of a tax bill that will pay as we go along, and I believe it is, I believe I am speaking for the Republican side of the aisle when I say they are in favor of a tax bill to meet necessary defense requirements. I do not know why the House should not be trusted, even though it takes more than the time between suns to place upon the backs of the American people an additional $1,004,000,000. Better be right than sorry. A little deliberation will be good for all of us, as well as for the legislation in which we are so interested.

Mr. COFFEE of Washington. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. I yield.

Mr. COFFEE of Washington. Will the gentleman tell the House whether or not this bill carries any provision for a tax upon the profits made by the munitions manufacturers?

Mr. MICHENER. I am not going to discuss the context or the merits of the bill. That can only be intelligently discussed by the Members who are familiar with all of its details.

Mr. CARLSON. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. I yield to the gentleman from Kansas, a member of the Ways and Means Committee.

Mr. CARLSON. I believe the gentleman stated it as his impression that this side of the House favored a pay-as-you-go tax plan. The gentleman does not mean that this bill will balance the Budget in any way.

Mr. MICHENER. Oh, no. This is but a mere drop in the bucket. Listen. I fear that we are going to be called upon within the next few months not only to appropriate billions of dollars, but we are going to be called upon to levy additional billions of taxes. This bill at best is but a mere drop in the bucket. I do not think we have time now to give thorough and general consideration to the entire tax question because conditions are so abnormal in the country that we cannot properly deal with the tax problem. [Applause.]

Mr. Speaker, this bill is submitted in compliance with the President's message of May 16, 1940. The four primary purposes, for which the additional appropriation is to be used, are:

First. To procure the essential equipment of all kinds for a larger and thoroughly rounded-out Army;

Second. To replace or modernize all old Army and Navy equipment with the latest type of equipment;

Third. To increase production facilities for everything needed for the Army and Navy for national defense. We require the ability to turn out quickly infinitely greater supplies;

Fourth. To speed up to a 24-hour basis all new contracts to be awarded.

The Committee on Ways and Means tells us that this bill, if enacted, will yield $1,004,000,000 in additional revenue; that is, it will take $1,004,000,000 more money out of the pockets of our taxpayers, and invest that amount in additional national defense. In addition, this proposed new law authorizes the administration to increase by $4,000,000,000 the authorized national debt of $45,000,000,000. These sums are stupendous and staggering, yet I believe they are not hopeless. They can be paid by the American taxpayers if the taxpayers are ready to tighten up their belts, make concessions, sacrifices, and more sacrifices. We have never contemplated such a heavy burden on the backs of the American taxpayers, and only dire necessity can justify the action of the Congress in passing this legislation. The President tells us that the situation is acute, that our national defense must be repaired, and I am sure that the American people will never quibble about personal sacrifices if our national existence and the American way of life are at stake. It is this attitude that prompts me, and I am sure many other Members of Congress, in acceding to the passage of this enormous additional tax bill.

Mr. Speaker, we are advised that our national existence is at stake and that our national defense has been permitted to lag to such an extent that our people are faced with one of two dilemmas: Either the possibility of our subjugation by the mad men now destroying Europe, or repairing as quickly as we can our national defense, which means additional taxes placed upon the backs of our people. It seems to me that there is no choice if we are to survive as a Nation. The time has arrived when we must act as a Congress, as representatives of all the people, regardless of our political affiliations and possibly general political and economic differences of opinion. Regardless of our politics, if our country is to endure, we must stand or fall together. Partisan political differences should never, and will not, divide our people in the hour of our national peril.

No one will contend that this tax bill is well thought out, scientific, or possibly equitable to all of our people. I take it to be a hasty putting together of parts of our present tax law which will raise the amount of money required with the most certainty and with the least interference with the fundamental purposes of our Government. No one likes to pay taxes or have his taxes increased, yet without these taxes the blessings of liberty and good government which we enjoy would not be ours.

I do not believe that this is the time or the hour to attempt to write an equitable general tax law for normal times and purposes. These are extraordinary times. Indeed, it might be said that these are extreme times. To quibble about the equities and differences in these proposed taxes is to trifle with the national defense and automatically with our national safety and our security as a Republic.

Now I do not like some of these tax increases. No one likes additional taxes and they are always very unpopular with the people who must pay them. It does seem to me, however, that the Ways and Means Committee is to be commended in placing these additional and temporary burdens on the consumers of cigarettes, whisky, beer, and other things which the majority of our people can, if necessary, get along without. It is much better to place these taxes where these are placed rather than on the necessities of life.

No Member of Congress likes to vote for any bill that increases taxes, especially just before an election and, by the same token, none of the groups wants additional taxes placed on its particular group at any time for any purpose. This whole task is most unpleasant, yet I am sure that our people appreciate the type of government under which they live, and if we are to maintain free America, with its free institutions, our democratic form of government must effectively operate so that our purposes may be obtained. Under a dictatorship there would be no quibbling, no argument, just a decree from the dictator, and that is all there would be to it. If additional taxes are placed upon our people, they are placed there by the representatives of the people themselves, and who must answer to the people, and it seems to me that the patriotism of our people and their belief in our form of government is unquestioned.

Now, Mr. Speaker, I do not like to vote for additional taxes any more than my constituents like to pay additional taxes. There are times, however, when the duty of voting additional taxes falls upon my shoulders and the duty of paying those taxes falls upon my constituents. I would not be fit to be a Member of Congress if I did not have the courage to meet this situation when it arises. These are not bright days for our Republic. There are many clouds ahead. Our people expect us to act without political partisanship, and I am sure that they want us to do that which we believe is best suited to retain the form of government we have enjoyed down through the years. These good things require sacrifices when the occasion arises. What is taking place in Europe and the news that reaches us at this hour must convince us that our national defense is woefully lacking, and that we are confronted with facts today and not with theories. The enemies to our form of government are dominating throughout the world. They are not yet at our gate, and we hope they never will be. However, discretion is the better part of valor, and I am thoroughly convinced that we should not neglect our national defense. The Chief Executive has called the warning and we had better be safe than sorry, even though additional defense means additional sacrifices on the part of our people. The country which we enjoy is our heritage. That means that it is ours to enjoy, ours to preserve, and ours to protect, and we would be falling short of our duty if we did not heed the warning and raise whatever taxes are necessary to guarantee the American way of life.

Under no condition would I vote for this additional taxation if I did not feel that danger is imminent and that the exigencies of the hour require courage on the part of the Congress. We are the representatives of the people back home. The type of government under which we live, prosper, and enjoy the blessings of liberty may be hanging in the balance. Our constituents demand that we take no chances. The passage of this bill is not a step toward war, but is an additional guaranty against war.

[Here the gavel fell.]

Mr. ALLEN of Illinois. Mr. Speaker, I yield 11 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Speaker, I ask to be notified when 5 minutes has elapsed.

The SPEAKER. The Chair will endeavor to notify the gentleman.

KNOW THE TRUTH AND COUNT THE COST

Mr. HOFFMAN. Mr. Speaker, from the day when, at Chicago, he expressed the thought that the United States should quarantine "aggressor nations," down to the present moment, the President has followed a course the natural result of which was to involve us in the present World War.

He began with the assumption that our safety depended upon a victory by England and France over Germany and her allies. He assumed that Germany was our enemy; that we had a quarrel with her. He assumed that if she won the war, her next step would be to make war upon us. By skillful propaganda and with the aid of those who, because of their age, their physical condition, or for some other reason, never could be called upon to fight our battles, the American people were led to believe that our national safety depended upon a continuation of the present governments of France and England, their victory in this war. If the President had reason for this belief; if he had facts to back his contention—and it may be that he had and has—he never has taken the American people into his confidence and laid before them the facts to justify his belief. He has kept them in ignorance of facts which, as a self-governing people, it was their right to know.

His utterances gave birth to the idea that our frontier was on the Rhine; that in no way, other than by participation in the present conflict, could we preserve our liberties.

Knowing that the American people were bitterly opposed to again sending American boys and men across the seas, he skillfully has sought to create in our minds the fear of foreign invasion; the conviction that, if and when Germany won, her submarines and warships would be destroying our harbors and shipping, her bombers blasting not only our seaboard but the cities and towns of the interior.

He strenuously tried to create in the minds of our people the thought that, to meet this danger most effectively, we must take part actively in the present war.

Time and again he and those connected with his administration have made statements, committed acts, which were provocative in their nature, an invitation to retaliation.

I have nothing to say in defense of any foreign ruler or any foreign aggressor. I am only calling your attention to the fact that the President, from the time of his Chicago speech right down to the present day, has done just about all any man could do to get us into war. [Applause.]

In spite of the fact that we were parties to article 6, adopted at The Hague Convention, and which provided that—

> The supply, in any manner, directly or indirectly, by a neutral power to a belligerent power, of warships, ammunition, or war materials of any kind whatever is forbidden.

We as a nation have acted directly contrary thereto. The natural result of our acts in that respect and of his assaults on other nations and rulers has been to increase the animosity held by those who have reason to hate us and to create in them a desire to seek revenge.

Last night, throwing aside all pretense of neutrality, the President accused Italy of stabbing France and England in the back—certainly not a statement either intended to keep, or conducive to keeping, us out of the war.

He followed that by advising Italy and Germany that the resources of our country would be thrown against them.

Apparently the only reason the President did not last night declare war was because the Constitution does not give him the authority and because he thinks that he can just as effectively get us into the war by doing acts which will force Italy and Germany, if they would retain their self-respect, to attack us.

He takes the position of the man who insists that there be a fight, yet desires to have it appear that the other man is the aggressor. He wants it to appear that he is acting in self-defense. He refuses to strike the first blow but, by taunts and by insults, provokes his adversary to begin the battle. That, in brief, is Roosevelt's present position.

It should be remembered that, so far, Germany has made no demands of any kind upon us; that she has in no place set foot upon our soil; that she has not destroyed any of our ships.

It should be known that, if we now, as the President said he would do, throw all our resources on the side of the Allies, and later, if their need demands, send our men, the war will come not because of anything that Germany has done or is doing to us, but because of what she has done to France and to England and because the President has insisted that we take an active part in the conflict.

If we go to war, it will be because again, as once before, we are willing to fight "to make the world safe for democracy." If that be the judgment of our people and they are willing to make the necessary sacrifices, that is their right. But it is not the right of the President to usurp the functions of the people's representatives and by his acts and words force us into the war.

ARE WE READY?

Not only would the President force us into war, but he would force us into a war for which we are in no way prepared.

The President's own statements are evidence of the fact that we are not prepared to successfully defend our own shores from invasion by a foreign aggressor. How, then, can it be said that we are prepared to wage a winning war by sending our inadequate weapons 3,000 miles across the sea?

Although the President has been given fabulous sums to prepare our Nation for defense, he has, according to his own statement, failed in that task.

We have not, according to his statements, the means at hand to successfully defend ourselves. His belief in this is shown in his recent messages to Congress in which he asked for the construction of 50,000 aircraft, for billions upon billions of dollars, for motor transportation, ordnance, munitions, warships, coast defenses.

One would think that if our country is in such great danger that it needs all these things to preserve its life, caution and prudence would dictate a course which would insure our safety, rather than the sending of our matériel and later our men to destinations where the result is far more uncertain.

Many, many times in the past has the President been mistaken in his experiments. This latest idea of his of defending America by sending her resources and her men to meet Italy and Germany on the centuries-old battlefields of Europe gives less promise of success than did his other many experiments, which have failed so disastrously here at home.

SOME REASONS FOR OUR UNPREPAREDNESS

Not only are we lacking in trained men and, what is equally important in modern warfare—in modern ordnance, aircraft, and transportation—but we are lacking in the industrial organization to supply the materials of war in adequate quantities.

Manpower we have, and for old-time warfare they might be quickly trained. Unfortunately, the President, while affecting to despise the horse and buggy days, which, after all, met and successfully solved the problems of those days, is still using "horse and buggy" wartime methods while we are now confronted with mechanized destruction.

Not only are we lacking in the industrial organization and facilities to supply the matériel needed for our defense, but the President and those who surround him and advise him, by their friendship for and their encouragement of those carrying on subversive activities, have rendered it questionable whether we, too, if war came, would not find ourselves in the same position that confronted England and France when came their hour of need.

Just a few days ago, the President told us that, notwithstanding the great danger which confronted us, none of his cherished so-called social legislation must be touched or changed.

The President, if he knows anything at all, must know that America cannot adequately prepare for war unless our Nation is united; unless all are working toward one end. He knows that industry cannot produce the things which are vital for our safety if so-called labor leaders or subversive elements in industry, under whatever name they may act, are permitted to stop or to slow down production by demands for shorter hours and higher wages.

He has before him the example of how Hitler prepared to carry conquest over all of western Europe by bending every energy of his people toward production.

We need not, here in America, the threat of prison, of execution, to obtain production. American workers, believing in their country, cherishing their freedom and their independence, are willing to give of their time and their energy, without thought of additional gain or profit, to the limit of their ability, if they are permitted to do so.

It is only because of the activities of the so-called "fifth column," to many of whom the President and his supporters have given encouragement, that we find the discord which still exists between employee and employer.

The President last night in substance said that those who believed in isolation were ridiculous in holding to that belief, that this country of ours could not be an island in the sea.

For many long years America has been an island, an island where the workingman fared better than any other place in the world, where men were free to worship, where we had prosperity, an opportunity for education, and where we had liberty, and freedom of speech and of the press, and I know of no reason why, if we can defend ourselves at all, we cannot better accomplish that task here at home instead of dissipating our forces abroad.

A STAB IN THE BACK

The President last night charged that Italy had stabbed her neighbor in the back.

A stab in the back is one of the most cowardly forms of assassination—of warfare.

A stab in the back? Who stabbed the American taxpayer in the back by leading the Nation to spend twice its income? By using money set aside to relieve distress and misery and suffering for political corruption? By wasting millions of dollars on useless, impractical projects? By permitting the stealing of hundreds of thousands of dollars by high officials?

A stab in the back? If the President knew that we must get ready to meet an adversary at the end of this World War, knowing that this was a war different than the wars of the past; that, as stated by the gentleman from Mississippi [Mr. COLLINS] yesterday, this would be a war waged with mechanized equipment, why has he not prepared the Nation for that kind of warfare?

A stab in the back? Who is it that has held up to ridicule, who is it that has berated businessmen, and who is it that has induced the people to believe that the businessmen and the industrialists of this country, the men upon whose ability, resources, and facilities we must now depend for production, were unpatriotic? That they were greedy? That they were selfish? That they were public enemies?

A stab in the back? Who is it that has taught the American people, or who has tried to teach the American people, and I hope to God he has not succeeded, that they need not work, that they need not save, that thrift is out of date, that they could look to the Government to take care of them? Who is it that has attempted to destroy the spirit of initiative, of independence, of our people?

In France and England men were not willing to work without a shortening of hours and an increase in wages. That statement cannot be made of the workingmen of this country. Oh, no. Our workingman is patriotic. For home, fireside, and God he is willing to fight. He is willing to work not 40 hours a week but all the time that may be necessary. But he has leaders who find help and aid in the shadow of the White House, who try to teach him that he has the right to hinder our production program; that he has the right to quit work on American battleships and on engines for airplanes and let our factories stand idle. To lend support to that thought the President says that our social gains must not be sacrificed, even to a preparedness program.

A stab in the back? Why is it that today we find ourselves without trained and skilled workers in those industries upon which we are dependent for the mass production of our weapons of defense? Is it because those in authority have permitted the leaders of certain organizations to establish rules and regulations which have prevented the training of apprentices?

A stab in the back? Why is it that today manufacturers the country over can promise to meet the Government's need only if they are freed from red tape and the restrictive practices of so-called labor union leaders, which prevent or slow down production?

A stab in the back? Why is it that our great industrial plants, second to none in the world in productive capacity, in resources, and management, will be unable to meet the Nation's need unless this administration loosens its throttling, choking grasp?

A stab in the back? It would be hard to imagine a deeper, more dangerous wound to American industry, American production, than that given to industry when, on the last day of December 1936, without Presidential remonstrance, armed forces invaded and paralyzed a great motor industry in Michigan. That blow struck at the very heart of our national defense, and it was carried on by a friend of the President of the United States and without the President's disapproval.

A stab in the back? Our great industrial plants are the foundations upon which our national defense must rest. Who by his silence during the past 2 years has encouraged the National Labor Relations Board in its unjust, cowardly, and un-American and all-too-successful attempts to undermine and impair the usefulness of our industrial plants?

A stab in the back. I ask you who in the last few years and in the last few months has given shelter to representatives of that party which holds that our Government should be overthrown by force; that party which teaches that religion is a fraud and that there is no God? Who has been giving encouragement to that organization by extending hospitality to its members, by giving some who adhere to its teachings places in the Federal Government?

A stab in the back? A stab in the back to our form of government? Who was it that sought to destroy the power of the Supreme Court by attacking that Court, by attempting to place on that Court men who would do his bidding, and finally who, because of the death of some of its members, has been able to place on that Court men who have now declared, not once, but twice, that whatever Congress may do, whatever laws it may make here, are to stand regardless of constitutional provisions?

Oh, a stab in the back at our form of government. Who is it that has reduced this Congress and preceding Congresses to exercising the function of a rubber stamp? Who is it that has made the Congress subservient to the will of the man in the White House?

Who is it? The man who sits down there today, a man who would drag the American people into war. It is not dollars and cents that will be lost; it is not the fact that to meet this new emergency, to meet this foreign enemy, we find ourselves now at the bottom of the financial pit that I protest on this occasion. It is not that we have ourselves loaded down with that debt which will be a millstone around our necks in any war that may come. That is not the point. The point is that the man down there in the White House, if he has his way, will send hundreds of thousands, yes, millions, of American boys across the sea to die. That is the point.

Talk of your war and drag us in if you will, but let me tell you that the American people, while they are willing to fight for their homes, for their firesides, for their Government, and for their God, are not willing to fight so that that man may have a third term in the White House. [Applause.]

Mr. SABATH. Mr. Speaker, I yield such time as he may desire to the gentleman from Tennessee [Mr. COOPER].

Mr. COOPER. Mr. Speaker, I shall ask your indulgence at this time to discuss the rule now under consideration. Later during the debate on the bill I hope to have an opportunity to discuss that. I should like to very plainly and simply state to the membership of the House the reasons why the Ways and Means Committee in the exercise of its discretion deemed it wise and appropriate to apply to the Rules Committee for this type of rule for the consideration of the tax bill which the rule makes in order.

There are two reasons why it is necessary to waive points of order against the tax bill. In order to technically comply with the Ramseyer rule it would have been necessary for us to include the entire internal revenue code in our committee report on the bill. Certainly nobody wanted to go to the expense of printing the entire internal-revenue code in the report on this bill.

The next point is that in order to put this money into a sinking fund to provide for the retirement of these obligations it is necessary to include an appropriation in the bill to place the money in that fund. Of course, the Committee on Ways and Means does not have authority under the rules of the House to report bills including appropriations. For these two reasons, at least, it was necessary to ask for a rule to waive points of order against the bill, in order to meet the situation presented by a strict application of the Ramseyer rule and in order to place this money in the sinking fund.

After the Ways and Means Committee found itself in a position that it had to ask that points of order be waived, it was, of course, necessary to request a closed rule in order to be able to protect the bill. After you waive all points of order to a bill, then your legislative committee having charge of the consideration of the bill has no way of protecting the bill during consideration by the House. After all points of order have been waived, any amendment that anybody might see fit to offer would be in order. We could not make a point

of order against anything that might be offered in the way of amendment. Therefore the committee felt that it was entirely appropriate to ask the Rules Committee to grant a rule waiving points of order and then to have a closed rule in order to protect the bill.

One other point in this connection: The bill raises $1,004,000,000 in revenue. We all know that substantially that amount of revenue is necessary at this time. If the bill were open for amendment, from a practical standpoint, what might we reasonably expect? Amendments would be offered to eliminate certain tax items provided in the bill, but amendments of that type never include a provision to restore the amount of money that would be lost by the adoption of that particular amendment. If amendments of that type should be adopted, it would naturally result in a loss of revenue. If no other provisions were presented to raise the amount of revenue thereby lost, we would wind up with a bill providing not a billion dollars in revenue but no telling what amount.

Considering the emergency that now faces this country, and considering the situation as it now exists, we felt that it was best to present this bill, which is the product of the efforts of the entire Ways and Means Committee without any partisan consideration whatever. Every member of that committee has worked diligently and faithfully, day and night, to try to present this bill. It is the best that we could provide. We have felt that it is necessary to raise this amount of money, and the only way to protect the bill is to bring it in under this type of rule.

I want to pay tribute to my minority colleagues on the Ways and Means Committee, those who served on the subcommittee of which I have the honor to be chairman, and on the full committee. I have never seen a finer and more patriotic spirit exhibited by any group of men than was shown by the minority members of the Ways and Means Committee during the consideration of this bill. The necessity of raising revenue to provide for the national defense of this country is a great American question. It is one that far transcends any party lines that we may know in this country. All the members of the Ways and Means Committee accepted that responsibility in that fine, patriotic spirit.

We present this bill to you as a product of the best effort your Committee on Ways and Means can exert. We believe the adoption of this type of rule, for the reasons I have endeavored to present here briefly, is necessary to protect the bill and provide the revenue that everybody knows this country needs and must have at this critical time in its history. [Applause.]

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. COOPER. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. How much is it estimated will be required annually to retire the $4,000,000,000 increase in bonds?

Mr. COOPER. Naturally, if you are going to retire $4,000,000,000 in 5 years it will require $800,000,000 a year to retire the principal alone.

Mr. CASE of South Dakota. What will be the excess of the estimated returns of revenue proposed under this bill over the amount necessary for retirement?

Mr. COOPER. The bill is estimated to produce $1,004,000,000. It will require $800,000,000 to retire the principal of the bonds. Of course, the interest naturally varies because you get different rates at different times, but from the amount of revenue provided in this bill the principal of the $4,000,000,000 will be repaid in 5 years' time, and we believe we have a reasonably safe margin to take care of the interest and any fluctuations that may occur with respect to the actual yield of the tax items in the bill. For instance, you levy a certain tax. It is estimated to yield so much revenue. There may be some variation in the actual amount that tax item will yield in revenue. We believe we have a reasonable margin of safety, which we think prudence and ordinary business discretion would prompt us to have, and that the bill as a whole will be sufficient to retire this $4,000,000,000 of national-defense obligations in 5 years' time, take care of the interest on the bonds, and meet any contingencies that may arise by reason of the revenue not being exactly the amount we now estimate it will be.

Mr. TREADWAY. Mr. Speaker, will the gentleman yield?

Mr. COOPER. I yield to the gentleman from Massachusetts.

Mr. TREADWAY. In connection with the subject brought up by the gentleman from South Dakota, is it not also a fact that a good deal of this revenue—for instance, from the gift tax and the inheritance tax—will not come into the Treasury promptly. We cannot figure when it will be received.

Mr. COOPER. The gentleman is exactly correct.

Mr. ANDREWS. Mr. Speaker, will the gentleman yield?

Mr. COOPER. I yield to the gentleman from New York.

Mr. ANDREWS. May I ask the gentleman which of the various large appropriation bills currently before us, in his opinion, will be passed and approved by the President first? I refer to the relief bill, the agricultural appropriation bill, and the necessary defense appropriation bills.

Mr. COOPER. I do not know that I clearly comprehend the gentleman's question. Certainly, if he is asking me in what order the appropriation bills will be passed, I submit that is not a matter I can answer.

Mr. ANDREWS. I am getting back to the fact that there still remain to be approved an appropriation bill for relief and an appropriation bill for the Department of Agriculture. For myself, I cannot see why this tax bill should be entirely loaded on the subject of national defense. Why does not the committee bring this bill in for what it is, a deficit tax?

Mr. COOPER. No; the gentleman is not accurate on that. The money is for national defense.

Mr. ANDREWS. Where is the money for the other bills coming from?

Mr. COOPER. This money is for national defense. The estimates show that we will need $3,250,000,000 for national defense this coming fiscal year.

Mr. ANDREWS. The earlier estimates did show that we will need so much money for relief and so much money for the Department of Agriculture. The money all comes from the same source. Why should the brunt of the tax be shouldered on the subject of national defense?

Mr. COOPER. All the revenue provided by this bill is intended for national defense.

Mr. ANDREWS. Was this bill drawn by the Ways and Means Committee or by department officials?

Mr. COOPER. It was drawn by the Ways and Means Committee, every provision in it, as have other bills that have been presented by the Ways and Means Committee since I have had the privilege of being a member. [Applause.]

Mr. SABATH. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

Mr. DOUGHTON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 10039) to provide for the expenses of national preparedness by raising revenue and issuing bonds, to provide a method for paying for such bonds and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 10039, with Mr. DELANEY in the chair.

The Clerk read the title of the bill.

Mr. COOPER. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. DOUGHTON. Mr. Chairman, I yield myself 30 minutes.

Mr. DOUGHTON. Mr. Chairman, a major challenge that is often hurled against democratic nations is that democra-

cies are too cumbersome and too unwieldy to function in great emergencies. This is a charge that is frequently heard. However, I am sure that our prompt action with respect to the pending bill and also the expeditious action taken by our President and the executive branch of the Government will completely refute this allegation. It will not only completely refute such an allegation, but will eradicate completely from the public mind any such impression, and assure our own people and convince the world that a democracy can act with amazing promptness and complete unanimity in a great national crisis. I am persuaded also that such prompt action on our part and the part of our Government will be an inspiration to free men everywhere in that we have demonstrated to the world that a democracy can function speedily and efficiently and can furnish leadership and concerted action in any emergency that may arise.

The people of America have been fully awakened to the imperative necessity of putting our Nation in a state of military preparedness commensurate with our needs and with world conditions. On several occasions the President has, with great force and clarity, called attention to the need for strengthening our national defense, particularly in his messages of January 3, and May 16, of this year. He graphically portrayed in those messages the immediate and pressing urgency of the appropriation of defense funds—large sums of money by which our Army, Navy, Marine Corps, and our air force might be modernized. In addition he has emphasized the compelling need for enlarging and speeding up our productive facilities so that the mechanical needs of the defense program may be promptly and efficiently met.

The program is going to cost considerable money, but if I understand the temper of the American people, I believe I speak the sentiment of almost every citizen when I say that they will contribute gladly to any program, no matter how huge, if they are convinced it is necessary to our defense and that the burden of supporting this program is distributed as fairly and equitably as is reasonably possible.

The bill before us for consideration today, H. R. 10039, has the unanimous support, as has been stated, of the Committee on Ways and Means which has been giving the matter contained in this bill very careful and earnest consideration for about 2 weeks. During this time we felt that under the circumstances we would be justified in using all possible speed in the consideration of such legislation, and, as has been stated by the distinguished gentleman from Tennessee [Mr. COOPER], there was not the slightest trace or evidence of any partisan politics in our deliberations. I regret exceedingly that that fine spirit has not been manifest here today, but that, on the contrary, some very narrow and bitter partisan statements have been heard, and I am determined so far as I am concerned, that nothing I say here, either directly or by implication, shall be construed as having any partisan taint or implication whatever. I regret that our minority friends on the committee who labored with us so earnestly and so assiduously in the preparation of this bill could not have carried out in their minority report the fine spirit which characterized their work while the bill was under consideration in committee. I regret to see the political outburst that has been expressed in this minority report, and I shall not attempt to reply to it because this is not the time or the occasion for partisan expressions. In the last two paragraphs, however, of this report there are statements which I feel I should refer to briefly, and I read from the report:

> The pending bill is a makeshift tax measure, hastily drafted, to meet an emergency.

I deny that the bill is a makeshift, but if it has any such characteristics, the minority members of the committee helped to make it so. There is not any question about that, and they are as much responsible for any such characteristics are are the members of the majority.

> We believe that it is essential to immediately undertake a further study of the general tax question with a view of enacting a balanced long-range tax program at the earliest possible date. In this connection we believe that consideration should be given to the possibility of securing additional revenue by modifying some of the rates of taxation which have reached the point of diminishing returns.

We know that this is a hurriedly prepared tax measure and that it has been the understanding all the while that the Committee on Ways and Means, or the subcommittee of the Committee on Ways and Means, in charge of internal-revenue taxation would, at the first practical moment, begin a study of a new tax bill, a scientific tax bill, a well wrought-out and thought-out tax bill, one that would eliminate as far as possible any inequities in the present tax law—lower any taxes that might be too high and distribute the burden as equitably as possible. We all agree to that. There is nothing new in that statement. It is understood that the staff of the Joint Committee on Internal Revenue Taxation, in conjunction with the staff of the Treasury Department, if Congress takes a recess, or if Congress remains in session, as some seem to think it should—and I do not express any views on that—will make a careful study of the entire internal-revenue tax structure with the view of eliminating any inequalities which may be disclosed, as is fully set forth in the committee report on the bill. The minority members should know that if they have read the committee report. The minority has no monopoly on the desire to equalize taxation or to raise the necessary revenue to defray legitimate expenses of the Government, and I see no need for that declaration, because it has been the common understanding that that would be done.

The last paragraph of the minority views goes on to state:

> In view of the emergency which confronts the Nation, we have unanimously joined with the Democratic majority in reporting the pending bill to the House, but we feel that we would be remiss in our duty as members of the minority party unless we supplemented the report of the majority with these additional views, calling attention to certain facts which, in our opinion, the people of this country are entitled to know.

Of course, it was the emergency that inspired this tax bill. Otherwise there would have been none at this time. We would have taken further time to write a more complete bill and to bring about a more thorough revision of our tax laws.

If gentlemen will read this minority report they will find that it is nothing but a political stump speech, which in my judgment is very inappropriate in a report upon a bill of this kind under the circumstances that obtain at present.

Mr. Chairman, so far as the bill is concerned, I shall not attempt an elaborate explanation at this moment. For any detailed explanation of the bill I refer to the chairman of the Subcommittee on Internal Revenue Taxation, the gentleman from Tennessee [Mr. COOPER], and other members of the committee who are familiar with the bill. However, I shall give a general outline of the provisions of the bill and for the necessity of its speedy enactment.

The sum total of requests for the appropriation of national-defense funds for the fiscal year beginning July 1, 1940, amounts to approximately $3,250,000,000. Of this sum, $1,940,000,000 was contained in the Budget presented last January, and about $1,300,000,000 has been contained in supplemental requests made subsequently. A considerable portion of these additional requests have already been included in appropriation bills now pending before the Congress, and undoubtedly the balance of the entire amount will be appropriated within the fiscal year 1941.

To properly finance this program and to maintain our Treasury in a sound position with respect to the cash working balance and the maturities of obligations now outstanding, it is imperative that we provide for the added expense of these emergency national-defense expenditures by increasing taxes.

We are now within approximately $2,000,000,000 of the $45,000,000,000 debt limitation imposed by existing law. The additional revenues provided by the pending bill will not come into the Treasury with sufficient speed to take care of the immediately needed defense expenditures. The bill therefore provides a method whereby these additional tax revenues for

the next 5 years may be anticipated and made available for the urgent immediate needs.

The Secretary of the Treasury will be expected to advance, out of the funds in the General Treasury, the amount necessary to meet the appropriation for national defense, and that money will be reimbursed to the Treasury out of the funds collected under this bill in the amount of the advance to take care of this $3,250,000,000 which will be expended during the next 12 months.

I will briefly explain title I of this bill.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I prefer to finish my statement first, but I will yield for a brief question.

Mr. CASE of South Dakota. On this point you mentioned in retiring these expenditures for national defense, section 302 of the bill states, "to meet any expenditures made after June 30, 1940." I think it should be called to the attention of the House that on most of these military appropriation bills the funds have been made immediately available, so that it might be there would be a little gap there and we might not be able to charge all of the expenditures in the pending appropriation bills against these funds. Expenditures made prior to June 30, 1940, will not be chargeable, unless the date is changed.

Mr. DOUGHTON. That is correct—expenditures made prior to June 30, 1940, will not be chargeable to the fiscal year 1941.

Section 320 of the bill authorizes the Secretary of the Treasury to issue, within the framework of current statutes relating to the public debt, $4,000,000,000 of short-term public-debt obligations with maturities not exceeding 5 years, to be designated "National Defense Series." These obligations will be in addition to the $45,000,000,000 debt limitation provided under existing law.

The tax increases provided by the bill are estimated to yield additional revenue of approximately $1,004,000,000 for each full year of operation. These increased taxes may be divided into two categories. Those contained in title I, that is, the increased individual and corporate income tax, are permanent in nature and are designed to yield about $330,000,000 annually. Those contained in title II, that is, the 10-percent supertax and the increased excise taxes, are temporary in nature, being applicable only for the 5-year period 1940–45, and are estimated to yield about $674,000,000 annually. The additional revenue attributable to title II will be placed in a special fund, which shall be available only for the retirement of the National Defense Series obligations. The additional revenue attributable to title I will not be so earmarked because of the extreme difficulty which would be met in an attempt to segregate such additional revenue. It should be pointed out, however, that the total additional revenue attributable to both titles I and II is calculated to insure the retirement of these special obligations over the 5-year period for which the temporary taxes are to be effected.

Thus the revenue from these additional taxes is closely and definitely associated with expenditures for national defense.

Unlike most revenue bills which it has fallen to my lot to present to this body during the last 7 years, the pending bill is very simple in outline and contains no complicated provisions. Title I, which contains the changes in tax structure of a permanent nature, provides for the reduction in the personal exemptions allowed individuals of from $2,500 to $2,000 in the case of married persons and from $1,000 to $800 in the case of single persons. This broadening of the income-tax base will permit approximately 2,000,000 individuals who are now not taxable to contribute to the support of their Government in this time of great national crisis.

The surtax rates applicable to net incomes in the brackets from $6,000 to $100,000 have been increased. While the rates of tax upon net incomes in excess of $100,000 have not been increased, the actual tax payable by individuals with such incomes will be proportionately larger because of the increase in rates in the brackets indicated.

Likewise the rates of tax applicable to corporations have been increased by 1 percent. Thus the rates are from 12½ to 18 percent, provided in existing law, will become 13½ to 19 percent under the bill. Appropriate changes have been made to increase the taxes payable by nonresident alien individuals and by foreign corporations.

The changes in tax structure made by title II are applicable only for a period of 5 years and will then automatically expire under the provisions of the bill. Title II increases by 10 percent the income taxes which would otherwise be payable by both individuals and corporations. The same treatment is accorded in the case of the excess-profits tax, the capital-stock tax, the estate tax, the gift tax, and in most of the miscellaneous excise taxes. In the case of gasoline and alcoholic beverages the rates of increase are higher than those applicable to most of the other commodities subject to the excise taxes. The same is true with respect to cigarettes, tobacco, except plug and twist, and all tobacco products. Here the rate of increase is 16⅔ instead of 10 percent.

The bill also provides for the continuation of the temporary excise taxes, which either expire or have their rates reduced in 1941, from 1941 to 1945.

There are several types of internal-revenue taxes with respect to which rate increases are not provided. These taxes include those of a regulatory nature, such as the taxes on white phosphorus matches, mixed flour, adulterated butter, narcotics, and certain types of firearms; internal-revenue taxes upon certain imported commodities, such as those levied with respect to coal, copper, petroleum products, lumber, and certain vegetable oils; the social-security taxes; and the taxes on communication facilities, such as telegraph, telephone, radio, and cable.

On page 18 of the bill will be found a table describing the tax, identifying the section, and giving the old rate and what the rate will be under this bill. The last column is headed "Supertax rate," but it means what the rate will be if this bill becomes law as written. I have mentioned the increase in the surtax rate on individual and corporate taxes. This table on page 18 gives the increases in the excise taxes. For instance, the present rate on box seats is 10 percent. The new rate will be 11 percent.

On page 20 is given a table showing the change of the tax rate on tobacco products. For instance, the present rate on snuff is 18 cents. The new rate will be 21 cents. On cigarettes the old rate is $3. The new rate is $3.50.

On pages 21 and 23 are tables showing the change in taxes on distilled spirits and wines. The present rate on distilled spirits is $2.25. The new rate will be $3. On brandy it is $2 but will be $2.75. On imported perfumes it is $2.25 but will be $3.

We come now to title III of the bill, and there are only three titles in the bill. It is a very simple bill and one which can be easily understood. Title III of the bill provides for the issuance of $4,000,000,000 of additional Treasury bills and notes to be designated "National Defense Series." Under the Second Liberty Loan Act the total amount of Government indebtedness—bonds, Treasury notes, certificates of indebtedness, and other forms of Government obligations—could not exceed $45,000,000,000. Title III of the pending bill raises the debt limit temporarily to a total of $49,000,000,000, or an increase of $4,000,000,000. This is necessary, Mr. Chairman, for several reasons. One essential thing at all times, and especially in times of great emergency, is to maintain the credit of the Government in as sound a condition as possible. The advances we shall have to make to carry out the national-defense program will require that the debt limit be raised. The Secretary of the Treasury estimated that the safe point to which to raise it was $49,000,000,000.

It is further provided in this title that if the amounts in the fund are not sufficient for the purpose of retiring these obligations—the $682,000,000 raised under title II which imposes the supertax and increased excise-tax rates—that general funds may be used for the purpose of retiring these special bonds.

This special tax and supertax is to be placed in a special fund in the Treasury, earmarked and kept there for the purpose of retiring these bonds. As I say, if it is found that this special fund is not sufficient to retire these bonds it is provided that a sufficient amount of the general permanent taxes must be used by the Treasury to retire these bonds.

These bonds cannot be issued for a longer period than 5 years. It is estimated that at the end of the 5-year period there will be a sufficient amount collected under this bill to retire all these obligations, and that perhaps a small amount, we do not know how much, will be converted into the General Treasury.

The funds collected under title I go in with the general taxes because they are permanent taxes, and it will be almost impossible to keep them separated.

Mr. Chairman, that is a brief explanation of the bill. If there are any questions I shall be glad to try to answer them, although I would prefer that they be answered by the gentleman from Tennessee [Mr. COOPER], who has made a thorough and detailed study of the bill and is familiar with every item.

It was just 2 weeks ago that we began the formulation of the program contained in the pending bill. During these crowded days your committee has worked hard and diligently to prepare the best program possible in the limited time at our disposal. Thus, in a minimum of time, your committee brings before you a tax measure behind which our entire membership is united. At this point I wish to pay tribute, on behalf of the majority members, as well as myself, to the serious and sincere cooperation of all the members of the committee, minority as well as majority, thus illustrating the truth of my former statement that where a great national emergency is to be faced a government of free and patriotic men can unite and cope with the problem with speed and efficiency.

This is a simple bill, one which can be easily administered. It is one that will yield the money needed, and I am sure the American people, without regard to politics, will willingly and gladly pay these taxes. I do not believe there is a tax in here that a single taxpayer will not be glad to pay to strengthen our national defense.

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, I yield myself 5 additional minutes.

There is no sure way, of course, of keeping our country at peace. We all desire, we all earnestly hope and pray that our Nation may be kept at peace. The best way to do this is to be well prepared, so that no savage, brutal, murderous dictator or despot will ever think of invading our shores. However, if that should happen, then the surest way to prevent the accomplishment of such a mission is to be prepared for it, and the only sure way of preparing for and winning a war, if one should come, is to be well equipped and well prepared to meet such an emergency.

Mr. Chairman, I feel that the people of the Nation as a whole will willingly carry the burden of these taxes and that they will bear any other burden or make any other sacrifice that may be necessary to defend our Nation in any emergency that may arise. They will willingly and gladly contribute, and, if necessary, make any sacrifice whatever in order that we may stand as one united people impregnable against any nation in the world. [Applause.]

Mr. COOPER. Will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from Tennessee.

Mr. COOPER. As the chairman of the Committee on Ways and Means knows, there has been considerable discussion of the increase in the tobacco tax provided in the pending bill. May I say that due to the effort and the great influence of our distinguished chairman, no increase is provided in this bill on plug and twist chewing tobacco. I also want to point out that an effort was made by a most influential and distinguished member of the Ways and Means Committee to increase the cigarette tax from $3 a thousand to $4 a thousand, which is twice the amount of tax provided in this bill, but due to the effort and the influence of the chairman of the Ways and Means Committee, this further increase was prevented. I think the tobacco people of the country should know that the gentleman from North Carolina, the distinguished chairman of the Committee on Ways and Means, labored unceasingly in his efforts to see that fair and proper consideration was given the tobacco interests. [Applause.]

Mr. DOUGHTON. I thank the gentleman.

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, my first pleasant duty is to acknowledge the very courteous remarks made by the gentleman from Tennessee relative to the cooperation of the minority and the absence of any partisanship in the preparation of the pending bill. I join with the chairman in being sorry that he made any reference to the last two paragraphs of the minority report. We offer no apologies for the minority statement filed last night, and more particularly we offer no apologies for the last two paragraphs in it. Whenever any partisanship starts in connection with this bill it is started by the Democratic side under the leadership of the chairman. I say there is no partisanship in those last two items, although he tries to read it to show that there is.

Mr. Chairman, I do not think that any Democratic member of the Ways and Means Committee will deny that this is a hastily drafted measure, which is what the second to the last paragraph in our minority report says, to which the chairman has taken violent exception.

The first reference to any measure of this kind is in the President's message of May 16. Today is June 11, less than a month since the President of the United States first proposed that there should be an emergency defense measure proposed. The suggestion of a tax bill came sometime later, on May 28, to be exact, just 2 weeks ago today. If this is not a hastily prepared measure, what is it? It cannot be otherwise by the calendar.

The chairman of the Ways and Means Committee went out of his way to bring up that item in the minority report. I submit that the views of the Republican minority were prepared with care and we all stand back of every item in the report, particularly the two to which the chairman takes exception. He also quoted our statement to the effect that we unanimously joined the Democratic majority in reporting the pending bill but feel we would be remiss in our duty as members of the minority party unless we supplemented the report of the majority by calling attention to certain facts which in our opinion the people of this country are entitled to know. There is nothing in the statement of the supplemental views of the minority that the people of the country are not entitled to know exactly as we stated them. The chairman referred only to the closing paragraphs of our report, which follow the long list of facts to which we called attention. I am sorry he did not read more of our report into the RECORD.

The gentleman referred to the intention to study the tax problem and stated that they are going to undertake this study. I am glad they have finally awakened to the fact that the tax problem ought to be studied. I happen to have had a measure before the Ways and Means Committee for two successive Congresses calling for a thoroughgoing, nonpartisan tax study, but I have been unable even to secure a hearing on the proposal. That demonstrates the partisanship on the part of the Democratic majority. My proposal was not one that had the slightest thing in the world to do with partisanship. It was a very simple proposal to make a careful study and revision of the Federal tax structure. In fact, one of the representatives of the Treasury Department who came before us, Mr. Sullivan, the new Assistant Secretary of the Treasury, said that they wanted to make this study during the coming summer period.

When the gentleman says that the supplemental views submitted by the minority are a political outburst, he is

entirely mistaken. The fact is that the truth hurts the gentleman. He does not like to have us call the attention of the people to the facts. The gentleman puts himself in a rather bad light.

Mr. DOUGHTON. In your opinion.

Mr. TREADWAY. Mr. Chairman, I want to supplement also the statement of the gentleman from Tennessee when he stated it was through the effort of the distinguished chairman of our committee that the increased tax was taken off plug and twist chewing tobacco. It was taken off at the earnest solicitation of the chairman of the committee. It was purely a compliment to him on the part of the committee that it was taken out, so the remarks of the gentleman from Tennessee are correct. Of course, we have the highest regard conceivable for the integrity and personality of our distinguished chairman. He showed that he was terribly interested in behalf of his constituents, some of whom are in the tobacco-growing business and all of whom have urged him to continue in Congress.

Mr. BARDEN of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. No; I prefer not to yield.

Mr. DOUGHTON. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. I yield to my chairman, certainly. I did not ask him to yield to me when he was making remarks about me, but I will yield to him, of course.

Mr. DOUGHTON. The gentleman from Massachusetts did not request me to yield. I would gladly yield to him at any time. I have great respect for the gentleman.

Mr. TREADWAY. I did not ask the gentleman to yield because I did not want to interrupt the gentleman.

Mr. DOUGHTON. I want to thank the gentleman for his observation about my attitude with respect to the tobacco tax, and ask him if he would not testify further that I endeavored to get a further modification in the bill but was unable to do so and that I opposed vigorously the increase above what is presently in the bill in the cigarette tax. As the gentleman knows, there was a proposal to raise the tax a dollar, and I fought that with all my might.

Mr. TREADWAY. The gentleman is making a correct statement.

Mr. DOUGHTON. I tried to get a further modification but could not do so.

Mr. TREADWAY. The gentleman's one great effort was in behalf of the plug tobacco, which is the kind of tobacco raised in his district.

Mr. DOUGHTON. I beg the gentleman's pardon. Not a pound of plug tobacco is raised in my district.

Mr. TREADWAY. Perhaps I should have said in the gentleman's State. The gentleman said he would like to see the increased tax taken off cigarettes. Yes, and every cigarette smoker would.

Mr. BARDEN of North Carolina. Mr. Chairman, will the gentleman yield now?

Mr. TREADWAY. I am sorry, I cannot yield further. It was out of courtesy to the chairman that I yielded to him.

There seem to be two reasons why this bill is made necessary. The first is the defense program, which everyone concedes is an emergency situation. Of course, there is no politics in national defense. The conditions that have arisen are an emergency situation. They have only recently come up. They were first called to the attention of the Congress by the Chief Executive, as I have already said, on May 16. However, another outstanding reason for this bill is the exhaustion of the $45,000,000,000 debt limit by reason of New Deal extravagance.

I for one am strongly in favor of economy. I have advocated that unsuccessfully for a good many years on this floor. As long as the present administration or its successor on the Democratic side is in power you cannot expect any economy program. [Applause.] They do not know what the word means, and you will never get it. But we will keep fighting for it, and we will fight for it before the American people in November.

This bill is going to startle the taxpayers of this country when they realize its enormity. I am for it. My people are for it. The constituents we represent realize in their patriotic spirit that we must have national defense, and they say they are willing to pay for it, and they are going to have the chance to do it when this bill becomes operative.

Mr. DWORSHAK. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. I am sorry; I prefer not to yield.

In the first message of the President calling for a billion-dollar defense program, no reference whatever was made to how the defense bill was going to be paid. Then a call came for another billion dollars. That message also failed to mention how the defense program was to be financed. The President, according to the press reports, told the members of the press that the method of paying for defense was a "minor detail." A minor detail to raise a billion dollars. Well, I come from old New England stock, and, by gracious, it is terrible to think of the extremities to which the country has gone when a billion dollars is a minor item to the Treasury of the United States, or even in the mind of the President of the United States. It is a very important item. We must have money to pay for national defense, whether it comes from taxes or from borrowing. That is why we have this bill before us today, to finance this tremendous program for national defense. This it does by authorizing $4,000,000,000 of defense bonds, and by providing the necessary additional taxes to pay the bonds off over a 5-year period.

I want now to compliment the majority Members in that they told the minority Members exactly what took place at the conference which was held between the Secretary of the Treasury, members of the majority of the Ways and Means Committee, certain Democratic Senators, and officials of the Government. No Members of the minority were represented at that conference. But, returning from that conference, the chairman of the committee informed us that the conference proposed a $3,000,000,000 increase in the debt limit and a 10 percent supertax to pay off the bonds in 5 years, the original proposal to yield $652,000,000 annually in taxes. The $3,000,000,000 for national defense was later increased to $4,000,000,000, and it was decided to pay off the additional amount in 5 years also.

The minority members of the committee have certainly cooperated to the fullest extent possible in enacting a defense program, and we will also cooperate today in financing it. We were the first to insist on a pay-as-you-go policy. I have asked for that procedure a good many times without results.

The public are led to believe that this is strictly a national-defense measure. It is, to a large extent, but bear this in mind: Read the bill and you will see that lowering the individual income-tax exemptions is permanent law. You will see that the increase in the middle surtax brackets is permanent law. You will see that the 1-percent increase in the corporate income tax is permanent law. So while we amortize the $4,000,000,000 defense indebtedness in 5 years' time, we set up new, permanent law that will add millions of dollars to the taxpayers' payments in order to provide the Treasury with more money to meet expenditures not connected in any way with national defense.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. I have declined to yield to so many of my friends that I dislike to make an exception in the case of my good friend from Kentucky.

Further than that, not all of this revenue now proposed to be collected will be used to retire defense bonds. A large amount, as the chairman well said, will go into the general fund of the Treasury. The amount of revenue required to finance four billions of bonds in 5 years is eight hundred millions annually, plus the small interest payment made on short-term securities such as are proposed to be issued. The amount of revenue to be raised by the bill is $1,000,000,000 annually, or five billions in 5 years. Thus there will be nearly a billion dollars in revenue during this period which will go into the general fund of the Treasury.

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield myself 5 additional minutes.

The reason the majority want a portion of this fund to go into the General Treasury is that Secretary Morgenthau and the Assistant Secretary, Mr. Bell, in their testimony before the committee, stated that by the end of February there would be but $600,000,000 in the Treasury and the borrowing power would be entirely exhausted. That is the reason they want more money to go into the general fund of the Treasury. In other words, Mr. Chairman, it is to pay for the present-day extravagance of the administration and they have got to replenish the Treasury; and whether this emergency program were before us or not, the Treasury would have had to come to the Congress and ask for additional money to carry on the affairs of the Government. This seems to me to be extremely important. Of course, after the 5-year period, all of the money which is realized from lowering the income-tax exemptions and raising the individual surtax and the corporation income tax will go into the general fund of the Treasury.

Another feature of the bill which might be overlooked is the extension of the so-called nuisance taxes from June 30, 1941, to June 30, 1945. This money also goes into the general fund of the Treasury. Only the supertax on nuisance taxes is used for the defense fund.

I want to touch upon an important matter which is ignored by the bill; namely, economy in Government expenditures. I offered the so-called Byrd amendment in committee, which provided for a 10-percent cut in the total of all appropriations except for national defense and fixed charges. The proposal was voted down by a strict party vote. I believe the matter is entitled to consideration. It could have been attached to the bill if the majority desired. It would be in order under rule by which the bill is being considered.

In my opinion, there should be economy in governmental expenditures and a very substantial reduction in the tax burden placed upon the people of the country by the extravagance of the present administration. Taxpayers are being asked to "tighten their belts," and why should not the Government departments do the same?

During the past several years it has been a fundamental principle of Republican tax policy that the New Deal ought to reduce expenditures before increasing taxes, but I regret that it is impossible at this time under the present administration. We have several times reiterated this position in our minority reports on various tax bills which have been proposed during the present administration. Secretary Morgenthau told us in the committee that no consideration whatever had been given to the question of economy during the discussions in connection with the pending bill.

Last week the President did say, after Senator BYRD and others had followed the question up, that there might be a chance to economize some, but unless you write it into law, I doubt if very much economy will be effected. The President knows nothing about economy. He never has from the time he was Governor of the State of New York to the present. He has never known what economy is in public expenditures. Personally, I feel that expenditures should be made not only in light of what we need, but in light of what we can afford—at least so far as nonmilitary matters are concerned.

Another amendment I offered in committee had to do with allowing taxpayers a 5-year amortization period for plants built or purchased for use in connection with the preparedness program. While my amendment was rejected by the committee, the Treasury was authorized to give consideration to the matter and report back at a later date.

The purpose of my amendment was to encourage the investment of private capital in the construction of defense equipment and facilities. As the President suggested in his "fireside chat" of May 26, 1940, it may be difficult to induce private capital to make the necessary investment in plant extensions under existing laws. The future use of such equipment is too uncertain. However, it seems desirable, on every count, to rely upon private capital rather than to increase the public debt further in order to secure the necessary plant increases. The proposed amendment was designed to encourage private investment by permitting amortization out of the income received under the defense contracts.

The 20-percent limitation was suggested in order to prevent complete amortization in 1 or 2 years, to the detriment of the revenue. It should be pointed out, however, that over any considerable period the rate of depreciation, or in this case of amortization, makes little difference. If the plant is entirely written off in a few years, there can be no further charges against income, and the tax yield of later years is correspondingly greater, provided there is continued use of the equipment in production. If an early termination of the need for defensive equipment should occur, then it is proper that complete amortization of the equipment should have occurred out of the income received in producing for defense purposes.

Aside from the maximum limitation for any year, it is proposed to permit the taxpayer to write off his special investment for defense purposes at such rate in each year as may suit his convenience.

This amendment, in my opinion, would prove of some help in promoting the investment of private capital at this time. It must be remembered that every dollar of private investment in expanding defense production facilities is a dollar saved from the public debt.

Mr. TREADWAY. While I expect to support the pending measure, I do so with a full realization of its imperfections. It is a makeshift measure, hastily drafted to meet an emergency.

For a long time there has been need of a thoroughgoing revision of the entire tax structure, and this need will be accentuated by the passage of the pending bill. The Ways and Means Committee ought to begin at once to lay the necessary groundwork for tax-reform legislation at the next session of Congress.

We are already faced with the fact that the Treasury will ask next year for a further extension of the debt limit. The present defense emergency has merely served to bring into the open the pressing problem of financing the Treasury during the next fiscal year. The administration had hoped to postpone consideration of this matter until after the elections. However, the defense emergency has required the Treasury to lay its cards on the table at this time, and the picture presented is not encouraging.

Even had the present defense emergency not arisen, we still would have had the problem of increasing the debt limit and imposing further taxes. The only thing the defense program has done is to make necessary an extension of the debt limit and an increase of taxes a few months in advance of the time beyond which they could no longer have been postponed under ordinary circumstances.

As we enter upon this grave emergency, we find that under the New Deal the financial security of the Nation has been seriously undermined, and that is why the pending bill is before us.

When in 1916 we undertook a preparedness program, our national debt was only $1,000,000,000, and our tax resources were as yet largely untapped. Today, our debt has been pushed to the limit of forty-five billions, and we have but one large source of revenue to which we may still turn—namely, a general sales tax.

It is essential at all times that the financial security of the Nation be maintained, but at no time could it be more essential than now.

Our people cannot possibly stand the tax burden which would be necessary to maintain the present level of expenditures for ordinary costs of government. Hence it is imperative as a matter of financial security that such expenditures be reduced to the minimum. And, while we must be prepared to spend as much as may be necessary for national defense, we ought to be sure that every cent is spent wisely and that nothing is wasted. We ought to be sure, also, that our tax structure is so geared as to produce the greatest possible revenue with the least burden on individual taxpayers and business.

Additional taxes are unpopular, but we can console ourselves with the thought that it is better to pay taxes to Uncle Sam than to pay tribute to some foreign power.

An adequate national defense is essential for the preservation of our homes, our liberties, and our institutions, and certainly, the Republican minority want to cooperate in that program in a patriotic and nonpartisan spirit, as we have done during the preparation of this bill.

The pending bill helps to make national defense possible and for that reason, if for no other, we as a minority, support it.

I am sorry we are considering this bill under a gag rule. I wish we could have had an open rule, even if it took more time to close the bill up and pass it. However, we are helpless in that situation and therefore we accept the bill in spite of the many deficiencies that can be found in it. It is in this patriotic spirit that the Republican Party wants to help pay for the national defense so urgently required and thereby maintain the security of the Nation. [Applause.]

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, I yield 30 minutes to the gentleman from Tennessee [Mr. COOPER].

Mr. COOPER. Mr. Chairman, the necessity for this bill has been presented by the chairman of the committee and I shall only refer to that briefly. It will be remembered that the national defense bills have passed the Senate by a unanimous vote. They have passed the House with only one dissenting vote. The debt for national defense has thus been created. The time has now come to provide the money to pay that debt. That is the purpose of the pending bill. The revenue provided in this measure is for the purpose of paying for national defense or meeting the requirements of national defense during the coming fiscal year.

If I may be indulged briefly I would like to give you some figures that, I think, clearly present the picture that we actually have before us today. In the 1940 Budget message of the President there was included $1,539,000,000 for national defense. There was also included $290,000,000 for supplemental emergencies under national defense, which was covered by a message of the President to the Congress about May 1939. It will be remembered that that was the so-called airplanes message. There was $100,000,000 in public works for increased barracks and housing facilities for soldiers at Army posts throughout the country.

That makes $1,929,000,000 in the Budget document. Under the message of May 16, 1940, of the President to the Congress, there will be $675,000,000 needed during this coming fiscal year. That makes a total of $2,604,000,000, which was the amount given by the Secretary of the Treasury and the Under Secretary of the Treasury, Mr. Bell, when they appeared before the Committee on Ways and Means on May 31. It will be remembered that later, during that same day of May 31, 1940, the President sent a further message on national defense to the Congress, calling for about $1,200,000,000, as I now recall. The latest revised figures show that of that amount $646,000,000 will be needed for national defense during the coming fiscal year. That makes $3,250,000,000 for national defense during the coming fiscal year. It is proposed of course in this bill that our present debt limit of $45,000,000,000 be increased to $49,000,000,000. That increases the debt limit by $4,000,000,000, and provides $4,000,000,000 of borrowing power for the Secretary of the Treasury, and the bill provides for the issuance of these obligations. Under section 5 of the Second Liberty Bond Act, the Secretary of the Treasury is authorized to issue Treasury bills with a maturity date of not to exceed 1 year. Under section 18 of the Second Liberty Bond Act, the Secretary of the Treasury is authorized to issue Treasury notes, with a maturity date not to exceed 5 years. Under the terms of this bill it is proposed that these national-defense obligations will be issued to provide $4,000,000,000, and under the figures I have just given you, $3,225,000,000 of that amount is needed for national defense during the coming fiscal year. That leaves us a margin, or what might be termed a "cushion," of three-quarters of a billion dollars between the new debt limit that is fixed and the requirements that are immediately before us.

It is now my purpose to briefly discuss the most important provisions of the pending bill, H. R. 10039. As has been pointed out before, this bill comes to you with a unanimous report of your Committee on Ways and Means. It is estimated that the amount of revenue provided under this bill is $1,004,000,000. Title I of the bill, which is permanent legislation, is estimated to yield $322,000,000. Title II, which is temporary legislation, limited to the 5-year period, is estimated to yield annually $642,000,000. Title I of the bill which provides for additional income taxes from the people of this country contains several provisions which I shall attempt to briefly discuss. It is provided that the personal exemption shall be lowered for a single person from the present $1,000 to $800, and the personal exemption of a married person or the head of a family from $2,500 to $2,000. The lowest we have ever had exemptions in the past, even including the period of the World War, was $1,000 in the case of single people and $2,000 in the case of married people. There is no change in the pending bill in the credit for dependents, such as a child under 18 years of age or people incapable of self-support because of physical or mental disability. There is no change proposed with reference to the present 10 percent credit for earned income. When you consider the new exemptions of $800 for a single person and $2,000 for a married person and then consider the credit for earned income, in effect it means that single people have $888 and married people $2,222 because, of course, the effect of that earned income credit works with the personal exemption.

Title I of the bill provides for an increase of the present corporation income-tax rate of 1 percent on the present brackets as they appear in the present law; that is, corporations having a net income of $5,000 are taxed now at the rate of 12½ percent. That is increased to 13½ percent. Corporations earning from $5,000 to $20,000 net income now pay on the rate of 14 percent, and that is increased to 15 percent; and $20,000 to $25,000 the increase is from 16 percent to 17 percent; and on net incomes of corporations above $25,000, which now pay at the rate of 18 percent, the increase is to 19 percent. It is estimated that the increased revenue provided through the 1-percent increase in the corporation tax rate will yield $70,000,000 a year.

Then, of course, under Title II of the bill they will be required to pay the 10-percent supertax on the amount of their income tax, which will make a total of $77,000,000 from corporations, $7,000,000 being for the 10-percent supertax and $70,000,000 for the 1-percent increase in the corporation income-tax rate.

The present normal income-tax rate of 4 percent is continued as at present. The increase in surtax rates as provided in the bill begins just above $6,000 of net income after personal exemption and credits for dependents have been deducted and extends to the $100,000 bracket for individuals, and an increase will result all along the schedule.

As an illustration of that, take, for instance, a married man with $3,000 net income. Of course the $3,000 is below the $6,000 point where the surtax rate begins, but a married man with $3,000 net income, by reason of the lowering of the exemptions, now pays a tax of $8. Under this bill he will pay a tax of $28. A married man with $4,000 net income now pays a tax of $44. Under this bill he will pay a tax of $64.

Of course, under title II, the 10-percent supertax will be added to that. So really the effect of lowering the exemptions and the increase of the surtax rates from the point of about $6,000 to $100,000, means that people even below the $6,000 point and above the $100,000 point will all have to pay more taxes because of the operation of the change in the exemption and the increased rates in the surtax brackets.

As has been pointed out, the bill provides that single people with $800 gross income and married people with $2,000 gross income must file income-tax returns. As the law now stands, a single person must have $1,000 net income and a

married person $2,500 net income, or a gross income of $5,000 before they are required to file income-tax returns.

Mr. CARLSON. Mr. Chairman, will the gentleman yield?

Mr. COOPER. I yield with pleasure.

Mr. CARLSON. I believe the gentleman stated that a married man with an income of $4,000 would pay $64 under the proposed law. That does not include the 10-percent increase. Is that not correct?

Mr. COOPER. That is true. I endeavored to point that out. That does not include the 10-percent supertax.

Mr. CARLSON. Did the gentleman add the 10 percent in the illustration he gave for the $4,000 or not?

Mr. COOPER. No; I did not.

Mr. FERGUSON. Mr. Chairman, will the gentleman yield?

Mr. COOPER. I yield.

Mr. FERGUSON. Anticipating expenditures for national defense in the next immediate future years, how long would this tax bill and the increase in the debt limit to $49,000,000,000 provide for? In other words, how long would it be before we will again have to raise the debt limit or have a new tax bill?

Mr. COOPER. If the gentleman will just tell me what is ahead of us I might be able to answer that.

Mr. FERGUSON. I am just anticipating our defense needs. How long does this take care of us?

Mr. COOPER. This takes care of everything we have been requested to take care of up to now.

Mr. FERGUSON. For the coming fiscal year?

Mr. COOPER. For the coming fiscal year; already in the picture for national defense for the Army and the Navy is $3,250,000,000 for the coming fiscal year. That is provided for in this bill.

Mr. FERGUSON. This just takes care of the immediate situation?

Mr. COOPER. I do not see how anybody can safely figure very far in advance what we will have to do.

Mr. DONDERO. Will the gentleman yield?

Mr. COOPER. I yield.

Mr. DONDERO. Do I understand a single person with a gross income of $800 and a married person with a gross income of $2,000 will now be compelled to file a tax return?

Mr. COOPER. Yes; that is right.

Mr. DONDERO. Instead of net income, as in the previous law?

Mr. COOPER. That is true.

Now, title II of the pending bill is temporary and provides for this increased revenue for a period of 5 years. There is provided a supertax of 10 percent of the amount of the tax that the taxpayer would owe. In other words, it means that on next March 15 the taxpayer will figure up the tax he owes under the income-tax law, which includes the law now on the statute books as amended by title I of this bill. If it shows that he owes $100 income tax, then there is 10 percent of the tax added to that, and he will owe $110. In effect, we are saying to the people of this country, the taxpayers of this country, "For every dollar of income tax, both corporation and individual, that you owe your Government we are asking you to give a dime more for the defense of your country."

Title II of the bill provides for an increase in the tax on distilled spirits from $2.25 to $3 a gallon. The increase on beer is from $5 to $6 per barrel. Six dollars is the previous war-tax rate on beer.

The tax on gasoline is increased from 1 cent to 1½ cents per gallon.

The tax on cigarettes is increased from $3 to $3.50 per 1,000; or it means an increase from the present tax of 6 cents on the package of cigarettes to 7 cents on each package of cigarettes, or an increase of 1 cent on each package of cigarettes.

Title II of this bill provides, in the main, for an increase of 10 percent in the tax now payable on all other internal-revenue taxes except social-security taxes, imports, regulatory, and communication taxes.

Title II also provides for the extension of the present excise taxes from 1941 to 1945.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. COOPER. I yield.

Mr. MICHENER. Title I is permanent law. Title II is temporary law.

Mr. COOPER. That is true.

Mr. MICHENER. I am wondering why title I was made permanent when it is so fundamental to our tax system and the exigencies of the occasion are such that we are putting this vastly important piece of legislation through in one day without the consideration we always give permanent tax legislation? Why does the committee differentiate between title I and title II?

Mr. COOPER. The method of considering the bill naturally presents room for differences of opinion. Personally I felt that after the Ways and Means Committee had worked on the matter day and night for a considerable period of time and had reached a unanimous agreement in support of the provisions of this bill both in the subcommittee and in the full committee that we might reasonably feel we had done about as good a job as we could do or be expected to do. It has been my privilege to be a member of the Subcommittee on Internal Revenue Taxation of the Ways and Means Committee since it was first created in 1933. I now have the honor to be the chairman of that subcommittee. The gentleman from Massachusetts [Mr. TREADWAY], the gentleman from New York [Mr. CROWTHER], and I happen to be the only three who have served all the way through on that subcommittee.

We have given the same type of thorough and careful consideration to title I of this bill which was the part referred to the subcommittee and which we worked out harmoniously and unanimously together, that has been given to other tax measures that have been presented to this House since I have had the privilege of being a member of the Committee on Ways and Means. Although we are endeavoring to act promptly and expeditiously I do not believe, in all fairness, that by taking another week or another month we could make much improvement on title I of the pending bill; for, after all, it is rather simple in its provisions. All that we do is to lower these exemptions that I have endeavored to explain and leave the present normal rate as it is and then build a new surtax-rate structure on that new base which is required to yield the additional revenue we now have to have. So I think the Members may be safe in assuming that sufficient care and attention has been given to title I of this bill.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield at that point?

Mr. COOPER. With pleasure; yes.

Mr. CRAWFORD. Are we not in fact establishing a new procedure here wherein we gear a tax-gathering mechanism to a specific bond issue? In other words, have we ever proceeded on that program heretofore in issuing obligations of our Government?

Mr. COOPER. I do not recall offhand that we have, except I understand that in 1917 increased taxes were levied for defense and placed in a separate fund. Certainly I do not remember an instance since I have been a member of the Ways and Means Committee. The present debt limit of $45,000,000,000, of course, was fixed a number of years ago and there has not been a necessity or requirement of considering that question as I see it until we have reached within striking distance of the present debt limit. It was thought by your committee that as we now have to increase the debt limit by the amount of $4,000,000,000 we would prefer to provide a definite period of time for that $4,000,000,000 to be paid back, retire those obligations; and that is the reason that we have so provided in this bill.

Mr. CRAWFORD. In that same connection, it is my understanding from the gentleman's previous remarks that the $4,000,000,000 issue of bonds will be put out under section 18 of the Second Liberty Bond Act.

Mr. COOPER. Under sections 5 and 18. Section 5, as I now recall, provides for the issuance of short-term securities, bills, not to exceed 1 year. Section 18, as I now recall, of

the Second Liberty Bond Act, provides for the issuance of Treasury notes with an expiration of not more than 5 years from the date that they are issued.

Mr. CRAWFORD. That is where I am a little confused. In other words, can the Secretary of the Treasury issue any part or all of the $4,000,000,000 issue under section 5, 1 year, and under section 18, 5 years? In other words, has he the flexibility of the 1-year and the 5-year schedules?

Mr. COOPER. Yes.

Mr. CRAWFORD. It seems to me that if he did not have that flexibility we could, as we expand on the tax-gathering program for the purpose of paying specific defense issues, tie the hands of the Secretary of the Treasury and perhaps involve him in considerable trouble in connection with the money market. If that requirement is in there, I think it is much better than it would have been to have had it all under the 5-year provision.

Mr. COOPER. I think I understand the gentleman's question. I think there would be no difficulty on that point. Certainly we have included these provisions in the bill after conferences with Mr. Bell, the Under Secretary of the Treasury. He is a career man who has been there twenty-odd years, and I think knows as much about bonds and Federal securities as anybody who can be found anywhere. We have had repeated conferences with him, and I think there is no occasion for feeling disturbed on the point presented by the gentleman from Michigan.

Mr. CRAWFORD. If the gentleman will yield for one further question, can the gentleman say whether or not it is intended to amortize the 1- or 5-year issues if there is sufficient money to do so? In other words, suppose they put out an issue under section 5 for 1 year and under 18 for 5 years, and under title II funds came in sufficient to take up these bonds. Was there any discussion to the effect that the Treasury might retire them instead of carrying them over the 5-year period?

Mr. COOPER. Oh, yes; that is my understanding.

Mr. ALEXANDER. Mr. Chairman, will the gentleman yield?

Mr. COOPER. I yield.

Mr. ALEXANDER. What part of this $1,004,000,000 which it is proposed to raise under this tax bill will come as a result of the lowered exemptions on single and married persons?

Mr. COOPER. The estimate given the committee is that by lowering the exemption to $800 for a single person and to $2,000 for married persons, $75,000,000 additional revenue will be received. Of this amount, $14,000,000 will come from new taxpayers and over $61,000,000 from increased tax on people who now pay some tax.

Mr. ALEXANDER. In other words, it will be a very small proportion of the total to be raised under the bill.

Mr. COOPER. Oh, yes. Under title I it is estimated that we shall receive $322,000,000.

By lowering the exemption to $800 for single people and $2,000 for married people, the estimate is that we will receive about $75,000,000 additional revenue, $14,000,000 of that from new taxpayers and about $61,000,000 in increased taxes from people who now pay some tax.

Mr. BOEHNE. Will the gentleman yield?

Mr. COOPER. I yield to the gentleman from Indiana.

Mr. BOEHNE. Of course, the $75,000,000 does not include the additional surtax received from those within the present brackets?

Mr. COOPER. No; that does not take into consideration the additional surtaxes that are added by the surtax schedule of rates in title I.

Mr. CASE of South Dakota. Will the gentleman yield?

Mr. COOPER. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. Was any consideration given by the committee in an attempt to levy a tax which would recapture some of the possibly large profits made by companies who would be making war materials?

Mr. COOPER. Yes; your committee gave consideration to that question. In the first place, there are two definite phases of that question and they have to go along together. Some consideration must be given to amortization of increased plant facilities and increased physical properties that people may acquire for the filling of Government contracts. That is one phase of it. Then there is the question of the amount of profit that should be allowed.

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. CASE of South Dakota. Under the rule by which we are operating, no opportunity will be afforded to offer any amendment that will in any sense try to tax these profits that may come out of the war.

Mr. COOPER. The committee gave consideration to that, but it is a matter that is extremely difficult to work out. There are many, many questions entering into it. Extreme care is required in the preparation of legislation on both phases of the matter. I personally looked into it to some extent and I found there were perhaps 300 or more questions of policy that had to be determined before you could begin to draft legislation of that kind.

You will find a statement in the committee report on this bill which, in effect, states that the Treasury Department has been instructed by a vote of the committee to accelerate its work in compiling data and material and information for us along this line. The committee report further states that it is the intention and the purpose to be prepared to consider legislation of that type at the next session of the Congress.

Mr. McCORMACK. Will the gentleman yield?

Mr. COOPER. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. In connection with the statement in the minority supplemental report that another Republican proposal which was rejected in committee only allowed taxpayers an amortization period of 5 years for plants and equipment built or purchased for the defense program, there was a lot of sympathy in the committee for that on both sides; but the gentleman will remember that we were informed that that proposal by itself would automatically increase the profits of shipbuilding companies now limited by law to 10 or 12 percent to over 32 percent, and in many of the businesses engaged in the production of war facilities, equipment, and implements it would go as high as 60 or 70 percent if that was considered by itself. It had to be considered in connection with an excess-profits tax in order to properly protect the American people.

Mr. COOPER. That is true.

Mr. FERGUSON. Will the gentleman yield?

Mr. COOPER. I yield to the gentleman from Oklahoma.

Mr. FERGUSON. In applying these particular taxes to retiring the amount the debt limit was increased, is the committee convinced that $45,000,000,000 is the place at which the debt limit should be frozen and that any increases are to be met by taxes to retire specific increases in the debt limit?

Mr. COOPER. Does the gentleman refer to the $49,000,000,000?

Mr. FERGUSON. In this bill the increase in the debt limit is met by a tax that is supposed to amortize the debt over 5 years, which will pay back the increase; is that correct?

Mr. COOPER. That is correct.

Mr. FERGUSON. Is it the committee's conviction that any increases above $45,000,000,000 of national debt, not only this $4,000,000,000 but any future increases that might become necessary for defense, ought to be met by taxes to retire the specific increases?

Mr. COOPER. I do not know that there is any definite conviction on the part of the committee, certainly there was no action in the committee to that effect; but the fact is that is the way we decided to do it this time.

Mr. KEAN. Will the gentleman yield?

Mr. COOPER. I yield to the gentleman from New Jersey.

Mr. KEAN. Am I correct in my assumption that as this money is to be raised by bills and short-term notes, the entire $4,000,000,000 issue will be totally tax-exempt from income taxes, including the surtax?

Mr. COOPER. We collect a surtax now on Federal securities.

Mr. KEAN. Not when they are less than 5 years, not Treasury notes, only Treasury bonds.

Mr. COOPER. The gentleman is correct about that, but on the present outstanding obligations of the Federal Government we do collect a surtax although we do not collect the normal tax, if they are long-term securities.

Mr. KEAN. Yes; the long terms, but this is being limited to 5 years, and I believe that this entire issue will be made free of surtax. I believe it is a bad thing to do.

Mr. IZAC. Mr. Chairman, will the gentleman yield?

Mr. COOPER. I yield to the gentleman from California.

Mr. IZAC. I wonder if the gentleman will tell us how we propose to finance the continuing program for the Army and Navy? In other words, we are building now to double our strength, we will say. Next year the continuing cost for both the Army and the Navy will probably be doubled, the following year trebled, and then quadrupled. I believe eventually we will have a bill of about $10,000,000,000 for national defense. Does this tax bill contemplate financing that continuing cost, that ever-increasing continuing cost for national defense?

Mr. COOPER. This bill certainly does not contemplate financing $10,000,000,000 a year, no; because the money is just not in it.

Mr. IZAC. Has the committee arrived at any conclusion as to what we should do in the future, looking ahead beyond 1 or 2 years?

Mr. COOPER. Your Committee on Ways and Means tries to meet and discharge its responsibility and its obligation as it is presented to it. Certainly, the responsible officials of our Government are better prepared to anticipate what future needs and requirements for national defense may amount to than are we.

In other words, when the responsible officials of this Government, the President of the United States and the Secretary of the Treasury, advise the Ways and Means Committee that they need so much money for national defense, assuming, of course, they have received technical advice and information from the War Department and from the Navy Department, we accept the statement of the President and the Secretary of the Treasury that that much money is needed and we try to provide the money for that purpose.

Mr. MURDOCK of Arizona. Mr. Chairman, will the gentleman yield for a question and a statement?

Mr. COOPER. A question, please, but not a statement, because my time is getting on.

Mr. MURDOCK of Arizona. According to section 209, page 11, I take it that all our present excise taxes are continued to 1945 but not changed in amount?

Mr. COOPER. That is true. In other words, since we are providing for this 10-percent increase in the amount of the tax for 5 years to provide for the retirement of these new obligations, and the present temporary excise taxes expire next year, we felt it was right and proper to continue them for the 5 years.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. COOPER. I yield to the gentleman from Montana.

Mr. O'CONNOR. Section 204 covers the excise-profits feature of the bill. You provide in subdivision (b) of this section for an increase of 10 percent of the tax on excess profits.

Mr. COOPER. I understand the gentleman's point, if the gentleman will permit me to answer. The excess-profits tax to which the gentleman refers is the excess-profits tax that is now in the law to protect the capital-stock tax. In other words, corporations have the right under the law to declare new values for capital-stock purposes. In order to protect the capital-stock tax you have to have an excess-profits tax to keep them from declaring a low value and thereby paying a low capital-stock tax. Then you have to have a companion excess-profits tax to catch the difference, so as to make the excess-profits tax protect the capital-stock tax. That is what it is.

Mr. McCORMACK. The reason for that, if the gentleman will permit, is that the corporation makes its own return for capital-stock purposes. The Government does not do it.

Mr. O'CONNOR. If that provision has no application to profits made by corporations engaged in the production of the essentials of defense, then, as I understand, there is nothing in the bill to recover the huge profits that may be made from the production of these materials for defense purposes.

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, I yield 3 additional minutes to the gentleman from Tennessee.

Mr. COOPER. There is no definite provision in this bill imposing a war-profits tax. The country is not at war, and we are still hoping that we may not be at war.

Mr. O'CONNOR. We all hope that we will not be at war.

Mr. COOPER. There is no war-profits-tax provision in this bill. The report clearly shows that the matter is under intensive consideration by the Treasury Department, by the staff of the Joint Committee on Internal Revenue Taxation, and by your Committee on Ways and Means. We believe that we can act on that matter as soon as action is necessary or required, and we can make it apply to the calendar year 1940 if the Congress sees proper to do so.

Mr. O'CONNOR. That matter will receive the attention of the Ways and Means Committee at the next session of Congress?

Mr. COOPER. That is what the report states.

Mr. PEARSON. Mr. Chairman, will the gentleman yield?

Mr. COOPER. I yield to the gentleman from Tennessee.

Mr. PEARSON. I was interested in noting that under section 7 of this bill the committee has seen fit to require the filing of an income-tax return by all persons whose gross income is equal to their statutory exemption. I should like to inquire whether or not this basic amendment will continue as a part of the fundamental law or whether it bears the same 5-year limitation the tax bears.

Mr. COOPER. That is included in title I of the bill, which is permanent law. Only title II is temporary.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. COOPER. I yield to the gentleman from Michigan.

Mr. MICHENER. Reverting to the suggestion by the gentleman from New Jersey in reference to this 5-year period, as I recall, it is very clear that those are tax-exempt bonds. The gentleman said he was a little uncertain. If that is true, then you are making a cyclone cellar for $4,000,000,000 of additional tax-free securities. I do not want to interfere with the matter here, but it is going to the Senate, and it is a matter that should be given attention, because I do not know of any reason why the holders of large quantities of Government bonds should augment their holdings by buying up this $4,000,000,000 of bonds to escape the tax.

Mr. DUNCAN rose.

Mr. COOPER. I do not have that particular provision of law immediately before me. If the gentleman from Missouri [Mr. DUNCAN] has, I will be glad to yield to him.

Mr. DUNCAN. It is within the discretion of the Secretary of the Treasury whether they are tax-exempt or not.

Mr. COOPER. That was my recollection.

Mr. MICHENER. Does the gentleman think it is good legislation for the Congress to enact a law and give the Secretary of the Treasury the right to say whether or not he issues tax-exempt securities or securities that are not tax exempt? Should not this body be the judge and determine where these favors are to go?

Mr. COOPER. That is the present law and this bill does not make any change in that respect. [Applause.]

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS of Ohio. Mr. Chairman, I was hopeful that the time would never come when I would have to vote for another tax bill. I even went so far as to promise

myself, at least, that I would never vote for another tax bill until this orgy of spending by those around the White House had been stopped. I think the record will show I did not vote for the last two or three tax bills passed in this House and gave as my reason that so long as the President kept up his extravagance I would vote no more taxes. But it looks now as if I have come to the point where I have got to break with myself, and I am doing that in the same spirit as the American people are displaying when they express a willingness to pay additional taxes under the belief that they might be helping their country. I wonder if they really appreciate the heavy burden that they are assuming. Those who are flooding the country with the cry of "emergency" and "defense" should be careful not to deceive the people.

Up until 2 or 3 weeks ago it would have been impossible to have gotten sufficient votes to change the law increasing the debt limit except that the Members would have voted probably a billion purely for patriotic reasons. I, myself, had promised myself that I would not vote for an increase of more than a billion at a time. That means another thousand million dollars; but here I am about to vote for four thousand million dollars more and, Mr. Chairman, I hope that all the Members fully appreciate just how much a thousand million is and how much four thousand million is.

Mr. Chairman, let nobody be deceived. Primarily this is not a defense bill. It is a bill to save the face of the administration. Primarily it is a bill to raise the debt limit, and the President is taking advantage of the situation to clothe it in the garb of national defense. The first thing they want under this measure is to save the face of the Treasury of the United States, which would have been "busted flat" at the end of the present administration. To do this, they must raise the debt limit so that they may continue to borrow.

Now, what is the first thing they must have? They must have $4,000,000,000. They would not be satisfied with $1,000,000,000. And do not lose sight of the fact that although we talk about this bill running for 5 years, during which time we will collect about $5,000,000,000 in taxes, they are not going to spread out the spending of this money over a period of 5 years. They will have the authority to borrow it as soon as the bill passes. No doubt they will do so, and their past performances will guarantee that. No doubt that they will have this money within 2 or 3 weeks after the 1st of July. They will then have $4,000,000,000 to spend. I want to stress that so you may appreciate it. They can spend it all, if they wish to do so, subject only to action of the Congress between now and election day. It is too much money to be dumped into the lap of the greatest spender in the world. Instead of raising the debt limit $4,000,000,000 at one time we should have raised it $1,000,000,000 at a time. Then we would have a check on the great spender.

I want to compliment the American people upon their patriotism. For their espousal of a tax program at this time is under the idea that it is largely for defense. If they understood that the President could and probably would spend it as he has done in the past, they probably would not be so strong for it. But, anyhow, let us give them the credit for showing to the world that the people in this country are really in favor of national defense against unlawful aggression from any country, and mean to defend themselves against injustices. Let us hope that this money will be spent for defense and not wastefully or for politics.

Mr. McCORMACK and Mr. FERGUSON rose.

Mr. JENKINS of Ohio. But do not be deceived about this proposition. They will have this money at their disposal, and I want to say here, as I see standing before me my good friend the gentleman from Massachusetts [Mr. McCORMACK], that I am sure my good friend the gentleman from Massachusetts [Mr. McCORMACK] will agree with me that this is too much money for anybody to have just to play with.

I now yield to the gentleman from Massachusetts, a distinguished member of the committee, and then I will yield to my other good friend the gentleman from Oklahoma [Mr. FERGUSON].

Mr. McCORMACK. Is not the gentleman putting himself in a very inconsistent position by saying that he is going to vote one way and talk the other?

Mr. JENKINS of Ohio. No; I do not flatter myself that I can reach all of the American people or convince them. If I could, I would explain this matter out to them in detail and then await their decision.

Mr. McCORMACK. The gentleman says this money is not going to be spent for defense, and yet the gentleman says he is going to vote for it. Is the gentleman afraid of that vote, or does the gentleman follow his own conscience and vote as it dictates? Because, if the gentleman, in his own mind, feels that this is not to be spent for defense and if he is following his conscience, he ought to vote as his conscience dictates.

Mr. JENKINS of Ohio. I am going to vote as my conscience dictates. I always do. And I never try to fool the people. I would tell the whole truth if I had a chance to have a fireside chat with them as the President does.

Mr. McCORMACK. The gentleman's political conscience or his spiritual conscience?

Mr. JENKINS of Ohio. Oh, I have only one conscience. I have no political conscience. Here is what I would do with this money, and here is what I hope the administration will do with it. If the administration changes to a Republican administration, I am sure that it will do it. I would not borrow this $4,000,000,000 at once, because it is not necessary to do so, and if we would borrow a billion at a time or maybe a half billion, we might be able to get along without so much expenditure. We could at least save about $20,000,000 per year in interest. But if Roosevelt is reelected, you can get ready to pay the full amount, for he will stay up at nights to spend it if necessary. The gentleman remembers that when the Republicans were in power before we passed five or six tax-reduction bills. Every year we passed a tax-reduction bill, and every time we reduced the tax rates we raised more money. But under the Democratic administration, nearly every year they have been in power we have been compelled to pass a tax-increase bill. Today we are passing the biggest, or at least one of the biggest, tax-increase bills ever passed in the history of the Republic. If anybody wants to challenge me on that statement, I shall be glad to have them do it. I may be mistaken about it, but I think it is the biggest tax-increase bill ever passed. There never has been a tax-reduction bill passed since the gentleman's party has been in power. I have to vote for this to cover up all of these extravagances; I have to vote to keep the country from being bankrupt, just as the Secretary of the Treasury said the country is bankrupt, and shame on him, to have to admit that the greatest country in the world, the United States, is bankrupt and cannot borrow any more money, unless we vote this. Of course I have to vote to help him get some more money rather than to permit the country to become bankrupt. We cannot let it be known to the world that we are bankrupt.

Mr. McCORMACK. The gentleman is talking himself more and more into an inconsistent position of voting one way and talking the other. Going back to the tax bill, was it not in the years of prosperity, and in all the gentleman says he is correct about the Republican Party passing reduction tax bills, but were they not in the years of prosperity?

Mr. JENKINS of Ohio. Certainly they were. They were under a Republican administration, and what else would the gentleman expect?

Mr. McCORMACK. Of course, that is a brilliant contribution. In 1930 was there not a tax bill passed raising $1,641,000,000 upon the recommendation of former President Hoover and the late Secretary Mills, who appeared before the committee, and did not the Democratic-controlled Ways and Means Committee vote a tax bill to raise $1,641,000,000?

Mr. JENKINS of Ohio. That was a large tax bill, but it was not passed under circumstances like this, because under the present bill it taxes and covers quite a field, and besides, you must remember that this bill is an increase of a billion

and six million in our taxes. We will also have to pay the present income taxes, which amount to about three billions. I want the younger Members of Congress to know that this tax bill increases taxes on every taxable item in the whole internal-revenue laws. I do not believe there is a single item that this bill does not reach. You new Members can safely answer your constituents by telling them that this new tax bill increases every item in every possible direction where they can increase the tax. Tell them that the Democratic Secretary of the Treasury and his army of assistants, and the Democratic Members of the Ways and Means Committee have taken as their motto that no one shall escape an addition to his taxes.

Mr. McCORMACK. But the gentleman is going to vote for it.

Mr. JENKINS of Ohio. Certainly I am, and I am almost ashamed that I have to vote for it. I vote for it in the name of defense, and I hope we do not spend it all.

Mr. FERGUSON. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I yield.

Mr. FERGUSON. The gentleman expressed some fear that the money would be spent immediately. Does not the gentleman and the Congress and the people hope to God we can spend this money for defense, this three and a half billion dollars as soon as possible, to get this country ready to defend itself?

Mr. JENKINS of Ohio. Certainly, if we need it, but I hope we will not have to spend it on defense. I hope the situation that confronts us now will soon be changed. If it must be spent for defense and is spent for defense, then I will be justified in voting as I expect to do. But if it is wasted then I shall be sorry for my vote. I was sorely disappointed with the speech which the Chief Executive made last night. It is such conduct as that that causes me to lose faith in him. Oh that he might realize that a still tongue maketh a wise head.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. TREADWAY. Mr. Chairman, I yield 5 minutes additional to the gentleman from Ohio.

Mr. BENDER. Is it not true that if President Roosevelt had kept his word to the American people as he had given it in the campaign of 1932, it would not be necessary, even for defense, to vote up any tax bill at this stage?

Mr. JENKINS of Ohio. Yes. I am glad the gentleman brought that question up because it is in line with what the Republican Members of the Ways and Means Committee tried to do.

We tried to provide a section to this bill that would provide for at least a general 10-percent reduction in all governmental expenses, but we were not able to get any encouragement to do that. That is in line with our policy. We advocate economy and were willing to vote accordingly. We would have voted for a general 10-percent reduction in all Government expenditures. The reason we are supporting this tax bill is because somebody sometime has got to commence to pay these bills. It is a terrible thing in this great Republic of ours to think that we are $45,000,000,000 in debt. We have gone in debt as far as we possibly can and then we are faced with what they say is a great emergency. What a terrific fiscal position we are in—practically bankrupt, facing a great emergency.

Mr. JOHNS. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. Yes; I yield to my friend from Wisconsin.

Mr. JOHNS. I was much impressed with what the gentleman said that we had taxed everything there was; that there was nothing more left to tax. If we must have more funds, the only thing left is a sales tax in this country. Is that true?

Mr. JENKINS of Ohio. That is absolutely right. The only thing left is a sales tax. It is the only avenue by which we can get any additional funds. We have gone to the line of diminishing returns in laying income taxes. We have reached the limit. Already we take 80 percent of some incomes, and this is in addition to their State taxes. In this bill we have come further down the scale than ever before, for we come down to an $800 exemption. Formerly our minimum was $1,000.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I yield.

Mr. CRAWFORD. What would have been our situation, in the gentleman's opinion, had the occasion arisen, whereby we could not talk in terms of national defense and thereby bring the country behind a measure of this kind at this moment? Where would we have been?

Mr. JENKINS of Ohio. I will refer the gentleman to the testimony of the Secretary of the Treasury of the United States when he admitted under cross-examination by myself at our hearings that the country would be "busted" on the 28th day of February coming if it were not for this legislation.

Mr. ALLEN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I yield.

Mr. ALLEN of Illinois. Does the gentleman think it would be better for President Roosevelt to run for this third term on the fact that he is going to keep us out of war, or to cut down expenses and eliminate commissions? Which do you think would be the better platform for him to run on?

Mr. JENKINS of Ohio. I think it would be better for the country to cut down expenses and give up the third term, but in order for him to have a third term he must have three or four billion dollars to spend. [Applause.]

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back 2 minutes.

Mr. TREADWAY. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. CROWTHER].

Mr. CROWTHER. Mr. Chairman, I do not know that there is any necessity at this time of making any profound speeches about this tax bill. In the first place, it is a very fortunate break for our friends on the Democratic side of the House and for the administration. You have had a series of fortunate breaks during the last 7 years, and this is the most favorable one of them all.

About 5 or 6 weeks ago if a resolution had come here from the White House ordering the Congress to raise the debt limit by $5,000,000,000, I am afraid it would have met with considerable vote resistance, especially on our side of the House and probably some on the Democratic side of the House. Now, if we did not have this tax bill here today, and if a resolution was here under order of the administration that it was necessary for national defense to raise the national debt limit $5,000,000,000, there is scarcely a man in the House who would have the temerity to vote against it. If he voted against it, he probably would be classified as a traitor or a member of the "fifth column." So that is an advantage that has come to your relief.

Now we are considering a combination of the two. We have a tax bill accompanying a resolution to raise the debt limit $4,000,000,000, under the guise of amortizing that $4,000,000,000 over a period of 5 years.

In spite of all the prophecies that have been made in speeches on the floor of the House and by commentators and in the press of the country, I do not think any of us were aware of the extreme danger that faced the Treasury of the United States, or that it was coming as soon as indicated by the Secretary in his evidence given before the subcommittee. It was not a happy circumstance, indeed. It must have been extremely embarrassing for the Secretary of the Treasury to have to convey the news to the country through the evidence given before our subcommittee that on the 28th day of next February the Treasury's borrowing power would be limited to $15,000,000 and the general fund would be sadly depleted. I think that was a revelation to us and a shock to the people of the United States.

Now you are in the fortunate position of being able to recuperate somewhat, through combination of raising the

debt limit and the taxes provided in this bill that will go into the general fund and help you out for a considerable period of time.

Let us not lose sight of the fact that this billion dollars of new revenue is not even a gesture toward balancing the Budget. I think everybody will admit that. Even with this prospective billion dollars in taxes it leaves the Treasury in a financial situation that is to be deplored. We are facing a deficit of nearly $4,000,000,000, on June 30, and the abundant life is still around the corner. Of course, as has been suggested by the chairman of our subcommittee, this is probably the simplest tax revision that we have brought before the House in a number of years. The reason for that is that we changed no policies to speak of in the writing of this bill. All we did was just the same as if we had decided that we could not afford to buy a new car, so we backed the old tax bus out into the alley and we put on a couple of new tires, tuned up the carburetor, put in a couple of new spark plugs and shined it with a little polish, and hoped it would run another year. That is really what we did. There is no question but what we need a new car, a new tax car, a new vehicle for the collection of sufficient revenue in the country to sustain the financial integrity of the Treasury of the United States, our first line of defense. But, of course, the excuse was there was not time to do it.

We have had time to do it. Together with other members of the subcommittee I was in Washington in November, the day after election day. We were presumed to be here in 1939 in November for the purpose of making a complete study and writing a new tax bill. The Treasury had made a very thorough study of the problem. Under Secretary Haines had invited witnesses to appear before them during the summer to make suggestions not only as to policy but as to administrative sections that might be changed so as to be more beneficial to business in the country, increase their activities and remove some of the brakes and some of the hardships they were suffering under the existing law. I met my chairman, and we talked about it, and it ran along for some weeks. Then finally he said to me one day that they had decided not to have any tax bill and that we were going to devote our time as a Ways and Means Committee to social security. That was a fine political move, of course. Under social security you moved the date of annuitants' payments up 2 years so you gentlemen could talk about it on the stump this fall. With a great degree of liberality you increased the benefits hoping to head off the Townsend bill.

So we had no tax bill. When the President came to Congress with his message in January he recommended a tax bill of $460,000,000 in line with his recommendations as to national defense. Still no tax bill. All through the winter, all through the spring, all the time hoping, hoping against hope, that you could get through without a tax bill because you Democrats thought it was not expedient to burden the people with a tax bill in an election year. Now you find yourselves in the position where it becomes an absolute necessity to raise revenue, and you have a fine excuse—personally I always prefer a reason to an excuse. You have a fine excuse for bringing a bill in at this time and coupling it with an increase of the national debt by $4,000,000,000.

There are many changes we might have made to raise more money than this bill totals. I offered an amendment to raise the tax on cigarettes another 50 cents a thousand, making it $4 a thousand instead of $3.50. That would have brought in $57,000,000 new money. I do not know of any tax that would cause less hardship than an additional 50 cents a thousand on cigarettes. We raised the tax on certain types of tobacco, and we raised the tax on liquor 75 cents a gallon. Do you know that England levies a tax of $14 a gallon on whisky? Fourteen dollars a gallon, and they never heard of a bootlegger in England, yet we were afraid that perhaps the raise of 75 cents a gallon would encourage bootlegging. They carry a tax of 16 cents a gallon on gasoline in England. That is what we pay for it, tax paid.

Mr. Chairman, several years ago I introduced the manufacturers' excise tax, and the same measure was introduced 2 years later by my distinguished colleague, the gentleman from Massachusetts [Mr. McCORMACK]. This measure carried licensing provisions to prevent pyramiding of the tax, which was 2¼ percent.

In my opinion there is only one way in which enough Federal revenue can be obtained to prevent a collapse of the entire Federal credit structure. This is a general sales tax to be imposed on all sales transactions. The point of most efficient administration is probably the sale by a manufacturer or original importer of goods not made here.

No entirely reliable estimate of the volume of such transactions is available, but the National Industrial Conference Board has just issued figures which show total business gross sales of $174,600,000,000 for 1937. If this figure be cut in half, a 2-percent Federal sales tax would produce upward of $1,750,000,000.

The English budget message of April 23, 1940, contained a proposal for a "purchase tax," which is to apply to all transactions between wholesalers and retailers. This is obviously a sales tax. The rate has not yet been fixed, but one rumor puts it at 5 percent. Even so, the tax has been criticized by the London Economist as not going far enough.

The great advantages of such a tax are:

First. It can be put into operation quickly and will begin to produce revenue after the first month. Any income-tax changes made now may not fully show up in the Treasury before December 1941.

Second. The revenue is relatively stable and dependable, for gross-sales volume varies much less than net income.

Third. It will apply, as no other tax can, to all of the people. Defense is an expense to protect the rights of the whole people, and contribution to the cost should be universal.

Fourth. It is a proportional tax and will, if shifted, affect each one only in proportion to his purchases. It is no more objectionable, on this ground, than all of the other taxes now used by the Federal Government aside from income and estate taxes.

At this point I suggest the following revisions to stimulate investment and business activity:

First. Reduce the surtax maximum rate to 55 percent, applicable to all income above $100,000 as at present. On the basis of returns for 1938 the revenue loss would be $50,430,000. The stimulating effect of such a change would be very much greater than this tax difference would indicate.

Second. Broaden the deduction for net operating loss (sec. 26c) to allow a period of 5 to 6 years for replacement of such losses.

Third. Introduce a special amortization rule for plant and equipment constructed expressly to fulfill war-defense contracts, permitting such depreciation as a write-off against the income from the war contracts, or against other income subsequently received if the war contract income does not suffice. This principle was introduced in the Revenue Act of 1918 (sec. 234 (a) 8).

Fourth. Allow to individuals a deduction of not to exceed, say, 15 percent of net income on account of bona fide investments in business securities. This would parallel the deduction now permitted for charitable contributions. The problem of definition and also of control is admittedly difficult but not insuperable.

Fifth. Repeal the capital-gains-tax provisions. The inclusion of so-called capital gains as taxable income has long been recognized as an influence which restrains the free transfer of investments and which therefore hinders the movement of capital into the hands of those most likely to use it effectively. In redrafting these sections the aim should be to distinguish between casual traders and those who should properly be classed as regular or professional dealers in securities or other property. The latter should be required to report gains and losses on an inventory basis, for such dealings, when engaged in as a business, are no different in essence from the grocery business, which has always been dealt with on the inventory basis. The gains and losses of casual traders and those arising out of exchanges, trades,

or transfers in connection with corporate adjustments should be disregarded.

Sixth. Permit consolidated returns. It is doubtful if denial of the privilege of making a consolidated return materially affects the revenue, in the case of companies so thoroughly integrated as to be eligible to make such a return were it allowed. The denial merely tends to increase the business expense of making intercorporate adjustments and engaging in intercorporate transactions whereby tax results somewhat similar to those that would be possible under a consolidated return can be reported. This denial is based on a complete misunderstanding of the economic purposes and advantages of corporate integration, and if it is logical, then a department store should be required to report profits and losses by departments instead of letting the profit on cosmetics offset the loss on furniture.

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield such time as he may desire to the gentleman from Vermont [Mr. PLUMLEY].

Mr. PLUMLEY. Mr. Chairman, it is not news that "there is a growing concern regarding the state of our national defense," as the majority report suggests. The responsibility for inadequacy cannot be charged to the minority, which has supported every appropriation for preparedness and every request of the President therefor. It is time to put responsibility right where it belongs.

It is highly desirable—that is a polite way to put it as well as politic—that Congress take some action to provide the Treasury with additional taxes.

The minority well says that—

The pending bill—the avowed purpose of which is the financing of the defense program—brings home to the American people the realization that the New Deal's extravagant and wasteful spending program has not only resulted in exhausting the authorized public debt but has seriously undermined the financial security of the Nation, which is our first line of defense.

Did you read the views of the Republican minority? You should, and that you may I append them here and now. They go on to say:

Faced with a grave national emergency, requiring the immediate expenditure of several billions of dollars for defense purposes and possible future outlays the extent of which no one can now foresee, we find:

1. The Secretary of the Treasury publicly confessing that by the end of next February the Government of the United States will be "broke."
2. The public debt at the staggering and unprecedented level of forty-five billions—a figure which no one ever dreamed would be reached when originally fixed by Congress.
3. The sources of Federal taxation already tapped virtually to the limit, but still insufficient to pay more than half the cost of New Deal expenditures for ordinary purposes.

II

The object of the pending bill is threefold:

1. An increase of the authorized public debt by $4,000,000,000, with the proviso that such additional borrowing shall be used only for national-defense purposes.
2. The raising of sufficient revenue to finance this borrowing over a 5-year period, requiring $800,000,000 per annum exclusive of interest.
3. The raising of incidental revenue for the general Treasury, amounting to the difference between the $1,000,000,000 estimated to be realized from the bill and the amount actually required to pay the amortization charges above referred to.

III

While we of the Republican minority are in accord with the purpose of the bill in authorizing additional borrowing for defense needs and in raising the necessary taxes to finance such additional borrowing, we believe that the people of this country are entitled to know certain facts in connection with the pending bill which might not otherwise be brought to their attention. These facts are:

1. That whereas the so-called supertaxes levied by the bill are limited to a 5-year period, the broadening of the income-tax base and the readjustment of the middle surtax brackets is permanent law.
2. That the so-called supertaxes will produce only $650,000,000 of the total revenue of $1,000,000,000 to be raised by the bill.
3. That these supertaxes are the only taxes levied under the bill which are specifically earmarked to pay off the $4,000,000,000 of defense bonds which are authorized.
4. That the revenue to be realized from the lowering of the income-tax exemptions and the readjustment of the surtaxes will go into the general fund of the Treasury, and that only so much of such revenues as are necessary to make up the deficit in the defense amortization fund will be transferred to such fund.
5. That the so-called nuisance taxes, which have already been extended four times beyond their original expiration date, and which would otherwise expire on June 30, 1941, are extended by the bill for 4 additional years.
6. That all of the money from these nuisance taxes, with the exception of that realized from the so-called supertaxes thereon, goes into the general fund of the Treasury to be used for ordinary expenditures of government.
7. That the effect of the bill is to increase the amount of borrowing which may be made for general purposes within the present $45,000,000,000 debt limit, by reason of the transfer of over $1,000,000,000 of ordinary defense expenditures from the regular Budget to the special defense fund.
8. That as a consequence of the foregoing fact, the $4,000,000,000 increase in the debt limit provided by the bill, and the taxes levied in connection therewith, are not entirely for "emergency" defense purposes.
9. That while the bill purports to set up a fund into which certain tax revenues under the bill will be paid for the retirement of the proposed defense bonds, the bill is so drafted that this money may be transferred back and forth to the general fund of the Treasury. Our efforts to insure the security of the fund by offering amendments in committee were only partially successful.
10. That while the additional borrowing power authorized under the bill can be used only for "the national defense," this term is not defined, and it is therefore possible that expenditures may be made out of the fund which are not strictly for defense purposes.
11. That of the total revenue to be raised by the bill, approximately $175,000,000 will come from the corporate income tax, approximately $375,000,000 from the individual income tax, and the balance of approximately $450,000,000 from excise levies, principally on consumption goods.
12. That after the present bill becomes law, the only substantial source of revenue which will be left for the Federal Government will be a general sales tax.
13. That the present financial crisis in the Treasury is not due to the emergency-defense program alone. Even without it, the Secretary of the Treasury has admitted that the administration would have to ask for an increase in the debt limit early next year, along with possible further increases in taxation, in order to meet the ordinary costs of government under the New Deal, and the present bill does not alter that situation.

IV

We of the Republican minority recognize the urgent necessity of providing funds for meeting defense needs and of strengthening the financial security of the Nation. We believe that the people of this country will gladly make every sacrifice required of them for this purpose. However, we feel that inasmuch as the citizen is being asked to "tighten his belt" and contribute more taxes it is not too much to ask that the civil departments of the Government do likewise.

We of the Republican minority proposed in the committee that a 10-percent cut be made in the total amount of all appropriations, except for national defense, interest on the public debt, and trust funds. Our proposal was rejected on a strict party vote. While technically appropriation matters cannot be considered by the Ways and Means Committee, a provision such as we proposed could have been made in order under a rule.

Throughout the whole New Deal spending program, we of the Republican minority have constantly insisted that the administration has no right to increase taxes on the people without first making an earnest effort to reduce expenditures. Leaving out of account the emergency-defense program, present expenditures are now approximately double the $5,000,000,000 level of 1932, which President Roosevelt and the Democratic Party promised to reduce by 25 percent. In adhering to a policy of economy in Government expenditures in connection with any increase in taxes, we but reflect the feeling of the vast majority of the people.

Another Republican proposal which was rejected in committee was one allowing taxpayers an amortization period of as low as 5 years for plants and equipment built or purchased for use in connection with the defense program. This proposal was in line with a suggestion made by the President in his fireside message of May 26, in which he said that it might be difficult to induce private capital to make the necessary investment in plant extensions under existing law. The Treasury has promised to give special consideration to this matter with a view to recommending legislation at a later date.

An additional Republican proposal, relating to posssible war-profits taxation, was also referred to the Treasury for further study and report.

The pending bill is a makeshift tax measure, hastily drafted to meet an emergency. We believe that it is essential that the Committee on Ways and Means, or its tax subcommittee, immediately undertake a further study of the general tax question with a view to enacting a balanced, long-range tax program at the earliest possible date. In this connection, we believe consideration should be given to the possibility of securing additional revenue by modifying some of the rates of taxation which have reached the point of diminishing returns.

In view of the emergency which confronts the Nation, we have unanimously joined with the Democratic majority in reporting the pending bill to the House, but we feel that we would be remiss

in our duty as members of the minority party unless we supplemented the report of the majority with these additional views, calling attention to certain facts which in our opinion the people of this country are entitled to know.

I could subscribe to this report but I do not see how I can square myself with my conscience to vote for this alleged defense bill. In my judgment it is an unconscionable fraud on the public and on those people who must pay the piper as the New Deal fiddles along while Rome burns.

Of course, the Budget should be balanced. Of course, additional revenue should be raised in tremendous quantities. There can be no question as to the need for taxes. So also there can be no excuse and there is no justification for undertaking to jam the present atrocious measure, drafted after only 2 weeks' consideration, through the House to a grave in the Senate. There is plenty of time if the majority does its duty and Congress remains in session to do its duty.

The bill does not and cannot do what the people of this country have been given to understand it would.

It does not require that the money to be borrowed to the tune of $3,000,000,000 shall be used exclusively to finance the national-defense program, nor does it provide that the next taxes shall be used for the amortization of the defense bond issue.

It is merely directory, not mandatory.

It is a camouflage and a subterfuge. It has been suggested by Phelps Adams that if the New Deal should determine that the W. P. A. road-building program is in whole or in part instrumental in perfecting the national defense, it may apply a large part of this $3,000,000,000 fund to defraying the costs of the W. P. A.

Likewise, if the President should deem it necessary to the national defense that the farmers of the Nation be happy and prosperous, he may use part of this money to meet the parity payments or the costs of the soil-conservation program. In short, it is difficult to think of any of the expenditures authorized by Congress in behalf of the New Deal that could not be financed out of this fund under the language of the pending legislation.

It is the third joker, however, that is fraught with the deepest political significance.

The President, it will be recalled, submitted a regular Budget for $1,800,000,000 for the national defense at the opening of this session of Congress. This expenditure was to be financed in the regular way through the collection of taxes under existing schedules and through borrowings already authorized under the existing debt limitation.

SEES POLITICS IN DEBT LIMIT

Spokesmen for the New Deal have given the distinct impression that the increase in that debt limit would be used wholly for the emergency expenditures of $2,500,000,000 now being undertaken, but an analysis of the pending bill dispels that illusion.

Under the language of that measure the Treasury is entirely free to finance the entire $1,800,000,000 regular Budget program out of the new borrowings, leaving the New Deal at liberty to use its Budget money to pay for past extravagances under the heading of boondoggling, pump priming, and deficit spending.

When it is remembered that congressional leaders had flatly refused to consider new tax legislation or any rise in the debt limit at this session until the need for a new program of national defense became apparent, the political importance of this joker in the bill becomes obvious.

Apart from these technical deficiencies in the language of the new measure itself, however, are certain broad implications that have not thus far been generally understood.

CALLED RANK DECEPTION

Theoretically the bill merely authorizes the Treasury to borrow enough money to pay for the new program and imposes taxes designed to amortize the borrowings over a 5-year period. Actually, experts declare, this is rank deception.

The present defense program is only a beginning. More equipment, new planes, and a vast new army of workers to service and care for this equipment to pilot the planes, and so forth, will be necessary when Congress convenes again next January according to present prospects. The cost of maintaining this equipment and quartering the personnel to operate and care for it will be a recurring annual expenditure and a regular charge upon the Budget which cannot be met by current receipts and within the present debt limit.

In other words, the Federal Treasury is heading for a series of $5,000,000,000 annual deficits instead of the $3,500,000,000 deficits which have been customary in recent years. It must thus raise the debt limit again. It must find some new taxes somewhere. Or it must do what this administration has steadfastly refused to do for 7 years now—eliminate nonessential expenditures from the regular Budget under its broad social program.

INCREASED INCOME NEEDED

Among tax experts it is universally conceded that the only way through which such lavish expenditures can be supported is through an integrated program of tax and other legislation which has as its fundamental objective the increasing of the national income, through increased production, increased employment, and increased purchasing power.

Yet this tax bill—like the nine New Deal tax bills which have preceded it in the last 7 years—will tend to have exactly the opposite effect and to shrink the American pocketbook from which taxes are collected.

The confiscatory rates in the high surtax brackets have almost dried up the flow of private capital and have thus stopped plant expansion, increased production, and widespread reemployment.

The present bill strikes a heavy blow at purchasing power by boosting to unconscionable levels the surtax rates in the low and middle brackets among that group of the population which most largely supports that great segment of American industry which provides the conveniences and luxuries of life as contrasted with bare necessities.

It is the men who get between $6,000 and $50,000 a year who spend large sums on automobiles, radios, and new homes. Yet the new tax bill increases by 68 percent the amount of money which the man making $50,000 a year must pay to the Federal Government next year.

PURCHASING WOULD BE CUT

Thus the mass purchases of this group next year will be sharply curtailed, and in order to expand their market for goods the industries most directly affected must endeavor to lower prices to levels that will attract new purchasers.

But here again the pending bill interferes. Faced by growing demands for higher wages, and by increased cost of raw materials, corporations are to labor under a new burden imposed upon them through a flat increase of 1 percent in the regular tax and by the addition of a 10 percent supertax on top of that.

Thus corporations in the $25,000 bracket find themselves facing a tax rate in excess of 20 percent under the new bill. This in turn is bound to force a reduction in the wages paid to capital invested in their plants, and a new barrier has again been erected to dam up meager trickle of private capital that is today finding its way into industry and new enterprise. And so the vicious circle is completed.

As one tax expert summed it all up today in appraising the new bill, the situation is this:

The New Deal is undertaking in exactly the same fashion one of the most dangerous experiments it has ever tried, and one that has never been tried before—the passage of a bill designed to place an annual burden of more than $7,000,000,000 upon the back of the Nation without any consideration of the methods by which that back can be so supported as to bear this burden.

Let us hope there comes a time when the people will get fed up with being fooled. When it touches their pocket books they should wonder what was being undertaken to be done to them under the slogan of defense. They just do not realize what is happening to them under the subterfuges contained in this bill.

The majority has worn the "general-welfare clause" threadbare in the last 7 years. Now it is undertaking to

carry on its ruination of democracy by camouflage and subterfuge, under the claim of an alleged right found in the necessity for defense.

It is time for those who have ears to hear. Was Lincoln wrong? Too many are fooled today.

Anyway, if any tax bill is to be written, and one should be written after careful study and prolonged hearings, it should be comprehensive, fair, just, and as equitable as any tax bill can be made. This hodge-podge gesture before us can bring nothing but sorrow to those who have so hastily and ill advisedly framed it, and eventually nothing but disaster to the country. It makes balancing of the Budget an impossibility. It is not a tax bill for permanent and effective defense despite the protestations of its proponents, in the last analysis.

If it passes the House, as it seems probable it will under pressure, it should either be buried in the other branch, or so amended as to be unrecognizable. A real permanent defensive tax measure should be drafted to make our security secure. Such a measure this bill definitely and positively is not.

When the tax bill was before us for consideration in 1936 I said a lot of things about it. You can find them in the CONGRESSIONAL RECORD of date April 24, 1936, pages 6094 to 6098.

I said it was an act that might be called "An act to discourage small business, to encourage monopoly, and to prevent competition." So it turned out to be. I said that "Committees and theorists may write tax laws until doomsday, which theoretically will produce the desired result." Let me quote further and make applicable to the bill now under consideration what I then said:

> It is a pretty picture which figures make. They look good on paper. But let me tell you that the man who has to enforce and administer these dreams find them most impractical, unenforceable, and inadequate, and absolutely impossible of enforcement or administration by reason of the human factor and the consequent obstacles, which factor and which obstacles the theorists do not see and the practical administrator and enforcer of the law cannot overcome. This proposed tax bill is exactly that kind of a dream—impractical, unenforceable, and unworkable. I fear that it is going to be enacted into law, and in substantially the form in which we are now considering it.

If this bill should become a law, the people will find eventually that the New Deal has sold them another gold brick. The most necessary and emergent thing to be done is to take the necessary time to undertake to protect our economic status as we try to draft a tax law to raise revenue to meet a situation in which we have waked up to find ourselves, both because of New Deal extravagance and wastefulness that has forced us into the present financial debacle, and to take care of the needed expenditures that will have to be made to insure adequate defense.

To kill the goose that lays the golden egg by confiscation, strangulation, or to insure its slow death by starvation is as unwise as is the attempt to force it through here today, uncalled for under existing conditions. Haste makes waste.

Mr. TREADWAY. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. ENGEL].

Mr. ENGEL. Mr. Chairman, some of us on and off the Appropriations Committee who have consistently, and sometimes at the risk of our political lives, voted for economy and against waste and extravagance are now tempted to say to those of you who have defeated us in our efforts at economy, "You raised the money. You spent it. You wasted it. You ran us into debt. Now it is up to you to raise the debt limit and to raise the taxes."

I have before me a statement showing that the amount of money voted by this House this year over and above the amount of the bills as they came from the Appropriations Committee, excluding national defense, was almost a half billion dollars, or practically one-half of the amount of the present tax bill. In other words, while we were pleading for economy, while we were pleading to have you stand with us in cutting the appropriations, the Members of this House, or a majority, overrode us and raised those bills in an amount which equals 50 percent of the present tax bill. Practically all of this increase was given as direct and indirect aid to the several States and Territories of this Nation. It was money sent out by you that you figured would bring back votes as dividends.

Some days ago I placed in the RECORD a statement of facts. I went back over the Treasury reports for the past 6 years. I took all the money paid into the Treasury by the 48 States, Territories, and the District of Columbia in internal revenue and placed it in one pot. I took out of that pot the social-security trust fund. Then I took out the money we paid back to the States in direct and indirect aid plus the interest on the public debt for the 6 years, and the result was that we had left $665,000,000, or about one-third the amount called for by the national-defense bill we passed the other day, to run the entire Nation for 6 years.

Now, I want you to get this: For the fiscal year ending June 30, 1939, the amount of money we paid back to the States, according to the Federal Treasury reports, in direct and indirect aid, plus interest on the public debt exceeded the national income by $200,000,000. Michigan, my own State, paid into the Treasury $1,275,000,000 during that 6-year period. She paid another one and one-half billion dollars in State and local taxes. She paid 23 percent of her assessed valuation into the Federal Treasury in 6 years and paid enough additional into the local treasury to make up 50 percent of the assessed valuation of the entire State.

I voted against every dollar of the $500,000,000 that you put upon the backs of the taxpayers this year thus far by increasing bills coming from the appropriation bills and this one-half billion dollars does not include national-defense bills. I pleaded here time and again during the past 6 years for economy. We are now on the last mile. We are now told by the Secretary of the Treasury that in a short time we will only have $15,000,000 in debt authorization left and only $125,000,000 in the general fund of the Treasury to meet the billions of dollars which we have been appropriating. We are broke in the face of the greatest national emergency this country has been in half a century.

Those of you who have wasted our money, those of you who have closed your eyes and voted funds without regard to debt limit, to tax income, or deficits are responsible. You who have wasted our funds, voted appropriations without regard to debt limit, deficits, or taxation, you turned back to the States last year $4,450,000,000 in direct and indirect vote-getting aid.

A cut of 25 percent in that aid for 1 year would have saved $1,100,000,000, or an amount that exceeds the amount raised by this tax bill. Standing by the Appropriations Committee and those of us who voted for economy would have saved the Treasury this year hundreds of millions of dollars, but you have not got the guts or the nerve to cut that aid, because a cut in that aid means fewer votes for you in November. Your only hope of getting votes is spending more money, giving more aid, even though the spending of that money, and the giving of that aid means bankruptcy, and ultimate financial ruin for the Nation.

Your waste and extravagance necessitates the passage of this tax bill which makes the W. P. A. worker with a salary of $800 a year file an income-tax return, and makes an $18-a-week clerk pay an income tax. You have to do it. You have no alternative. Your money is gone. Your sources of revenue are drying up, and you now have to come down to the little taxpayer with his $18 a week to get your money.

You took $1,100,000,000 out of the general fund this year and spent it. This included some of the gold increment which was set aside by Congress to back up the Philippine currency. You are taking $700,000,000 from Government corporations, and now you are broke.

But what are you going to do next year if you should be unfortunate enough to come back into power? What is any party going to do that comes into power? You are tying up by this bill the additional revenue to the tune of $1,000,000,000 for a period of 5 years. You are increasing the debt limit by $4,000,000,000. How are you going to raise the

money to pay for the contract authorizations you are making in this and other bills for national defense? How are you going to raise the money to pay for a war that is bound to come if the President keeps waving the red rag into the faces of belligerent countries?

You are finally coming to the end of your rope. The time will soon be here when Santa Claus will only come once a year instead of 365 days in the year. [Applause.]

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield 8 minutes to the gentleman from Massachusetts [Mr. GIFFORD].

Mr. GIFFORD. Mr. Chairman, we have to take this bill or leave it. There is no chance to change its particular provisions.

"Did you give your wife that little lecture on economy that you said you were going to give her?" "Yes." "Any results?" "Yes. I have to give up smoking." [Laughter.]

She said she had heard that the President had said, "All the social gains we have made must be retained. So you and I, not perhaps being included in that horde of people who receive Federal largesses, and who are assured they are to have those benefits continued even though increased taxes must be paid in order to distribute them, must give up smoking.

We have a bill before the Committee on Banking and Currency which is to be presented shortly. The Treasury desires to take back $700,000,000 from the capital of the various Government devices referred to as Government corporations. The Treasury will then use these funds temporarily. These amounts will be carried on the books and must be available for these various devices whenever the sum may be needed. Think of it! This money must be still available but the Treasury may spend it. That somewhat explains certain features of this bill. Of course, they will use this national-defense money as soon as it gets to the Treasury, and for any purpose they please. You may try to earmark it for defense purposes. It, of course, has to be available for these things when needed. The use of it will get the Treasury by this year, as these vast expenditures will only be entered upon and not fully needed this year. The expenditures will be contracted for, and then, as the gentleman who just took his seat told you, "God help you, because you will need more than $4,000,000,000 next, and where are you to get it?"

The most amusing question asked today was by the gentleman from New York [Mr. ANDREWS] early in the session, who suggested, "You are going to get this money for defense, but where are you going to get the other money?" Much other money must be found because the President is not to retreat from his so-called social gains. There is to be no diminution in those outpourings of funds.

On yesterday in another body a startling statement was made. Others seem to agree with me in this matter. My Democratic friends now realize the situation. Some were tempted to doubt, 4 or 5 years ago, when I declared that we might have a debt of $40,000,000,000. It will now be $60,000,000,000, and that is not too high a prediction. In the scores of speeches I have made on this floor on economy in the last 6 years I have drawn no picture nearly as bad as it really should have been drawn, and I can say with great—well, not satisfaction; what other words can I use except "I told you so"?

But I do thank my Democratic friends—and they are all my friends, I am sure—for their agreement in the arguments I have made so many, many times. A prominent Democrat stated yesterday, "What a tragedy, what a pity, what a shame that the American people are being deluded into the mistaken thought that the billions of dollars of new taxes will be used to finance our national defense." More than $1,000,000,000 to be repaid yearly for 5 years and will be designated as "national-defense bonds" simply as sugar coating to make the public willing to pay them; that is all.

Oh, why have our people been deluded so long? I wish to make comment on another matter. It is not a pleasant one. I am a Republican. I shall go into this campaign equipped as best I may to help elect the Republican Party. What a pity that you would contemplate a candidate who has already endured all that any human could, under present conditions. Why allow him to put himself forward for a third-term candidate since he must necessarily submit himself to all the shafts of political attack that can possibly be directed against him? It will be a great disadvantage, you may think, to the Republican Party. However, as I have said before, we reserve all rights to use those shafts if, under present conditions, he chooses to offer himself as a candidate. National defense is approved equally by both parties and he will be unable to profit by that issue.

Many other bitter things were said in another body yesterday by Democrats. I have the staggering list of the 10 years of deficits before me. The deficit next year is to be very much larger than any we have yet been confronted with. There is to be no retreat from so-called social measures. Vast preparations for defense are being made and contemplated that will commit us for years to come to still greater deficits.

Oft in this forum have I criticized Treasury bookkeeping. I think we should by this time understand the bookkeeping juggling. The Treasury is a bookkeeping device. The money is on the books and supposed to be available. Meanwhile it is spent, and when the need arises we shall have to find the money by further and greater borrowings.

National defense is not defined in this bill. The committee did not dare attempt to define it. The gentlewoman from New York [Mrs. O'DAY] has defined it. The gentleman from California [Mr. VOORHIS] has constantly defined it. They define it as keeping the people happy and less liable to be members of the "fifth column." They call that national defense. We know, as the gentleman from Ohio [Mr. JENKINS] said, that the greatest defense is to keep the Treasury in funds at all times. That is our first line of defense. The people must invest heavily again in the promises of their Government.

These promises are out in huge quantities already. Defense is not merely guns and ammunition. The Treasury is the first real line of defense and must be constantly replenished. Small wonder the committee did not want to define national defense. [Applause.]

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield 8 minutes to the gentleman from Michigan [Mr. CRAWFORD].

Mr. CRAWFORD. Mr. Chairman, the greatest regret I have about this proposed measure is not only that it does not immediately impose an excess-profits tax on war operations, but also that it retains the policy of public debt for deficit financing.

I can appreciate the difficulty which the committee faces at this time in dealing hastily with such a revenue measure, especially with an excess-profits-tax proposal. But appropriations have been voted lavishly until the Treasury appears to be nearing the bottom of the meal barrel, and it seems some revenue might be drawn from those industries which will undoubtedly enjoy excess profits during the remaining months of this calendar year.

I am not, however, one of those who is opposed to profits in industry. I never preach such doctrine as doing away with profits, because I believe in the profit system—in our system of private, capitalistic enterprise. My votes here in the past 6 years will show that I do believe in that kind of an economy.

At the same time we cannot carry on such a defense program as our people will undoubtedly demand during the next several years and do it without very heavy taxation. As we need the defense, I am ready to vote the taxes. I would rather vote for a $4,000,000,000 tax bill than a $4,000,000,000 debt bill like this. I wish that this measure had been brought in here in a different form. With the great industrial activity of wartime in prospect, we face inflationary dangers unless

taxation is adequate, yet deflation and frustration of necessary activity, if taxation be excessive.

As I apprehend our defense program, if it is a program at the present time, we will have to spend three or four billion dollars during the current year if plans can be made in time to get the money spent by December 31. If we are to have anything like a hemispherical defense, that is, tying North and South America and Central America and Mexico together, it involves in my opinion, an expenditure on our part during the next 10 years of not less than $25,000,000,000 minimum. I would say the cost of adequate defense will be nearer $50,000,000,000, plus operating costs, than it will be near $25,000,000,000, if we are to follow a hemispherical approach. So, personally, I am not going to permit myself to be kidded one little bit about the defense approach, now being agitated in this country. I have not said much about it myself because I know it will grow like a mushroom, and it will not need any promotion on my part. When we consider the cost involved in what Germany and Italy brought into existence in the form of mechanized warfare in recent years, and as we attempt to bring into an operating condition under the American production and cost systems more and better mechanized equipment, we can well afford to figure in terms of fifty and one hundred billion dollars.

When I think of countries such as Australia, with a population of 7,000,000 and a war budget of $10,000,000,000, and a country like Canada, with a population of 11,000,000 and facing a war budget of anywhere from fifteen to twenty billion dollars, I begin to get a rough comprehension of the war budget the United States will have to deal with if it carries on hemispherical defense. What kind of a program are we to put into operation when we start to say to Brazil, for instance, "Your quota in dollars will be so much, in men so much, in aircraft guns so much, naval equipment so much, undersea craft so much, overhead craft so much," and when we say likewise each to Peru, and Chile, and Uruguay, and Colombia, and to Central American countries, and Mexico, "You must contribute your share," just how are we going to consolidate defense among the 22 countries of the Western Hemisphere, and who is to be the big boss? On what ground will you bring about hemispherical consolidation unless somebody is to be the big boss? So, in my opinion, the $1,000,000,000 of tax we are talking about here today is chicken feed; just chicken feed. It is not enough to put the first feathers on the fowl, and we may just as well be realistic about it.

Mechanical warfare upon the present basis is costly. It is costly under any kind of a pattern of economy, to say nothing about the 1940 United States of America brand. And what we now undertake will be the costliest procedure we have ever undertaken in our history. If we are here next session—and, insofar as I am personally concerned, if I am here next session—and if our people continue to back up the kind of a defense program I feel they are doing at the present time, I expect to vote for a defense budget of many billions of dollars the next 2 years. I mean a defense budget; I do not mean an increase in the debt. Therefore, the bill is very distasteful to me; it is very unsatisfactory to me; and my mind is not at all yet made up to the effect that I shall vote for the bill. I think there will be plenty of votes to pass the bill anyway, and I do not like to kid myself with this kind of a bill.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. Yes.

Mr. HOFFMAN. If we join the South American nations and they establish that kind of a defense, how can we be sure that in time of need we will get it?

Mr. CRAWFORD. You have not any assurance whatsoever that anything you send to South America in the way of gold to establish a credit, or dollar exchange, for war equipment or fortifications in one form or another, will not in the end be used against you in due course under the leadership of some totalitarian nation, unless you dominate the situation, and when it comes to our dominating the situation in Mexico and Central and South America we are going to take on quite a job, and do not kid yourself about that.

For truly adequate and effective defense, Mr. Chairman, patriotism demands plain speaking if we would make haste slowly enough to be wise in our decisions and make our own economy strong enough to invite the support of our neighbors to the south as something to rely upon for the defense of liberty. Defense does not call for unity of action toward making the same foolish mistakes that have been made by the democracies of Europe. Instead of making the world safe for democracy we will by such unity merely be condemning ourselves to the same untoward fate.

I wish I could think that our unpreparedness was merely a matter of indolence, and that now we need no change of policy, but only speed, in enacting more of the same policies. But the demand for unanimity in the folly of those economic and fiscal policies which have us still in the grip of unemployment, with urgent tasks undone, leaves me cold.

It must, indeed, be emphatically denied that democracy can be identified with the use of gold. Britain and France are paying dearly for their attempt to validate that theory and finance freedom by such means. Must we plunge on now into the same abyss?

There has not been even a pretense that this tax bill represents sound policy or is more than a gesture toward financing a real defense program. German efficiency can never be matched with such makeshifts. A revolution in our thinking on these subjects is long overdue, yet the administration continues to keep the public misinformed by its dissembling to prevent the development of an informed public opinion in opposition.

How much longer, indeed, are the people and Congress of these United States going to remain united in swallowing the Trojan horse half truths that are being perpetrated respecting this administration's gold policy? Let me cite the specific misstatements that have been made repeatedly and have now been again set forth by the Secretary of the Treasury and his staff in the hearings on this emergency tax bill before the Ways and Means Committee. The effort to mislead the committee is clearly written right into the hearings, for one of the Department's experts, Dr. White, on cross-examination, truthfully explained that the $37 price of gold in Bombay was not actually different from the American price because "the cost of shipping gold and the risk of shipping gold are such that the differential between the New York price and the Bombay price is higher than it is under normal conditions."

Yet Under Secretary Bell had earlier attempted to use this differential to make the committee believe that the world market price of gold is not being set by the Santa Claus price the United States is paying but must be set by other conditions because the Bombay price was higher.

This dissembling is also spread over the Nation by the misinformation handed out by the Federal Reserve Board.

In their January bulletin, E. A. Goldenweiser, Director of Research and Statistics, says:

> Why has so much gold come to this country? It is not, as is sometimes stated, because we pay more for it than do other countries. * * *
>
> The gold has come to this country as the result of complex economic influences which have been constantly shifting during the past half-dozen years. * * * These higher prices for gold are important because they have resulted in increased production of gold and have made it possible for foreign countries to send great quantities of gold to the United States without suffering reductions in their gold reserves to a point where they had to impose exchange restrictions.

Despite the smoke screen of "complex economic influences" thrown up by Mr. Goldenweiser, it should be plain even to the average citizen that Mr. Goldenweiser begins by deliberately misstating the case in order to set up a straw man easily knocked down. No one has stated that we pay more for gold than does anyone else who buys it. But it is nonetheless true that the market pays more for gold than it would were Uncle Sam not, through his gold-buying policy, playing Santa Claus to the arming of other nations while unable to finance his own peaceful leaf-raking expeditionary forces under the command of the New Deal.

Does Mr. Goldenweiser expect us to believe that it was "complex economic influences" which raised the price of gold in 1934 so that we were compelled to fix our price at $35 in order to satisfy the strange urge that rose up in our breasts as Britain started to re-arm, to erect such a volume of excessive reserves as has never been heard of before in history?

Certainly this expert cannot and, indeed, does not deny that this development has been contrary to American interests, for he states that we are confronted not only with an "accumulation in this country, in exchange for our products and other forms of wealth, of an asset which is of little value now and whose value in the future is unpredictable," but also with a "growth of member bank reserves, which has created the possibility of uncontrollable credit expansion if a run-away situation should develop."

So in the midst of the very conditions of war which have in the past created a "run-away situation" in credit inflation, we are blessed with a hoard of gold which not only is not in use but is worse than useless.

In the attempt to bolster these misrepresentations, Treasury experts were pressed into other misstatements, as in the assertion, after much evasive stalling, by Mr. White, under questioning by the gentleman from Ohio [Mr. JENKINS], that "it has been the practice of almost every country to fix the price of gold for long or short periods of time." The word "almost" covers a multitude of sins in veracity, for it is a patent fact that England has long had a free market for gold. She does not, and never has, kept gold deliberately out of use by prohibiting her own citizens from owning or handling it while playing Santa Claus to the rest of the world. Clearly, in our gold price pegging, we have financed not only England and France but also Stalin in his Hitler-inspired attack on Finland, and Japan in her attack on China, by shipping them scrap steel and other products and forms of wealth in return for "an asset which is of little value," quite as Dr. Goldenweiser has pointed out.

The Treasury attempts to conceal these plain transactions in trading behind the discursive phrase "international balance of payments." Has anyone denied that when gold is used in making payments, not only for actual shipments abroad but also for billions in American securities, that it is done through the banking system and not directly? There are free deposits, too, of "hot money," which has kept our security market in a constant turmoil.

Apparently the Treasury would have us believe all this is beneficial through "eliminating as many as possible fluctuations in exchange rates"—I quote Mr. White. But these have not in fact been eliminated. Actually they have long been under so-called stabilization funds and exchange controls which have everywhere given rise to the "black" or illegal markets in foreign exchange. I ask to be shown if this gold has actually succeeded in stabilizing exchange rates; however such instability may have been temporarily concealed by such illusory legerdemain; for it is essential that a nation which cannot give wealth for wealth received shall not be able to exchange its money for the wealth of other nations.

After spending a lifetime of experience with this so-called international gold standard, attempting all the while to defend it, the great Swedish economist, Gustav Cassel, has finally and recently expressed his definite rejection of this illusion in his book, Downfall of the Gold Standard, the Illusion of a Return to Gold, as follows:

> To keep a gold reserve for ironing out discrepancies in the international balance of payments would presumably be a need mainly for debtor countries. Such countries often borrow gold directly for the purpose; in any case their foreign debt is swelled by their acquirement of gold. To borrow gold funds for meeting possible deficits in future balances of payments can hardly be regarded as a policy warranted to inspire confidence. Whatever may be said of Dr. Schacht's monetary policy and his way of managing the German currency under the Nazi regime, he must at any rate be credited with the great merit of having unmasked, once for all, the humbug of strengthening a currency by means of borrowed gold reserves. * * *
>
> A restoration of the gold standard is not to be reckoned with. The belief in the gold standard may still live on for some years as a creed to which people pay lip service. But for all practical purposes, the gold standard is a thing that belongs to the past.

Expensive experts, nevertheless, assured your Uncle Sam in the hearings on this emergency-tax measure that Germany—I quote Mr. White—

> Has resorted a great deal to the barter and clearing-agreement system, and that is an unfortunate circumstance that a government that does not have gold finds itself in. It has to resort to more inefficient methods, just as—I take it we may use the analogy of the farmer who is too poor to have a tractor, he may have to use a mule.

But, Mr. Chairman, if Germany is poor in gold, she is, by all reports, rich in tractors as well as mules. Tractors cannot be made of gold. In Germany they have been made by the efficiency of money divorced from gold—a money power with which we shall have to reckon in the future.

Too poor to buy tractors—but not too poor to make them. Not so rich with the commodity of Croesus as to be saddled with doles and boondoggling while muddling through to victory—or defeat—in the last battle. Not cursed with 10,000,000 unemployed in a crisis. Not saddled with a spurious title to gold and silver that has to be buried and guarded while needful tasks go undone. Not playing Santa Claus to the rest of the world and wondering why she is visited with want in the midst of plenty. Not telling her citizens that they are acquiring thousands of tons of gold without a cent of cost, while using paper money and credit to sap the lifeblood of real wealth from the Nation's industry to pay for that gold.

Yes, Mr. Chairman, Germany is, by the gold standard, too poor to buy tractors, yet she is superabundantly supplied with tractors—quite the reverse of our state of preparedness. May I, therefore, urge the Congress when we take up a complete tax-revision bill, to give serious consideration to the fiscal methods now being used by the authorities of Germany, for our national defense is most certainly to be served by efficiency in obtaining, not gold but tractors, or their equivalent, on land and sea and in the air.

Except as to the questionable practice of paying for gold with bond-raised funds in order to "sterilize" it and prevent its appearance as excess reserves to camouflage the unsoundness of our banking system, no one has said that our Treasury accounts have been drawn on for gold payments. But our real wealth has been irretrievably drawn on to benefit everyone else on earth to the extent that their gold shipments cost them less in real wealth than they got from us in return.

Said the London Statist last February, in alarm at agitation against American purchase of more gold:

> The Allies * * * must look to their large gold stocks to provide part payment for purchase of war materials and other necessaries from America.

Earlier, a report of the British Embassy, made to London in 1936, said:

> It is impossible to estimate the indirect profits and stimulation to trade and industry which the United States gold policy has brought to other countries. The high price placed on gold and unlimited purchases by the United States of America are largely responsible for the remarkable prosperity of the Union of South Africa.

But if America really seeks to aid the Allies for the sake of supposedly free institutions, why compel them to waste time and energy mining gold which we must then expensively bury and guard? Why, indeed? Simply because that would be admitting the false pretenses of New Deal policy. So when asked as to the margin of profit over the cost of mining gold, Mr. White, of the Treasury, evasively replied that "there is no such thing as a single cost of mining gold." But no one said there was. Nevertheless, the margin of profit has, as pointed out by Dr. Goldenweiser, been so increased by the high price as to greatly increase production, obviously for profit.

Why did not Mr. White tell the committee about the South African excess-profits tax which reserves the richer veins of ore and forces the cost of gold mining in the Union up to an average of $20.29? Also that until recently profits to the mine owners were curtailed by absorption by the Government of everything above 150 shillings an ounce?

Why, too, did he go out of his way to tell the committee that as to gold from Russia "there is very little of it that has come here direct from Russia"? Did anyone make a contrary statement? No. But Mr. White was indulging the New Deal propensity for dissembling by setting up and knocking down a straw man, because he wished the committee to conclude, without his saying so, that Russia had not obtained in large measure our goods for her gold.

As Senator TOWNSEND has put it in reply to Secretary Morgenthau's misrepresentations as to the spreading of benefits to Russia by our position in the gold market:

> Imagine the situation in Washington if the Government went out and leased 95 percent of all the apartment houses here. Could anyone be expected to believe that such a situation would not confer great benefit and advantage on the owners of the remaining 5 percent of the apartment houses?

Indeed, when in the Gold Reserve Act of 1934 Uncle Sam signed on the dotted line to acquire title to all gold, he would have done well to heed the sound business adage, "Investigate before you invest." Chiefly, he should have investigated the nature and validity of a title to monetary gold.

Just how shadowy that title is, even were the gold bugs among nations again victorious, may be gleaned from the "sixth column" proposal, obviously predicated on Allied triumph, to lend our gold all over again to an international banking system at a return of one-eighth of 1 percent to Santa Claus; that is, to the American taxpayer.

This boot-strap scheme in foreign affairs, originating with Professor Haensel, of Czarist Russian fame, now in this country at Northwestern University, can be said to parallel the Inter-American Bank convention as a camouflage for liquidation of the present gold- and silver-buying policy. In this connection it is interesting to note that more gold is being held in New York City than is in storage at Fort Knox in Kentucky—in both cases approaching $6,000,000,000, which is the present extent of excess reserves. Perhaps this makes our gold more convenient for redistribution to the banks, in just such one-sided deals as these international schemes, to promote so-called trading with Uncle Sam holding the bag. Certainly no other approach to the problem, such as recoinage, is getting any official recognition.

In sum, public title to the American gold supply has merely relieved the banks of the expense of storage and guarding while building them an immense reserve gathered at no cost whatever to them but at tremendous public cost in terms of real wealth. Yet not even the banks are at present doing an adequate business under the conditions induced by these policies.

There is only one way, in my view, by which gold can be actually so used as to acquire a price which will pay costs at a level reflecting a real need for more gold than is required for ornaments, signs, and filling teeth. That way is by coinage. By no manner or means, however, can gold be so extensively used in coinage as to bring mining costs to a margin represented by a price of $35. It cannot be successfully coined at any such price. To prevent hoarding cycles, the price—and so the marginal cost—must be lowered to a level which will bring into production only such gold as is needed for the highly limited actual use to which gold coins can be put in connection with modern deposit banking facilities. Also, free coinage—that is, coinage at par—must, it appears to me, be abandoned once and for all, for gold as it has been for silver. Then, while we can never recover the real values we have given for our gold, we may find it possible to get something in return for it as other nations adopt a similar coinage practice and so create a real demand for gold.

Meanwhile, if we must draw our lessons in finance from the ranks of success rather than of failure, that does not signify abandonment of freedom. When, indeed, did the governmental control of money supply become inimical to democracy, or to any other kind of stable government? It must have been under the New Deal, for assuredly it was not under Jefferson, who so despised government debt that he would have had it constitutionally prohibited, nor under Lincoln who deliberately substituted greenbacks for debt in his day of war emergency. Even before the days of our constitutional provisions of the monetary independence from British domination. Let me quote from a recent American study of the history of paper money, published by Princeton University, to wit, from Monetary Experiments by Dr. Richard Lester, now of Washington State University:

> Today the world is groping toward a new and better money * * * and we have been learning, as our colonial ancestors did, that depressions may be overcome by means of monetary expansion. * * * It is chiefly from monetary experiments that the principles of money have been learned.
>
> * * * The issue of greenbacks is always condemned in no uncertain terms, yet prices rose by a larger percentage in the World War, when the currency was convertible into gold * * * than they did during the Civil War, when the country was off the gold standard. * * * The Government did not have to pay interest on the greenbacks, but it did pay large sums in interest on the Government bonds.

Which alone is keeping the Budget now unbalanced with an interest charge greater than the whole Budget when the last Democratic administration was elected before the World War.

> The currency issues of the middle colonies, circulated originally to overcome business depressions, put those colonies on a paper-money standard and gave most of them a more stable money during the half century before the Revolutionary War than gold and silver money proved to be.
>
> Our colonial forefathers were realists. They * * * came to realize that in a money economy a country's economic well-being is closely bound up with a proper functioning of its money.
>
> Economists, businessmen, and Federal officials would do well to study the experience of our colonial forefathers with currency issues and their success in overcoming business depressions. Such study would seem all the more profitable in view of the fact that this colonial experience seems to back up experience throughout the world in recent years. Both colonial and recent experience clearly indicate the need for reversion to the earlier situation, when the Government, and not private banks, issued and controlled the money supply. The Government must regain the sole power to issue and withdraw money from circulation, if the Nation's money supply is to be regulated or managed for the economic welfare of the whole country.
>
> Above all, we need today some of that intelligent skepticism toward the financial dogma of the day that our colonial forefathers had. They did not hesitate to challenge the existing economic theology or to engage in intelligent experimentation. The spirit and attitude of our forefathers is in the American tradition. Today too many people know what can't be done, and too many economists know the lessons of history that history itself fails to record.

It is knowledge of what can be done, Mr. Chairman, true knowledge of the lessons history does record, that gives a nation power. I submit that a nation cannot be powerful and entirely wrong, nor weak and entirely right, in its ideology.

How characteristic of New Deal dissembling was it for this administration, speaking almost from the doorstep of Jefferson's home at Charlottesville, to attempt defense of its Hamiltonian debt-creating policies and its pyramiding of bureaucracy. How tragic the attempt there to gain political support for its inefficiency by playing on our sympathy for France. France will never be rescued and democracy preserved by those methods and policies.

Clearly America itself is drifting helplessly toward dictatorship in its defense measures. Why? Because, as in France and England, the so-called social gains of New Deal policies are so destructive of wealth and efficiency as to compel an autocratic attempt to correct the effects of that destruction. We are thus driven to treat the symptoms rather than the disease, in the autocratic manner; driven to administering the autocratic pound of cure rather than the democratic ounce of prevention, if we would survive in the struggle to be fit.

Let us look at the history of our fiscal policies as it has been recorded since the last Great War:

Year	Tax revenue	National debt	Gold	Silver
1916	$782,000,000	$1,225,000,000	$2,445,000,000	$568,000,000
1917	1,124,000,000	2,976,000,000	3,220,000,000	568,000,000
1918	3,665,000,000	12,244,000,000	3,163,000,000	500,000,000
1919	5,152,000,000	25,482,000,000	3,113,000,000	308,000,000
1920	6,695,000,000	24,298,000,000	2,865,000,000	269,000,000
1921	5,625,000,000	23,976,000,000	3,275,000,000	289,000,000
1922	4,109,000,000	22,964,000,000	3,785,000,000	381,000,000
1923	4,007,000,000	22,350,000,000	4,050,000,000	492,000,000
1924	4,012,000,000	21,251,000,000	4,488,000,000	504,000,000
1925	3,780,000,000	20,516,000,000	4,360,000,000	522,000,000
1926	3,963,000,000	19,643,000,000	4,447,000,000	533,000,000
1927	4,129,000,000	18,510,000,000	4,587,000,000	538,000,000
1928	4,042,000,000	17,604,000,000	4,109,000,000	540,000,000
1929	4,033,000,000	16,931,000,000	4,324,000,000	540,000,000
1930	4,178,000,000	16,185,000,000	4,535,000,000	540,000,000
1931	3,190,000,000	16,801,000,000	4,956,000,000	540,000,000
1932	2,006,000,000	19,487,000,000	3,919,000,000	540,000,000
1933	2,080,000,000	22,539,000,000	4,316,000,000	540,000,000
1934	3,116,000,000	27,053,000,000	7,856,000,000	542,000,000
1935	3,800,000,000	28,701,000,000	9,116,000,000	859,000,000
1936	4,116,000,000	33,545,000,000	10,608,000,000	1,255,000,000
1937	5,294,000,000	36,427,000,000	12,318,000,000	1,382,000,000
1938	6,242,000,000	37,167,000,000	12,963,000,000	1,584,000,000
1939	5,668,000,000	40,349,000,000	16,110,000,000	1,778,000,000
1940	[1] 5,141,030,000	[2] 42,794,000,000	[3] 19,427,000,000	[3] 1,886,000,000

[1] May 31. [2] June 12. [3] Apr. 30.

If economic efficiency and prosperity are determined by the financial dogmas of huge reserves of coinage metals, pyramiding tax revenues, and mounting public debt, then this Nation has become both prosperous and efficient beyond even the dreams of our greatest pride-pointing politicians. But in the measure of realism we have not "planned it that way," for we are neither prosperous nor efficient. On the contrary, we are actually borrowing to balance the Budget, as it was before the new defense appropriations, just about what is required to pay interest on the previously incurred debt.

On top of all this, Mr. Chairman, we are now offered in this emergency tax bill the magic of paying the expenses of a single year's defense spending over a 5-year period of tax collections which, in fact, cannot even cover much more than half of the deficit which previously existed in the Budget. The continuance of such unsound policies in a hodge-podge bill which is admittedly at best a makeshift and more likely to bring confusion than successful defense, compels me to conclude that it would be better to use the stabilization fund now in this emergency—it would be scarcely a drop in the bucket in a day of greater need—to coin the excessive supply of gold and silver, and to employ the constitutional power to issue irredeemable paper money rather than further extend the public debt and its interest burden.

I therefore vote against this bill, and, if given the opportunity, against the adjournment of this Congress, until such time as we shall have remedied this state of affairs by actually revising the whole taxation and financial structure of this Nation, upon which the security of democracy and the defense of our people from aggression actually depends. I certainly hope the other body will give us assistance when the measure passes through its hands.

Under existing fiscal and financial practice our liberties must be abrogated, not temporarily merely, but for as long as any other major power does so; for we cannot, even if we would, any longer make a fetish of muddling through and still survive. Wishful thinking can no longer preserve democracy in the United States any more than it has preserved it in France and England. Its survival rests on attainment of continuous economic efficiency without abrogation or even infringement of liberty and free enterprise. The institutions of freedom can be preserved triumphant, without war, if their basic strength can be brought to fulfillment by a sound fiscal policy and money system; for obviously, an unsound system requires a dictatorship to antidote its economic poison.

An unsound economy, harassed by unemployment and the other economic ills of the business cycle, and offering no way out of the stalemate between inflationary and deflationary policies, makes the only feasible defense of democracy rest upon the paradox of abandoning its liberties and eventually even its forms. There results an inevitable clash between the deflated, quondam democracies, with their illusion of surpluses for which they lack demand and continually strive in vain to dump on the so-called world market, and the inflated autocracies, set to autocratically restrain price advances, with their illusion of scarcity and inability to reach the world market supply except by conquest. Peace on earth and good will can only rest, not on conquest, but on the social justice of reformed financial institutions and fiscal policies.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. CRAWFORD. Mr. Chairman, I ask unanimous consent to extend my remarks and to include some excerpts from writers on the subject.

The CHAIRMAN. That extension, so far as excerpts are concerned, will have to be obtained in the House.

Mr. DOUGHTON. Mr. Chairman, I yield now to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, we are all agreed on the necessity of preparing for the national defense as speedily and vigorously as possible. We are also all agreed on the necessity of working out some well-defined plan by which the costs of this defense plan may be defrayed. Obviously, the major portion of these costs must be raised sooner or later by some form of taxation. Therefore, it is of paramount importance at this time that changes in the tax laws must be made with a view to inducing greater and greater private-capital investment.

The need to place the United States in a state of preparedness is urgent. The program permits of no delay. It calls for the construction of new plants. It requires additions to old factories. It means the manufacture and installation of equipment of many kinds within these plants. We need a much better air force. We need defenses against air attacks. Our Army needs the best possible equipment that can be obtained. We must guarantee an Army and Navy second to none.

However, we cannot lose sight of the fact that the first line of defense in any emergency is a sound, healthy business structure. The things that are eaten and worn by our military forces must be produced by the civilian population. The arms that may be employed, the aircraft that may be flown, the bombs that may be dropped—all the equipment and munitions of war in its thousands of kinds must be produced by civilian labor. Nothing must be permitted to interfere with the orderly production of these supplies and equipment.

To do all these things requires the expenditure of vast sums of money—both public and private. Federal funds can be obtained from only two sources—taxes and borrowing. Federal revenues can be increased without undermining democratic capitalism further. Enterprise can be fostered rather than penalized. National defense can be promoted by incentives but not by penalties.

The problem is similar to that of disposing of a surplus stock of goods. Reduce the price and give the customers an incentive to do what you want them. You will not have to force them. They will gladly purchase your merchandise and like it. Such elemental common sense is even more sound in a time of emergency than at other times.

The last report of the Federal Reserve Board shows that there are more than six and one-half billion dollars of private capital lying idle in banks. This is a new high in the history of the country. We must remember that individual funds are a large source of supply of funds for industrial operation. Therefore encouragement should be given to the use of these private funds, and thus relieve the Government of unnecessary burdens in this respect.

This means we must face the amortization problem. Many companies today are called upon and will be called upon to expand their operations to a very considerable extent, either of plant or equipment or both, in connection with the preparedness program. This involves heavy risks which are undertaken because of the danger and possibility that such operation may be of a temporary character and that the expanded plant facilities and new equipment will be on their hands after the necessity for their use is over.

In 1918, the then Secretary of the Treasury, Mr. McAdoo, said that industrial operators are required very often to make vast expenditures of capital for purposes which prove unproductive after the war is over.

That applies with equal force to the conditions that confront us today. There is, therefore, the fear of taking a chance on short-term investments which will be necessary for much of the expansion of the preparedness program. They may have a very temporary use, and it is my firm belief there should be a provision for amortization before a profit is recognized on such utilization of the facilities.

May I remind the Congress that in November 1937 Secretary Morgenthau said: "We want to see capital go into the productive channels of private industry."

That general objective is desirable regardless of whether or not there exists an emergency. The net result, of course, is that there will be an enlarged tax base and the receipts will be increased tremendously.

Inasmuch as previously pointed out, the "risk" capital necessary for plant expansion and production must come from individuals whose incomes run into the higher brackets, it seems pertinent to point out at this time that Secretary Morgenthau, discussing this point before the Ways and Means Committee last year, declared that the question as to whether "the present surtax rates on very large incomes may not be so high that they discourage the limited number of individuals subject to them from taking normal business risks."

Discussing this subject before the Ways and Means Committee on June 28, 1939, John W. Hanes, Under Secretary of the Treasury, stated:

> It is our belief that the effect of reducing the surtax rates over a period of years would be to increase the base. The pressure to put funds into tax-exempt securities and keep them there would be decreased. The inducement to avoid the income tax would be lessened. More important, enterprise would be encouraged with the diminution in the deterring effects of heavy taxation. While we are, of course, interested in the maintenance and increase in the public revenue, a much more important consideration is the health and expansion of the economy.

The Senate Munitions Committee report in 1936 contained recommendations along substantially the same lines. In 1936, also, a report of the subcommittee of the Senate Finance Committee on H. R. 5529, a bill to prevent profiteering in time of war, takes the same viewpoint.

Sound, constructive, and realistic amendment of the tax laws to encourage the investment of idle capital will bring about almost overnight an expansion of industrial activity unparalleled in recent years. Not only will it put the Nation in a position to withstand any attacks from the dictators of western Europe, but it will also take off the dusty roads and put into healthy employment many thousands of workers who have been tramping these roads for several years.

Such changes in our tax laws would furnish a tremendous incentive for the investment of idle funds in the activities that are needed to prepare for our national defense. It would lead eventually to the elimination of the relief problem and the saving of several billion dollars that are now devoted to relief. The money thus saved would be available for the purchase of arms and equipment needed for the country's defense.

There are other admitted business deterrents in the 1939 tax law which are not corrected in the bill we have before the House today. I am happy to note that it is the purpose of the revenue-raising committees of Congress, in conjunction with Treasury officials, to study these matters in more detail between now and next January. With the evidence now before the committees, supplemented by additional facts which can be easily ascertained, there would seem to be little need for unnecessary delay in making what other additional changes are required for the purposes indicated.

It is my belief that the Congress could well consider such changes as:

First. Elimination or further modification of the capital gains and losses tax.

Second. Elimination of the tax on intercorporate dividends.

Third. Elimination of the individual normal income tax on corporate dividends.

Fourth. Permission for affiliated corporations to file consolidated returns.

To start the wheels of industry turning without further delay, necessary Government action should be taken as soon as possible to permit amortization of all new capital investment before a profit, subject to taxation, from their use, is recognized.

The people of this country are not only willing but anxious to do their part in defraying the expenses of a national-defense program that will insure our safety and protection against any possible attack. We should cooperate with the taxpayers by removing so far as possible all inequities in tax legislation. We are all in the same boat. Sound, constructive tax revision calls more than ever for the steadying influence of plain, common horse sense. We cannot at this time risk measures that would hamstring a proper defense program.

This bill provides for an enlarged tax base, which is proper. All our people are agreed on this. I am not advocating the elimination of sacrifices on the part of those with substantial incomes, whether industrial operators or others. We must all do our part.

Mr. DOUGHTON. Mr. Chairman, I yield 15 minutes to the gentleman from Missouri [Mr. DUNCAN].

Mr. DUNCAN. Mr. Chairman, I do not know what to say about this bill. It has been fully explained and everyone seems to be in favor of it. I have never heard as much talk about anything in my life that everybody was for. I pity the mail carriers during the next few weeks when they start taking the franked speeches out to the voters—speeches that have been made today by the minority—simply a sounding board for the coming campaign on the question of expenditures. It does not make any difference what expenditures have been made by the Government, so far as this bill is concerned, you would have this tax bill today just the same, in view of the necessity for unusual expenditures for armaments. Therefore all these speeches and all of the talk about that does not mean anything to anybody who has enough intelligence to look back of the picture and see what is written on the frame.

One gentleman of the minority who spoke a moment ago, said there was one thing true and that was that his party was not responsible for the lack of preparedness. I am going to be frank and say that I do not charge that any party is responsible for the lack of preparedness, but I do want to call this to your attention: Just about a year ago when this House was taking up the question of providing authorization for 5,500 airplanes for the Army, I recall very well that there came from the minority side of this House a very bitter attack upon that plan. I remember very well that one of my very fine friends of the opposition made a very bitter, mean speech about it and insisted on limiting the number to not exceeding 1,000 planes a year.

I came to Congress in 1933 at the special session. When I came here I was placed on the Military Affairs Committee, where I served for 2 years before election to the Ways and Means Committee. There are only 5 men on that committee today who were members of it at that time. There is only 1 member of the minority who was a member of that committee at that time. That was some 15 years after the war was over. At that time there were only 385 airplanes in the United States Army that were ready to take the air. Some of them were carried over from the World War. They were obsolete and antiquated. None of them equalled even then the planes of other countries. They would have been absolutely worthless in time of war. I remember that a gentleman from this side of the House, the minority side, Mr. Goss, a very prominent and important member of that committee, went into detail concerning the dies and the materials for the making of ammunition. They were obsolete. They had been permitted to lie around and rust. They, too, were obsolete. The defense plan had lagged to the place where die makers and experienced men were almost

nonexistent. I am not going to blame these gentlemen who were in charge of the administration up to that time for it, because public sentiment would not have permitted it, just as it would not have permitted the expenditure of these billions of dollars prior to a few weeks ago. So what is the use talking about all these silly, foolish things? We should begin to think about some practical things.

In the corps area in which I live out in Missouri there are seven Army posts—Fort Snelling, Fort Crook, Fort Des Moines, Fort Omaha, Fort Leavenworth, Fort Riley, and Jefferson Barracks—and there is not a single, solitary one of those Army posts that has any military value whatsoever. Fort Leavenworth is the infantry training school. Fort Riley is the cavalry school, but the functions carried on there could be carried on at any other Army post in this country. They were built up around Indian outposts in the early days of that country, and around those outposts there grew cities. They have fine quarters. It costs millions of dollars a year to keep up those posts, and if the men, both enlisted men and officers, were quartered together, the saving would be enormous. The training would be invaluable. This condition exists all over this country.

Every President for many years has desired to abandon many of these Army posts and consolidate their activities. I know that the Army itself has a plan for abandoning many of them; but try to do it. You would have your local chambers of commerce, you would have your Governor, you, yourself, your United States Senator, all down here tearing down the walls of the War Department if you attempted to move one of them.

Not long ago I heard of a cavalry troop that was moved from a certain post to engage in maneuvers, and the people of the city near the post insisted that their Representative prevail upon the War Department to send that cavalry troop back so that the merchants of the town would not lose their patronage, would not lose their trade. That is what we face in this country, and until the people of the country begin to wake up to the fact that the Army and the Navy of the United States costs many times what it does in any other country of the world, their tax bills will mount and mount. I hope the defenses of this country can be placed upon a basis that the American people can support it.

This is only the beginning. Personally I have always been for adequate armaments. I did not agree with the idea of sinking its battleships. Our Government sank 30 under the leadership of the minority party with a value of more than $275,000,000. The old days we used to read about in our school books when the volunteers could whip the regulars is gone. In fact, it never existed except in a few cases. It does not make any difference today that we may be able to go hunting and shoot a rifle. That does not help us. We have to know how to run a tank or an airplane or use a machine gun, and all the mechanized, modern equipment that is necessary to carry on modern warfare.

Most of the provisions of this bill have been explained. There has been a good deal of discussion about the increase of the debt limit. I just want to call this to your attention, that this bill provides that the increase in the debt limit shall be for the purpose of national defense only; and while there is a $4,000,000,000 increase in the debt limit, bringing it to $49,000,000,000, if there is the payment of $1,000,000,000 the national-debt limit will have been reduced to $48,000,000,000. In other words, it can be used only for the purpose of carrying out the national-defense program, and when that amount has been reduced by the taxes that will be collected the debt limit will be reduced in that amount. In other words, when the $4,000,000,000 had been paid off then the debt limit will be back to $45,000,000,000 unless it is further increased by act of Congress.

Another thing on which I want to elaborate a little is the provision requiring more people to file income-tax returns. Heretofore any person having a gross income of $5,000 has been required to file a return. All of us know people who have not filed returns and who ought, in our opinion, to have done so. When that limitation is fixed the Department has no opportunity to determine whether or not the deductions are legal. It is left to the individual himself to determine whether or not the deductions from that $5,000 bring him within the provisions of the act. It was felt that these additional 8,000,000 people could well be required to file income-tax returns so that the Department could say whether or not the deductions which they have taken to eliminate themselves from the necessity of paying taxes are actually within the provisions of the law. A lot of useless work will be done, it is true; but if we pick up $20,000,000 or $25,000,000, it certainly is worth while.

There has been some discussion, and I have heard some criticism from certain sources about the people in the lower brackets not being required to pay enough taxes, that the percentages were so much smaller than those in the higher brackets. Mr. Chairman, let us not forget that these are the people who are paying about 75 percent of these excise taxes. They are the people whose incomes are being totally consumed in the cost of living. As our incomes go up, the less, naturally, is the problem of living. Those people are paying these excise taxes to a greater degree than those who are in the higher income-tax brackets.

Personally I have never been greatly impressed by the suggestion that we ought to lower the brackets and make everybody pay an income tax. I believe they pay enough now. I believe they are paying their part of the obligations of the Government when they pay all of these other taxes which they are required to pay.

Much has been said today about further study of the tax bill. Personally I want to see it done; there are a good many wrinkles in the tax structure that ought to be ironed out. Let us not forget, however, that we are living under the most complicated economic and business structure in all the world. There is no other business structure in the world as complicated as that we have in the United States; and in the writing of a tax bill within a few hundred pages it is a most difficult problem to include everybody and not leave many loopholes and some inequalities. Personally I have long believed that the high brackets were too high. I do not believe we ought to take 80 percent of a man's income, for that is the money that goes into new and productive enterprise, the money that pioneers, the money that opens up new factories. When we take 80 percent in the form of taxes, there is not much left. I believe we would get as much money in dollars and cents if the higher brackets were reduced a bit, but the necessity for money has prevented that being done.

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, I yield 5 additional minutes to the gentleman from Missouri.

Mr. DUNCAN. I am amused when I listen to many of the speeches about spending money made by my Republican friends. I hear so many Republicans running for office promise bigger and better relief, bigger and better pensions. They say they are going to carry on the farm program, that nobody will be taken off relief, that they are going to extend pensions, that they are going to reduce the cost of government, that they are going to reduce taxes, and balance the Budget. All I have to say is that any person with an ounce of common sense and who knows anything whatever about finance or taxes knows very well that it cannot be done. Yet you have been able to get a lot of people to believe it. You know that you cannot carry on these programs and balance the Budget and reduce taxes, because it cannot be done.

Mr. BENDER. Mr. Chairman, will the gentleman yield?

Mr. DUNCAN. I yield.

Mr. BENDER. Did not Roosevelt make the same kind of promise in 1932?

Mr. DUNCAN. Mr. Roosevelt in 1932 inherited a situation which the Republican Party had permitted to grow up that could not have been anticipated by anybody. [Applause.] He found 15,000,000 unemployed people in this country whom it was necessary to feed and clothe; and being the humanitarian that he is and having the interest of the great masses of the American people at heart he found it necessary to

spend money in order to bring to them the necessities of life in a country overflowing with everything it takes to make men and women happy, and my friends on this side, the minority, very much like they have done today, talked, and talked, and talked about it, but when it came to voting their was "aye" on the roll call. [Applause.] Go back and look it over. "It is a lot easier to fight for a principle than it is to live up to it", and that is what our friends on the opposite side of this Chamber have been doing. They have been fighting for something that they have not had the courage, the political courage, to vote for when the time came. There are some exceptions to that, but in the main you have all voted for the farm program. In the main you have all voted for the relief program. In the main you voted for the social security program. You have cussed it, you have fussed about it, but when the time came to vote you did not have the courage to have your name put down against it on that roll call so that the people back in your district could see that you had been opposed to the things that were for the greatest good of the greatest number of people in this country. [Applause.]

Mr. TREADWAY. Mr. Chairman, I yield 15 minutes to the gentleman from New Jersey [Mr. McLEAN].

Mr. McLEAN. Mr. Chairman, this situation brings to my mind the quotation:

> Oh, what a tangled web we weave
> When first we practice to deceive!

The American people have been given to understand that this measure is for the purpose of providing the financing for the national-defense program outlined by the President in his address before Congress on May 16 and his message of June 3. It is, in fact, a tangled web into which have been woven the threads of deception which will draw into the general fund of the Treasury money provided especially for national defense.

National defense is something which a country must have when the needs demand. It comes upon a people against their will by reason of international circumstances over which they have no control. The American people will pay whatever is necessary for national defense, but they will not tolerate for long financial legerdemain and deception.

The title of the bill is misleading. It should be changed to properly state its purpose. Incidentally, it will provide for the emergency program of national defense. Actually, it is a bill for the relief of the Treasury of the United States and should be so entitled. By this emergency legislation the Treasury has a good way out of an embarrassing situation.

There is a tradition about the House of Representatives that the best politics is to vote for all appropriations and against all taxes. My position does violence to that philosophy. During my service in Congress I have consistently opposed the measures leading to wastefulness, boondoggling, and pump priming. Now I must join with those who are responsible for an embarrassing situation in the Treasury and who must provide the money required to pay for the extravagances of the past 7 years. Having voted against expensive and uneconomic projects, I must now vote for taxes which I have predicted would be necessary because of such extravagances. It becomes my patriotic duty to vote for new taxes because the Treasury is depleted, the borrowing power is exhausted, and without this measure the Treasury would be unable to meet its maturing obligations and provide for the national defense. Up to now my people have had to take my word as to where we were heading. I am now able to prove to them by this practical illustration that my predictions have come to pass.

In the present state of world affairs it has become necessary to provide an extraordinary national-defense program. This program requires sufficient funds for its completion. Let it be understood that I favor the proposed national-defense program and realize that to provide it additional taxes are necessary. But I deem it my duty to raise my voice in protest of the national-defense program being made the vehicle to provide money necessary to meet deficits in the general fund of the Treasury. I cannot prevent it but I can disclose the perfidy.

The anxiety of the moment must not be permitted to detract attention from domestic affairs. The first line of defense and the greatest resource in time of emergency is financial strength. The pending bill is intended to provide for the emergency needs of national defense, and should be confined to that purpose. Deficit financing for matters other than those of national defense should not be included. But they are. For example, the "nuisance taxes" which would expire July 1, 1941, are to be continued until 1945. Only the amount of increase will go to national defense. The annual revenue from these taxes which will go into the general fund will amount to $500,000,000 annually, and the increase which will go to national defense only $175,000,000.

Also, as has been stated, the regular annual appropriations for the Army and Navy will be transferred to and paid out of the new taxes to be raised for the emergency national-defense fund, making the amount thereof, estimated to be $1,040,000,000, available for other governmental purposes. This will also make it possible to show a smaller deficit of ordinary expenditures over receipts for the fiscal year.

There is ample proof that the present demand goes beyond the financial needs for national defense. It has every appearance of an attempt at deception to conceal the actual condition of the Treasury. It will also show the need of reducing administrative expenses to prevent recurring deficits. Secretary Morgenthau advised the Committee on Appropriations several months ago, before the present emergency arose, that the condition of the Treasury was such that it was necessary to increase the debt limit to enable the Treasury to borrow necessary funds for ordinary needs.

On May 16 the President personally addressed the Congress and set forth the emergency program for national defense. He appealed for immediate emergency appropriations. Prior to that appearance provision was being made in the annual appropriation bills for the ordinary expenses of the Army and Navy for the fiscal year 1940–41. The amount recommended in the Budget for the ordinary expenses of the Army and Navy was estimated at $1,040,000,000, to be provided out of the receipts from taxes, supplemented by borrowing, as provided under existing law. It was generally understood that the imposition of new taxes was not contemplated, nor was it intended to increase the limit of indebtedness which the Secretary of the Treasury is authorized to incur. It was planned to make ordinary receipts and available borrowing capacity provide for all purposes until the next session of Congress in January. The reason is obvious. This would carry over until after election the increase of the debt limit and revision of the tax structure.

It now appears from the testimony of the Secretary of the Treasury and his assistants before the Committee on Ways and Means on May 31 that the anticipated expenditures over normal receipts for the fiscal year 1940–41 will amount to $1,876,000,000, less anticipated recovery of capital funds from Government agencies of $700,000,000, making the anticipated net deficit to be financed by borrowing $1,716,000,000. There are Treasury obligations to be met between now and February 28, 1941, which will result in the borrowing power being completely exhausted, and the working balance reduced to $600,000,000, and that is assuming that the anticipated return of $700,000,000 of capital from Government agencies is realized. The realization of this amount will be difficult, as may be seen by reference to H. R. 9958, which the gentleman from Massachusetts [Mr. GIFFORD] has just explained.

It is thus apparent that the working balance in the Treasury must be improved. So it is intended to pay the ordinary expenses of the Army and Navy, amounting to $1,040,000,000, from the funds to be raised by the special tax for the national-defense program.

This feat of financial legerdemain, using funds provided for the national-defense emergency for general purposes, will provide the Treasury with $1,040,000,000 of working capital It will have the effect of extending the debt limit for ordinary expenditures by transferring appropriations already made to the proposed special national-defense fund, thus reducing the amount chargeable against the present $45,000,000,000

debt limit. Under the language of the bill the Treasury is entirely free to use this money to pay for past extravagances.

Oh, yes, someone will say, "Why do you not do something about it? Why do you vote for the bill and speak against it?" In the committee I made every effort by the offer of amendments to make this exclusively a defense bill so that Treasury needs could be studied and determined independently.

As I have said, we are told that the pending bill is intended to provide for the emergency needs of national defense. It should be confined to that purpose. Money to pay for the consequences of wasteful spending and accumulated deficits should be otherwise provided.

We cannot hope for such a bill now. We must content ourselves and satisfy our consciences by making known the means by which political ends are sometimes attained.

Let no one be deceived that the proposal to raise additional taxes is entirely due to the national-defense program of 1940. The administration and its majority in Congress has been deaf to the constantly repeated warnings of the inevitable results of wasteful spending. Alleged existing emergencies have been made the basis for extravagance in Government expenditures in disregard of contingencies. Our approach to the pending problem must be on a pay-as-you-go basis, with regard for liquidation of these emergency expenditures and the reduction of the national debt. Continued spending without corresponding savings will weaken our financial strength, the first line of national defense.

Consideration must be given to the reduction of normal governmental expenditures. The situation we are in requires sacrifice, and the example should be set by the Government itself.

I am encouraged in the hope that one feature of this bill will be beneficial. Since Congress was given the power of direct taxation under the income tax, there has been an increasing disposition toward extravagance in Government spending. Some system of restraint must be devised. Perhaps that restraint will come about when the 2,000,000 new taxpayers who will be required to file returns under this act, because it will reach all unmarried people whose income exceeds $800 per year and all married people whose income exceeds $2,000 per year—will want to know for what purposes their money is being provided, since this feature of the bill is permanent legislation and will continue beyond the needs of national defense. Probably they will take a greater interest in the purposes of taxation by the Federal Government, and, through their influence, there may be a measure of restraint on appropriations of public moneys for boondoggling, pump priming, and other wasteful spending.

Mr. TREADWAY. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, during the afternoon I have noticed a large number of young people in the galleries. May I say that no Member of Congress has offered a more constructive and statesmanlike statement than has the gentleman who has just taken his seat. I refer to the distinguished gentleman from New Jersey [Mr. MCLEAN]. In addition, let me inform these young people that the gentleman from New Jersey [Mr. MCLEAN] has come up from the ranks. At one time he was a page in the United States Senate. So what an encouragement it is to the young people to see what a boy with perseverance and ability can accomplish under the American system of education and government. [Applause.]

Mr. DOUGHTON. Mr. Chairman, I yield 10 minutes to the gentleman from North Carolina [Mr. BARDEN].

Mr. BARDEN of North Carolina. Mr. Chairman, I did not request this time to abuse the tax bill in general or to question the necessity for a tax bill. I think it is perfectly obvious and has been for some time that we would need additional taxes and additional funds. I rise at this time, however, to comment on that section of the tax bill which levies additional taxes on tobacco. I do not comment on this to leave the impression that the rural people of America or the tobacco farmers hesitate for one moment to carry their fair share of the burden either for normal Government expenses or for national defense. They will accept this tax, but certainly someone should sound a warning.

I do not know of any section on earth that is occupied by a more patriotic people, a more law-abiding people, or harder working people than the rural sections of this country. They do not give the Government trouble. They do not hold communistic meetings. They do not harbor "reds." But they do work away day by day to feed the Nation and the world, and they do it peacefully and quietly. I think we should be rather reluctant and very cautious in striking at one of their crops on the very first move.

As a general proposition throughout this country when an emergency arises you can count on the workingman whether it be in time of peace or war. May I say right here that I happen to be one Member of this House who refuses to believe that we are going into this war or that there is any necessity for our going into this war. I know we have become excited. I know where our sentiments lie, but at the same time I have faith in our good judgment and the good judgment of the American people. So let us not get overexcited about this business of preparedness. We should have started earlier, but we did not, and there is no reason to comment on that. I am for whatever amount that those in position to know regard as necessary, and then a little more to be doubly safe.

As far as appropriating $3,350,000,000 for preparedness is concerned, we should not develop high blood pressure over that. I can recall when practically all of us voted to appropriate $4,880,000,000. We survived that and we will survive this, and the American people will give their approval. All they ask is that it be spent wisely and honestly. That is what they expect and they have a right to expect it.

This tobacco situation worries me. I regret that the committee saw fit to jump immediately on the one agricultural crop that has been taxed and taxed and taxed. In the last war, in 1918, the tax was $2.05 per 1,000 cigarettes, and they stepped it up to $3. Remember it takes only 3 pounds of tobacco to make 1,000 cigarettes. Now we say that for the preparedness program we shall step it up to $3.50 per 1,000. If we were to have a war, heaven knows what would happen to it.

I want to give you just a few facts to bring to your attention the situation of tobacco, and in doing that I realize that there are only about 20 or 25 Members of this House who have tobacco-producing areas in their districts.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. BARDEN of North Carolina. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. The gentleman has heard of the very hard fight the distinguished chairman of the Committee on Ways and Means put up to stop a $4 tax being put on cigarettes, and how he held the tax to $3.50?

Mr. BARDEN of North Carolina. May I say to the gentleman that I do not know what kind of a hard fight it took. I heard one gentleman from New York say he was in favor of making it $4. I do not see why he could not just as easily have said he was in favor of making it $10 per pound. The gentleman simply does not know anything about the tobacco business or tobacco itself.

When it comes to taking a tax off of plug tobacco and twist tobacco, what is the idea? The plug tobacco comes from what is known as the lugs and the tips, that is, the bottom leaves of the stalk and the top leaves of the stalk. The middle priming leaves are the leaves that are used for wrappers, cigarettes, and so forth. I do not see so much advantage in taking it off of two leaves and leaving it on five, except this: The consumption of plug tobacco has been on the decrease. I do not know why the good committee did not take it off of snuff, but they left the tax on snuff and took it off of plug tobacco. I would not say that the tax was causing that decrease, but let me give you the picture as it now confronts the tobacco producers, and let me interpose right here that the tobacco crop is a very important crop in this Nation and is an extremely important crop to the producer.

In 1939 in this country we produced 1,160,000,000 pounds of tobacco. The consumption in 1939 was 775,000,000 pounds, which left a surplus hanging over the crop of 400,000,000

pounds. What happened? The foreign markets began to collapse, and this Government stepped in to assist the tobacco farmers and did assist them. How did it do it? It took under option 175,000,000 pounds of that tobacco in order to hold the price up, and at this very moment the United States Government has $35,000,000 in that tobacco.

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, I yield 3 additional minutes to the gentleman from North Carolina.

Mr. BARDEN of North Carolina. What is confronting the tobacco farmer? In order to meet that situation, they are having to cut their tobacco crop this year approximately 40 percent and cut production to approximately 650,000,000 pounds. What does this mean? If the tobacco market remains in the condition it now is, either the Federal Government will step in and have to put more money with the $35,000,000 it already has in tobacco or the tobacco farmer will simply be ruined, as he was back yonder in 1932 when tobacco went to 9.5 cents a pound.

In 1939 the farmer got for his crop of tobacco $174,000,000, and in the same year of 1939 the Federal Government collected on that tobacco the sum of $580,159,205.74 tax. You may say that came from people all over the country. Certainly it did; but do you mean to tell me that you cannot tax a commodity to the point of diminishing returns? If that is true, then we are living in a very happy time, because we could tax everything and it would not affect prices or consumption at all. In 1939 the cigarette tax alone brought in something over $504,000,000. Let me say, Mr. Chairman, that we can add onto that tax; but when you wipe out the lower-priced cigarettes and make the higher-priced cigarettes step up, you know and I know you are going to cut down consumption and they are going to make them out of tobacco that they roll themselves. Should this happen, the good grades of tobacco out of which the farmer must make his money will drop in both price and consumption. [Applause.]

Mr. DOUGHTON. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, the defense tax bill now before the House needs no argument to insure or justify its passage. It is the simplest revenue or tax bill ever to be brought out by the Ways and Means Committee. The revenue is earmarked for a definite and a pressing purpose. It is in a sense the Nation's premium upon an insurance policy featuring guaranteed dividends and benefits in the form of uninterrupted happiness, liberty, peace, and security. The rate imposed is ridiculously low compared to that now being paid by Britain and France. International arsonists and firebrands are abroad in the world today. Hell is afire and out of bounds, and it is agreed we need this revenue, which is barely sufficient to cover the cost of a squirt gun.

In my speech before the House which antedated the President's memorable message on rearmament, I stated that I would, in addition to the regular income tax, be willing to pay for the purpose of our Nation's security at least one-tenth of my salary, or $1,000 a year, and would consider it a privilege so to do. I know that other Members, and certainly the great majority of our people, are no less patriotic, and in many instances are more fervent in their desire to aid the Government when the enemy threatens our system, our institutions, and our American idealism.

I am confident that the great mass of our loyal and patriotic citizens is more than willing to assume a share in the cost of maintaining our freedom, independence, and the American way of life. The horrible examples of fiendish Hitlerism which have already laid waste Poland, Norway, Denmark, Belgium, and Holland impressed upon a united America the urgent need for immediate rearmament. This tax is the direct result of German madness and is necessary to preserve our constitutional democracy. The bill, in its objectives and purpose, is entirely patriotic and, therefore, nonpartisan.

The attitude and the actions of the Republican Members have been a pleasing stimulus to my belief and philosophy that in an emergency which threatens the Nation we merge our efforts and submerge our partisanship. Politics, Mr. Chairman, played no part in the action of this committee. I trust the House will follow the example and will do likewise. [Applause.]

Mr. TREADWAY. Mr. Chairman, I yield 8 minutes to the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. Mr. Chairman, ladies, and gentlemen, the people of my district believe that our Nation should be prepared to defend itself against the aggressions and attacks from any other nation or nations. They believe we should be prepared on the land and in the air, on the sea, and under the sea. I share their views on this important matter of adequate national defense.

The legal debt limit of our country as heretofore fixed by an act of Congress is $45,000,000,000. The bill now before us increases the debt limit $4,000,000,000, so that if this bill is passed, the legal debt limit of this country will then be $49,000,000,000. This bill provides for new taxes amounting to $1,004,000,000. Hundreds of millions of these taxes are what is known as consumers' taxes, and will fall heaviest on those who are the least able to pay. This bill also provides that single persons with a gross income of as much as $800 and married persons with a gross income of as much as $2,000 must pay income taxes. The present law reaches those single persons with gross incomes of $1,000 or more and married persons with gross incomes of $2,500 or more. It is estimated that this will add to the income-tax rolls at least 2,000,000 persons who would not under the present law be required to pay income taxes.

It grieves me very much to see this added burden of increased national debt placed on the backs of our children and our children's children. It is another $4,000,000,000 handicap put upon the youth of this Nation. Every one of our Democratic friends who has risen to speak on this bill tells us that it is for our national defense. They do not tell you that the report of the Treasury Department shows that before the 1st of next March our Treasury will be empty and we will have reached the debt limit of $45,000,000,000 in carrying on the ordinary expenses of this Government and without any relation to increased expenditures for national defense, and no more money can be borrowed. In other words, this increase of the national debt and additional taxes would have been necessary even though there had been no invasion of Norway, Denmark, Poland, Holland, Belgium, and France by Hitler. The Treasury is faced with a deficit of $3,500,000,000 for the present fiscal year ending June 30, 1940, and with a like deficit or more for the fiscal year ending June 30, 1941, and not counting any of these so-called extraordinary or emergency appropriations on account of national defense.

In order to carry on the ordinary and necessary expenses of this Government in maintaining the Army, Navy, and other defense units; to pay the veterans and their dependents their compensations and pensions; the farmers their conservation benefits, and to carry on all the other activities of the Government, we are forced to vote for this bill and these additional taxes. Under the terms of the rule under which this bill is being considered, no one can offer an amendment except that proposed by the Ways and Means Committee, controlled by the administration; therefore we must take the bill as it is or leave the country about the first of next March without any borrowing power or other means to carry on the activities of the Government.

By March 1, 1941, this administration will be forced to use some of this $4,000,000,000 of new credit. It will sell bonds and increase the public debt in addition to the collection and use of this increase of taxes. I stated on the floor of this House in January 1935 that this administration would not cut down taxes but would increase taxes. It would not cut out the deficits but would increase the deficits, and it would not cut down the national debt but would increase the national debt so long as it remained in power. The records of the Treasury Department sustain this contention.

The amount of revenue collected during the last year of Hoover's administration was approximately $2,000,000,000.

Taxes have been increased year by year and the Government will collect this fiscal year approximately $6,000,000,000 in taxes and revenues from the American people and this billion dollars of new taxes will go on top of that for the fiscal year beginning July 1, 1940, and will continue for a period of at least 5 years.

There will be 8 consecutive years of deficits under President Roosevelt's administration when he completes his term. The national debt when he went into office was approximately $20,000,000,000. When he goes out of office next year it will be approximately forty-nine billions, and this great debt of forty-nine billions does not include about six billions of other obligations of the Government. The various Federal agencies have been authorized and they have issued bonds and securities and have sold these bonds and securities and spent the money. The National Government has guaranteed the principal and interest of these bonds and securities. It is a dark picture. No administration ever before made such a dismal failure in handling the fiscal affairs of this Government.

GREAT DANGER HERE—NOT OVER THERE

A sound fiscal policy and a sound credit are perhaps the first line of defense of any nation. Wars are fought with money and credits. Money and credits create and equip navies and armies, with powerful aircraft and submarine units. Money and credits provide naval and air bases and provide training, food, clothing, shelter, and equipment for those who fight the battles. President Roosevelt said in his first message to Congress on March 10, 1933, in criticizing the fact that we had had three consecutive years of deficits under Hoover amounting to approximately $4,000,000,000 that liberal governments had been wrecked on loose fiscal policies. If any government could be wrecked with loose fiscal policies, this Nation must be badly hurt over the fiscal policies of this administration. Then we had had 3 consecutive years of deficits amounting to four billions. We are now faced with our eleventh consecutive year of deficits. President Roosevelt has increased the deficits $25,000,000,000.

If this Nation is not now prepared, the present administration is largely responsible for it. Congress has provided all the money it has been asked to give to provide for national defense. In addition to that, Mr. Roosevelt has had handed to him in peacetime more than $20,000,000,000 in blank checks. Much of this has been consumed in boondoggling, useless and senseless projects, and to provide salaries and expenses of hundreds of thousands of useless officeholders and political favorites. A lot of these billions could have been used to do the very thing for our national defense that the President now says must be done.

Now, when it appears that there is a real emergency confronting the country, we find an empty treasury and the legal debt limit reached, and it is necessary for us today to increase the national-debt limit and to add at least a billion dollars in taxes annually. Of course, this $4,000,000,000 increase in the national-debt limit merely means that the administration can go in debt $4,000,000,000 more. This $1,000,000,000 of new taxes annually will not pay one-fourth of the current deficit, much less reduce the national debt.

THE "FIFTH COLUMN"

The President and his administration are now greatly disturbed over the "fifth column." They woke up for the first time in May 1940. What is the "fifth column"? It is made up of the enemy aliens in this country—Communists, the Nazis, and the Fascists. It grieves me to say it, but no one in this country has encouraged the "fifth column"—the enemy aliens—more than President Roosevelt and his administration. The American people have known for years that the Communists advocate the overthrow by force and violence of this Government and every other government that is not communistic. President Wilson knew this and his administration refused to recognize Russia. President Harding likewise refused to recognize Russia because the Government was communistic, and he knew that the Communists hated God, hated this Nation, and desired to see it destroyed. President Coolidge and President Hoover both adhered to the same policy as President Wilson and President Harding. Not so with President Roosevelt. He recognized Russia and entered into full diplomatic relations with that communistic nation. Our gates were thrown open. The Communists found a fertile field in this great country. They have been through the years securing key places in our Government, boring into our labor, civil, welfare, political, and even youth and church organizations, spreading their poisonous doctrine of hatred of God and this country. The Communists were so encouraged by this administration that we find Earl Browder, the head of the Communists in the United States, but who admits his allegiance to the communistic Government of Russia, running for President of these United States. We find the American Hitler, Fritizie Kuhn, organizing the men and young boys of this country into camps and providing them with German uniforms and having them to salute the German flag and pledge allegiance to Hitler. Other subversive groups have been active in the last few years.

Democrats as well as Republicans have from time to time made speeches in the House and Senate, pointing out what these subversive groups were doing in this country, and Democrats and Republicans have been busy urging that these enemy aliens be deported and to secure legislation to stop the activities of these subversive groups and providing for the deportation of all enemy aliens in this country; but we have met with the active and effective opposition of President Roosevelt and his administration. This matter reached such a high pitch that a resolution was introduced in Congress which created what is known as the Dies committee to investigate all of these subversive groups and report to Congress. This resolution met the active opposition of the present administration. The Dies committee did a good job. The American people were astounded with the revelations of the activities of these subversive groups. The Dies committee asked for more money to continue the investigation and this met with the active opposition of the administration, but Congress overruled the objections of the President and voted overwhelmingly an appropriation for the Dies committee to continue its work.

The Dies committee found from the sworn testimony of the leaders of these subversive groups and their records that Communists and other alien enemies held hundreds and hundreds of key positions in the United States Government, their salaries paid by patriotic American citizens, but up to this time I have not heard of one of them being separated from the pay roll. The Dies committee developed proof that brought about the conviction of Earl Browder for passport frauds in operating between this country and Russia. It also brought about the convictions of Fritzie Kuhn and many other leaders of these subversive groups.

One of the real great menaces to this country is the "fifth column." It is most pleasing to me to see the administration and the American people all waking up to that fact. Perhaps the President in the future will not be vetoing bills passed by Congress to correct these conditions and Secretary of Labor Perkins will now refrain from obstructing deportation of these enemy aliens and she will become active and help Congress and the American people clean up this country.

TEN TO TWELVE MILLION UNEMPLOYED

We have approximately ten to twelve million unemployed industrial workers in this country. This is one of our greatest unsolved problems. Most of these unemployed industrial workers are loyal American citizens. They greatly desire employment so that they may earn a support for themselves and their families. John L. Lewis, president of the C. I. O., and the National Council of the American Federation of Labor declared that this administration has taken no constructive step to solve this great problem. This administration has contributed to this unemployment because of its attitude toward private enterprise and private industry in this country. For this country to be prosperous we must have gainfully employed approximately 50,000,000 people who depend upon their salaries and wages for the support of themselves and their families. We must look to private enterprise and private

industry to provide these jobs. This administration has discouraged and hampered private enterprise and private industry.

This number of unemployed is a menace to any country. It is a fertile field for these subversive groups and their alien philosophies.

Congress altogether has appropriated more than $70,000,000,000 under this administration, yet agriculture lags and private enterprise and private industry are stagnant. Nothing could contribute so much to our national defense as to have the farmers of our Nation prosperous and industry busy providing for the needs of our people and making munitions of war for our defense. We must know by this time that we cannot tax and squander or borrow and spend ourselves into prosperity, neither can we bring about good times by destroying our crops, creating scarcity and want, nor by regimenting agriculture, labor, and industry and place the activities of 130,000,000 people into the hands of the bureaucrats here in Washington.

BILLIONS FOR DEFENSE—NOTHING FOR MEDDLING OR CONQUEST

I am willing to vote for this measure and whatever sums may be necessary to provide adequate national defense of our country against any or all who may assail us, but I am unwilling to tax the American people to again equip an army and navy and furnish men to engage in the wars of Europe, Asia, or Africa. My sympathies are strongly with the Allies. No one could be more opposed than I am to the ruthless dictators Hitler, Mussolini, Stalin, and the war lords of Japan; but I am unalterably opposed to our country becoming involved in the present European war. [Applause.] They cannot or will not settle their own problems. They insist on having a war every time a new generation of young men are old enough to fight. We learned through bitter experience in the World War that we could not settle their centuries-old jealousies and hates and their problems of territory, lands, and greed for power.

There must be no politics, however, in the expenditure of this vast sum of money. It must be honestly and judiciously expended. It should be placed in the hands of experienced persons who have but one purpose in mind, and that is to build up an efficient national defense for this Nation. I confess that I am alarmed on account of the attitude of the present administration. I am convinced more every day that unless the brakes are put on it will not be long until our American boys will be called on again to fight and die in foreign lands and on foreign seas.

The President last night in his speech at Charlottesville, Va., in effect said that we place the entire resources of the United States behind the Allies. This means everything as well as our Army and Navy. He had no right to make that statement. Such statements are very likely to lead us into that war. Congress alone has the right to declare war and to pledge the resources of the American people.

I believe that an overwhelming majority of the Members of the House and Senate, as well as the American people, are opposed to our entrance into that war. Let us clean the enemy aliens out of our country and prepare to defend our country successfully against any who may assail us. I am opposed to turning over the National Guard to the President at this time.

I have and I shall continue to cast my votes against any proposal that in my honest opinion will lead us into that war. Should we again be involved in a World War, it will mean the complete bankruptcy of this country and in the end we may find that we have lost our own liberties and freedom. I am very much concerned in the form of democracy they have in Europe, but I am more concerned in preserving freedom and democracy on this side of the Atlantic.

Mr. TREADWAY. Mr. Chairman, I yield now to the gentleman from Indiana [Mr. SPRINGER].

Mr. SPRINGER. Mr. Chairman, I had intended presenting an amendment which I feel safe in saying that it would, if it could have been presented and accepted, in no way detract from the fine work of the Committee on Ways and Means, nor would it in any way disrupt the program as represented by the committee draft of the bill now being considered by the House. In short this amendment which I desired to present would not materially affect the purpose of the Internal Revenue Code, but merely proposed to clarify certain provisions of the code. However, by reason of the very drastic rule adopted for this proposed legislation by the Rules Committee, amendments cannot be offered by the members. The rule here is a "gag" rule.

Mr. Chairman, there are in my congressional district and in the State of Indiana, as I presume there are in many other parts of the country, certain financial institutions which, because of their peculiar method of doing business, find their status in regard to Government supervision and taxation a perennial matter of controversy. Because their peculiar status is not clearly defined in the Internal Revenue Code, they are annually harassed by the Internal Revenue Bureau, which claims that they are a personal holding company under the law. However, in the final analysis, and after the usual amount of haranguing, which represents an expense and loss of time to both the company and the Government, it is usually determined that they are not liable under the law.

Obviously the law as now written was never intended to apply to loan and investment companies doing industrial banking business. In fact, doing everything a bank does except operating a checking account department. The law at present excludes banks and small-loan companies, but in Indiana, as perhaps in other States, Morris Plan companies and industrial loan and investment companies do not have State charters although they operate under the direct supervision of the State department of financial institutions, and are examined by the same examiners who check State banks. Technically many of these institutions are classed as personal holding companies simply because 50 percent of the stock is owned by five or less families, and their income is largely from interest and discount.

Mr. Chairman, the need for a clarification of the status of these companies is further evidenced in the fact that it is the established practice of the Bureau of Internal Revenue to endeavor to go along with the division in each State governing financial institutions regarding the status of such institutions in tax matters.

I well realize the unusual importance of expediting the passage of the Internal Revenue Act of 1940 under the present emergency of our program to quickly augment our national defense, and we do not wish to be instrumental in any undue delay. However, here is a matter of utmost domestic importance to many small business institutions over the country—a matter of simple clarification of a statute, and not a tax-evasion scheme—a matter so trivial by comparison that it manifestly cannot materially delay passage of the measure under consideration—yet entirely too important and so greatly needed that it should not be hastily cast aside.

Mr. Chairman, because I firmly believe that these companies of which I speak are well entitled to the opinion that their position is unfair in the matter of personal holding company taxes, and that the intent of the act was never to include such companies as theirs, I proposed an amendment to chapter 2, subchapter a, section 501 (b) of the Internal Revenue Code of 1938. However, because of the "gag" rule I am prevented from offering such amendment which would greatly clarify this legislation and would react to the benefit of our people.

Mr. TREADWAY. Mr. Chairman, I yield now to the gentleman from West Virginia [Mr. SCHIFFLER].

Mr. SCHIFFLER. Mr. Chairman, I desire to comment briefly respecting the provisions of H. R. 10039 entitled "A bill to provide for the expenses of national preparedness by raising revenue and issuing bonds, to provide a method for paying for such bonds, and for other purposes."

I propose voting for this bill because I believe it important and necessary and further because I believe that it is necessary at this time to raise additional revenue and to increase the debt limit of the United States.

The bill does not by any means meet with my complete approval. There are a number of phases of taxation that the bill does not attempt to cover nor does it attempt to remedy many of the inequalities now existing within our tax laws. It is imperative that the Congress of the United States at an early date give careful study to the entire tax structure and to revise and amend much of the existing laws on the subject of taxation.

From time to time, as necessity arose for additional taxes, new legislation has been introduced—much enacted by piece-meal methods. Taxation has become highly confiscatory. From 1930 until 1940, upon the theory that there existed a national emergency, debt limits were increased; additional taxes levied, and in each of these fiscal years a deficit accrued. As these deficits increased the debt limit was raised. The effect of the present legislation will be to increase our debt limit to $49,000,000,000. It will also increase the estimated revenue for the next fiscal year to approximately $6,500,000,000. It will increase the expenditures for all purposes to about $12,000,000,000. Notwithstanding that we are not at war and that over the past 7 years more than $7,000,000,000 has been expended for military and naval purposes, we yet find ourselves seriously handicapped, and at this late date, with conflicts raging almost all over Europe as well as Asia, and threatened difficulties in the Americas, we admit our lack of preparedness to adequately defend even our own shores.

Such is inexcusable. Much stress has been placed upon the domestic problems. Unemployment still persists and millions of people are yet without regular jobs. Other millions of people are in distress and rely upon Government help in one form or another. More than 12,000,000 people are today receiving checks from the United States Government. Pump priming has injected only temporary spurts of partial relief. These pump-priming projects have always been at the expense of the public. It is a most lamentable condition for a nation to be in with our vast resources and with the untold millions of dollars that have been spent, to now find ourselves completely without a solution of our domestic problems, and likewise facing the world very poorly prepared to maintain with dignity our sovereignty. Much of the money spent in the process of pump priming has been extracted from those ill prepared to pay. Much of it has gone into competitive enterprise. Industry has suffered. Venturesome capital has been dormant because of this process of extraction that has amounted to confiscation.

As I indicated, I shall support the pending bill. I believe that it is misnamed. The basis for such bill is "to provide for the expenses of national preparedness," but by prudent planning and careful economies such would have been unnecessary. The bill should properly be named "A bill to cover deficits and pay for national preparedness."

I sincerely hope that we have learned our lesson; that the experiences of the past 10 years will immediately benefit us; and that we shall set to work at once not only to carefully study and overhaul the tax structure but equally as important to study and overhaul the budgetary structure and wherever possible make drastic reductions in expenditures. It is equally important that rigid economies and the utmost degree of honesty be employed in making such expenditures. Waste, ill-prepared plans, and the lack of a definite objective are inexcusable.

It is time to set to work seriously, with unity and harmony, to have America upon a sound and progressive course within its domestic structure as well as in its program of preparedness for defense.

Mr. TREADWAY. Mr. Chairman, I yield 8 minutes to the gentleman from Montana [Mr. THORKELSON].

Mr. THORKELSON. Mr. Chairman, it would be refreshing to see Members of this House shed the fear of not being reelected to Congress, the fear of criticism by the press because of opposition to popular demands. I realize the necessity for national defense, but I want to say here and now that I am opposed to this particular act and shall, for that reason, vote against it.

It should be evident to all of us that we came here to protect the rights of the people no matter who they be. There is only one way you can protect such rights, and it is by adhering to our Nation's fundamental laws.

Appropriation for national defense may seem plausible, and one may be criticized for not supporting such a plausible measure. The Neutrality Act was a similar piece of legislation. It appeared plausible, but what have you today? You passed an act which has given the President the right to step right up to the front-line trenches in Europe.

It is for that reason, Mr. Chairman, that I have asked to be heard this afternoon. I realize that this is an opportunity rarely given to a new man in the House. However, I am more than ever convinced that each Member should have an opportunity to express himself on all vital measures, for it was for the performance of such duties that he was sent here by the people of his own State. For the Rules Committee to invoke rules which restrict and incarcerate intelligent discussion on any measure is a reflection on the abilities and intelligence of this Congress. I recall the rule which was employed when the Reorganization Act was passed, and which was aptly described as being "pig-tight, bull-strong, and horse-high." I hope Congress will see fit some day to release itself from such rules.

Now what are the facts? The facts are that there is no emergency at the present time. There never has been an emergency to date which requires abrogation of congressional power and the transfer of such power to a person probably less capable and able than any Member of Congress. There is no danger of invasion. That is a figment in the mind of the Executive. I question very much whether the enemies of England can even invade England herself. She, in spite of her strength, was not able to invade Norway. In my opinion, such venture would be costly for Hitler and Mussolini even if it were their desire to do so. I grant much destruction can be caused by airplanes and long-range artillery, yet neither will win the war; for no matter what Hitler and Mussolini do in the present conflict, neither or both of them can destroy the British Empire. Britannia should need no help from the United States to protect herself, for the British Empire now has a population of nearly 600,000,000 people, and if that number cannot protect her it is sheer foolishness to think that we can, with approximately 130,000,000 people.

However, when this war is over, neither of the powers engaged in this conflict will be able to fight any war for many, many years, so we need have no fear of invasion from them.

The money asked for in this bill, as I have said, is not to be used in national defense, for if it were, it would be used to fortify our own coast line or possessions in the Pacific. No one is more in favor of national defense than I, and, if you recall, more than a year ago I advocated that we fortify Guam and the Philippine Islands, and that we garrison our colonies with natives. My object in suggesting such plan was to provide defense not only for our colonies but for the west coast of the United States. Little consideration was given to that and the proposal was promptly voted down by both sides of the House.

Now everything is in a rush. We have one bill on top of another presented to Congress. For what purpose, may I ask? It is for no other purpose than to stampede Congress into passing a mass of stupid legislation similar to that which is always passed when Congress expects to adjourn. This is one of those measures, and while it appears plausible, it is simply another effort on the part of the administration to get more money or another blank check. In acquiescing to these demands or pressure, we commit the same foolish acts that we have committed in the past, and it is to that that I am opposed. And it is because of that I shall vote against this appropriation even if it shall be one isolated vote.

Mr. PATRICK. Mr. Chairman, will the gentleman yield?

Mr. THORKELSON. Yes.

Mr. PATRICK. Does the gentleman feel that there is no threat here, that there is nothing before the Congress of the United States that should make it apprehensive, that should make it prepare for an eventuality?

Mr. THORKELSON. I say to the gentleman that we should provide for national defense. I have advocated national defense and did so last year, but national defense cannot be procured by buying machine guns or furnishing airplanes to the Allies. National defense is not in the trenches of France. It is on our coast line, and if we appropriate money for national defense, it should be spent within the United States. We should build up a protection and provide air fields along the coast line, so that we could provide a defense in case of invasion. But that money is not to be used for that, and it is for other purposes. That purpose is evidently to help foreign powers. We cannot provide national defense by providing defensive power to some other nation.

Mr. PATRICK. Does the gentleman grant that the Nazi Government is at cross purposes with our Government?

Mr. THORKELSON. I presume it is, I don't know, because we have not declared war on Germany. If that is what the gentleman refers to when he speaks of the Nazi government.

Mr. PATRICK. Yes.

Mr. THORKELSON. We have not declared war on Germany. We are still neutral, we are still at peace with Germany. I take no issue with foreign powers. I am not concerned with foreign powers, whether it be Germany, Russia, Italy, or any other foreign power. Our sole concern should be to build up defenses of the United States. It should be evident to the gentleman that we cannot undertake the task of policing the whole world. That is impossible, that is something that cannot be done. I agree with providing sufficient money to build up our own defenses in the United States, but I am unalterably opposed to appropriating any money to be used for a foreign nation to build up its defense.

Mr. PATRICK. Does not the gentleman feel that to support the democratic governments of the world, it is a question as against the totalitarian form of government, which is something that is threatening our form of government, and that it is a better and more sensible policy to do that than to wait until we are invaded ourselves?

Mr. THORKELSON. Replying to the gentleman from Alabama [Mr. PATRICK], I may say that the war between Germany, Italy, France, and England is of no concern of the United States and should occasion no fear of invasion. The so-called threat to civilized government is used for no purpose except to alarm our own people and so bring about a war psychosis that will favor the policy of the present administration, which is to lead the United States into this war. It is my firm conviction that we should build up our own defenses in the United States and maintain such defenses so that we will always be prepared no matter what may happen. I am unalterably opposed to war, as I have already said, and certainly am definitely opposed to our participation in the present European war now or at any future time.

I, therefore, shall vote against this extra tax bill because it is not needed or required for the purpose as stated in this bill. It is for some other ulterior purpose, of which this body is not informed. That purpose, in my mind, is to involve this Nation in strife, either at home to the south of us or in the present European conflict, or it may be for the purpose of covering up the blunders this administration has committed for the past 7 years.

The Executive knows that we are not confronted with any danger of invasion, and we should have sense enough to know it as well and act accordingly. If we appropriate money for national defense, we should know exactly where it is to be used, who is going to use it, and the manner in which it is going to provide for our national defenses; or whether such defenses will be at home or placed at the borders of some foreign nations. That is what we are here for and that is what the people of this Nation want to know, for do not forget the blunders we make today will be charged up for hundreds of years hence to generations yet unborn.

The more logical method which will be employed in the settling of this debt will no doubt, as many an administration leader has said, end in repudiation of money and of all Government obligations. This, of course, means bankruptcy, not only of your own Government but of the people who sent you here to protect their liberties and rights.

I believe that repudiation would be the better procedure, because we should then be confronted with the responsibility, and the blame would be placed upon the Members of this Congress, upon whose shoulders it rightfully should be placed, for we are responsible for the administration of this Government. It is for that reason I suggest that we step in and take charge of this Government, for the Executive himself will slide and ease himself out of all responsibility exactly as he has done before. With him, it is heads he wins and tails we lose.

In conclusion, let me say, much is said about the reelection of Roosevelt. I believe it will be just retribution for him to remain in the White House, because the currency structure of this Nation is bound to collapse, and when the structure falls it should fall upon him, for he is responsible.

Mr. TREADWAY. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. SMITH].

Mr. SMITH of Ohio. Mr. Chairman, that the Nation now needs to raise additional taxes is perhaps recognized by all, but, for my part, I wish to make it clear that I think Congress is doing the Nation a grave wrong by levying the amount of taxes involved in this measure before we cut out the enormous wrongful governmental spending which now exists.

Nothing in our country is contributing so much to our present trouble as lost confidence in government. This is the biggest barrier against our achieving the much-needed unity in our efforts to properly arm our Nation for defense against any possible external foe.

The outstanding need of America today is the restoration of confidence in government. Perish our Nation must if this is not restored. This can be done only if those of us who are vested with the authority to operate our Government show our willingness to be just and fair with those who sent us here to represent them, and who are paying us well for our services with their hard-earned money. This we are failing to do when we pass this tax measure before we even consider what might be done to eliminate the unnecessary and wasteful government spending.

A billion dollars in government costs could easily be saved. This could be done without hurting, in the least, government service. Indeed, if properly undertaken, government service can actually be improved by doing this.

I do not care to be personal, but I ask you to look at my record as mayor of the city of Marion to see whether I have any justification for saying what I am saying on this floor today.

Mr. NICHOLS. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. Not now.

This bill should provide that for every dollar of new taxes Congress levies, a dollar in Government costs must be saved until at least a billion in new taxes is levied. This would really be doing something for America.

Furthermore, if this were done it would be wholly unnecessary to raise the present debt limit. To these $2,000,000,000 of savings and taxes could be added the $2,000,000,000 stabilization fund, which would provide the amount needed for defense.

The stabilization fund now has no use whatever. The Nation is losing not less than $50,000,000 a year interest by permitting this fund to lie idle.

I regard the raising of our debt limit at this critical moment as indicating that we have reached the last quarter-hour in our struggle against national bankruptcy.

In my opinion we cannot hope to construct the improved and added defense measures that appear to me now to be vitally necessary until we first get control of our finances.

How can any government that is unable to manage its finances possibly provide its people with adequate defense?

It has never been done in the history of this world. Let me add in connection with this bill, which was brought to the floor under the "gag" rule, you have tied together this

tax bill and the raising of the debt limit. This is a deliberate subterfuge. You know this is the only sure way you have to raise the debt limit to the amount desired by the administration.

By this sort of trickery you have placed many of us in an awkward position. We cannot vote for the tax feature and the raising of the debt-limit provision separately. Therefore, you virtually force us to vote for raising the debt limit.

It is as though I had squandered all my earnings and reached the limit of my credit and my child became seriously ill and needed the services of a physician. Of course, I would be compelled to do things to raise the necessary funds to employ a physician for my child's care that I would not do otherwise. [Applause.]

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, I yield 10 minutes to the gentleman from Oklahoma [Mr. NICHOLS].

Mr. NICHOLS. Mr. Chairman, it is a great privilege and honor to be a Member of this body. People who have membership here have a great opportunity for service. For the most part, this is a pretty serious business, but as a saving clause to it all there are many humorous things happen here.

You know, my friends on the Republican side of this House generally, and particularly this afternoon, contribute very liberally to the humorous things that go on here. I have sat here this afternoon and seen the boys on my left, the Republicans, explain, wiggle, quibble, and squirm in an effort to explain to the folks back home why they are doing like they are. Very few times since I have been in this House——

Mr. SMITH of Ohio. Will the gentleman yield?

Mr. NICHOLS. I am sorry. I cannot yield.

Mr. SMITH of Ohio. I just wish to ask you——

Mr. NICHOLS. I am awfully sorry; I cannot yield.

Few times has anyone in this House ever heard me take part in political discussions, but since this is open season, when my lovely friends, the Republicans—and I do love you—seem to think it necessary with bated breath to condemn this administration, and since you can find nothing good in what the majority party of this House does, I hope you will not mind if I for a moment talk a little politics.

Yes; it is humorous. Do you remember the vote on the national-defense bill? There was only one vote in the House of Representatives against it. The distinguished gentleman from New York [Mr. MARCANTONIO], elected on the American Labor Party ticket, cast the only vote against that bill. You Republicans voted for it. Notwithstanding that vote, in the last few minutes I have heard two or three of your distinguished Members stand in the well of this House and say, "I cannot for the sake of the American people vote now to raise money to pay the national-defense bill." A bill which I and every other Republican voted for. Why? You say because there is money in it for other things. Well, they are all debts, my friends; debts of this Government; debts that you helped create. "Yes, but-ers" and "no, but-ers." That is what you Republicans actually are.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. NICHOLS. No; I do not want to yield now.

This is your theme song: "Yes; I am for the proposition, but this part is not good." Or the Republicans could have done it better. "No; I am not for it all, but for the most part I am for it." And finally when you get through adding up your "yes, buts" and your "no, buts," you have agreed to practically everything that has happened, except you want to play safe by adding a few buts. And you will do that in your convention, too, when you get down there in Philadelphia in a few days. You will "yes, but" and you will "no, but" in the convention, and when you are finally through you will have endorsed a great majority of the legislation that has been passed by this administration, because most of it has been good for the people, and no recent Republican administration can claim such accomplishment.

Not so long ago voices were raised over here by you Republicans clamoring for taxes, because you did not think there was going to be any tax bill, did you? No; you did not. Now it has come along. Now the thing that a few weeks ago you asked for is here, and you are "yes, but-ing" and "no, but-ing" to find a ledge to hang yourselves on. You are no less humorous to me than you are to the people of the United States. The November elections will prove this.

Just a little while ago, within the past few days, you have been talking about the necessity of the Congress staying in session in the hope that they would not stay in session. Well, we are going to be here. [Applause and laughter.] Yes; the Congress is going to stay. Let me tell you something about that. It will be the Democratic Party, the majority party of this Congress, that will keep us here. You babies cannot take the credit. No; you cannot take credit for keeping the Congress here any more than you can take credit today for the things you were talking about a few weeks ago when you wanted a tax bill that you did not think you were going to get. You know this Congress is motivated entirely by the will of the people. That affects Democrats and Republicans alike. The only difference is that we Democrats think it is proper. We, the Democrats, think that this country should be run upon the basis of the will of the majority of the people, common people and everybody else alike. The will of the people now prevails, and it will continue to prevail as long as we are in power. The sentiment of this Nation is for this Congress to stay here and stand by to do the job. [Applause.] Since it is the sentiment of the people, the great Democratic Party, which has ever represented the great mass of the people, will carry out their wishes in this as they have in other things, in this as they have in their social program that you boys have been "yes-butting" or "no-butting" about, but in practically every instance have voted for.

And at this juncture, Mr. Chairman, permit me to insert in my remarks an editorial which appeared on July 7, 1940, in the Muskogee Times Democrat, one of the leading papers in my congressional district, which I think more clearly expresses the sentiment prevailing throughout the United States insofar as adjournment of the present session is concerned, than I could state it in my own words:

LET CONGRESS STAY AND SAW WOOD

Just at the time when everybody else is being urged to work harder and to slug away all the more earnestly at important business, Congress proposes to pack up and go home.

Month after month of work is tiresome for Congressmen, it is said. So it is for all of us. Congressmen have campaigning to do this fall, they protest. The country isn't interested in that.

The country is interested in getting its work done.

The country is interested in seeing that the armament program is actually followed through and results shown.

The country is interested in seeing that arrangements are made to pay for armament. It is ready to be taxed for security.

For Congress merely to appropriate any requested number of billions of dollars and then go gaily home is not good enough.

Congress may have its faults. But they are the faults of the people. Congress is the people in action. To argue that its presence in Washington would somehow hamper and handicap the preparedness effort seems foolish. We have not yet reached the point which England reached when it turned everything over to Churchill.

Congress is highly valuable in times like these as a sort of national listening-post and broadcasting station in Washington. Its presence should have a steadying influence on the President, a constant reminder that he is responsible to the people, a constant source of strength in the thought that the "other half of the defense team" is still pulling.

A tax bill to take care of increased military expenditures should be passed before Congress adjourns. The old political belief always was that to levy taxes in an election year was unpopular. This year things are different. The Nation is aroused. It may be more unpopular not to levy taxes than to levy them.

The session should not close before definite provisions have been made for the Alaskan and Pan-American highways. Both are defense measures that should be pushed forward this summer, not next year. Access to Alaska and the Canal Zone by land will not wait. There are many other vital measures awaiting action.

The European situation cannot be predicted 24 hours in advance. The rise of any morning's sun may look upon some completely unforeseen situation. Congress, direct representative of the people, should be on hand, not at the discretion of the President to recall it, but because, like everybody else these days, it is sticking to its job.

I have been surprised this afternoon in hearing the remarks of many of my distinguished friends on the Republican side of the aisle to discover the large number of prophets

there are over there. Strange to me it is that longer your hair does not grow. You prophets and you seers. Why, I find this afternoon in listening to this debate that you Republicans have been prophesying and predicting practically everything that is happening here lately. Why, my friends, have you been so slow with your prophecy? In your delayed fortunetelling I at last find justification for the old adage that "the hindsight is better than the foresight." I find Republican after Republican who has been prophesying that we must fix up our national defense for years past. Yet I stay in rather close attendance on this House, and I will take an oath that I have never heard a single Republican in years past talk about the necessity for strengthening our national defense.

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. NICHOLS. I yield.

Mr. JOHNSON of Oklahoma. If my colleague will permit, may I call attention to the fact that on the 21st day of June 1939, when an amendment was being considered before the House to carry out the President's request for 5,500 air bombers, needed so desperately, that there was practically no objection voiced here except from the Republican Members, some of whom now have the nerve to criticize the President of the United States? May I add that when an amendment was offered by a leading Republican Member to limit the building of planes to 1,000 in any one year, many of those Republican leaders who are now attempting to make the public forget their record, actually voted and spoke for that amendment to limit the number of planes to 1,000 per year? Bear in mind that was only last June.

Mr. NICHOLS. In the interest of my kindly feeling for my friends, the Republicans, I think it would not be well to check the record too closely because they might find themselves embarrassed in many instances.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. NICHOLS. I yield.

Mr. McCORMACK. I am sure my friend the gentleman from Oklahoma must have very strong views on the question of a Member voting one way and speaking another, the policy of the Republican membership. I wonder if my friend has any views to express on that policy.

Mr. NICHOLS. Only that the Republicans are past masters at the art.

Mr. MILLER. Mr. Chairman, will the gentleman yield?

Mr. NICHOLS. I yield.

Mr. MILLER. The gentleman from Oklahoma said he never heard a member of the minority plead last year for any adequate national defense. I wish the gentleman from Oklahoma would read the minority report unanimously adopted in caucus and submitted by the gentleman from New York [Mr. WADSWORTH] in the last regular session.

Mr. NICHOLS. About what?

Mr. MILLER. The views of the minority about national defense.

Mr. NICHOLS. I imagine it would be quite interesting.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. NICHOLS. I yield.

Mr. ANDREWS. I hope the gentleman will look at the record for he will find that last year the Republicans favored adequate national defense for this country. The thing the Republicans wanted to guard against in the aircraft program was obsolescence of the planes by the time the number authorized had been acquired or before they would be needed; and the gentleman must agree that there has been obsolescence.

Mr. NICHOLS. I cannot agree to that exactly.

Mr. ANDREWS. I want to ask the gentleman another question.

Mr. NICHOLS. But I want to answer the question the gentleman has asked; my time is running out. The Republicans never are against anything positively, or for anything positively, they are always against it, or for it, with a reservation. That is why I charge you with being "yes-butters," or "no-butters," in almost every instance. [Applause.]

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. KNUTSON].

Mr. KNUTSON. Mr. Chairman, let me say to the gentleman from Oklahoma that if the Republicans voted against the 1,000 planes in the last military appropriation bill it was because we understood that Harry Hopkins was to build them. [Laughter.]

Mr. Chairman, the ambitious defense program initiated by the New Deal administration, which is to be financed by the measure before us, is inspired by two motives: First, to help the Allies retain their vast territorial holdings intact. The other objective is to divert the minds of the American people from the failures of Mr. Roosevelt to make good on his promises made in 1932 to restore prosperity, to put the unemployed back to work, and to reduce governmental expenditures by 25 percent. He has not restored prosperity; there are yet between ten and eleven million Americans out of work; since becoming President, Mr. Roosevelt has increased the ordinary operating expenses of the Government from two and one-half thousand million dollars to over five thousand million dollars annually.

I place little or no stock in the prophecy that if the totalitarian governments win the war they will invade America. That is an old chestnut that was dangled before our eyes 23 years ago. Then we were told that if the Kaiser won the war he would come over here and subdue us.

Colonel Lindbergh, one of America's greatest authorities on aviation, completely demolished the contention that such an operation could be successfully carried out. Another outstanding aviator, Major Williams, former Navy ace, in a sensational speech before the National Aviation Forum, which met in Washington the first of the month, pointed out that there is absolutely no danger of invasion by sea or air. Said he:

> With all their air power the Germans could not attack and subdue England with air bases 300 miles to 500 miles distant. Instead, they seized air bases on the north coasts of Holland, Belgium, and France, 20 to 100 miles distant.

Major Williams scoffed at sea power in light of events in Europe and said that the United States was following the same "bungling mistakes" of British politicians in still placing its hopes in the Navy. The major demanded that, contrary to the President's announced plans, the proposed new air armada be severed completely from Army and Navy control and made a separate unit free of their domination. The distinguished major struck a new high in these words:

> The President must know this; but apparently the pattern is panic first, and then war.

On yesterday the buzzard entered the war. Subsequent events will prove that the move injured, rather than aided, Germany. There is nothing in the Italian military record, during the World War, or even in the Ethiopian campaign, that should cause the event to give concern. Aside from extending the line of battle, which Hitler can ill afford to do, Mussolini's act is without military or political significance.

We are to all intents and purposes in the war. The first step in that direction was taken when we repealed the arms embargo last fall. Since that time we have sent airplanes and other implements of war to the Allies in rather substantial quantities. It is only needed to send our boys over there to complete the circle.

While I shall vote for the new tax bill now before us, I will do so with reluctance and misgivings. Much of the amount to be raised by this bill, a trifle over one thousand million dollars annually for the next 5 years, could easily have been procured by affecting certain necessary and desirable economies in Government spending. At the rate we are going, it does not require a prophet to foretell what will happen to the economic structure of our country if this wild spending is not checked.

The Democratic Party has much to answer for. Back in 1916 they duped the American people to reelect Wilson on the plea that he had kept us out of war. After the election he took us into that war, and the venture cost the American people nearly forty thousand million dollars—more than $35 for every minute since the dawn of the Christian era. What Roosevelt has done to us is so recent, so vivid, and so painful that it is unnecessary to recall it at this time.

There is no question in my mind but that if the war in Europe continues the President will drag us into it on the theory that it will promote the third term, and at the same time permit him to go down in history as a war President. I need not say to you that Mr. Roosevelt does not need that appellation in order to be remembered so long as history continues to be written and taught. How can we ever forget him? Unborn generations will have cause to remember him whenever they make out their income-tax returns.

The hysteria that has swept over the country does us little credit. It stamps us as an emotional people beside whom the Latin is an iceberg. Those Members of Congress who have blindly followed the New Deal will have to assume their full share of the responsibility. History will join them with those rubber stamps who held forth in the World War Congress. [Applause.]

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. BENDER].

SOMETHING TO THINK ABOUT

Mr. BENDER. Mr. Chairman, one of the most startling disclosures which has come to light in the last few weeks is the realization that our huge expenditures for defense purposes since the beginning of the New Deal have been to a large extent ineffective. The President of the United States has told the people of this country that we have spent billions of dollars in order that our Army and Navy may become—

> The largest, the best-equipped, and the best-trained peacetime Military Establishment in the history of this country.

Yet, despite the President's statement, Congress has heard an entirely different version in recent testimony before its several committees. Gen. George C. Marshall, Chief of Staff of the United States Army, tells us that if it should become necessary to mobilize the National Guard at peace strength—

> We would not have on hand the cloth to commence the manufacture of uniforms for the 85,000 additional men for possibly 4 or 5 months. The necessary rifles needed to equip a minimum army are nowhere in sight. It will take us until June 1942 to receive the 169,000 rifles for which funds have been appropriated.

In another major line of defense General Marshall testified that we need 1,556 antitank guns. On hand now are 218 with 526 additional guns ordered for which deliveries will not be completed until June 1941. The famous French artillery pieces, known as 75's, which have played so large a role in recent news accounts of the European war, represent another shocking inadequacy. We have actually 101 of these guns, and only 499 more are provided for by present appropriations.

Antiaircraft guns are in no better condition. According to General Marshall—

> We have on hand 3-inch guns for but 26 regiments, and directors and height finders for 27 regiments.

Replying to a question as to the length of time required to make a large cannon, General Marshall told the committee that—

> We have not manufactured a big cannon for many years, but it would take about 2½ years to manufacture a 16-inch cannon and carriage.

Materials for firing purposes are similarly inadequate. During a recent Army Day celebration 60 percent of the shells fired failed to explode. But the crucial evidence in the light of the European lessons we are learning from the present war comes in the field of airplane activity. Maj. Gen. H. H. Arnold, Chief of the Army Air Corps, declared that on March 31, 1940, the Regular Army and National Guard had 2,700 planes of which only a half dozen could be modernized. Our plant production capacity at the present time is running right now about 340 military planes per month.

The naval airplane squadron is equally inadequate. At the present time Admiral Harold R. Stark, Chief of Naval Operations, places our naval air fleet at 2,800 planes. But the most amazing difficulty confronting us is the revelation that a large group of naval officers in our country believe that Japan has already secretly out-built our Navy, in spite of a vast appropriation authorized by Congress for our fleet. But all these tremendous inadequacies before us, the American people must look with suspicion upon the supervision of further military defenses by the present national administration. One of the best informed Democratic Senators in Congress has delivered his opinion that our money has been poured down a rat hole. Our defense is costly. There is strong feeling in many quarters that we are not getting our money's worth.

There is no board, no committee, no bureau which inspects the results of our expenditures for military purposes. It is high time that we had responsibility fixed for the supervision of these results.

Mr. TREADWAY. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. GEARHART].

Mr. GEARHART. Mr. Chairman, these are days of crises. Very few rays of hope penetrate the clouds of despair which canopy the heavens. Great issues are being decided over there. Many people here believe that those same issues may be shifted to this hemisphere for final decision. Some people fear the turn the decisions may take. As we contemplate the world in the turmoil of this moment, there is little room for optimism.

Supposing that there is something in the dangers which have been described to us, something to the threat which some people believe they see, the condition of unpreparedness for war in which we now find ourselves can furnish no assurance that the outcome of the conflict would be comfortable to our cause.

In the first place we cannot contemplate a participation in a major world war except at a cost to the United States of from fifty billion to one hundred billion dollars, and we must think of that tremendous strain upon our Treasury in the face of the fact that we already owe $50,000,000,000, the most stupendous national debt that any nation has ever incurred in the history of the nations of the world. What does this mean? What does this tremendous debt that we have so lightly assumed really mean? It means that every babe in its cradle, every tottering old man or woman, every person in his or her productive years, is individually obligated to the extent of $384. It means that every head of a family of five is obligated to the extent of $1,920, and the per-capita average income in the United States is only $500.

Oh, I know there are some people who get a lot of satisfaction out of the fact that we are levying taxes against the rich. Let me reassure those that believe that the rich are paying the taxes that nothing is further from the truth. They may write the checks, but, in the last analysis, it is the ultimate consumer who pays the taxes, all passed down to him, figured into the prices he is compelled to pay.

The taxes are concealed in the prices of the clothes you wear, the food you eat, and the goods you consume. Tax the rich if you please, but every man, woman, and child will pay it in the proportion of the goods he or she consumes. They call it overhead and that is that. We, the people—the rich, the well-to-do, and the poor alike—will pay every dollar of this debt. I am not exaggerating, I am not drawing on any strange conclusions, when I point out that every babe in its cradle, every tottering old man or woman, every person in his productive years is individually obligated to the extent of $384, I mean exactly what I say. And let no one tell you differently.

But notwithstanding the deplorable condition of the Treasury, we are going to defend ourselves at whatever cost and sacrifice the effort may require. We are not going to stint ourselves when the defense of the Nation is involved. Administration leaders inform us that additional billions of

dollars will be needed to make our defenses adequate. This Congress is going to do everything it can do to see that that money is promptly supplied.

A little while ago I said there were not many rays of hope that penetrate the dark clouds which underhang the heavens. There is one—more beautiful than all the others—a ray of hope that is most inspiring, most reassuring. Here in these United States, the one remaining functioning democracy on the face of the earth, we are today demonstrating upon the floor of this Congress that democracy can work under stress and furthermore that it is working efficiently and well.

Prepared in a remarkably short time, within a period of just a few days, the great Ways and Means Committee of the House of Representatives of the Congress of the United States, a committee in which I am proud to claim membership, has brought to you a well-considered tax bill which will provide revenue in the amount of $1,004,000,000, the funds which must be expended if our defenses are to be made secure.

All of us agree, every patriot is in accord, with the President when he declares that we must make our defenses invulnerable, or security absolute. So there is hope. There is much to encourage us, for the representatives of our people are this day demonstrating that democracy can function promptly, efficiently, calmly, even though the world beyond our borders is in disorder, its people excited, their leaders confused and dismayed.

We are here answering in America the oft-repeated charges of the dictators over there that democracy is clumsy and inefficient; that it is only the totalitarian forms of authoritive government that can promptly produce that which this day and age demands.

So we have a tax bill, and I am going to vote for it. Because the safety of the Nation is involved, I believe the membership of the House will be practically unanimous when their names are called. There is no man among us who does not love this country of ours, nor one who would not lay down his life in its defense.

In these days when the Nation calls to its sons for the best that is within them, the first obligation we can fulfill, the first duty that it is ours to now perform, is to provide the country with the legislation it needs, the legislation which the exigencies of the hour demand. This will be our first real contribution to our country in the uncertain situation in which it now finds itself.

In writing this measure upon the statute books of the Nation we will, indeed, be holding high the beacon light of liberty, and with this stroke for freedom and democracy America will again become, in the eyes and hearts of the oppressed and downtrodden, the hope of the world. [Applause.]

Mr. DOUGHTON. Mr. Chairman, I yield 10 minutes to the gentleman from Montana [Mr. O'CONNOR].

Mr. O'CONNOR. Mr. Chairman, I regret this afternoon that politics have entered into a discussion of the merits of this tax bill. I think at this time expenses or taxes should be the last thing to be considered by us. Are the unfortunate people of Denmark, Norway, Holland, Poland, Belgium, and at this minute, France, thinking of taxes? Are they thinking of expenses? Are their minds upon those subjects? They have lost and are losing everything that is dear to them, their lands, their earthly possessions, and many thousands, their lives.

Mr. Chairman, expenses at this moment do not count. But if we want to go into politics we can do so. The Democratic administration has been charged with being unprepared, that we have no Navy, that we have no this or that.

Let us go back to the days of Theodore Roosevelt when we had a Navy that was matched nowhere on the face of the earth by any navy except one. Let us carry on down through to Wilson, who maintained it. Then what happened? In 1921 or 1922, a disarmament conference was called by President Harding. It resulted in some sort of an agreement whereby nations attending same agreed to destroy their battleships and disarm. Following that—what did we do under the Harding administration? We sank 26 heavy ships, many of them battleships, pursuant to that agreement. In addition, we destroyed over $600,000,000 worth of ships in the course of construction. We spent $15,000,000 in their destruction. As a matter of fact, it cost us $25,000 to sink one ship close to Chesapeake Bay. We did this while other nations sank rowboats, blueprints, and treaties. This happened under a Republican administration. Not a ship was built during the remainder of the Harding administration. Some cruisers were built during the Coolidge administration, but never a keel was laid in the water during the Hoover administration. For whatever the Navy is today you may thank the Roosevelt administration. So, Members of the House, if the Hoover administration had not been so gullible as to believe other nations, we, today, without this tax bill, would be mistress of the seas everywhere; so who is to blame? Let us not in our desire to attack those in power, forget the record.

But let us get away from politics and let bygones be bygones. Things rise above politics and things rise above taxes. I have not received a single letter from the great State I have the honor to represent asking me to vote against a tax bill. They say: "We must have the equipment with which to defend this country no matter what it costs." We have 44,000 miles of coast line to defend in this Western Hemisphere. Both North America and South America we are obligated to defend under the Monroe Doctrine, and it is going to take money to do it and not politics.

I want to pay compliments where they are due. We have a Committee on Ways and Means that is composed of splendid thinkers on either side of this Chamber, chairmanned by that distinguished gentleman from North Carolina whose sincerity, honesty, and patriotism ranks among the highest, who always works for the best interest of his country as he sees it, and at the same time keeps an eye out for the interest of the taxpayers. The ranking Member on the Republican side, the distinguished gentleman from Massachusetts [Mr. TREADWAY] is of the same type. The same is true all the way down the line. You have the distinguished gentleman from Massachusetts [Mr. MCCORMACK] to stand guard over the Treasury of the United States. They have brought to this House a bill which in view of the very nature of things is an emergency tax measure. Every tax measure that has ever been brought on this floor has been subject to criticism in one way or another, and perhaps rightly so. They could not possibly write a perfect bill within the time they have had because we must act and act now.

I do not know whether or not we are going to be invaded. I do not know whether or not that insane man in Europe, Hitler, is going to try to come here. Personally, I am not afraid that he is. I have no fear of him. He will not invade us. But it is like insuring your house, your home, your building against fire. Let us insure our country by securing the best means of defense that money and capability can devise.

I have two criticisms against this bill but, as I say, the Ways and Means Committee is not wholly responsible because they have not had the time. I only want them to remember that the American people are going to demand that no profit be made out of this war or out of this preparedness program. We must tax and tax and tax every corporation and every individual that is engaged in the production of the materials that are going toward our defense until there is no profit left. This is no time for profit.

Mr. DWORSHAK. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman from Idaho.

Mr. DWORSHAK. Will the gentleman tell us what provisions are contained in this proposed legislation to prevent profiteering in the building up of our national defense?

Mr. O'CONNOR. I believe I have covered that. There is no such provision that I can find.

Nevertheless, it is not too late, in my opinion. It can be done, as I said a while ago. This is in the nature of an emergency bill providing for a long-range program of spending for some time to come. As the gentleman from Tennessee [Mr. COOPER] pointed out, they will give attention to this matter at the next session of Congress. All the money, in fact, all but a small part of it, will be spent before that.

I think the greatest source of revenue that is untapped from the standpoint of securing money to take care of the defense of this country is the income from tax-exempt securities. I want to call your attention to what John W. Hanes, Under Secretary of the Treasury, said in his statement before the House Committee on Ways and Means on June 28, 1939. He estimated that the loss to the Federal Government alone is between $179,000,000 and $337,000,000 annually. Where are the great fortunes of the millionaires of this country invested? The story is told by the report filed in reference to the estate of John D. Rockefeller when he passed away. It shows that he had an estate valued at $26,000,000, and $21,000,000 of it was invested in tax-exempt securities. He owned one share of common stock in the Standard Oil Co. of California, and 1,150 shares in the Standard Oil Co. of Ohio. When William Rockefeller died he left an estate of $53,000,000, and $47,000,000 of it was invested in tax-exempt securities.

Mr. LEAVY. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman from Washington.

Mr. LEAVY. I have repeatedly heard the gentleman make the argument about tax-exempt securities that he makes today, and I am in full accord with him. I respect the gentleman's judgment upon this matter because he speaks with knowledge and understanding, and admire him as a lawyer. But does the gentleman still think that we could pass a law that was constitutional, particularly in the light of the line of decisions coming down from the case of Pollock against Farmers Loan & Trust Co. 45 years ago, and then the enactment of the sixteenth amendment following that decision with its subsequent interpretations by the Supreme Court?

Mr. O'CONNOR. I know there are very few Members of the House, if any, who have as good a knowledge of the law and the Supreme Court and State court decisions as the distinguished gentleman from Washington [Mr. LEAVY].

Mr. LEAVY. I feel, as I know the gentleman from Montana does, that if Congress would enact a law taxing the income from tax-exempt securities the present Supreme Court would hold it constitutional and reverse the ruling in the Pollock case. A reading of the income-tax amendment clearly indicates the rule in the Pollock case no longer applies.

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, I yield 2 additional minutes to the gentleman from Montana.

Mr. O'CONNOR. I think the gentleman is correct in his conclusion as to what the present Court would do. The case known as the Pollock case was decided about 45 years ago and it was a five-to-four decision. It stands unsupported. While it has not been expressly reversed, yet every decision rendered in similar cases leads in the other direction. The Department of Justice investigated the legality of taxing the income from tax-exempt securities and, after an exhaustive study of the Pollock and other decisions, concluded the subject with the following:

> It seems, therefore, that there is much more than a possibility that a Federal tax on State and municipal bondholders would be held constitutional. This result seems, indeed, to be considerably more probable than a decision reaffirming the result of the Pollock case.

In other words, the conclusion of the Department of Justice is that the law would be held constitutional if we tax the income from tax-exempt securities. It is not for the Congress, with all we have to do, to decide the constitutionality of a question. The sixteenth amendment to the Constitution provides for the taxing of all income "from whatever source derived." In order to give force and effect to that constitutional amendment, the Congress must pass a remedial enforcement statute providing for the levying of a tax on that income. Congress has never done it. I call your attention to the fact that every recent President—Woodrow Wilson, Warren G. Harding, Calvin Coolidge, Herbert Hoover, and Franklin D. Roosevelt—has asked for such legislation, but we do not have it.

I have here a statement issued by the second Fortune Magazine Round Table dealing with that subject:

> When large incomes are encouraged to take refuge in tax-exempt securities another blow to venture capital is given. Today it is more profitable for a wealthy man liable to heavy surtaxes to accept a small rate of interest from a tax-exempt security, involving virtually no risk, than to invest in taxable enterprises holding out the hope of a far greater return. This advantage, however, does not extend to people of small means. For example to a married man with a net income of $5,000 a 3-percent tax-exempt security will yield the equivalent of only a 3.12 percent taxed security. But to a man with an income of $500,000 a year a 3-percent municipal bond upon which he pays no taxes is equal in value to a taxable security yielding 10.7 percent.

[Applause.]

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. RICH] such time as he may want to use.

TAXES, TAXES, AND MORE TAXES

Mr. RICH. Mr. Chairman, we are asked to pass here today a tax bill that has been considered but a few days by the Ways and Means Committee; certainly the time given to the raising of over a billion dollars deserves some consideration by the public, certainly when they have to pay for the squandering of the Congress. This tax bill is called a defense measure tax bill. Why, goodness gracious, this administration has been in the red every year since it came into office from a billion and a half to over four billion dollars annually and they have created over twenty-five billions addition to the deficit that our country was in when they came into office. Why, this is not a defense tax bill; it is a tax bill to pay for the New Deal folly. The New Deal inefficiency, to New Deal theory, to New Deal fallacy.

We must raise more money or we will soon wreck our Nation; it cannot go on in the way it has in the past 8 years. We are compelled to vote for this bill as is because under the rule we cannot amend it. We cannot change it, we must vote yes or no; it is certainly New Deal legislation and I say to the public, you have to take it and like it, you have to pay and like it; it is the New Deal way. It is the Ways and Means Committee's New Deal tax measure. For national defense we all will rally to save America against a foreign aggressor; we will all put our shoulder to the wheel to keep America free when danger from without threatens us.

Why has not the New Deal seen fit to raise taxes to pay for the deficits of the past 7 years and call it a New Deal tax measure? That is what it ought and should be termed. Until the American people wake up and revolt against the New Deal spending, we will not be able to operate all the war equipment when we get it if we do not have an economic operation of the regular functions of government. I say that they cost too much. We must economize in Government operation.

Where are you going to get the money? That is a question I have asked for 6 years under New Deal spending. The Ways and Means Committee have been ashamed to bring a tax bill for New Deal squandering, though they bring a New Deal tax bill in the guise of preparedness, in the guise of national emergency. Well, is it in preparation for war or is the tax bill to feed the 10,000,000 unemployed?

Mr. Chairman, I must vote for the tax bill for New Deal spending in order to save our country. It is a patriotic duty. Here is where we will get the money, or at least a small part of it. [Applause.]

Mr. TREADWAY. Mr. Chairman, I yield 3 minutes to the gentleman from Kansas [Mr. REES].

Mr. REES of Kansas. Mr. Chairman, I think the necessity for the passage of this legislation has been pretty well discussed by the membership of this House. The bill increases

the taxes by approximately $1,006,000,000, and it is expected that this money shall be used for the purpose of paying the expenses for the additional defense program that has just been inaugurated. The program, we are informed, will cost almost $4,000,000,000 and will be paid out of the extra revenue derived under this bill, over a period of 5 years. I think everyone agrees that under the circumstances, this legislation should be passed.

My purpose in taking the floor is to call the attention of the House, and especially the Ways and Means Committee, to some matters that I think ought to have particular attention.

We want to make sure, first, that since we have told the taxpayers of this country that this money is to be used for increasing our national defense, that all of it is placed in a sort of trust fund and expended for that particular purpose. You and I know that this Congress would not favor the lifting of the debt limit by the $4,000,000,000 if it were not for the impending emergency. But I think, in view of the situation as it exists today, that this Congress, as well as the American people, are willing to spend the additional $4,000,000,000, or even more if necessary. At the same time, we want to make sure that our defense program is carried out just as promptly as possible.

Now, Mr. Chairman, I would like to call your attention to one or two other items that I think are of grave importance, and I think should be considered in this discussion. In view of the imminent necessity of these additional expenditures, we ought to reconsider a number of nonessential expenditures for which we have made appropriations during the present session.

In the first place, we can cut our Federal expenses 10 percent right straight down the line, except that there should be exemptions for pensions and for Federal salaries in the lower brackets, and possibly some other expenses that may be deemed necessary.

Furthermore, without any injury to this Government, I believe we can reduce a number of appropriations that may be worthy and yet at the same time not necessary—especially in view of our present economic condition. I will not take the time to point them all out at this place—but think from the five or six billion dollars we have appropriated, aside from Army and Navy expenditures, that a considerable amount of reduction could be effected. For example, we have appropriated several million dollars for the building of a Jefferson Memorial in St. Louis. Certainly, in view of the present situation, we can get along for a while without that memorial. We have also agreed to expend seven or eight million dollars for the building of mountain highways through four or five of our Southern States. These are not regular highways, but are scenic parkways, used for pleasure purposes. Certainly, in view of the condition of our Treasury, we can well get along without the use of those parkways for a while, at least. So far as I know, there is no great national demand for them. There are other items, such as large appropriations for additions to our national parks. Right now, they are not as important as equipment for our Army and Navy, or for additional airplanes. We have also appropriated money for huge dams in the West and northwestern part of our country. Laudable as these projects may be under ordinary conditions, I think we can do well by saving the money required for them at this time, and use it for the payment of our national-defense program, or to reduce our burdensome national debt which has reached its limit.

Furthermore, those who are in authority in the affairs of this administration may well check over the items of expenses in running the affairs of this Government. I know it takes a lot of money to run the Government and would not want to cripple any of its essential functions. I do not want to throw people out of jobs, but let me remind you that we have about 1,000,000 people on the civil pay roll of this country—more than we have had before; many of them receiving large and fancy salaries. I think the administration could determine whether or not, in view of the condition of the Treasury and the condition of the country, we may get along without the assistance of some of the 300,000 civil employees that have been added to our pay roll in the last 5 or 6 years.

Mr. Chairman, I think this is a time when the Government could do well to check up on its affairs, with a view of practicing a little more economy than it has in the past, and try if possible, to relieve the burden of the taxpayer—to some extent at least.

Before I close, I want to call attention to a matter that I mentioned on the floor of the House yesterday: The Ways and Means Committee has advised that a study is to be made of the question of providing for a tax to be assessed against persons and corporations who may receive excessive profits from the manufacture of munitions of war. The committee says a bill on this subject will be offered some time next year. Mr. Chairman, it would certainly be manifestly unfair for any person or corporation to make excessive profits out of the funds that are collected from the taxpayers of this country for defense purposes. Reasonable profits should be permitted, but I think a measure should be passed during the present session of Congress to safeguard our people against the making of huge profits by reason of the manufacture of implements and munitions of war. We still have plenty of time during which to pass such a measure. As a matter of fact, I do not think Congress is going to adjourn right away. We should stay in session at least until the present crisis has passed—even if we stay here until the end of the year. [Applause.]

Mr. TREADWAY. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN].

Mr. AUGUST H. ANDRESEN. Mr. Chairman, during the past 7 years and up to the 16th of May of this year this country had passed through 62 emergencies. This is according to a statement made by a noted mathematician who has calculated the emergencies under the New Deal. We are now in the sixty-third emergency, which we have been told is the greatest emergency or crisis that has faced the American people.

The emergency is to provide for our national defense. There should be no quibbling over national defense. There will be no quibbling on the part of the American people in providing for our national defense, because they love their country, and they love life better than property or anything else, and if our Government and those delegated with the authority to spend the money and to provide for national defense do not do so, then the heat will be turned upon the heads of those who have squandered the substance of our American citizens.

Those in authority today who claim that they have no desire to inject politics into this discussion, but who have done so very cleverly this afternoon, have certain responsibilities which they boast about. They have had a majority of both Houses of Congress, including the administration during the past 7 years. They have spent over $60,000,000,000 of the people's money. They should have provided for national defense during these 7 years, but failed to do so. We are, therefore, compelled to provide money for the new program of national defense now, and the people are willing, if the money is spent properly.

I appeared before the Committee on Ways and Means and tried to show the members of that Committee how we could get 10,000 airplanes built for nothing by using the $2,000,000,000 in idle dollars now in the stabilization fund of the United States Treasury, funds which have remained idle for the last 6 years, funds on which we have lost $200,000,000 of interest. Oh, no; they shook their heads and said, the emergency now is not great enough to use the $2,000,000,000 of idle money in the stabilization fund, which has not been used for any purpose whatsoever, at least a large portion of it. They say that we must have some real emergency, or save it for a rainy day. Yet they are willing to go and sell $2,000,000,000 of interest-bearing bonds to the people of the country and pay out our money in interest rather than use the idle funds in the United States Treasury. In fact, if this money would be used, we

would save at least $200,000,000 to $250,000,000 in interest over the next 5 years, and this saving in interest would build 10,000 of the best military airplanes that our Government could desire for national defense.

I made that suggestion to the committee when I appeared before it, and we got into a controversial discussion about gold. Oh, yes; that was a very controversial discussion. We now have more than $19,300,000,000 worth of gold, most of which has been purchased from foreign countries, and we have paid a premium of billions of dollars on its purchase. In fact, the American people are financing the war in Europe and the Orient because of our purchases of foreign gold.

For several years I have contended that our gold hoard belongs to the Federal Reserve System, but New Deal leaders have definitely claimed ownership in the Government. Today, the gentleman from Oklahoma [Mr. DISNEY], speaking for the administration, finally admits that our gold belongs to the Federal Reserve and not to the Treasury. Confession is good for the soul. Treasury records show that the Federal Reserve has a claim on the Treasury-held gold in an amount of over $17,000,000,000.

Mr. Chairman, another gentleman from Oklahoma [Mr. NICHOLS] proceeded today to give his customary lecture to the Republican side. He claimed credit for his Democratic Party for all achievements of the past 7 years. In my opinion, credit and responsibilities go hand in hand. The Democratic administration has been charged with the responsibility of providing for national defense. They have failed in this responsibility, and we must now vote additional billions for national defense in order to prepare our country for every possible danger.

France and England changed governments in their most critical hour because their leaders failed to provide for national defense. Mr. Roosevelt, as President and as Commander in Chief of the Army and Navy and with an overwhelming majority in both Houses of Congress, failed to properly arm our country. The responsibility was his, and he failed to meet it.

We should not quibble about responsibility now, for we are faced with a condition which must be handled at once by a united America, but the day of reckoning will soon come, and then the American people will place the responsibility where it properly belongs. [Applause.]

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. DOUGHTON. Mr. Chairman, I yield 10 minutes to the gentleman from Oklahoma [Mr. DISNEY].

Mr. DISNEY. Mr. Chairman, I shall probably not use all the time allotted to me. I have some prepared statements on two or three subjects, that appear to me to be of interest and which will be useful in the RECORD, but since we want to conclude this bill as early as possible, I do not want to intrude on the time of the House.

Mr. Chairman, I think the gentleman who preceded me [Mr. AUGUST H. ANDRESEN] is in error to a great extent in reference to the stabilization fund. If we are going to have a stabilization fund, that has to be used for the purpose outlined, it must be volatile, free. It is, and it has been in use. Those wiser I think than any of us in the matter contend that this fund should be used as it has been used. They may not be wiser in other things than we are, but I believe their experience with it would make us hesitate to suggest to them that we know more about how to handle the stabilization fund than they. For instance, within the last week the British pound fluctuated, as it will be remembered, some 58 cents. This fund is to protect such situations.

Another reference was made which I think was in error. All of the $19,000,000,000 in gold is not owned by the Government. The testimony in the hearings before the committee will enlighten gentlemen as to who owns this gold. It is in large part owned by the Federal Reserve System.

Mr. McCORMACK. And the representative of the National Association of Manufacturers testified before the committee that he agreed with the recommendation of the Secretary of the Treasury that this fund should be held as a reserve, to be used for extreme purposes.

Mr. DISNEY. Yes. That is an organization that has been most critical of the administration in the last few years. Their representative, a man learned in the subject, was most pronounced in his view that the stabilization fund should not, for economic reasons, business reasons, governmental reasons, be disturbed. I am inclined to take the judgment of those gentlemen on that subject.

Mr. AUGUST H. ANDRESEN. I agree that the Federal Reserve owns at least seventeen billion of this gold, or has a mortgage upon it, but with reference to the stabilization fund, out of the $2,000,000,000 only $200,000,000 has been used, and $1,800,000,000 has been lying idle, and nothing has been done with it, and so far as the future is concerned, we can never attempt to stabilize foreign currency with it.

Mr. DISNEY. I think the gentleman is in error about the facts as to the use of it, but if there ever was a time that we needed the stabilization fund it is now.

Mr. AUGUST H. ANDRESEN. But the Treasury discontinued using it last September and they said they would not use it during the war.

Mr. DISNEY. Mr. Chairman, I have been most earnestly opposed to invading the pockets of the middle-class taxpayers and have often said so. The argument most usually advanced was that if we started taxing them it would make them tax conscious. This bill will do that job completely. This most certainly will make them tax conscious. I hope it has the psychological effect that the originators of the idea, particularly one member of another body, had in mind, because if it will make us economy minded it will have a good effect.

Under this bill, if you have read the hearings, you will find that an additional nearly 7,000,000 of our people will file returns, and a vast part of that 7,000,000 will pay taxes in addition to what they have heretofore paid.

I have prepared a brief history of personal income taxes, which I will place in the RECORD at this time:

PERSONAL TAXES

The following interesting history of personal income tax from a volume published by the Brookings Institution and written by James D. Magee is interesting as a historical sketch:

"The burden of the personal income tax has become heavier through the increase in both the normal and the surtax rates and by various changes in methods of calculation which result in taxing more of the income.

"The normal rate in 1930 was 1½ percent on the first $4,000 of taxable income, 3 percent on the next $4,000, and 5 percent on the balance. In 1932 and 1933 the rate was 4 percent on the first $4,000 of taxable income and 8 percent on the balance. Since 1934 the normal rate has been a flat 4 percent. This was not a reduction, since the surtaxes, starting with 4 percent, were applied to the taxable income above $4,000.

"The surtax rates in 1931 began at 1 percent on net incomes in excess of $10,000 and rose to 20 percent on net incomes in excess of $100,000. In 1932 the surtaxes began with 1 percent on net incomes in excess of $6,000 and rose to 55 percent on incomes over $1,000,000. In 1934 they started with 4 percent on net incomes over $4,000 and rose to 59 percent on net incomes over $1,000,000. In 1936 they began with 4 percent on net incomes over $4,000 and rose to 75 percent on net incomes over $5,000,000. These rates are continued in the act of 1938.

"From 1925 to 1931 married couples were given a personal exemption of $3,500 and single persons a personal exemption of $1,500. Since 1932 these exemptions have been reduced to $2,500 and $1,000, respectively.

"In the acts of 1924, 1926, and 1928 an earned-income credit of 25 percent was granted. This credit was eliminated in 1932. It was restored in 1934 but lowered to 10 percent and the maximum amount allowable reduced. At present not more than $14,000 may be counted as earned income.

Mr. Chairman, like other nations, America is prone to become intense on national issues. It is not a fair charge that America has become hysterical. Interest and earnestness do not constitute hysteria. Through this urge for preparedness we can calmly look to the future.

America, by an almost overwhelming unanimity, appears to be in favor of sending aid to the Allies in their hour of trial. This is most natural, because our racial, lingual, and commercial sympathies are with Britain and France and against barbarism, against the disturbers of the peace of the world.

But we should be realistic as well as earnest and sympathetic. If we are realistic we will count the cost. The cost of sending planes, guns, ammunition, and other war supplies to the Allies, even indirectly, from the United States arsenals has its loss of compensation in several ways. First, in incurring additional hatred of the enemies of democracy. This we do not mind for the moment. The important cost is the possibility—yes, even the probability—of our involvement in the conflict, because any movement of supplies and munitions out of our Army, even indirectly, into the hands of the Allies can be construed as an act of war by the enemies of the Allies. Have we counted this cost, and do we want to pay it?

The subject is well discussed in an editorial in the Tulsa World, of recent date, as follows:

WAR SUPPLIES TO THE ALLIES

In the matter of supplying the Allies with guns and airplanes, why not get down to the ground? Why should we continue to kid ourselves? Practically all of the people in this country favor the Allies and want to see Hitler lose, world without end. We may be fooling ourselves, but we are not kidding Hitler and Mussolini with our wise talk about neutrality and our ardent rooting for the Allies. Isn't it about time to quit spreading applesauce over a dire, well-nigh universal tragedy?

Rapid progress is being made by the United States as a supplier of war materials to the Allies. The decision to free a lot of Navy planes for immediate shipment to Great Britain and France was quickly followed by President Roosevelt asking for legislation, or full legal sanction, to permit the trading-in of the old types of guns. These actions appear as calculated to complete the Government's power to turn back to manufacturers many sorts of service equipment. Presumably all this opens up large and fast trade to the desperate, embattled Allies.

It is practically certain most of the people of the United States will concur in, or at least condone, these moves. Selling supplies for war is not getting into the war. We sell supplies when there is no war. War supplies are, in many cases, intended as insurance against war. That is the purport of the preparedness which the people of this country favor. Supplies sent abroad can be used as arguments against war as well as the wherewithal to get into or end a war. There is warrant, at least in public sentiment, for selling supplies to the Allies on a big scale.

Our policy of neutrality and our eagerness to aid the Allies, whether we admit it or not, are somewhat conflicting. They do not, however, fool the big bosses of Germany and Italy. Mr. Roosevelt's recent direct appeal to Mussolini for nonparticipation in the war may have been from concern for Italy's health, but certainly was not calculated to aid Hitler. The purport was plainly to help the Allies by holding Italy back. It is time for realism and not for poses. We must be getting pretty near the end of posing.

Section 209 of the bill relates to certain excise taxes extended from 1941 to 1945. The interest in them, while it would appear generally to be local, is not in fact local. I have prepared some observations on the subject of excise taxes on imports of petroleum:

The petroleum industry is of vital importance to us, as a Nation and as individuals, in peace or in war. It is essential to the national defense. Without its products our aircraft, mechanized Army units, and our Navy would be helpless. Few, if any, industries should be in a position to make as tremendous a contribution toward any system of preparedness which might be devised. Any adequate program for the national defense must have as one of its primary objectives the encouragement of the petroleum industry in this country in order that there might be a continuing supply of the various products of that industry whenever the need might arise.

Leaders of various branches of the petroleum industry have assured the administration of their desire to fully cooperate with the Government in its preparedness program. While I do not know that they have said so, it appears to me that this industry also has a right to expect from the Government encouragement and aid in its vitally important service to the Nation. One form which that aid might take would be in exercising that control over imports of foreign oil under the terms of the Venezuelan trade agreement which the Secretary of State has assured our Committee on Ways and Means would be exercised if the need arose.

We are all aware that since 1932 Congress has held a degree of supervision over petroleum imports. In that year it imposed the oil excise taxes with a 2-year limitation. Each successive Congress since then has had an opportunity to watch the effect of these taxes and each Congress has renewed them. Underlying this 2-year limitation was the idea that Congress, at any time, could increase these taxes or could impose limitations upon these imports should the situation in this country demand that action. Because of this continued supervision and the possibility of such congressional action, imports have been held, since 1932, within reasonable limits.

Many of us held, and some of us still hold, to the opinion that the Reciprocal Trade Agreements Act did not give any authority to include these excise taxes in any reciprocal-trade agreement. Nevertheless, they have been included in the Venezuelan agreement. It is held that this inclusion prevents Congress from either increasing these taxes or limiting the foreign petroleum imports. In a letter to the chairman of our Committee on Ways and Means, the Secretary of State has stated that he would take appropriate action if these imports damaged the petroleum industry. That such damage has occurred and is occurring today should be evident to any unprejudiced student of the statistics of the industry. The Tariff Commission has announced that it has been making a study of the effect of the Venezuelan trade agreement upon the domestic petroleum industry. I do not know what data were used. I have not heard of inquiries being made of the industry. I do know that leaders of the industry have not been asked for information on this question. The fact that such a report is to be made public soon, however, indicates an awareness of the fact that there are serious disturbances today in the domestic petroleum industry.

Here are some of the facts:

Imports of low-cost foreign oil have increased rapidly. During the first 4 months of this year petroleum imports subject to the reduced excise taxes were 123 percent larger than during the same period of last year. The domestic producers' markets are being invaded by this cheap oil to a larger and larger extent. For what purpose?

The underlying theory of reciprocal-trade agreements involves the granting of concessions by two nations so as to encourage foreign trade between them, thereby enlarging the markets for the goods of each. The Venezuelan agreement violated the spirit of this principle. The benefits of the concessions granted by the United States went almost entirely to a few large importing companies rather than to the nationals of Venezuela. Not only is this true, but in granting concessions on 89 percent of our total imports from Venezuela we received concessions on only 36 percent of our shipments to that country. In other words, it looked like a poor bargain for everyone except a few large importing companies.

Developments since the agreement became effective have offered further proof of this. The total value of our exports to Venezuela during the 3 months following the trade agreement was 1 percent lower than during the 3 months prior to the agreement. On the other hand, the value of our imports increased 20 percent. At the same time that we are permitting more Venezuelan products to come in, therefore, we find the markets for United States products reduced. This situation is in direct contrast to our trade with all other South American countries during the same periods as our total exports to these other nations rose 2 percent, while imports from them were reduced about 4 percent. A similar picture is found if the 3 months following the agreement—January, February, and March 1940—are compared with the corresponding months of the previous year. On this basis imports from Venezuela increased 86 percent, whereas exports to Venezuela increased only 47 percent. All other South American countries combined showed an increase of only 34 percent in their shipments to us, but an increase of 81 percent in our exports to them.

The domestic oil producers had to pay a price when this agreement was made. It was the only price that was paid. There would seem to be some justification for complaint, therefore, not solely on the grounds that the American producer has suffered but also because his money has been spent unwisely and unprofitably.

Another significant trend since the trade agreement with Venezuela became effective has been the decline in the prices of crude oil and fuel oil in California. This State is our

largest domestic source of oil of a type similar to most of the imported oil. Two weeks after the taxes were reduced by the agreement the price of heavy fuel oil in California was reduced 15 cents per barrel. A month following, on February 1 of this year, the price of crude oil to the California producers was reduced 4 to 15 cents per barrel, depending on the feul-oil content of the crude, the larger reductions applying to the heavier types of oil which compete with imported oils. This reduction was the first downward revision of crude-oil prices in this area in 4 years and is equivalent to a penalty of $1,500,000 a month on the California producers.

The effect on California refiners is shown by the following comment in the National Petroleum News of February 7, 1940:

> During the week, in the Los Angeles Basin, two small refineries closed down and one changed hands. Disposal of accumulated stocks of fuel oil was reported to be their chief difficulty.

This, at a time when more and more foreign fuel oil was pushing into our Atlantic seaboard markets.

Further evidence of the harm being done to the domestic producers by the large imports since the reduction of the excise taxes is shown by quantity of domestic crude oil that has been forced into storage. Excess above-ground storage creates waste and the State regulatory bodies seek to avoid such waste by bringing supply into balance with demand. In doing this, their efforts may be offset by uncontrolled supplies of foreign oil. Such has been the case since the Venezuelan agreement gave encouragement to the importers. For example, during the first 5 months of this year approximately 200,000 barrels daily of low-cost foreign oil has been entering the United States in direct competition with American oil. During the same period, domestic crude oil has been forced into storage at the rate of 150,000 barrels per day. Because of these additions to storage some persons have accused the domestic industry of overproduction. That is not overproduction. It is oversupply caused by uncessary and harmful quantities of foreign oil.

One of the arguments advanced by those who oppose an adequate tax on imported petroleum is that the tax will deny to the consumer the benefit of lower prices. This argument overlooks the fact that imports are controlled by a few large companies who also dominate the water transportation of these shipments. Under such a strict control there is no reason to expect lower consumer prices. There is ample evidence to support this view. As a matter of fact, since the imposition of the excise taxes in 1932 the prices of petroleum products have been reduced more than the prices for other commodities.

Following the reduction in these taxes, however, prices of fuel oils on the Atlantic seaboard increased rapidly despite greatly increased foreign supplies. At the first of the year the price of heavy fuel oil for ships' bunkers, for example, increased from $1.15 per barrel to $1.50 per barrel in New York, although there was no corresponding increase in the prices in the Gulf or Mid-Continent area. This increased price was maintained during the first 5 months of the year. Heavy fuel oil is the principal product obtained from the oils that were being imported in large quantities at a reduced tax rate. Certainly no price advantage to the consumer can be shown.

The following table gives statistics on recent imports of oil from Venezuela:

Oil imports

Imports:	
Since Dec. 16, 1939, at reduced rates---barrels--	21,168,633
Revenue lost at reduced rate----------	$2,222,706.40
Daily average of loss in revenue----------	$16,224.13
Imports:	
First 4 months of 1939----------barrels--	8,863,644
First 4 months of 1940----------do----	19,936,805

One other reference: It appears that with overwhelming unanimity the people of this country are determined to aid the Allies in every way. To use the President's language, "Every means short of war." A great Republican, William Allen White, is head of a society with the same object in view. When we furnish the Allies with planes, ammunition, and guns indirectly from the United States Army, although it comports with that opinion of the American public, almost universal in its acceptance, it seems to me that a calm survey would give us pause and require us to count the cost, first, in the effect on those opposed to the Allies in the long run. We do not mind it now, but the time may come when that will be material to us. Second, in the possibility, even the probability, of that conduct putting us into war, because any nation on the other side could promptly use this conduct as an overt act of war. I think we should count the cost, because this Nation does not desire to enter this holocaust. If we are going to go to Europe every time a new crop of young men is reared in Europe, then the precedent is too horrible to contemplate. But if in our zeal and our earnestness we do things that amount to overt acts of war, we should now count the cost, and I hope we will do it. [Applause.]

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman from Oklahoma yields back 2 minutes.

Mr. TREADWAY. Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin [Mr. JOHNS].

Mr. JOHNS. Mr. Chairman, I think this is one of the most important days that this Congress will ever see during the three sessions that we have had.

When I first came here and they began to talk about millions and billions, I began to get dizzy. When I think about the amount that has been appropriated this year and the amount that was asked for and appropriated last year, I do not think there is much to get excited about today, because last year we appropriated $13,000,000,000, which the President signed, and he asked us in the closing days to appropriate $5,100,000,000 more. All we are asking for defense today is $4,000,000,000. I think it is one of the finest things for this country that has ever happened, because it will bring to the attention of the people of this country our situation and make them tax conscious.

We have been borrowing money for 7½ years. About 40 percent of every dollar we have spent we have been borrowing and nobody has paid any unusual taxes to take care of those obligations. So that today the country is tax conscious. They are going to put an end to this spending right now when we are through with this national defense. We are going to be through spending so much money for any other purpose.

I would say we can save $500,000,000 to $600,000,000 out of the funds we have appropriated for W. P. A. and relief, by taking those people off W. P. A. and taking the people on relief and putting them to work at this national defense. I think that ought to be done and I think that considerable money can be saved to this country by so doing. I think the number of those on W. P. A. or on relief would be glad to have a job where they could receive good wages and get along better than they have in the past.

As has been stated today, we are going to stay in session. The people of this country want us to stay in session. I can remember the World War and the parallels that came with the conditions that existed at that time and those that exist at the present time. I heard the President of the United States go further than I have ever heard the head of any other government go last night. He has pledged this country all that he can possibly pledge himself, the natural resources of this Government.

The people of this country do not want war. They all sympathize with the people of warring Europe but they do not want to get into the fight. This was true in 1916, when we elected Woodrow Wilson President of the United States. He was elected on the slogan "He kept us out of war." However, Woodrow Wilson was different from the present occupant of the White House, as he counseled all the people to not only think neutral, but to also act neutral.

We have a neutrality law on the statute books at the present time, but the President has evidently forgotten what it contains or that he ever signed it. His emotions carry him away. That is the reason Congress cannot trust him to go home, as he has already promised everything within his power except our lives and the lives of the people of the Nation.

The lives can be safeguarded by Congress. We can remain here to exercise the powers belonging to Congress and not turn them over to the President, because, after listening to his address at Charlottesville, Va., last night, one cannot help but agree with the high officials of the Italian Government when they stated that the criticism of the President was the gravest ever received from the head of another government which was not at war with Italy.

Congressmen who stay at Washington and look after their duties need not fear reelection. It will be those who want to go home and desert their country at such a critical period that will need to look after their return to Congress.

Much has been said about the third term for the President. A few more speeches like the one delivered last night and none of us need to worry about his reelection. The people will take care of that. Here is a suggestion that if any Congressman wants to use I think it will be well received by his constituents back in his district. Wilson had a slogan in 1916. The people can have one now. It is: "Draft Roosevelt and he will draft you."

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. LELAND M. FORD].

Mr. LELAND M. FORD. Mr. Chairman, in the very brief time at my disposal I want to read some facts and figures with reference to the ability of the taxpayer to pay. I think that is one of the things we have to consider. I want to read a short résumé I have been studying, for I think it is very appropriate in our consideration of this matter, namely:

> No one questions the desirability of taxation for the support of the essential functions of government, but taxes that bear so heavily on any group—workers, consumers, investors, or proprietors—that productive effort ceases to be worth while and the industrial machine slows down are inherently uneconomic. And the tax load has increased to a point where it represents one of the principal deterrents to business recovery and reemployment. Yet, present taxes, high as they are, fall far short of meeting the cost of government. In the not distant future this Nation will probably be forced, in one way or another, to face the fact that it is living beyond its means and that retrenchment in nonessentials is not merely desirable but imperative, especially in view of the greatly enlarged expenditures for national defense that must be met.

I do not think there is a man in this House who does not want adequate national defense, but in considering national defense we have to consider our other expenses. I might take that in two phases: Our national military defense and our national economic defense; and I say to you that if our national economic structure is broken down, we are not going to have much need for national defense. In this connection I want to read a couple of items with reference to taxes and the ability of our taxpayers to pay. Right now, unknowingly in hidden taxes, there are 126 taxes on a pair of shoes, 148 taxes on a pair of overalls, 52 taxes on a loaf of bread, and 105 on a suit of clothes. A farmer who puts up a new fence may encounter, unknowingly, 191 taxes.

Out of 149 companies, 122 industrials are reported as paying in taxes 60 percent of their net income, and 27 utilities are now paying in taxes 99 percent of their net income. This makes an average for the 149 companies of 75 percent of net income paid out for taxes.

The American Iron and Steel Institute reports that taxes paid by the steel industry last year absorbed more than one-half of the net profits remaining after all other expenses of operation had been met. They were equivalent to more than $332 per wage earner employed during the year, and if they had been paid out in wages they would have increased the total pay rolls for the year by 22 percent. Expressed in another way, the tax payments represented a year's pay for 92,500 workers.

There are two ways of accomplishing our purpose of giving this country proper, adequate national defense as well as carrying on the reasonable, desirable, necessary functions of Government.

One is by raising taxes and the national debt limit. The other is to reconsider our whole financial requirements and total Budget and total cost of all items. After this reconsideration, to cut out and retrench on those items that are not reasonable, desirable, and absolutely necessary functions of government, as we have heretofore known it, and some of which items border on socialistic trends. It is my belief that this retrenchment program should be followed. I think that perhaps a billion to a billion and a half of unnecessary expenditures that we are now making can be saved, recovered, and applied to this necessary defense program. In that manner we can have both a safe, sound national defense as well as safe, sound economic structure, both of which are vitally necessary to the safety and welfare of this Nation.

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield 10 minutes to the gentleman from Kansas [Mr. CARLSON].

Mr. CARLSON. Mr. Chairman, for 7 years our Federal Government has been spending billions of dollars of borrowed money. It seems that this money has been spent without any regard or thought of how we were going to pay it back. Now, when we are faced with an emergency it becomes necessary to borrow additional money and place a tax burden of $1,000,000,000 per year on our citizens. President Roosevelt, when asked at his press conference where he expected to secure the proposed additional billion dollars, is reported to have straightened up in his chair and raising his voice, said, "That is a minor detail," adding later that he was not frightfully interested in which way the money was raised, either by taxes or by borrowing.

This may be the attitude of the President, but I know it is not the attitude of the Ways and Means Committee, nor do I believe it is the attitude of Congress or the country. To me this is a serious matter. It is vital to our future welfare. Seven years of deficit spending should convince anyone that we cannot spend ourselves into prosperity. The day of reckoning has arrived. Even this billion-dollar-a-year tax program will not balance the Budget.

On June 30, when the fiscal year ends, we will have spent $3,700,000,000 more than we have taken in. Because of these 7 years of spending it is now necessary not only to secure new taxes but raise the debt limit from $45,000,000,000 to $49,000,000,000. Everyone realizes that under existing conditions something had to be done. Our national defense must be strengthened, and the practically unanimous vote for the defense measures indicates the seriousness of our situation.

We entered the last war with a national debt of $1,000,000,000 and came out of it with a debt of $25,000,000,000. Now we are face to face with a more threatening conflict—with a Budget that has been out of balance for 9 years and a debt nearing $45,000,000,000, a dark picture to say the least.

Congress will be derelict in its duty if it votes this tax bill without first insisting on a general reduction of governmental expenditures of at least 10 percent in various agencies. Second, we should amend this bill by inserting a section which would provide for a war-profits tax. Third, the language of the bill should be strengthened so as to make this money available for national defense only. Fourth, insist that our Government finances be placed on a pay-as-you-go basis at the earliest possible date.

Our citizens are insisting on these four provisions and I for one am going to do everything within my power to hasten their enactment.

This tax bill, when enacted into law, will be a real burden on our citizens. It is so easy to give out misinformation in regard to the taxes we pay and who pays them. Politicians travel over the land and proclaim the fact that the rich pay the taxes. I only wish they did or that they could. Regarding this, former Under Secretary of the Treasury John W. Hanes recently stated, "No more damnable lie than that was ever perpetrated on the American people."

People who have very little money say taxes should be laid on those with more money—in other words, "Soak the rich." People who have a good deal of money in turn issue the warning, "Don't kill the goose that lays the golden egg." In

other words, do not tax those who make money so severely that they cease to put forth the effort necessary to make it. Nobody enjoys paying taxes—almost everybody believes that the best tax is the one the other fellow pays.

No one can truthfully say that this tax bill will tax only the rich. Increased excise taxes are always a burden on our common citizens and in this bill income tax exemptions have been lowered and the rates materially increased.

Under existing law a married man with an income of $3,000 would pay a tax of $8. This bill increases his tax to $30.80. The married man with a $4,000 income now pays a tax of $44. Under the proposed law he will pay $70.40. These increases will not be minor matters to millions of our lower-income groups. We must always remember that every additional tax dollar taken from the American family is just $1 less for that family to spend on necessities and luxuries of life. The increase in the excise taxes will yield $525,000,000 in the fiscal year 1941 and in the following 4 years it should yield $651,800,000. These taxes fall directly on the consumers or producers of this Nation. Either they are passed forward to the consumer in the form of higher retail prices or backward to the producers—including the farmers—in the form of lower prices for labor or farm commodities.

For years it has been the hope of Congress and the citizens generally that we could soon eliminate these taxes, but instead we are increasing them. Only last year when this committee reported the revenue bill of 1939 on June 16, it contained the following statement in regard to the excise taxes: "Your committee is sensitive of the general undesirability of these taxes, but their extension for 2 years will not preclude action by the Congress to remove or revise them earlier if the condition of the revenue permits." What a forlorn hope that statement is with a Budget deficit of approximately $4,000,000,000. Our citizens are willing to pay additional taxes, but as these burdens are increased they are going to demand a strict accounting of our expenditures. Under these circumstances the least we can do is insist on a dollar value for every dollar spent.

NATIONAL INDEBTEDNESS

Mr. Chairman, we are today not only voting new taxes, we are also increasing the national debt limit from forty-five to forty-nine billion dollars. We should stop and consider how fast our national indebtedness has increased. When the United States entered the World War the per capita share of the public debt was $28.57. Now when we are facing an emergency national-defense program our per capita gross debt is well over $300—the highest in our history. Secretary Morgenthau testified before our committee that in February 1941 the Treasury of the United States would be broke. That is, our debt limit will have been reached and our Treasury balance practically exhausted.

This year the total tax receipts of the Federal Government will be $5,652,000,000. The total appropriations that have been made out of the bills now pending, including the Post Office and District of Columbia, amount to $10,460,000,000. If we include the trust accounts we will have a total of $12,284,000,000. One can readily see that even with this new tax bill we will not be able to balance the Budget.

In 1860, just before the outbreak of the Civil War, the debt totaled $65,000,000, or the cost of building one modern battleship. In 1896 it climbed slightly above the $1,000,000,000 mark. At the beginning of the World War we had a debt of approximately $1,000,000,000 and finished that war with a national indebtedness of $25,482,000,000. From 1919 to 1930 we reduced that debt to $16,185,308,000. Today we are rapidly approaching the $45,000,000,000 limit. The following is a table showing the per capita gross debt by years:

1860	$2.83
1866	73.19
1900	16.56
1917	28.57
1919	240.09
1930	131.49
1933	179.21
1939	308.34

It would take 33 years to bring the public debt of 1940 down to the predepression level at the same rate of reduction we were making from 1920 to 1930. Now that we are increasing the debt limit $4,000,000,000 the citizens of this country are entitled to have the assurance of Congress that we are going to do everything in our power to keep it below this figure.

WAR PROFITS TAX

In this emergency and in case our country is forced into war we should profit by past experiences from the World War. We drafted millions of young men in 1917 and as we look back it must be disheartening to everyone to note that we did not draft capital and enterprise as well. The first legislation along this line was introduced in Congress in 1922 by Senator ARTHUR CAPPER of Kansas and the late Representative Royal C. Johnson, of South Dakota. Since that time many bills have been introduced and there are a number of them pending at this time. Unfortunately, Congress has not given this matter the consideration it should have in view of the present emergency. Today we had an opportunity to bring in a bill with proper amendments which would have placed in effect a system of taxation which would have absorbed all profits above normal in case of an actual war. This was rejected by the Committee and under the present rule we are not allowed to offer amendments from the floor. Following is an amendment I offered in committee during consideration of the bill.

Amend H. R. 9966 by adding a new title known as title No. 1, which reads as follows:

"SEC. —. (a) It is hereby declared to be the policy of Congress that whenever a national emergency is declared by the President or immediately upon the declaration of war by the United States there shall be in effect a system of taxation which will absorb all profits above a fair normal return to be fixed by Congress.

"(b) The Secretary of the Treasury is hereby authorized and directed to make an investigation for the purpose of formulating plans for a system of taxation on excess profits to be in effect whenever a national emergency is declared by the President or upon declaration of war by the United States, and it shall be his duty to transmit such proposed plan to the Congress at the earliest possible date."

Mr. Bernard M. Baruch, who was appointed by President Wilson as Chairman of the War Industries Board during the World War, was appointed by President Roosevelt 3 years ago as Chairman of the War Policies Commission to prepare a plan for effective mobilization for war which should eliminate wartime profits and prevent wartime inflation. The report of that Commission states—

That except for inflated prices brought about by the World War, operative in our markets before our actual entry into the World War on April 6, 1917, as well as thereafter, until we began a systematic effort to prevent runaway prices on March 4, 1918, the war would not have cost us more than one-half of its actual cost.

The report of the Federal Trade Commission on profiteering made in 1918 by William B. Culver, Chairman of the Commission, in response to Senate Resolution 255 dated June 10, 1918, stated that in 1914 to 1918 the du Ponts paid dividends of 458 percent on the par value of their stock. In 1916 they paid a regular dividend of $6 per share and an extra dividend of $94. The profits of the United States Steel Corporation jumped from a bare 3 percent in 1912 to 24.9 percent in 1917. The Nagle Steel Co. reported a net return of 319.67 percent in 1917. The West Penn Steel Co., 159.01 percent; Follansbee Bros. Co., 112.48 percent; the Allegheny Steel Co., 109.05 percent. In 1916 alone the New Jersey Zinc Co., a $35,000,000 stock concern, reaped net profits of 95.9 percent. The American Tube & Stamping Co. reported that year a net of 40.03 percent on its investment; the Forged Steel Wheel Co., 105.04 percent; and the West Leechburg Steel Co., 109.05 percent.

At a time when individual citizens are being asked to make sacrifices for emergency defense appropriations and other expenditures of our Government, certainly we should enact legislation that would prohibit such enormous profits. Twenty-two thousand individuals stepped from financial obscurity in 1916–18 to the millionaire class. Certainly we should see that it does not happen again.

GASOLINE TAXES AND THEIR COST TO THE FARMER

Any increase in the Federal sales tax on gasoline will fall very heavily upon the farmer. Of the more than twenty-two and one-half billion gallons of gasoline consumed an-

nually in the United States, the farmer uses about 5.5 percent or about 1,240,000,000 gallons per year on farms for tractor and other agricultural uses. He is now paying through the present 1-cent Federal gasoline sales tax $12,400,000 annually. This does not take into consideration farmers' use of gasoline for automobile or truck, but applies solely to nonhighway uses. There are in the neighborhood of 1,500,000 tractors now in use on American farms. Any increase in the gasoline sales tax would be equivalent to a tax upon the uses of these tractors and other motor-driven farming equipment.

In the discussions of the Federal tax on gasoline, there has been too general an assumption that this was a tax to be paid by oil companies or else that it was a tax levied upon automobiles used for pleasure. These two fallacies have prevented some from giving fair consideration to this form of taxation. While unquestionably there are many who could pay an extra cent or two for a gallon of gasoline without suffering, there are many thousands upon whom this would fall as a grievous burden. Many wage earners whose income is in the lowest brackets are compelled to use automobiles in going to and returning from their employment. The millions of dollars which these taxes are supposed to raise for the Federal Government would include millions from workers of this class.

In this mechanized age a farmer must rely upon motorized equipment if he is to produce economically and deliver his goods at profitable markets. The power-driven tractor and the truck are necessary tools of his occupation. They should not be taxed more than other tools are taxed. This fact is recognized by many States. My own State of Kansas exempts specifically from the State tax gasoline which is for nonhighway use. Out of our total gasoline consumption in Kansas in 1939, which amounted to 467,296,000 gallons, 132,719,000 gallons were thus exempted. This exemption, a great part of which applied to farmers' use of gasoline, was not granted as a special privilege but as a sound economic policy.

Congress has recognized the need of encouraging agriculture. We have appropriated large sums of money for that purpose. We have established funds for loans to farmers. We would be taking back part of this aid which we have given to agriculture should we now impose an increased sales tax on gasoline, which would amount to over $12,000,000 per year for every cent of such an increase.

This tax is unlike most of our other taxes. It is not levied on income but upon a necessary expenditure. It is not based upon property acquired, but upon something which is consumed soon after its purchase. It is not related to profits, but, in the case of the farmer at least, it is related to his labor.

The farmer has enough burdens now. He will have to pay many of the taxes levied in this new revenue bill. In addition to these other taxes, an increase in the amount he must pay through the Federal tax on gasoline would be equivalent to imposing a tax upon his labor and activity, since the harder he cultivated his farm with machinery, the more he would have to pay for the privilege.

The administration has just presented to a few wealthy companies importing foreign oil a rebate of half the tax they had formerly paid on imports of crude oil and fuel and gas oil. Now it is proposing to take from the farmer millions of dollars a year by increasing the tax he must pay on his gasoline. To him that hath shall be given millions of dollars through the reduced excise taxes on foreign petroleum while from him that hath not such as the farmer, shall be taken away through increased taxes even that which he hath.

REDUCTION OF FEDERAL EXPENDITURES

If we keep faith with our citizens we should begin at once a reduction of Federal expenditures. Personally, I believe we could effect a 10 percent reduction in most governmental agencies without any serious loss of service to our citizens. This reduction of 10 percent in expenditures should apply to Senators and Congressmen. It should apply to all employees receiving wages in the higher brackets, and every effort should be made to reduce the expenditures of practically every agency of the Government by at least this amount.

The American people are in a mood for sacrifices. They realize the seriousness of the situation and everyone agrees that they would much rather face the reality of this situation by a tax program rather than continuing our present method of deficit financing in the Federal Treasury. If our citizens are willing to make these sacrifices certainly those who are the beneficiaries of the Federal expenditures would be willing to take cuts.

Congress should continue in session and work out a complete revision of our tax system. The measure we are reporting today is in a true sense a makeshift tax measure. It has been hastily drawn to meet an emergency. The present status of our Federal Treasury is such that the taxing system needs a complete overhauling. The citizens are demanding it. Let us face the situation honestly and courageously. [Applause.]

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman from Kansas yields back 2 minutes.

Mr. DOUGHTON. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Chairman, in order to set forth what I believe is a general constructive attitude toward this whole tax question which, as was said a moment ago, is going to be with us for some time, I would like to read the recommendations of our House conference on unemployment on this question. This is what that conference recommended with regard to taxes:

1. A legislative prohibition against the issuance of any more tax-exempt securities and the requirement that holders of presently exempt securities include such incomes as they may receive from them as part of their income received in computing gross income for income-tax purposes.

The gentleman from Montana [Mr. O'CONNOR] has ably presented the case with regard to the tax-exempt bonds and I therefore shall simply say that I heartily agree with the views he expressed.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. Yes; I will yield for a question, but I must decline to yield further.

Miss SUMNER of Illinois. Does the gentleman know that this bill provides for the issuance of $4,000,000,000 of short-term securities that will be tax-exempt?

Mr. VOORHIS of California. Yes, I do; and I am sorry that is so.

In the next place the House Conference on Unemployment recommends:

Reduction of the exemption now allowed from estate taxes and gift taxes; revision of the individual income-tax schedule to provide both a lowering of exemptions and consequent broadening of the base and an increase in the tax rate in the middle and upper brackets.

This bill accomplishes that to some degree.

Continuing this second recommendation:

Requirements that husband and wife file a joint return in all cases; repeal of consumption taxes to the greatest possible extent, except for the taxes on liquor, tobacco, and luxury items; and as a measure for the discouragement of control of one corporation by another one, reduction of the exemption now allowed on intercorporate dividend payments.

As a general philosophy of taxation I believe that is pretty sound and I wish I had time to discuss it more fully.

We have before us today a tax bill. I shall, of course, vote for it, though from my own point of view it leaves much to be desired. It will raise $1,000,000,000 of much-needed revenue which is the reason I shall vote for it. But it is inadequate as we all know in the face of certain future requirements.

I believe very firmly, moreover, especially in view of the fact that the exemptions are to be lowered with regard to the income tax, that this bill should have contained provisions for an excess-profit tax on unusual profits due to the war situation.

I have here a table of the rate of return of net income as a percentage of invested capital during the last war period. I am not going to read it all, but, taking whole areas of manufacturing industries into consideration, in the year 1919 the percentage of income in the food, beverage, and tobacco group was 24 percent, textiles 27 percent, leather 30 percent, and so forth. As far as munitions are concerned, of course profits were very much larger, some companies making in excess of 100 percent profit per year. It seems to me that we are going to be subject to serious criticism unless this Congress provides against the possibility of any unusual advantage being derived by any particular group as a result of the national defense effort for which all of the people will be asked to pay.

For my own part, I would like to see this whole question considered with the greatest of care, and I am in agreement with those people who think that we should not go home at this time. One of the reasons for that is we have much work to do, and, among other things, I think we should take the time that may be necessary to thoroughly revise and strengthen the tax structure and bring it into line with the conditions we now face.

I have had introduced in the House since the first day of this session a carefully drawn measure providing for war excess profits taxes. A great deal of work has been spent on it, not only by myself but by people who are more able than I am. It would raise a half-billion dollars of revenue on the basis of production in 1937, and on the basis of today's production much more than that. In the Appendix of the RECORD, page 3679 you can find the text of the bill. My great regret is that the rule under which we are operating prevents my offering that bill as an amendment to the measure before us.

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. VOORHIS of California. I thank the gentleman very much. Mr. Chairman, a number of Members today, especially those on the Republican side, have talked about the terrible financial condition of the United States. Some of those same gentlemen have pointed out that we have $2,000,000,000 of idle money in the stabilization fund. I think they are right in the second place and wrong in the first one. I do not think there is any good purpose to be accomplished by Members making alarmist speeches about the financial condition of the United States Treasury. To say the Treasury is empty is perfectly ridiculous as the gentlemen's own remarks show, and they have told only part of the story. There is, for example, some $1,600,000,000 of silver seignorage down there. Anyway the financial condition of the country depends fundamentally upon the production of wealth taking place. Double that production and I venture to say you would quadruple the tax revenues. I think, further, that there are methods of incentive taxation that would greatly assist such an increase in production.

The financial condition of the Nation depends also on whether or not you are going to take a sensible view with reference to what the nature of money and national credit are and wherein the control over the issuance and creation of money and credit should lie. Obviously, I have not the time in 3 minutes to discuss this question, nor shall I do so, except to point out for the benefit of those who may still believe there is virtue in the precious metals that by the substitution of a 40-percent reserve for what now is a hundred-percent reserve behind the $18,000,000,000 of gold-certificate credits, and the calling in of those gold-certificate credits and their replacement with money with exactly the same backing as the Federal Reserve notes now have—namely, 40 percent—you would free $27,000,000,000 of 40-percent gold-backed currency or credit for the use of the United States of America. It seems to me that we should not be too alarmed about the financial condition of the United States, that we should instead bend our efforts toward establishing the right of government to employ its own credit without borrowing it from private banks and toward an increase of production in this country upon which rests the financial stability of any nation.

Mr. MUNDT. Will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from South Dakota.

Mr. MUNDT. Inasmuch as a study of the levies of this tax bill indicates that about 75 percent of the tax increase falls upon the consumers and only about 25 percent upon the corporations, does not the gentleman think we should make a concerted effort, either in the House or Senate, to have an excess-profits tax on war materials so that no new war millionaires will be made?

Mr. VOORHIS of California. I may say to the gentleman that I only wish the rule permitted the offering of an amendment to put such a tax into this bill, and that I have put forth very concrete efforts myself to try to see that that will not happen in another body.

Mr. MUNDT. I am sure that is in harmony with the gentleman's position and that an effort will be made to do that very thing.

Mr. VOORHIS of California. By all means. The increase in the debt limit is a thing I should like to speak about, but I have not the time. Suffice it to say that I think it is important that we should not wait until next year; we should not wait for any length of time at all, as a matter of fact, to face the real situation with regard to expenditures that we are going to undoubtedly have to make, both for national defense and for other purposes. To increase the debt limit $4,000,000,000 is no answer to that great question. And I am personally convinced that when Members of the House realize all that is involved here they will listen a bit more readily to what some of us keep saying about ownership of the Federal Reserve banks and about the wrong that is done when the United States Government pays interest on its own credit.

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield 9 minutes to the gentleman from Michigan [Mr. WOODRUFF].

Mr. WOODRUFF of Michigan. Mr. Chairman, implicit in President Roosevelt's Charlottesville, Va., speech—which was almost impromptu, and certainly most impulsive in its nature—were two outstanding policies. The first was the obvious one that Mr. Roosevelt does not hesitate, without the advice of the Congress, which, under the Constitution, has the war-making power, to make declarations against the heads of other Governments, both by description and by name, which in ordinary times would, and which, even in these times, may take us into the war on the side of the Allies as a belligerent.

The second fact implicit in Mr. Roosevelt's Charlottesville address is that he is ready to take this Nation into war, even though the state of our national defense is such, according to what Congress and the country have been told over and over again, as almost to justify us—as one Capital wag put it—in asking England and France for help rather than in trying to extend help to them.

After the first hysterical emotional outburst has worn off, the solid thinkers of America will see that Mr. Roosevelt went far beyond any point justified by the circumstances in his Charlottesville speech. Such a speech as he made in the historic Virginia city might have been made to the Congress in a special message if he were asking for authority to invoke a general mobilization plan under a declared emergency due to the imminence of war. Certainly his expressions at Charlottesville were intemperate and unwise insofar as the responsible head of a Government was concerned.

Private citizens, even Members of Congress, might voice sentiments akin to those uttered by Mr. Roosevelt without too much international bitterness and hatred being generated thereby. But when a man accepts the honor, and undertakes the responsibility, of being President of the United States, he divests himself of the right or the privilege of saying in his addresses what ordinary citizens might safely say within the walls of an apartment, over a restaurant table at a dinner party, or in the cloakrooms of the Senate or the House. But when the President of the United

States speaks in such a vein and in such measured terms as were adopted by Mr. Roosevelt, he is understood in every other country of the world to be speaking for the American people, regardless of whether one syllable or one sentence of what he says represents the real sentiments of the great majority of the American people or not.

Whether we do or do not agree with what Mr. Roosevelt said at Charlottesville is beside the point. The disquieting aspect is that he apparently is ready to go to any length, the Neutrality Act to the contrary notwithstanding; apparently he is willing to do this without the advice or the consent, or any other action of the Congress; and apparently he is willing to do this knowing we have nothing like an adequate defense and before we even know when or how we are going to be able to create that adequate defense.

A very natural question which must arise in the minds of many millions of American citizens is this: "What will we use for guns, tanks, airplanes, or other arms and equipment, if we get into this war as belligerents?"

Certainly the tone and temper of Mr. Roosevelt's speech were such as to invite Germany and Italy to make us all the trouble, to stir up all the discontent, and to accomplish all the sabotage in the South and Central Americas and the United States they possibly can accomplish. Mr. Roosevelt has served notice on Germany and Italy that they have nothing to gain by waiting and may have much to lose, unless they begin at once to try to hamper in every way possible our efforts to build an adequate national defense, to reach cooperative agreements with the other countries in the Western Hemisphere, and adequately to fortify the Panama Canal.

We all abhor the brutal ruthlessness of this war. We all, in our hearts, have wanted the Allies to win. But emotionalism is not prudence; recklessness is not courage; and foolhardiness is neither good sense nor bravery.

If there has been any development within recent weeks conclusively demonstrating the grave necessity for the Congress to remain in session and not to leave Washington under the present dangerous conditions, the President's speech at Charlottesville, Va., on June 10 certainly is that development.

Mr. Chairman, when one ponders the belligerency of the speeches of the President and his official spokesmen, directed at other rulers and nations during the past 3 years, and then ponder our utter lack of anything even approaching an adequate national defense, we must conclude that our position today would be vastly improved had Mr. Roosevelt followed the injunction of his famous relative, President Theodore Roosevelt, to "speak softly but carry a big stick." [Applause.]

Mr. DOUGHTON. Mr. Chairman, I yield 5 minutes to the gentleman from Florida [Mr. PETERSON].

Mr. PETERSON of Florida. Mr. Chairman, I wish to call attention again to the problem with reference to cigars and the tax thereon, and particularly with reference to the Class A cigars. I do not want anything I say to be construed as critical of the committee, because I am aware of the strong effort made by the chairman of the committee, the gentleman from North Carolina, to keep down taxes on this particular item and on tobacco products. I am aware that the friends we have had on the committee have endeavored to keep down the tax as low as possible. I have discussed repeatedly, and had hopes of getting this lowered, but other efforts were made to increase even more. We are deeply appreciative of the effort to keep this item down in the face of the other efforts to raise it even higher and we know of the efforts of the chairman of the committee and the fine work he has done. He is a hard-working, conscientious public servant with a hard job on his hands. Always courteous, while disappointed I am not critical because I realize the rush and am cognizant of the problem which has been facing this committee and the effort which they had to exert in working at high speed to bring out a tax bill, because of the emergency, but I am hoping that in conference or in my bill now pending, the committee can work out our problem.

The situation with reference to the Class A cigars is brought about by the fact that at the time the Class A cigar was first taxed and the act passed, the Class A cigar was the smallest percentage of the cigars manufactured. I will say for your information that the Class A cigar is that type which sells for 5 cents or less. Today the situation is such that the Class A cigar embraced in 1938, 89 percent and in 1939 around 80 percent of all cigars taxed. The cheap cigar is paying the greater portion of the tax today, and the high-priced cigar is paying less than 1 percent of the taxes in the cigar class.

At the time the act was originally passed taxing cigars in Class A the 5-cent cigar was manufactured in the greater number in this class, but in order to meet competition the situation gradually changed to such an extent that the lower-priced cigar in the Class A bracket are now predominant in number. The 3-for-5 and the 2-for-5 cigars today pay exactly the same tax that the 5-cent cigar pays.

The cigar industry has had to struggle along. Over a period of time it has had to meet competition. The manufacturers have had in many instances to meet the problem of the machine. The old hand cigar makers have in many instances been thrown out of employment. In the city of Tampa, which is the largest city in my district, a great portion of the unemployment problem today is caused by unemployment in the cigar industry, and by reason of the great burden placed upon the cigar industry because of taxes and the transition from hand to machine manufacture.

The margin of profit is so close that I am afraid that we are reaching the point of diminishing returns.

I realize that in view of the emergency and the rapidity with which they had to work it was difficult for the committee to work out that particular problem at this time, but I do not want the Congress to become unmindful of it. I hope that on a future occasion the situation may be adequately taken care of.

This tax is felt by the tobacco producer, by the manufacturer, and by labor. It is difficult, and in some instances impossible, to pass on. All classes are raised. The amounts in this bill bring the taxes to an item higher than the World War period, under the Revenue Act of 1917, when the taxes were respectively $12 and $15 per thousand as compared with $12.25 and $15.75. It would therefore appear that we are bearing too great a portion of the new burden.

For approximately 15 years, the American cigar manufacturing industry has been struggling to adjust itself to new trends in consumer demand. In 1920 the industry produced 8,000,000,000 cigars, but by 1937 only 5,300,000,000 were produced in spite of the country's considerable increase in population. By 1939 production, rising 200,000,000, was still less than 69 percent of that in 1920. In 1921, there were 4,078 factories producing $5,000 worth of cigars or more and they employed 112,000 workers. In 1937 there were only 693 such factories and they employed approximately 56,000 workers, half as many as 16 years previously.

As striking as the decline in production is the shift in price level. Class C cigars, retailing at more than 8 to 15 cents, constituted almost 40 percent of total production in 1920. By 1937 they fell to 10.18 percent. In the same period, class A cigars, 5 cents or less, rose from 30 percent to about 88 percent of total production. Within class A equally significant changes are evident. From a survey made by the Cigar Manufacturers Association of America of 1937 production of these cigars, it appears that not over 60 percent sold at 5 cents each and that the remainder sold for the most part at 2 for 5 cents.

The combination of these trends is clearly reflected in the value of the industry's product, which fell from $371,000,000 in 1921 to $312,000,000 in 1929 and to $168,000,000 in 1937. Since the consumption in 1939 was only slightly in excess of that in 1937 and was marked by an increased shift to class A cigars, the value of last year's product was approximately the same.

In an effort to restore or at least to freeze a shrinking market, the industry has been compelled in recent years to offer a vastly improved product in the lowest-price ranges. In the early years of the depression, manufacturers were forced to reduce many prominent brands from 10 cents to 5 cents and from 5 cents to 2 for 5 cents. It has nevertheless been necessary substantially to maintain the quality of the original product in order to meet competition from other smoking commodities.

As a result of the above-mentioned factors, Class A cigars, although dominating in total production, have been produced upon a narrowing margin of profit which makes it exceedingly difficult for them to bear any further taxes at this time.

The table set forth below indicates as to each of the revenue classifications of cigars the 1939 consumption, internal-revenue taxes paid, approximate percentage of total cigar taxes paid, and the estimated increase under H. R. 9966.

Class of cigars and present rate	Number of cigars consumed in 1939	1939 taxes	Approximate percent of total cigar taxes in 1939	Estimated increase in taxes under H. R. 9966
A ($2 per thousand)	4,942,744,000	$9,887,556	77	$1,847,926
B ($3 per thousand)	42,785,000	127,797	1	21,306
C ($5 per thousand)	483,916,000	2,420,186	18½	403,364
D ($10.50 per thousand)	35,939,000	377,333	3	62,889
E ($13.50 per thousand)	4,582,000	61,870	½	10,312
Total	5,509,966,000	12,874,742	100	2,145,790

I urge further consideration and help on this problem. [Applause.]

Mr. DOUGHTON. Mr. Chairman, I yield 1 minute to the gentleman from Maryland [Mr. SASSCER].

Mr. SASSCER. Mr. Chairman, I have for many months been advocating strengthening our armed forces of the land, sea, and air to a point which would be adequate for the defense of our country and the preservation of the blessings and liberties we enjoy. That force should be of such strength that it would not only be sufficient for defense but would also serve to discourage aggressor nations from looking with covetous eyes to this country as a desirable and easy conquest.

The rapidity with which the tragic world theater is changing in this critical hour demonstrates that appropriations in amounts necessary to meet the requirements for national defense are the most important steps that this country can take toward insuring the peace of America. In order to effect this policy, additional taxes are necessary. The American people in the hour of emergency have always responded and have been glad to make sacrifices. In that spirit we must approach this tax bill which was brought to the floor a few minutes ago under a rule which provided, among other things, that "no amendment should be in order to said bill except amendments offered at the direction of the Committee on Ways and Means."

The committee, in its desire to meet the obligation to provide for national defense, has taxed various and sundry articles. Various elements of our economic fabric must contribute for defense under this bill. Through the years different sessions of Congress, in raising revenue, have from time to time tapped various tax sources without relation to the ratio that those particular sources bear to each other in the general contribution. Sectional influences often are apparent. Those same difficulties continue in this bill.

Cigarettes, an agricultural product, retailing at 13 cents per package, have been taxed since 1918 at 6 cents per package. The tax, out of proportion to other tax sources, is in an amount many times greater than is received by the farmer for his product. This tax has depressed the price received by the farmers who raise cigarette tobacco, prices which, in many instances, are on levels below the cost of production. These taxes in past years have worked a hardship on the people of my district whose only livelihood is raising cigarette tobacco.

As an evidence that cigarette tobacco is carrying more than its proportion of the cost of government, I call to your attention the fact that this one product, since it went on a 6 cents per package basis during the war in 1918, has contributed to our tax structure, as follows:

1918	$66,492,267.57
1919	90,603,155.84
1920	151,494,415.92
1921	135,409,627.81
1922	150,245,992.81
1923	182,715,735.93
1924	203,777,498.18
1925	225,142,225.41
1926	254,951,590.42
1927	279,015,556.35
1928	301,828,344.62
1929	342,034,059.99
1930	359,881,375.18
1931	351,961,003.48
1932	317,564,739.73
1933	328,439,681.16
1934	350,299,442.00
1935	385,476,888.22
1936	425,505,255.32
1937	476,046,444.29
1938	493,454,145.44
1939	504,036,932.48

During recent years the amount from cigarette tax has been greater than the tax return on any other commodity. It has been among the high three of the general revenue sources of our Government.

The bill now pending before us includes an item which increases this tax from 6 cents per package to 7 cents per package. The 2 cents per package increase, as suggested in the committee, was more out of proportion than the 1 cent per package increase, as provided in the bill. When the tax was increased in 1918 from 4.1 cents per package to 6 cents, it was a war emergency. The war ceased, and the tax continued.

I trust that these figures will impress the House that this product is overtaxed in proportion to other sources, and that Congress will not place further out-of-proportion increases on this product in future appropriations, and that, contrary to the procedure following the 1918 emergency increase, this emergency tax will be taken off as soon as the emergency permits.

In the meantime, may all elements in this country unite during this emergency for the protection of America. [Applause.]

Mr. TREADWAY. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Chairman, I want to take this occasion to thank the chairman of the subcommittee, the gentleman from Tennessee [Mr. COOPER], and other Members on the majority side of the committee, for their complimentary words to the minority for not injecting any political considerations in the face of this great emergency, and playing the game not for party but for country. As we had gone along from the very first day this bill was proposed through all the hearings with nothing, as far as I can recall, relating to partisan politics having entered into the deliberations of the committee, I must confess to some surprise and chagrin, and I still cannot understand why one Member of the majority should take the floor and enter into a long political tirade.

I do not want any mistake as to who that Member was, because the others have played the game just exactly as agreed. The gentleman from Missouri [Mr. DUNCAN] opened wide his batteries of politics and referred to the fact that men were talking here to send out large volumes of speeches to their districts. I wonder whose speech will be sent out on that side of the House into the districts?

It had not been my intention to refer to political matters at all, but I must answer what the gentleman from Missouri

said. He is a man for whom I have the very highest respect, and he knows it. We have been good friends for many years. I can attribute his utterances only to this, that he has not served in the House quite so long nor had quite the experience with emergencies, perhaps, that some of the rest of us who have been here longer have had.

The gentleman from Missouri spoke about the terrible conditions his party had inherited. I wonder if it ever occurred to him or to any Member of the House that the Republican Party had a few inheritances bequeathed to us.

I remember how we entered into teamwork and men on our own minority side entered into the closest kind of cooperation, even handling some of the major bills when your own Members ran out during the World War, and handled them on the floor of the House and guided them through the Congress.

During that period we were told that he had kept us out of war, and we were kept out of war until after election. I hope that history does not repeat itself and that this type of teamwork does not continue to that point. If that is the kind of teamwork referred to, that is a different thing.

We inherited a debt of $26,000,000,000 from that war, after we had been told they would keep us out of war if put into power.

We inherited agriculture in a state of collapse.

We inherited 7,000,000 jobless men and women.

We inherited idle industry.

We inherited a tax bill that was bleeding the people white.

We inherited the unpaid bonds issued as far back as the Civil War to save the Republic.

We inherited a ruined railway system under Government control.

We inherited a lost export business.

We inherited a ruinous deluge of imports under a low tariff bill.

We inherited a fleet of worthless ships. Many of them would not float and many of you have seen them anchored in the rivers of this country.

We had all these things to meet, and they were bequeathed to us as a party, and what happened? We came into power, and we put 7,000,000 men to work within 2 years. The record shows this, and nobody can dispute it.

We restored agriculture, and you have been striving and spending billions of dollars to try to get the prices that agriculture received in those halcyon days.

We reestablished industrial activity.

We paid $1,000,000,000 on the national debt every year for 10 years.

We reduced taxes five times, until less than 2 percent of the people paid any income tax at all.

We reduced the nuisance taxes that you reenacted and are reenacting here today.

We hospitalized the veterans of the World War, and we increased exports to the highest point in the history of this country.

We protected labor and industry from peon labor abroad.

We gave the country 10 years of the greatest prosperity in its entire history. We established farm prices, the very prices you are struggling for today. How glad you would be to get back to that point. And yet we did all this in the face of the inheritance which I have outlined to you.

Mr. Chairman, the bill before the House today for consideration is a tax measure. It comes here to meet two emergencies. One of these emergencies is the national defense; the other the depleted condition of the United States Treasury, which will have exhausted its borrowing power on February 28, 1941.

The financing of the national-defense program is with us because of a failure to make proper use of the $7,000,000,000 appropriated by Congress for that purpose; but this cannot be remedied by discussion.

The emergency which confronts the United States Treasury is due to the 7 years of wasteful use of public funds. It is not only obvious, but admitted, that had not this present defense emergency arisen the Treasury would have been obliged to ask for an extension of the debt limit within a few months.

To provide for these two emergencies, regardless of their causes, this bill is here today to extend the authorized debt limit from $45,000,000,000 to $49,000,000,000, or an authorized extension of $4,000,000,000.

The total amount of taxes to be raised each year for the next 5 years will amount to $1,004,000,000, or a total of $5,000,000,000 during the next 5 years, to meet the two emergencies to which I have referred. Of this amount, $4,000,000,000, plus such amount as will be required for interest payments, will be used to retire the proposed defense bonds. The balance will go into the general fund of the Treasury for ordinary governmental expenditures. After the 5-year period the supertaxes will, presumably, go out of existence but the income-tax changes, being permanent law, will continue to produce an estimated additional $275,000,000 annually for the general fund of the Treasury.

The task of formulating a tax bill of such proportions has not been without its difficulties and perplexities. It will be recalled that the first proposal under H. R. 9966 was to extend the debt limit $3,000,000,000 and to provide revenue sufficient to amortize this sum within 5 years. This proposal under H. R. 9966 was introduced on May 30, 1940, and the Ways and Means Committee met at 10 o'clock on the next morning, at which time Secretary Morgenthau and members of his staff appeared and testified in support of the bill. I may say that, in substance, these facts were developed during the hearings on H. R. 9966:

The national debt, May 25, 1940, was $42,782,000,000.

Present working balance in the Treasury, $1,300,000,000.

Financing required during calendar year:

Three hundred and fifty-three million dollars of Treasury bonds maturing June 15, 1940.

Seven hundred and thirty-seven million dollars of Treasury notes maturing on December 15, 1940.

Borrowing power of Treasury, May 25, 1940, was $1,973,000,000.

Borrowing power, January 1, 1941, will be $734,000,000.

Working balance on January 1, 1941, will be down to $850,000,000.

On February 28, 1941, the borrowing power will be exhausted.

The balance would be down to $600,000,000 on February 28, 1941; this is assuming $700,000,000 from the return of capital from the corporations and credit agencies.

The $3,000,000,000 now requested by extending the debt limit, to be met by authorizing taxes, is to carry not alone the emergency defense program but also the defense provisions carried in the regular Budget.

About seven or eight hundred million to be used for emergency defense.

The $3,000,000,000 extension in debt limit is to provide for both the defense expenditure in the President's Budget and those recommended in the President's emergency defense message of May 16, 1940.

Proposed tax bill will yield during the period from July 1, 1940, to January 1, 1941, the sum of $215,900,000.

It will yield during the fiscal year 1941, $525,200,000.

Estimated in subsequent years, $651,800,000.

Taxes to be earmarked to pay off the $3,000,000,000 defense bonds during 5 years.

I have simply related in substance the testimony presented to the Ways and Means Committee by the Secretary of the Treasury and his staff, but when the request came from the President for an additional $1,200,000,000 the committee had to extend the debt limit by another billion and provide taxes to amortize it.

While not within the debt limit of $45,000,000,000, nevertheless there must be added to the debt as potential liabilities the bonds or debentures issued by corporations and credit

agencies now guaranteed by the United States, which are as follows:

Corporation and credit agencies having authority to issue their bonds or debentures which are guaranteed by the United States as of Apr. 30, 1940

[In millions of dollars]

	Outstanding bonds or debentures		
	Held by the Treasury	Held by the public	Total
Reconstruction Finance Corporation		1,096.2	1,096.2
Home Owners' Loan Corporation	10.0	2,763.7	2,773.7
Federal Farm Mortgage Corporation		1,269.7	1,269.7
United States Housing Authority	25.0	114.2	139.2
Tennessee Valley Authority	50.3	8.3	58.6
Federal Housing Administration		6.6	6.6
Commodity Credit Corporation		406.8	406.8
United States Maritime Commission			
Total	85.3	5,665.5	5,750.8

NOTE.—Of this $5,750,800,000, the public holds $5,665,500,000.

The testimony shows that at the time the proposed tax plan was formulated, as embodied in H. R. 9966, by Secretary Morgenthau, Chairman Doughton, Representative Cooper, and Senator Harrison, they did not know that the President contemplated asking for an additional $1,200,000,000 for national defense. This unexpected demand from the President made it necessary for the Ways and Means Committee, through a subcommittee, to consider a further extension of the debt limit from three billions to four billions of dollars and to explore sources of possible revenue to meet the demand for another $1,200,000,000. The result of this exploration is to be found in title I of H. R. 10039, which bill is now under consideration.

This title I relates to the income tax, both individual and corporate, and its estimated annual yield will be $322,000,000. The committee has sought to accomplish this by establishing a new income-tax base, which provides for lowering the exemption of married persons from $2,500 to $2,000, and lowering the exemption of single persons from $1,000 to $800; also the surtax rates have been raised in the middle brackets and a supertax of 10 percent added to all income taxes. There will be no revenue made available to the Treasury under this title I until March 15, 1941; however, the tax will be imposed on all incomes within the purview of the law for the year 1940.

With $322,000,000 collected under title I and approximately $682,000,000 collected under title II of the bill, the total estimated annual yield will be, roundly, $1,004,000,000.

I may add that the increase in the income-tax rates become permanent law, while the supertaxes on incomes and excise levies are for a period of 5 years. The so-called nuisance taxes, which under present law would expire on July 1, 1941, are extended by this bill for 4 additional years.

Following are the tables of excise taxes as contained in the bill now under consideration:

Section	Description of tax	Old rate	Supertax rate
1700 (b)	Box seats	10 percent	11 percent.
1700 (c)	Sales outside box office	10 percent	11 percent.
1700 (e)	Cabaret	1½ cents	2 cents.
1710 (a) (1)	Dues	10 percent	11 percent.
1710 (a) (2)	Initiation fees	10 percent	11 percent.
1801	Corporate securities	10 cents	11 cents.
1802 (a)	Capital stock issues	10 cents	11 cents.
1802 (a)	Capital stock issues	2 cents	3 cents.
1802 (b)	Capital stock transfers	4 cents	5 cents.
1802 (b)	Capital stock transfers	5 cents	6 cents.
1804	Insurance policies	3 cents	4 cents.
1806	Passage tickets	$1	$1.10.
1806	Passage tickets	$3	$3.30.
1806	Passage tickets	$5	$5.50.
1850 (a)	Safe-deposit boxes	10 percent	11 percent.
2700 (a)	Pistols and revolvers	10 percent	11 percent.
3250 (a) (1)	Wholesalers in liquor	$100	$110.
3250 (b)	Retailers in liquor	$25	$27.50.
3250 (c)	Brewers	$100	$110.
3250 (c)	Brewers	$50	$55.
3250 (d)	Wholesalers in malt liquors	$50	$55.
3250 (e)	Retailers	$20	$22.
3250 (e) (3)	Special cases	$2	$2.20.
3250 (f) (1)	Rectifiers	$200	$220.
3250 (f) (1)	Rectifiers	$100	$110.
3250 (j)	Stills	$50	$55.
3250 (j)	Stills	$20	$22.
3400 (1)	Tires	2¾ cents	2½ cents.
3400 (2)	Tubes	4 cents	4½ cents.
3401	Toilet preparations	10 percent	11 percent.
3403 (a)	Automobile truck chassis, etc.	2 percent	2½ percent.
3403 (b)	Automobiles, etc.	3 percent	3½ percent.
3403 (c)	Parts	2 percent	2½ percent.
3404	Radios	5 percent	5½ percent.
3405	Mechanical refrigerators	5 percent	5½ percent.
3407	Firearms	10 percent	11 percent.
3409	Matches	5 cents	5½ cents.
3411	Electrical energy	3 percent	3½ percent.
3412	Gasoline	1 cent	1½ cents.
3413	Lubricating oils	4 cents	4½ cents.
3460 (a) (1), (2), and (3)	Transportation of oil	4 percent	4½ percent.
3481 (a)	Transfer of bonds	4 cents	5 cents.
3482	Conveyances	50 cents	55 cents.

Section	Description of tax	Old rate	Supertax rate
2000 (a) (1)	Snuff	18 cents	21 cents.
2000 (a) (2)	Tobacco	18 cents	21 cents.
2000 (b)	Snuff flour	18 cents	21 cents.
2000 (c) (1)	Cigars	75 cents	87½ cents.
2000 (c) (1)	Cigars	$2	$2.33⅓.
2000 (c) (1)	Cigars	$3	$3.50.
2000 (c) (1)	Cigars	$5	$5.83⅓.
2000 (c) (1)	Cigars	$10.50	$12.25.
2000 (c) (1)	Cigars	$13.50	$15.75.
2000 (c) (2)	Cigarettes	$3	$3.50.
2000 (c) (2)	Cigarettes	$7.20	$8.40.
2000 (d)	Cigarette paper	½ cent	⅞ cent.
2000 (d), except the last line.	Cigarette paper	1 cent	1⅛ cents.

Section	Description of tax	Old rate	Supertax rate
3030 (a) (1) (A)	Still wines	5 cents	6 cents.
3030 (a) (1) (A)	Still wines	10 cents	12 cents.
3030 (a) (1) (A)	Still wines	20 cents	24 cents.
3030 (a) (2)	Sparkling wines	2½ cents	3 cents.
3030 (a) (2)	Sparkling wines	1¼ cents	1½ cents.
3030 (a) (2)	Liqueurs, cordials, etc.	1¼ cents	1½ cents.
3031 (a)	Fortification of wines	10 cents	12 cents.
3150 (a)	Fermented malt liquors	$5	$6.

Section	Description of tax	Old rate	Supertax rate
2800 (a) (1)	Distilled spirits generally	$2.25	$3.
2800 (a) (1)	Brandy	$2	$2.75.
2800 (a) (3)	Imported perfumes	$2.25	$3.

Each demand for billions of dollars from the taxpayers, whether for national defense or for purposes which require no comment at this time, necessarily lowers the standard of living of the people as a whole. I do not stand here today to criticize, but to offer what I believe to be sound advice. If I were to fail to express my honest views with reference to the defense program, as the wise expenditure of the money to be raised by this tax bill relates to national defense or armed intervention, I would feel remiss in my duty to my country. I maintain that national defense presents one problem, and armed intervention in the war now raging overseas presents another. I have held steadfastly to the hope that after the experience of 1916 and 1917 the people would resist the war propaganda as they would the plague, but the insidious and persuasive appeal to fear is having its intended effect upon public opinion. I believe the Congress is attempting to resist being drawn into war, but I am not blind to the reality that the powerful forces now operating upon the emotions of the people are gradually breaking down resistance to armed intervention and leading the Nation, step by step, down the ghastly road to war. Certainly I, for one, shall refuse to vote to send troops abroad, but I stand ready to

support at all times adequate national defense. If and when the administration decides to enter the war, and should Congress yield to the demand, then there is nothing left to do but support our soldiers with all the available resources of this Nation. The lives of our men must not be made the victims of waste and inefficiency on the part of this administration.

I am sure that my colleagues will recall that when the United States entered the World War it was in a state of woeful unpreparedness. There followed frantic and frenzied preparation without thought of orderly procedure or planning as a prerequisite to preparedness. This method of approach to preparedness resulted in a terrible financial loss to the taxpayers and ghastly sacrifice of human life. While we are providing $4,000,000,000 in this tax bill for national defense, it may be wise to profit by the experience of 23 years ago. The record of 23 years ago shows that the Ordnance Department at Washington spent $4,000,000,000 from April 1917 to June 1918 for guns and ammunition, with the result that only 133 guns and 600 shells, instead of the 20,000 guns ordered, reached General Pershing in time to be of any use. I recall, and the record shows, that after spending $1,000,000,000 in an effort to supply planes, not a fighting plane reached the front. The poorly constructed observation planes known as "flaming coffins" were the only ones to reach France. The 20,000,000 hand grenades of a new design, but too complicated for use, were supplied. This necessitated the purchase of British hand grenades for our soldiers. It will be recalled, too, that in the hysteria of preparedness for the World War powder plants were built, one at Nitro, W. Va., at a cost of $70,000,000; a plant at Nashville, Tenn., at a cost of $90,000,000; and plants at Sheffield, Ala.; Muscle Shoals, Ala.; Toledo, Ohio; Perryville, Md.; Cincinnati, Ohio, costing $116,000,000. This vast expenditure failed to produce a pound of powder or a pound of nitrate for use in the war. I could proceed for an hour enumerating the billions of dollars wasted.

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, I yield the gentleman from New York 2 additional minutes.

Mr. TREADWAY. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. REED of New York. Mr. Chairman, the present plight of the Treasury of the United States, together with the woeful unpreparedness to meet the present emergency ought to be a grim reminder that adequate national defense does not consist of wild and reckless spending and waste. The experience of the last 7 years amply demonstrates the truth of this observation. The taxpayers of this great Republic will, of course, be as generous in contributing from their financial resources to the cause of national defense as they have been patriotically vocal in urging preparation. There is one thing that the taxpayers have a right to demand and that is the wise expenditure of every dollar of the four thousand millions of dollars which will be placed in the hands of this administration for national defense. I mention this because the present tax bill will, of necessity, be followed within a few months by a more drastic and far-reaching revenue measure to meet other emergencies which will arise. That other emergencies will appear with regular frequency is obvious from the condition of the Treasury.

The money never contributed anything to the support of our fighting forces abroad, although we were in the war for 19 months. The patriotic citizens of this country want no repetition of such wanton waste in the execution of the present preparedness program. I am opposed to sending our boys overseas and I shall vote against sending them into a foreign war. I believe, however, that those who are authorized to spend the taxpayers' money for national preparedness should be held to strict accountability for the proper use of this money for the purpose intended. We want no repetition of the experience of 1917–18.

There has been no partisan display whatever in the formulation of this tax bill. The Republicans, true to their traditional record, have never failed to come to the defense of the Republic, whether its life has been threatened by rebellion from within or from the invasion of its rights from without. This has been true, whether it has been the party in power or acting as a minority. It will be recalled that during the old World War the Republicans were in the minority. There was no coalition and none required. The Republican Party in all emergencies relating to the protection of our Government, its institutions, and its liberties, has responded without thought of partisan considerations. It does reserve the right, however, to exercise sound judgment, wisdom, and intelligent forethought in meeting the problems relating to any program for the national defense or the welfare and security of the country. [Applause.]

Mr. DOUGHTON. Mr. Chairman, I yield 5 minutes to the gentleman from North Carolina [Mr. COOLEY].

Mr. COOLEY. Mr. Chairman, I am deeply grateful to my friend, the able and distinguished chairman of the committee, for this opportunity to address this House.

The chairman of the House Ways and Means Committee is a faithful, diligent, and tireless worker. The laborious and difficult task which he and his committee have performed in preparing and presenting to this House a bill which will provide for the immediate needs of a national-defense program is worthy of our praise and commendation.

I fully appreciate the fact that it is imperative that we provide sufficient funds for adequate national defense. While I am very much in favor of adequately preparing this Nation to meet and to cope with every emergency and eventuality, and welcome an opportunity to vote for a tax measure which will provide sufficient and adequate funds for this purpose, I must confess frankly that I shall vote for the pending measure reluctantly and with grave misgivings. Complete and adequate national defense is "a consummation devoutly to be wished," but in providing funds with which to prepare for greater emergencies which may arise in the future I hope that this House will be mindful of the great burden which this bill imposes on a commodity upon which depends the livelihood of a large group of our citizens. I have reference to the increase in the now heavy tax burden which is imposed upon tobacco.

Adequate and immediate national defense is the paramount need of the hour and the parliamentary situation deprives those of us who object to the imposition of an additional tax burden upon tobacco of the right to offer an amendment to the pending bill, the effect of which would be to strike out this additional burden and places us in the position of having to accept the additional burden and vote for this bill, hoping and believing that the Senate will rectify the wrong which is being done by this provision of this bill to the tobacco farmers of the Nation. I know that it is contended that this tobacco tax is a consumer's tax. I would not be foolish enough even for a moment to suggest that the entire tax burden imposed on tobacco is borne by the tobacco farmer, but I am thoroughly convinced that the burden does fall heavily upon the farmer and is reflected in some degree in the price which he receives for this commodity. Tobacco is already too heavily taxed, and I believe that we have reached the point of diminishing returns. I doubt very much that the additional tax which is by this bill imposed will increase the tremendous revenue which the Government receives from the tax which is annually collected from tobacco.

Other members of the North Carolina delegation and I prepared and filed with the Ways and Means Committee a statement in which we pointed out the plight of the American tobacco farmer and in which we urged that no additional tax burden be imposed upon tobacco at this time. I appeared along with other Members of Congress from other States yesterday before the Rules Committee in opposition to the "gag" rule under which this bill is being passed, and we urged at that time that we be given an opportunity to offer an amendment to the section of this bill which increases the tax upon tobacco, but the Ways and Means Committee insisted upon a closed rule, which would not permit any amendment to be offered.

Assuming that this bill would pass the House today in its present form, I have filed a request with the Finance Committee of the Senate to appear in opposition to the imposition of additional tax upon tobacco. In voting for this bill I still entertain the hope that this unfair and unjust additional burden upon tobacco may be stricken from the bill when it reaches the Senate Finance Committee.

I want to call the attention of this House to the situation which now exists in that section of the country in which flue-cured tobacco is grown. The tobacco farmers of America are now actually on relief. But for the relief extended to us last fall by an agency of the Government, bankruptcy and distress would have enveloped the tobacco-growing areas of the Nation. Approximately 60 percent of the flue-cured tobacco crop of the Nation is usually exported. As soon as war broke out in Europe last fall the British buyers of our tobacco withdrew from the markets and as a result of their withdrawal our markets were closed and business in all of eastern North Carolina was paralyzed. During the holiday—and it was a holiday of distress—a referendum was conducted among the tobacco growers and under the intimidation and coercion of a situation over which they had no control our farmers agreed to reduce their production from 1,100,000,000 pounds of flue-cured tobacco which they produced in 1939, to 600,000,000 pounds to be produced in 1940. Upon the referendum being held the Community Credit Corporation made an arrangement and reached an agreement with the British buyers under which agreement the British buyers purchased and the Commodity Credit Corporation paid for, approximately $40,000,000 worth of tobacco, and the British companies now have an option upon the tobacco, the title to which is held by the Commodity Credit Corporation.

In other words, last year the Government provided $40,000,000 with which to save our tobacco farmers from bankruptcy, and this year it does not appear that the British buyers will return to our markets, and we have only the Government to look to for relief. If a similar arrangement is made in 1940 with the British buyers as was made in 1939 it will, no doubt, embrace the entire crop, and the Government will be called upon to provide instead of $40,000,000, perhaps $80,000,000 to prevent a collapse of prices and a total disaster.

So we have the picture of one governmental agency coming to our aid to the extent of $80,000,000, while this bill imposes an additional burden upon the commodity to the extent of $82,000,000. It just does not seem to make sense to me.

We have reduced our production of flue-cured tobacco approximately 50 percent, our export markets are entirely gone, we now have on hand a surplus of approximately 350,000,000 pounds of flue-cured tobacco, and there is no indication that the British buyers will exercise their option of the crop which they purchased last fall. We have nothing left but our domestic markets, and instead of doing something to try to increase domestic consumption, an additional tax of approximately 16 cents a pound is being imposed upon a commodity which last year sold on the open auction warehouse floor for a little more than 15 cents a pound. This is unjust and unfair. I know that it is easy to say that this tax is not paid by the farmer, but is passed on to the consumer, but in my opinion a large portion of the burden will fall on the brow of those who labor in our tobacco fields.

The tobacco farmers of North Carolina are patriotic, loyal American citizens and they are perfectly willing to bear their fair share of the tax burden of the Nation. They will offer their sons, their farms, and their fortunes in defense of this fair land of ours, but they should not be expected to bear in silence this unfair burden which is about to be placed upon them. I am sure that no one will be foolish enough to contend that an additional tax is calculated to increase domestic consumption. Oh, I know that the argument is made that tobacco is a luxury. It may be a luxury to those who consume it, but it is an absolute necessity to those whose livelihoods depend upon its production. Even if it is a luxury no reason has yet been suggested why it should be taxed out of existence. There are other luxuries which might be taxed if we would only tax them and I shall welcome an opportunity to tax every other luxury before placing an additional burden upon tobacco or its products. I hope that those who are responsible for the imposition of this additional burden upon our tobacco farmers may soon realize, as does the distinguished chairman of the Ways and Means Committee who lives in the greatest tobacco-growing State in the Union, that this tax, which we understand is only temporary, is nevertheless unfair, unreasonable, and unwarranted, and I indulge the hope that it will be removed at the earliest possible date, if not in the Senate at this session, then in the House at the next session. [Applause.]

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. TREADWAY. Mr. Chairman, I yield the remainder of my time to the gentleman from Pennsylvania [Mr. DITTER].

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 2 minutes.

Mr. DITTER. Mr. Chairman, this must be a very uncomfortable day for the members of the majority. As I recall the persistency with which they have resorted to profligacy, as I recall how during the last 7 years they have advocated that prosperity could only come by a wild orgy of spending, no other quotation seems quite as forceful to me today as that old quotation from Holy Writ itself, "Be sure your sins will find you out." The spending specialists are face to face today with one thing, and that is, they must admit that they have brought the Nation up to the very brink of disaster. Now, when we are faced with a real emergency, a real need, they demand that a unity of purpose should require on the part of the minority an approval of all that they have done in the past.

I am for unity of purpose, but I want to say to the majority today that I in no way feel that a sense of unity of purpose requires either excusing the mistakes of the past or the condoning of that course of action which has led the Nation to the point in which it presently finds itself.

Mr. Chairman, two very important and very vital problems are before the American people today—first, the problem of providing an adequate national defense, and, second, the problem of providing the necessary funds to secure it. No good purpose could be served at this time by casting any reflections upon those who, because of access to more direct information and a more intimate association with the tragedy of Europe, should have developed a national-defense program long before the period of crisis. Suffice it to say, that had this been done, many of the dangers which are always inherent in a speed-up program might have been avoided. The old axiom, more haste—less speed, still holds good.

But the second problem, the problem of providing the necessary funds to give our people a sense of security, is before us at this time. It is a serious problem. It is a problem which affects every citizen. It entails the heavy hand of taxation and the burdensome weight of an increased debt. To a very large degree, this problem faces the country today as a result of one thing. Make no mistake about that. It is not the war in Europe. It is not the threat of any aggression. It is not the likelihood or possibility of invasion. It is not the probability of our involvement. It is not the outgrowth of isolation. This measure, this problem of more taxes and more debt is here today because of the philosophy—the policies that have been advocated by those in charge of our Government for the last 7 years. The rainy day which was scorned and scoffed at by the new dealers and against which common sense warned, has arrived—and that rainy day has turned out to be a deluge. No more patent evidence of failure could be produced than that which is introduced by the majority leadership at this time in its admission to the American people that its stewardship has been so profligate, its management so lax, its direction so short-sighted, that in a time of danger it is called upon to resort to a measure such as this for the protection and well-being of our people.

Every count in the bill of particulars is beyond contradiction. Debts have been piled upon debts; excuses have been

made for extended extravagances; waste has been flaunted before the eyes of the American people as an accomplishment; profligacy has been urged upon us as a virtue, and every caution has been thrown to the winds by those who have insisted that the prosperity of the American people depended upon the adoption of a course that brought the prodigal son to disgrace and disillusionment. Have I overstated or exaggerated? I refuse to do either. I want the record to speak for itself. Shall I call upon witnesses to support these allegations? They should be witnesses who have supported the program—witnesses who have added the weight of their testimony in days gone by to the enactment of lending and spending as a safe and sure highway for the American people to follow in their search for prosperity, contentment, and security.

At the Democratic convention in Philadelphia in 1936, Senator BARKLEY declared, "I am not worried about balanced budgets." Mr. A. A. Berle, Jr., the Assistant Secretary of State, dismissed all concern about indebtedness by the bland statement, "To my mind there is no particular danger in the increasing Government debt." Marriner Eccles, of the Federal Reserve, voiced the same opinion when he said, "I think that at this time to try to balance the Budget, either by substantial reduction in expenditures or by increasing taxes, would be deflationary." Mr. Hopkins, of the Department of Commerce, joined the spending specialists with the advice, "I can see no choice, short of inviting a repetition of 1929, other than to carry on with a policy of protective spending against depression." Protective spending could hardly be considered very assuring today in this hour of need.

One observation could be added after another, all to the same purpose, all advocating the same policy, all leading to the same end, spend and spend and become prosperous by it. That policy has brought us to the place we are today—in need of reserves for a defense program, and no reserve at hand—the nest egg that should be available having been wasted and squandered by a mistaken notion, by a distorted academic theory that profligacy leads to prosperity, that spending is a means of salvation, that wasting our substance in riotous living can be carried on without paying the price.

The suggestion has been made, however, that another plan will be resorted to in the future to bring in needed revenue as the demands become greater, and as no curtailments in other expenditures are made. I refer to the compulsory savings plan.

The author of the compulsory savings plan, Mr. John Maynard Keynes, is the person who was so largely instrumental in persuading the present administration to forsake the Democratic platform of 1932 and embark on the program of deficit financing for pump priming and other purposes. We are all well aware, now, of what this program has cost and how far short it has fallen of achieving the promised results. We should, therefore, approach any new scheme of financing put forward by this gentleman with our eyes wide open. Indeed, since the hand is often quicker than the eye, we should be doubly cautious.

The Keynes plan for compulsory saving is devised primarily to apply to the very difficult conditions in which Great Britain now finds herself. The country has a limited supply of goods available for present consumption and a very difficult problem of adding to that supply. It also has urgent necessity of giving priority to war production in the use of such goods and materials as are available. England's problem, therefore, is to restrict consumption. This problem will be intensified by the prospect that some increase of total wages and other incomes will occur, either through greater employment or through some advances of wage rates. It is assumed, no doubt correctly, that voluntary saving will not be sufficient to provide the necessary contraction of consumption. It, therefore, becomes necessary to devise some method whereby the additions to income arising from industrial activity will not be added to the consumption demand.

Two methods for restricting consumption are familiar. One is a rise of prices, but this is likely to be followed by pressure for higher wages, and thus to set in motion the inflationary spiral of price and wage increases. The other method is to increase taxes, but Mr. Keynes does not like this method as well as the new scheme which he proposes.

That scheme, which he calls compulsory saving, differs from outright taxation in that only a part of the income which the citizen is compelled to surrender is to be regarded as a tax. The remainder is to be considered a loan which is to be repaid after the war when the Nation's resources are not fully engaged.

The compulsory-savings scheme is intended to take a slice out of personal incomes in addition to the substantial cuts already being taken by taxation. In the groups already subject to the income tax, a portion of the new levy would be treated as an increase of income tax, and a relatively small part would be set aside as a compulsory saving. In the low-income group, not now subject to income tax or barely subject thereto, a much larger proportion of what is to be taken would be considered as an enforced saving. Mr. Keynes calls this saving "deferred pay." That is, it is a part of the wage which cannot be used for consumption now, but which must be deferred until after the war is over. The taxpayer would be permitted to select the depository for his saving. He may designate his friendly society, his trade union, or any other body approved for health insurance, or the Postal Savings Bank. Obviously, the Treasury would absorb such funds from these institutions, issuing to them some sort of Treasury obligation to be held until permission for redemption is granted.

The depositor, or taxpayer, would be permitted to draw on this deferred-pay deposit to meet certain commitments to save entered upon before the war, such as insurance premiums, installment payments, or bank loans. They could also be withdrawn to pay death duties. Emergency cases of illness, unemployment, or special family expenses are also mentioned as grounds for withdrawal. But in general, however, the deferred-pay deposits are not to be withdrawn until after the war, when they are to be released in a series of installments as fixed by the Government.

The scheme is complicated by various related ideas. There is to be a minimum exemption of 45 shillings per week. It is also proposed to allow 5 shillings per week for each child under 15, and possibly to provide a minimum ration of consumption necessaries at a low-fixed price. This ration is to be on condition that the trade unions agree not to press for wage increases, since that would give a larger disposable income above the cost of the ration.

The graduation is rather severe. For a married man with no young children, the rate would be 3½ percent on a weekly wage of 50 shillings, rising to 19¼ percent on a weekly wage of 100 shillings. On an annual income of £1,000 the rate would be 35 percent, and on an income over £50,000 the total income tax and compulsory savings levy would take 85 percent.

Various objections have been raised to the scheme, even in England:

First. The compulsory element is criticized as hostile to the spirit of sacrifice.

Second. The British trade unionist knows that the success of Hitler means the end of trade unionism. He does not require this sort of compulsion.

Third. The scheme will not prevent demands for wage increases to offset the effect of the levy.

Fourth. It will involve serious administrative difficulties.

If such a proposal were to be seriously considered for the United States, the foregoing objections would no doubt apply here. In addition, further defects and obstacles should be noted.

Fifth. The plan does not avoid an increase of the public debt. Mr. Keynes argues that such an increase would occur anyway, if the Government undertook to absorb voluntary savings. He does not recognize that if taxation were used instead, there would be no debt increase.

Sixth. The scheme is particularly faulty with respect to the operations of the post-war period. The intention is

that these compulsory savings will be paid back to the holders, with interest, in installments. The strong argument for this feature is that it will provide additional purchasing power at a time when the war demand has fallen off. How does Mr. Keynes propose to obtain the funds for redemption of these deposits? His explanation is incredibly naive. He proposes to raise the funds for redemption of the deferred-pay deposits by means of a capital levy.

This scheme is utterly preposterous, and it destroys the whole merit of the deferred-pay argument. That argument is that the withdrawal and spending of this pay, after the war, will bolster industry and trade in the readjustment period. But the money will be obtained through a capital levy which will do more than any other kind of levy to paralyze industry and trade. Mr. Keynes would destroy the thing he wants to save in order to get the money with which to save it.

We have here the academic theorist at his worst. He works out a wonderful plan, which on paper looks marvelous until one arrives at the final stage, and then we find a proposition which completely destroys the practicability of the whole, yet it is built into the structure of the plan without the slightest realization of its damaging effects.

Seventh. There is another insidious danger lurking in the Keynes plan. It is reported that in some of his writings Mr. Keynes sees in his plan not simply a device for war financing, but the germ of a permanent method whereby government may regulate the proportion of incomes which shall be used for consumption and which part shall be absorbed for the support of a public-spending policy. Under such a scheme some bureaucratic group could manipulate the relationship between consumption and compulsory saving at will. They could reduce private consumption by increasing the levy and at another time increase it by releasing the funds previously impounded. The country has already suffered too much from the good intentions of those who believe the function of government to be that of manipulating the private economy in such manner as to achieve ends which the manipulators considered to be desirable.

An illustration of the operation of the scheme in this country is provided by Mr. Jerome Frank, in his address before the Army Industrial College on April 8, 1940. To illustrate the manner of diverting from private to public consumption Mr. Frank mentioned the current expenditures of the American people on automobiles, which he estimated to be about five and one-half billion dollars, including new cars and expenditure on operation of the old ones. He estimated further that of this amount about two and one-half billion dollars could be diverted to armament. The automobile companies would change over from cars and trucks for private use to trucks, tanks, and other motorized equipment for military use.

But in making this proposal it seems that due regard was not had for the extent to which the American people have become dependent upon the motor vehicle. They have dispersed themselves throughout the country, living often at considerable distance from their work and from sources of supply for ordinary merchandise. They have become entirely dependent upon the motor vehicle for transportation to work, and for the delivery of supplies. A drastic reduction of the expenditures available for the purpose of maintaining this system of transportation is not as easy as it looks to be on paper. On the contrary, it is difficult to find any field of expenditure the severe curtailment of which would accomplish more in the reduction of working efficiency and civilian morale than would be accomplished by the kind of income diversion which Mr. Frank so casually suggests.

So far as the United States is presently concerned, there is no such problem of scarcity, and no such need of careful apportionment of a limited supply of goods among the citizens, as now prevail in England. There is a problem of national finance, which has been most seriously complicated, as we face this defense emergency, by the scandalous waste of public credit resources under the influence of Mr. Keynes. Such diversion of private purchasing power to meet this emergency can be more adequately and more efficiently accomplished by appropriate methods of taxation than by any plan of compulsory savings which, like all borrowing schemes, merely defers the day of reckoning and increases the size of the account that must then be paid.

The minority joins wholeheartedly today with the majority in supporting the bill to provide funds for the defense program. If this program is to be effective, if it is to assure the protection which we urge, careful management is essential. Extravagance and waste will be disastrous. Frugality is demanded. As we face the sterner tasks of tomorrow, as the more far-reaching responsibilities press upon us, a change of attitude in operation and management will be required. The lessons of the past should have made an impression. We should profit by them. Confidence can be created only by common-sense methods. An adherence to mistaken policies and philosophies is neither safe nor assuring. We, of the minority, pledge ourselves to a unity of purpose to defend the heritages and the hearthstones of America with as much zeal and devotion as the majority. We contend that the minority is actuated by the same patriotic motives as the majority claim.

To this pledge of unity of purpose we add our reasoned judgment that an efficient administration is more indispensable today than ever if the welfare and security of America is to be assured. [Applause.]

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, I yield the balance of my time to the gentleman from Massachusetts [Mr. McCORMACK].

The CHAIRMAN. The gentleman is recognized for 16 minutes.

Mr. McCORMACK. Mr. Chairman, at the outset of my remarks I want to join with the chairman of the committee, the distinguished gentleman from Tennessee [Mr. COOPER], chairman of the subcommittee on taxation, and other Democratic Members who have spoken, in complimenting the minority members of the committee in their general approach—you will note I use the word "general" as distinguished from "specific"—their general approach in committee to the consideration of this bill.

I also want to congratulate them for concurring in the judgment of the Democratic members of the committee that this was a time when the Congress of the United States should attempt to show leadership in this crisis, and that the minority members—reluctantly, it is true—recognizing the exigencies, concurred with the Democratic members in the opinion that a rule along the lines reported should be requested of the Rules Committee and adopted by the House of Representatives.

I want to particularly pay my respects to one member of the minority. I do not ignore the other nine members, and I do not intend to do so in paying my respects to this member in particular. I consider him one of the finest men I have ever met; a man who was here when I was first elected 12 years ago, and a man who is intellectually honest in committee and on the floor and has always made a profound impression upon me. I refer to the distinguished gentleman from New York, Dr. CROWTHER. [Applause.] I think that the gentleman from New York, Dr. CROWTHER, and the gentleman from California [Mr. GEARHART], another distinguished member of the committee who spoke today, minority members of the committee, fully presented the situation and made an intellectual approach to a discussion of the bill under consideration.

In an actual crisis, as I stated several days ago, a democracy will respond and accept those sacrifices that are essential to the national welfare, but it is in that period which precedes a crisis that the test of a democracy is made. It is in the period preceding a crisis that leadership must be evidenced in the legislative branch of any democracy as well as in the executive branch. It is in that period when uncertainty exists. It is in that period when a lack of national sense might cause irreparable damage in the making of those prepa-

rations that we can visualize to be reasonably necessary in the near future for the safety of our Nation. It is during the period in England, for example, in my opinion, prior to the actual crisis that the House of Commons and the members of the House of Commons, like Nero of old, "fiddled while Rome was burning." It was in that period when members made arguments that aroused the prejudices and emotions of the people of England. They told the people that it was unnecessary to prepare. They all had different ideas of what constituted national defense. They thought the Maginot line would be sufficient to stop the Germans. They told the people then in good faith, some of them—and others for other reasons, political or otherwise—that there was no question about the safety of the British Empire. Yet it was those arguments, those appeals to emotions in the period preceding the actual crisis itself, that caused more harm to England than any other forces that could have been brought into operation.

In my opinion, the same condition applied to France in the French Chamber of Deputies. Uncertainty on the part of members, failure of leadership in the legislative branch of the French Republic, the appeal to prejudice and to hatreds, the division of the people of that country did more to bring about uncertainty, in my opinion, in France than any other combination of factors that existed during that period.

If we are to profit from the experiences of those two countries, despite the argument of my distinguished friend from Pennsylvania [Mr. DITTER], unity in our determination for an adequate national defense is absolutely essential. It is absolutely essential also that there must be leadership not only in the executive branch of our Government but in the Congress of the United States in order to have the confidence of the people created not only for the Congress and our leadership, but for the properly and duly elected leadership of the country in the executive branch.

Mr. DITTER. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. Certainly.

Mr. DITTER. Did the gentleman by any means suggest that I had questioned either the need or the advisability of accelerating the national-defense program? If the gentleman is under any such delusion, I want to correct it immediately.

Mr. McCORMACK. My friend is probably the ablest debater on the Republican side.

Mr. DITTER. I appreciate that.

Mr. McCORMACK. I mean that. My friend is well versed in his ability to use the English language. I always like to hear him debate. He has a personality that is commanding. My friend, in his remarks a few moments ago, said there was no reason, in substance, why the minority party should abdicate its position of criticism. But I say that that should not apply to national defense. [Applause.] I say that has no place where national defense is involved.

Mr. DITTER. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. Certainly.

Mr. DITTER. My regard for the gentleman from Massachusetts, and my knowledge of his sense of fairness certainly prompts me at this time to plead with him that I questioned in no sense the need of unity of purpose so far as national defense was concerned. My statement was that that need of national defense in no way condones the mistakes nor the causes for failures in the past so far as fiscal policies are concerned. I in no way referred to the matter of national defense, and I would appreciate from my distiguished friend for whom I have the highest regard if his sense of fairness will not deter him from putting into my mouth the words and thoughts which in no sense were present?

Mr. McCORMACK. I will let the gentleman's remarks speak for themselves. So far as I am concerned no one can question his patriotism. I have the highest feeling of respect and strongest feelings of friendship possible for my friend. I consider him one of the ablest Members of the House. I might reasonably question his partisanship.

Mr. DITTER. Of which, sir, I am proud at all times. [Applause.]

Mr. McCORMACK. Yes; absolutely. But there are occasions when that should be the exception and not the general rule.

I also want to call to the attention of my friend from Pennsylvania—and not him alone—that when he injects into this debate the fiscal problems he is only engendering uncertainty in the minds of the American people on the question of national defense.

Mr. DITTER. Mr. Chairman, will the gentleman yield at that point?

Mr. McCORMACK. Having referred to the gentleman again I yield to the gentleman.

Mr. DITTER. May I answer the gentleman by saying that my remarks would in no way have the weight or the influence such as the gentleman suggests. If such an impression is present in the minds of the American people today it is due to the course of action pursued by the majority during the last 7 years.

Mr. McCORMACK. That, of course, is a question of fact on which I and the gentleman might differ. But I reiterate that the injection of the argument of a bankrupt nation, which some have made, the injection of the question of debts into this debate is irrelevant. The injection of that argument is for the purpose of appealing to the emotions and the prejudices.

Mr. DITTER. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I have only a few minutes remaining.

On the question of debt the gentlemen on the Republican side talk about dollars. What about human values? What about the millions of people who would have starved during the past 7 years if appropriations had not been made to relieve human suffering and distress? Do you think the country would be as strong and substantial today if millions of people, mothers, and fathers, and children had been permitted to starve and to freeze to death, and to be subjected to the terrific pressure of the forces of the depression brought upon those who were unable to obtain for themselves at least the minimum needs for themselves and their families? Oh, the Republican Party talks about dollars, but there is something beyond that, there are human values involved. The country must rely upon you and upon me, and every other individual American to sustain it not only during this crisis but to preserve it for generations of Americans yet unborn.

This depression has brought to us problems that we of this generation must meet, and one of the problems was that which confronted us of millions of Americans facing conditions amounting to starvation. What do you think the conditions would have been if the Federal Government had failed to respond along the lines we have during the past 7 years? That is what made up in the main the debt and the deficits that have occurred so far as the Federal Government is concerned.

If it were not for the emergency appropriations made during the last 4 years under a Democratic Congress the Federal Budget would have been balanced. It was the appropriations we made for relief, the emergency appropriations, that caused the deficits that have occurred during the past 4 years. For the first 3 years I will concede that the deficit would have occurred without regard to emergency appropriations. But deficits also occurred during the last 3 years of the administration of former President Hoover—deficits amounting to over $5,000,000,000, with very little Federal funds appropriated to relieve human suffering and distress. Those are the things that excite the people; those are the things in legislation of this kind that appeal to the emotions. Those are the kind of arguments that have no place in a great piece of legislation involving the very future of the country. I refer to the other side in order that the complete picture is presented. I present the human values in government.

Mr. McGRANERY. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. McGRANERY. Does the gentleman from Massachusetts agree that the disarmament program indulged in by the previous three Republican administrations had any bearing on the condition of our Army and Navy as found by this administration when it took over in 1933?

Mr. McCORMACK. I thank my friend for his contribution. The gentleman's statement speaks for itself.

Mr. DITTER. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. Just for a question.

Mr. DITTER. I should like to caution the gentleman that in view of the hysteria in which he presently finds himself——

Mr. McCORMACK. Is the gentleman asking a question or making a speech?

Mr. DITTER. I was about to give the gentleman from Massachusetts a cautionary word because of my high regard for him.

Mr. McCORMACK. I yield to the gentleman to ask a question. Has the gentleman a question he wishes to ask?

Mr. DITTER. I should like to put it in the form of a question.

Is the gentleman aware of the fact that the present hysteria that he finds himself in might be reflected on the country, and that the speech which the gentleman from Pennsylvania made will sink into utter insignificance so far as his ability to arouse fear or hysteria when compared to that of my distinguished friend from Massachusetts? [Applause.]

Mr. McCORMACK. During this debate I have heard members of the Committee on Ways and Means and others talk about the Nation being bankrupt. They have even made the charge that the country would be broke on February 28 next. There never was a more unfair, a more incorrect, a more inflammatory statement than that, conveying to the people of the country the idea of the financial insecurity of our Nation. This country is capable of carrying a $75,000,000,000 debt, if necessary for the general welfare of our people. We have the warning. We have the danger signals. We are all Americans. I am not impugning the motives of any man or woman in this body. They are all sincere Americans. But I regret the argument that appeals to emotions, to prejudice, to group action, that has been injected into this debate on a matter concerning the future of our country. We need a national sense. We needed a national sense in the early days of our country. We needed a national sense during the Civil War. A national sense existed on both of those occasions. We need a national sense today. In this body are men and women recognized as leaders in their communities. What you and I say is carried far and wide. Let us possess a national sense and protect and preserve the heritages that we have inherited from the past, and pass on to unborn generations of Americans democratic institutions of government. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. All time has expired. Under the rule the bill is considered as read.

The bill follows:

Be it enacted, etc.

TITLE I

SECTION 1. Short title.

This act may be cited as the Revenue Act of 1940.

SEC. 2. Surtax on individuals.

Section 12 (b) of the Internal Revenue Code is amended to read as follows:

"(b) Rates of surtax: There shall be levied, collected, and paid for each taxable year upon the surtax net income of every individual a surtax as follows:

"Upon a surtax net income of $4,000 there shall be no surtax; upon surtax net incomes in excess of $4,000 and not in excess of $6,000, 4 percent of such excess.

"$80 upon surtax net incomes of $6,000; and upon surtax net incomes in excess of $6,000 and not in excess of $8,000, 6 percent in addition of such excess.

"$200 upon surtax net incomes of $8,000; and upon surtax net incomes in excess of $8,000 and not in excess of $10,000, 8 percent in addition of such excess.

"$360 upon surtax net incomes of $10,000; and upon surtax net incomes in excess of $10,000 and not in excess of $12,000, 10 percent in addition of such excess.

"$560 upon surtax net incomes of $12,000; and upon surtax net incomes in excess of $12,000 and not in excess of $14,000, 12 percent in addition of such excess.

"$800 upon surtax net incomes of $14,000; and upon surtax net incomes in excess of $14,000 and not in excess of $16,000, 15 percent in addition of such excess.

"$1,100 upon surtax net incomes of $16,000; and upon surtax net incomes in excess of $16,000 and not in excess of $18,000, 18 percent in addition of such excess.

"$1,460 upon surtax net incomes of $18,000; and upon surtax net incomes in excess of $18,000 and not in excess of $20,000, 21 percent in addition of such excess.

"$1,880 upon surtax net incomes of $20,000; and upon surtax net incomes in excess of $20,000 and not in excess of $22,000, 24 percent in addition of such excess.

"$2,360 upon surtax net incomes of $22,000; and upon surtax net incomes in excess of $22,000 and not in excess of $26,000, 27 percent in addition of such excess.

"$3,440 upon surtax net incomes of $26,000; and upon surtax net incomes in excess of $26,000 and not in excess of $32,000, 30 percent in addition of such excess.

"$5,240 upon surtax net incomes of $32,000; and upon surtax net incomes in excess of $32,000 and not in excess of $38,000, 33 percent in addition of such excess.

"$7,220 upon surtax net incomes of $38,000; and upon surtax net incomes in excess of $38,000 and not in excess of $44,000, 36 percent in addition of such excess.

"$9,380 upon surtax net incomes of $44,000; and upon surtax net incomes in excess of $44,000 and not in excess of $50,000, 40 percent in addition of such excess.

"$11,780 upon surtax net incomes of $50,000; and upon surtax net incomes in excess of $50,000 and not in excess of $60,000, 44 percent in addition of such excess.

"$16,180 upon surtax net incomes of $60,000; and upon surtax net incomes in excess of $60,000 and not in excess of $70,000, 47 percent in addition of such excess.

"$20,880 upon surtax net incomes of $70,000; and upon surtax net incomes in excess of $70,000 and not in excess of $80,000, 50 percent in addition of such excess.

"$25,880 upon surtax net incomes of $80,000; and upon surtax net incomes in excess of $80,000 and not in excess of $90,000, 53 percent in addition of such excess.

"$31,180 upon surtax net incomes of $90,000; and upon surtax net incomes in excess of $90,000 and not in excess of $100,000, 56 percent in addition of such excess.

"$36,780 upon surtax net incomes of $100,000; and upon surtax net incomes in excess of $100,000 and not in excess of $150,000, 58 percent in addition of such excess.

"$65,780 upon surtax net incomes of $150,000; and upon surtax net incomes in excess of $150,000 and not in excess of $200,000, 60 percent in addition of such excess.

"$95,780 upon surtax net incomes of $200,000; and upon surtax net incomes in excess of $200,000 and not in excess of $250,000, 62 percent in addition of such excess.

"$126,780 upon surtax net incomes of $250,000; and upon surtax net incomes in excess of $250,000 and not in excess of $300,000, 64 per centum in addition of such excess.

"$158,780 upon surtax net incomes of $300,000; and upon surtax net incomes in excess of $300,000 and not in excess of $400,000, 66 per centum in addition of such excess.

"$224,780 upon surtax net incomes of $400,000; and upon surtax net incomes in excess of $400,000 and not in excess of $500,000, 68 per centum in addition of such excess.

"$292,780 upon surtax net incomes of $500,000; and upon surtax net incomes in excess of $500,000 and not in excess of $750,000, 70 per centum in addition of such excess.

"$467,780 upon surtax net incomes of $750,000; and upon surtax net incomes in excess of $750,000 and not in excess of $1,000,000, 72 per centum in addition of such excess.

"$647,780 upon surtax net incomes of $1,000,000; and upon surtax net incomes in excess of $1,000,000 and not in excess of $2,000,000, 73 per centum in addition of such excess.

"$1,377,780 upon surtax net incomes of $2,000,000; and upon surtax net incomes in excess of $2,000,000 and not in excess of $5,000,000, 74 per centum in addition of such excess.

"$3,597,780 upon surtax net incomes of $5,000,000; and upon surtax net incomes in excess of $5,000,000, 75 per centum in addition of such excess."

SEC. 3. Corporation tax.

(a) Tax on corporations in general: Section 13 (b) of the Internal Revenue Code is amended to read as follows:

"(b) Imposition of tax: There shall be levied, collected, and paid for each taxable year upon the normal-tax net income of every corporation the normal-tax net income of which is more than $25,000 (except a corporation subject to the tax imposed by section 14, section 231 (a), Supplement G, or Supplement Q), whichever of the following taxes is the lesser:

"(1) General rule: A tax of 19 per centum of the normal-tax net income; or

"(2) Alternative tax (corporations with normal-tax net income slightly more than $25,000): A tax of $3,775, plus 33 per centum of the amount of the normal-tax net income in excess of $25,000."

(b) Tax on special classes of corporations: Sections 14 (b) and (c) (1) of the Internal Revenue Code are amended to read as follows:

"(b) Corporations with normal-tax net incomes of not more than $25,000: If the normal-tax net income of the corporation is not more than $25,000, and if the corporation does not come within one

of the classes specified in subsection (c), (d), or (e) of this section, the tax shall be as follows:

"Upon normal-tax net incomes not in excess of $5,000, 13½ percent.

"$675 upon normal-tax net incomes of $5,000, and upon normal-tax net incomes in excess of $5,000 and not in excess of $20,000, 15 percent in addition of such excess.

"$2,925 upon normal-tax net incomes of $20,000, and upon normal-tax net incomes in excess of $20,000, 17 percent in addition of such excess.

"(c) Foreign corporations:

"(1) In the case of a foreign corporation engaged in trade or business within the United States or having an office or place of business therein, the tax shall be an amount equal to 19 percent of the normal-tax net income, regardless of the amount thereof."

(c) Tax on nonresident foreign corporations: Section 231 (a) (1) of the Internal Revenue Code is amended by striking out "15 percent" and inserting in lieu thereof "16 percent", and by striking out "10 percent" wherever occurring therein and inserting in lieu thereof "11 percent."

(d) Tax on mutual investment companies: Section 362 (b) of the Internal Revenue Code is amended to read as follows:

"(b) Imposition of tax: There shall be levied, collected, and paid for each taxable year upon the Supplement Q net income of every mutual investment company a tax equal to 19 percent of the amount thereof."

SEC. 4. Tax on nonresident alien individuals.

(a) Tax in general: Section 211 (a) (1) (A) of the Internal Revenue Code (relating to tax on nonresident alien individuals not engaged in trade or business within the United States and not having an office or place of business therein) is amended by striking out "10 percent" and inserting in lieu thereof "15 percent."

(b) Aggregate receipts more than $24,000: Section 211 (a) (2) of the Internal Revenue Code is amended to read as follows:

"(2) Aggregate more than $24,000: The tax imposed by paragraph (1) shall not apply to any individual if the aggregate amount received during the taxable year from the sources therein specified is more than $24,000."

(c) Tax where gross income of more than $24,000: Section 211 (c) of the Internal Revenue Code (relating to tax on certain nonresident alien individuals) is amended by striking out "$21,600" wherever occurring therein and inserting in lieu thereof "$24,000"; and by striking out "10 percent" and inserting in lieu thereof "15 percent."

SEC. 5. Withholding of tax at source.

(a) Section 143 of the Internal Revenue Code is amended by striking out "10 percent" wherever occurring therein and inserting in lieu thereof "15 percent"; and by striking out "15 percent" and inserting in lieu thereof "16 percent."

(b) Section 144 of the Internal Revenue Code is amended by striking out "15 percent" and inserting in lieu thereof "16 percent"; and by striking out "10 percent" wherever occurring therein and inserting in lieu thereof "11 percent."

(c) The amendments made by this section shall take effect on June 26, 1940.

SEC. 6. Personal exemption.

(a) Section 25 (b) (1) of the Internal Revenue Code is amended to read as follows:

"(1) Personal exemption: In the case of a single person or a married person not living with husband or wife, a personal exemption of $800; or in the case of the head of a family or a married person living with husband or wife, a personal exemption of $2,000. A husband and wife living together shall receive but one personal exemption. The amount of such personal exemption shall be $2,000. If such husband and wife make separate returns, the personal exemption may be taken by either or divided between them."

(b) Section 214 of the Internal Revenue Code (relating to personal exemption of nonresident alien individuals) is amended by striking out "$1,000" and inserting in lieu thereof "$800."

(c) Section 251 (f) of the Internal Revenue Code (relating to personal exemption of citizens entitled to benefits of section 251) is amended by striking out "$1,000" and inserting in lieu thereof "$800."

SEC. 7. Returns of income tax.

(a) Individual returns: Section 51 (a) of the Internal Revenue Code is amended to read as follows:

"(a) Requirement: The following individuals shall each make under oath a return stating specifically the items of his gross income and the deductions and credits allowed under this chapter and such other information for the purpose of carrying out the provisions of this chapter as the Commissioner with the approval of the Secretary may by regulations prescribe—

"(1) Every individual who is single or who is married but not living with husband or wife, if having a gross income for the taxable year of $800 or over.

"(2) Every individual who is married and living with husband or wife, if no joint return is made under subsection (b) and if—

"(A) Such individual has for the taxable year a gross income of $2,000 or over, and the other spouse has no gross income; or

"(B) Such individual and his spouse each has for the taxable year a gross income and the aggregate gross income is $2,000 or over."

(b) Fiduciary returns: Section 142 (a) of the Internal Revenue Code is amended to read as follows:

"(a) Requirement of return: Every fiduciary (except a receiver appointed by authority of law in possession of part only of the property of an individual) shall make under oath a return for any of the following individuals, estates, or trusts for which he acts, stating specifically the items of gross income thereof and the deductions and credits allowed under this chapter and such other information for the purpose of carrying out the provisions of this chapter as the Commissioner with the approval of the Secretary may by regulations prescribe—

"(1) Every individual having a gross income for the taxable year of $800 or over, if single, or if married and not living with husband or wife;

"(2) Every individual having a gross income for the taxable year of $2,000 or over, if married and living with husband or wife;

"(3) Every estate the gross income of which for the taxable year is $800 or over;

"(4) Every trust the gross income of which for the taxable year is $100 or over; and

"(5) Every estate or trust of which any beneficiary is a nonresident alien."

(c) Information returns: Section 147 (a) of the Internal Revenue Code (relating to information at the source) is amended by striking out "$1,000" wherever occurring therein and inserting in lieu thereof "$800."

SEC. 8. Tax on cigarette papers.

Section 2000 (d) of the Internal Revenue Code (relating to tax on cigarette papers) is amended, effective July 1, 1940, by striking out "more than twenty-five but."

SEC. 9. Treaty obligations.

No amendment made by this title shall apply in any case where its application would be contrary to any treaty obligation of the United States.

SEC. 10. Taxable years to which applicable.

The amendments made by this title, except the amendments made by sections 5 and 8, shall be applicable only with respect to taxable years beginning after December 31, 1939.

TITLE II

SECTION 201. Income tax.

Chapter 1 of the Internal Revenue Code is amended by inserting after section 14 the following new section:

"SEC. 15. Supertax for 5 years.

"In the case of any taxpayer, the amount of tax under this chapter for any taxable year beginning after December 31, 1939, and before January 1, 1945, shall be 10 percent greater than the amount of tax computed without regard to this section. In no case shall the effect of this section be to increase the tax computed without regard to this section by more than 10 percent of the amount by which the net income exceeds such tax. For the purposes of this section, the tax computed without regard to this section shall be such tax before the application of the credit provided in section 31 ('foreign tax credit'), and the credit provided in section 32 (taxes withheld at the source)."

SEC. 202. Rates of withholding.

Section 143 of the Internal Revenue Code is amended by inserting at the end thereof the following new subsection:

"(h) Rates until January 1945: For the period after June 25, 1940, and before January 1, 1945, the rates provided in this section and section 144, of 11 percent, 15 percent, and 16 percent shall be 12.1 percent, 16½ percent, and 17.6 percent, respectively. This subsection or section 15 shall not apply in any case where its application would be contrary to any treaty obligation of the United States."

SEC. 203. Personal holding companies.

Section 500 of the Internal Revenue Code is amended by inserting "(a) General rule:" before the first paragraph and inserting at the end thereof the following new subsection:

"(b) Supertax for 5 years: In the case of every personal holding company, the amount of surtax under this subchapter for any taxable year beginning after December 31, 1939, and before January 1, 1945, shall be 10 percent greater than the amount of surtax computed without regard to this subsection."

SEC. 204. Excess-profits tax.

Section 600 of the Internal Revenue Code is amended by inserting "(a) General rule:" before the first paragraph and by inserting at the end of such section the following new subsection:

"(b) Supertax for 5 years: In the case of any taxpayer, the amount of tax payable under this section for any income-tax taxable year ending after June 30, 1940, and before July 1, 1945, shall be 10 percent greater than the amount of tax which would be payable if computed without regard to this subsection."

SEC. 205. Capital-stock tax.

Section 1200 of the Internal Revenue Code is amended by inserting at the end thereof the following new subsection:

"(c) Supertax for 5 years: For the year ending June 30, 1940, and for the 4 succeeding years ending June 30, the rates provided in subsections (a) and (b) shall be $1.10 in lieu of $1."

SEC. 206. Estate tax.

Chapter 3 of the Internal Revenue Code is amended by inserting at the end thereof the following new subchapter:

"SUBCHAPTER C—SUPERTAX FOR 5 YEARS

"SEC. 951. Supertax for 5 years.

"In the case of a decedent dying after the date of the enactment of the Revenue Act of 1940 and before the expiration of 5 years after such date, the total amount of tax payable under this chapter shall be 10 percent greater than the amount of tax which

would be payable if computed without regard to this section. For the purposes of this section, the tax computed without regard to this section shall be such tax after the application of the credits provided for in section 813 and section 936."

SEC. 207. Gift tax.

Section 1001 of the Internal Revenue Code is amended by adding at the end thereof the following new subsection:

"(d) Supertax for 1940–45: Despite the provisions of subsection (a)—

"(1) The tax for each of the calendar years 1941 to 1945, both inclusive, shall be an amount equal to the excess of—

"(A) 110 percent of a tax, computed in accordance with the rate schedule hereinbefore set forth, on the aggregate sum of the net gifts for such calendar year and for each of the preceding calendar years, over

"(B) 110 percent of a tax, computed in accordance with the said rate schedule, on the aggregate sum of the net gifts for each of the preceding calendar years.

"(2) The tax for the calendar year 1940 shall be the sum of (A) the tax computed under subsection (a), plus (B) an amount which bears the same ratio to 10 percent of the tax so computed as the amount of gifts made after the date of the enactment of the Revenue Act of 1940 bears to the total amount of gifts made during the year. For the purposes of this paragraph, the term 'gifts' does not include gifts which, under section 1003 (b) (2), are not to be included in computing the total amount of gifts made during the calendar year 1940, or gifts which, in the case of a citizen or resident, are allowed as a deduction by section 1004 (a) (2), or gifts which, in the case of a nonresident not a citizen of the United States, are allowed as a deduction by section 1004 (b)."

SEC. 208. Tax on transfers to avoid income tax.

Section 1250 of the Internal Revenue Code is amended by inserting "(a) General rule.—" before the first paragraph and inserting at the end thereof the following new subsection:

"(b) Supertax for 5 years: In the case of any transfer during the period after the date of the enactment of the Revenue Act of 1940 and before July 1, 1945, the rate provided in subsection (a) shall be 27½ percent in lieu of 25 percent."

SEC. 209. Continuation of excise taxes.

Sections 1801, 1802, 3403 (f) (1), 3452, 3460 (a), 3465, 3481 (b), and 3482 of the Internal Revenue Code are amended by striking out "1941" wherever appearing therein and inserting in lieu thereof "1945".

SEC. 210. Miscellaneous excises.

The Internal Revenue Code is amended by inserting at the end of chapter 9 the following new chapter:

"CHAPTER 9A.—SUPERTAX FOR 5 YEARS

"SEC. 1650. Supertax for 5 years.

"In lieu of the rates of tax specified in such of the sections of this title as are set forth in the following table, the rates applicable with respect to the period after June 30, 1940, and before July 1, 1945, shall be the rates set forth under the heading 'Supertax rate':

Section	Description of tax	Old rate	Supertax rate
1700 (b)	Box seats	10 percent	11 percent.
1700 (c)	Sales outside box office	10 percent	11 percent.
1700 (e)	Cabaret	1½ cents	2 cents.
1710 (a) (1)	Dues	10 percent	11 percent.
1710 (a) (2)	Initiation fees	10 percent	11 percent.
1801	Corporate securities	10 cents	11 cents.
1802 (a)	Capital stock issues	10 cents	11 cents.
1802 (a)	Capital stock issues	2 cents	3 cents.
1802 (b)	Capital stock transfers	4 cents	5 cents.
1802 (b)	Capital stock transfers	5 cents	6 cents.
1804	Insurance policies	3 cents	4 cents.
1806	Passage tickets	$1	$1.10.
1806	Passage tickets	$3	$3.30.
1806	Passage tickets	$5	$5.50.
1850 (a)	Safe-deposit boxes	10 percent	11 percent.
2700 (a)	Pistols and revolvers	10 percent	11 percent.
3250 (a) (1)	Wholesalers in liquor	$100	$110.
3250 (b)	Retailers in liquor	$25	$27.50.
3250 (c)	Brewers	$100	$110.
3250 (c)	Brewers	$50	$55.
3250 (d)	Wholesalers in malt liquors	$50	$55.
3250 (e)	Retailers	$20	$22.
3250 (e) (3)	Special cases	$2	$2.20.
3250 (f) (1)	Rectifiers	$200	$220.
3250 (f) (1)	Rectifiers	$100	$110.
3250 (j)	Stills	$50	$55.
3250 (j)	Stills	$20	$22.
3400 (1)	Tires	2¼ cents	2½ cents.
3400 (2)	Tubes	4 cents	4½ cents.
3401	Toilet preparations	10 percent	11 percent.
3403 (a)	Automobile truck chassis, etc.	2 percent	2½ percent.
3403 (b)	Automobiles, etc.	3 percent	3½ percent.
3403 (c)	Parts	2 percent	2½ percent.
3404	Radios	5 percent	5½ percent.
3405	Mechanical refrigerators	5 percent	5½ percent.
3407	Firearms	10 percent	11 percent.
3409	Matches	5 cents	5½ cents.
3411	Electrical energy	3 percent	3⅓ percent.
3412	Gasoline	1 cent	1½ cents.
3413	Lubricating oils	4 cents	4½ cents.
3460 (a) (1), (2), and (3)	Transportation of oil	4 percent	4½ percent.
3481 (a)	Transfer of bonds	4 cents	5 cents.
3482	Conveyances	50 cents	55 cents.

SEC. 211. Admissions tax.

Section 1700 (a) (1) of the Internal Revenue Code is amended by striking out "until July 1, 1941, is less than 41 cents" and inserting in lieu thereof "until July 1, 1940, is less than 41 cents, and after June 30, 1940, and before July 1, 1945, is less than 31 cents", and by striking out "is less than 41 cents, until July 1, 1941" inserting in lieu thereof "is less than 41 cents until July 1, 1940, and is less than 31 cents after June 30, 1940, and before July 1, 1945."

SEC. 212. Tobacco, snuff, cigars, and cigarettes.

Subchapter A of chapter 15 of the Internal Revenue Code is amended by inserting at the end thereof the following new sections:

"SEC. 2004. Supertax for 5 years.

"Except in the case of chewing tobacco, in lieu of the rates of tax specified in such of the sections of this title as are set forth in the following table, the rates applicable with respect to the period after June 30, 1940, and before July 1, 1945, shall be the rates set forth under the heading 'Supertax rate':

Section	Description of tax	Old rate	Supertax rate
2000 (a) (1)	Snuff	18 cents	21 cents.
2000 (a) (2)	Tobacco	18 cents	21 cents.
2000 (b)	Snuff flour	18 cents	21 cents.
2000 (c) (1)	Cigars	75 cents	87½ cents.
2000 (c) (1)	Cigars	$2	$2.33⅓.
2000 (c) (1)	Cigars	$3	$3.50.
2000 (c) (1)	Cigars	$5	$5.83⅓.
2000 (c) (1)	Cigars	$10.50	$12.25.
2000 (c) (1)	Cigars	$13.50	$15.75.
2000 (c) (2)	Cigarettes	$3	$3.50.
2000 (c) (2)	Cigarettes	$7.20	$8.40.
2000 (d)	Cigarette paper	½ cent	7/12 cent.
2000 (d), except the last line.	Cigarette paper	1 cent	1⅙ cents.

"SEC. 2005. Floor-stocks tax.

"(a) Floor-stocks tax: Upon all the articles (except chewing tobacco) subject to tax under subsection (a), (b), or (c) of section 2000 which on July 1, 1940, are held by any person for sale otherwise than in retail stocks, there shall be levied, assessed, collected, and paid a floor-stocks tax at a rate equal to the increase in rate of tax made applicable to such articles by section 2004.

"(b) Returns: Every person required by this section to pay any floor-stocks tax shall, on or before August 1, 1940, under such regulations as the Commissioner with the approval of the Secretary shall prescribe, make a return and pay such tax, except that in the case of articles held by manufacturers and importers the Commissioner may collect the tax with respect to all or part of such articles by means of stamp rather than return, and in such case may make an assessment against such manufacturer or importer having tobacco tax stamps on hand July 1, 1940, for the difference between the amount paid for such stamps and the increased rates specified in section 2004.

"(c) Laws applicable: All provisions of law, including penalties, applicable in respect of the taxes imposed by section 2000 shall, insofar as applicable and not inconsistent with this section, be applicable with respect to the floor-stocks tax imposed by subsection (a)."

SEC. 213. Distilled spirits.

(a) Section 2800 of the Internal Revenue Code is amended by inserting at the end thereof the following new subsections:

"(g) Supertax for 5 years: In lieu of the rates of tax specified in such of the sections of this title as are set forth in the following table, the rates applicable with respect to the period after June 30, 1940, and before July 1, 1945, shall be the rates set forth under the heading 'Supertax rate':

Section	Description of tax	Old rate	Supertax rate
2800 (a) (1)	Distilled spirits generally	$2.25	$3.
2800 (a) (1)	Brandy	$2	$2.75.
2800 (a) (3)	Imported perfumes	$2.25	$3.

"(h) Floor-stocks tax:

"(1) Upon all distilled spirits produced in or imported into the United States upon which the internal-revenue tax imposed by law has been paid, and which on July 1, 1940, are held, by a retail dealer in liquors in a quantity in excess of 100 wine gallons in the aggregate or by any other person in any quantity, and intended for sale or for use in the manufacture or production of any article

intended for sale, there shall be levied, assessed, collected, and paid a floor-stocks tax of 75 cents on each proof gallon, and a proportionate tax at a like rate on all fractional parts of such proof gallon.

"(2) Every person required by this subsection to pay any floor-stocks tax, and every retail dealer in liquors, shall, on or before August 1, 1940, under such regulations as the Commissioner, with the approval of the Secretary, shall prescribe, make a return and pay such tax. Payment of the tax shown to be due may be extended to a date not later than February 1, 1941, upon the filing of a bond for payment thereof in such form and amount and with such surety or sureties as the Commissioner, with the approval of the Secretary, may prescribe.

"(3) All provisions of law, including penalties, applicable in respect of internal-revenue taxes on distilled spirits shall, insofar as applicable and not inconsistent with this subsection, be applicable in respect of the floor-stocks tax imposed hereunder."

(b) The third paragraph of section 2837 of the Internal Revenue Code (relating to draw-back on distilled spirits) is amended by striking out "but shall not exceed a rate of $2.25 (or, in the case of brandy, $2)" and inserting in lieu thereof "but shall not exceed a rate of $3 (or, in the case of brandy, $2.75)."

SEC. 214. Wines and fermented malt liquors.

Chapter 26 of the International Revenue Code is amended by inserting at the end thereof the following new subchapter:

"SUBCHAPTER F—SUPERTAX FOR 5 YEARS

"SEC. 3190. Supertax for 5 years.

"In lieu of the rates of tax specified in such of the sections of this title as are set forth in the following table, the rates applicable with respect to the period after June 30, 1940, and before July 1, 1945, shall be the rates set forth under the heading 'Supertax Rate':

Section	Description of tax	Old rate	Supertax rate
3030 (a) (1) (A)	Still wines	5 cents	6 cents.
3030 (a) (1) (A)	Still wines	10 cents	12 cents.
3030 (a) (1) (A)	Still wines	20 cents	24 cents.
3030 (a) (2)	Sparkling wines	2½ cents	3 cents.
3030 (a) (2)	Sparkling wines	1¼ cents	1½ cents.
3030 (a) (2)	Liqueurs, cordials, etc.	1¼ cents	1½ cents.
3031 (a)	Fortification of wines	10 cents	12 cents.
3150 (a)	Fermented malt liquors	$5	$6.

"SEC. 3191. Floor-stocks tax on fermented malt liquors.

"(a) Floor stocks tax: Upon all fermented malt liquors upon which the internal-revenue tax imposed by law has ben paid, and which on July 1, 1940, are held by any person, other than a retail dealer, and intended for sale, there shall be levied, assessed, collected, and paid a floor-stocks tax at a rate equal to the increase in rate of tax made applicable to such articles by section 3190.

"(b) Returns: Every person required by subsection (a) to pay any floor-stock tax shall, on or before August 1, 1940, under such regulations as the Commissioner, with the approval of the Secretary, shall prescribe, make a return and pay such tax. Payment of the tax shown to be due may be extended to a date not later than February 1, 1941, upon the filing of a bond for payment thereof in such form and amount and with such surety or sureties as the Commissioner, with the approval of the Secretary, may prescribe.

"(c) LAWS APPLICABLE.—All provisions of law, including penalties, applicable in respect of the taxes imposed by section 3150 (a) shall, insofar as applicable and not inconsistent with this subsection, be applicable with respect to the floor-stocks tax imposed by subsection (a)."

SEC. 215. Playing cards.

Section 1807 of the Internal Revenue Code is amended by inserting "(a) GENERAL RULE.—" before the first paragraph and inserting at the end thereof the following new subsection:

"(b) SUPERTAX FOR 5 YEARS.—In lieu of the rate of tax specified in subsection (a), the rate of tax for the period after June 30, 1940, and before July 1, 1945, shall be 11 cents."

SEC. 216. Credits on tax on automobiles, etc.

Section 3403 (e) of the Internal Revenue Code is amended by adding at the end thereof the following new sentence: "With respect to the period after June 30, 1940, and before July 1, 1945, the rates of the credits above provided shall, in lieu of 2 percent and 3 percent, be 2½ percent and 3½ percent, respectively."

TITLE III

SEC. 301. The Secretary of the Treasury shall, as soon as practicable after the end of each quarter, determine the additional amount of taxes collected attributable to the increases in taxes made, and to the floor-stocks taxes imposed, by the amendments to the Internal Revenue Code in title II of this act (not including the amount of taxes attributable solely to section 209 and not including any amount collected under section 1700 (a) (1) of the Internal Revenue Code attributable to a basic admission charge of more than 40 cents), and the amounts so determined shall be set aside as a special fund which shall be available only for the retirement of any of the obligations issued pursuant to the authority contained in section 21 (b) of the Second Liberty Bond Act, as amended. If at any time the amounts in the fund are not sufficient for such purpose, the Secretary of the Treasury is authorized and directed to transfer to the fund moneys out of the general fund of the Treasury. Any amounts in the special fund not necessary for the retirement of such obligations shall be deposited in the general fund of the Treasury.

SEC. 302. Section 21 of the Second Liberty Bond Act, as amended, is hereby further amended by inserting "(a)" after "21." and by adding at the end of such section a new paragraph as follows:

"(b) In addition to the amount authorized by the preceding paragraph of this section, any obligations authorized by sections 5 and 18 of this act, as amended, not to exceed in the aggregate $4,000,000,000 outstanding at any one time, less any retirements made from the special fund made available under section 301 of the Revenue Act of 1940, may be issued under said sections to provide the Treasury with funds to meet any expenditures made, after June 30, 1940, for the national defense, or to reimburse the general fund of the Treasury therefor. Any such obligations so issued shall be designated 'National Defense Series'."

The CHAIRMAN. Does the gentleman from North Carolina [Mr. DOUGHTON] desire to offer any amendments?

Mr. DOUGHTON. I have no committee amendments to submit.

The CHAIRMAN. Under the rules, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. DELANEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 10039) providing for the expenses of national preparedness by raising revenue and issuing bonds, to provide a method for paying for such bonds, and for other purposes, pursuant to House Resolution 518, he reported the same back to the House.

The SPEAKER. Under the rule, the previous question is ordered on the bill to final passage. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. THILL. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. THILL. Mr. Speaker, I am.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. THILL moves to recommit the bill (H. R. 10039) to the Committee on Ways and Means with instructions to that committee to report the bill back with an amendment providing for the levying of a tax or taxes upon excess profits derived from the sale of arms, ammunition, war matériel, and implements of war, including parts thereof, of every type and description either directly or indirectly entering into the manufacture of such war supplies, implements, and matériel.

The SPEAKER. The question is on the motion to recommit offered by the gentleman from Wisconsin [Mr. THILL].

Mr. THILL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

Mr. THILL. Mr. Speaker, I demand tellers.

Tellers were refused.

The SPEAKER. The question is on the passage of the bill.

Mr. DOUGHTON. Mr. Speaker, I demand the yeas and nays on the passage of the bill.

The yeas and nays were ordered.

The Clerk called the roll, and there were—yeas 396, nays 6, not voting 29, as follows:

[Roll No. 147]

YEAS—396

Allen, Ill.	Beckworth	Buck	Church
Allen, La.	Bell	Buckler, Minn.	Clason
Allen, Pa.	Bender	Buckley, N. Y.	Claypool
Andersen, H. Carl	Blackney	Bulwinkle	Clevenger
Anderson, Calif.	Bland	Burdick	Cluett
Anderson, Mo.	Bloom	Byrne, N. Y.	Cochran
Andresen, A. H.	Boehne	Byrns, Tenn.	Coffee, Nebr.
Andrews	Boland	Caldwell	Coffee, Wash.
Angell	Bolles	Camp	Cole, Md.
Arends	Bolton	Cannon, Fla.	Cole, N. Y.
Arnold	Boren	Cannon, Mo.	Collins
Austin	Boykin	Carlson	Colmer
Ball	Bradley, Mich.	Carter	Connery
Barden, N. C.	Bradley, Pa.	Cartwright	Cooley
Barnes	Brewster	Case, S. Dak.	Cooper
Barry	Brooks	Casey, Mass.	Corbett
Barton, N. Y.	Brown, Ga.	Celler	Costello
Bates, Mass.	Brown, Ohio	Chapman	Courtney
Beam	Bryson	Chiperfield	Cox

Cravens	Hancock	McLaughlin	Sacks
Creal	Hare	McLean	Sandager
Crosser	Harness	McLeod	Sasscer
Crowe	Harrington	McMillan, Clara	Satterfield
Crowther	Hart	McMillan, John L.	Schafer, Wis.
Culkin	Harter, N. Y.	Maas	Schiffler
Cullen	Harter, Ohio	Maciejewski	Schuetz
Cummings	Hartley	Mahon	Schulte
Curtis	Havenner	Maloney	Schwert
D'Alesandro	Hawks	Marshall	Scrugham
Darden, Va.	Healey	Martin, Ill.	Seccombe
Davis	Hendricks	Martin, Iowa	Secrest
Delaney	Hennings	Martin, Mass.	Seger
Dempsey	Hess	Mason	Shanley
DeRouen	Hill	Massingale	Shannon
Dickstein	Hobbs	May	Sheppard
Dies	Hoffman	Michener	Sheridan
Dingell	Holmes	Miller	Short
Dirksen	Hook	Mills, Ark.	Simpson
Disney	Hope	Mills, La.	Smith, Conn.
Ditter	Horton	Mitchell	Smith, Ill.
Dondero	Hull	Monkiewicz	Smith, Maine
Doughton	Hunter	Moser	Smith, Ohio
Doxey	Izac	Mott	Smith, Va.
Duncan	Jacobsen	Mouton	Smith, Wash.
Dunn	Jarrett	Mundt	Snyder
Durham	Jeffries	Murdock, Ariz.	Somers, N. Y.
Dworshak	Jenkins, Ohio	Murdock, Utah	South
Eaton	Jennings	Murray	Sparkman
Eberharter	Jensen	Myers	Spence
Edelstein	Johns	Nelson	Springer
Edmiston	Johnson, Ill.	Nichols	Starnes, Ala.
Elliott	Johnson, Ind.	Norrell	Steagall
Ellis	Johnson, Luther A.	Norton	Stearns, N. H.
Elston	Johnson, Lyndon	O'Brien	Stefan
Engel	Johnson, Okla.	O'Connor	Sullivan
Englebright	Johnson, W. Va.	O'Day	Sumner, Ill.
Evans	Jones, Ohio	O'Leary	Sumners, Tex.
Faddis	Jonkman	Oliver	Sutphin
Fay	Kean	O'Neal	Sweeney
Fenton	Kee	Osmers	Sweet
Ferguson	Keefe	O'Toole	Taber
Fernandez	Kefauver	Pace	Talle
Fitzpatrick	Keller	Parsons	Tarver
Flaherty	Kelly	Patman	Tenerowicz
Flannagan	Kennedy, Martin	Patrick	Terry
Flannery	Kennedy, Md.	Patton	Thomas, N. J.
Ford, Leland M.	Kennedy, Michael	Pearson	Thomas, Tex.
Ford, Miss.	Keogh	Peterson, Fla.	Thomason
Ford, Thomas F.	Kilburn	Peterson, Ga.	Tibbott
Fries	Kilday	Pfeifer	Tinkham
Fulmer	Kinzer	Pierce	Tolan
Gamble	Kirwan	Pittenger	Treadway
Garrett	Kitchens	Plumley	Van Zandt
Gartner	Kleberg	Poage	Vincent, Ky.
Gathings	Knutson	Polk	Vinson, Ga.
Gavagan	Kocialkowski	Powers	Voorhis, Calif.
Gearhart	Kramer	Rabaut	Vorys, Ohio
Gehrmann	Kunkel	Ramspeck	Vreeland
Gerlach	Lambertson	Randolph	Wallgren
Geyer, Calif.	Landis	Rankin	Walter
Gibbs	Lanham	Rayburn	Ward
Gifford	Larrabee	Reece, Tenn.	Warren
Gilchrist	Lea	Reed, Ill	Weaver
Gillie	Leavy	Reed, N. Y.	Welch
Goodwin	LeCompte	Rees, Kans.	West
Gore	Lesinski	Rich	Wheat
Gossett	Lewis, Colo.	Richards	Whelchel
Graham	Lewis, Ohio	Robertson	Whittington
Grant, Ala.	Luce	Robinson, Utah	Wigglesworth
Grant, Ind.	Ludlow	Robsion, Ky.	Williams, Del.
Green	Lynch	Rockefeller	Williams, Mo.
Gregory	McAndrews	Rodgers, Pa.	Winter
Griffith	McArdle	Rogers, Mass.	Wolfenden, Pa.
Gross	McCormack	Rogers, Okla.	Wolverton, N. J.
Guyer, Kans.	McDowell	Romjue	Wood
Gwynne	McGehee	Routzohn	Woodruff, Mich.
Hall, Edwin A.	McGranery	Rutherford	Woodrum, Va.
Hall, Leonard W.	McGregor	Ryan	Youngdahl
Halleck	McKeough	Sabath	Zimmerman

NAYS—6

Alexander	Marcantonio	Thorkelson	Wolcott
Crawford	Thill		

NOT VOTING—29

Bates, Ky.	Fish	Lemke	Smith, W. Va.
Burch	Folger	Magnuson	Taylor
Burgin	Hinshaw	Mansfield	Wadsworth
Byron	Houston	Merritt	White, Idaho
Clark	Jarman	Monroney	White, Ohio
Darrow	Jenks, N. H.	Risk	
Douglas	Jones, Tex.	Schaefer, Ill.	
Drewry	Kerr	Shafer, Mich.	

So the bill was passed.

The Clerk announced the following pairs:

General pairs:

Mr. Kerr with Mr. Wadsworth.
Mr. Jones of Texas with Mr. Hinshaw.
Mr. Burch with Mr. Fish.
Mr. Merritt with Mr. Shafer of Michigan.
Mr. Houston with Mr. Douglas.
Mr. Bates of Kentucky with Mr. Jenks of New Hampshire.
Mr. Smith of West Virginia with Mr. Risk.
Mr. Byron with Mr. Darrow.
Mr. Taylor with Mr. White of Ohio.
Mr. White of Idaho with Mr. Lemke.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT

Mr. DOUGHTON. Mr. Speaker, my colleagues the gentlemen from North Carolina, Mr. CLARK, Mr. KERR, Mr. FOLGER, and Mr. BURGIN, are unavoidably absent. If they were present, they would have voted "yea."

Mr. EDMISTON. Mr. Speaker, my colleague the gentleman from West Virginia, JOE L. SMITH, is unavoidably absent. Had he been present he would have voted "yea."

Mr. DISNEY. Mr. Speaker, my colleague the gentleman from Oklahoma, Mr. MONRONEY, is in the hospital on account of an appendicitis operation. I am authorized to announce that if he were present he would have voted "yea."

Mr. PLUMLEY. Mr. Speaker, my colleague the gentleman from New Hampshire, Mr. JENKS, is in the hospital and is detained thereby. If he were present, he would have voted "yea."

Mr. ENGLEBRIGHT. Mr. Speaker, my colleagues the gentlemen from New York, Mr. FISH and Mr. DOUGLAS, are absent on account of official business. Had they been present they would have voted "yea" on the bill just passed.

Mr. LUTHER A. JOHNSON. Mr. Speaker, my colleague the gentleman from Texas, Mr. MANSFIELD, was here earlier in the afternoon but was unavoidably absent at the time the roll was called. If he had been present, he would have voted "yea" on the passage of the bill.

Mr. WALLGREN. Mr. Speaker, my colleague the gentleman from Washington, Mr. MAGNUSON, is unavoidably detained. If he were present, he would have voted "yea."

Mr. FRIES. Mr. Speaker, my colleague the gentleman from Illinois, Mr. SCHAEFER, is in the hospital. If he were here, he would have voted "yea."

Mr. BLAND. Mr. Speaker, my colleague the gentleman from Virginia, Mr. DREWRY, is in the hospital. If he were present, he would have voted "yea."

Mr. PATRICK. Mr. Speaker, my colleague the gentleman from Alabama, Mr. JARMAN, is detained on business. If he were here, he would have voted "yea."

INDIAN LANDS—VETO MESSAGE (H. DOC. NO. 832)

The SPEAKER pro tempore (Mr. WARREN) laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I return herewith without my approval enrolled H. R. 5918, which would amend Public Law Numbered 96 of the Seventy-fifth Congress, being an act entitled "An act amending section 2 of Public Law Numbered 716 of the Seventy-fourth Congress, being an act entitled 'An act to relieve restricted Indians whose lands have been taxed or have been lost by failure to pay taxes and for other purposes.'"

The effect of this act, if approved, would be to subject to taxation by State, county, and municipal authorities from and after June 6, 1936, certain Indian lands that were made tax exempt by the act of June 20, 1936 (49 Stat. 1542), and which continued in that status until the passage of the act of May 19, 1937 (50 Stat. 188). It appears that the scope of the act of June 20, 1936, supra, developed to be greater than the Congress originally intended, and that the tax exemption granted thereby was subsequently limited by the passage of the act of May 19, 1937, supra, to lands falling within two specified classes. In the interim, however, certain lands which were subjected to taxation by the act last cited enjoyed freedom from taxation.

In my opinion, it would be unjust at this late date to place the owners of the affected lands in the position of having to pay taxes for a period during which they had every right to believe that no such obligation would accrue

against them. To impose this burden upon them now might result in undue hardship in some cases if not in the actual loss of their lands through tax sales.

I do not discuss the question of the constitutionality of this retroactive enactment, but it is one worthy of serious consideration.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *June 11, 1940.*

The SPEAKER pro tempore. The objections of the President will be spread at large upon the Journal.

Mr. ROGERS of Oklahoma. Mr. Speaker, I move that the message and the bill be referred to the Committee on Indian Affairs and ordered to be printed.

The motion was agreed to.

ESTATE OF REXFORD M. SMITH—VETO MESSAGE (H. DOC. NO. 831)

The SPEAKER pro tempore laid before the House the following further veto message from the President of the United States:

To the House of Representatives:

I return herewith, without my approval, H. R. 5089, Seventy-sixth Congress, third session, entitled "An act conferring jurisdiction upon the Court of Claims of the United States to hear, examine, adjudicate, and render judgment on the claim of the legal representative of the estate of Rexford M. Smith."

This enactment would confer upon the Court of Claims, notwithstanding the lapse of time or the statute of limitations, jurisdiction to hear, examine, adjudicate, and render judgment under the act of June 25, 1910 (36 Stat. L., ch. 423, p. 551) as amended July 1, 1918, or any other enabling statute of the United States, on the claim of Charles A. M. Wells, as executor cum testamento annexo, under the last will and testament of Rexford M. Smith, deceased, or his successor, as the legal representative of the estate of the said decedent, for the use of or the manufacture by or for the United States within the period of 6 years immediately preceding January 4, 1933, without license of the owner thereof or the lawful right to use or manufacture the same, of a certain invention of said Rexford M. Smith, deceased, described in or covered by Letters Patent No. 1,166,486, for aeroplane, issued by the Patent Office of the United States on January 4, 1916.

The record shows that on July 27, 1937, Charles A. M. Wells, administrator of the estate of Rexford M. Smith, filed suit against the United States in the Court of Claims for the alleged infringement of Patent No. 1,166.488, issued to Rexford M. Smith on January 4, 1916. This patent expired on January 4, 1933, and no claim can be based on its use subsequent to that date. Likewise no recovery is permitted on a claim which arose more than 6 years prior to the filing date of the petition in the Court of Claims. In the suit now pending the plaintiff is, therefore, limited in his proofs to the period between July 27, 1931, which is 6 years prior to the date of the filing of the petition, and January 4, 1933, the date the patent expired.

The object of H. R. 5089 is to waive the statute of limitations so as to permit the claimant to carry his claim back to a date 6 years prior to the expiration of the patent rather than 6 years prior to the filing of his action in the Court of Claims.

The obvious purpose of the present law, which requires a claimant to file his claim within 6 years from the date it first accrued, is to require a claimant to act within a reasonable time.

In my judgment, the facts respecting this claim are such as to impel the conclusion that it is without merit and would establish an undesirable precedent as placing a premium on delay. For the foregoing reascns I withhold my approval of H. R. 5089.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *June 11, 1940.*

The SPEAKER pro tempore. The objections of the President will be spread at large upon the Journal.

Mr. KENNEDY of Maryland. Mr. Speaker, I move that the message and the bill be referred to the Committee on Claims and ordered to be printed.

The motion was agreed to.

BRIDGE OR FERRY ACROSS THE RIO GRANDE AT BOCA CHICA, TEX.—VETO MESSAGE (H. DOC. NO. 830)

The SPEAKER pro tempore laid before the House the following further veto message from the President of the United States:

To the House of Representatives:

I return herewith, without my approval, H. R. 3138, authorizing J. E. Pate, his successors and assigns, to construct, maintain, and operate a bridge or ferry across the Rio Grande at Boca Chica, Tex.

Information furnished by officials of the Federal inspection services indicate that there is no real commercial need for the international facilities authorized by the bill; that such facilities, if established, would be utilized only occasionally by small fishing parties; that the financial success of the interprise would appear exceedingly doubtful; that there is no provision in the bill to insure that—in the event the enterprise should be successful—the bridge or ferry would ever be operated free of tolls; and that the cost of providing and maintaining the necessary personnel for enforcement of the revenue, immigration, and other laws would be greatly in excess of any probable income from fees or other sources of revenue.

I am withholding approval of the bill in the belief that the public interests are not such as to justify the annual expense to the Government that would be entailed in providing and maintaining Federal inspectional forces to supervise the small volume of international traffic that might be expected to use a bridge or ferry at this proposed location.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *June 11, 1940.*

The SPEAKER pro tempore. The objections of the President will be spread at large upon the Journal.

Mr. COLE of Maryland. Mr. Speaker, I move that the bill and the message be referred to the Committee on Interstate and Foreign Commerce and ordered to be printed.

The motion was agreed to.

TRAVEL EXPENSES OF CERTAIN EMPLOYEES OF THE CORPS OF ENGINEERS—VETO MESSAGE (H. DOC. NO. 829)

The SPEAKER pro tempore laid before the House the following further veto message from the President of the United States:

To the House of Representatives:

H. R. 9118, entitled "An act to provide for the reimbursement of travel expenses to certain employees of the Corps of Engineers, United States Army," is returned without my approval.

This bill would authorize reimbursement to employees for the expense of reporting for duty at Fort Peck, Mont. Although not shown in the bill or in the Senate and House reports thereon, it has been brought to my attention that all of the employees to be so benefited received, upon reporting for duty at Fort Peck, administrative promotions which could only have been lawfully granted to persons appointed to fill vacancies, since employees continued in the same positions were prohibited from receiving administrative promotions by section 7 of the act of March 3, 1933 (47 Stat. 1515). It is the established rule, on the other hand, that employees must bear all expenses of reporting to their first-duty station under new appointments. Consequently, to permit these employees to receive both increased compensation and reimbursement for travel expenses would give them benefits not accorded to other Government employees. I am informed in this connection that travel expenses have been allowed by the Comptroller

General in all cases in which the reporting to Fort Peck involved no break in the employees' service and no increased compensation.

I do not feel, therefore, that the relief sought to be granted by the bill is necessary to accord equitable treatment to this group of employees.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *June 11, 1940.*

The Speaker pro tempore. The objections of the President will be spread at large upon the Journal.

Mr. SMITH of Washington. Mr. Speaker, I move that the bill and the veto message be referred to the Committee on Rivers and Harbors and ordered to be printed.

The motion was agreed to.

REPEAL OF CERTAIN ACTS OF CONGRESS (POCKET VETO VETOED)—VETO MESSAGE (H. DOC. NO. 828)

The SPEAKER pro tempore laid before the House the following further veto message from the President of the United States:

To the House of Representatives:

I am returning herewith, without my approval, the bill (H. R. 3233) entitled "To repeal certain acts of Congress (pocket vetoed)."

I am constrained to pursue this course in view of the fact that an approval of the bill may have far-reaching implications in that it is based on an interpretation of the constitutional pocket-veto power of the President, which is much narrower than that which has been placed upon it by continuous usage for over a century, and which has met the express sanction of the Supreme Court. The acceptance of such new construction of the pocket-veto power would make a serious inroad on the pertinent constitutional provision. In fact, it would render the authority of the President to pocket veto bills almost nugatory.

Article I, section 7, paragraph 2 of the Constitution provides that every bill that has passed the House of Representatives and the Senate shall be presented to the President; that if he approves he shall sign it, but if not he shall return it with his objections to that House in which it shall have originated. It further provides that if any bill shall not be returned by the President within 10 days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law.

The failure of the President to act on a bill presented to him less than 10 days before adjournment of the Congress, thereby precluding such bill from becoming a law, has been denominated as a "pocket veto." This authority has been frequently exercised at the end of various sessions of the Congress, without distinguishing whether or not such sessions were final sessions. It was first invoked over a century ago by President Madison, at the end of the first session of the Twelfth Congress.

I am informed that the total number of bills that have encountered a pocket veto aggregates over 600, of which almost half occurred following a sine die adjournment of a session as distinguished from a sine die adjournment of a Congress. A few years ago the Supreme Court in the so-called Pocket Veto case sustained the authority of the President to pocket veto bills at the end of any session of the Congress. More recently, it has indicated that the President may return a bill with a veto message while the House in which the bill originated is in recess, clearly restricting its decision, however, to a recess occurring during a session of the Congress.

The bill under consideration proposes to repeal all bills that have been pocket vetoed after any adjournment of a session of the Congress other than the final session of a Congress. Manifestly such legislation would have far-reaching implications, because it would assume that all such bills became law and that the President has no authority to exercise a pocket veto at any time except after a final adjournment of a Congress. The result would be to place a limitation on the pocket-veto power which, in the light of long and continuous usage and the decisions of the Supreme Court, was not contemplated by the founding fathers.

Moreover, under the twentieth amendment, unlike the situation that previously existed, it is impossible to determine at the time of the adjournment of the second regular session of a Congress whether or not it is the final adjournment of the Congress.

The result of the interpretation which it is proposed by this legislation to place upon the pocket-veto power would be to render that authority practically nugatory and to effect by indirection an amendment to the Constitution.

If the bill under consideration were limited to the comparatively small number of bills that have been pocket vetoed from time to time while the originating House was in a short recess during a session of the Congress, an entirely different question would be presented.

In its present form, however, the bill has far-reaching and undesirable implications which impel me to withhold my approval.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *June 11, 1940.*

The SPEAKER pro tempore. The objections of the President will be spread at large upon the Journal.

Mr. BYRNE of New York. Mr. Speaker, I move that the bill and the veto message be referred to the Committee on the Judiciary and ordered printed.

The motion was agreed to.

CAPT. VICTOR GONDOS, JR.—VETO MESSAGE (H. DOC. NO. 833)

The SPEAKER pro tempore laid before the House the following further veto message from the President of the United States:

To the House of Representatives:

I am returning herewith, without approval, H. R. 6681, entitled, "An act granting a pension to Capt. Victor Gondos, Jr." The bill reads as follows:

That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Capt. Victor Gondos, Jr., late of the United States Coast Artillery Corps Reserve, and pay him a pension at the rate of $50 per month.

Victor Gondos accepted appointment as second lieutenant, Coast Artillery Corps Reserve, June 24, 1924. He was promoted to first lieutenant, Coast Artillery Corps Reserve, July 3, 1926; to captain, July 26, 1930; and reappointed as captain, Inactive Reserve, effective July 21, 1935. He was on active duty under his Reserve commission from April 4 to 18, 1926; August 8 to 22, 1926; July 17 to 30, 1927; August 12 to 25, 1928; September 13 to November 3, 1928; July 6 to 19, 1930; and from August 2 to 15, 1931.

He filed claim with the Veterans' Administration claiming service connection for arthritis alleged to have been incurred while on active duty at the Coast Artillery School, Fort Monroe, Va. The claim is based upon his allegation that his condition is the result of: (a) Exposure suffered during a severe rainstorm while en route to report for active duty at Fort Monroe, Va., in August 1928; (b) an injury incurred in attempting to mount a horse while on active duty in October 1928; and (c) a further injury incurred by falling on the steps of the mess hall in July 1930.

The claimant has furnished the Veterans' Administration statements and affidavits of private physicians and friends in support of his claim. Careful and sympathetic consideration was given to this evidence along with the official records which show that no arthritic disability was claimed or noted by the examining surgeon when physical examinations were conducted on October 26, 1929, July 7, 1930, and August 3, 1931, in connection with the claimant's service in the Coast Artillery Corps Reserve. Under date of November 2, 1928, Captain Gondos signed a certificate that to the best of his knowledge and belief there had not been any material change

in his physical qualifications during his tour of active duty at Fort Monroe, Va., from September 13, 1928, to November 2, 1928, both dates inclusive. He signed a similar certificate under date of July 19, 1930, covering his period of active duty at Fort Monroe, Va., from July 6 to 19, 1930. It has been determined by the Veterans' Administration that all the evidence of record fails to disclose that the disability from which the claimant is suffering was incurred in or aggravated during any period of active service as a Reserve officer.

Although Captain Gondos' physical condition is unfortunately such as to evoke sympathy, there are no facts or circumstances surrounding his case which, in my judgment, would warrant the approval of a special act in his behalf.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *June 11, 1940.*

The SPEAKER pro tempore. The objections of the President will be spread at large upon the Journal.

Mr. WALLGREN. Mr. Speaker, I move that the bill and the veto message be referred to the Committee on Invalid Pensions and ordered to be printed.

The motion was agreed to.

ERNEST FRANCIS WHITE—VETO MESSAGE

The SPEAKER pro tempore laid before the House the following further veto message from the President of the United States:

To the House of Representatives:

I am returning herewith, without my approval, H. R. 1312, a bill "granting a pension to Ernest Francis White."

It is the purpose of the bill to authorize and direct the Veterans' Administration to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ernest Francis White, minor child of Ernest Francis White, late of the United States Navy and the United States Coast Guard, and pay him a pension at the rate of $15 a month until he attains the age of 18 years.

Ernest Francis White, the father of the beneficiary under the bill, drowned on October 14, 1927, while in the service of the United States Coast Guard, as the result of an explosion of Coast Guard picket boat *CG–2324* in the harbor at Woods Hole, Mass. Pension is not payable, as death occurred prior to the enactment of the act of July 2, 1930, "An act to apply the pension laws to the Coast Guard," which act was not retroactive in effect.

Aside from any question of merit in this case and other similar cases, approval of this bill would give preferential treatment to this claimant over others whose claims are equally meritorious, and would except the claimant from the usual administrative investigation and determination with respect to certain criteria observed in the adjudication of pension claims.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *June 11, 1940.*

The SPEAKER pro tempore. The objections of the President will be spread at large upon the Journal.

Mr. WALLGREN. Mr. Speaker, I move that the bill and the veto message be referred to the Committee on Invalid Pensions.

The motion was agreed to.

TIMOTHY A. LINEHAN—VETO MESSAGE (H. DOC. NO. 823)

The SPEAKER pro tempore laid before the House the following further veto message from the President of the United States:

To the House of Representatives:

I am returning herewith, without my approval, H. R. 1379, a bill "Granting a pension to Timothy A. Linehan."

It is the purpose of the bill to authorize and direct the Veterans' Administration to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Timothy A. Linehan and pay him a pension at the rate of $15 per month.

Timothy A. Linehan enlisted in the United States Coast Guard on November 30, 1928, and was honorably discharged for physical disabilities on May 14, 1930. During his service in the Coast Guard he was hospitalized from February 18, 1930, to the date of his discharge with a diagnosis of right inguinal hernia and left femoral phlebitis. He filed a claim for pension but is not entitled to it for the reason that the disabilities were incurred prior to the enactment of the act of July 2, 1930, "An act to apply the pension laws to the Coast Guard."

Aside from any question of merit in this or other similar cases, approval of this bill is objectionable for the following reasons: First, it would give preferential treatment to this claimant over others whose claims are equally meritorious; second, it would arbitrarily fix a rate of pension without the usual administrative investigation and appraisal of the degree of disability and service connection, and third, it would perpetuate, without change, a rate of pension which would not take cognizance of any change in the disability status of the veteran.

FRANKLIN D. ROOSEVELT.

The WHITE HOUSE, *June 11, 1940.*

The SPEAKER pro tempore. The objections of the President will be spread at large upon the Journal.

Mr. WALLGREN. Mr. Speaker, I move that the bill, and the veto message be referred to the Committee on Invalid Pensions and ordered to be printed.

The motion was agreed to.

JOHN W. SWOVELAND—VETO MESSAGE (H. DOC. NO. 827)

The SPEAKER pro tempore laid before the House the following further veto message from the President of the United States:

To the House of Representatives:

I am returning herewith, without my approval, H. R. 5007, a bill "Granting a pension to John W. Swoveland."

It is the purpose of the bill to authorize and direct the Veterans' Administration to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John W. Swoveland and pay him a pension at the rate of $60 per month.

This veteran suffered a severe cranial injury with concussion of the brain and not the result of his own misconduct while serving as an enlisted man of the United States Coast Guard. He is not entitled to pension for the reason that injury was incurred prior to the approval of the act of July 2, 1930, "An act to apply the pension laws to the Coast Guard."

Aside from any question of merit in this or other similar cases, approval of this bill is objectionable for the following reasons: First, it would give preferential treatment to this claimant over others whose claims are equally meritorious; second, it would arbitrarily fix a rate of pension without the usual administrative investigation and appraisal of the degree of disability and service connection; and third, it would perpetuate, without change, a rate of pension which would not take cognizance of any change in the disability status of the veteran.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *June 11, 1940.*

The SPEAKER pro tempore. The objections of the President will be spread at large upon the Journal.

Mr. WALLGREN. Mr. Speaker, I move that the bill and the veto message be referred to the Committee on Invalid Pensions and ordered to be printed.

The motion was agreed to.

MAUD PATTERSON—VETO MESSAGE (H. DOC. NO. 824)

The SPEAKER pro tempore also laid before the House the following message from the President of the United States, which was read:

To the House of Representatives:

I am returning herewith, without my approval, H. R. 2285, entitled "An act granting a pension to Maud Patterson."

It is the purpose of the bill to authorize and direct the Veterans' Administration to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Maud Patterson, widow of John Thomas Patterson, late of the United States Coast Guard, and pay her a pension at the rate of $26 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 65 years.

John Thomas Patterson, the husband of the beneficiary under the bill, died on December 7, 1926, from chronic myocarditis, while in the service of the United States Coast Guard. However, pension is not payable to his widow for the reason that his death occurred prior to the enactment of the act of July 2, 1930, "An act to apply the pension laws to the Coast Guard," which act was not retroactive in effect.

Aside from any question of merit in this case, and other similar cases, approval of this bill would give preferential treatment to this claimant over others whose claims are equally meritorious and would except the claimant from the usual administrative investigation and determination with respect to certain criteria observed in the adjudication of pension claims.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *June 11, 1940.*

The SPEAKER pro tempore. The objections of the President will be spread at large upon the Journal.

Mr. WALLGREN. Mr. Speaker, I move that the bill and the message be referred to the Committee on Invalid Pensions and ordered to be printed.

The motion was agreed to.

LIZZIE MAY WILBUR CLAYTON—VETO MESSAGE (H. DOC. NO. 825)

The SPEAKER pro tempore also laid before the House the following message from the President of the United States, which was read:

To the House of Representatives:

I am returning herewith, without my approval, H. R. 2273, a bill "Granting a pension to Lizzie May Wilbur Clayton."

It is the purpose of the bill to authorize and direct the Veterans' Administration to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lizzie May Wilbur Clayton, widow of Vincent A. Clayton, late of the United States Coast Guard, and pay her a pension at the rate of $26 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 65 years.

Vincent A. Clayton, the husband of the beneficiary under the bill, died while in the service of the United States Coast Guard on April 20, 1928, as a result of a skull fracture caused by a fall from a Coast Guard truck en route to assist in fighting a forest fire. However, pension is not payable to his widow for the reason that his death occurred prior to the enactment of the act of July 2, 1930, "An act to apply the pension laws to the Coast Guard," which act was not retroactive in effect.

Aside from any question of merit in this case, and other similar cases, approval of this bill would give preferential treatment to this claimant over others whose claims are equally meritorious and would except the claimant from the usual administrative investigation and determination with respect to certain criteria observed in the adjudication of pension claims.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *June 11, 1940.*

The SPEAKER pro tempore. The objections of the President will be spread at large upon the Journal.

Mr. WALLGREN. Mr. Speaker, I move that the bill and the message be referred to the Committee on Invalid Pensions and ordered printed.

The motion was agreed to.

HELEN M. CROWLEY—VETO MESSAGE (H. DOC. NO. 826)

The SPEAKER pro tempore also laid before the House the following message from the President of the United States, which was read.

To the House of Representatives:

I am returning herewith, without my approval, H. R. 2143, a bill "granting a pension to Helen M. Crowley."

It is the purpose of the bill to authorize and direct the Veterans' Administration to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Helen M. Crowley, widow of Ralph L. Crowley, late of the United States Marine Corps; Signal Corps, United States Army, under the name of Lawrence Stone, and the United States Coast Guard, under the name of Ralph L. Crowley, and who died as a result of injuries sustained in line of duty March 28, 1930, and pay her a pension at the rate of $22 per month and increase the rate to $26 per month from and after the date she shall have attained the age of 50 years and further increase the rate to $30 per month from and after the date she shall have attained the age of 65 years. Ralph L. Crowley, the husband of the beneficiary under the bill, died on March 28, 1930, as a result of a fall from a telephone pole while in the service of the Coast Guard. However, pension is not payable to his widow for the reason that his death occurred prior to the enactment of the act of July 2, 1930, "An act to apply the pension laws to the Coast Guard," which act was not retroactive in effect.

Aside from any question of merit in this case, and other similar cases, approval of this bill would give preferential treatment to this claimant over others whose claims are equally meritorious and would except the claimant from the usual administrative investigation and determination with respect to certain criteria observed in the adjudication of pension claims.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *June 11, 1940.*

The SPEAKER pro tempore. The objections of the President will be spread at large upon the Journal.

Mr. WALLGREN. Mr. Speaker, I move that the bill and the message be referred to the Committee on Invalid Pensions and ordered printed.

The motion was agreed to.

REORGANIZATION OF NAVY DEPARTMENT

Mr. VINSON of Georgia. Mr. Speaker, I present a conference report upon the bill S. 4026, providing for the reorganization of the Navy Department and for other purposes, for printing under the rule.

GENERAL LEAVE TO PRINT

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to extend their own remarks in the RECORD on the tax bill passed this afternoon.

The SPEAKER pro tempore. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. COOPER. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. HOBBS], who is temporarily absent from the Chamber, may have permission to extend his remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

RAILROAD UNEMPLOYMENT INSURANCE ACT

Mr. O'NEAL. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 10009) to amend section 13 (d) of the Railroad Unemployment Insurance Act, which I send to the desk and ask to have read.

The Clerk read the bill as follows:

Be it enacted, etc., That subsection (d) of section 13 of the Railroad Unemployment Insurance Act, as amended, is hereby amended by striking the period at the end of the last sentence of said subsection, inserting a colon, and adding the following: *"Provided, however,* That if the Social Security Board finds with respect to any

State that such State (1) is unable to avail itself of such conditions solely by reason of prohibitions contained in the constitution of such State, as determined by a decision of the highest court of such State declaring invalid in whole or in part the action of the legislature of the State purporting to provide for transfers from the State's account in the Unemployment Trust Fund to the railroad unemployment insurance account, and (2) for similar reasons is unable to use amounts withdrawn from its account in the Unemployment Trust Fund for the payment of expenses incurred in the administration of its State unemployment compensation law, the Social Security Board shall not begin to withhold from certification to the Secretary of the Treasury for payment to such State the amounts determined by it pursuant to section 302 of the Social Security Act and to certify to the Secretary of the Treasury for payment into the railroad unemployment insurance account the amount so withheld from such State until July 1, 1942, and then only if the Social Security Board finds that such State had not prior thereto effectively authorized and directed the Secretary of the Treasury to transfer from such State's account in the Unemployment Trust Fund to the railroad unemployment insurance account amounts equal to such State's 'preliminary amount' and 'liquidating amount' less such parts thereof, if any, as the State may have, within the periods set forth in the provisos contained in the first two paragraphs of this subsection, effectively authorized and directed the Secretary of the Treasury so to transfer, plus interest on such difference, if any, with respect to each amount at 2½ percent per annum from the date the State's 'preliminary amount' or 'liquidating amount', as the case may be, is determined by the Social Security Board; and with respect to any such State the amount withheld shall equal the State's 'preliminary amount' and 'liquidating amount' less such parts thereof, if any, as the State may have, with the periods set forth in the provisos contained in the first two paragraphs of this subsection effectively authorized and directed the Secretary of the Treasury to transfer, plus interest from July 1, 1939, at 2½ percent per annum on so much of the 'preliminary amount' and 'liquidating amount,' as the case may be, as has not been so transferred or has not been used as the measure for withholding."

The SPEAKER pro tempore. Is there objection?

Mr. MARTIN of Massachusetts. Mr. Speaker, I reserve the right to object. What does this bill do?

Mr. O'NEAL. Mr. Speaker, the State of Kentucky has collected money under the social-security program which the State of Kentucky Court of Appeals has said it cannot turn over to the Federal Government. The Federal Government has consented to the bill that I am asking consideration of, to delay the decision of this matter for 2 years so that they can work out something that will be fair to Kentucky and to everybody concerned. This bill is concurred in by the Social Security Board, the Railroad Retirement Board, the Interstate and Foreign Commerce Committee, by both Republicans and Democrats, subcommittee and full committee, unanimously, and I have discussed it with the members of the Committee on Ways and Means and the Bureau of the Budget and the Treasury. All are in accord. I believe there is no objection to the bill whatever.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

EXTENSION OF REMARKS

Mr. NICHOLS. Mr. Speaker, this afternoon in the consideration of this measure I made certain remarks. I ask unanimous consent to revise and extend those remarks and include therein an editorial from a paper in my district.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein some excerpts from Appropriations Committee hearings.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. HENNINGS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an editorial from the St. Louis Post-Dispatch.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

ADJOURNMENT SINE DIE

Mr. BLAND. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at this point by including therein a resolution adopted by the Virginia delegation in the House today expressing its opposition to adjournment during the present emergency.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The resolution is as follows:

The Virginia delegation in the House of Representatives, affirming its confidence in and approval of the admirable foreign policy of this administration and recognizing the grave emergency confronting the country, and cognizant of its duty to cooperate with the administration in every possible way, do hereby resolve that it is inadvisable that the Congress should adjourn during the present emergency, and unanimously express hereby their opposition thereto. Dated this 11th day of June 1940.

C. A. WOODRUM.
S. O. BLAND.
HOWARD W. SMITH.
JOHN W. FLANNAGAN, Jr.
A. WILLIS ROBERTSON.
DAVE E. SATTERFIELD, Jr.
COLGATE DARDEN, Jr.
THOMAS G. BURCH.
P. H. DREWRY.

EXTENSION OF REMARKS

Mr. MURDOCK of Utah. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a brief statement by George Q. Lynch with respect to the Smith amendments adopted recently.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

REPEAL OF THE JOHNSON ACT

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that I may be permitted to extend my own remarks at this point in the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. DINGELL. Mr. Speaker, in conformity with the expression and sentiment of the President which coincides with the sentiment and opinion of our loyal and patriotic citizens, I deem it consistent to introduce a bill providing for the repeal of the Johnson Act.

The exigencies of the times make mandatory immediate action. The danger to civilization and to all free peoples including ourselves requires prompt, positive, and maximum exertion to crush the fiendish juggernaut. The Johnson Act was born of Nazi-German propaganda in this country. It was an important part of the scheme to forestall any and all possible opposition to Nazi domination of the world. The arch conspirator and debt-welcher Hitler, by casting reflections upon defaulting nations brought about revulsion and the passage of the act for his own nefarious benefit. The time has come for repeal action. The Johnson Act was a sinful mistake; it was the result of a well-planned, cleverly veiled anti-French, anti-British campaign in this country. If civilization is to survive, if our beloved country is to survive, the Johnson Act must be cast aside, repealed.

The most discredited, red-faced, and either silent or apologetic element in America today is the former blatant pompous group of isolationists. False prophets, fulminating whirling dervishes and some fakers among them, who told us they knew better than Roosevelt that "there would be no war"—you could sell them all for a plugged 2-cent piece if you could identify any of them today. They have either been sunk without a trace and, as the Nazis would say, "Spurlus versenkt," or they have turned themselves inside out like an old glove and are hard to identify. Some of them who have talked about being halfway in the war and halfway out of the war are today urging for Britain and France maximum possible material assistance short of war, which is exactly what the President insisted upon from the very outset.

Some of these false prophets were unconcerned with the plight of Poland. They were not particularly interested when Denmark and Norway succumbed to the Nazi depredation. The subjugation of Belgium caused no particular excitement, but when Holland was crushed, one of these false prophets flopped and floundered like a sucker on a beach. Then the great and generous gesture was made toward the gallant Finns. Remit their debt payment, he pleaded, this in spite of the fact that the Finns as usual asked no favor, scraped up the cash and had sufficient on hand to pay not only the immediate payment due but one more in advance. When the Finns were fighting for their lives, for their very national existence, the false prophets were not interested in Finland any more than they were in Poland or any other gallant nation. Perhaps the great element of American citizens of Dutch antecedents centered largely in the western part of Michigan may have had some influence in converting the prophet to the Rooseveltian philosophy that democracy and the freedom of nations are worth saving wherever they happen to be, and that we, as a free democratic nation, should lend every possible assistance short of war to destroy the fiendish autocrats.

Today the great French Nation, foremost in culture, in education, and national accomplishment, faces enslavement or annihilation at the hands of depraved German nazi-ism. As she stands in defense of all that is held sacred by Christianity and mankind, she is stabbed in the back by a contemptible, bloated rodent that walks like a man and acts like a typical Sicilian gangster.

In support of this Nazi and Fascist combination, reinforced by communistic Stalinism, stands the Johnson Act. If we are to give the maximum possible assistance to France and England and contribute to the survival of civilization, we must help these unfortunate peoples to help themselves. There are millions of people in America who will be willing to invest in civilization's future and to preserve democracy.

EXTENSION OF REMARKS

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a resolution passed yesterday by the State Democratic convention in Oklahoma and also to include therein the keynote address delivered by the senior Senator from Oklahoma [Hon. ELMER THOMAS].

The SPEAKER pro tempore. Is there objection?

There was no objection.

SUPPLEMENTAL REPORT, HOUSE JOINT RESOLUTION 555

Mr. SPARKMAN. Mr. Speaker, on behalf of the gentleman from Pennsylvania [Mr. FADDIS], I ask unanimous consent to file a supplemental report to the report that was filed yesterday on House Joint Resolution 555.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein an article from the Washington Post.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. HOOK. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks and include therein a speech delivered by the gentleman from Texas, Hon. MARVIN JONES, over a national hook-up.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

SALE OF PRISON-MADE GOODS

Mrs. NORTON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution Senate Concurrent Resolution 50.

The SPEAKER pro tempore. The Clerk will read the resolution.

The Clerk read as follows:

Senate Concurrent Resolution 50

Resolved by the Senate (the House of Representatives concurring), That the action of the Speaker of the House of Representatives in signing the enrolled joint resolution (S. J. Res. 59) authorizing the Bureau of Labor Statistics to collect information as to amount and value of all goods produced in State and Federal prisons be, and it is hereby, rescinded; and be it further

Resolved, That the Secretary of the Senate be, and he is hereby, authorized and directed, in the enrollment of the said joint resolution, to make the following change, namely: In line 15 of the engrossed joint resolution strike out "May 1, 1940" and insert "May 1, 1941."

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New Jersey?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, I understand this is simply a change in the date?

Mrs. NORTON. That is exactly right.

Mr. MARTIN of Massachusetts. The bill has passed the House previously?

Mrs. NORTON. That is correct.

The SPEAKER pro tempore. The question is on agreeing to the Senate concurrent resolution.

The Senate concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein an editorial and also a table of appropriations for the national defense since 1933.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made this afternoon and to include therein certain excerpts from Government reports and monetary authorities.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

Mr. JOHNSON of Indiana. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the New York Herald Tribune of June 7.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. KEAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Newark Sunday Call.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. THILL, Mr. THORKELSON, and Mr. BREWSTER asked and were given permission to revise and extend their own remarks in the RECORD.

Mr. MARTIN of Iowa. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD with reference to the adjournment of Congress.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. JENSEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD relative to taxes and the national defense.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include therein a portion of the Washington Merry-Go-Round for May 10.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. MOSER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a part of an editorial from the Reading Times, of Reading, Pa.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mrs. NORTON. Mr. Speaker, I ask unanimous consent that I may have a page and a half over the limit on the extension of extraneous matter to insert in the RECORD a letter from Administrator Flemming, the subject of a former request.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

CALENDAR WEDNESDAY

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that business in order on tomorrow, Calendar Wednesday, may be dispensed with.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on Roosevelt's third-term "blitzkrieg."

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a very marvelous address delivered by my good friend of many years standing, Dr. George W. Truitt, of Texas, for the past 5 years president of the Baptist World Alliance, and undoubtedly the greatest minister of this generation. The address is longer than that permitted under the rule, and I ask that it may be printed, nothwithstanding its length.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma [Mr. JOHNSON]?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article from the New York Sun.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that on Friday next, after the disposition of business on the Speaker's table, and any other special orders, I may be permitted to address the House for 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

The SPEAKER pro tempore. Under a previous special order of the House, the gentleman from Michigan [Mr. HOFFMAN], is recognized for 10 minutes.

Mr. HOFFMAN. Mr. Speaker, I yield back that time.

The SPEAKER pro tempore. Under a previous special order of the House, the gentleman from Texas [Mr. PATMAN], is recognized for 30 minutes.

LT. COL. CARL BYOIR WAS THE FIRST HITLER TROJAN HORSE IN AMERICA

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to revise and extend by own remarks in the RECORD and to insert in connection therewith certain testimony before a congressional committee.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas [Mr. PATMAN]?

There was no objection.

Mr. PATMAN. Mr. Speaker, May 27, 1940, I made the following statements on the floor of the House:

First. That Hitler came into power in Germany on January 30, 1933.

Second. That soon thereafter Lt. Col. Carl Byoir and his associates were paid $4,000 in cash by the German consul in New York to send out propaganda for Nazi Germany.

Third. That during subsequent months Lt. Col. Carl Byoir and his associates were paid two or three thousand dollars a month for propaganda purposes in behalf of Nazi Germany.

Fourth. That George Sylvester Viereck, a noted German agent during the last World War, and a representative of Germany since that time, was a silent partner in the firm of Carl Byoir & Associates.

Fifth. That aliens were brought into this country by German steamship lines and were used to build up German organizations sympathetic to Adolf Hitler.

Sixth. That Lt. Col. Carl Byoir established an office in Berlin and sent bales of propaganda to this country and distributed it.

Seventh. That the evidence is sufficient to convince anyone that Lt. Col. Carl Byoir was hired to establish here in the United States the greatest espionage and spy system ever organized on the face of the earth.

Eighth. That it was helpful to use Lt. Col. Carl Byoir because Byoir could assist him in building up his "fifth column" here in America by sending aliens into every State, county, city, and community in America to work for his (Byoir's) wealthy clients.

Ninth. That Lt. Col. Carl Byoir has many front organizations in the same building in which he is located at 10 East Fortieth Street, New York City, and some of these are German propaganda front agencies.

Every charge I have made is backed up by sworn testimony of witnesses. This testimony is uncontradicted.

These statements are contained in the daily CONGRESSIONAL RERORD of May 27, 1940, commencing at page 6949.

I called upon the Dies investigating committee to make a thorough investigation of these charges.

BYOIR EVADED M'CORMACK COMMITTEE—NOW CLAIMS HE WANTS TO BE HEARD

After the Dies committee had determined to investigate the charges, Lt. Col. Carl Byoir issued a statement in which he declared that he is ready for a full and complete investigation and denied that he was ever connected with sending out German propaganda by saying:

> In 1933 we had a contract with the German Federal Railroads to promote tourist travel to Germany. Nothing was done under this contract that could by any stretch of the imagination be termed un-American or Nazi propaganda.

It is strange that Lieutenant Colonel Byoir wants to be heard by a congressional committee when he conveniently had business in Europe and Canada until the McCormack Committee quit looking for him.

STATEMENT OF JUNE 4, 1940

On June 4, 1940, I obtained time and made the following statements on the floor of the House (commencing at page 7548 of the daily CONGRESSIONAL RECORD of that date):

First. That Lt. Col. Carl Byoir helped to create the mobilization plans for our Army and Navy after the last war.

Second. That Lt. Col. Carl Byoir was made a lieutenant colonel in the United States Army Reserves, Specialists Reserve, July 8, 1931; that he was not promoted from another rank, he commenced in the service as lieutenant colonel.

Third. That a noted correspondent of the Associated Press had disclosed that a substantial part of the plans for Adolf Hitler's "blitzkrieg" were borrowed from the United States.

Fourth. That the Tide magazine in the May 15, 1940, issue, states that Lt. Col. Carl Byoir is now working with our committees that deal with our secret plans to be used in the event of war.

VIERECK AND LIEUTENANT COLONEL BYOIR

I also inserted in connection with these statements specific sworn testimony by George Sylvester Viereck before a congressional committee investigating un-American activities on July 10, 1934, in New York City, in which Viereck admitted under oath that he worked with Lt. Col. Carl Byoir after Hitler went into power in Germany, January 30, 1933. That he, as well as Byoir, was paid money by the German consul in New York City; that he went to Germany and conferred with Hitler himself and obtained a contract for Lt. Col. Carl Byoir to represent a German concern in this country. The contract called for $6,000 a month and although it was camouflaged to pretend that he was representing the German railroads the testimony shows clearly

that Byoir was employed as a Nazi agent to propagandize this country for what was known as Hitler's New Germany.

TESTIMONY CONCLUSIVE

The testimony is in the CONGRESSIONAL RECORD and it speaks for itself. No one can read it without being convinced that Lt. Col. Carl Byoir, who had been appointed lieutenant colonel in the Army less than 2 years before, became an agent of a foreign government for the purpose of trying to sell the American people on Nazi ideas, and especially to build up Adolf Hitler. The testimony shows that the first book gotten out by Lt. Col. Carl Byoir was entitled, "Speaking of Hitler."

CONGRESSIONAL COMMITTEE THAT EXPOSED BYOIR

The Committee that was investigating Nazi and other propaganda in 1934 was composed of the following: Representative McCormack, of Massachusetts, chairman; Dickstein, of New York; Weideman, of Michigan; Kramer, of California; Jenkins, of Ohio; Taylor, of Tennessee; and Guyer of Kansas. The Honorable Thomas N. Hardwick, of Georgia, was committee counsel. This committee's report was filed February 15, 1935. It is Report No. 153, Seventy-fourth Congress, first session.

COMMITTEE REPORT CONDEMNS BYOIR

Lt. Col. Carl Byoir has insisted that the committee investigating his propaganda activities for Adolf Hitler had exonerated him.

I am inserting herewith parts of this report from pages 3, 4, 5, 6, and 7 thereof:

NAZI-ISM

We would not be fully responsive to our duty if we failed to compliment the twenty-odd-million Americans of German birth or descent, who have refused to participate in the Nazi movement and propaganda in this country, which the evidence plainly shows have been founded, in the main, on racial and religious prejudices.

This committee has had evidence to show the strenuous efforts made to enlist these twenty-odd-million persons. This committee has evidence to show the wiles and blandishments that were employed, and when these failed, the scurrilous attacks that were utilized, in an effort to bring them into the Nazi program.

Again, this committee compliments in the highest terms, those people who have adhered to the American principles and American ideals, because they have made this country their homeland and because they believe in the rights of equality granted under our form of government.

This committee has unearthed evidence showing that an effort to spread the theory of the National Socialist German Labor Party, commonly referred to as the Nazi philosophy, had been under way in the United States for several years.

In order to simplify matters, we shall divide the Nazi activities into two periods, the first covering all of the time prior to the designation of Adolf Hitler as Chancelor of Germany, and the second, covering the period after Adolf Hitler became Chancelor and to the present time. By way of explanation, it should be stated that up until the time that Adolf Hitler became Chancelor the National Socialist German Labor Party was a minority political party in Germany.

The first real representative of the National Socialist German Labor Party of which this committee has definite knowledge was one Kurt Georg Wilhelm Luedecke, who admitted under oath before this committee that he utilized his position of traveling representative for a German commercial house as a smoke screen behind which to disseminate his propaganda in the United States in an effort to gain adherents and financial support for the Nazi movement.

Luedecke, on his own admission, stated that while he was here acting as a propagandist for a minor political party in Germany he gained access not only to the press galleries of the Congress, but also to press gatherings in the White House.

During this time Luedecke established in Brookline, Mass., what was known as the Swastika Press, in one issue of which he said:

"We repudiate the doctrine of popular sovereignty. Believing in the authority of leadership, in the value of personality, we advocate a state of truly sovereign authority, which dominates all the forces of the nation, coordinating them, solidifying them, and directing them toward the higher ends of national life; an authority which is at the same time in constant touch with the masses, guiding and educating them, and looking after their interest."

Luedecke characterized himself as No. 7 in the Nazi Party, designating Adolf Hitler as No. 1. He boasted of his friendship with all the heads of the various branches of the Nazi Party and the Nazi government of Germany (pp. 96–138, N. Y. 12). (References in this report are to pages of the hearings.)

During this first period, as we have characterized it, efforts were inaugurated by individuals and groups who believed in the policies of the National Socialist German Labor Party to establish them here. This committee has evidence of such efforts, particularly in the cities of New York and vicinity, Chicago, and Los Angeles. They sought diligently to bind together in this country people of German birth and German descent into a political group that was and was to be directed from abroad, in distinct violation of every known American principle.

These individuals organized a group which became known as Teutonia, and which, through various stages, finally became known, after the advent of Adolf Hitler as Chancelor, as the Friends of New Germany, which brings us to the second period of activity.

Early in the history of the Friends of New Germany the leadership was usurped by one Heinz Spanknoebel, an alien, who entered this country claiming to be a clergyman.

One of his first activities was to take over, by intimidation and without compensation, a small newspaper in New York published by the German Legion, which paper he largely financed by subsidies under the guise of advertisements granted him by the German steamship lines as well as the German railways (pp. 229–245, D. C. 4).

Documentary evidence before the committee obtained from the companies shows that this subsidy was ordered from Germany and amounted, in the case of the steamship lines, to $600 per month and in the case of the railways to $200 per month without regard to the amount of space used. The evidence established that Spanknoebel ordered another American-German paper in New York City to discontinue its publication, which order, while resented, was complied with. The evidence also shows that he undertook to determine and supervise the news and editorial policy of certain other American newspapers, and that in at least one case his orders were refused and his efforts resisted (pp. 17–37, N. Y. 7).

He also became very active in and obtained control of the Stahlhelm, a German veterans' organization, causing those members who were opposed to his policies to withdraw, and utilized the remainder of the membership and this organization in the Nazi movement (pp. 308–331, D. C. 4).

Through devious methods he gained control of the United German Societies of New York, a body in that city composed of delegates from many American-German organizations, causing a breach among the members which has not yet been healed. As a result of such efforts Spanknoebel exerted tremendous influence on the various organizations, most of which had been in existence for decades in the United States.

Successful efforts were made to establish locals or units of the Friends of New Germany in many other American cities, the membership consisting in the main of aliens. The evidence clearly shows that the movement received the direct and indirect aid of certain accredited German representatives to this country (D. C. 4 and N. Y. 7).

In the fall of 1933 a Federal grand jury in New York City indicted Spanknoebel for failing to register as the agent of a foreign country, and he is now a fugitive from justice.

His successor, Fritz Gissibl, one of the original founders of the Teutonia, also an alien, then became the leader of the Nazi group in this country and carried on the same general activities (p. 71–145, D. C. 4).

Later Gissibl was succeeded by one Reinhold Walter, who is a citizen of this country. This was done in an effort to give the organization the appearance of being "American" in character, although Walter admitted to the committee that Gissibl remained the real head of the movement and continued to dominate its policies, although he, Walter, desired to divorce the organization from its German connections. Mr. Walter was succeeded in July 1934 by Hubert Schnuch, a naturalized citizen and college graduate, who was chosen for the position by Gissibl and continued Gissibl's policies. He is the present party leader (pp. 37–62, N. Y. 7).

Although started 7 or 8 years ago, its self-appointed leaders did not seek to charter their organization until the fall of 1934. Recently Justice Edward J. McGoldrick, of the supreme court, New York County, N. Y., refused to grant them a charter.

However, lack of a charter, lack of a constitution or bylaws or any of the steps usually taken by American organizations, did not hinder these leaders from functioning.

The evidence plainly shows that they took orders not only from the National Socialist German Labor Party, but from some members of the cabinet of that country.

This committee found indisputable evidence to show that certain German consuls in this country, with all the appurtenances of diplomatic immunity, violated the pledge and proprieties of diplomatic status and engaged in vicious and un-American propaganda activities, paying for it in cash, in the hope that it could not be traced (pp. 14–32, D. C. 4; pp. 87–110, N. Y. 7; pp. 3–14, D. C. 4).

One of the transactions in question, which can be found in the evidence taken by this committee, goes to the German Embassy itself, and until recently no effort was made to stop such practices (pp. 14–32, D. C. 4; pp. 703–727, D. C. 6 II).

Several American firms and American citizens as individuals sold their services for express propaganda purposes, making their contracts with and accepting compensation from foreign business firms. The firms in question were Carl Byoir & Associates and Ivy Lee-T. J. Ross. The owner of the Ivy Lee-T. J. Ross firm admitted to the committee that the reports he furnished to the I. G. Farben Industrie, his ostensible employer, dealt with public and political questions rather than trade promotion, and that they were intended to be relayed to the German Government. For this service he received $25,000, all payments of which were in cash, and an effort was made to secrete the connections. Mr. Lee also

admitted that he had never made such a contract before (p. 192, N. Y. 7).

Carl Dickey, junior partner of Carl Byoir & Associates, testified that his firm handled the contract with the German Tourist Bureau with the fee for services set at $6,000 per month. He testified that the contract was secured with the help of George Sylvester Viereck who received $1,750 per month with free office space and secretary as his share of the $6,000. The committee finds that the services rendered by Carl Byoir & Associates were largely of a propaganda nature (pp. 33–67, D. C. 4).

Viereck admitted that he discussed the Byoir contract with a German Cabinet officer before it was entered into. He further testified that he had also been paid the sum of $500 monthly "for 4 or 5 months" by Dr. Kiep, former German consul general in New York City, which was paid in cash for advice of a propaganda nature (pp. 87–111, N. Y. 7).

The first payment on the contract, amounting to $4,000, was made by Dr. Kiep, German consul general in New York City, in cash.

The National Socialist German Labor Party, through its various agencies, furnished tons of propaganda literature, which, in most cases, was smuggled into this country. Some of it, however, came through our Customs, because there is no law against it.

With the advent of Adolf Hitler as Chancelor, efforts to obtain supporters for the Nazi movement were redoubled in the United States. Campaigns were conducted, gigantic mass meetings held, literature of the vilest kind was disseminated, and the short-wave radio was added to the effort.

Orders were issued in Germany and transmitted to the United States ordering certain lines of conduct in connection with this movement. Evidence shows, in one case, that when German officials ordered certain people in the United States to give up their membership in the Nazi Party of Germany or to resign from the Friends of New Germany, the head of the latter organization made a trip abroad at its expense to protest, which protest was made to party officials in Germany (pp. 71–145, D. C. 4).

There is ample evidence showing a dual allegiance to this country and to Germany on the part of those interested in this movement.

German steamship lines not only brought over propaganda, but transported back and forth certain American citizens without cost, for the purpose of having them write and speak favorably of the German Nation. A German steamship company's records show that some of these persons received free transportation at the request of the German Ambassador "in the interest of the state." Members of the crews of these ships carried messages between party officials in Germany and leaders of the Nazi groups here (pp. 17–37, N. Y. 7).

It was quite a common occurrence for steamship companies to invite residents in this country to attend social parties on board ships while they were in port, and persons attending these parties were addressed by representatives from Nazi organizations abroad on the subject of nazi-ism and the philosophies of the National Socialist German Labor Party.

It is also important to note that the conditions of membership in the Friends of New Germany were the same as membership in the National Socialist German Labor Party; that its principles were the same; that it permitted only those of so-called Aryan blood, born in Germany or of German descent, to join, and that it was fashioned entirely along the lines of the Nazi Party of Germany; that it was receiving and recognized orders from Germany; that it was for all practical purposes, if not in fact, the American section of the Nazi movement of Germany, designed to influence, if necessary and possible, our governmental policies. The evidence conclusively shows that this movement in the United States is inconsistent with our principles of government (D. C. 4).

The membership lists of the Friends of New Germany showed a large number of aliens who, although they have resided in this country for a number of years, had never made an effort to obtain their first papers to become citizens. Yet these self-same aliens sought to dictate to American citizens and to find fault with the American philosophy of government.

UNANIMOUS REPORT OF COMMITTEE DEALS SPECIFICALLY WITH BYOIR

It will be noticed in this report that Lt. Col. Carl Byoir was specifically mentioned as one who sold his services for express propaganda purposes. Further, it will be noticed that the committee's report, which was unanimous, contains the following significant statement:

The committee finds that the services rendered by Carl Byoir & Associates were largely of a propaganda nature.

Therefore, in view of the undisputed testimony which was given under oath before a congressional committee and in view of the unanimous findings of that committee that Lt. Col. Carl Byoir was hired to disseminate Nazi propaganda in this country, which was, as the committee stated, "inconsistent with our principles of government," I cannot understand why Lt. Col. Carl Byoir is not dismissed from the service of the United States Army immediately. He should not remain 1 hour longer. He should be dismissed immediately.

TESTIMONY OF BYOIR'S PARTNER

In order to dispel any doubt in the mind of anyone about Lt. Col. Carl Byoir's activities in behalf of the Nazi Government, I submit herewith a copy of the testimony of Lt. Col. Carl Byoir's partner at the time. For fear, in view of its very damaging nature, that it will be charged that I picked out only the damaging part and did not include it all, I am inserting the entire testimony of this witness. At the end of this testimony, I am inserting testimony of the treasurer of Carl Byoir & Associates. The treasurer states that the first money that was paid, $4,000, by the German consul, $2,000 was delivered to Lt. Col. Carl Byoir and the other $2,000 to Dickey, the partner of Lt. Col. Carl Byoir.

THE TWO B'S, BYOIR AND BROWDER

Through Lt. Col. Carl Byoir representing the Nazis and Earl Browder representing the Communists, long steps have been made by them in building up a real menace in this country. These two American citizens have been used as fronts to establish the "fifth column" for Nazi Germany and Soviet Russia.

LIEUTENANT COLONEL BYOIR SHOULD BE DISMISSED FROM SERVICE IMMEDIATELY

The fact that a lieutenant colonel in the United States Army has represented Hitler upon any occasion for any purpose in this country is sufficient to cause his immediate dismissal. Let us not suffer from the "fifth column" menace and Trojan-horse tactics like Czechoslovakia, Poland, Denmark, Norway, Netherlands, and Belgium. Let us profit by the experience of those countries and immediately dismiss from Government service of any type, either United States Army, Navy, Marine Corps, or just an employee of the United States Government, all persons against whom there is proof of disloyalty to our Government or proof of an obligation of any kind whatsoever to a foreign power, or proof that they have in the past deceitfully served a foreign power.

THE COMMUNIST AND SIMILAR GROUPS SHOULD BE OUTLAWED

Why should the Communists, the bund, or any other political party be allowed in our country when there is conclusive evidence to the effect that they are mere agencies of foreign powers seeking to overthrow our Government?

SWORN TESTIMONY OF CARL C. DICKEY

(Carl C. Dickey was sworn and testified as follows:)

The CHAIRMAN. I suggest, Senator, that you keep your voice up, and also the witness.

Mr. HARDWICK. Yes, sir.

Will you give the reporter your full name and initials, your initials at least.

Mr. DICKEY. He has it.

Mr. HARDWICK. Have you given them to him?

Mr. DICKEY. Yes, sir.

Mr. HARDWICK. Your address?

Mr. DICKEY. Business address or home address?

Mr. HARDWICK. Business address will do.

Mr. DICKEY. No. 10 East Forty-second Street, New York.

Mr. HARDWICK. What business or occupation are you in?

Mr. DICKEY. Publicity and business promoters.

Mr. HARDWICK. How is that?

Mr. DICKEY. Publicity and business promoters.

Mr. HARDWICK. Publicity and business promoters. Are you a native of this country, Mr. Dickey?

Mr. DICKEY. Yes, sir.

Mr. HARDWICK. A native American?

Mr. DICKEY. Yes, sir.

Mr. HARDWICK. What is your firm name, if you are in a firm?

Mr. DICKEY. Carl Byoir & Associates.

THE THREE MEMBERS OF FIRM

Mr. HARDWICK. That is a partnership composed of whom?

Mr. DICKEY. Mr. Byoir, myself, and Mr. Vincent Lancaster.

Mr. HARDWICK. How long has that organization or partnership been in business?

Mr. DICKEY. About 3 years.

Mr. HARDWICK. Is there any particular thing in which that partnership specializes—any particular line?

Mr. DICKEY. Our main business is in travel promotion.

Mr. HARDWICK. Travel or tourist promotion?

Mr. DICKEY. That is right; yes, sir.

Mr. HARDWICK. Are you the American representatives of any German business concern? When I say "you," I mean your firm.

Mr. DICKEY. We are the representatives of the German Tourists Information, 665 Fifth Avenue.

Mr. HARDWICK. What is the purpose of that organization?
Mr. DICKEY. It is to promote travel to Germany.
Mr. HARDWICK. On the railroads?
Mr. DICKEY. On the railroads; yes, sir; and other means of transit.
Mr. HARDWICK. Do you mean by that to include steamship lines?
Mr. DICKEY. Yes; and hotels.
Mr. HARDWICK. And they have an office in New York, have they not?
Mr. DICKEY. Yes.
Mr. HARDWICK. Where?
Mr. DICKEY. 665 Fifth Avenue.
Mr. HARDWICK. Now, the German railroads are owned and operated at present by the German Government, are they not?
Mr. DICKEY. I think that the corporation is a private corporation since the Young plan was written.
Mr. HARDWICK. Have you got any definite information on that subject?
Mr. DICKEY. I am not an expert on that; no, sir.
Mr. HARDWICK. You do not know, then, whether or not the German railroads today are owned and operated by the German Government?
Mr. DICKEY. No; not of my own knowledge; no, sir.

ADMITS GERMAN GOVERNMENT WOULD HAVE SOME CONTROL OVER GERMAN RAILROAD

Mr. HARDWICK. If it is a private corporation, is it under the direct control of the Government and a part of it?
Mr. DICKEY. I should assume that, in what you call a totalitarian, that the Government would have some control over it.
Mr. HARDWICK. Were you formerly the adviser of an organization known as the National Committee of Jews and Christians or was your concern?
Mr. DICKEY. We did a job and worked with them for some time. It was called the National Conference of Jews and Christians.
Mr. HARDWICK. What was that organization?
Mr. DICKEY. It is an organization to combat intolerance, religious intolerance of all kinds.
Mr. HARDWICK. That organization did not, then, promote any such thing as anti-Semitism?
Mr. DICKEY. Not at all; no, sir.
Mr. HARDWICK. Or proposed to?
Mr. DICKEY. No, sir.
Mr. HARDWICK. You advised them?
Mr. DICKEY. Yes, sir.
Mr. HARDWICK. Do you remember the year you had that connection with them?
Mr. DICKEY. It was, I think, about March, 2 years ago.
Mr. HARDWICK. March 1932; would that make it?
Mr. DICKEY. 1932; yes, sir.

CONSULTED AFTER HITLER CAME INTO POWER

Mr. HARDWICK. Now, were you consulted by the German interests in New York at any time during March or April 1933, regarding the effect upon their business of anti-Semitism in Germany?
Mr. DICKEY. It began about that time; yes, sir.
Mr. HARDWICK. Do you recall what particular date?
Mr. DICKEY. No; I do not recall the date.
Mr. HARDWICK. Somewhere around about that time?
Mr. DICKEY. Roughly; yes, sir.
Mr. HARDWICK. In the spring of 1933?
Mr. DICKEY. Yes, sir; that is right.
Mr. HARDWICK. After Chancelor Hitler came into power in Germany?
Mr. DICKEY. That is right; yes, sir.
Mr. HARDWICK. Have you got a contract with the German Tourist Information? I mean, has your concern a contract with the German Tourist Information Office?
Mr. DICKEY. Yes, sir.

CONTRACT COMMENCED OCTOBER 1, 1933

Mr. HARDWICK. Beginning on or about November 22, 1933?
Mr. DICKEY. October 1, 1933.
Mr. HARDWICK. Examine this memorandum and see if that is a correct copy of your contract with this organization (handing paper to the witness).
Mr. DICKEY. Yes, sir; that is a correct copy.
Mr. HARDWICK. Mark that "Exhibit No. 10," Mr. Reporter.
(The document referred to was marked "Exhibit No. 10.")
Mr. HARDWICK. Your concern is paid $6,000 a month under that contract, is it not?
Mr. DICKEY. That is right
Mr. HARDWICK. What do you do in consideration of that $6,000 a month?
Mr. DICKEY. We give them advice and counsel and cooperate with them in getting up material for travel promotion. We also get out a little bulletin called the German-American Economic Bulletin.
Mr. HARDWICK. And that is all you do for that $6,000 a month?
Mr. DICKEY. That is about all now.
Mr. HARDWICK. That is about all you recall now?
Mr. DICKEY. Yes, sir.
Mr. HARDWICK. You say you were consulted by the German interests in New York sometime in the spring of 1933, coming back one question, regarding the effect on their business of the movement in Germany against the Hebrews and Jews. What was the scope of that conference?
Mr. DICKEY. We were in constant touch with persons who were interested in the travel business.
Mr. HARDWICK. Now, besides private individuals who thought their business might be affected by this situation, did you confer with any public officials in Germany?

SENT OUT MATERIAL FOR CONSUL GENERAL OF GERMANY

Mr. DICKEY. I sent out some material for the consul general in New York; yes, sir.
Mr. HARDWICK. The consul general in New York. Which consul general in New York did you send out the material for?
Mr. DICKEY. Dr. Kiep.
Mr. HARDWICK. Did you also have conference with Dr. Schwarz and Dr. Borchers when they were consuls there?
Mr. DICKEY. Dr. Schwarz and Dr. Borchers.
Mr. HARDWICK. On the same subject?
Mr. DICKEY. Not so much with Dr. Borchers.
Mr. HARDWICK. On the same subject, with relation to the matter involved in this situation?
Mr. DICKEY. Yes, sir.
Mr. HARDWICK. Also with the representatives of the Railroad Bureau?
Mr. DICKEY. That is right; yes, sir.
Mr. HARDWICK. The steamship lines?
Mr. DICKEY. That is right.
Mr. HARDWICK. The German-American Board of Trade?
Mr. DICKEY. That is right.
Mr. HARDWICK. And the Leipzig Trade Board or Fair regarding Hitler's attitude; that is, the attitude of the Hitler government toward Jews in Germany?
Mr. DICKEY. To the effect of that policy on their business.
Mr. HARDWICK. Speak up a little louder. Have you been in Berlin since you had this contract?

LIEUTENANT COLONEL BYOIR'S PARTNER IN BERLIN SOON AFTER HITLER WENT INTO POWER

Mr. DICKEY. I was in Berlin last August; yes, sir.
Mr. HARDWICK. Last August. Did you meet Hitler's press agent there?
Mr. DICKEY. Which one?
Mr. HARDWICK. Has he got many?
Mr. DICKEY. I do not know.
Mr. HARDWICK. Did you meet a man named Hanfstaengl, or something like that?
Mr. DICKEY. I met Hanfstaengl in a group for about 5 minutes one night, in a barroom.
Mr. HARDWICK. In a barroom?
Mr. DICKEY. That is right. I did not know he was Hanfstaengl until later.
Mr. HARDWICK. You did not know until later, did you say? Did you say anything to him about the German-American situation?
Mr. DICKEY. No; not a thing. It was all beer.
Mr. HARDWICK. All beer. You did not get to any harder liquor, then, at all?
Mr. DICKEY. Oh, yes; Steinhager.
Mr. HARDWICK. Did your partner, Carl Byoir, make a trip to Europe during that time?
Mr. DICKEY. To Europe, but not to Germany.
Mr. HARDWICK. To Europe, but not to Germany?
Mr. DICKEY. And not on any business relating to that.
Mr. HARDWICK. Did Viereck go with him?
Mr. DICKEY. No.

VIERECK BECOMES SILENT PARTNER OF LIEUTENANT COLONEL BYOIR

Mr. HARDWICK. Do you know George Sylvester Viereck?
Mr. DICKEY. Yes.
Mr. HARDWICK. How long have you known him?
Mr. DICKEY. At least 10 years.
Mr. HARDWICK. At least 10 years?
Mr. DICKEY. Probably 12.
Mr. HARDWICK. Did you know him during the period that this country was engaged in war with Germany and her allies?
Mr. DICKEY. No.
Mr. HARDWICK. You knew of his activities at that time, did you not?
Mr. DICKEY. Yes, sir.
Mr. HARDWICK. And about the publicity—that he was the chief propagandist for Germany then—did you not?
Mr. DICKEY. I did not know what his job was.
Mr. HARDWICK. He got some publicity along that line in this country, then?
Mr. DICKEY. Yes; I think he wrote a book about it and sold a series to the Saturday Evening Post.
Mr. HARDWICK. He was editor of a paper called the Vaderland?
Mr. DICKEY. I have heard he was. I have never read it.
Mr. HARDWICK. You have known him pretty well for 10 years past?
Mr. DICKEY. Yes; pretty well.

VIERECK ADVISER OF BYOIR

Mr. HARDWICK. Does he get any part of this $6,000 a month which you get?
Mr. DICKEY. Yes.
Mr. HARDWICK. How much?
Mr. DICKEY. One thousand seven hundred and fifty dollars.
Mr. HARDWICK. And expenses besides that; or does that include expenses?
Mr. DICKEY. That includes expenses.
Mr. HARDWICK. One thousand seven hundred and fifty dollars a month, or a year?

Mr. DICKEY. A month; $1,000 salary.
Mr. HARDWICK. And $750 is supposed to cover his expenses, or some of them?
Mr. DICKEY. Mr. Viereck and I had consulted 2 or 3 years ago about getting some German commercial business, and we agreed at that time to pay him a commission on any business which he got for us.
Mr. HARDWICK. What commission did you agree to pay him?
Mr. DICKEY. Fifteen percent.
Mr. HARDWICK. Fifteen percent.
Mr. DICKEY. Yes, sir.
Mr. HARDWICK. And that $750 represented that 15 percent?
Mr. DICKEY. That is right.
Mr. HARDWICK. Besides that, you paid him $1,000 a month?
Mr. DICKEY. That is right.
Mr. HARDWICK. Under the contract with your company?
Mr. DICKEY. Yes, sir.
Mr. HARDWICK. You agreed to pay him that much money?
Mr. DICKEY. That is right.
Mr. HARDWICK. What services did Viereck render to get that much money a month?
Mr. DICKEY. He was to give us any advice about Germany. He was supposed to know everybody and everything in Germany, a sort of encyclopedia to be consulted.
Mr. HARDWICK. He was to advise you about conditions in Germany?
Mr. DICKEY. Special spots in Germany, about which we wanted to know, or any information that we wanted.
Mr. HARDWICK. Any information about Germany he was to give you?
Mr. DICKEY. Yes, sir.
Mr. HARDWICK. Is that all he was to do?
Mr. DICKEY. And to assist us in carrying on all of our work.
Mr. HARDWICK. You mean by "us," of course, your concern, your firm?
Mr. DICKEY. That is right; yes, sir.
Mr. HARDWICK. Did he write articles for the German language newspapers in this country as part of that work?
Mr. DICKEY. So far as I know, he did not; no, sir.
Mr. HARDWICK. Did he engage or assist in the dissemination of propaganda in this country respecting Germany and what was happening there, as a part of that work?
Mr. DICKEY. Not so far as I know.
Mr. HARDWICK. He maintained a separate office, did he not?
Mr. DICKEY. No. Until the 1st of May he was in our office.
Mr. HARDWICK. Now, for this $1,750 a month, can you mention any other services that Viereck was supposed to give?
Mr. DICKEY. No.

VIERECK GIVEN OFFICE WITH LIEUTENANT COLONEL BYOIR

Mr. HARDWICK. He was merely to help you in an advisory capacity?
Mr. DICKEY. That is all he was supposed to do for us; yes, sir.
Mr. HARDWICK. So far as you knew, he had no obligation resting on him on account of that contact, to assist in the preparation and dissemination of propaganda?
Mr. DICKEY. No.
Mr. HARDWICK. Besides paying Viereck this $1,750 a month, did you not pay $1,000 a year rent for the room which he occupied in your office?
Mr. DICKEY. The amount of it would be about that much; yes, sir.
Mr. HARDWICK. Did you not pay for a stenographer?
Mr. DICKEY. One stenographer; yes, sir.
Mr. HARDWICK. One stenographer?
Mr. DICKEY. Yes, sir.
Mr. HARDWICK. You paid all the lights?
Mr. DICKEY. Yes, sir.
Mr. HARDWICK. And other incidental bills around an office?
Mr. DICKEY. Yes.
Mr. HARDWICK. And you furnished all that free to him?
Mr. DICKEY. Yes.
Mr. HARDWICK. Besides this $1,750?
Mr. DICKEY. Yes, sir.
The CHAIRMAN. Pardon me. A nod does not get into the record. You answered all the questions just asked you "Yes," as I understand it?
Mr. DICKEY. Yes, sir.
Mr. HARDWICK. This has to go in the record, so please answer "Yes" or "No" to each question. If you do not know, tell us why.
Now, you say that outside of advising you generally about conditions in Germany, he gave no further services of this stipend of $1,750 a month, besides expenses, which you have mentioned, which were paid for him by you. Is that right?
Mr. DICKEY. That is all he was supposed to do, to assist us in our campaign.
Mr. HARDWICK. You got any information in Germany about things in Germany from your employers, direct from the tourist crowd, did you not?
Mr. DICKEY. Some of it; yes, sir.
Mr. HARDWICK. Was Viereck's connection with this matter to furnish you information about the attitude of the present and prospective government and such things as that?
Mr. DICKEY. No.
Mr. HARDWICK. Was he expected to report to the government or to the party, the Nazi Party, in Germany?
Mr. DICKEY. No.
Mr. HARDWICK. For this salary which you gave him, out of this money, I mean?
Mr. DICKEY. No.

LIEUTENANT COLONEL BYOIR HAD BERLIN REPRESENTATIVE

Mr. HARDWICK. Your concern kept a representative of its own in Germany, did it not?
Mr. DICKEY. Yes.
Mr. HARDWICK. What was his name?
Mr. DICKEY. Fred Hamlin.
Mr. HARDWICK. Fred Hamlin?
Mr. DICKEY. Yes, sir.
Mr. HARDWICK. Where was he stationed, Mr. Witness?
Mr. DICKEY. He had an office in Unter den Linden.
Mr. HARDWICK. In Berlin?
Mr. DICKEY. Yes, sir.
Mr. HARDWICK. Mr. Hamlin had that office for his headquarters?
Mr. DICKEY. Yes, sir.
Mr. HARDWICK. What compensation did you have to pay him?
Mr. DICKEY. Finally he got——
Mr. HARDWICK. Got $90 a week and expenses?
Mr. DICKEY. Yes.
Mr. HARDWICK. $90 a week and expenses?
Mr. DICKEY. Some of his expenses.
Mr. HARDWICK. In round figures, what did the expenses amount to a month?
Mr. DICKEY. I should say roughly up to $1,000 a month altogether to keep that office going.
Mr. HARDWICK. Counting his salary and expenses?
Mr. DICKEY. Yes, sir.
Mr. HARDWICK. Did you say "yes"?
Mr. DICKEY. Yes, sir.
Mr. HARDWICK. $1,000 a month?
Mr. DICKEY. Approximately.
Mr. HARDWICK. Approximately, substantially, I understand; for the salary of that man and the expense of his office?
Mr. DICKEY. Yes, sir.
Mr. HARDWICK. What was he supposed to do; that is, Mr. Hamlin?
Mr. DICKEY. He wrote stories and gathered pictures which we used in this Economic Bulletin.
Mr. HARDWICK. Economic Book?
Mr. DICKEY. Bulletin.
Mr. HARDWICK. Bulletin?
Mr. DICKEY. And sent me other special material.
Mr. HARDWICK. Is this document which I now submit to you—and there are 17 of them—labeled "German-American Economic Bulletin," the bulletin to which you are referring now [handing paper to the witness]?
Mr. DICKEY. Yes, sir.
Mr. HARDWICK. Mark it as the next exhibit, Mr. Reporter.
(The document referred to was marketd "Exhibit No. 11.")
Mr. HARDWICK. I notice that this bulletin carries on its masthead, on the front page, this statement:
"Sponsored by the Committee for Better Trade Relations With Germany."
Will you please tell me what that committee was? Who composed it?
Mr. DICKEY. The members were the German Tourist Information office, the Leipzig Trade Fair, the steamship companies——
Mr. HARDWICK. North German Lloyd and Hamburg-American?
Mr. DICKEY. Yes, sir; the combined lines.
Mr. HARDWICK. Yes.
Mr. DICKEY. And the German-American Board of Trade; Dr. Degener was a member.
Mr. HARDWICK. The German-American Board of Trade where? Here in New York?
Mr. DICKEY. In New York.
Mr. HARDWICK. These particular organizations that you have mentioned were the sponsors of this publication?
Mr. DICKEY. Yes, sir.
Mr. HARDWICK. They did not have any committee, did they?
Mr. DICKEY. Yes; they were members of this committee.
Mr. HARDWICK. You mean the corporations were members of the committee?

NAMES OF COMMITTEE MEMBERS

Mr. DICKEY. The men were members of the committee.
Mr. HARDWICK. What men? The men at the head of these corporations; is that what you mean?
Mr. DICKEY. Yes, sir.
Mr. HARDWICK. Have you got any list of those men?
Mr. DICKEY. No; there is no written list of them, but I can tell you who they were.
Mr. HARDWICK. All right. Suppose you name the committee.
Mr. DICKEY. Mr. Schmitz, of the German Tourist Information Office.
Mr. HARDWICK. That is one; where is his address in New York?
Mr. DICKEY. Six hundred and sixty-five Fifth Avenue.
Mr. HARDWICK. The next one?
Mr. DICKEY. Mr. John Schroeder, of the North German Lloyd. Mr. Beck, of the North German Lloyd or, rather, the Hamburg-American Line. Dr. Degener, of the German-American Board of Trade, and Mr. Johnson, of the Leipzig Trade Fair.
Mr. HARDWICK. That was the total committee?
Mr. DICKEY. Yes. I think they had one or two others.
Mr. HARDWICK. Your organization was not a member of the committee?
Mr. DICKEY. No; unofficially, I would say.

Mr. HARDWICK. You were sort of promoting it, but you were not officially on the committee, were you?

Mr. DICKEY. The committee was not that formal. I would say we were members of it, perhaps.

Mr. HARDWICK. In other words, this statement sponsored by the committee for better trade relations with Germany is, of course, more or less general. There was no real organization or such a committee which sponsored it?

Mr. DICKEY. There was no such——

Mr. HARDWICK. It represented a list of business interests which you named and cataloged to promote the interests set out in this publication?

Mr. DICKEY. That is right.

Mr. HARDWICK. How many copies of this German-American Economic Bulletin were printed? Do you know?

Mr. DICKEY. I think around 5,000.

Mr. HARDWICK. You mean each issue had around 5,000?

Mr. DICKEY. About 5,000; yes.

Mr. HARDWICK. Whom were they sent to?

Mr. DICKEY. They were sent to a mailing list of about 3,000, comprising newspapers of the country and some few business organizations.

Mr. HARDWICK. Were they sent to any public men or "politicians," as they are ordinarily called?

Mr. DICKEY. No; no politicians.

Mr. HARDWICK. Are these the mailing lists to which you referred [handing documents to the witness]?

Mr. DICKEY. Those are the lists.

Mr. HARDWICK. You will identify these, Mr. Reporter, as the next exhibit for the Government.

(The documents referred to were collectively marked "Exhibit No. 12.")

Mr. HARDWICK. Those were obtained from your office?

Mr. DICKEY. Yes, sir.

Mr. HARDWICK. And they are the correct mailing lists of your publication?

Mr. DICKEY. Yes, sir.

Mr. HARDWICK. Is that publication still going on?

Mr. DICKEY. Yes, sir.

Mr. HARDWICK. Issued weekly?

Mr. DICKEY. About twice a month.

Mr. HARDWICK. About twice a month?

Mr. DICKEY. Yes, sir.

Mr. HARDWICK. How much longer does the contract provide for this publication?

Mr. DICKEY. There is no contract covering that publication.

Mr. HARDWICK. There is no contract covering that publication?

Mr. DICKEY. No.

Mr. HARDWICK. In other words, it will continue to be published as long as the business interests which are now sponsoring it continue to support it? Is that the way of it?

Mr. DICKEY. We pay for that out of our fee of $6,000.

Mr. HARDWICK. You do?

Mr. DICKEY. Yes, sir.

Mr. HARDWICK. What does it cost an issue?

Mr. DICKEY. I should say roughly it costs somewhere around $300 to get it out and mail it.

Mr. HARDWICK. Three hundred dollars an issue?

Mr. DICKEY. Three or four hundred dollars.

Mr. HARDWICK. To get it out and mail it?

Mr. DICKEY. That is, the mechanics of printing it.

Mr. HARDWICK. How about the written material? Do you have to pay for the material in it?

Mr. DICKEY. We have to pay for the preparation; yes, sir.

Mr. HARDWICK. Where do you get that?

Mr. DICKEY. Some of it came from Mr. Hamlin, some few things were prepared by Viereck, and they would come from mostly inside of our own organization, and some items from the members of the committee.

Mr. HARDWICK. And then some, I expect, from Germany itself, did they not?

Mr. DICKEY. None, except from our own representative there.

Mr. HARDWICK. In Germany?

Mr. DICKEY. At that time.

Mr. HARDWICK. Yes, sir. Just to ask you a direct question, has any issue of this publication ever contained any discussion of the Jewish question?

Mr. DICKEY. No, sir.

Mr. HARDWICK. Never has?

DISCUSS WAR DEBTS TO HELP TRAVEL IN GERMANY?

Mr. DICKEY. No. I do not think the word "anti-Semitism" has ever been mentioned in it; that is, I do not recall it.

Mr. HARDWICK. I notice in your issue of January 29, 1934, which I will exhibit to you in a minute, that you have got an article here on Germany and Her Debts. What is the connection between that and the promotion of business relations between this country and Germany? If you can answer that briefly, do so, and if it involves a long, extended answer, I do not believe I would insist on an answer. Why did you put that sort of thing in here, if this is purely a trade paper? Would you like to see it?

Mr. DICKEY. I recall it.

Mr. HARDWICK. You recall it?

Mr. DICKEY. That really is an economic problem and that was the reason it was printed.

The CHAIRMAN. The question was, "What connection is there between that and your contract?"

Mr. HARDWICK. To promote better trade relations.

The CHAIRMAN. To promote better trade relations, or to promote the travel to Germany. That was the question.

Mr. DICKEY. The question of debts has some bearing on trade and travel, I should say.

The CHAIRMAN. Very remote, is it not?

Mr. KRAMER. In what way has that a bearing in your estimation?

Mr. DICKEY. I should say that they have a bearing on the rate of exchange and also on the amount of trade which would be done.

ADMITS GOING BEYOND WHAT HE SAYS WAS CONTRACT

Mr. KRAMER. Is that your only reasoning?

Mr. DICKEY. I think so.

Mr. HARDWICK. Mr. Witness, let us be frank about this thing. I am sure you want to be. Tell me if the real purpose of publishing that sort of thing in a purely trade journal was not to secure its republication in American newspapers, if possible, showing the German position on that political question.

Mr. DICKEY. No; I did not expect that many newspapers would reprint many of these items at all.

Mr. HARDWICK. You did not expect that?

Mr. DICKEY. No.

The CHAIRMAN. While the Senator is looking up something, you did not contemplate any such publication as that when you made your original contract, did you?

Mr. DICKEY. You mean the publication of the bulletin?

The CHAIRMAN. The publication of that particular article.

Mr. DICKEY. No; that was not thought of.

The CHAIRMAN. You did not have that in mind, of course?

Mr. DICKEY. No.

Mr. HARDWICK. Now, Mr. Witness, I am going to offer you next five reports, from March 29, 1934, to May 14, 1934, in which your concern undertakes to make reports on the condition of American public sentiment as expressed in leading newspapers in America to someone. Suppose you look at these and see what they are, if you need to recall them [handing papers to witness].

Mr. DICKEY. I think that I turned these in to the committee. Yes; I recognize those.

Mr. HARDWICK. Here is another one just like it, from February 15 through February 26. Let him see that, too [handing paper to the witness].

Mr. DICKEY. Those were all turned in. I turned those in.

Mr. HARDWICK. Those were reports on the condition of public sentiment in this country, apparently, as reflected in those newspapers, made by your concern to somebody in Germany?

Mr. DICKEY. No.

Mr. HARDWICK. What?

Mr. DICKEY. No.

Mr. HARDWICK. Whom were they made to?

TESTING SENTIMENT IN AMERICA TO PROMOTE TRAVEL IN GERMANY

Mr. DICKEY. Those reports were made for our internal use, principally, to find what the sentiment of the country was in respect to these problems which we would take up in any study of a travel and trade problem, which necessarily would involve a study of the sentiment of the country.

Mr. HARDWICK. You did make a study, then, of the sentiment of this country?

Mr. DICKEY. Yes, sir.

Mr. HARDWICK. These reports show it, do they not?

Mr. DICKEY. Yes.

Mr. HARDWICK. For instance, I will invite your attention to this language, taken from the very opening report, according to this statement. It reads:

"The most significant evidence during this or any other period that Hitler as a personality and Germany as a country are gradually being permitted to emerge 'neat'—that is, without admixture of antagonistic cross-currents in their presentation to the American public—was the treatment of the Louis P. Lochner column and a half interview with Hitler for the Associated Press. Generously played up in every paper which has the A. P. wire service, most of the headline emphasis was put on the 'man to man talks with Roosevelt' idea. The severest headline was the Cincinnati Times-Star's 'No compromise on German Army estimates, says Chancelor Hitler,' which paper, however, ran the story in detail, beginning across the top of page 1."

That was not prepared, you say, to be sent to anybody?

Mr. DICKEY. As a matter of fact, I paid very little attention to these reports.

Mr. HARDWICK. Of course, if you do not know, I do not want you to say, Mr. Witness.

Mr. DICKEY. No.

Mr. HARDWICK. I am not pressing any question about which you have no knowledge.

Mr. DICKEY. I have no knowledge that any of those——

Mr. HARDWICK. You do not know?

Mr. DICKEY. No.

Mr. HARDWICK. Who in your office would know about that?

Mr. DICKEY. I do not think that anybody ever sent this.

Mr. HARDWICK. Who prepared them?

Mr. DICKEY. They were prepared in our office.

Mr. HARDWICK. By whom?

Mr. DICKEY. By a girl.

Mr. HARDWICK. Give her name.

Mr. DICKEY. Miss Clara Trenckmann.

The CHAIRMAN. For whom were they prepared?

Mr. DICKEY. Prepared for our own internal use.

The CHAIRMAN. She was not doing this for anybody but the firm, was she?
Mr. DICKEY. No.
Mr. KRAMER. Who instructed her to do this?
Mr. DICKEY. I did.
Mr. KRAMER. You knew about it?
Mr. DICKEY. Yes.

DOING MORE WORK NOT REQUIRED BY CONTRACT

The CHAIRMAN. You were doing this as a result of your contract?
Mr. DICKEY. No; that was not in the contract at all.
The CHAIRMAN. But you did it as a result of your contract?
Mr. DICKEY. Yes; but there was no understanding that we would do this.
The CHAIRMAN. You did it, anyhow, as a result of the contract?
Mr. DICKEY. Yes.
Mr. HARDWICK. Mr. Witness, why did you want this young woman to prepare these reports?
Mr. DICKEY. Because we studied the newspapers and the attitude of the American press toward this problem, and the reason we wanted to find out everything about it was because we would know how to proceed in our work.
Mr. HARDWICK. Would not the purpose be to report this to your clients in Germany?
Mr. DICKEY. I beg your pardon.
Mr. HARDWICK. After you acquired this information embraced in these reports, was it not sent to your clients in Germany—did you not prepare that information for your clients in Germany?
Mr. DICKEY. No.
Mr. HARDWICK. You did not?
Mr. DICKEY. It was for our own use, principally.
Mr. HARDWICK. In what way? In advising them?
Mr. DICKEY. Yes, sir; that is right.
Mr. HARDWICK. About what?
Mr. DICKEY. About their problems of trade and travel.
Mr. HARDWICK. You were going to advise them without reporting to them or anybody else in Germany?
Mr. DICKEY. I beg your pardon.
Mr. HARDWICK. You were going to advise your clients, I say, without reporting to them the basis on which your opinion rested?
Mr. DICKEY. Yes.
Mr. HARDWICK. In other words, you would get up this wealth of material showing in detail cross sections of American sentiment just to lay there in your office and not to send to anybody in Germany and not even your clients who were paying you this large sum?
Mr. DICKEY. I made those available at any time to the members of the committee who wanted to see them.
The CHAIRMAN. That is not the question.
Mr. HARDWICK. Don't dodge. They were not made to be sent to any of your clients in Germany or anywhere else?
Mr. DICKEY. No; not in Germany.
Mr. HARDWICK. In America?
Mr. DICKEY. Yes; they were available for them.
Mr. HARDWICK. Were they sent to them?
Mr. DICKEY. Not regularly; no, sir.
Mr. HARDWICK. Were these particular things which I exhibited to you, after they were put in form, sent to these clients?
Mr. DICKEY. No; some of them were not even copied.
Mr. HARDWICK. Some of them you did not carry through, is that correct?
Mr. DICKEY. Yes, sir.
Mr. HARDWICK. Some of them you did carry through, did you not?
Mr. DICKEY. Some of them were copied.
Mr. HARDWICK. Some copied and put in form?
Mr. DICKEY. Yes.

REPORTS SUBMITTED IN GERMAN

Mr. HARDWICK. And then were submitted to your clients in this country?
Mr. DICKEY. Yes.
Mr. HARDWICK. Have I got it right now, finally?
Mr. DICKEY. Yes, sir.
Mr. HARDWICK. They were translated into German before they were sent to them?
Mr. DICKEY. Yes, sir.
Mr. HARDWICK. Why?
Mr. DICKEY. I think a few of them were translated into German for the members of the railroad bureau in Berlin who did not read English.
Mr. HARDWICK. Exactly. That is exactly what I want to come to. The reason that they were translated into German was because you expected they would want to transmit them to officials of the German railroad system in Germany who probably did not read English?
Mr. DICKEY. Some of them; yes, sir.
Mr. HARDWICK. Some of them who did not read English?
Mr. DICKEY. Yes, sir.
The CHAIRMAN. You knew that some of these reports would get to the German officials?
Mr. DICKEY. To the German railroad bureau.
The CHAIRMAN. Who is the German railroad bureau?
Mr. DICKEY. That is——
The CHAIRMAN. The government?
Mr. DICKEY. I do not know that.
The CHAIRMAN. Who are they, then?
Mr. DICKEY. The German railroad bureau is a part of the German Railroad Co. in Germany.
The CHAIRMAN. Of your particular client. Were they in any way connected with the existing government?
Mr. DICKEY. I do not know that.

MADE REPORTS TO BERLIN OFFICE

Mr. HARDWICK. Mr. Witness, did you send these reports to Hamlin, your man in Germany?
Mr. DICKEY. Some of them went to him occasionally; yes.
Mr. HARDWICK. And he had his office in the same building that the railroad administration crowd in Germany had?
Mr. DICKEY. No; he did not.
Mr. HARDWICK. He had contact with them, did he not?
Mr. DICKEY. Yes.
Mr. HARDWICK. That is all right. You spoke of this stipend of $6,000 a month, and you have told how some of it went to this man Viereck. Was any of that amount ever paid to you in currency or to your concern?
Mr. DICKEY. Under this contract——
Mr. HARDWICK. Yes, sir.
Mr. DICKEY (continuing). I think all of it was paid by check. As I said before at the other meeting, I think there might have been one payment in cash. I am not sure of that.
Mr. HARDWICK. Let me refresh your recollection a little on that point. Did you not testify before the subcommittee in executive session, "I think the railroad bureau always paid by check, but in the beginning there was some money that I received in cash from the German consul?"

LIEUTENANT COLONEL BYOIR COLLECTED MONEY FROM GERMAN CONSUL

Mr. DICKEY. That is right.
Mr. HARDWICK. All right. That is true yet, is it?
Mr. DICKEY. I received a certain amount from him in cash; yes, sir.
Mr. HARDWICK. What was the German consul's name?
Mr. DICKEY. Dr. Kiep.
Mr. HARDWICK. Dr. Kiep?
Mr. DICKEY. Yes.
Mr. HARDWICK. He was German consul general at New York at that time?
Mr. DICKEY. Yes.
Mr. HARDWICK. How much did you get from him?
Mr. DICKEY. I think, roughly, about $4,000.
Mr. HARDWICK. In currency?
Mr. DICKEY. Yes.
Mr. HARDWICK. You say in currency?
Mr. DICKEY. Yes.
Mr. HARDWICK. Did you deposit that money in your bank account?
Mr. DICKEY. I think it was; yes, sir; probably; I do not know. It was turned in; what the cashier would do with it, I do not know.
Mr. HARDWICK. Now, wait a minute. Have you examined your books on that question?
Mr. DICKEY. No; I have not.
Mr. HARDWICK. Let me see if I cannot refresh your memory a little bit about that.
Mr. KRAMER. May I ask that the witness refrain from smoking? He is a very hard witness to understand. If he is going to add smoking to it, it will be almost impossible to get a word.
The CHAIRMAN. I am sure that the gentleman's position is correct, but, on the other hand, I think the witness can probably do both if he will raise his voice when smoking. Will that be satisfactory?
Mr. KRAMER. I can hardly hear half he says.
The CHAIRMAN. Keep your voice up.
Mr. KRAMER. So far as I am concerned, I would prefer that you not smcke.
Mr. DICKEY. All right.
Mr. HARDWICK. Mr. Lancaster was treasurer of your company, was he not?
Mr. DICKEY. Yes; he handles the money.
Mr. HARDWICK. With reference to this particular $4,000, see if this is not what happened:
Lancaster deposited $750. Balance of the amount was withheld by the two partners and, I believe, Mr. Viereck. I am not sure whether he got a commission out of it or not.
Is it not true that of that $4,000 only $750 went on the books of your company as a deposit?
Mr. DICKEY. It was all on the books; yes.
Mr. HARDWICK. I mean, was it deposited in your bank account?
Mr. DICKEY. I do not remember that.
Mr. HARDWICK. You do not remember that?
Mr. DICKEY. No.
Mr. HARDWICK. If Mr. Lancaster states that he would know, would he not?
Mr. DICKEY. He would know; yes.
Mr. HARDWICK. Did Viereck get any of this $4,000?
Mr. DICKEY. I do not recall that.
Mr. HARDWICK. Was he entitled to get any of it?
Mr. DICKEY. I do not remember whether we paid him a commission on that or not. I do not remember that.
Mr. HARDWICK. That was one of your payments under this contract, was it not?
Mr. DICKEY. No; that was before we had a contract.
Mr. HARDWICK. That was before you had a contract?
Mr. DICKEY. Yes.

GEORGE SYLVESTER VIERECK, NOTORIOUS LEADER OF GERMAN ESPIONAGE AND SABOTAGE SYSTEM, HELPED LIEUTENANT COLONEL BYOIR

Mr. HARDWICK. Why was the consul general of Germany paying you this money?

Mr. DICKEY. This is the way that came about: Mr. Viereck and I, as I said before, had consulted 2 or 3 years previously about getting some German commercial business, and after the Hitler Government came into power and everything was being changed in Germany, he came to me again——

Mr. HARDWICK. Who is "he"?

Mr. DICKEY. Mr. Viereck. Mr. Viereck came to me and said that he thought perhaps, with the changes being made there, that that was the time to try to get some business. So it is natural, when you try to get any foreign business, usually, to consult the consul. So he took me down to see the consul and Dr. Kiep said, "Yes," that he should not be surprised but what, with the changes coming on, that we could get some of this commercial business, and he suggested to us at that time that I help him get out some releases for them.

Mr. HARDWICK. Some what?

Mr. DICKEY. Some releases.

Mr. HARDWICK. For what?

Mr. DICKEY. For the consulate.

Mr. HARDWICK. For the consulate?

Mr. DICKEY. Yes.

Mr. HARDWICK. What do you mean by that? I do not understand.

Mr. DICKEY. Some material intended for publication in the newspapers.

Mr. HARDWICK. Oh, yes.

Mr. DICKEY. There is a file on that there.

Mr. HARDWICK. He suggested that you help him with some publication which he wanted to get inserted in the newspapers?

Mr. DICKEY. Yes, sir.

Mr. HARDWICK. All right. I catch it now. Why did he pay this $4,000?

Mr. DICKEY. Expenses of sending the material out and postage or messenger fees.

Mr. HARDWICK. That was compensation, this money which he paid in cash, for the publicity work you did for this material he was sending out?

Mr. DICKEY. It was supposed to cover the expenses.

Mr. HARDWICK. That $4,000, I say, was not under the early contract, but for that specific job?

Mr. DICKEY. Yes.

BYOIR'S PARTNER GOES TO GERMANY

Mr. HARDWICK. All right. I have got that straight in my own mind now. When you went to Germany, or your partners or your representatives, were the expenses of those trips paid by the German railroad crowd or tourist bureau, or whatever they call it?

Mr. DICKEY. Part of them were paid by ourselves, and I took certain expense moneys of our own, and some of my own money.

Mr. HARDWICK. I want to know to what extent did your German employers pay these expenses?

Mr. DICKEY. I should say about two-thirds.

Mr. HARDWICK. They paid about two-thirds of the expenses?

Mr. DICKEY. I think it figured about that.

Mr. HARDWICK. And your organization took care of the other one-third?

Mr. DICKEY. Yes.

Mr. HARDWICK. Were you a member of the editorial advisory board of the Deutsche Zeitung?

Mr. DICKEY. They consult——

The CHAIRMAN. "Yes" or "No."

Mr. HARDWICK. Just answer. Were you or not?

Mr. DICKEY. I do not know that they had an advisory board or not.

Mr. HARDWICK. Were you a member of such a concern?

Mr. DICKEY. They did consult me. Mr. McLaughlin consulted me at different times; yes, sir; principally about the typography of his magazine.

Mr. HARDWICK. Did you attend meetings of the editorial board of that paper?

Mr. DICKEY. As I say, I do not know that there was an editorial board.

Mr. HARDWICK. You were told that you were to be a member of the advisory board, were you not?

Mr. DICKEY. I was told that I might be consulted about some of their problems and it was all right for me.

Mr. HARDWICK. Who told you that?

Mr. DICKEY. Mr. Schmitz and Mr. Portack.

Mr. HARDWICK. Mr. Schmitz, who was at the head of the railroad group, told you that. Did you go to a few of the meetings of this board?

Mr. DICKEY. Very few. It was not a regular board.

Mr. HARDWICK. Informal board, if you want to put it that way.

Mr. DICKEY. There were certain informal discussions.

Mr. HARDWICK. Of what?

Mr. DICKEY. I beg your pardon?

Mr. HARDWICK. Informal discussions of what?

Mr. DICKEY. Of this paper.

Mr. HARDWICK. The Deutsche Zeitung?

Mr. DICKEY. No, sir; not that. The German Uschla. The English section of it.

Mr. HARDWICK. Did you know Spanknoebel?

Mr. DICKEY. Yes; I met him once.

Mr. HARDWICK. If I say "Spanknoebel" (short "a") or "Spanknoebel" (broad "a"), you know whom I mean?

Mr. DICKEY. Anything you like.

Mr. HARDWICK. You know whom I am talking about?

Mr. DICKEY. Yes, sir.

Mr. HARDWICK. Do you know him?

Mr. DICKEY. I met him once.

Mr. HARDWICK. What was he doing in this country?

Mr. DICKEY. I do not know. I was never able to find out.

Mr. HARDWICK. You were never able to find out?

Mr. DICKEY I was never able to find out.

Mr. HARDWICK. Did you ever try to find out?

Mr. DICKEY. I wondered; yes, sir.

Mr. HARDWICK. Did you not understand that he was here representing the Nazi Party as a leader in this country?

Mr. DICKEY. No; I did not know what he was doing, but I suspected that.

Mr. HARDWICK. You suspected that?

Mr. DICKEY. Yes; I suspected that.

Mr. HARDWICK. Where is Spanknoebel now?

Mr. DICKEY. I do not know.

Mr. HARDWICK. Do you know about his being indicted in New York?

Mr. DICKEY. Yes.

Mr. HARDWICK. After that he disappeared somehow, did he not?

Mr. DICKEY. I think that is right

Mr. HARDWICK. You think after he was indicted he disappeared?

Mr. DICKEY. Yes, sir.

Mr. HARDWICK. Did you attend conferences in the German consul general's office in New York when Schmitz and other people interested in this movement, in this publication, were present?

Mr. DICKEY. No.

Mr. HARDWICK. You never attended such conferences between representatives of the German railroad and steamship interests that were held in the office of the consul general in New York?

Mr. DICKEY. About what?

The CHAIRMAN. Never mind. He asked you if you attended any.

Mr. DICKEY No.

The CHAIRMAN. Do not answer a question by asking one.

Mr. HARDWICK. You never attended any conference?

Mr. DICKEY. No. We were talking about the magazine and you shifted to something else.

The CHAIRMAN. He asked you a question and you said you did not attend any conferences.

Mr. DICKEY. There were no discussions in the consulate about this newspaper.

Mr. HARDWICK. About what?

Mr. DICKEY. About this newspaper which you were speaking about.

Mr. HARDWICK. I did not mean that. I will make my question more specific, because I see you misapprehended it.

Mr. DICKEY. I am sorry.

Mr. HARDWICK. Did you have conferences at the office of the German consul general at New York with the representatives of the German railroad and steamship and other industrial interests? You did attend meetings of the consul general's office?

Mr. DICKEY. I do not recall any meeting there——

Mr. HARDWICK. Let me see if I can refresh your memory. I am doing it out of the utmost confidence——

Mr. DICKSTEIN. Do you want to finish your answer?

Mr. DICKEY. Yes, sir.

Mr. HARDWICK. Go ahead.

GERMAN CONSUL ATTENDS MEETINGS WITH TRAVEL GROUP

Mr. DICKEY. But there were meetings which the consul attended where the representatives of the travel interests were there.

Mr. HARDWICK. Exactly. That is what I wanted sometime ago. Then there were such meetings and you did attend them?

Mr. DICKEY. Occasionally; yes, sir.

Mr. HARDWICK. Occasionally. What were the subjects discussed at these meetings?

Mr. DICKEY. Always the problem of travel and trade and the effect of the sentiment in this country on that.

Mr. HARDWICK. And in connection with that last proposition you discussed certain steps taken by the Hitler government in Germany and their effect on American sentiment?

Mr. DICKEY. You mean anti-Semitism?

Mr. HARDWICK. Yes. You discussed this sentiment?

Mr. DICKEY. Yes, sir. The problem created here was a problem which was created in Germany.

The CHAIRMAN. You told them that, Mr. Dickey?

Mr. DICKEY. Certainly.

The CHAIRMAN. That is your opinion?

Mr. DICKEY. Absolutely.

Mr. HARDWICK. You told them that the policy of the Hitler government in Germany on this question was handicapping the cause in this country, was injuring it?

Mr. DICKEY. Absolutely. That is the nub of the whole thing.

Mr. HARDWICK. Mr. Chairman, that completes such examination as I want to make.

The CHAIRMAN. Mr. Taylor, do you desire to ask any questions?

Mr. TAYLOR. You stated a moment ago that it was a part of your duty to combat this matter of anti-Semitism in this country. How did you go about it?

Mr. DICKEY. No; not to combat anti-Semitism here.

Mr. TAYLOR. The sentiment in this country which arose from the anti-Semitism program.

Mr. DICKEY. This whole problem of the diminution of German trade and travel was predicated upon the anti-Semitic policy in Germany.

Mr. TAYLOR. But, as I understand it, a part of your contract was to combat the effect of that in this country.

Mr. DICKEY. No—well, to try——

Mr. TAYLOR. To minimize it?

Mr. DICKEY. Yes; that is right.

Mr. TAYLOR. How did you do that? In what way? What method did you employ to do that?

Mr. DICKEY. This bulletin——

Mr. KARMER. What did you say?

Mr. DICKEY. Please. I cannot shout that way. This bulletin was one means of trying to show the editors of this country that Germany was still Germany, no matter what kind of a government they had there; that it was still a country to travel in and a country to trade with, and that the mere change of government had not materially changed its attractions.

Mr. TAYLOR. Was it a part of your duty to sell the Hitler government in this country?

Mr. DICKEY. No, sir.

Mr. TAYLOR. That is all.

The CHAIRMAN. Mr. Kramer.

Mr. KRAMER. Mr. Witness, you stated a moment ago that you dictated these things—what do you call these memoranda?

Mr. DICKEY. I call them an "editorial report."

Mr. KRAMER. An editorial report?

Mr. DICKEY. Yes, sir.

Mr. KRAMER. You dictated these editorial reports to a stenographer by the name of Clara Trenckmann.

Mr. DICKEY. Miss Trenckmann.

Mr. KRAMER. How do you spell her name?

Mr. DICKEY. T-r-e-n-c-k-m-a-n-n.

Mr. KRAMER. Where does she live?

Mr. DICKEY. I do not know her home address.

Mr. KRAMER. Did you ever ask her?

Mr. DICKEY. No, sir.

Mr. KRAMER. You do not know where to find her, if you had to get her right away?

Mr. DICKEY. We have her address in the office.

Mr. KRAMER. Could you furnish the address to the committee?

Mr. DICKEY. Yes; she lived some place down on the East Side, New York, but moved lately, and I do not know where she moved to.

Mr. KRAMER. Was she the one to whom you dictated these reports?

Mr. DICKEY. She prepared these reports.

Mr. KRAMER. Did she prepare them without your instructions?

Mr. DICKEY. Yes.

DATA OBTAINED FROM 60 NEWSPAPERS DAILY

Mr. KRAMER. Where did she gather the data from which she compiled this?

Mr. DICKEY. She read approximately 60 newspapers.

Mr. KRAMER. Sixty newspapers?

Mr. DICKEY. Approximately.

Mr. KRAMER. What kind of newspapers?

Mr. DICKEY. Daily newspapers from all the important cities.

Mr. KRAMER. Of where? Of the United States?

Mr. DICKEY. That is right.

Mr. KRAMER. Who furnished her these newspapers to read?

Mr. DICKEY. We purchased them.

Mr. KRAMER. Who is "we"?

Mr. DICKEY. Our organization, Carl Byoir & Associates.

Mr. KRAMER. For this particular purpose?

Mr. DICKEY. That is right.

Mr. KRAMER. And after she compiled these reports, did you read them?

Mr. DICKEY. Not always.

Mr. KRAMER. But sometimes you did?

Mr. DICKEY. Yes.

Mr. KRAMER. What did you do with them after they were read by you?

Mr. DICKEY. Some of them were copied. Occasionally copies were sent to Hamlin in Berlin and occasionally we would give some to Mr. Schmitz, of the railroad bureau, and Viereck always looked at them—nearly always.

Mr. KRAMER. On whose instructions were they sent to Berlin?

Mr. DICKEY. On mine, whenever they were sent, so far as I know.

Mr. KRAMER. Who supervised all these reports, the transmission of these reports? Did you not?

Mr. DICKEY. Yes; unless someone to whom I might send them.

Mr. KRAMER. Did you ever have any reply from Berlin regarding these?

Mr. DICKEY. No.

Mr. KRAMER. How?

Mr. DICKEY. No, sir.

Mr. KRAMER. Did you ever have any reply from the railroad company, the German Railroad Co.?

Mr. DICKEY. No; I never had any direct correspondence with the Berlin office of the railroad company. All this was handled through the New York office.

Mr. KRAMER. Of the German Railroad Co.?

Mr. DICKEY. Called the German Tourist Information Office.

Mr. KRAMER. Now, what was it that you did particularly before this contract, which you speak of here, was entered into with the German railroad?

CONTRACT PREFERRED

Mr. DICKEY. What was it that we did?

Mr. KRAMER. Yes.

Mr. DICKEY. Practically the same thing that we did after the contract.

Mr. KRAMER. Then why was it that you drew a contract? Was there some doubt in the minds of the German Government or the men in Berlin, with which you were dealing, that you were not going to carry on your work according to their wishes?

Mr. DICKEY. No; we preferred a contract.

Mr. KRAMER. Who is "we"?

Mr. DICKEY. Our firm.

Mr. KRAMER. Why did you prefer a contract?

Mr. DICKEY. We always do. We can staff and make arrangements for our office and staff if we have a contract.

Mr. KRAMER. How long did these reports continue? Over what period did they continue to be written up? Daily?

Mr. DICKEY. Oh, no; those were about once a week, I think, once every 10 days; twice a month, I think.

Mr. KRAMER. That is all.

The CHAIRMAN. Mr. Weideman?

Mr. WEIDEMAN. Nothing.

The CHAIRMAN. Mr. Dickey, did you have a contract before in writing?

Mr. DICKEY. No.

The CHAIRMAN. This is the first written contract you had?

Mr. DICKEY. That is right.

The CHAIRMAN. You said that you like to have contracts, but whatever contractual relations you had with this company before this particular one was not reduced to writing?

Mr. DICKEY. No.

The CHAIRMAN. What was the contractual relation between the German railroads and your company prior to this one, with reference to the payment of money?

Mr. DICKEY. It was just a verbal understanding.

The CHAIRMAN. How much?

Mr. DICKEY. I think it was either two or three thousand dollars a month.

The CHAIRMAN. You do not know. Two or three thousand dollars?

Mr. DICKEY. I do not remember; no.

The CHAIRMAN. Have you had occasion to refresh your memory since you appeared before us in executive session as to how much that was?

Mr. DICKEY. No; I did not refresh my memory.

The CHAIRMAN. But you had an oral contract with them?

Mr. DICKEY. That is right.

The CHAIRMAN. When you say you like to have a written contract, that did not apply in this particular case, except so far as this last contract was concerned?

Mr. DICKEY. Of course, we kept urging them to make a contract with us.

The CHAIRMAN. But they did not until this one?

Mr. DICKEY. No.

The CHAIRMAN. When did you first enter into contractual relations with the German railways of any kind?

Mr. DICKEY. The date is on that paper there.

The CHAIRMAN. Did you have a contract with them before this particular one?

Mr. DICKEY. No.

GERMAN CONSUL REPRESENTING GERMAN GOVERNMENT PAID LT. COL. CARL BYOIR

The CHAIRMAN. I thought you had a $4,000 transaction with the German Consul; with him direct.

Mr. DICKEY. That is right.

The CHAIRMAN. And he paid you, representing the German Government. That is correct, is it not?

Mr. DICKEY. He told me that he was trying to get the German business organizations to conduct a campaign of this kind here.

The CHAIRMAN. He paid you himself?

Mr. DICKEY. Yes.

The CHAIRMAN. You had no written contract with him on that?

Mr. DICKEY. No.

The CHAIRMAN. For what did you get the $4,000 from him?

Mr. DICKEY. That was for sending out some newspaper stories and releases.

The CHAIRMAN. Releases on what?

Mr. DICKEY. They are here in the files.

The CHAIRMAN. Do you not know? Do you not remember what they were?

Mr. DICKEY. Some of them were statements obtained here in New York.

The CHAIRMAN. Statements on what?

Mr. DICKEY. And I think some of them came from abroad.

The CHAIRMAN. Statements on what?

Mr. DICKEY. Relating to this problem of anti-Semitism.

The CHAIRMAN. So he paid you $4,000 to obtain publicity in this country?

Mr. DICKEY. Yes.

The CHAIRMAN. On the question of anti-Semitism?

Mr. DICKEY. Yes.

The CHAIRMAN. And your firm was employed for publicity purposes?

Mr. DICKEY. Yes.

The CHAIRMAN. By the German counsel?

Mr. DICKEY. Yes.

The CHAIRMAN. And paid $4,000 by the German consul?
Mr. DICKEY. Yes.

OBJECT TO CREATE BITTER FEELING TOWARD HITLER

The CHAIRMAN. For publicity purposes within the United States?
Mr. DICKEY. Yes.
The CHAIRMAN. On the question of anti-Semitism?
Mr. DICKEY. I do not think it was solely anti-Semitism.
The CHAIRMAN. That was one of the questions?
Mr. DICKEY. It was an attempt to create better feeling here, as a result of the disturbance created by the anti-Semitism campaign.
The CHAIRMAN. What were some of the other subjects which you participated in, in the obtaining of publicity?
Mr. DICKEY. That was all.
The CHAIRMAN. The only subject was anti-Semitism?
Mr. DICKEY. There is the file there, Mr. Congressman.
The CHAIRMAN. I am asking you. Do you not remember?
Mr. DICKEY. No. I cannot remember everything.
The CHAIRMAN. I am not questioning that.
Mr. DICKEY. There were large commissions, then. I cannot remember all those things.
The CHAIRMAN. I am not questioning you on it. I am simply trying to find out if you did remember.
Mr. DICKEY. I have turned in the file and there it is.
The CHAIRMAN. You have got to cooperate.
Mr. DICKEY. I am willing to cooperate, but do not ask me to testify about things which took place a year ago or longer.
The CHAIRMAN. If you do not remember, simply answer it that way, but if you do remember, answer.
You say that this bulletin was sent out to show editors of the country that Germany was still Germany, so that this particular bulletin which you sent out had for its purpose—is that the bulletin which you referred to [handing paper to the witness]?
Mr. DICKEY. Yes, sir.
The CHAIRMAN. It had for its purpose the hope that it would be reprinted in other papers, in whole or in part. Was not that true?
Mr. DICKEY. No, sir; I had not many illusions that many of those would be reprinted.

LIEUTENANT COLONEL BYOIR TO SELL HITLERISM TO AMERICAN NEWSPAPER EDITORS

The CHAIRMAN. Without regard to what you expected, your intent was to send it out to show editors of the country that Germany was still Germany?
Mr. DICKEY. It was to create a better feeling for German-American trade and travel.
The CHAIRMAN. And you naturally had the hope that some part of it would be reprinted?
Mr. DICKEY. Yes; I thought some of it would be, but this whole thing had disturbed the German-American relations. Now, something had to be done to improve those relations. It was as much to the benefit of the United States, because we felt——
The CHAIRMAN. We are not discussing that.
Mr. DICKEY. Cannot I discuss it? You wanted to know the purpose of the bulletin and I am telling you.
The CHAIRMAN. You have answered my question. Referring to Mr. Viereck, what was the agreement made with reference to paying him $1,000 a month? What agreement did you make with your client?
Mr. DICKEY. I made no agreement with him.
The CHAIRMAN. Did you require that as a condition of the contract?
Mr. DICKEY. No. I was introduced into the whole thing by Viereck, although 2 or 3 years previous I had solicited the German Railroad Bureau myself, without the assistance of Viereck.
The CHAIRMAN. Did they know that you were paying him $1,000 a month?
Mr. DICKEY. Yes; I think so. I do not know that. I will answer I do not know. I really do not know.
The CHAIRMAN. Did you know——
Mr. DICKEY (interposing). Unless he told them.
The CHAIRMAN. Did you know what his activities were outside of the work that he has done in connection with your office?
Mr. DICKEY. Very little; no, sir.
The CHAIRMAN. He did very little for your office in connection with this, did he not?
Mr. DICKEY. No; he always performed everything that we asked him to do.

VIERECK EMPLOYED TO ADVISE LIEUTENANT COLONEL BYOIR WHO ALSO EMPLOYED TO ADVISE

The CHAIRMAN. You are employed, in a sense, to advise?
Mr. DICKEY. Yes.
The CHAIRMAN. And you employed him to advise you?
Mr. DICKEY. And also to assist us in advising his client.
Mr. WEIDEMAN. Mr. Dickey, were there any other advertising firms handling these same accounts; that is, for the German steamship lines or the German railroads?
Mr. DICKEY. Yes, sir; they had their advertising agencies.
Mr. WEIDEMAN. Do you know the name of that firm?
Mr. DICKEY. I think most of these accounts were handled—I think most of these accounts were handled through the German Tourist Information Office and the—this is only hearsay, I do not know it of my own direct knowledge, but I will try to answer it. I think the German Tourist Information Office and the North German Lloyd were handled by the advertising firm of Smith, Sturgis & Moore. That organization has now been liquidated and the accounts, I think, are now handled by Rudolph Gunther-Russell Law.
I think the Hamburg-American also was handled by Rudolph Gunther-Russell Law.
Mr. WEIDEMAN. And also some of the work for the German Railways was handled by Rudolph Gunther-Russell Law?
Mr. DICKEY. Yes, sir; the advertising. They had the placing of the advertising copy.
The CHAIRMAN. What date was the $4,000 paid, if you remember? Approximately what date?
Mr. DICKEY. I think it was, I should say, some time in May.
The CHAIRMAN. May of last year?
Mr. DICKEY. Yes, sir; I think so.
The CHAIRMAN. When you went over to Germany, whom did you see over there, Mr. Dickey?
Mr. DICKEY. I did not see many persons, because there was a big party convention at Nuremburg and I saw very few persons, and I came away without seeing very many.
The CHAIRMAN. Did you see anybody in connection with the German Railways Co.?
Mr. DICKEY. I talked to some minor officials, the only minor officials that I could find there. All the others were away, some of them on vacation.
The CHAIRMAN. The expenses, I suppose, were paid out of this $6,000 a month?
Mr. DICKEY. Out of money received in connection with this work; yes, sir.
The CHAIRMAN. In making reports to the German Railways, either in the United States or Germany——
Mr. DICKEY. I beg your pardon. I did not get that.
The CHAIRMAN. In making reports or in giving advice, as you say, to your client, either here or in Germany, particularly on sentiment in the United States, did you reasonably expect that the advice or reports were being sent or given; that is, ultimately would be received or be obtained by any officials of the German Government?

REPORTS VERBAL

Mr. DICKEY. That is a pretty long question.
The CHAIRMAN. It is a very simple one when you analyze it.
Mr. DICKEY. I did not know that any of these reports would ever reach the German Government; no. That is the answer.
The CHAIRMAN. To whom did you make the reports here?
Mr. DICKEY. These reports or conferences were all verbal.
The CHAIRMAN. All verbal?
Mr. DICKEY. Nearly all verbal.
The CHAIRMAN. What about the reports which were made in Germany?
Mr. DICKEY. No reports were made in Germany.
The CHAIRMAN. Did you not transmit any reports or any advice to Germany?
Mr. DICKEY. No.
The CHAIRMAN. None at all?
Mr. DICKEY. None at all.
The CHAIRMAN. All here?
Mr. DICKEY. All here.
The CHAIRMAN. You say that there was an advisory committee or that this particular paper was published in the interest of several concerns?
Mr. DICKEY. Yes, sir.
The CHAIRMAN. Did any of them contribute toward the expense of publication?
Mr. DICKEY. I do not know that. We paid them all.
The CHAIRMAN. You paid them?
Mr. DICKEY. I had always assumed that the money which was paid to us was a fund which was raised by a group of them, but I did not inquire into that.
The CHAIRMAN. Mr. DICKSTEIN?
Mr. DICKSTEIN. Go ahead and smoke, Mr. Dickey. Make yourself comfortable.

LIEUTENANT COLONEL BYOIR HAD $108,000 CONTRACT WITH GERMANY

Mr. Dickey, the Byoir Association—that is, yourself and others—had a contract with the German Railway for $108,000. That was an 18-month contract, was it not?
Mr. DICKEY. Yes, sir.
Mr. DICKSTEIN. That would be approximately $108.000 which you are receiving for the work which you have described to this committee today?
Mr. DICKEY. If it goes on; yes.
Mr. DICKSTEIN. At present it is on?
Mr. DICKEY. Yes.
Mr. DICKSTEIN. Now, did Viereck help you get this contract?
Mr. DICKEY. Yes.
Mr. DICKSTEIN. What did he do to help you get this contract from the German Government?
Mr. DICKEY. I had no contract with the German Government, Mr. DICKSTEIN.
Mr. DICKSTEIN. I mean, what did he do to help your firm obtain this contract with the railways? I will put it that way.
Mr. DICKEY. I think that he told them what a good organization we were, which is what I would expect him to do. I never heard his method of——
Mr. DICKSTEIN. Salesmanship?
Mr. DICKEY. Salesmanship.
Mr. DICKSTEIN. And as a result of that you got that contract from these railway people?
Mr. DICKEY. Yes.

Mr. DICKSTEIN. Now, you never had such a contract before the Hitler government was in existence? You had no such contract?

Mr. DICKEY. With whom?

Mr. DICKSTEIN. With the railways or German Government?

Mr. DICKEY. Not with this government; no, sir; not with this railway company.

EVERYTHING LIEUTENANT COLONEL BYOIR DID WAS AFTER HITLER CAME INTO POWER

Mr. DICKSTEIN. Not with this railway company?

Mr. DICKEY. No.

Mr. DICKSTEIN. All that was done after the Hitler government came into power in January or March of 1933?

Mr. DICKEY. That is right.

Mr. DICKSTEIN. You had no representatives in Germany at that time?

Mr. DICKEY. No.

Mr. DICKSTEIN. And when these Friends of New Germany—you have heard that name, have you?

Mr. DICKEY. Yes.

Mr. DICKSTEIN. When they commenced to maneuver in this country by organizing in groups and organizations, did you attend any of their meetings?

Mr. DICKEY. No, sir.

Mr. DICKSTEIN. Now, then, let us analyze just exactly after you got this contract, as you say, from the railroads. Is it not a fact that the railways, the steamships, and every other industry in Germany are now under the control of the National Socialist Party?

Mr. DICKEY. As I said——

HITLER HAD CONTROL OVER GERMAN RAILROADS

Mr. DICKSTEIN. That is true, is it not?

Mr. DICKEY. I think possibly that is true, but I do not know it to be true, Mr. DICKSTEIN.

Mr. DICKSTEIN. Would you say it is not true?

Mr. DICKEY. I should say that everything in Germany today is under some kind of control.

Mr. DICKSTEIN. Exactly. So that everything is subsidized by the German Government, whether it is a railroad or machinery or any other commodity in Germany today. That is true, is it not, Mr. Dickey? That is a fact?

Mr. DICKEY. There is no doubt but what there is a control.

Mr. DICKEY. No doubt of it. We all know it. It is common gossip and common knowledge—that the German railways are operated and controlled by the national government, the National Socialist Party in Germany today. Did you answer that?

Mr. DICKEY. Is that a question, Mr. DICKSTEIN?

Mr. DICKSTEIN. Do you want me to put it around to make it easier, if you are having any difficulty?

Mr. DICKEY. I do not know.

Mr. DICKSTEIN. We will put it in this way: Assuming that the railways of Germany are subsidized by the German Government, you have received a contract, your associates have received a contract from this railway for $108,000 to do something in this country?

Mr. DICKEY. Yes. I understand, Mr. DICKSTEIN, that the German Railway Co. has always been a profitable concern and had a large part of the reparation, so that it could not be subsidized.

Mr. DICKSTEIN. The point is that they control everything in Germany, whether it is profitable or unprofitable. It is under a one-man rule.

Mr. DICKEY. It is a totalitarian state.

Mr. DICKSTEIN. Certainly. You and I do not have to split hairs on that. Therefore, that contract which your organization received from these railways, do you still want to say that that money is not coming from the German Government direct; that that money is coming from the railway itself?

Mr. DICKEY. I do not think it comes from the German Government, Mr. DICKSTEIN, because it is a profitable organization.

CONGRESSMAN DICKSTEIN REFERS TO LIEUTENANT COLONEL BYOIR'S CONTRACT WITH GERMAN RAILROADS A SO-CALLED CONTRACT

Mr. DICKSTEIN. That is not what I am trying to get at. Do you swear now under oath—and you are under oath—that that money, that $108,000 which you are receiving under this so-called contract, does not come from the Reich in Germany?

Mr. DICKEY. I do not think there is that kind of control. No; I would not say that it came from the German Government.

Mr. DICKSTEIN. And you could not swear that it came from the railways, outside of the fact that you have a memorandum or agreement with the railways?

Mr. DICKEY. I could not say whether it comes from the German Government, but I do not think it does.

VIERECK AND BYOIR'S CONTRACT

Mr. DICKSTEIN. If you made a contract with the German Railroad, why was it necessary for you to be compelled to make a contract with Mr. Viereck—and of which I show you a copy, produced by you [handing paper to the witness]?

Mr. DICKEY. Because he insisted upon it; he was fussy about it, and I gave him this letter.

Mr. DICKSTEIN. You gave him the letter, which gives him $1,000 a month?

Mr. DICKEY. Yes, sir.

FRIENDSHIP CONTRACT

Mr. DICKSTEIN. Subsequent to that everything was all right, everything was getting along very nicely. You got your contract for $6,000 and you got a contract with Viereck for $1,000 a month and everything was all right. Correct?

Mr. DICKEY. That is right.

Mr. DICKSTEIN. Why was it necessary, then, to make an additional contract with Viereck to give him an additional $750 a month, which I now show you, taken from your possession? [Handing paper to witness.]

Mr. DICKEY. Because that was a verbal agreement which I had with him, that upon any business which he obtained for us I would pay this commission, and he had tried to get other business.

Mr. DICKSTEIN. He only got one job?

Mr. DICKEY. That is right.

Mr. DICKSTEIN. That is the railway?

Mr. DICKEY. Yes, sir.

Mr. DICKSTEIN. That was to promote, as you say, friendship. Am I correct?

Mr. DICKEY. Yes.

Mr. DICKSTEIN. I mean friendship with respect to people traveling from America to Germany and from Germany to America. Is that the point?

Mr. DICKEY. Yes.

Mr. DICKSTEIN. This contract did not require you to anything more?

Mr. DICKEY. No.

Mr. DICKSTEIN. And you did not have to go out of your way to go beyond the terms of your contract?

Mr. DICKEY. No.

Mr. DICKSTEIN. Now, I show you a Government exhibit which is formal Government exhibit No. 1, and ask you whether you ever saw this document [handing paper to witness]?

Mr. DICKEY. Yes.

Mr. DICKSTEIN. I will offer that in evidence.

(The document referred to was marked "Exhibit No. 13.")

BYOIR PROPAGANDA ADMITTEDLY HAD NOTHING TO DO WITH TRAVEL

Mr. DICKSTEIN. Now, will you please tell this committee what Government exhibit No. 13 is, which deals with a pamphlet, apparently, which I believe you testified you have distributed in this country, dealing with church and state in Germany? What has that to do with the railroad, traveling of people from here into Germany?

Mr. DICKEY. It really did not have anything to do with it.

Mr. DICKSTEIN. Certainly not.

Mr. DICKEY. But Colonel Emerson asked me to send that out, and kept pressing me to send that out, and I mailed it out with other material.

Mr. DICKSTEIN. Did you read that particular document?

Mr. DICKEY. Yes, sir; I glanced through it.

Mr. DICKSTEIN. Did you know it was being printed by the Friends of New Germany, 17 Battery Place?

Mr. DICKEY. I assumed it was.

Mr. DICKSTEIN. Not that you assumed it. Did you know that it was a matter of fact?

Mr. DICKEY. Yes, sir.

Mr. DICKSTEIN. And did you not know that 17 Battery Place was the German consulate?

Mr. DICKEY. Yes.

Mr. DICKSTEIN. And that the gentleman you referred to as Dr. Emerson had an office in that particular building?

Mr. DICKEY. Yes.

Mr. DICKSTEIN. Did you make any inquiry why they picked you out to mail the particular document of church and state that had nothing to do with your contract at all? Did you make an inquiry as to why they should pick you out?

Mr. DICKEY. We were moderately friendly with him, and he had permitted me to mail out other things under his name.

Mr. DICKSTEIN. Is not that the same Emerson who during the World War had been preaching matters that were not friendly to this country?

Mr. DICKEY. I do not know that.

Mr. DICKSTEIN. Is not that the same Emerson that has been brought up and educated and spread subversive propaganda with respect to this Government?

Mr. DICKEY. I have no knowledge of that.

Mr. DICKSTEIN. Did you not try to find out who Emerson was before you would take orders from Emerson like that?

Mr. DICKEY. I took no orders from Emerson.

Mr. DICKSTEIN. You stated a moment ago that Dr. Emerson asked you to send out this document. Why did you take orders from him?

Mr. DICKEY. I took no orders from him. I did it as a favor.

Mr. DICKSTEIN. Why did you send this out? Can you give us a reasonable explanation for sending out this document among the American people?

PROPAGANDA SENT OUT FOR GERMAN PROPAGANDIST, EMERSON

Mr. DICKEY. As I say, I did it as a favor to him because he seemed to be doing a fairly good work at that time with his organization and——

Mr. DICKSTEIN. Now——

The CHAIRMAN. Wait a minute. Let him answer.

Mr. DICKSTEIN. He can answer.

The CHAIRMAN. What do you mean by "doing a fairly good work"? How do you know what work his organization was doing?

Mr. DICKEY. I was told he was organizing this committee of American citizens to promote friendly relations with Germany, and

he seemed to have some good names and therefore I thought it was——

The CHAIRMAN. You did not make any inquiry yourself?

Mr. DICKEY. Yes, sir; I talked to him.

The CHAIRMAN. You talked to him?

Mr. DICKEY. Yes, sir.

The CHAIRMAN. Beyond talking to him you made no inquiry about what his organization was doing?

Mr. DICKEY. No.

The CHAIRMAN. You do not know what his organization was doing, do you?

Mr. DICKEY. Not entirely; no, sir.

The CHAIRMAN. You do not. And you made absolutely no inquiries and upon his request you mailed it out?

Mr. DICKEY. Yes.

ADMISSION PROVES LIEUTENANT COLONEL BYOIR EMPLOYED TO PROPAGANDIZE AMERICA FOR HITLER

The CHAIRMAN. And if it had not been for this contract you would not have done the work?

Mr. DICKEY. No.

Mr. DICKSTEIN. The German railways did not ask you to mail it?

Mr. DICKEY. No; they did not know about it.

Mr. DICKSTEIN. The Friends of New Germany did not ask you to mail it, did they?

Mr. DICKEY. No.

Mr. DICKSTEIN. Who paid for the printing of it?

Mr. DICKEY. I do not know. He sent me the booklets.

Mr. DICKSTEIN. Did you use the same mailing list on church and state as you did with the economic bulletin?

Mr. DICKEY. Yes, sir.

Mr. DICKSTEIN. And the majority of them were sent to newspapers throughout the United States?

Mr. DICKEY. Yes, sir.

Mr. DICKSTEIN. If there was something subversive in there which had nothing to do with our American people, do you not think, as an American, that you should have given this more careful consideration before you attempted to mail out and spread this church and state proposition in this country?

Mr. DICKEY. I do not think there is anything subversive in that.

Mr. DICKSTEIN. Have you read it all?

Mr. DICKEY. Yes; I glanced at it.

Mr. DICKSTEIN. Glanced at it. Did you read it?

Mr. DICKEY. Yes; I read parts of it.

Mr. DICKSTEIN. Parts of it?

Mr. DICKEY. I cannot say I read the whole thing. I found it very dull.

Mr. DICKSTEIN. So do we, but we are trying to find out some of the information about that. We have no trouble with the church and state in this Government, have we?

Mr. DICKEY. I hope not.

Mr. DICKSTEIN. I hope not, too, but we have not. Now, then, let us come right down to final analysis. Who paid for the mailing of it?

Mr. DICKEY. I did.

Mr. DICKSTEIN. Now, if you were doing it as a friendly favor to Emerson, why should you pay for the mailing of thousands of these sheets?

Mr. DICKEY. It went into mailing without any cost of postage. I have forgotten now whether it was the Economic Bulletin or what it was, but it went out with something else, so that there was no increase in the postage.

Mr. DICKSTEIN. In other words, you want to tell this committee, in addition to the mailing of this document, you have also mailed the Economic Bulletin?

Mr. DICKEY. Yes.

Mr. DICKSTEIN. Would not this require more postage stamps?

Mr. DICKEY. No; I do not think so; no more money would be required.

Mr. DICKSTEIN. Who addressed the envelopes?

Mr. DICKEY. Those were all done from the stencils.

Mr. DICKSTEIN. Where was it done? In your office?

Mr. DICKEY. In my office.

VIERECK'S JOB TO EARN $1,750 MONTHLY

Mr. DICKSTEIN. Let us come down to a little clearer point of view. Give us the biggest thing which Viereck did for you for receiving this $1,750 a month.

The CHAIRMAN. $1,000 a month.

Mr. DICKSTEIN. $1,000 a month under the contract and the rest is his commission. Give us the biggest thing he did for you to help you in this country.

Mr. DICKEY. I think the biggest thing he did was to participate in any conferences that we might have had on this problem which was created here by anti-Semitism, in reducing German trade and travel.

Mr. DICKSTEIN. Was he trying to reduce anti-Semitism in the United States?

Mr. DICKEY. He wanted to reduce it; yes, sir.

Mr. DICKSTEIN. Do you not know that he has been making public utterances in this country to alien groups, and public speeches in public places, condemning certain races of people in this country? Did you not know that?

Mr. DICKEY. He made one speech.

Mr. DICKSTEIN. When?

Mr. DICKEY. At Madison Square Garden, so far as I know, the only one he made. That is the only one I know he made.

Mr. DICKSTEIN. That is the only one you know he made. Let it go at that.

Mr. DICKEY. I read his speech, and there was no anti-Semitism in that, and he has always been candid and agreed with me that anti-Semitism was a bad thing anyway.

Mr. DICKSTEIN. In other words, he said nothing, made no attack on William Green, the president of the American Federation of Labor?

Mr. DICKEY. Where, Mr. DICKSTEIN?

Mr. DICKSTEIN. I am taking your statement now. You say the only speech he made was at Madison Square Garden. I am bringing you back to Madison Square Garden. Do you know whether or not he made an un-American attack upon William Green, the president of the American Federation of Labor?

Mr. DICKEY. No; I do not know that.

Mr. DICKSTEIN. Or Samuel Seabury, of New York.

Mr. DICKEY. No.

Mr. DICKSTEIN. You do not know that, do you?

Mr. DICKEY. No; I do not

Mr. DICKSTEIN. Were you present at that meeting?

Mr. DICKEY. No, sir; I was not.

Mr. DICKSTEIN. So that what you are telling us now—that he has been against anti-Semitism—is based on that?

Mr. DICKEY. I read his speech; and, so far as I know, in his prepared speech there was no attack on William Green, so far as I recall, on Samuel Seabury, nor was there any anti-Semitism.

Mr. DICKSTEIN. All right.

Mr. DICKEY. And unless Viereck has been misleading me he has always been against anti-Semitism, and we have, all of us, been against anti-Semitism in Germany.

Mr. DICKSTEIN. All right, Mr. Dickey; I will accept that answer. Is Mr. Viereck a member of the Friends of New Germany?

Mr. DICKEY. I do not know. I doubt it. I do not know.

Mr. DICKSTEIN. Now, if he is a member of the Friends of New Germany, let me point out to you that in their application blank of the Friends of New Germany you must be of Aryan stock, of Aryan race, and you cannot be a Mason, or have any colored blood in your veins, which is the same principle as laid down by the National Socialist Party in Germany. If he were a member of such an organization as the Friends of New Germany, would you testify that he is opposed to anti-Semitism?

Mr. DICKEY. No.

Mr. DICKSTEIN. Then you agree with me?

Mr. DICKEY. I do not think he is a member, Mr. DICKSTEIN, but he can testify himself.

Mr. DICKSTEIN. You may be right. I am not saying he is.

Mr. DICKEY. As a matter of fact, as I told you, I think in a secret meeting——

Mr. DICKSTEIN. You answered my question. I am giving you an assumed state of facts. I do not know, myself.

Mr. DICKEY. I have come here to try to give you information, and sometimes you do not let me answer the question.

Mr. DICKSTEIN. I appreciate that.

Mr. DICKEY. I came here in frankness and candor.

Mr. DICKSTEIN. I agree with you. I think you are trying to help us very much.

Mr. DICKEY. Is that right?

Mr. DICKSTEIN. Yes, sir.

Mr. DICKEY. I cannot answer this about Viereck, because I do not know except from my own knowledge. I do not think he is a member of that organization.

Mr. DICKSTEIN. Why go into it further? You have answered my question.

VIERECK INSISTED ON MAKING MADISON SQUARE GARDEN SPEECH

Mr. DICKEY. I advised him against making a speech at Madison Square Garden. I did not know there was a meeting at Madison Square Garden until the day before; and he said he was going to deliver a speech, and I said, "Don't do it." He said, "I made a promise"; and I said, "Forget it."

Mr. KRAMER. To whom did he make the promise?

Mr. DICKEY. I do not know. He did not say.

Mr. KRAMER. Did you ask him?

Mr. DICKEY. No, sir.

Mr. KRAMER. You were interested in the fact that he not make it?

Mr. DICKEY. There was some kind of organization known as the D. A. W. A.

Mr. KRAMER. Do you know T. St. John Gaffney?

Mr. DICKEY. No.

Mr. KRAMER. Did you ever hear of him?

Mr. DICKEY. I do not know him.

Mr. KRAMER. But you have heard of him?

Mr. DICKEY. Yes, sir.

Mr. KRAMER. Who is he?

Mr. DICKEY. I do not know him.

Mr. KRAMER. What is his business?

Mr. DICKEY. I do not know him.

The CHAIRMAN. By the way, Mr. Dickey, there was some testimony about advising a newspaper. I think in some slight way, as to an editorial policy.

Mr. DICKEY. Not as to editorial policy.

The CHAIRMAN. In what way, Mr Dickey?

Mr. DICKEY. This man McLaughlin, who was the editor of the paper—he asked me to make some criticisms and suggestions about his typographical lay-outs, and things like that.

The CHAIRMAN. Anything about the paper? Anything as to the contents of the paper?

Mr. DICKEY. No. I did not like the contents of the paper, and I very seldom made any remarks about it.

The CHAIRMAN. Now, Colonel Emerson—how long have you known him?

Mr. DICKEY. I met him sometime last spring.

The CHAIRMAN. Do you know him pretty well?

Mr. DICKEY. No; I would not say very well; moderately well. I have read one of his books, which was a biography of Herbert Hoover. And he has told me about various experiences which he has had. I think he was a member of the Rough Riders.

The CHAIRMAN. Did he tell you about being over in Germany during the World War and going around and talking to American prisoners, trying to incite them?

Mr. DICKEY. No, sir.

The CHAIRMAN. He did not tell you that?

Mr. DICKEY. No, sir.

The CHAIRMAN. Was not this a rather unusual thing—to send out this document with your paper?

Mr. DICKEY. I think it was.

The CHAIRMAN. It never happened before?

Mr. DICKEY. No (referring to exhibit 13).

The CHAIRMAN. And never happened since?

Mr. DICKEY. No.

The CHAIRMAN. You have no other contract of this kind in Germany—with any other firm?

Mr. DICKEY. No. We have tried to get others but could not.

The CHAIRMAN. You have no similar contract in any other country?

Mr. DICKEY. Yes; we have.

The CHAIRMAN. I do not want to go into your business too much.

Mr. DICKEY. One other North American country.

The CHAIRMAN. North American country?

Mr. DICKEY. Yes.

The CHAIRMAN. Not in Europe?

Mr. DICKEY. No European country.

The CHAIRMAN. I do not want to go into that, because that is outside the scope of the investigation. I want to find out if you had any other similar contracts.

Mr. DICKEY. We have always been trying to get promotion of travel and tourists' accounts.

The CHAIRMAN. This is the first contract of this kind you ever had?

Mr. DICKEY. In Europe.

The CHAIRMAN. Yes.

Mr. DICKEY. We have had others here.

The CHAIRMAN. Have you had payments made to you for any services by the consul of a foreign government before this?

Mr. DICKEY. No, sir.

The CHAIRMAN. This is the first time you ever received a payment for service from a consul of a foreign government?

Mr. DICKEY. No. My understanding was that I was to help him, and he was to help me get whatever contracts I could, and German commercial enterprises.

The CHAIRMAN. I am not questioning you in that regard. I just want to obtain the facts. That is all.

Mr. DICKEY. I want to tell you whatever I can.

CHAIRMAN SAYS A VERY UNUSUAL THING

The CHAIRMAN. But it was an unusual thing? It never happened before?

Mr. DICKEY. No money; but the usual procedure in soliciting any of these accounts abroad is to get whatever information you can from the local representative.

The CHAIRMAN. But the local representative does not make contracts?

Mr. DICKEY. No.

The CHAIRMAN. And the local representative does not pay out money?

Mr. DICKEY. No.

The CHAIRMAN. You simply try to get information to determine whether you will enter into a contractual relationship?

Mr. DICKEY. Yes, sir.

The CHAIRMAN. The same as they might get information here as to whether they would enter into such a relationship, but you have never known of a consul of a foreign government being not only the negotiator but the consummator of a contract?

Mr. DICKEY. He was not.

The CHAIRMAN. In this case you and he made a contract between each other?

Mr. DICKEY. He was to try to give me any leads that he could.

The CHAIRMAN. But, at any rate, he paid you $4,000?

Mr. DICKEY. That is right.

The CHAIRMAN. It never happened before in the conduct of your business?

Mr. DICKEY. Not to my knowledge; no, sir.

Mr. DICKSTEIN. I have just one question and I am through, Mr. Dickey. You testified that you obtained about 60 different kinds of newspapers.

Mr. DICKEY. Yes, sir.

Mr. DICKSTEIN. And that your girl or secretary dug out certain information.

Mr. DICKEY. Yes.

Mr. DICKSTEIN. That dealt with something as to what this country is thinking about. Is that correct?

Mr. DICKEY. Yes.

Mr. DICKSTEIN. That had nothing to do with your contract with the railway, did it?

Mr. DICKEY. It helped us advise about the state of opinion in this country, because, Mr. DICKSTEIN, promotion of any travel or trade depends a lot on what the public sentiment is toward your country, when you are promoting a travel or trade prospect.

Mr. DICKSTEIN. But these documents were just simply editorials in certain newspapers dealing with a foreign matter other than what you were contracting to do there?

Mr. DICKEY. But those editorials were an indication of American opinion.

Mr. DICKSTEIN. What was the opinion in the American editorials? Now that you say it was an opinion, let me ask that.

Mr. DICKEY. Do you have to ask me, Mr. DICKSTEIN?

Mr. DICKSTEIN. I know.

Mr. DICKEY. Can you not guess?

Mr. DICKSTEIN. I can guess, but I would rather have it in this record.

The CHAIRMAN. I think he has frankly expressed himself to the effect that he does not agree with certain policies.

Mr. DICKSTEIN. He is just finishing his answer, and then I am through.

Mr. DICKEY. It was pretty bad, and that is why we get this contract. It was pretty bad and is still bad.

CAN ONLY NAME ONE THING VIERECK DID

Mr. DICKSTEIN. Now, you told us one thing which Viereck did. What else did he do, if it is not too much to ask you? What else in an outstanding way did he do for you?

M. DICKEY. That is about all, Mr. DICKSTEIN.

Mr. DICKSTEIN. That was the only single thing which Viereck did?

Mr. DICKEY. He wrote a few items for his Economic Bulletin.

Mr. DICKSTEIN. Does he not write articles for any other newspapers?

Mr. DICKEY. Not under any arrangement for us.

Mr. DICKSTEIN. Does your contract provide that he should write articles for you? It does not, does it?

Mr. DICKEY. No.

Mr. DICKSTEIN. His second contract for receiving a commission does not require him to write any articles for you?

Mr. DICKEY. No; but it is assumed.

Mr. DICKSTEIN. You assume things?

Mr. DICKEY. Yes.

Mr. DICKSTEIN. Outside of this conference, Viereck did nothing further, outside of writing an article. Did you publish that article which he wrote?

Mr. DICKEY. Yes; various items in that bulletin he compiled and wrote.

Mr. WEIDEMAN. To a great extent the money which Viereck got, to use the vernacular, was his cut from your fee?

Mr. DICKEY. That is right.

The CHAIRMAN. For $1,000 a month, did you not expect to have his whole time?

Mr. DICKEY. I think so.

The CHAIRMAN. I think that is all. Any further questions?

Mr. HARDWICK. Mr. Chairman, I am going now to offer for the record——

The CHAIRMAN. Are you through with Mr. Dickey?

Mr. HARDWICK. Yes, sir.

The CHAIRMAN. That is all, Mr. Dickey.

Mr. DICKEY. Are you through with me, gentlemen?

The CHAIRMAN. Yes.

Mr. DICKEY. Can I go back home now?

The CHAIRMAN. Yes, sir. We tried to accommodate you by taking you on first.

Mr. DICKEY. Thank you very much.

(Witness excused.)

Mr. DICKSTEIN. Excuse me a minute, Senator. I want to call Mr. Dickey's partner and ask him one or two questions.

Mr. HARDWICK. Yes, sir.

STATEMENT OF V. LANCASTER, TREASURER OF LT. COL. CARL BYOIR & ASSOCIATES

(V. Lancaster was sworn and testified as follows:)

Mr. DICKSTEIN. You are a member of the firm of Byoir & Co.

Mr. LANCASTER. Byoir & Associates.

Mr. DICKSTEIN. Byoir & Associates. What work do you do?

Mr. LANCASTER. I am the treasurer and business manager.

Mr. DICKSTEIN. You do not know anything about the negotiations of the contract between the German railway and your firm?

Mr. LANCASTER. No; I do not enter into that part.

Mr. DICKSTEIN. You are just taking care of the books?

Mr. LANCASTER. Just business manager.

Mr. DICKSTEIN. Business manager. Have you got your accounts here?

Mr. LANCASTER. No; I have not.

Mr. DICKSTEIN. Have you an entry of this $4,000 in cash by the German consul?

Mr. LANCASTER. Yes, sir; there is a journal entry of it.

Mr. DICKSTEIN. Was that money deposited in the bank?

Mr. LANCASTER. No; it was not.

SPLIT GERMAN CONSUL MONEY BETWEEN LIEUTENANT COLONEL BYOIR AND DICKEY

Mr. DICKSTEIN. What happened to that money? How was it divided?

Mr. LANCASTER. As I understand it, I gave Mr. Byoir, I think it was, $2,000, and I think I gave Dickey $2,000.

Mr. DICKSTEIN. Byoir $2,000 and Dickey $2,000?

Mr. LANCASTER. I am not sure of the exact figures, but that is about what it was.

Mr. DICKSTEIN. How about Viereck? Did he get any of it?

Mr. LANCATER. I do not recall; he might have. He was to get a 15-percent commission, so that he might have got some, but I am not sure.

Mr. DICKSTEIN. Now, do you recall testifying, in answer to my question, before me as a committee:

"The amount was all in cash. I only deposited, you see, about $750. The two amounts were withheld by the other two partners, and I believe Mr. Viereck—I believe—I am not sure whether he got commissions on that amount at that time."

Is that what you testified to?

Mr. LANCASTER. Yes, sir; that is it.

Mr. DICKSTEIN. Can you tell us now how much Viereck got from that amount of money?

Mr. LANCASTER. No; I do not know exactly. He should have gotten 15 percent.

The SPEAKER pro tempore. Under a previous special order of the House, the gentleman from South Carolina [Mr. BRYSON] is recognized for 15 minutes.

Mr. BRYSON. Mr. Speaker, there was until a short while ago great hope for a world civilization to be based on right and justice. That was the civilization in which we believed, the civilization by which we set our standards and for which we cast our future plans. Unhappily, we are now living in a world which no longer moves toward that goal of civilization. We are, this very moment, living in a world in which right and justice have been challenged and might seems to be triumphing.

There is nothing but tragedy in the present world outlook. Today two democracies in Europe fight a losing battle against two dictatorships; tomorrow we may find ourselves living in a world in which we are the lone supporters of democracy, a world which may be threatened by the domination of dictatorships to the east and to the west of us. It is indeed a very unpromising outlook for America.

EUROPE'S DEATH STRUGGLE FOR FREEDOM

Let us be thankful, though, for the fact that as a Nation believing in life, liberty, and the pursuit of happiness, we are fully aware of what is happening abroad and equally conscious of what may be the consequences of Europe's death struggle for freedom. Yes, as a free people we fully realize that ours is the Herculean task of preparing this Nation overnight against any and every eventuality—but in that our determination is rising to the supreme heights. Certainly it is no exaggeration to assert that we are in the midst of one of the most critical periods in the history of this Nation. That is a statement of fact.

As terrible as it may be to contemplate, there stares us in the face the possibility, even the probability, that England and France may go down fighting for our type of civilization. That is something we pray shall not come to pass; but if England and France do go down to defeat, we must with our own hands make the pen of history write that they did not go down in vain. Rather, it must be said that their great mistake—the mistake of unpreparedness—taught us a lesson. They have made us a Nation forewarned, it is for us to make ourselves a Nation forearmed.

ACTION, SPEED, AND RESULTS DEMANDED

The task of making this Nation forearmed—fully prepared to successfully meet any eventuality—calls for greatly increased defense appropriations and broad expansion of productive capacity as first essentials, demands speed and action as prime requisites and requires immediate results for the test of effectiveness. Thus, the path we must take is clearly marked, the time in which we must reach the goal to which it leads is definitely limited. We must achieve the objective of adequate national defense, not eventually, not gradually, but immediately, that is, almost at once. In a letter to the Secretary of War, I recently stated that our task of preparedness must be accomplished with speed of unparalleled quickness.

The swiftness with which Congress has acted on defense appropriations recommended by the President is reassuring. In less than 2 weeks we have appropriated $4,000,000,000 for national defense purposes and if the situation in Europe continues to grow more menacing I do not believe the Members of this House will hesitate in supporting a bill for another two, three, four billion dollars or whatever amount seems advisable.

In an address delivered before the National Democratic League early last month I said:

> For some months now the President and the Congress, under his leadership, have been laying fortifications, fortifications against this country's involvement in war abroad and fortifications against invasion of this country by any foreign power. The President called the Congress into extraordinary session last September shortly after the outbreak of the European war. We were not long in adopting legislation which not only reaffirmed our desire to keep America out of war but also effectuated the means of keeping us out. * * * And during the years of this administration we have strengthened our national defenses all along the line. Yes; we have appropriated large sums of money for national defense purposes and the Congress is now giving serious and careful consideration to many supplemental recommendations made by the President and War Department officials. Provision has been made for not only the construction of a large number of planes for our Air Corps and battleships for our Navy, but also for the purchase of large quantities of equipment for other divisions of the service. Secretary of War Woodring recently stated that "The past 12 months have seen intensive governmental effort to mend the gaps in our military fences."

TO KEEP AMERICA OUT OF WAR; TO KEEP WAR OUT OF AMERICA

On that occasion I also said:

> Because of what has been done to preserve the neutrality of this Nation and because of what steps have been taken to meet its needs for adequate national defense, we may look to the future in the hope that we are prepared to keep America from going to war and keep war from coming to America. It is to these objectives of peace and security that this administration is directing every ounce of its energy at this very moment. And here, without elaboration, I should like to describe the President's foreign policy in a single statement by saying that it is a thing of outstanding statesmanship, protecting American interests in the present world crisis and doing the all-important job of keeping us out of Europe's war.

In considering our defensive needs it is most important to remember that this Nation is the world's greatest economic power. With only 7 percent of the world's population and 6 percent of the world's area, we own 80 percent of the motorcars in use, 33 percent of the railroads, and operate 60 percent of the world's telephone and telegraph facilities. We consume 48 percent of the world's coffee, 53 percent of its tin, 56 percent of its rubber, 21 percent of its sugar, 72 percent of its silk, and 60 percent of its petroleum. We produce 60 percent of the world's wheat and cotton, 50 percent of the copper and pig iron, 70 percent of the oil—and so on.

It is equally important, however, for us to realize that our great economic power is only potential military power; and economic power cannot be converted into military power overnight. In time of war tanks must be on the field of battle, airplanes in the air, ships at sea, and fully equipped armies on the march. Economic resources do not halt invading armies. Only steel fashioned to smash the invaders' thrust serves to protect a nation at war.

FORCE TO MATCH FORCE

At the beginning of the European war the tendency was to assume that the Allies would win the war because their economic resources were greater than those of Germany. But now we know that to possess economic advantage is not enough, to have superiority in resources is not enough, to live by high ideals of justice and right is not enough. We know, in short, that nothing will suffice to combat force save greater force. England and France did have the resources to match Germany tank for tank and plane for plane, but the important point is that they failed to turn out the necessary tanks and planes. Largely because they failed to build defenses when defenses should have been built England and France are today fighting with their backs to the wall. Here again our path is clearly marked: We must prepare and prepare quickly; defend and defend adequately.

Yes, we must prepare and prepare quickly, defend and defend adequately, not for war but for peace. It was Washington who said, "To be prepared for war is one of the most effectual means of preserving peace." When speaking at a national-defense-week celebration of the Spartanburg, S. C., Reserve Officers' Association on February 22 last, I pointed out that the Europe of Washington's day, in many respects,

resembles the Europe of our day. The year 1790, as in the year 1940, wars and rumors of wars still more devastating stalked the European Continent. Then, as now, the United States seemed fortunately outside the theater of war; but Washington, realizing America's need for a stronger system of national defense, said:

The disturbed situation of Europe * * * while it ought to make us the more thankful for the general peace and security enjoyed by the United States, reminds us at the same time of the circumspection with which it becomes us to preserve these blessings.

RESPONSIBILITY TO SAFEGUARD AND PROTECT

With firmness and resolution, I say that we are at this grave hour—more than ever before—a nation grimly determined to preserve for our posterity the blessings of a free people. Speaking before us on the occasion of the one hundred and fiftieth anniversary of the first meeting of the Congress, Chief Justice Hughes said:

The most significant fact in connection with this anniversary is that after 150 years * * * despite direct attack and subversive influences, there is every indication that the vastly preponderant sentiment of the American people is that our form of government shall be preserved.

Today it is our responsibility to safeguard and protect the lives of our people and their property against death and destruction so that our form of government shall not perish even in a world of dictatorships.

If it costs billions and billions to produce airplanes, naval craft, tanks, and other units of mechanized equipment then we make the sacrifice of spending those billions and billions. If it costs billions and billions more to build inland air bases and coast-line fortifications, then we make the sacrifice of spending billions and billions more. But out of the billions and billions we spend for national defense we shall tolerate no "profiteering." The American people are willing to make the sacrifice for adequate national defense, but the sacrifice they make must be for no other reason. Of our defense expenditures not one penny will we permit being funneled off into the profiteers' money hoard.

CONFERENCE WITH PRESIDENT ROOSEVELT—PROFITEERING BANNED

Shortly after the outbreak of the European War last September, I went to the White House with a small group of Members of Congress to discuss the problem of profiteering which came into view at that time. Then the President privately gave every assurance that definite steps would be taken to guard against war profiteering. More recently he has in public utterances stated his firm determination to prevent the feeding of a new crop of millionaires on the substance of our defense spending. The individual who willfully engages in exploitation at this time of national crisis is an enemy of this Nation's future.

If our enemies from without be dangerous, our enemies from within are nonetheless vicious. Not only must we move to check the spread of "certain sinister influences and minorities," which, as you so well stated to us last year, Mr. Speaker, are "seeking to sap and mine the pillars" of our temple of freedom—not only must we check these forces but we must also check the modern spy, the streamlined saboteur, known as the "fifth column" adherent. Our action against these disciples of subversive treachery must be swift and thorough.

AMERICAN LEGION AGAIN RISES TO THE OCCASION

As to our ability to ferret these enemies out of their hiding, I have no doubt. The Federal Bureau of Investigation is quietly doing a superb job. The American Legion once more stands on guard for the security of the American people. This time their operations are going forward on the home front with great effectiveness. There are other groups of patriotic citizens who have joined together to halt the menace of "fifth column" activities. The work of each of these organizations should have our full cooperation and support.

Mr. Speaker, before I leave the floor of this House and retire to my seat I should like to speak, as it were, for the veterans of the last war and the mothers and fathers of sons who live today in the shadow of a new war. I say this, for I am a veteran of the last war and the father of a son who would answer the call if war were to come again. Between the yesterday in which you and I witnessed the horror of the last war and the today in which our children must witness—come face to face—with the horror of the present war stand those years in which, as I said at the outset, we had great hope for a world civilization to be based on right and justice. Those years are gone. And if we must now live in a world in which might seems to be triumphing over right, I say that those who fought in the last war are willing to make new sacrifices and those who may be called to defend this Nation against future invasion stand ready to make their sacrifices, however great they may be. At last we are again reminded of the thought expressed by Theodore Roosevelt when he said that a man who is not good enough to die for his country is not fit to live for it.

But if we make up our minds to live—and live courageously—for our country, that is, if in living for this Nation we firmly will and highly resolve to make it powerful enough to resist attack from without and strong enough to withstand destruction from within, I do not believe that we shall be compelled to sacrifice lives for the right to live in the world of tomorrow. That I believe, because as Washington said, "To be prepared for war is one of the most effectual means of preserving peace." [Applause.]

ENROLLED BILL SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 6446. An act to amend section 4 of the act entitled "An act to authorize the city of Pierre, S. Dak., to construct, equip, maintain, and operate on Farm Island, S. Dak., certain amusement and recreational facilities, to charge for the use thereof, and for other purposes," approved August 16, 1937.

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 1560. An act for the relief of Amos B. Cole;

S. 2013. An act to amend the Code of the District of Columbia to provide for the organization and regulation of cooperative associations, and for other purposes;

S. 2782. An act for the relief of Harold W. Kinderman;

S. 3683. An act to remove the time limit for cooperation between the Bureau of Reclamation and the Farm Security Administration in the development of farm units on public lands under Federal reclamation projects; and

S. 3813. An act to authorize the presentation of a special gold medal to William Sinnott.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 41 minutes p. m.), the House adjourned until tomorrow, Wednesday, June 12, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization on Wednesday, June 12, 1940, at 10:30 a. m., for the consideration of unfinished business.

COMMITTTEE ON THE JUDICIARY

On Wednesday, June 12, 1940, at 10 a. m., there will be held before Subcommittee No. I of the Committee on the Judiciary a hearing on House Joint Resolution 553, to authorize the Federal Bureau of Investigation of the Department of Justice to conduct investigations in the interests of national defense, and for the purpose to permit wire tapping. The hearing will be held in the Judiciary Committee room, 346 House Office Building.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

On Wednesday, June 12, 1940, the Committee on Interstate and Foreign Commerce will hold a hearing on S. 4108, investment trusts.

COMMITTEE ON MINES AND MINING

The Subcommittee on Mines and Mining that was appointed to consider S. 2420 will continue hearings on Thursday, June 13, and Friday, June 14, 1940, at 10 a. m. in the committee rooms in the New House Office Building.

MEETING OF IRRIGATION AND RECLAMATION COMMITTEE

The Committee on Irrigation and Reclamation will meet at 10:30 a. m., Friday, June 14, in room 128 House Office Building, for the consideration of H. R. 8078.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. FADDIS: Committee on Military Affairs. Supplemental report to part II to accompany House Joint Resolution 555. Joint resolution to provide for the observance, safeguarding, and enforcement of neutrality, and the strengthening of the national defense, and the promotion of peace (Rept. No. 2493). Referred to the Committee of the Whole House on the state of the Union.

Mr. TAYLOR: Committee on Appropriations. H. R. 10055. A bill making supplemental appropriations for the national defense for the fiscal year ending June 30, 1941, and for other purposes; without amendment (Rept. No. 2497). Referred to the Committee of the Whole House on the state of the Union.

Mr. VINSON of Georgia: Committee on Naval Affairs. H. R. 10030. A bill increasing the number of naval aviators in line of the Regular Navy and Marine Corps, and for other purposes; with amendment (Rept. No. 2498). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLAND: Committee on Merchant Marine and Fisheries. H. R. 6572. A bill to amend the Merchant Marine Act, 1936, as amended, to provide for marine war-risk insurance and reinsurance and for marine risk reinsurance, and for other purposes; with amendment (Rept. No. 2499). Referred to the Committee of the Whole House on the state of the Union.

Mr. BULWINKLE: Committee on Interstate and Foreign Commerce. S. 3018. An act to amend section 210 of the Communications Act of 1934, approved June 19, 1934 (48 Stat. 1073; 47 U. S. C. 210), so as to permit communication utilities to contribute free services to the national defense; without amendment (Rept. No. 2500). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. H. R. 9981. A bill to authorize the construction of certain facilities in Marjorie Park, Davis Island, Tampa, Fla., and for other purposes; without amendment (Rept. No. 2502). Referred to the Committee of the Whole House on the state of the Union.

Mr. CROSSER: Committee on Interstate and Foreign Commerce. H. R. 9955. A bill to provide for the more uniform coverage of certain persons employed in coal-mining operations with respect to insurance benefits provided for by certain Federal acts, and for other purposes; with amendment (Rept. No. 2503). Referred to the Committee of the Whole House on the state of the Union.

Mr. LEA: Committee on Interstate and Foreign Commerce. H. R. 9899. A bill extending the jurisdiction of the Civil Aeronautics Authority over certain air-mail services, and for other purposes; with amendment (Rept. No. 2505). Referred to the Committee of the Whole House on the state of the Union.

Mr. LEA: Committee on Interstate and Foreign Commerce. H. R. 10014. A bill to amend the Transportation Act, 1920, as amended; without amendment (Rept. No. 2506). Referred to the Committee of the Whole House on the state of the Union.

Mr. LEA: Committee on Interstate and Foreign Commerce. S. 3927. An act to provide for the administration of the Washington National Airport, and for other purposes; without amendment (Rept. No. 2507). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROMJUE: Committee on the Post Office and Post Roads. H. R. 9990. A bill to amend section 4008 of the Revised Statutes relating to transportation of foreign mails; without amendment (Rept. No. 2508). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROMJUE: Committee on the Post Office and Post Roads. H. R. 9991. A bill to amend section 4021 of the Revised Statutes and to repeal section 4023 of the Revised Statutes relating to establishment of postal agencies; without amendment (Rept. No. 2509). Referred to the Committee of the Whole House on the state of the Union.

Mr. DIMOND: Committee on Military Affairs. H. R. 9391. A bill to amend section 40, National Defense Act, as amended, relating to the organization of the Reserve Officers' Training Corps, so as to provide for an exception with respect to the University of Alaska; without amendment (Rept. No. 2510). Referred to the Committee of the Whole House on the state of the Union.

Mr. VINSON of Georgia: Committee of conference on the disagreeing votes of the two Houses. S. 4026. An act to provide for the reorganization of the Navy Department, and for other purposes (Rept. No. 2511). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. WOOD: Committee on War Claims. S. 3097. An act for the relief of Katherine M. Drier; with amendment (Rept. No. 2501). Referred to the Committee of the Whole House.

Mr. MACIEJEWSKI: Committee on Immigration and Naturalization. H. R. 9693. A bill for the relief of Mrs. Rosaria Tumminello Cimino; without amendment (Rept. No. 2504). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. COFFEE of Washington:

H. R. 10056. A bill to provide revenue, equalize taxation, and for other purposes; to the Committee on Ways and Means.

By Mr. GEYER of California:

H. R. 10057. A bill to provide revenue, equalize taxation, and for other purposes; to the Committee on Ways and Means.

By Mr. LANHAM:

H. R. 10058. A bill to amend the act relating to preventing the publication of inventions in the national interest, and for other purposes; to the Committee on Patents.

By Mr. WHELCHEL:

H. R. 10059. A bill to provide for the protection and preservation of domestic sources of iron and steel; to the Committee on Ways and Means.

By Mr. DINGELL:

H. R. 10060. A bill to repeal the prohibition on purchase or sale of obligations of certain foreign countries; to the Committee on Foreign Affairs.

By Mr. KEOGH:

H. R. 10061. A bill to consolidate certain exceptions to section 3709 of the Revised Statutes and to improve the United States Code; to the Committee on Expenditures in the Executive Departments.

By Mr. DIMOND:

H. R. 10064. A bill authorizing the construction of a highway to Alaska; to the Committee on Roads.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By The SPEAKER: Memorial of the Legislature of the State of Louisiana, memorializing the President and the Congress of the United States to consider their House Concurrent Resolution No. 5, with reference to the defense program; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of Maine, memorializing the President and the Congress of the United States to consider their memorial dated June 6, 1940, concerning defense program; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CLAYPOOL:

H. R. 10062. A bill for the relief of the survivors of Allan W. Macbeth; to the Committee on Ways and Means.

By Mr. WALTER:

H. R. 10063. A bill to record the lawful admission to the United States for permanent residence of Ona Lovcikiene and children, Edmundos and Regina; to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8682. By Mr. ENGLEBRIGHT: Resolution of Placer County Bar Association, relative to proposed amendment to the National Labor Relations Act; to the Committee on Labor.

8683. By Mr. HARTER of New York: Petition of sundry citizens of Buffalo, N. Y., opposing entrance of the United States in the European war; to the Committee on Foreign Affairs.

8684. By Mr. MARTIN J. KENNEDY: Petition of the New York State Teachers Association, Albany, N. Y., representing 47,000 teachers, urging that the Congress of the United States make available sufficient funds for carrying on a program to train workmen for the essential war industries in connection with the national-defense program, under the direction of existing educational agencies; to the Committee on Appropriations.

8685. By Mr. MICHAEL J. KENNEDY: Petition of the National Association of Postmasters, urging immediate enactment of House bill 9923, for the benefit of fourth-class postmasters; to the Committee on the Post Office and Post Roads.

8686. Also, petition of the New York District Council of Carpenters, representing 21,000 mechanics, urging immediate enactment of Senate bill 591, known as the Wagner housing bill; to the Committee on Banking and Currency.

8687. Also, petition of the Retail Drug Store Employees Union, Local 1199, urging that efforts be made to keep our country out of war; to the Committee on Foreign Affairs.

8688. Also, petition of the American Foundation for the Blind, Inc., of New York City, urging immediate maximum assistance to the Allies; to the Committee on Foreign Affairs.

8689. Also, petition of the New York State Teachers Association, representing 47,000 teachers, advocating appropriation of sufficient funds by the Congress to enable them to carry out the educational part of the preparedness program; to the Committee on Military Affairs.

8690. Also, petition of the Czechoslovak National Council of America, supporting every phase of the national-defense program calculated to give security to this Nation; to the Committee on Military Affairs.

8691. Also, petition of the eastern regional conference of the National Woman's Party, in convention assembled in Atlantic City, advocating adoption of amendment to the Constitution referring to equal rights now before Committee on the Judiciary; to the Committee on the Judiciary.

8692. By the SPEAKER: Petition of Local 599, International Union, United Automobile Workers of America, Flint, Mich., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8693. Also, petition of V. Rendon and sundry others, of San Francisco, Calif., petitioning consideration of their resolution with reference to war; to the Committee on Foreign Affairs.

8694. Also, petition of the New York State Teachers Association, Albany, N. Y., petitioning consideration of their resolution with reference to funds for educational program; to the Committee on Education.

8695. Also, petition of the Citizens' Association of Chevy Chase, D. C., petitioning consideration of their resolution with reference to defense program; to the Committee on Military Affairs.

8696. Also, petition of the Steel Workers Organizing Committee, Auxiliary No. 2058, Congress of Industrial Organizations, California, petitioning consideration of their resolution with reference to deportation of Harry Bridges; to the Committee on Immigration and Naturalization.

8697. Also, petition of sundry people of Pendleton, Oreg., petitioning consideration of their resolution with reference to the defense program; to the Committee on Military Affairs.

8698. Also, petition of the Czechoslovak National Council of America, Chicago, Ill., petitioning consideration of their resolution with reference to the "fifth column"; to the Committee on the Judiciary.

8699. Also, petition of Local No. 65, United Shoe Workers of America, petitioning consideration of their resolution with reference to House bill 9858, concerning immigration; to the Committee on Immigration and Naturalization.

8700. Also, petition of Lodge 132, Congress of Industrial Organizations, petitioning consideration of their resolution with reference to House bill 9858, concerning immigration; to the Committee on Immigration and Naturalization.

8701. Also, petition of the Photo Engravers Local, No. 11, Indianapolis, Ind., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8702. Also, petition of the Niagara Falls Department of Education, New York, petitioning consideration of their resolution with reference to appropriation for mechanical trades; to the Committee on Education.

8703. By Mr. IZAC: Petition of undersigned widows of the Civil War, requesting an increase of $10 a month; to the Committee on Ways and Means.

8704. By Mr. WHITTINGTON: Petition of Keesler Hamrick Gillespie Post, No. 29, of the American Legion, Greenwood, Miss., urging immediate aid to England and France; to the Committee on Military Affairs.

SENATE

WEDNESDAY, JUNE 12, 1940

(Legislative day of Tuesday, May 28, 1940)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O Lord, Most High, who art our strength and our joy, who hast committed to us the swift and solemn trust of life, since we know not what a day may bring forth, we beseech Thee to guide us through the coming hours unto a better knowledge of Thy will; and do Thou bestow upon us for our present urgent need the dew of Thy heavenly grace.

Grant unto Thy servants to whom has been given the responsibility of administering the affairs of this Nation that, being unafraid in contending for the right, they may ever stand for the maintenance of the spiritual integrity of America amidst the corruption and horror that are in the world through the lust of power and the spirit of covetousness and revenge.

Remember, Lord, in loving pity, especially those who, by this awful tragedy, have been made destitute and homeless, whose burdens Thou hast called on us to share, and, as we face new duties every hour, do Thou remove from us all artificiality of life, all that is unreal and insincere, that we

may stand before the world with a conscience void of offense toward Thee and all mankind. We ask it in our Saviour's name. Amen.

THE JOURNAL

On request of Mr. BAILEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Tuesday, June 11, 1940, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6044) to regulate the number of warrant and commissioned warrant officers in the Marine Corps.

The message also announced that the House had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the following bills of the House:

H. R. 8026. An act to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes; and

H. R. 9848. An act to authorize the construction or acquisition of naval aircraft, the construction of certain public works, and for other purposes.

The message further announced that the House had agreed to the concurrent resolution (S. Con. Res. 50) rescinding the action of the Speaker in signing Senate Joint Resolution 59, relating to prison-made goods, and authorizing its enrollment with an amendment.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 10009. An act to amend section 13 (d) of the Railroad Unemployment Insurance Act; and

H. R. 10039. An act to provide for the expenses of national preparedness by raising revenue and issuing bonds, to provide a method for paying for such bonds, and for other purposes.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Danaher	La Follette	Schwellenbach
Andrews	Davis	Lee	Sheppard
Ashurst	Donahey	Lodge	Shipstead
Austin	Downey	Lucas	Slattery
Bailey	Ellender	Lundeen	Smith
Bankhead	George	McKellar	Stewart
Barbour	Gerry	McNary	Taft
Barkley	Gillette	Maloney	Thomas, Idaho
Bilbo	Green	Mead	Thomas, Okla.
Bone	Guffey	Miller	Thomas, Utah
Bridges	Gurney	Minton	Tobey
Brown	Hale	Murray	Townsend
Bulow	Harrison	Neely	Truman
Burke	Hatch	Norris	Tydings
Byrd	Hayden	Nye	Vandenberg
Byrnes	Herring	O'Mahoney	Van Nuys
Capper	Hill	Overton	Wagner
Caraway	Holman	Pittman	Walsh
Chandler	Holt	Radcliffe	Wheeler
Chavez	Hughes	Reed	White
Clark, Idaho	Johnson, Calif.	Reynolds	Wiley
Clark, Mo.	Johnson, Colo.	Russell	
Connally	King	Schwartz	

Mr. MINTON. I announce that the Senator from New Jersey [Mr. SMATHERS] is absent from the Senate because of illness in his family.

The Senator from Virginia [Mr. GLASS], the Senator from Nevada [Mr. MCCARRAN], and the Senator from Florida [Mr. PEPPER] are necessarily detained.

Mr. AUSTIN. I announce that my colleague the junior Senator from Vermont [Mr. GIBSON] and the Senator from North Dakota [Mr. FRAZIER] are necessarily absent.

The VICE PRESIDENT. Ninety Senators have answered to their names. A quorum is present.

SUPPLEMENTAL ESTIMATE, LEGISLATIVE ESTABLISHMENT, LIBRARY OF CONGRESS (S. DOC. NO. 208)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting a supplemental estimate of appropriation for the legislative establishment, Library of Congress (books for the adult blind), fiscal year 1941, amounting to $75,000, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

RELIEF OF THE LATE JOHN L. SUMMERS

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation for the relief of the late John L. Summers, former disbursing clerk, Treasury Department, which, with the accompanying papers, was referred to the Committee on Claims.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the petition of sundry members of the Woman's Club (member of the Federation of Women's Clubs) and other citizens, of Belvidere, N. J., praying that the United States may keep out of war, which was referred to the Committee on Foreign Relations.

He also laid before the Senate a resolution of the Citizens' Association of Chevy Chase, D. C., protesting against pernicious activities of un-American organizations in the Nation, and favoring that such subversive organizations be immediately outlawed and proper steps taken to prevent their clandestine meetings, especially in the National Capital, which was referred to the Committee on the Judiciary.

He also laid before the Senate a resolution of the executive committee of the New York State Teachers' Association, favoring a sufficient appropriation to carry on a program of training workmen for essential war industries in connection with the national defense, which was referred to the Committee on Military Affairs.

He also laid before the Senate a resolution of the Summit Veterans' Association, Akron, Ohio, praying that the Communist Party be excluded from participation in the elections of November 1940, both nationally and in the State of Ohio, which was referred to the Committee on Privileges and Elections.

He also laid before the Senate a resolution of the Thirty-fourth Annual Convention of the Maryland State and District of Columbia Federation of Labor, held at Hagerstown, Md., favoring the prompt enactment of House bill 801, providing for the prevention of and punishment of lynching, which was ordered to lie on the table.

Mr. HALE presented a petition of sundry citizens of the State of Maine, praying that all the available resources of the United States for war purposes be placed at the disposal of Great Britain and France, which was referred to the Committee on Military Affairs.

He also presented the following resolution of the Legislature of the State of Maine, which was referred to the Committee on Military Affairs:

Memorial to the honorable Senate and House of Representatives of the United States of America in Congress assembled, petitioning for summary preparedness steps to be taken in Maine

We, your memorialists, the Senate and House of Representatives of the State of Maine in the special session, assembled, most respectfully and urgently present and petition your honorable body as follows:

Whereas the present war in Europe has assumed a most critical stage and is growing graver with each hour, and to a point where it vitally affects the safety and well-being of these, our United States of America; and

Whereas the very existence of governments of the Old World have been destroyed and are still being threatened at this very moment; and

Whereas it was reliably reported over the radio and in the press today that serious consideration was being given to the plan, that the Government of England and Great Britain might be moved to some of its possessions, perhaps Canada, which Dominion at present, is in a state of declared war against Germany; and

Whereas the State of Maine occupies the northernmost and most easterly position on the Atlantic seaboard, less than a day's distance, by air, from Europe; and

Whereas more than half the area of the State of Maine forms a peninsula-like bulge into Canada, being bounded on the north, east and west by that friendly dominion, which, though engaged in war, is in nowise strategically, defensively, or geographically equipped to resist invasion; and

Whereas our own State of Maine might be the first land of our country to be attacked by an enemy air or sea force coming by the most direct, great circle route from Europe; and

Whereas, the present preparedness measures, so ably and timely advocated by our Commander in Chief, the President of the United States, that are now being formulated by Congress assembled, seem to offer the best methods of protecting and preventing our Nation and the State of Maine from being invaded: Now, therefore, be it

Resolved, That we, your memorialists, do hereby respectfully petition and urge the Congress to take such steps at once as are necessary and meet to best safeguard the State of Maine and its people.

Resolved, That a copy of this memorial, duly authenticated by the secretary of state, be immediately transmitted by the secretary of state to the proper officers and committees of the United States Senate and House of Representatives, the President of the United States and to each of the Representatives and Senators, representing the State of Maine in the United States Congress.

The VICE PRESIDENT laid before the Senate a resolution identical with the foregoing, which was referred to the Committee on Military Affairs.

Mr. WALSH presented a memorial of sundry citizens of Boston, Mass., protesting against the proposed new income tax contained in pending legislation providing taxation for national preparedness, which was referred to the Committee on Finance.

He also presented a resolution of the Cochituate (Mass.) Young Republican Club, requesting that the United States may keep out of all foreign wars, which was referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of the State of Massachusetts praying that the United States extend effective measures of aid to strengthen the Allied nations in the present European conflict, which was referred to the Committee on Foreign Relations.

He also presented a memorial of sundry citizens, being Pullman porters, of the Boston (Mass.) district, remonstrating against the enactment of the bill (S. 3798) to amend the Interstate Commerce Act, title 49, chapter 1, section 1, by adding two paragraphs after paragraph 11 of said section to be known as paragraphs 11a and 11b, pertaining to the supervision of sleeping cars and providing penalties, which was referred to the Committee on Interstate Commerce.

He also presented resolutions of the Yankee Division Veterans Association, Boston, Mass., favoring the strengthening of the national defense and the curbing and elimination of all subversive activities in the United States, which were referred to the Committee on Military Affairs.

THE NATIONAL DEFENSE—PETITION

Mr. HATCH. I ask consent to present a petition signed by sundry citizens of Portales, N. Mex., which I also request be printed in the RECORD and appropriately referred.

There being no objection, the petition was referred to the Committee on Military Affairs, and ordered to be printed in the RECORD without all of the names attached thereto, as follows:

PORTALES, N. MEX., *June 10, 1940.*

Senator CARL A. HATCH,
United States Senate, Washington, D. C.:

We suggest an amendment to the National Defense Act to provide for a standing army of 1,000,000 men, universal military service, and a thousand planes and bombers daily and men to use them.

H. D. WOOD,
D. M. MOORE,
C. C. BYNUM,
(And Sundry Other Citizens.)

DOCTOR'S DAY—RESOLUTION OF AMERICAN MEDICAL ASSOCIATION

Mr. BILBO. Mr. President, since the acts of the Senate are so often criticized I am sure it will be gratifying to the Members of this body to read a resolution just passed by the American Medical Association during their session in the city of New York this week. I ask that the resolution be printed in the RECORD as a part of my remarks, and lie on the table.

There being no objection, the resolution was ordered to lie on the table and to be printed in the RECORD, as follows:

Whereas Senator THEODORE G. BILBO, of the State of Mississippi, introduced into the United States Senate a resolution declaring June 22 a day to be known as Doctor's Day, on which the public may officially recognize the services rendered by the medical profession to the people; and

Whereas this resolution was unanimously passed by the United State Senate: Therefore be it

Resolved, That the house of delegates of the American Medical Association express to the United States Senate and to Senator BILBO its deep appreciation of this recognition.

REPORTS OF COMMITTEES

Mr. HATCH, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 4007) to amend the Agricultural Adjustment Act of 1938, as amended, for the purpose of extending the marketing-quota provisions thereof to lettuce and to melons, and for other purposes, reported it without amendment and submitted a report (No. 1811) thereon.

Mr. CLARK of Missouri, from the Committee on Interoceanic Canals, to which was referred the bill (S. 4121) to authorize the setting aside of an area within the Canal Zone to preserve and conserve its natural features for scientific study, for providing and maintaining facilities for such study, and for other purposes, reported it without amendment and submitted a report (No. 1812) thereon.

Mr. PITTMAN, from the Committee on Foreign Relations, to which was referred the bill (S. 4126) for the relief of Anne Howard Lay, reported it without amendment and submitted a report (No. 1813) thereon.

Mr. SCHWARTZ, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H. R. 6822. A bill for the relief of Eliza Warren and George T. Warren (Rept. No. 1814); and

H. R. 7914. A bill for the relief of Simon A. Brieger as legal representative of the estate of Thomas Gerald Brieger, a deceased minor (Rept. No. 1815).

Mr. HUGHES, from the Committee on Claims, to which were referred the following bills, reported them each with an amendment and submitted reports thereon:

H. R. 3976. A bill for the relief of Violet Knowlen, a minor (Rept. No. 1816); and

H. R. 6061. A bill for the relief of Hazel Thomas (Rept. No. 1817).

Mr. HUGHES also, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H. R. 4113. A bill for the relief of Maude Sullivan (Rept. No. 1818); and

H. R. 5297. A bill for the relief of Stanley V. Smith (Rept. No. 1819).

Mr. ELLENDER, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

H. R. 1167. A bill for the relief of the Black Hills Methodist Hospital of Rapid City, S. Dak. (Rept. No. 1820);

H. R. 1178. A bill for the relief of Lester R. Taylor (Rept. No. 1821);

H. R. 1846. A bill for the relief of Malachy Ryan (Rept. No. 1822);

H. R. 2083. A bill for the relief of Dan Yancey (Rept. No. 1823);

H. R. 2106. A bill for the relief of Charles Flack (Rept. No. 1824); and

H. R. 2151. A bill for the relief of James P. Bruce, Jr. (Rept. No. 1825).

Mr. WILEY, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

H. R. 6686. A bill for the relief of T. Jack Neal (Rep. No. 1826);

H. R. 6891. A bill for the relief of William M. Irvine (Rept. No. 1827); and

H. R. 7821. A bill for the relief of Anna T. Sifferman Varga (Rept. No. 1828).

Mr. WILEY also, from the Committee on Claims, to which was referred the bill (H. R. 7826) for the relief of R. F. Brazelton, reported it with an amendment and submitted a report (No. 1829) thereon.

Mr. TOWNSEND, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

H. R. 2513. A bill for the relief of C. B. Reagh (Rept. No. 1830);

H. R. 2628. A bill for the relief of John Engblom (Rept. No. 1831);

H. R. 2946. A bill for the relief of Naoma Kinder, a minor (Rept. No. 1832);

H. R. 3142. A bill for the relief of Leland G. Myers (Rept. No. 1833); and

H. R. 3163. A bill for the relief of Rose Bilaitis (Rept. No. 1834).

Mr. BURKE, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

H. R. 6730. A bill for the relief of Edward P. Glenn, Jr. (Rept. No. 1835);

H. R. 8099. A bill for the relief of James L. Kinney (Rept. No. 1836); and

H. R. 8708. A bill for the relief of Harold C. Preble, naval architect (Rept. No. 1837).

ENROLLED BILLS PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that that committee presented to the President of the United States the following enrolled bills:

On June 7, 1940:

S. 3828. An act to amend section 107 of the Judicial Code, as amended, to eliminate the requirement that suitable accommodations for holding the court at Winchester, Tenn., be provided by the local authorities.

On June 10, 1940:

S. 1759. An act granting the consent of Congress to the States of Montana, North Dakota, South Dakota, and Wyoming to negotiate and enter into a compact or agreement for division of the waters of the Yellowstone River;

S. 1964. An act to amend section 5136 of the Revised Statutes, as amended, to authorize charitable contributions by national banking associations;

S. 2568. An act to amend the Federal Credit Union Act (June 26, 1934, ch. 750, par. 1, 48 Stat. 1216, sec. 1761); and

S. 3959. An act authorizing the Secretary of the Treasury to grant to the city of Fort Lauderdale, Fla., an easement or easements authorizing such city to construct and maintain a highway and utility facilities over the United States Coast Guard Reservation, known as base 6 at Fort Lauderdale, Fla.

On June 11, 1940:

S. 163. An act directing the Secretary of the Interior to issue to Albert W. Gabbey a patent to certain lands in the State of Wyoming;

S. 505. An act authorizing the President of the United States to summon Sam Alexander before an Army retiring board, and for other purposes;

S. 897. An act to correct the military record of Walter Ballhaus;

S. 1326. An act for the relief of Janet Hendel, nee Judith Shapiro;

S. 1328. An act for the relief of Lena Hendel, nee Lena Goldberg;

S. 1608. An act to repeal the provisions of Private Law No. 347, Seventy-first Congress, pertaining to Victoria Kessel;

S. 1635. An act for the relief of the Acme Die-Casting Corporation;

S. 1638. An act for the relief of Thermal Syndicate, Ltd.;

S. 1678. An act for the relief of Charles B. Chrystal;

S. 1977. An act for the relief of John A. Farrell;

S. 2209. An act for the relief of Earle Embrey;

S. 2250. An act for the relief of Joseph F. Tondre;

S. 2295. An act authorizing the President to reappoint and honorably discharge David J. Sawyer, second lieutenant, National Army, as of May 11, 1919;

S. 2735. An act authorizing the issuance to Orville Wright of honorary aircraft pilot's certificate No. 1;

S. 3009. An act authorizing the President to present the Navy Cross to Capt. Frank N. Roberts, United States Army;

S. 3038. An act to provide for the advancement of John L. Hines on the retired list of the Army;

S. 3044. An act for the relief of Nadine Sanders;

S. 3061. An act for the relief of Andrew Olson;

S. 3095. An act for the relief of Harry Huston;

S. 3245. An act for the relief of Maria Teresa Valdes Thompson;

S. 3306. An act for the relief of Roy F. Lassly, former Acting Chief Disbursing Clerk, Department of the Interior;

S. 3337. An act for the relief of the Lewis State Bank of Tallahassee, Fla.;

S. 3338. An act for the relief of Alice C. Wainwright;

S. 3673. An act to enable Kurt Frings to enter and remain permanently in the United States; and

S. 3887. An act for the relief of Laura Trice Converse.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SCHWELLENBACH:

S. 4127. A bill for the relief of Antone Silva; to the Committee on Claims.

By Mr. THOMAS of Oklahoma:

S. 4128. A bill for the relief of Franklin Benjamin McNew; to the Committee on Claims.

By Mr. CAPPER:

S. 4129. A bill amending the act of June 22, 1936, to authorize construction of cut-offs at, and in the vicinity of, the Liberty Bend of the Missouri River, and for other purposes; to the Committee on Commerce.

By Mr. HAYDEN:

S. 4130. A bill to provide for the establishment of the Coronado International Monument in the State of Arizona; to the Committee on Public Lands and Surveys.

By Mr. SHEPPARD:

S. 4131. A bill to amend the National Defense Act, as amended, by adding thereto section 127 (b), providing for a National Industrial Defense Corps, and for other purposes; to the Committee on Military Affairs.

By Mr. REYNOLDS:

S. 4132. A bill to outlaw the Communist Party, the German-American Bund, and all organizations, groups, or individuals associated therewith who seek to overthrow the Government of the United States by force or violence through the advocacy of criminal anarchy, criminal communism, criminal nazi-ism, and criminal fascism; to the Committee on the Judiciary.

By Mr. O'MAHONEY:

S. 4133. A bill amending the Bankruptcy Act with respect to the basis of property and excluding certain corporations from the provisions of chapter XI; to the Committee on the Judiciary.

By Mr. GILLETTE (for himself and Mr. TRUMAN):

S. J. Res. 277. Joint resolution making an appropriation to control the chinch-bug menace in the Corn Belt; to the Committee on Appropriations.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred as indicated below:

H. R. 10009. An act to amend section 13 (d) of the Railroad Unemployment Insurance Act; to the Committee on Interstate Commerce.

H. R. 10039. An act to provide for the expenses of national preparedness by raising revenue and issuing bonds, to provide a method for paying for such bonds, and for other purposes; to the Committee on Finance.

PURCHASE BY R. F. C. OF STOCK OF FEDERAL HOME-LOAN BANKS—AMENDMENTS

Mr. TAFT submitted four amendments intended to be proposed by him to the bill (S. 3938) to authorize the purchase by the Reconstruction Finance Corporation of stock of Federal home-loan banks; to amend the Reconstruction Finance Corporation Act, as amended; and for other purposes, which were severally ordered to lie on the table and to be printed.

TREATMENT OF IMPORTED NARCISSUS BULBS

Mr. SCHWELLENBACH submitted a resolution (S. Res. 280), which was referred to the Committee on Agriculture and Forestry; and subsequently he reported the resolution from that committee without amendment, and it was ordered to be placed on the calendar, as follows:

Resolved, That the Secretary of Agriculture be, and he hereby is, requested to cause to be issued an order similar to the order of August 1, 1936, and the announcements of September 16, 1936, under which provisions of regulation 9 of Nursery Stock, Plant and Seed Quarantine No. 37, plant quarantine inspectors will require all imported narcissus bulbs to be given the latest approved treatment as a condition of entry.

J. ROSS EAKIN—EXTENSION OF TIME FOR FILING REPORT

Mr. HATCH submitted a resolution (S. Res. 281), which was ordered to lie on the table, as follows:

Resolved, That the report of the findings and recommendations of the Committee on Public Lands and Surveys, with respect to the examination of certain facts concerning J. Ross Eakin, authorized to be made by Senate Resolution 131, Seventy-sixth Congress, agreed to July 18, 1939, may be made at any time during the first session of the Seventy-seventh Congress.

SENATORIAL COORDINATING COMMITTEE

Mr. DOWNEY. I ask consent to submit a resolution calling for the appointment of a special committee of 21 Senators to function during the existing crisis in the event the Congress may recess or adjourn. I ask that the resolution be printed and lie on the table.

There being no objection, the resolution (S. Res. 279) was received, ordered to be printed, and to lie on the table, as follows:

Resolved, That there is hereby established a special committee to be known as the Senatorial Coordinating Committee to consist of 21 Senators, 3 each from the following standing committees of the Senate and appointed by the chairman thereof: Appropriations, Banking and Currency, Finance, Foreign Relations, Military Affairs, Naval Affairs, and Post Offices and Post Roads. The special committee shall select a chairman from among its members. Any vacancy in the special committee shall not affect the power of the remaining members to execute the functions of the committee and shall be filled in the same manner as the original appointment.

The members of the special committee shall remain at the seat of Government during any recess or adjourned period of the Seventy-sixth Congress and shall meet each weekday during any such period.

It shall be the duty of the special committee (1) to confer with and give advice to the President or his duly authorized representatives on matters relating to the existing world and national crisis, (2) whenever the committee deems it advisable, to recommend to the President that Congress be called into special session, and (3) to consider and investigate such matters as the existing emergency may present, including (a) the best methods of fostering friendly relations, commerce, and understanding among the nations of the Western Hemisphere, and providing for the defense of the peoples of such nations, their territorial boundaries, and their governmental sovereignties; (b) the best means of restoring the American people to full employment and the operation of their industries to full capacity; (c) the best methods of rebuilding the highways in the United States so that they may be effectively adapted to national safety, defense, commerce, and traffic; (d) the best methods of providing adequate financing for the future defense of the Western Hemisphere; (e) the advisability and best methods of shaping our national economy so that it may be self-sufficient in essential war materials; and (f) the best plan to be adapted to guard against so-called "fifth column" activities and the best way to mobilize our people, industries, and resources for the defense of this country and such other areas in the Western Hemisphere as may be deemed advisable

The special committee shall make reports of its findings and recommendations to the President and the Senate at such times as it may deem advisable.

For the purposes of this resolution, the special committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to employ such clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $, shall be paid from the contingent fund of the Senate, upon vouchers approved by the chairman.

TELEVISION

[Mr. LUNDEEN asked and obtained leave to have printed in the RECORD a letter on the subject of television, written by him to Federal Communications Commissioner T. A. M. Craven, on June 3, 1940, and Commissioner Craven's reply of June 5, 1940, which appear in the Appendix.]

AMERICAN EXPEDITIONARY FORCE IN PRESENT WAR

[Mr. THOMAS of Idaho asked and obtained leave to have printed in the RECORD a radio address delivered by W. A. S. Douglas, of the Times-Herald staff, discussing the sending of an American expeditionary force to Europe, which appears in the Appendix.]

AMERICA'S DUTY TO DEMOCRACY—EDITORIAL FROM WASHINGTON NEWS

[Mr. THOMAS of Idaho asked and obtained leave to have printed in the RECORD an editorial from the Washington News of June 11, 1940, relative to America's duty to democracy, which appears in the Appendix.]

IMPORTS OF FARM PRODUCTS

[Mr. THOMAS of Idaho asked and obtained leave to have printed in the RECORD a compilation by the Department of Commerce showing the increase in imports of farm products in 1939 or 1938, which appears in the Appendix.]

SALE OF RESERVE AIRPLANES

[Mr. CLARK of Missouri asked and obtained leave to have printed in the RECORD an article by Maj. Al Williams, published in the Washington Daily News of June 11, 1940, entitled "United States Cannot Spare Single Fighting Plane at Present," which appears in the Appendix.]

ADJOURNMENT OF CONGRESS—ARTICLE FROM WASHINGTON DAILY NEWS

[Mr. CLARK of Missouri asked and obtained leave to have printed in the RECORD an editorial from the Washington Daily News of Wednesday, June 12, 1940, on the subject of adjournment of Congress, which appears in the Appendix.]

GERMAN CREDIT RENEWAL PLAN IS NEGOTIATED—ARTICLE FROM CHICAGO TRIBUNE

[Mr. BONE asked and obtained leave to have printed in the RECORD an article from the Chicago Sunday Tribune of June 2, 1940, entitled "German Credit Renewal Plan Is Negotiated," which appears in the Appendix.]

AMERICAN CITIZENS OF ITALIAN DESCENT

[Mr. CHAVEZ asked and obtained leave to have printed in the RECORD three editorials, one from the Washington Post, one from the New York Times, and one from the New York Herald Tribune, all bearing date of June 12, 1940, dealing with the subject of Americans of Italian descent, which appear in the Appendix.]

ACQUISITION OF ISLAND BASES

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD newspaper articles dealing with the proposal for the acquisition by the United States of certain island bases. which appear in the Appendix.]

ALIENS SEEKING UNITED STATES CITIZENSHIP

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an Associated Press dispatch under the heading "Aliens Fearing War Call Seeking United States Citizenship," which appears in the Appendix.]

WASHINGTON POST EDITORIAL ON "THE ALIEN ROUND-UP"

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD a portion of an editorial from the Washington Post under the heading "Alien Round-up," which appears in the Appendix.]

APPROPRIATIONS FOR WORK RELIEF AND RELIEF

The Senate resumed the consideration of the joint resolution (H. J. Res. 544) making appropriations for work relief and relief.

The VICE PRESIDENT. When the Senate took a recess yesterday the Senator from Texas [Mr. CONNALLY] expressed the hope that he might continue his remarks this morning, and it was the understanding that he had the floor.

The question is on the amendment of the Senator from Georgia [Mr. GEORGE], as modified, to the committee amendment on page 41, beginning in line 4. The Chair recognizes the Senator from Texas.

Mr. CONNALLY. Mr. President, I desire to submit a few remarks in support of the amendment offered by the Senator from Georgia [Mr. GEORGE] to section 38, appearing on page 41 of the pending measure.

In the first place, under the language of the joint resolution as drawn, the Congress does not command or direct anything with respect to any character of training in the C. C. C. camps. It does give to the President discretion and authority to require certain manual training of men in the camps for noncombatant operations.

The amendment of the Senator from Georgia does not require military training in the camps. It simply expands the discretion or authority given to the President, whereby he may require training of a military or combatant nature, provided the enrollees volunteer therefor. So it is difficult for me to understand the objections which are raised by the members of the committee. Their objections amount to saying that they will not trust the President of the United States.

I should like to have the attention of some of the members of the Committee on Appropriations, who seem to be interested in this item. We listen to the committees and we think the committees owe us a reciprocal duty of listening to us occasionally.

The opposition of members of the Appropriations Committee to giving the President discretionary power to institute military training in the C. C. C. camps to those who volunteer for that service is a refusal to give the President that authority. I am willing to trust the President. Under this provision, as offered by the Senator from Georgia, if the President does not think it is wise, if he does not think it is proper, if he does not think it is advisable to have military training in the C. C. C. camps, he does not have to do it. On the other hand, if at a later date he thinks it is advisable to have military training in the C. C. C. camps, he is the Commander in Chief of the Army and the Navy, and he may institute it, provided the enrollees are willing voluntarily to undertake that training.

How anyone can object to that kind of language in this joint resolution I cannot understand, except it be pride of committee. I know how committees are. When they bring in a bill which in the secrecy of their own meetings they have anointed and rubbed down and polished up, they regard it as their own product, and they do not want it to be disturbed; but this joint resolution is no longer before the committee. It is here on the floor of the Senate, and it is the duty of every Senator to examine this question and to vote upon it according to his own views.

I have high respect for all the committees of the Senate, including the Appropriations Committee. This, however, is not simply an appropriation item. It is a matter of general policy; and I do not regard the Appropriations Committee as superior to the other committees of the Senate or to Senators themselves.

Mr. President, we are undergoing very great changes of opinion respecting many questions relating to the moving events that are occurring all about us and breaking with frightful horror all over the world. Even the Army have been known to change their views. Three months from now the Army may believe it is wise to have military training in the C. C. C. camps; and yet, if we do not adopt the George amendment, they cannot have it. They cannot have it because the Congress will have refused to permit it.

The Senator from South Carolina [Mr. BYRNES] says we are going to have another training program to train 100,000 men in the citizen's military training camps. That is fine. I am for it. What will that amount to? It will mean that persons who are not in the C. C. C. camps will be permitted to have miltiary training if they want to, and it will mean that those in the C. C. C. camps will not be permitted to have it. Is not that a discrimination?

One Senator said that when the C. C. C. enrollees joined the service they did so on the theory that they would not receive military training, and, therefore, that what is proposed in the George amendment is a breach of the contract with the Government. By the insertion of the word "voluntary" the Senator from Georgia removed that objection.

Mr. President, it is said that the C. C. C. want to educate cooks; they want to educate photographers. That is very important in time of war; but in order to have photographers it is necessary to have somebody to photograph. Before cooks are needed, it is necessary to have somebody to cook for. Senators may talk about mechanization of the Army all they please, but if there are not soldiers to operate the mechanism, if there are not men with guns in their hands to follow up the mechanized units and to take possession of the territory, the Army will not win any wars, and it will not defend any territories against an invader. It is necessary to have armed men in order to win wars.

Everyone knows that if there should be another war in which this Nation should be involved, we should have to go to the young and perhaps older men of the Republic to compose our armies. I do not want too send them to war without any training whatever. I do not want to call to the colors great hordes of young men who have never seen a musket and know nothing about it.

The young men in the C. C. C. training camps are already quartered. They are already in barracks at Government expense. They are already being fed at Government expense, and they should have military training as a part of their equipment. Will it hurt them? Will athletic exercises, carrying guns and marching in close-order drill, and all of the rudimentary, elementary military training hurt them? Instead of being a burden upon them it will be an advantage to every young man who takes the training.

Mr. President, I do not want to weary the Senate. I cannot for the life of me see any valid objection to this amendment when we simply leave it to the discretion of the President, in the first instance, and, in the second instance, require training only of those who voluntarily enter upon such training.

Of course, the Army does not want to bother with this training. The Army wants to have its own camps. Mr. President, the military personnel in the C. C. C. camps now is composed principally of Reserve officers called into active service. We now have 100,000 Reserve officers. Those Reserve officers need training just as well as the C. C. C. enrollees need training. The Army could call into service tomorrow from among those 100,000 officers an ample number to give this training in the C. C. C. camps.

I have visited the C. C. C. camps. Each of them already has, on an average, about three Army officers connected with it. What do they do? Do they drill anybody? No. It is said that they take charge of men at the camps during the lunch hour. They do not need anybody to take charge of them during the lunch hour; they will eat without any military orders or any military command. [Laughter.] I have visited the C. C. C. camps. They have a commanding officer with a uniform and shoulder straps.

"What are your functions?"

"I am commanding officer."

"When do you drill?"

"Well, we do not drill."

"What do you command?"

"Well, we are in command around here on certain things."

Another officer comes up with a uniform and shoulder straps.

"What is your job?"

"I am executive officer."

"What is that?"

"Well, I am the man who does the work for the commanding officer."

Another officer comes up, a military man, with a uniform and shoulder straps, drawing pay out of the Treasury, the pay of an officer.

"What are your duties?"

"I am adjutant."

"Well, Mr. Adjutant, when do you drill?"

"We do not drill."

Mr. President, we already have military officers in the C. C. C. camps. Would it hurt these boys to drill an hour a day, to learn something about the elementary principles of military training? If there ever was a time in the history of the Republic when we needed men trained in the military service it is at this tragic hour, when all the forces of democracy on earth are being assailed by totalitarian masters and gigantic organized military machines.

Training of this kind is the training of democracy. If democracy is to subsist it has to go to the great body of the people, not alone for its money and its wealth and its sinews of war, but for the manpower of its armies, and universal military training is a democratic process.

Look yonder at little Switzerland—little Switzerland clustering there amidst the Alps, there in its mountain fastnesses. It has a military system under which every Swiss has to learn how to handle the arms of defense, to protect Switzerland's neutrality. And today there are 600,000 Swiss soldiers, in every part of that little country, with guns in their hands, manning artillery, and all the implements of war, to challenge any invader who would seek to violate the territory of Switzerland.

America has to prepare, not for July of 1940, or August of 1940, or September of 1940. If conditions in the world remain as they now are, the United States will have to maintain a strong Navy and a strong Army during all the life of this Republic.

Do we want to send young men to war with no arms in their hands? Do we want to send young men to war who have never had any training? Oh, but it is said we are going to train a lot of cooks and a lot of photographers and a lot of technicians. Will that not require time? Will not a staff of a dozen different kinds of technicians be required to teach them? But giving them military training will require only one group of officers, which they already have, and which can be augmented at a trifling cost by calling into the service some of the hundred thousand Reserve officers now on the rolls. These Reserve officers need training; they need to know how to handle men. It would be mutually beneficial, not alone to the men themselves, but to the Reserve officers who are called to the colors.

Mr. President, according to my view we should have had military training in the C. C. C. camps from the very beginning. Had we had such training we would now have more than 2,000,000 young men trained at least in the elements and the rudiments of military science.

I hope very much that the Senate will adopt the amendment offered by the Senator from Georgia, not forcing this training, but giving the President the discretion to institute the training in the C. C. C. camps in his wisdom. Senators are willing to trust the President with $160,000,000 to do with it as he pleases with regard to defense; and I voted for that; I am for it. They are willing to trust the President with great powers respecting the national defense. Why should they refuse to give him this little incidental power to require, if he sees fit, military training?

This does not provide for a draft of these men for war. If we should have a draft bill later on, they will have the same privileges of exemption as the men who have not had the training will have. They will not be carried off to war en masse. If they have dependents they will be exempted. If any of the other reasons for exemption apply to them, they will be exempted. Instead of doing them harm they will have the added advantage that if they are drafted they will know something about the duties they are expected to perform; they will know better how to take care of themselves; they will know how to handle the weapons which will be placed in the hands of many an untrained and untried volunteer or draftee.

For these reasons, Mr. President, I trust that the Senate will adopt the amendment offered by the Senator from Georgia, at least making possible, and not denying, elementary military training in the C. C. C. camps.

Mr. HOLT. Mr. President, I would hesitate to predict what would happen if the people of the United States knew what was going on behind the scenes in Washington, because I honestly feel that there never was a more direct drive to war than now directed by certain officials of the United States Government. I wish to quote from a certain interesting statement about the matter and to discuss it.

I shall quote first from the June 8 edition of a pamphlet entitled "Uncensored," which says:

> More than one recent White House guest has reported that the conversation is mainly about how the Nation can be educated most quickly to the need for our entry into the war.

Now, get that:

> More than one recent White House guest has reported that the conversation is mainly about how the Nation can be educated most quickly to the need for our entry into the war.

Last night Edwin C. Hill, who certainly no one could say was anything but pro-Ally, in his broadcast said that he had been informed that an individual had discussed with the President as to how soon we would get into this conflict in Europe. I think it is time that the men who are going to have to die as the result of that action know something about it.

Let me quote a little bit further. I read from this morning's Washington Times-Herald, Wednesday, June 12:

> BRITAIN STIRRED BY HOPE UNITED STATES WILL ENTER WAR
>
> LONDON, June 11.—Diplomatic sources in London today, after close study of President Roosevelt's latest speech, expressed the view America now has moved from benevolent neutrality to the status of "prebelligerency."
>
> The question is raised as to how long it will be before American pilots, American planes, and American warships will be actively engaged in the European war.
>
> PROPAGATED IN PRESS
>
> This interpretation of the President's pronouncement is being actively propagated in the press here. C. V. R. Thompson, Daily Express correspondent in New York, in an article in Wednesday's issue announces jubilantly, "the United States is coming in," and predicts American conscription within a month.
>
> "Not only will manpower be conscripted but money, materials, factory space, and everything else," Thompson asserts.
>
> Forecasting developments of the immediate future, the correspondent assures the Allies that neutrality laws have gone overboard. He says Britain and France will have to pay cash for their purchases and carry them in their own ships "but that won't be for long."

Yesterday two individuals in this body who are able-bodied, who are interested, seemingly, in the cause, whom no one is holding back from entrance into the war if they want to go, introduced a bill to repeal the Johnson Act, and make Uncle Sam "Uncle Sap" once again. No one is holding the warmongers in the United States except their own interest in staying here. The American boys will have to go to war.

Let me go a little bit further in this article:

> And the combat zones, he suggests, will be gerrymandered so American shipping can touch territory controlled by the Allies but not approach German or Italian territory.
>
> He forecasts moves to patch up America's quarrel with Japan so as to free the American Navy from the Pacific Ocean for possible action in the Atlantic.

Get this:

> He forecasts moves to patch up America's quarrel with Japan so as to free the American Navy from the Pacific Ocean for possible action in the Atlantic.
>
> Admitting America's inability to send an expeditionary force abroad for some months at least—

Get that; not that they will not send it later, but—

> Admitting America's inability to send an expeditionary force abroad for some months, at least, the correspondent points out that she could send a highly efficient air force and vital supplies to aid

the Allies and "build up her vast striking power for a decisive blow early next year."

The Daily Express writer purports to trace a decline of isolationism, declaring "Smart Aleck GERALD P. NYE and ageing HIRAM JOHNSON, who framed the law forbidding credits to debtor nations, are the only bulwarks of isolationism left."

They may think that these outstanding men are the only bulwark of isolationism left, but they will find out. I want to say that every step toward this war has been taken under subterfuge and hypocrisy. If the President of the United States had come out and openly said, as he should have said, if he believed it, that he was going to help the Allies by providing them materials of our own defense, instead of a subterfuge, the American people would have known the real truth. But it is being done under suberfuge and hypocrisy.

Let me read to the Senate what the Toronto Globe-Mail said a long time before about such a procedure. This is what one paper in Canada thinks of such an action, quoted from the book "Canada, America's Problem," by John McCormac. On pages 67 and 68 it is said:

"The Canadian force needs equipment," said the Toronto Globe-Mail editorially, "but not at the price of hypocrisy. We would lose the respect of President Roosevelt and the American people, and deliberately forfeit our own respect, were we to resort deliberately to subterfuge to get supplies."

Mr. President, we know that it was through subterfuge that our planes were sent to the Allies. These planes were not obsolete. They were not surplus. They were first-line planes.

Let me quote from the New York Herald Tribune, which certainly is not an isolationist newspaper, but a very decidedly pro-Ally newspaper, which has asked for our intervention in the war. Let us quote from that newspaper as to whether or not these planes are first-line planes. Here is what was stated in that newspaper.

At Floyd Bennett Field, Brooklyn, five Lockheed Hudson bombers were crated and then shipped abroad on Allied freighters during a 24-hour period ended last night. Members of a military mission sent to the United States by neutral Sweden conducted secret tests yesterday at the field, it was learned, with 1 of the more than 100 pursuits being delivered to them by the Republic Aircraft Corporation, of Farmingdale, Long Island. During one of the tests a member of the Swedish mission flew out to sea carrying 531 pounds of lead and dropped it on an imaginary objective.

The Naval Reserve air base at Floyd Bennett Field was stripped completely of its modern flying equipment by the decision of the Government to sell Navy planes to the Allies. Ten SBC–4 Helldiver planes were flown to Buffalo by Naval Reserve officers of the base, and it was said that an additional dive bomber now in the Navy's exhibit at the New York World's Fair might be sent also.

Let me call the attention of the Senate to this statement. It appears in the New York Herald Tribune, as I stated, which is more interested in England, I may say, than in the United States, as it was preceding the last World War. Here is what it says:

Only obsolete Grumman scout bombers, 4 or 5 years old, remain at the Brooklyn base for members of the two Naval Reserve and one Marine Corps Reserve squadrons to fly.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. HOLT. I yield.

Mr. WHEELER. Mr. President, the Senator does not mean to say that the Herald Tribune, and the New York Times, and all the rest of these so-called reactionary newspapers are now supporting the administration's policy?

Mr. HOLT. Mr. President, I have not heard Secretary Ickes talk about the press since the press got behind the President's foreign policy.

Mr. WHEELER. Only a short time ago, when the Supreme Court issue was before the Senate, if some editorial were written favorable to the position taken by some Senators who opposed the President's plan, we were immediately told, "Now Wall Street is supporting you." Today, Wall Street is supporting the position of the President with reference to these matters.

Mr. HOLT. I thank the Senator for that statement.

I wish to say that the very newspapers which the President said were controlled by the banks and the interests which he claimed were trying to destroy this country—that every one of them, without exception, is now praising the President to the skies, praising his foreign policy. Why? Check their financial background and you will find out why. Check the financial background of these newspapers and you will see that those interested in the newspapers have investments throughout the entire world, and when their investments are threatened they want American boys to go overseas to defend them.

Let me discuss a little further the question of whether the planes referred to were obsolete.

They stripped Floyd Bennett Field in New York, right in the biggest city of America, of every plane, except those 4 or 5 years old. And then they talk about national defense. They stripped them of planes that were a year old. Of course, the Herald Tribune wanted to cover that matter up, and it said:

It was understood, however, that the base will receive a consignment of fighting planes from the Curtiss factory even more modern than those that it gave up to the Allies as soon as Navy heads approve new designs, including a number of improvements such as cockpit armor, bullet-proof glass, and puncture-proof fuel tanks.

Mr. NYE. Mr. President, will the Senator yield?

Mr. HOLT. I yield.

Mr. NYE. Does the Senator from West Virginia conclude that that means that at Floyd Bennett Field now there will be no aircraft until the industry has manufactured planes that are being designed only now?

Mr. HOLT. According to this article, we will get replacements as soon as Navy blueprints are accepted, and then the Navy will have to go to the Curtiss plant or whatever plant is going to produce the planes, then the machine tools will need to be set up, and then some time in the distant future we will get planes to take the place of these planes which were sent to Floyd Bennett Field to train pilots and for our defense.

Mr. President, America needs pilots today for duty in America. We do not have enough planes in which to train them.

Yet with subterfuge, under the cloak of hypocrisy, we pretend that we are providing only of the surplus and obsolete planes.

Let me quote further from this article:

The Helldiver planes turned in to the Curtiss-Wright Corporation from Floyd Bennett Field and other Naval Reserve bases were described last night by aeronautical experts as excellent fighting ships.

Get that now, Senators. These were not old planes. They were excellent fighting planes.

Most of the dive bombers were delivered to Naval Reserve bases during the last 8 months.

Get that, Senators. These were not obsolete planes.

Most of the dive bombers were delivered to Naval Reserve bases during the last 8 months. The Floyd Bennett Field base possessed most of this consignment only about 3 months.

Mr. President, think of it—only about 3 months. And we trade those planes away under the pretext that newer planes might be provided later.

I wish to say that a plane blueprint will not stop an invasion. A plane half completed will not stop an invasion. The only way to stop an invasion is to have better planes, more of them, more pilots, and better pilots here, and we are not getting them. We are actually selling these planes necessary for our own defense.

Were the planes obsolete?

The SBC–4 type, it was learned, has a speed of about 225 miles an hour, and reaches speeds greater than 400 miles an hour in power dives that precede its attack on objectives.

Mr. President, there is no need to go further. Once again I want to say that such subterfuge and such hypocrisy should, I think, arouse the indignation of any honest thinking man in this country.

Mr. President, we have seen our country—and there is no need to dodge these things—we have seen our country led away from neutrality to nonbelligerency, and if certain individuals in the Government could have their way we will strike out the "non" from nonbelligerent, and will be a belligerent before the snow flies.

Mr. President, that is why I am talking here now. That is why I am trying to tell the American people, if I can in my humble way, that unless they awaken to the danger, American boys will be sent overseas to man the planes that are called obsolete, and they will be sent over to man the guns that are called surplus.

I refer once again to the statement I read at the beginning of my speech.

Of course, I saw yesterday that the President of the United States had endorsed an ad of the Committee to Defend America by Aiding the Allies—very reluctantly. I would not want any Senator to think that what occurred was deliberate. Now do not think it was deliberate; but when the newspapermen came in for their press conference with the President, a newspaper was lying on the desk opened up, and at the top of the page appeared the words:

Stop Hitler Now.

Of course, that article was there in plain sight, and someone said, "What do you think about this, Mr. President?" The President endorsed the educational process of the Committee to Defend America by Aiding the Allies. I shall discuss the "educating" in a few minutes.

Let us see the background of this committee. Of course, they have in front as a stuffed shirt William Allen White. Let us see where that committee—the Committee to Defend America by Aiding the Allies—started. Let us see who started it. I read:

Eighteen prominent bankers met secretly on the 29th day of April in New York to set up this committee.

They met secretly.

They were called by Frederic R. Coudert.

Do Senators know who Frederic R. Coudert is? He was the legal adviser of the British Embassy and one who helped lead us into the last World War. His name is Frederic C-o-u-d-e-r-t. Frederic Coudert was one of the men who helped generate the propaganda that took the American boys to their death in 1917–18, while he was on the pay roll of the Government of Great Britain. He is one of the men under whose auspices the committee was started.

Who else was there? Henry L. Stimson. I need not say any more!

Who else was there? Thomas W. Lamont—one of the forgotten men, probably, of the administration, partner of J. Pierpont Morgan, whose interests in England also dovetail in with his interests in the United States, and who has international investments throughout the entire world, and who as vice president of that company has never been a neutral, who has always been interested in the involvement of the United States in Europe when their interest is at stake.

Thomas W. Lamont was there. The Munitions Committee brought out facts about the activities of Lamont and Morgan and others, and their part in the destruction of neutrality during the last World War.

Oh, yes, these are the individuals behind this committee.

Let us see who else was there. Lewis Douglas. He just recently resigned as president of a Canadian university. I might discuss Mr. Douglas more, but it is not necessary at all. I am glad that Mr. Lewis Douglas and Mr. Roosevelt have agreed on something at last. It has been a long time since Mr. Roosevelt has said that he could go to bed with Mr. Douglas.

Let us see who else was there. We find Frank Polk, who also was in the World War propaganda drive. He helped form that committee.

Who else was present? Philip Marshall Brown.

Mr. President, what did those men agree to do? They secretly adopted the program and plan announced in the letter which Granville Clark published in the New York Times a month before, and repeated by President Conant in his speech. These are the men placed on this national committee just for front. They said, "We cannot get anybody too far out in the open who is identified with us in the last war. We will name William Allen White." They used him as the front for the committee.

Speaking of President Conant of Harvard University, let me say that Harvard has many investments in British bonds, and many interests in the Allied governments, which they want us to aid. Of course, Mr. Conant was very much interested, as the head of that particular university. But if anyone is interested in what the student body of Harvard University thinks of President Conant's action, I ask him to read what the undergraduate paper, The Crimson, said about Mr. Conant. That shows the real feeling among the student body. It follows:

CAVE CANEM

With the beginning of the present war in Europe, America braced itself for the flood of propaganda that all observers said was sure to come. It has come, and wise newspaper readers are quickly learning to sift out some of the more flagrant stories. But there is another source of propaganda harder to spot, though no less influential. It is in the American pulpit and university, always powerful molders of public opinion. Within the past few weeks, the leaders of religion and education in this country have spoken with an amazing unanimity in strong support of the Allies. If vehemence is any test of sincerity, these men mean what they say.

Bishop Manning, head of the Episcopal Church in New York City, declared in a sermon, "Our sympathies, our moral support, and whatever aid we can rightly give at this time must be with those who at untold cost are upholding the principles and ideals of human life in which we believe." President Seymour of Yale warned that "a defeat, complete or even partial, of the western democracies in the present war must be regarded as a disaster of the first magnitude for this country." President Conant foresaw grim eventualities if Germany should win. "I believe that if these countries (France and England) are defeated * * * the hope of free institutions * * * will be jeopardized." These examples are only the most prominent among many that could be pointed out.

In investigating this copious stream of propaganda coming in by the back door, it is only natural to question the motives of the speakers. Those inclined to a leftist point of view will have the answer pat. Manning is the leader of an upper-class church, the Episcopalians being the cream of the wealthy fashionables of New York, and so he inevitably bespeaks their strong Anglophile sentiments. They will see in the college presidents the tools of their gold-plated corporations, serving to present the demands of unbridled capitalism in the best light. Maybe this view cannot be dismissed in every case. Still it is certain that some of these propagandists are speaking independently and sincerely, uninfluenced by any but their own judgments. Still they are not justified in using the lever of their prestige to force the unwilling door of public opinion. The great majority of Americans are determined to stay out of war, and the statements of leading ministers and educators can only tend to drive them into it. This propaganda is far more dangerous than any emanating from overseas, for the very reason that it is accepted as the gospel truth by many more people. The lofty positions of these men give their words weight beyond their worth, so that they should give long and serious thought to the subject before making any statement. It is especially disquieting that leaders of youth, the college presidents, should have spoken so soon and so openly the words that may send to destruction the lives in their charge. They are earning an unenviable place in the road gang that is trying to build for the United States a superhighway straight to Armageddon.

Speaking of the individuals who want us to go to war, the other day we saw a list of 30 of them in the newspapers. The headline was War on Reich Urged to Crush Threat to United States. Thirty of them were named. Let me give the ages of some of these men. Probably they are able-bodied men. Here are their ages:

Mr. Stringfellow Barr is 43 years old. Any man with a name like that should frighten anybody. He is not beyond helping the Allies, if he wants to declare war.

Who else? J. Douglas Brown is 42. He could serve a little while and not be worn out.

Who else? George Watts Hill is 38. He is near the draft age. It will be noticed that none of them is within the draft limit of 35.

Let us see who else. George Fort Milton is 45. He could serve 6 months over there without hurting himself.

Herbert S. Agar is 42. He could serve a year or two without hurting himself.

Of course Frank R. Kent is too old.

Lewis Mumford is 44. Let us go down the line.

Stacy May, director of the Rockefeller Foundation, is only 44.

I did not get the ages of all of them.

John Lloyd Balderston is 50.

James F. Curtis is 62.

Edwin F. Gay is 72.

Marion H. Hedges is 51.

Rt. Rev. Henry W. Hobson is 49.

LeRoy Hodges is 51.

Calvin B. Hoover, professor of economics at Duke University, is only 43. I am willing to let him serve 2 years over there if he wants to.

Edwin P. Hubble is 50. He is a little too old, but he could stop a bullet just as quickly as could a boy of 18.

Let us see who else. Walter Millis is 41. It might interest the Senate to know that when Walter Millis wrote his book, The Road to War, it was edited, and all uncomplimentary references to J. Pierpont Morgan were taken out before it was published. He is only 41. Of course, he is writing editorials in the New York Herald Tribune, saying that we should become a belligerent.

Who else? Winfield W. Riefler is 43. That is a good name for war. I have no objection to his going.

Whitney H. Shepardson is 49.

Of course, Admiral Standley is 67.

Those are the men who are telling American boys that they should go over and stop Hitler. Like the Senator from Florida [Mr. PEPPER], if these individuals are interested in stopping Hitler I do not think there will be any objection by the Senate to their volunteering. But I wish to say that a man who advocates sending American boys to the battlefields of Europe, and who will not himself enlist, is a cowardly traitor to his country. If I had enough feeling about the matter, and believed that the situation is what the administration says it is, and the danger is what they say it is, I would have enough guts to offer my body to the same service for which I would send another American boy to his death.

Oh, no; these individuals are armchair patriots, who sit back and tell others how to win the war and tell the boys, "Stand your ground and meet the tanks. We will stand back and tell you what the tanks are going to do tomorrow."

Warmongering newspapers are tied up in this move with certain politicians who have failed to solve their own problems here. We have seen constant steps in the direction of war. The other day General Harbord gave out a statement. It is very interesting to note that General Harbord is an official of the Radio Corporation of America, and for that reason could exert influence to shut off the last avenue of approach to the American people—the radio. If one delivers a speech against war, I doubt if he could even get the story into the classified advertising section of certain newspapers. I do not condemn the individuals in the press gallery here. They are not responsible. They do not have final say as to what appears in the newspapers. But if one says that we ought to go to the aid of the Allies or that we should go to war, immediately he gets a front-page headline. I ask my fellow Senators to check the financial background and tie-up of the newspapers which are so actively interested. It will be found that some of them are interested in investments abroad.

Mr. WHEELER. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. CHANDLER in the chair). Does the Senator from West Virginia yield to the Senator from Montana?

Mr. HOLT. I yield.

Mr. WHEELER. Not only would one get headlines in the newspapers but his picture would be taken and circulated all over the United States through the motion-picture theaters of the country.

Mr. HOLT. I agree that that is correct. It is very easy to get such publicity.

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

Mr. HOLT. I yield.

Mr. SHIPSTEAD. The Senator has mentioned a number of names. Has he been reading the roster of the "fifth column" or the "sixth column," about which we hear so much?

Mr. HOLT. Of course, some call anybody who might stand in the way of our getting into war a member of the "fifth column." Some of us who are trying, in our modest way, to keep this country out of war will be called "fifth columnists." I wish to say that the danger to America is not the "fifth column" of which the administration speaks—former bedfellows of the administration. The danger of the "fifth column" lies in propagandists, financiers, and politicians who would destroy our country by involving it in war.

Oh, yes; they are "fifth columnists." According to some, it was not so terrible to be a Communist in 1936, when the Communist support was the difference between defeat and victory for Herbert Lehman as Governor of New York. They were not dangerous to Governor Lehman then. They were not dangerous to certain individuals in my party then. When did a Communist become dangerous? When some of us started after communism on the floor of the United States Senate in 1936, no word was raised by the administration or by administration supporters to aid us expose these influences. We were called "red baiters" then, but now it is proper to be on the other side and call the Communists "fifth columnists." Let me say that the danger to America is not alone the "fifth column," but the columns of the newspapers of the United States, which are controlled.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. HOLT. I yield.

Mr. WHEELER. No administration supporter objected when the Communist newspapers of the country denounced every Member of the Senate who was opposed to the packing of the Supreme Court. At that time every Communist newspaper in the country condemned and ridiculed every Member of the Senate who was opposed to the packing of the Supreme Court, and nothing was said by these other gentlemen about Communists. They were glad to have their support at that time.

Mr. HOLT. That is absolutely correct. As Mr. Browder said in Madison Square Garden:

> Of course, at that time we were only the poor relations of the administration. They were with us as long as we did not become too public about it. We were the poor relations of the administration at that time, but now we are outcasts.

He asks the administration:

> Why have we changed from the status of poor cousins to outcasts?

In connection with the drive toward war, I shall speak again, probably tomorrow, on propagandists. I shall start with Lord Lothian and go down through the list of certain individuals whom Senators know very well, and certain newspapers. It may be very interesting to learn who the "fifth column" warmongers are.

Let me repeat what the President said—and I repeat it because I think it is worth repeating. I think it is very important because it shows just what is happening.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. HOLT. I yield.

Mr. WHEELER. The Senator has called attention to the advertisement which has been placed in various newspapers.

Mr. HOLT. That is correct.

Mr. WHEELER. The Senator later called attention to where the idea originated. I understand that the Senator from Missouri [Mr. CLARK] introduced a resolution to investigate propaganda in the United States. Does the Senator know what has become of that resolution?

Mr. HOLT. I do not think it has the approval of Lord Lothian yet.

Mr. WHEELER. Let me say to the Senate, whether it has the approval of Lord Lothian or anybody else, the advertisement has been published in the great newspapers of the country, like the New York Times, the Herald Tribune, the Washington Star, and many other newspapers throughout the United States. Everyone knows what it costs to publish such an advertisement in those newspapers. Every Member of this body knows that somebody is paying for it. We ought to know who is paying for it, how much is being paid for it, and where the money comes from. If money is being put out for Nazi propaganda in this country, we ought to know it. I think nearly every Member of the Senate, whether he be a Democrat or a Republican, has his feet on the ground, and is opposed to steps to get us into war.

I believe the vast majority, the overwhelming majority, of the Members of this body are opposed to the United States

getting into the European war; and I may say that, no matter what the English press and the English newspaper writers may think about the speech made by the President and that it was going to lead us into the war, we ought to serve notice that the great majority of the Members of the Senate are not going to vote for war; that we are not going to get into it; and we do not want to fool Great Britain or France into thinking that we are going to send American boys across the water again to be shot to pieces on the battlefields of Europe. We are not going to see them come back home and fill our insane asylums and our hospitals, with their legs off and their arms off, blind and deaf—and for what? The other day a Senator on this floor said America ought to wake up. I agree with him. I agree, Mr. President, that America ought to wake up. American mothers ought to wake up; American youth ought to wake up; the American workingmen ought to wake up—because anybody who has any sense at all knows what is happening. We know the propaganda that is going on, and every Member of the Senate knows that every move is being made to lead us, if you please, down the road to war.

I wish to say, so far as I am concerned—and in saying this I repeat what I have heretofore said—that I do not want to have to break with the administration; I do not want to have to oppose the Democratic Party; but if it becomes necessary to break with the Democratic Party, I shall break with it if it is going to be a war party. I want everyone who is interested in the matter to know that I am not going to support any candidate for President of the United States of America—no matter who he may be—who is going to try to get us into this war.

Mr. HOLT. Mr. President, I thank the Senator from Montana. Everybody who has followed his record knows that no man in public life has had greater courage and greater interest in the people than he has had. That is honest representation of his party, because if our party gets the name of being a war party, we are through. We will pay for it, as we should pay for it.

Mr. WHEELER. We would not only be through, but we ought to be through, if we are going to be a war party.

Mr. HOLT. That is correct.

Mr. CHAVEZ. Mr. President——

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from New Mexico?

Mr. HOLT. I yield.

Mr. CHAVEZ. A few more speeches either in this body or elsewhere by public officials on warmongering will certainly not aid in electing a Democrat next time.

Mr. HOLT. Certain Senators, speaking in this body—and they have a right to speak—have told the people of this country that we are at war with some other country. Do you think, Mr. President, that is beneficial to our party? Of course they have been spokesmen for certain parts of the administration program; are they spokesmen for its policy of foreign relations? They have never been repudiated, and they use the greatest office in this land as a sounding board to bring about our involvement in the war by asking for a status of nonbelligerency.

Let me refer to the advertisement which has appeared in the press. I was called on the telephone from West Virginia by two individuals, both of whom said—they were not very smart propagandists—that they had been called from New York and requested to get in touch with me to ask me to lend all the aid I could to the Allies. Who paid for those telephone bills back and forth? Who in New York told somebody in West Virginia that he should contact me as a Senator from West Virginia to secure my aid in involving us in nonbelligerency? Then I received a telegram that said in effect, "According to the advice I have received from New York, it is very important that Congress lend aid to the Allies." Who is giving this advice in New York? Why should it not be open; why should not the people have the facts about it?

Mr. CLARK of Idaho. Mr. President——

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Idaho?

Mr. HOLT. I yield to the Senator from Idaho.

Mr. CLARK of Idaho. Does the Senator from West Virginia consider such an advertisement as has been appearing in the newspapers, under the caption "Save America by Helping the Allies," to be an un-American activity?

Mr. HOLT. Well, I will say——

Mr. CLARK of Idaho. I wish to say to the Senator that I do so consider it. I notice behind the Senator the very distinguished chairman of the Dies committee, Hon. MARTIN DIES, with whom I had the pleasure of serving in the other House. I take this way informally of suggesting that the splendid work which his committee has already done be further extended by an investigation of just such un-American activities as these paid propaganda advertisements, designed and calculated to mislead and defraud the American people.

Mr. HOLT. I thank the Senator from Idaho, and I agree with him that there should be an investigation of all this propaganda—Nazi, Communistic, and English. Let us bring out into the open the activities of Lord Lothian in New York City and his conversations with Thomas Lamont, who set up this committee to aid the Allies. Let us have the facts. Why should the English Government be allowed to send agents here to involve us in this war by getting us in gradually by first sending materials and then men? If they do not want the facts made public, we should more than ever want it to be made public. Has it come to pass that we cannot defend our own country because we fear we will step on the toes of somebody in Downing Street? Why was it, when the Munitions Committee wanted to get the background of J. Pierpont Morgan's deals with Great Britain, that there was pressure put on to stop that information? Why is it there has been no investigation of British propaganda in this country? I go along with the investigation of German propaganda; I go along with the investigation of Russian propaganda; that has been my attitude for years; but I am sick and tired of some individual talking about propaganda only on behalf of some countries and allowing the British Government not only to propagandize but to approach certain Government officials.

Mr. LUNDEEN. Mr. President, will the able Senator yield?

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Minnesota?

Mr. HOLT. I yield to the Senator from Minnesota.

Mr. LUNDEEN. I should like to say that the propaganda of Great Britain is more dangerous than all the propaganda from all the other countries combined. It is more powerful and more efficient and has been so for more than 25 years.

THE BRITISH "SEVENTH COLUMN"

It is the "seventh column" in the United States, the column of intervention and war. It takes no account of America and its interests. We are second, they are always first. They consider us gullible and inferior and have brazenly proclaimed it to the world. They have the nerve, the gall, the insolence to demand that we pay their debts for them, serve them, and die for them. No other nation ever did that unless it be France—France that set up the hostile empire of Maximilan in Mexico during the Civil War, while Great Britain sabotaged Lincoln and the Union with loans to the rebels and gun-running to the South.

Mr. HOLT. Oh, it has been said that the British propaganda is not always carried on by Britain; it is carried on by our own American citizens. Here in Washington the social lobby, controlled by the dictates of the English Embassy, approach and contact Government officials; they have enlisted for the duration of the war. It has always been a known fact that the English Government can get plenty of volunteer propagandists. Those are "fifth columnists" who should be brought out into the open. Why should only one side be told to the American people when it means the death of Americans because of our involvement in war?

I may say that I think time will prove that certain newspapers in this country have been purchased, just as they were purchased before the last war. We will not find out about it until the boys are killed; we will not find it out until, as time passes, American boys are sent to the hospitals; we will not find it out until American boys come back without legs

and without arms. Then we will find that certain interests have approached and controlled and bought the editorial pages of certain newspapers of this land.

Mr. LUNDEEN. Mr. President, will the Senator yield?

Mr. HOLT. I yield.

Mr. LUNDEEN. In the first World War it was reported—and I think the records of the British Parliament so show—that $150,000,000 was appropriated by the British Government for propaganda in the United States, and, according to reports, the British have now again appropriated for propaganda in this country $165,000,000. Where did that money go? It was probably pretty well used in every possible propaganda channel.

At this point in my remarks I insert a few lines from the book on propaganda, Putting It Over, page 117:

PROPAGANDA

Regarding the extent of British propaganda in the United States, this declaration attributed to the late Lord Northcliffe has great significance.

"England spent $150,000,000 for propaganda purposes in the United States during the war, and I consider that money spent to greater advantage than any equal amount during the entire conflict."

Lord Northcliffe's special diplomatc mission to this country after the United States declared war against Germany was organized solely for the purposes of publicity. Headquarters were established in New York. Arrangements were made to supply the American press with daily news dispatches. It was admitted in the House of Commons that Northcliffe's paid publicity agents in the United States numbered some 4,500.

Colonel Hammersley, member of the House of Commons during the session, November 1918, said, in part: "To my mind, if an end is put to the Ministry of Information, and if its activities are withdrawn from America, it will be nothing short of a calamity to this country."

Facts also show that the British Government subsidized its own news agencies to disseminate official war propaganda, paying Reuter's agency £126,000 for services covering a certain period of war.

Men with high financial and business connections were employed as directors of propaganda in the various belligerent and neutral countries. The prestige of this action gained wide circles of adherents to the British war policy. The British Government put over victory through the power of propaganda.

Mr. HOLT. What is the use of this propaganda? An incident not related before the war but occurring before and related afterwards, is also true today. May I read it again to the Senate:

In America * * * there are 50,000 people who understand the necessity of the United States entering the war immediately on your side. But there are 100,000,000 Americans who have not even thought of it. Our task is to see that the figures are reversed, and that the 50,000 become the 100,000,000. We will accomplish this.

That was a conversation between one of our diplomats in Paris and one in the French Ministry of Propaganda. And it was accomplished. Today, talking about diplomats, is there a single Member of this body who thinks that Bill Bullitt is looking after America's interests as much as he is looking after the interests of France? His interest has been, and will be, the interest of France, which he loves so much.

Two years ago he stated that we would come to the aid of France. Let me read Bill Bullitt's speech on that subject. He said that France and the United States—

Are united by our devotion to liberty, democracy, and peace. We are united by our old friendship, by the aid we brought each other in our hour of distress. Today we are working together to save peace.

At this time the unity and calm with which France contemplates the future have awakened the admiration of the whole world.

France and the United States, he said, are—

Indefectively united in war as in peace.

That was in September 1938—"United in war as in peace"—and he wants us to be in war as an Ally with France again. Why has not the State Department, as it always before has done in the history of this country, called utterances of this kind to the attention of a diplomat who would make the type of speech that Bill Bullitt made in France? Jimmy Cromwell was censured. Why has not Bill Bullitt been censured? Is he more powerful than the State Department? The American people have a right to know. He was speaking as an official, as the Secretary of State said when he condemned Cromwell—Cromwell, hopefully the next United States Senator from New Jersey.

Mr. LUNDEEN. Mr. President, will the Senator yield at that point?

Mr. HOLT. Yes.

Mr. LUNDEEN. The Senator's statement recalls Ambassador Gerard, of World War days, who, when he was recalled from Germany, first went to the Court of St. James, and knelt down before the British King and was tapped on the head with a little tin sword and was told, "Rise, Sir Knight," a member of the nobility. He ran for President of the United States out in my native State of South Dakota; but when the people of that State found that he was a member of the British nobility he did not get very far, and he has never run for President since.

Mr. HOLT. I am very hopeful that the resolution calling on the Secretary of State to furnish a list of all Americans who have received medals from the German Government will be adopted; and I want to have it amended, when it comes on the floor of the Senate, to include all Americans who have been knighted and given medals by all other foreign countries. Why should we not have all of the information on this subject? Why should we not have the facts? Why should we have information in reference to one country only? Let us have all the facts in this matter, and let us tell the people the truth. The President said he had nothing to hold back from the people; and yet, day by day, we are seeing secrets coming out which mean our involvement in this war.

I appreciate what the Senator from Montana [Mr. WHEELER] said. I do not believe the Senate is going to vote for war, because Senators are calmer than are some other Government officials; but if these Government officials take us to the point where they create an incident, who knows what the situation may be as to our involvement?

You know, war may be declared by us, or it may be declared by somebody against us. If we deliberately try to create an incident, how do we know that some foreign nation may not declare war on us? Whether we declare war on them or they declare war on us, the same penalty is—the death of American boys. No matter where the declaration comes from, it means just the same thing.

Let us be careful about creating unnecessary incidents that may mean the involvement of our country.

What do I mean by steps toward intervention? I shall not detain the Senate long today, because I shall discuss this question tomorrow from another angle.

Mr. WHEELER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Montana?

Mr. HOLT. I yield to the Senator.

Mr. WHEELER. The Senator spoke of Mr. Bullitt. I desire to call his attention to a statement which was made by Ambassador Joseph P. Kennedy. He made this statement on December 12, 1939, in the Church of the Assumption in Boston, Mass. He said:

There is no place in this fight for us. It's going to be bad enough as it is. As you love America, don't let anything that comes out of any country in the world make you believe you can make a situation one whit better by getting into the war. * * * There is no reason—economic, financial, or social—to justify the United States entering the war.

I agreed wholeheartedly with Mr. Kennedy when he made that statement, and I agree wholeheartedly with him now.

I am informed that Mr. Edwin C. Hill stated over the radio that the President of the United States called in some persons last evening and questioned them as to whether or not we should have a declaration of war at the present time. It seems to me that that statement is incredible, and I must believe that Mr. Hill was mistaken. It seems to me that a statement of that kind made by a radio commentator, if it was not true, should certainly be sufficient reason for not permitting him to speak further over the radio as a commentator in this country.

As I said, I cannot believe that any such thing as that is true. I hope and pray that it is not true; but I hope and pray that if anything of the kind does take place, there will be enough men in the Senate of the United States to stand up and be counted, and not see this country of ours destroyed, as it surely will be destroyed if we get into another war.

The Chief Justice of the United States, Mr. Hughes, sometime ago made the statement that he questioned whether or not we could maintain democracy and our American way of life—that was the substance of his statement—if we should go through another war. I also question it, and I think every thinking American feels that way about the matter.

Mr. HOLT. I thank the Senator from Montana, and I agree with him. I desire to say that the day we declare war—and pray God that day never comes—we shall eliminate democracy from the United States of America for time immemorial. Instead of saving democracy we shall be destroying democracy, not only by centralized power by destroying men, but, as the able Senator from Maryland [Mr. TYDINGS] told us the other day in a speech that should be read by every citizen of the country, America could not possibly stand on the financial pillars of this Government if we should go to war again. Instead of saving democracy, we shall destroy it by such a course.

Mr. BONE. Mr. President——

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Washington?

Mr. HOLT. I yield to the Senator from Washington.

Mr. BONE. I ask unanimous consent to have the clerk read an article from the Chicago Sunday Tribune of June 2, 1940; and after it is read I ask that it be printed in the Appendix of the RECORD.

The PRESIDING OFFICER. Is there objection to the reading of the article? None is heard; and the article will be read, and also printed in the Appendix of the RECORD.

The legislative clerk read as follows:

GERMAN CREDIT RENEWAL PLAN IS NEGOTIATED

NEW YORK, June 1.—Representatives of Wall Street banks are returning from Europe with a plan for renewal of an agreement with Germany covering commercial credits, informed banking sources said today. The plan, it was learned, was worked out in discussions in Rome for submission to a committee from local banks which had extended credits to Germany.

A temporary arrangement calling for gradual reduction of outstanding credits was made last December. It expired yesterday. Under it Germany paid interest ranging from 3 to 4 percent and cut the estimated indebtedness from $46,000,000 to $40,000,000.

The new plan, it was said, probably followed closely the expired agreement, but disclosure of the details awaited return of the negotiators. They are due home within the next 10 days.

Mr. TYDINGS. Mr. President——

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Maryland?

Mr. HOLT. I yield to the Senator.

Mr. TYDINGS. I do not know, as the Senator from Montana himself says, whether or not there is any truth in the statement that some officials of our Government are considering the question whether we should go into the war or stay out of it. I certainly do not want to pose as an expert in commenting for just a moment upon our ability to go to war; but I very well remember the last war, and I remember that it was about a year after we got into the last war before we had any troops at all equipped and trained which we could spare to leave this country. I remember, too, that the bulk of the troops that were sent abroad went abroad a year after we had declared war. I likewise remember that in my own particular line of endeavor, the machine-gun units, we drilled for 1 year with wooden guns, and we never saw a heavy machine gun which we were supposed to use in battle until we got over in France, when the guns were given to us, having been furnished from England; and the artillery with which my division was equipped was furnished to us by the French over a year after we got into the war.

I know that that experience could be duplicated many times over. We did not have the equipment; we were not ready for the war in any sense when we went into it.

Mr. CLARK of Missouri. Mr. President——

Mr. TYDINGS. Let me make just one observation in conclusion. When we get ready to go to war, or begin to talk about going to war, we first should be able to go to war, because to make commitments which will carry this country into war without its being able to go is like talking to a man who has a revolver in his hand when you have nothing but your bare fist, to use a commonplace illustration.

Our big job now is to get ready for national defense, not to go to war. Our job is to get this country in a state of preparedness, and it is not in a state of preparedness, and that job is going to take months, and in some cases years, and even to consider the possibility of our actually going to war as a government now would, I am sure, be against the advice of every military and naval man in the Government service who holds any position of responsibility.

Mr. HOLT. I yield to the Senator from Missouri.

Mr. CLARK of Missouri. Along the line of the remarks of the Senator from Maryland, I merely wanted to call attention to the further fact that after we got into the last war Congress immediately authorized a huge program of airplane construction, and most of the American people assumed that when that act had passed Congress, and when that vast program of airplane construction had been authorized, this Nation was adequately prepared in the air, and was about to go over and to descend on the Germans, and especially the Hindenberg line, and bring the war to a close. But after 2 years of construction and experimentation and after the expenditure of hundreds of millions of dollars of the taxpayers' money, not one Liberty motor, not one American-constructed plane, was ever flown on the western front.

Mr. TYDINGS. Mr. President, will the Senator from West Virginia yield again?

Mr. HOLT. I yield.

Mr. TYDINGS. The Senator from West Virginia said a moment ago that war can be made in one of three ways. You can declare war on the other fellow, he can declare war on you, or both of you can declare war simultaneously on each other. But we should not lose sight of the fact that the making of war is not a one-way street. We may not have control of the decision as to who makes war on the other fellow, and I feel that it would be wise for all of us, including me, to have such an idea in mind when we talk about foreign governments. I have my own personal sympathies, and they are very strong, but I know this country is in no shape to fight a war tomorrow morning. I furthermore believe that it is unwise for us to indulge in remarks which are calculated to breed international ill will when we have not the punch back of those remarks to back them up in the event our bluff may be called.

Mr. HOLT. I thank the Senator from Maryland. What he says is absolutely correct. In other words, as the News said yesterday, when you call a man a name, you had better have something other than a feather duster when he takes after you; and America does not have much else.

As I stood here listening to the Senator from Missouri and the Senator from Maryland speak, a very interesting thing came to my thought. Here were two men who saw active service in France, two men who actually know what war is, two men who know the effect of war, and it is interesting to listen to their statements as compared with those of Senators who served, either in the S. A. T. C. or in charge of prisoners. In other words, a man who served in war abroad will not be so interested in having his son serve under the same conditions. This seems to me a very interesting comparison.

Speaking of propaganda just for a moment, I received a wire from a woman in my State saying that we should go to war with Germany. I thought I had received some other communication from her, although I was not sure, so I had my secretary search the files, and I have here one of the letters I found from this woman who wants us to go to war with Germany now. I quote:

DEAR SIR: I wish to express my disapproval of the pension bill which will come before the Senate soon. I believe that we have provided generously for World War veterans and that if this bill is passed, it would be an additional expense which is not justified.

She says we have treated the World War veterans generously, and additional expense is not justified. That is the sentiment of a woman who is today advocating that we create more veterans, more individuals who give their all in order that the country may win a war. Individuals like that are the ones who are telling us to get into war. They say we have treated the veteran generously; and are not justified in giving him any more.

The Senator from Montana was not here when I started my remarks, referring to what Edwin C. Hill said. Let me repeat the statement I read from this pamphlet "Uncensored," the issue of June 8:

> More than one recent White House guest has reported that the conversation is mainly about how the Nation can be educated most quickly to the need for our entry into the war.

That reminds one of what Secretary Lansing did before the World War. He wrote a memorandum in 1915 in which in effect he said:

> We cannot take the American people in yet.

"We cannot take them in yet." But what was he going to do? Let me quote from him:

> The sensible thing to do was to defer action until a gradual process of education and enlightenment was accomplished.

That was in 1915, 2 years before our entry into the war, 2 years before the boys were killed, after the process of education and enlightenment, 2 years before we paid the penalty.

Let me quote what Raymond Moley said in his book about the same process of education that is going on. He wrote this some time ago:

> After Munich, Roosevelt at once summoned home our Ambassador to Berlin. There were consultations with Ambassadors Phillips, Kennedy, and Bullitt. The consensus seems to have been agreement that the time had come to do something practical—

"Something practical"—

> to stop Germany, Italy, and Japan, and to assist England and France. That something was to be a revision of the Neutrality Act to permit France and England to buy guns and munitions in this country.

I quote further from Mr. Moley, who certainly was on the inside. This is what he said:

> Observers recognize in these dramatic maneuverings signs of a State Department campaign to "educate" the American public to the need for a stronger foreign policy.

Is it the same process of education we are receiving today which Secretary Lansing gave to the people between 1915 and 1917? Let us hope, let us pray, that it is not the same kind of education that sends our boys to their deaths, and with no gain whatsoever, with no possible hope of gaining anything.

What do I mean when I say "steps toward intervention"? Let us go back to the President's quarantine speech at Chicago, a copy of which the English papers said they had before it was delivered. Why? Let us recall the Washington Post editorial, when he said "we" were going to war, and he defined "we" as western civilization, including the United States, as appears in the Washington Post editorial, which I placed in the RECORD during the debate on the Neutrality Act.

What else is there? There were the secret airplane deals with France, which would not have been made public had not some French flyer crashed. We would not have known of the secret deal between the French Government, Morgenthau, and others if there had not been an accident which drove the plane down to the ground. I think time will show, I think the memoirs of certain public officials will show, that a most dangerous involvement came from the conversations with Anthony Eden himself. I think history will prove that the conversation with Anthony Eden was one of the most dangerous things that happened to America in many years.

Of course, there was the visit of the King and Queen, just about this time last year, when we were invited, with engraved cards, to go down to the garden party, and they said it was like heaven, that only a few could go. I did not accept, I may say, but when they asked about the garden party, Sir Ronald Lindsay put his foot up on the step and said, "You know, the garden party is like heaven—few get to go." And now, with war on, they give a party at the British Embassy and you can go if you have a "buck." [Laughter.] You can see where the King and Queen walked. Senators were not supposed to walk until 5 minutes after the King and Queen went down the walk, they could not walk in their footsteps, but if you had just waited a year, you would not have had to buy that formal outfit and go, you could have just paid a dollar and gone over the same path where the American people bowed to the King and Queen. You may not think that amounts to much, but it is the same old social propaganda that is involving us gradually, so that we can bow at the feet of the mighty.

Mr. WALSH. Mr. President, will the Senator yield?

Mr. HOLT. I yield.

Mr. WALSH. Has the Senator given attention to this phase of the situation, which, regardless of whether we enter the war or not, is to have a very great effect on the future legislative policy of this country? I refer to the fact that if the masses of the people of this country think that those of wealth and possessors of property and owners of big business are pushing us into the war, there will be developed a radical psychology in this country which will be very, very dangerous and ruinous in the future years. Has the Senator given any thought to that aspect of the present situation?

Mr. HOLT. That is correct, and some of us would like to know why the administration has put pressure on a bill to stop making excess profits in time of war.

Radio speeches saying we shall have no more war millionaires do not stop the creation of war millionaires. Let us put the prohibition on the statute books.

Mr. BONE. Mr. President, I wish to assure the Senator that when a tax bill comes over here, the war-profits tax bill is going to be offered as an amendment, and a vote had on it.

Mr. HOLT. I thank the Senator from Washington.

I wish to say that if we pass such a tax law much of the interest of the country in this war will subside.

Let us now go back behind the background of setting up the "M" day, which we did not know about until later, and on through the "short of war" statement, and Senators will find the thought of a constant intervention in the affairs of Europe.

Mr. President, I want a strong national defense. I know that a strong national defense will keep the war from coming here. But I know a strong national defense, without the interest of the government officials for peace will not keep us from getting into the war.

Mr. WALSH. Mr. President, will the Senator yield?

Mr. HOLT. I yield.

Mr. WALSH. Is it possible that those who are driving us into war do not realize that the Representatives in the Congress of the United States do not propose to draft the blood of American youth without drafting wealth first and without reaching out to commandeer and draft industry and everything else before we take life? We have not yet reached the stage in this country where we are going to sacrifice life and then compromise on the question as to how much money we will take, or what other property we will commandeer from those who control the industries and the large business interests of the country. As the President recently said, there are to be no new or additional millionaires made as a result of the present serious emergency.

Mr. HOLT. I thank the Senator. No man in this body has been more interested in keeping this country at peace than has the Senator from Massachusetts.

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

Mr. HOLT. I yield.

Mr. SHIPSTEAD. It might be interesting to know if those who think they are going to make money out of the war have ever thought of what their profits will be worth if we get into this war, and after the war is over. There is nothing more dangerous to the foundations of any government, there is nothing so dangerous to the defense policy of the Government, as bankruptcy, national bankruptcy. War creates bankruptcy, and national bankruptcy creates hunger, famine, suffering, discontent, and revolution. Is there any sane man who believes that this war, particularly if we get into it, will

not be prolonged to such an extent that the chances are that our profits will be worth nothing?

Mr. HOLT. I thank the Senator from Minnesota.

Mr. President, speaking about the question of profit in war, a coal official got in touch with me recently and said that we ought to go to the aid of the Allies because if we do not we will not be able to sell our coal. In other words, it seems to him that it is more important to sell a few tons of coal than it is to keep our boys over here on this side of the Atlantic Ocean.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. HOLT. I yield.

Mr. CHAVEZ. Many Members of this body have seen the average veterans' hospital, but there are other hospitals that tell a more horrible tale of the last war, in which are to be found the boys without noses, the boys who are disfigured, the boys who must be fed through tubes. Do these men who figure or try to decide as to whether or not we should go to war realize the hardships and the horribleness of the war so far as it affects the one who has to do the actual fighting—not the one who makes the profit?

Mr. HOLT. I thank the Senator from New Mexico.

I wish to state a few words in conclusion as to my viewpoint on this matter.

The drive to take us into this war is under way, not under its real representation but through subterfuge. Whether we go into this war directly or by any other means, the ultimate cost to you in the killing of your sons will be the same. Whether we slip in, walk in, or are pushed in, the penalty is the same, the death of the finest American youth. Some of us in the Senate are determined to prevent our country from getting into this war. We do not want to get into it through the front, back, or side door. We want to call a stop to this hypocrisy of preaching peace while leading us to war. We believe the people have a right to know the truth.

President Roosevelt said in a radio speech—and I quote:

> Your Government has no information which it has any thought of withholding from you.

Not only are the people having matters withheld from them but the same prohibition is against certain Members of Congress. These matters kept secret are not about national defense. They are matters of public policy. A War Industries Board report has been kept away from Congress by the President himself. Conferences at the White House which would shock you have been held under secrecy.

I am one who believes the fellows who have to do the dying ought to have a right to know why they are called upon to give up their lives.

I desire to make my position clear. I want every move of treason or disloyalty to my country exposed and punished. I want to bring out in the open every enemy. Let us, as I have said on the floor of the Senate, and in dozens of speeches elsewhere, expose all of these forces, be they German, Russian, English, or any other nation. Trojan horses are not confined to one set of belligerents. Let us bring out to the light the Nazi agent but do not let us at the same time wink at the English agent. Anyone who is trying to accomplish the overthrow of my country is an enemy, and should be punished. So is an English propagandist who is trying to get my country to sacrifice our soldiers on the battlefields of Europe. He is an enemy that should be punished. Why has the investigation of foreign propaganda by a Senate committee been held up under administration pressure since last fall? I have voted and supported every effort to stop and punish treason or any attack on my country. I have not been a late convert to this course. When I attacked these termites who are boring from within, some, yes many, who are now generating hysteria talking about "fifth columnists" were defending these influences that started these same individuals. These foreign influences were coddled by officials of our own Government, and their influence was courted. Today they have broken their alliance. You can answer why.

I support a strong, adequate national defense. May I add that a strong national defense is not alone in ships, airplanes, and tanks, but also in the getting of our own house in order. A debt-ridden country, millions of unemployed, agricultural bankruptcy, and uncertain economic structure do not aid in having a strong national defense. Neither does it do our national defense good to send away the implements of war which we need here. We have been told that we are woefully unprepared, yet these same individuals want us to dispose of the very implements necessary for preparedness here. An airplane half done, half finished, will not stop an invader. A strong national defense will protect us here but it will not keep us out of foreign wars if we allow ourselves to go there.

We have heard much about the Monroe Doctrine, and I believe in defending it. Let us defend the Monroe Doctrine which says "No" to foreign invasion of the American Hemisphere and which also says "No" to our involvement in the affairs of Europe.

The Monroe Doctrine is not a one-way affair. It says, "Europe stay out of America, and America will stay out of Europe."

I regret to say there has been some progress made toward getting us into this terrible, ghastly war, not as much as financially involved newspapers, controlled radio commentators who call themselves impartial, or some jingoistic Government officials indicate, but in all candor I must say some progress has been made, and I hate to use the word progress because that means advancement, and war is advancement to nothing but poverty, disaster, and death.

This very morning I picked up a newspaper to see where certain so-called leaders were advocating a declaration of war. Last night, on this network, I heard another jingoist, if there ever was one, advocate going to war.

They use the term "we" when they say "we should save civilization," but they do not mean "we," first person plural. They mean second person plural "you" should save the world for civilization. They mean your sons and your friends. Most of these individuals who are saying we should save the world for civilization will never go to the battlefields.

Any man—I want to make this clear—any man who advocates our entrance into this war and who does not enlist now in the cause of the Allies is a cowardly traitor to his country. If the danger is what they say and the cause is what they preach, they should have the courage to offer their lives to the machines of death rather than sitting back asking the sacrifice of the young fellows who want none of this war, whose interest is in a better country here. I have no patience with armchair patriots or senatorial "jingoists" who want your son to be killed while they tell him how to win the war. These are the dangerous traitors who should be exposed.

I use the word and all it implies. These are the dangerous traitors who should be exposed. They are the "fifth column" warmongers who would destroy our country.

After the World War, years after many of our boys had been killed in France during that conflict, and others had been shell-shocked, a memorandum of Secretary of State Lansing was made public. He said:

> The sensible thing to do was to defer action until a gradual process of education and enlightenment was accomplished.

This was in 1915, 2 years before our entrance into the war. Plans were then being made to educate and enlighten the people. For what? To get us into the war. I feel that the same process is now at work in this country. As in the case of the Lansing memorandum, we shall not know about it before the war; but after the boys are killed on the battlefield, after they come home crippled and wounded for life, then we shall find the true story of secret diplomacy in the United States in recent years.

Shall we find, after the destruction has been done, that Bill Bullitt, our Ambassador to France, has given certain commitments about our involvement in this war? Remember the story of Ambassador Page, who was Ambassador to the Court of St. James's before the last war. We found out, but too late; too late to save the thousands of our dear ones

who thought they were dying for a great ideal, that of making this a better world in which to live. The boys who died were patriots. But we know that the ideals for which they gave the supreme sacrifice were thrown out the window by the same diplomatic schemes which have been, are, and will be in effect in Europe.

President Roosevelt, speaking at Chautauqua, N. Y., in a speech made before the 1936 election—and that fact ought to be emphasized—spoke out against involvement in the wars of Europe. He said:

> We can keep out if those who watch and decide make certain that the small decisions of each day do not lead toward war and if at the same time, they possess the courage to say "no" to those who selfishly or unwisely would let us go to war.

That was good advice, but it is not in effect today. We are not making certain that the decisions of each day do not lead to war. On the contrary, every decision has been in the direction of war. Furthermore, there have not been enough "noes" to those who would have us go into war. I shall speak plainly. It is no time to dodge when persons are being shoved to their death. It is no time for us to sit in our seats when it is planned to send the finest boys in this country to their death. It is no time to be nice to those who are directing our country to the precipice of our destruction. Let us bring these traitors out into the open. That is what they are. Any man who would take America into war under present circumstances is the worst traitor the country could have.

The President has said privately that this country is nonbelligerent. I believe we should be a neutral. Nonbelligerency means being in the war part way as an ally; but all history will prove that nonbelligerency finally and ultimately means war all the way. Steps short of war, to the brink, are dangerous, on the slippery path of war. Step by step we have thrown away our neutrality and gone toward intervention. Nice sounding propaganda has aided in the drive toward death. "War to save civilization" compares with "war to save democracy" 25 years ago. "War so that our country may remain at peace" compares with "war to end all wars."

Furthermore, if the national crisis is what the President says it is, if we are in the emergency he has told the people we are in, why on earth does the President step out of his Executive role and try to drive Congress home? What business is it of the President of the United States to tell Congress that it should go home? If the emergency is what he says it is, we have a duty to stay here and look after our part of the Government. America is not yet controlled by one man, and we still have a voice in the legislative branch. The President may want us to go home, but let us stay here and meet the emergency—the emergency which he says means civilization. Let him answer why he is telling Congress to leave by June 22. He has told Congress to do many things in the past, and usually Congress has done them.

Members of the Senate and of the House will have to stand up and be counted, to find out whether or not they propose to run away in the emergency of which the President speaks. It is nice to be home. It is not nice for the boys to be killed in the lice- and rat-infested trenches of Europe. Congress should stay here and do its duty.

I am against dictatorship and all it implies. I want to help to save democracy, but I know that the place to save it is right here in our own country where it actually exists, and I know that our entrance into the war means dictatorship here. The real friends of democracy want to stay out of the war. If we want to help democracy, let us put to work the 10,000,000 American people who are out of jobs. We have all summer to work on the problem. The farmers are not receiving halfway decent prices for their products. Why should we go home merely because the President wants to get us out of town?

Let us check the financial tie-up of certain newspapers calling for war; check the active interventionists who have large financial holdings in Europe; and if we do not want our sons to die to protect them, let us check the paid columnists. I have heard on reliable authority that one of the columnists was formerly a Government official, who is ashamed of his own name and writes under a pen name, and who is receiving certain information which would be of interest to the country. Let us have it out in the open. We shall find some of the real enemies of our country among the columnists. It is there that we are allowing some Trojan horses to come into our midst.

Why has there been pressure to stop the outlawing of excessive war profits? I am a young man, and I have talked to hundreds of other young men in this land. We love our country and are willing to die in its defense; but we are determined that we shall not be sent across the sea in another of the ever-recurring wars of Europe. We oppose the "fifth column" as well as the paid war-mongering columns of certain newspapers. We want to live for America, not to die in Europe. We are not cowards. We know of the propaganda in the last war that sent young men off to their deaths, and we want no duplication of it.

We know that America's hope and America's future rest in peace and not in war; and we know that steps short of war are threats not only to the lives of the fine young men of this country, but to the country itself. Let us pray and hope that America will drive out into the open the Trojan horses, the interventionists, the Communists, and the Nazis, and keep our country at peace, because peace is our only hope of tomorrow's better America. Let us tell the people the truth behind these actions toward war. Those who are to die should know why, not what the propagandists say to be the reason. We shall save democracy here.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4026) providing for the reorganization of the Navy Department, and for other purposes.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 9850) to expedite the strengthening of the national defense; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and that Mr. MAY, Mr. THOMASON, Mr. HARTER of Ohio, Mr. ANDREWS, and Mr. SHORT were appointed managers on the part of the House at the conference.

APPROPRIATIONS FOR WORK RELIEF AND RELIEF

The Senate resumed the consideration of the joint resolution (H. J. Res. 544) making appropriations for work relief and relief for the fiscal year ending June 30, 1941.

Mr. NYE. Mr. President, for a number of days past the Senate has been confronted with a proposal in the form of a resolution to have the United States Military Establishment make certain of its equipment available to powers engaged in war. Each time that proposal has been dealt with by the Senate or by a committee thereof it has been overwhelmingly defeated; yet in spite of that attitude, which has been demonstrated in the Senate, the purpose represented by the resolution is now an accomplished fact. By a subterfuge, supplies belonging to the Army and Navy are being made available to nations engaged in war. True, there are those who seem successfully to insist that this is strictly in keeping with law, and that there is no violation of the law; nevertheless, it is a subterfuge.

Seeing what has happened in that respect, there is a little license for greater concern than might otherwise be the case in connection with the resolution introduced yesterday by the same author. I refer to Senate Joint Resolution 276.

The joint resolution, Mr. President, proposes—

> To authorize the President to exercise certain authority to preserve and promote peace and safety of the Western Hemisphere.

It reads as follows:

> *Resolved, etc.*, That the President is hereby authorized to use all means short of war, including the temporary suspension of any of the provisions of the Johnson Act, approved April 13, 1934 (48 Stat. 574), and of the Neutrality Act of 1939, to promote and preserve the peace and safety of the Western Hemisphere.

Mr. President, I want at this stage only to point out that here is a proposal that it was prophesied would be forthcoming if the Congress consented last fall to repeal the arms embargo. It was then represented that that would be only the first step, and when that first step was not enough to accomplish our purpose or our alleged purpose, we would take the next step we would be asked to take, first, to repeal the cash-and-carry feature of the law, and then to repeal the Johnson Act. Senator after Senator in this body rose in his place and declared solemnly that he never would move, that he never would vote another step beyond the repeal of the arms embargo; yet in this Chamber today are Senators who, thus avowing their determination then, are ready today to support a proposal to repeal the cash-and-carry provision and to repeal the Johnson Act, to do the very things they vowed they would not do.

Mr. President, in the interest of national security, for the past two weeks there has been a degree of tolerance exercised by some of us in the Senate that may have been greater than was for our own good. I do not want this tolerance which has been demonstrated in any sense to mean, so far as I am concerned, that there has been an abandonment of my belief in the cause of nonintervention, a cause that so many like to call the cause of isolation. I insist that there never was greater justification for the cause of nonintervention than has been demonstrated to us day after day for the last week or two at least.

In the interest of national security this tolerance has been shown, tolerance wtih the Executive, with his acts, with his requests of Congress, tolerance with those Members of the Senate who have risen in their places and made utterances that have approximated, indeed, a close approach to war. This tolerance has been practiced when the acts of which I speak have seemed to take us dangerously near to war, even when these steps short of war, so-called, have seemed to many of us to be steps of war themselves. There has been tolerance with the conduct of the foreign policy even when that policy was of necessity committing the Congress of the United States to an acceptance of the consequences.

But, Mr. President, there is very definitely a limit to the tolerance that can be expected, and Senate Joint Resolution 276, introduced yesterday, inviting the repeal or the abandonment of the cash-and-carry provision of the neutrality law and the abandonment of the Johnson Act causes me to want to give notice that here is a front which will invite, from me, at least, absolutely no tolerance.

The line, it seems to me, now is very clearly drawn.

Mr. BONE. Mr. President, will the Senator yield?

Mr. NYE. And I wish this Congress could be caused to rise up and express what is really in its heart in contradiction of voices that have been speaking and, because of the exercise of tolerance, have left the impression that those few voices were the voices of the whole Congress. I insist, Mr. President, that the introduction of the joint resolution to which I have referred constitutes a challenge which cannot be ignored, and I hope the Congress is aware of the degree of clarity which has been drawn by this very act.

I now yield to the Senator from Washington.

Mr. BONE. I wonder if the Senator from North Dakota has read the recent statement of the chairman of the Committee on Foreign Affairs of the House of Representatives, who pointed out to the country that the presence of the cash-and-carry provision in the existing neutrality law had kept our ships out of the war zones and had prevented the happening of those incidents which inevitably and invariably lead to war and which led us into the World War; and that the American people had much to be thankful for because of the existence of the statutory provision preventing the entry of our ships into the war zone? I wonder if the Senator recalls that statement?

Mr. NYE. I did see the statement.

Mr. BONE. I intend to put it into the RECORD later when the proposal is made here to abandon the one sure safeguard we now have against the sinking of our ships and the inflammatory incitements which, of course, follow such incidents.

Mr. NYE. I hope the Senator will cause the insertion of that statement in the RECORD and in connection with it——

Mr. CLARK of Missouri. Mr. President——

The PRESIDING OFFICER (Mr. HILL in the chair). Does the Senator from North Dakota yield to the Senator from Missouri?

Mr. NYE. I will yield in a moment. In connection with his suggestion, I wish to state that nothing has served America to better advantage during recent months than the existence upon the statute books of the neutrality law and the Johnson Act. I insist that, except for the existence of those laws, America today would be much more dangerously near to war than it is, and, perhaps, would actually be in the war.

Mr. CLARK of Missouri. Mr. President, I should like to ask the Senator from North Dakota if he does not fear that in the performance of his official duty under his sworn oath to perform his duty as a United States Senator, by expressing the views he has just expressed he may again incur the imperial disdain of the London Daily Express, which, in an article appearing this morning, or at least recorded this morning in the Washington Times-Herald, jubilantly announced that the United States was coming into the war immediately and wound up with the remark:

> Smart aleck GERALD P. NYE and ageing HIRAM JOHNSON, who framed the law forbidding credits to the debtor nations, are the only bulwarks of isolationism left.

I think the correspondent of the London Daily Express and a great many others will find many another Member of the House of Representatives and of the Senate sworn under oath to represent the interests of the United States and not the interests of anybody else, who will be stalwart to the last ditch and oppose the entrance of the United States into the war, no matter what the London Daily Express may say.

Mr. NYE. I thank the Senator for his observation and will say that, perhaps, the references in the article are as nothing compared with the things that some of us, including the Senator from Missouri, will be called before the present session of the Congress shall adjourn or before this question shall finally be settled.

Mr. BONE. Mr. President, will the Senator yield?

Mr. NYE. I yield the floor.

Mr. BONE. I should like to call the Senator's attention to the fact that in the article the Senator from Missouri [Mr. CLARK] referred to the Daily Express jubilantly announces that "the United States is coming in" and predicts American conscription within a month. And then it makes the further announcement, which should please everybody in America, that—

> Not only will manpower be conscripted but money, materials, factory space, and everything else.

It is a very pleasant prospect to know that we are about to embrace totalitarianism in order to fight totalitarianism.

Mr. NYE. Is the Senator from Washington at all surprised——

Mr. BONE. Not at all.

Mr. NYE. At the conclusions which are being drawn abroad, in the light of what has been the path on which we have been moving for the last number of days? I am sure he is not surprised.

COMISION MIXTA DEMARCADORA DE LIMITES ENTRE COLOMBIA Y PANAMA AND JOSE ANTONIO SOSSA D

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 3196) to amend the act approved May 24, 1938, entitled "An Act for the relief of the Comision Mixta Demarcadora de Limites Entre Colombia y Panama" and for the relief of Jose Antonio Sossa D, which were, on page 2, line 19, to strike out all after "$1,398.46" down to and including "precedent" in line 20; and on page 3, line 2, after "act", to insert "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding.

Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

Mr. REYNOLDS. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

APPROPRIATIONS FOR WORK RELIEF AND RELIEF

The Senate resumed the consideration of the joint resolution (H. J. Res. 544) making appropriations for work relief and relief, for the fiscal year ending June 30, 1941.

Mr. DAVIS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Danaher	La Follette	Schwellenbach
Andrews	Davis	Lee	Sheppard
Ashurst	Donahey	Lodge	Shipstead
Austin	Downey	Lucas	Slattery
Bailey	Ellender	Lundeen	Smith
Bankhead	George	McKellar	Stewart
Barbour	Gerry	McNary	Taft
Barkley	Gillette	Maloney	Thomas, Idaho
Bilbo	Green	Mead	Thomas, Okla.
Bone	Guffey	Miller	Thomas, Utah
Bridges	Gurney	Minton	Tobey
Brown	Hale	Murray	Townsend
Bulow	Harrison	Neely	Truman
Burke	Hatch	Norris	Tydings
Byrd	Hayden	Nye	Vandenberg
Byrnes	Herring	O'Mahoney	Van Nuys
Capper	Hill	Overton	Wagner
Caraway	Holman	Pittman	Walsh
Chandler	Holt	Radcliffe	Wheeler
Chavez	Hughes	Reed	White
Clark, Idaho	Johnson, Calif.	Reynolds	Wiley
Clark, Mo.	Johnson, Colo.	Russell	
Connally	King	Schwartz	

The PRESIDING OFFICER. Ninety Senators having answered to their names, a quorum is present.

The question is on the amendment of the Senator from Georgia [Mr. GEORGE], as modified, to the amendment reported by the committee.

Mr. THOMAS of Utah. Mr. President, I should like to discuss briefly the amendment in regard to the C. C. C. trainees.

Those of us who have watched the growth and development of our C. C. C. camps, and the technique for taking care of the trainees in those camps, are, of course, proud of what has been done; and we are also appreciative of the great morale which has been built up in the hearts and souls of so many hundreds of thousands of our young men.

Mr. President, this is a time of national defense. It is a time of emergency. No one can criticize anyone who wants to do his part, who wants to offer suggestions, who wants to make it plain that the nation should rise, as it were, as one man in response to the great need that seems to be hanging over us; but it is about that need that I should like to be a bit thoughtful.

There are coming into our vocabulary, and into the minds of people, and in letters, such phrases as "It is now time for universal military training"; and some attach another word, and say "compulsory military training." That may be true; and if the persons who use the expression mean universal compulsory military education, no one who believes in democracy and the responsibilities of all persons in a democracy to do their individual part can be opposed to the theory.

Some persons, however, have wanted what they called "universal compulsory military training" only for certain groups, only for certain persons. There has always been an urge to try to militarize in the narrowest sense—not in the broadest sense—the C. C. C. enrollees. The first bill on the subject which was introduced in Congress was a bill that read almost like a general order, and, if enacted, probably would have resulted in more or less of a regimentation, in a military sense, of the C. C. C. boys.

That bill did not become law, because those in favor of the C. C. C. were in favor of putting it upon a higher and greater plane. It was therefore put upon a plane of conservation, of taking care of our national resources, of taking care of young men who were out of employment, for, so far as the first C. C. C. law was concerned, it was strictly a relief measure. It was also put upon the plane of giving the boys a chance at some kind of socialized living and an opportunity for some educational facilities. The educational facilities are voluntary to this day. There is no forced education in the camps. The boys can get what training they are able to take, but they are not forced to take even that kind of training, because they are hired for other purposes.

Three or four years ago, when we were considering the renewal of C. C. C. legislation, I offered an amendment in the Senate, which was adopted, providing two things: First, that the C. C. C. should be made permanent; and second, that there should be taken from the C. C. C. enrollee the stigma of belonging to a class of people who were necessarily on relief. I made the point that no one in a democracy should make it possible to say of any group of people in the country that the country had to take care of them. Therefore, we succeeded in getting away from the relief idea primarily, breaking down the idea which was expressed in the old law of "boys in needy circumstances," changing it to "boys in need of employment," and today the C. C. C. is open to all boys of a certain age when they are in need of employment.

I shall not speak against military training, because I believe in it, but having had something to do with directing military training, I know what it means, and I know the responsibilities of those in charge of the training. The C. C. C. camps and the C. C. C. enrollees are not the proper kind of material, as they are at present constituted, for military camps or for military training. In the first place, each camp is limited to approximately from 155 to 200 boys. It would never be possible to go further than the school of the soldier, the school of the squad, and, at most, the school of the platoon. The camps are located in places which are ill fitted for military training in the sense of military drill, which is probably the least important of all the activities indulged in in the training of a great army.

There is another and a most important thing. Remembering well the experiences of our last great mobilization, I trust that our Government will be wise enough to see to it that never again will it call men to training until it has first prepared the trainers. There is nothing worse than assuming that there can be an educational institution or training institution without teachers and without trainers. Military training today begins and ends in men, and somewhere along the line the machine comes into the picture.

If we must take our example from what has been probably the most successful military achievement in the history of modern times, if we must take our example from Hitler's arrangement, let us point to the fact that he had men marching, training in the elements, for 2 or 3 years before they had arms, before they had guns, and when the time came for the use of military airplanes, there were scores of pilots already trained to assume the responsibilities of military aviators.

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I am glad to yield.

Mr. LA FOLLETTE. The Senator has had a good deal of practical experience in connection with Army training, and I should like to ask him if he can envision how this program would work if the amendment offered by the Senator from Georgia were adopted. What puzzles me is how it would be possible to carry on the work of military training and the work of the Conservation Corps simultaneously. As I understand, military training of itself requires intensive, concentrated, and prolonged activity, and I cannot see how these two operations could be dovetailed and made to synchronize and work together. I wish the Senator, from his long experience, if he desires to do so, would expound on that point.

Mr. THOMAS of Utah. I shall be glad to do so. There is nothing worse in military training than a situation where the military trainers have only one-third or one-fourth of the trainees' time. In the first place, the Army would have a difficult task in attempting to furnish the material for training and to provide the right kind of officers. The officers should be in the camps which devote all their time to

military training, for when a soldier is trained, if he is to be trained properly, he should be a soldier for 24 hours out of every day, not merely for 2 hours.

Mr. GEORGE. Mr. President, will the Senator allow me to say that it never was my thought that we would organize an army in the C. C. C. camps? My amendment provides for voluntary elementary military training, that is all. I think the Senator from his experience knows very well that elementary military training can proceed without a gun or without a weapon in the camp. It is not the purpose to organize the Army of the United States and train the members in the C. C. C. camps; that is not the purpose at all. I think the Senator, from his ripe experience, must know that discipline is worth something, and I think also, if I may be permitted to say so, that it is passing strange that only suggestions for the national defense which come from certain quarters are worthy of any sort of consideration. I say again, if this country is to be carried into the war, we might as well be ready to draft from four to six million men, because it does not matter what may be said about men not being needed, if we go into this war, men, and men in large numbers, will be needed, and will be absolutely necessary.

I have offered a simple proposal, that the President, in his discretion, and under such rules as he may desire to prescribe, may initiate, not a compulsory system of military training, but a voluntary system of elementary military training. I have offered the amendment in all good faith, and I myself do not hesitate to state that for one I would not stand here and say that I favored putting this country into position to defend itself, and at the same time oppose this proposal. To my mind the two positions simply cannot be made to harmonize. There is not a thing compulsory in what is proposed by the amendment, there is not such a thing contemplated as the training of men as they are in the United States Army, but only elementary training, on a purely voluntary basis.

I am not offended with the Senator from Utah, but I am seriously disappointed that administration leaders would oppose such a program as this, and I wish to say now that the country will not understand why it is proposed to raise vast armies of men and at the same time deny the President the authority to inaugurate a system of voluntary training. Even the President could not make it compulsory. It would be training in the most elementary military tactics. The two attitudes simply cannot be harmonized; the country knows it, and no amount of sophistry, in my opinion, will persuade the country to the contrary.

These boys are in the camps; they are housed by the Government; they are paid by the Government; they want to take this training in hundreds of thousands of cases; and when it is proposed to train them for the noncombatant service, and yet to give them a training directly connected with the military, my proposal simply is to give the President the authority, if he desires to use it, to inaugurate a voluntary system of elementary military training.

Mr. President, I am at a loss to understand some sources of opposition to my amendment. I respect anyone who is opposed to any sort of military training, in school or college, or any place else. I respect the conscientious objector if he is really conscientious. But when we vote $5,000,000,000 for national defense, when we have only a small Army, when tomorrow we may want to call these boys out of the C. C. C. camps and put them in the Army without having given them a single hour of training, or having given them an opportunity to take it if they voluntarily chose it, that seems to me to be unfair to them.

Mr. President, I may say that I almost regret having offered the amendment, because it has disclosed that there is only one kind of national defense wanted, and that is the kind that certain groups are proposing. I am speaking very plainly. I am not saying this with reference to the distinguished Senator from Utah, but I am saying it nevertheless.

Now, if we mean what we say, if we really are willing to give those men a chance to become prepared, certainly we should allow the 200,000 or more young men of military age who are in the C. C. C. camps, most of whom are physically fit, to have the opportunity voluntarily to choose military training. The camps are in Government hands already under military officers. There are mechanics of military officers at every single one of these camps who can give these boys elementary military training with not a dollar's additional expense, without a dime's outlay of money.

Mr. President, I repeat, I almost regret having offered the amendment, because it is so palpable that the amendment comes from the wrong source.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. WILEY. I merely desire to express an opinion or two, and I thank the Senator from Utah for yielding to me. Some one asked when there would be time for the boys to take the proposed training. It is my experience from observing the militia in my own State that the members of it are trained two or three nights a week. We are all concerned with the matter of preparedness. We all concede that we must prepare at once, as fast as we know how to bring it about. Someone said that when Hitler marched into Poland every sixth man had a machine gun. I am thinking of the C. C. C. camps, where we find bright, alert young men, who do not know anything about the mechanics of a machine gun. If 2 or 3 hours a week were devoted to giving them knowledge in that respect, while I pray God they will never have to use it, it seems to me that such training would fit right into the program of getting a citizen army ready to meet any emergency.

I believe that such training is far more important than simply looking after gulleys, or even timber replacement, at this time, when we are talking about getting the Nation ready to meet the emergencies which we see are in the offing.

If only 1 hour every other day were devoted to educating those young men who voluntarily would agree to receive training in relation to machine guns, they would soon be able to master those guns, and in the days that lie ahead, if we should need one machine gun to every six men, in the manner Hitler supplied his men with machine guns, then the men would have a knowledge of how to handle such guns.

Mr. THOMAS of Utah. Mr. President, I am very sorry if I offended the Senator from Georgia. So far as I am concerned, I did not know what he was talking about. I am a member of the committee that handled the matter, and at times I have been called the co-author of the C. C. C. act, and I feel that I know something about the objectives of that organization.

It is about military training that I should like to talk, if that is the field which it is better for me to discuss. There can never be a real army unless the men who compose it are healthy. While, of course, I have no right to speak as a military man, I may say that from the experiences of the mobilization of 1917 we found that what was needed most is what the C. C. C. camps are supplying today—men who have learned to live together, men who know something about social and mental hygiene, men who have learned how to become companionable with people they have never seen before, men who have learned something about health. I venture to say it is of the greatest possible worth to the Army of the United States to be able to turn to 2,000,000 men who know how to take care of themselves, even in such a simple matter as athlete's foot. They have probably received what is equivalent to the first 3 or 4 weeks of actual military training, and by military training I mean training in the school of the soldier, the school of the squad, the school of the platoon, and so forth—the fundamentals of infantry training, which is in the minds of every one who thinks of military training in the C. C. C. camps.

Mr. LEE. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. LEE. Does the Senator mean to imply that military training does not also teach the fundamentals of taking care of one's personal hygiene?

Mr. THOMAS of Utah. Of course not. I am merely saying how much finer it would be if the Senator were a captain, and he was given 100 or 150 boys——

Mr. LEE. I was an assistant buck private.

Mr. THOMAS of Utah. Very well. If the Senator were a buck private, would he not feel a little better if he knew that the other seven men of the squad—the numbers in the squad have been changed now, but I will refer to the old formation—had been given elementary training in personal health, personal sanitation, personal hygiene, and things of that kind?

Mr. LEE. Mr. President, if I had had several months' training when I went into the Army I might have become a captain, and if the C. C. C. boys had the fundamentals they might become officers if they have an opportunity for promotion. If they had received the training we have been speaking of, today 2,000,000 young men would have received sufficient training to save the first 3 months of military training, and be able to do close-order drill. If they were given such training it would take nothing away from the other benefits they receive, and there would be saved the time necessary to give them that training later.

Mr. THOMAS of Utah. Mr. President, there are now 2,000,000 men who have received elementary training. These men are ready to go to officers' training camps. They have 3 months,' 6 months', some of them 2 years' jump on the trainees of 1917. Men in 1917 were admitted to officers' training camps after having obtained merely high-school cadet's commission in some kind of ordinary company drill. That is how bad we were off with respect to the fundamentals at that time. Think of the fundamental training the C. C. C. organization is giving. It is training men in baking, to be company cooks, in road building, to understand and to use machines of various kinds. A truck driver is a very important element in any army. A man who could operate a truck, who understood map reading, who understood map making, making the necessary arrangements for ordinary, easy road building, would have been a very desirable individual in 1917.

The C. C. C. will now supply what was most needed in gathering together men in 1917. Let us not take away from the C. C. C. boys the hours they can spend in operating gas engines, in working on the theories of mechanization, and the proper care of gasoline, nor take away from them the experience they get around their supply depots, which would make them ideal assistants, and perhaps junior officers, in the Quartermaster Department.

All those things which were so essential in 1917 are the things which the C. C. C. is now doing.

Incidentally, Senators will find the training provided in the bill to be restricted to—

> Cooking, baking, first-aid to the injured, operation and maintenance of motor vehicles, road and bridge construction and maintenance, photography, signal communications, and other matters incident to the successful conduct of military and naval activities.

There is probably only one thing listed which the present staff of trainers in the C. C. C. cannot teach, and that is the technique of photography. In that field an expert should be required to do the teaching. But so far as the other things are concerned, the men are given an opportunity to fit themselves to be the best kind of soldiers, the type of soldiers any officer would be glad to have among his noncommissioned officers and enlisted men. The military men and educational directors who are now attached to the C. C. C. give excellent supervision to the C. C. C. in two particulars—first, the particular of health, and second, the particular of supply.

There is much to be said for the present C. C. C. and the splendid way it is working. If we are thinking of military training, let us make better the things which the C. C. C. is doing well. Then, when the time comes for intensive military training, let us send the men where they will be soldiers for 24 hours a day.

A man who is now a major general in the United States Army once felt that he was prevented from teaching discipline to the C. C. C. boys because it might militarize them. I said, "General, the essence of good behavior of a military man is politeness and respect for others. There is no provision in the law which makes it impossible for a military man to tell a boy to be polite, and to stand properly when he is facing a general, colonel, or major, or whomever he happens to be addressing." The general had been telling me that as an Army man he could not understand why the C. C. C. boys did not come to some sort of attention when he went to talk to them. I said, "General, I cannot understand it, either. What is the matter? That is not military training. That is training in life, decent habits, and decent behavior." He said, "Do you think it would be proper for me to talk to the boys about the simple elements of military training? Would I be chastized? Would it be assumed by someone that I was interfering and trying to militarize the boys if I should tell them to be proud of the uniform they are wearing, and a few things like that?" I said, "Try it, General, and see who will criticize you."

That man was given credit for having had in his corps area the boys of the best conduct; and 2 years afterward he told me, "I did not realize how much a man could do merely by having a changed attitude." He did not give them any military training. He taught them what every officer wants from his men, and that is the thing which is called morale, or esprit de corps. It is the thing which has made the Army famous whenever it has been put to the test.

No officer of any consequence shouted his commands in the ordinary way in going over the top. He had his men trained. The command was simply, "Let's go," and most of the time the officer had a hard time keeping up with his men if they were properly trained. I know one colonel who told me that it took him 2 weeks to catch up with his regiment. I asked, "Why were you behind?" He said, "I was behind because I had a boy whose hand I had to hold."

There was an officer. I said, "Did you save the boy?" He said, "I surely did. He is now a fine soldier. I held his hand, and we went forward together."

Those are the things which make for military training. It is the building of manhood. It is the making of men. The idea of thinking that 2 or 3 hours a day must be devoted to close-order drill! Let me answer the Senator from Georgia as straight as I know how to answer him. Any man who has been through close-order drill knows what I mean. Many men were drilled for a whole year without ever having their hands on a real weapon. That did something to them so far as being soldiers was concerned. Many men were hurt by being left behind because full equipment was not ready for them; and when they were sent over to the other side they had to go into training camps and train.

Why do we want to interfere with the things which are so basic and essential, things which go along with training, but which are better if they are antecedent to training? It is not merely a group of administration men who do not want military training in the C. C. C. It is the greatest generals in our Army today, first, because those generals know that before we can take care of trainees properly we must train trainers. I say that the most wicked thing a government can do is to call men to the service and tell them to take the orders of men who are incompetent to give orders. I know that the Senator from Iowa [Mr. GILLETTE] will bear me out in that statement. The saddest thing that can come to anyone who is responsible for training men is to find himself with a contingent—say a couple of hundred men—to be trained along a particular line, sent from a warm climate to a cold climate without overcoats, shoes, and blankets, when he himself has nothing to give them.

Let us not start this great military training in a way which will hurt the men. Let us start it in a way which will build them up. If another great emergency should come, let it never be said that we lost more men in bringing them under the colors than were lost from enemy bullets. Let us decide that what we shall do in this emergency is to keep our minds on building men and making them useful for some vocation after they leave the Army, and not merely to train them as soldiers.

The C. C. C. boys are receiving such training. The director of the C. C. C. may award what the boys call "diplomas" for proficiency. Let me remind the Senate that 90 percent of all the enrollees in the C. C. C. have not finished the eighth grade. If the men are to be good soldiers they need other

things in addition to being given a chance, as someone has said, to take care of themselves in an emergency.

Mr. President, there is no disagreement between the Senator from Georgia and myself. We are both talking about the same thing. The only question is as to the method of accomplishing it. I say that from the standpoint of good training, from the standpoint of the development of manhood, and from the standpoint of the evolution and development of our democracy, the worst place on earth to start ordinary elementary military training—and by that I mean teaching boys how to march—is in one of our C. C. C. camps. If we want to make soldiers of them, let us give them all that the C. C. C. camps can contribute to making good soldiers. In an emergency, if I could have a regiment composed of C. C. C. boys who had qualified in the elements of personal health and social living—taking care of one another, and knowing what to do—I could ask for no finer regiment, and I could trust two or three of my officers to give them very quickly, on a 24-hour basis, the military training which they would receive very poorly on the basis of 2 hours a week for 3 months.

Do not let us cheat these boys. In 3 months' times they can be made good truck drivers, but even if all their time was given to military training in the camps, as they are now constituted, they could not be made soldiers in 3 months' time, and probably by undertaking to do so more harm would be done than good, for, when a man is a soldier, he ought to live the life of a soldier, and there is in the C. C. C. camps a divided discipline. There are trainers in forestry, for example; there are trainers in education, for example; and then there are military men who are responsible for the maintenance of the camps, the cooking, and sanitation. Think of the number of officers who have gained, through C. C. C. activity, what is essential in any kind of military training, the knowledge of how to take care of men. They have learned more in discipline because they have learned how to discipline these men without what is termed ordinary military discipline.

A general of the Army in appearing before us at the hearing on the first C. C. C. bill—and the Senator from Massachusetts [Mr. WALSH] will remember the incident, I am sure, because he was present all the time—made the point that it would be utterly impossible to take 200 men and hold them in discipline without military discipline being forced upon them. I said, "Well, General, I have had classes as large as 900 and I have never been mobbed; nothing has ever happened there; I have never had a case of discipline in my life, and I have been with young men for 20 years. If you say the military man cannot control 150 men or boys without having military discipline, without having a burly top sergeant squat down on them, I say there is something the matter with your soldiers; there is something the matter with your army; and if your army is operated on that kind of discipline you have an army that you cannot count on in this democracy of ours in an emergency." The General said, "Well, I misunderstood you." I said, "I am glad you misunderstood me, because I do not believe that any Army officer, with the training of West Point or with the training which he gets from the R. O. T. C., ever feels that he has got to have military discipline to control 150 men."

How many men, may I ask the Senator from Iowa, did he have to discipline during the last war by squatting down on them?

Mr. GILLETTE. Mr. President, so long as the Senator has asked me the question, may I briefly state a personal experience? I was transferred to the command of a group of 480 men in France. My predecessor said that one-third of them had been "A. W. O. L." and in the guardhouse on every pay day since he had had command; that they ought to be in the penitentiary instead of the Army. I had that group for 5 months. I brought them back to Fort Leavenworth, and in all that time there was not one case of discipline. I took the third of them out of the guardhouse at the time I assumed charge; I ordered their release; there was not one from the time that I took them over until they were discharged who needed any discipline, and they were the finest soldiers that ever walked in uniform.

Mr. THOMAS of Utah. I thank the Senator, and I know if I called on others of his colleagues their testimony would be similar. There is something about an American boy that makes him respond to the call of duty.

Mr. WALSH. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I am glad to yield.

Mr. WALSH. Most of the boys in the C. C. C. camps are those who are handicapped by certain economic misfortunes, are they not?

Mr. THOMAS of Utah. In general; yes.

Mr. WALSH. Preference is given to those boys whose families are on relief?

Mr. THOMAS of Utah. Who are in need of employment. We took out the word "relief," as the Senator will recall, and changed it to read "boys in need of employment."

Mr. WALSH. I am disturbed about the proposal made here. These boys, with their economic misfortunes, can be subjected to a test of their patriotism by having an option whether or not they choose to take preliminary military training. I do not think it is fair to these boys. Let us treat all American boys alike. Let them all be treated alike in preparation for the military service. I think the boys who are in high school, in college, and in comfortable homes, the boys of the rich as well as of the poor, all American youths, ought to be given the same test, the same implied requirement—and it is an implied requirement—that they prepare to train themselves to serve their country in a military way. This proposal is really a notice that the C. C. C. boys will be the first to be drafted. I should like the Senator's observation on that point.

Mr. THOMAS of Utah. Of course, I am in complete agreement with what the Senator from Massachusetts has said. As I said in the beginning, if we are going to have universal military training in our country, let us have universal military training and not impose it upon one group and not another.

Mr. LEE. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. LEE. As a matter of fact, the boys of those in a better economic condition have the opportunity of military training, either at military academies to which their parents are able to send them, or at State universities, which have compulsory R. O. T. C. It takes an hour or so every day from their classes, but it does not seem to interfere with their studies. So the boys in better economic condition have the opportunity. I do not see why we should withhold the same opportunity from the children of the poor.

Mr. THOMAS of Utah. Mr. President, the enlistment in the C. C. C. is on the basis of 6 months. I do not think the Senator from Oklahoma will find a single credit-hour given for 3 months of R. O. T. C. work. That is a point I have tried to make over and over again. If we are going to give the men in the C. C. C. camps military training, give them military training, but do not cheat them, do not make them think that they have had a military training when they have not. It is impossible to train a boy for 2 hours a day for 3 months or 6 months and make him a trained soldier so far as the military side of the question is concerned, but other kinds of training can be given in that time. Let us do only what we can do, and do it well, and be proud of that, rather than cause a breakdown in our defense program when the time comes for universal training.

Mr. NORRIS. Mr. President, I desire, if I can, to discuss this question on the same high plane followed by the Senator from Utah [Mr. THOMAS]. I have listened to most of the debate on this question yesterday and today, and it seems to me we have drifted away from the point at issue. We have been very highly entertained by many eloquent addresses which have been made by Members of this body on this question, but, as I see it, they have had little to do with the question which confronts us. I am wondering, Mr. President, if, after all, this discussion has not taken the course it has because of the great feeling of unrest, due to world

conditions, and if hysteria has not had something to do with the debate that has taken place on this question.

To my mind, there is presented the question of compulsory military training. That question has two sides. On either side, I concede, very able, logical, and forceful arguments can be made. But every Senator must admit that this is a question on which our people, regardless of present war conditions, are divided; and neither side has all the patriotism or wisdom which may be brought to bear in a decision of the question.

There are many persons who are opposed to compulsory military training. They are just as patriotic and as well-meaning as those who believe in compulsory military training; and over this vast land there are millions of humble homes where the mothers and the fathers, interested in the lives and the preservation of their boys, honestly oppose compulsory military training.

It is not for us to cast them aside with a wave of the hand and say, "You are wrong, and we are right," when we ourselves do not agree upon the question. It is not enough to wave them aside and say, "You lack patriotism if you are not ready to arm and train yourselves for the defense of your country." There are two sides to the question.

I confess, Mr. President, that I myself am opposed to compulsory military training. Because I am opposed to it, perhaps I am prejudiced in favor of other persons who are opposed to it. Because I am opposed to it, perhaps I am not fair—though I am not conscious of it—with those who favor it.

Personally, I am willing and glad to concede that there are many things about military training that are beneficial to the boys and the men who are trained. Many things come from the training that contribute to the physical well-being of the boys who are trained, whether it is the military training itself or whether it is the ordinary training so well described by the Senator from Utah [Mr. THOMAS], including such things as looking after the boy's own health and the health of his comrades, teaching him to do the ordinary things of life, giving him the necessary training that will help him physically, and perhaps morally, and even spiritually. Some of those things are common both to military training and to nonmilitary training.

What is the object of the Civilian Conservation Corps? What were we seeking to accomplish when we set it up? As I see the matter, first we wanted to utilize the services of these boys as a matter of conservation of the natural resources of the country. Everyone will concede that to be a worthy object. Second, we wanted to improve the physical and moral condition and equipment of the boys themselves. Every one must concede that to be a noble purpose. We started out on that basis, and I think we have made a success of the undertaking. I think we may look back over the record of the C. C. C. camps with a great deal of satisfaction.

But where do we get these boys? I admit that the Government has a right to say, "You cannot come into the Civilian Conservation Corps unless you will consent to take military training." The Government has that right. So far as I know, nobody denies it. The Government may affix such a condition if it wants to; but where do these boys come from? From the poor homes of the country. Everybody concedes that. They come from families that are poor, families that perhaps are on relief, supported by taxation. They are enlisted in the C. C. C. camps. They perform various duties, and are taught various things. Anything that will help them physically or morally, make them better citizens, and better equip them for life's work, is commendable and is to their benefit, and in a general way goes to upbuild the general citizenship of the country.

In order to compensate the Government for its expenditures in connection with this education, let me call it, certain things are exacted. The boys are put to work building dams, constructing roads and bridges. They are taught how to use trucks and automobiles. They are taught how to perform all kinds of physical labor, all for the benefit of the people at large and for their individual benefit, I concede; but when we started this work we did not require as one of the conditions an agreement that they should be compulsorily trained in military tactics. Would all of them have come in if we had?

In many of these millions of homes of poor people, fathers and mothers—whether right or wrong, but with an opinion that they were justified in holding and had a right to hold—were opposed to compulsory military training; and, poor as they were, they would have denied the help proffered by a good government such as ours if one of the requirements had been that their boys should be compelled to submit to military training. You may say they are wrong; but that does not change the situation, as I see it, in any degree. They hold an opinion which is just as sacred to them as your opinion is to you when you say they are wrong.

So I am not charging those who believe in compulsory military training, those who think we ought to have had it as a condition from the beginning, with any lack of fidelity or patriotism; but if we had had such training it would have kept out of the C. C. C. many thousand boys who deserved the present training as much as anybody else did. Now, since they are in the C. C. C., to require them to take military training would break the hearts of fathers and mothers in the humblest of homes where there is nothing for tomorrow's table, nothing for next month's clothing, and no fuel beyond the week.

That is the kind of persons who are interested; and should we not respect their judgment? I admit we could proceed without doing it; but will any Senator say that if it were not for the present war conditions in the world an amendment of this kind would have any chance whatever of being adopted?

We have gone on for all these years without such a condition. We could not have put on that condition when we established the C. C. C.; and if it goes on now, in my judgment it will go on because of the sentiment and the feeling—perhaps justified—of a world-wide condition in which our Nation has a great interest.

Mr. President, a week or two ago I had a talk with a young man who is a graduate of one of the leading universities of the United States. After he had completed that course he took a course in law in the same university and finished it and was admitted to the bar. Following his father, however—whom I know very well—the young man wanted to do something to help the unfortunate people of America in the condition that confronts us; and before engaging in practice, before starting out to try to make his living as a lawyer, he decided that he wanted to spend a couple of years in the C. C. C. camps doing what he might be able to do to elevate the unfortunate members of the C. C. C. camps who are there because of poverty and because their families are on relief. He was given a position in a C. C. C. camp. I do not know now what it was called, but he was engaged in educational work. He was stationed in one of the camps and I think had under his jurisdiction 2 or 3 of them. He told me that of a little over 300 boys within his jurisdiction, there were 169 who could neither read nor write. It was amazing to this young man. He told me of his struggles in his attempt to do something to induce these 169 young men to attend school each evening for the purpose of learning to read and to write, and how he felt his work had been a failure because of the way the time of the boys was taken up. According to his story, which I believe absolutely, some new regulation was necessary in order that a portion of the time of these boys could be devoted to the kind of work he wanted them to do, so that he could help in giving them an education—not only teach them how to use tools, not only teach them how to shovel, not only teach them how to operate a truck or a plow, but to teach them how to read and to write. Is not that fundamental? Is that not as important for a military man, for a farmer, for a businessman or a professional man as anything? Is not an education the cornerstone of our Nation, after all?

As he related the story to me, the difficulty was that there was not time to devote to that kind of training. Already the time of these boys was taken up to such an extent that he

realized they did not have enough time for recreation and sports of various kinds, which everyone concedes are necessary in every organization of young men or boys.

As the Senator from Utah has shown, now to add the necessity of taking military training, it seems to me, would not only be unfair to the boys but would be in direct contradiction to the very fundamentals of the organization of the C. C. C.

Mr. WILEY. Mr. President, would it not be eminently fair to give the boys the option as to whether or not they wanted to take the training?

Mr. NORRIS. I am glad the Senator asked that question. I wanted to discuss that point, and, since he has asked me the question, I will do so now.

I may be all wrong about the matter. I do not believe I am prejudiced, but my idea is that the effect of this amendment, if it were put into the law, would be in practice to make military training compulsory, although it says it shall be voluntary. What would a young man who is going into a C. C. C. camp say? He may perhaps have little or no education, and he is asked, "Do you want to be trained in a military way? Do you want to do something for the Federal Government, which has made it possible to give you this advantage? Do you want to repay Uncle Sam?" What would the boy do; what would you do; what would I do under those circumstances? The chances are 10 to 1 that we would put ourselves down in the military-training class, and when that is done then, I submit, military training becomes compulsory to the boy. We could not have military training which would permit the boys to absent themselves today, or tomorrow, or the next day. When they once go into it they will have to be trained every day, the same as with everything else, and after they have signed, to them military training becomes compulsory.

Mr. BROWN. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. BROWN. I would agree with practically all the Senator says if the military training were to be compulsory. I cannot see how the Senator can make the contention that it is in any way compulsory. I call his attention to a situation in his own great University of Nebraska, which, I understand, has in connection with it a land-grant college, and to my own Michigan State College, at East Lansing, Mich., which is also a land-grant college. By no means is there any attempt on the part of the collegiate authorities to compel the students to take military training. It is entirely optional, in exactly the same way the military training would be under the amendment proposed by the Senator from Georgia. I am not able to give the exact figures, but I think there are about 6,000 students in Michigan State College, and, as I recall, about 1,200 or 1,500 take military training. Many of them there feel that there are other lines of exercise and endeavor into which they prefer to go, and I think the same situation should apply to the civilian conservation camps.

Mr. NORRIS. Let me answer the question, which is a very proper one, I concede. Let me take the Senator's own university, or the land-grant college of which he speaks.

Mr. BROWN. It is the State college, not the University of Michigan.

Mr. NORRIS. I think the conditions are entirely different from what would be found in a C. C. C. camp. Perhaps the work a man is doing in a C. C. C. camp is in the woods of Maine. There are certain projects on which he is going to work, which will take a couple of years. He is located up in the woods. On the other hand, here is a State college in Michigan, in a city, where all kinds of vocations and all kinds of activities are open to the students, where the homes and the stores and the business places are all open. It is different in the camp in the country. There is only one occupation, and that is the work in which the C. C. C. camp is engaged—developing a certain project—whatever it may be.

There is no choice for the boys, as I see it. It seems to me, if I were in that situation, there would not be any choice presented to me. I would have to take just one thing. What is the young man going to say? If there were raised, even indirectly, the question that he should do this for Uncle Sam, since Uncle Sam is doing such a great thing for him, what would he say? I think I would go into the training, opposed as I am to compulsory military training, without any hesitancy, if it were presented to me in that way by my superior officer, by the officials, for whom I would undoubtedly have great respect, even though I had never previously known them. I would follow their adivce, and, in my judgment, if the amendment of the Senator from Georgia becomes the law it will in most cases result, in practice, the same as though it provided for compulsory military training.

I confess I may be wrong about that; it has not been tried; but it looks that way to me, and that is what I am fearful of. I do not want to say to the mothers and the fathers in thousands of homes, whose boys are sent to the C. C. C. camps, that they do not have to train if they do not want to when I believe that it will be the object of those in charge, the military officials, to have them all take military training; and they can easily make it almost impossible for the young man to refuse.

Mr. BARBOUR. Mr. President, will the Senator from Nebraska yield?

Mr. NORRIS. I yield.

Mr. BARBOUR. There is one thing which has weighed very much with me in the whole discussion. In the presentation of the Senator from South Carolina [Mr. BYRNES] resisting the amendment suggested by the Senator from Georgia he dwelt at great length on the various occupations in which the members of the C. C. C. camps would be engaged—learning to cook, learning stenography, learning telegraphy, learning radio—and in explanation of the lack of necessity for any such amendment as suggested by the Senator from Georgia, the Senator from South Carolina pointed out that the Army itself, and those in charge of the C. C. C., had other similar occupations which they were going to stress, and which the boys were going to follow, and which would be a very important point in the program, and a very important part of it.

It seems to me that that affords a very great protection to the boy about whom the Senator from Nebraska is talking, because he can engage in many activities. He is not quite placed in the position of having to chop wood, we will say, or else face the possibility which the Senator refers to, of taking up this voluntary permissive elementary type of military training.

Mr. NORRIS. Mr. President, I do not know that I fully understand the purport of the Senator's interruption. I do not see, from what he says, what importance he attaches to the fact that there are other vocations which these young men are going to be taught. What does that have to do with their decision as to whether they will enlist or not enlist in the Army, so far as the C. C. C. camps are concerned?

Mr. BARBOUR. It has this to do with it, that all these other activities were advanced by the Senator from South Carolina as reasons for occupying the boys in those fields.

Mr. NORRIS. Yes; I think that is a good argument.

Mr. BARBOUR. I think the fact that those fields exist is some protection. I rather gathered from what the Senator from Nebraska said, that if the boy did not have the opportunity to engage in work in those fields, he would really be forced to take the other course.

Mr. NORRIS. I concede that technically he would have a choice. He does not need to do any of these things if he does not want to. But I have a fear, though I may be mistaken in that fear, I know what the man of military mind would do, and he does it with good conscience. I do not claim that he is not sincere in what he does. He does what he thinks is right, but he looks upon military training as the one necessary thing which every man ought to have in order to be a good citizen.

Mr. President, I do not agree with that idea, but I am afraid that the boys who go to the C. C. C. camps and have to make this decision, would follow—as I believe it is perfectly right they should—the advice or instructions of the officials, and that it would soon result in a C. C. C. camp boy

being almost ostracized if he should not take military training.

Mr. BARBOUR. I see the Senator's point; and I hope he does not misunderstand my position in speaking about this matter.

Mr. NORRIS. No. I am glad to have the Senator's point of view.

Mr. BARBOUR. The point I am trying to make is that those who have charge of the boys' activities during the daytime are not military persons. They are nonmilitary persons. Those activities of the boys are controlled by nonmilitary persons.

Mr. NORRIS. Yes; but I believe that if the pending amendment should become law, the Senator would find that to a much larger degree those who he says are not military persons would become military persons, that the camps would become military camps, and whether right or wrong, it would mean the exclusion from those camps of boys who come from families which are opposed to compulsory military training.

Mr. BARBOUR. I know the Senator will not misunderstand me when I say that I am not in complete agreement with that premise.

Mr. NORRIS. No. Of course, I respect the Senator's idea.

Mr. BARBOUR. Of course, I appreciate the Senator's sincerity.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. LUCAS. I have been very much interested in the Senator's remarks upon the pending amendment. I know that I follow his thought when I say that I realize that he is opposed to the amendment offered by the Senator from Georgia. I am not so sure whether or not the Senator is opposed also to the committee amendment.

Mr. NORRIS. Yes, I am. While I realize that it is impossible for me to do it under the circumstances—yet if I had had the time and the opportunity I should have tried to remodel the amendment, if I had thought there was any possible chance of its being agreed to. I have not done so, nor have I tried to do so. Perhaps I am derelict in my duty for failing to do so. I make the confession now that I may be derelict in my duty, for I do not like the committee amendment itself. I think it is pointing in the wrong direction.

Mr. President, we started the C. C. C. camps. They have been a great success. Many people tried to laugh them out of existence when they were started. I heard remarks of derision made on the Senate floor, and condemnation of the President, when the camps were first established. They were laughed at. But I think the experience of the Senator from Illinois is like my own. Whenever a C. C. C. camp has been located in his State, and the work for which it was established has been concluded, when it was attempted to move it from one locality to another, the Senator knows how quickly objections were made by the leading citizens of the community in which the camp was located, and by the commercial clubs, and by almost everyone else. They are glad to have a camp located in their community. The camps are good for the country at large, and good for the boys who are in them. After this great success has been attained I should hate to do anything which would have a tendency to keep out of the C. C. C. camps thousands and thousands of young men who ought to be in them.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. NORRIS I yield.

Mr. TYDINGS. The Senator a moment ago stated that he was opposed to universal military service, and I certainly think at this juncture of our history his ground is well taken in opposition to that program.

I may point out that we are now providing a Regular Army of 400,000 men, which we hope to have splendidly trained and equipped, and that we have a National Guard of 235,000 men, making a total land force, outside of the Reserve, of 635,000 men.

Personally I believe that military training is beneficial to the individual. I know it has been to me in my own contact with it, and I am sympathetic with the amendment offered by the Senator from Georgia.

What troubles me is that a great many boys who go into these camps are poor boys, who have no alternative if they want to stay off the streets. It seems to me that if we are not going to have universal military training we might consider quite thoroughly whether it is fair to take a part of the population, which is in unfortunate circumstances, and superimpose upon it, even though it is getting Government help—but so is the farmer, so are the unemployed, and so is everyone else—an obligation which is not imposed upon the citizenship in general.

Personally I think military training would be beneficial to the C. C. C. boys. I do not know that I shall vote against the amendment, but I know that universal military service is not necessary in the United States now, unless we want to go from one extreme to the other. I have a feeling that we are picking out a certain number of unfortunate boys and asking them to do something which we are not going to ask any other class of boys to do.

Mr. NORRIS. Mr. President, I thank the Senator from Maryland for his observation. I agree with it entirely. I believe, as he does, that the proposal is unfair to the C. C. C. boys, and that it should not be applied to them.

Mr. BARKLEY. Mr. President, will the Senator yield at that point?

Mr. NORRIS. I was about to yield the floor.

Mr. BARKLEY. I should like to have the Senator's judgment on this matter. The point made by the Senator from Maryland is similar to a suggestion I made yesterday during the remarks of the Senator from Georgia——

Mr. NORRIS. I remember it.

Mr. BARKLEY. For whom I have the greatest affection and respect, as we all do. We recognize his ability and his sincerity.

In answer to that point, it was suggested by some Senator that the military training would do the boys good. We may admit that. It was also suggested that it would be voluntary. We admit that. However, if we should have to go to war, we all know that the men who are trained would be the first to go to fight. In harmony with the suggestion just made by the Senator from Maryland [Mr. TYDINGS], I think it would be most unfortunate, as well as unfair, to create such a situation in this country that there would be devolved on the more unfortunate group in the United States the duty to do the first fighting.

Mr. NORRIS. I have the same thought.

Mr. President, an examination must be made of the boys before we begin to give them military training. Young men otherwise well equipped and who would be qualified to go into the C. C. C. camps would be rejected if their admission depended upon an examination such as the Army provides, and properly so, I think, for admission into the Army service.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. NORRIS. Let me finish.

As soon as that happens, if we are practical about it, the next step will be a physical examination on a military scale before the candidate gets into the C. C. C. camp. For that reason we might reject thousands of young men who, if it were not for the military training, might be admitted.

Mr. GEORGE. How can that be, when the training is purely voluntary?

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. TYDINGS. The observation which the Senator from Georgia has just made suggests the dilemma in which I find myself. If the boys who go to the camps want to have military training, I should like to see them have it. If they do not want to have military training, I do not want to force it on them.

Would it be possible to have some camps where the boys who want military training may have it, and other camps where boys who do not want it do not have to have it? We do not want half of a camp to be receiving military training and the other half not receiving it.

I feel that the observation of the Senator from Kentucky is sound. If we do not watch out, we shall create a small extra force which we shall call upon in time of war. If we are going to war, I want the burden of war to fall equally upon everybody in the Republic, and I do not want to create a situation in which it will fall unequally on any group.

If we could have two types of camps, one with complete military training, where everybody wants it, and the other with no military training, where nobody wants it, I should be inclined to support the amendment; but I do not think the training ought to be on an involuntary or hurtful basis.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. BARKLEY. Of course, it would be possible to do what the Senator suggests. If we should transform some of the camps into military camps exclusively, we should not have any soil conservation or reforestation. We should not have any of the activities now going on in the camps if we should convert them into military camps. Those who do not want military training would have to be sent off to some other camp where there was no military training.

In that connection, to show what might happen, according to my view——

Mr. GEORGE. Mr. President, I wish the Senator would discuss what the amendment is, and not what it might be. The discussion has proceeded for some time on the basis of what might happen, three or four degrees removed from what actually is provided in the amendment.

Mr. BARKLEY. In considering any proposed law we must always consider what might happen. I think what has been suggested might, and probably would, happen under the language which is now before the Senate.

Let us take an illustration. The Senator from Nebraska says he may be mistaken. I may be mistaken. We all may be wrong, no matter what our positions may be. Let us take the case of two carpenters in my home city or in the home city of the Senator from Georgia. One of them has work. He is making a living for himself and his family, and he has a boy coming out of high school. The boy does not have to go to a C. C. C. camp and cannot get into a C. C. C. camp because the money he would draw is not needed by his family to support them and keep them off the relief rolls.

The second carpenter has had no work for a year. He has a boy coming out of school, and in order to stay out of poolrooms and off the streets, the boy has the right to choose whether he will go to one of the C. C. C. camps or stay at home. I honor him for making the choice to go to the camp, in spite of the fact that he draws only $5 a month for what he does and sends the other $25 back home.

It seems to me we cannot escape the fact that when a boy has been compelled by circumstances to go to a C. C. C. camp and the voluntary proposition is put up to the camp, "How many of you are willing to take military training, with all it means in the future?" there is bound to operate on his mind a sort of moral compulsion to enlist for military training or possibly be accused of lack of patriotism or be charged with being a slacker, or something of that sort. I grant that theoretically there is the right of choice, but it is not quite a right of choice when we really analyze it.

Mr. TYDINGS. Not unless there are two separate camps.

Mr. BARKLEY. Yes. What I fear, and the thing which bothers me, is that by this process we may create a group upon whom the Government might be required to call first for active service in an emergency; and if they should be called for active service under such circumstances, all the boys who might be better circumstanced and who were not required to make the choice between staying at home and going to a camp would be automatically excluded. I cannot help feeling that it would be unfair and unfortunate to create that sort of a class to occupy a preferred status in regard to the call of the Government in any emergency which might confront us.

Mr. LUCAS. Mr. President, the Senator from Kentucky and the Senator from Maryland are now making an argument against the amendment offered by the Senator from Georgia, and stating, in substance, that it is proposed to set up a specially designated class of individuals on whom the Government would immediately draw in the event of an emergency. Following that line of argument, I cannot see any distinction between such a class and the class proposed to be set up under the amendment reported by the committee. Certainly a cook, a truck driver, a radio operator, a mechanic, or any individual who is contemplated under the amendment reported by the committee would be included in a special technical class in the C. C. C. camps. The man who would build a bridge would be out in front.

Mr. BARKLEY. Not necessarily.

Mr. LUCAS. The man who would drive a truck would be pretty close to the front. He might become a tank driver. I make that observation merely because under the terms of the amendment we would set up a special class of individuals to take care of certain technical needs.

Mr. BARKLEY. Those occupations are not regarded by the public, by the War Department, or by the Congress as especially hazardous or dangerous.

Mr. LUCAS. I do not agree to that.

Mr. BARKLEY. Last night I heard an address over the radio by someone whose name I do not now recall. I think he was a retired Army officer. He was discussing the matter of training an army. Perhaps he was discussing the work which is being done in Congress toward national defense. I was utterly amazed at the statement he made concerning the number of technicians required to support an army of even 400,000 men. An army requires all sorts of technicians. Their training must be different from that of the soldier, who is taught the manual of arms and goes out with a rifle or with a stick of wood which looks like a rifle, as we trained some of them in 1917.

Mr. LUCAS. Some of them were trained with broomsticks.

Mr. BARKLEY. Some of them were trained with broomsticks or other implements which were imitations of war materials. I am convinced that while, of course, the amendment of the committee does set up a special group for noncombatant training activities, such training is not looked upon in the same light as compulsory military training. When we talk about military training, we think about a man with a rifle.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. TYDINGS. My concern with the amendment of the Senator from Georgia is not with what he wants to do. If a man goes to a military camp and wants military training, if the Government is maintaining him in part, and he wants that training, I cannot see any reason why the Government should not have the benefit of his voluntary services. What concerns me is, if a camp is called Camp Barkley, for example——

Mr. BARKLEY. That is not likely, but it is a good illustration. [Laughter.]

Mr. TYDINGS. If Camp Barkley has 150 boys in it, and 100 of the boys want to take military training and 50 do not want to take military training, will they be in the same camp or will there be two camps, Camp Barkley and Camp Chandler, for example?

Mr. BARKLEY. Or Camp Tydings. [Laughter.]

Mr. TYDINGS. Or Camp Tydings. Will those who go to one camp be only those who want to take the voluntary military training in connection with their C. C. C. duties, while those in the other camp have turned it down?

If that is the contemplation of the Senator's amendment I should not be inclined to oppose it, because the transaction would be as wide open as that of a man enlisting in the Regular Army; but I do not think the two classes ought to be in the same camp. The boys who do not want to take military training ought not to be humiliated or made to feel unpatriotic. Many persons do not want to take military training, and I do not see why they should be penalized.

Mr. BARKLEY. I do not think the committee, in reporting the original amendment, contemplated that the camps would be separated so as to have in one camp all the trainees

who wish to take military training. The noncombatant training is to be carried on at all the camps where the President decides to inaugurate it, in connection with the other work.

Mr. TYDINGS. I understand.

Mr. BARKLEY. And those who do not want to take noncombatant training are not to be segregated in a special camp.

Mr. TYDINGS. Mr. President, I think the right interpretation, and the humane, equitable, and democratic way to administer the program—and I believe that is what the Senator from Georgia has in mind——

Mr. GEORGE. Mr. President, I earnestly invite the Senator to read the amendment. Very few Senators have read it.

Mr. TYDINGS. I have read it.

Mr. BARKLEY. I have read it.

Mr. GEORGE. Then I am sorry the Senator did not quite understand it.

Mr. BARKLEY. That may be.

Mr. GEORGE. I did not draft the amendment. I simply inserted one little provision in it. The whole amendment was reported by the committee. It provides:

Notwithstanding—

And so forth—

the President is authorized, in his discretion, and under such regulations as he may prescribe, to provide within the Civilian Conservation Corps such training of enrollees therein in noncombatant subjects essential to the operations of the Military and Naval Establishments.

Then it goes on to enumerate what they may be taught to do, but the provision is not inclusive, but the enrollees may be taught "other matters essential incident to the successful conduct of military or naval activities." The whole thing is in the hands of the President.

Mr. TYDINGS. Mr. President, may I ask the Senator a question there, so that I can clear up the matter for my own satisfaction? What is in his mind, I understand, is that a hundred men, we will say, go to camp——

Mr. GEORGE. I am coming to that, if the Senator will permit me. The whole thing is in the hands of the President. He is not obliged to put into the C. C. C. camps any of this training; he is merely authorized, in his discretion, to do so, under such regulations as he may prescribe. Of course, he may say, if there are any boys who want to receive a little elementary military training, they may be attached to camp B or camp C or camp D, and if there are boys who want to do the things which the distinguished Senator from South Carolina [Mr. BYRNES] said were just as essential as carrying arms—in fact, he said that out of a million men only about 240,000 of them would need a rifle, and that the others would be needed to do something else—if there are boys who want to take mechanical training in connection with their regular work in the C. C. C. camps, certainly the President would direct that they go to a camp where such training is given.

Let me say that, with very few exceptions, there are no instructors at any C. C. C. camp today who can train these young men in any of the essential things which will be necessary for the military service of the country except, perhaps, the Reserve officers. There are Reserve officers at each camp, and some of the camps have a teacher in certain vocational lines. I offered an amendment authorizing teachers to be attached to the C. C. C. camps who would give instruction in vocational education long before the war in Europe started. I was not trying to impose on the poor boy—I am in that class myself and always have been—I was trying to help the poor boy; I was not trying to work a hardship on him. The plan I proposed of installing vocational teachers at many of the C. C. C. camps was not adopted except perhaps in a few instances. Sometimes there will be found an athletic instructor at a C. C. C. camp. That does not mean that the boys there are engaging in nothing but athletics; it simply means that they do the regular work, such as would a boy in a school or college that has an R. O. T. C. unit, and when his regular work is over, he engages in athletics or learns how to construct bridges or take instruction in the Signal Corps work which he has been authorized to take.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. TYDINGS. I believe the Senator's explanation of what would happen is sound, namely, that if the President should undertake to put military training in any camps on a voluntary basis he would not have it taught at a camp where other things are taught; and certainly I would not want to see the two mixed in the same camp. But the President's power is so flexible that I cannot conceive he would have half the enrollees taking military training and the other half not taking it in the same camp of 150 men.

Mr. GEORGE. I feel satisfied that is true. I am going to make the statement that, in the last analysis, my amendment is a limitation on the power of the President because he cannot require elementary military training. I have provided by the amendment that the enrollee can only take it upon a purely voluntary basis. Now let me read the amendment.

Mr. BARKLEY. Without the amendment the President could not do it at all even on a voluntary basis; therefore, it is not a limitation of the President's power.

Mr. GEORGE. Why could he not do it?

Mr. BARKLEY. Because he has no authority.

Mr. GEORGE. Why has he not the authority?

Mr. BARKLEY. Because Congress has not given it to him.

Mr. GEORGE. Let me read to the Senator what is in the amendment contained in the bill. The amendment provides that the President may provide—

Within the Civilian Conservation Corps such training of enrollees therein in noncombatant subjects essential to the operations of the Military and Naval Establishments as he considers may contribute materially to the interests of the national defense.

That is very broad authority, but that is not all.

Such subjects may include, but are not restricted to, cooking, baking, first aid to the injured, operation and maintenance of motor vehicles, road and bridge construction and maintenance, photography, signal communication, and other matters incident to the successful conduct of military and naval activities.

It would require no great stretch of the imagination to say that under that committee amendment the President could say, "You can drill these boys if you want to, you can let them organize for certain forms of athletic exercises which fit right in with ordinary elementary military training."

Mr. BARKLEY. The Senator would not contend, would he, that under that language the President could go beyond what is termed "noncombatant activities"?

Mr. GEORGE. No; but when there are enumerated a great many things which are connected so intimately with military and naval activities, I would not say that he could not do so.

Mr. BARKLEY. They would all have to be within the definition "noncombatant."

Mr. GEORGE. I would not say that he could not let the boys drill.

Mr. BARKLEY. That is right.

Mr. GEORGE. I do not think that is necessarily a combat activity.

Mr. BARKLEY. It is not necessarily a combat activity, but it is getting ready to engage in some combat activities.

Mr. GEORGE. If we are going to have an army, with men trained in signal-corps work and in the maintenance of trucks and other motor vehicles, the kind of vehicles which are now playing such havoc in the present war, we have got to have certain drilling and certain discipline.

I propose merely that the President may add to these things voluntary elementary military training.

Now let me say, if the Senate of the United States is not willing to do that, gentlemen, take your time before you vote to carry this country into war. If you are not willing to say that in an establishment maintained by the Government, paid for by the Government, composed of men of military age who may elect voluntarily—even the President cannot

impose compulsory military training on them—elementary military training may not be given, then, for heaven's sake, try to dissuade anybody you find in this Government against entering into war, because that kind of spirit back of all the preparedness program will make it utterly worthless. That is the thing that discourages me about this matter. I know exactly whence the influence against the amendment is coming; and it is a tragedy that anyone connected with the Government of the United States should try to stay the hand of one of the legislative branches of the Government in endeavoring to provide merely an optional opportunity for the boys of the C. C. C. camps to take elementary military training if they want to.

Let me state why I was led to offer this amendment. I am sorry the Senator from Nebraska is not now present. I have great respect for him, but he proceeded upon the theory upon which he often proceeds, of setting up straw men and knocking them down. He proceeded to knock down three straw men, and the third one was removed in the third degree from anything in the amendment which I have offered. I have great respect for him, and I knew his attitude on the question of anything that smacks of compulsory military training.

In the same college, in the same school, half the boys may be taking military training and half may not be taking it—it is no disgrace not to take it—and a fairly good degree of elementary military training may result in such a school or college. I have always believed in military training. I have not believed in necessarily compelling people to take it, but I personally believe in it. I have two boys, one of whom is today serving his country in the most hazardous branch of the service. They took military training because I wanted them to take it. One took it in a high school, the other in a military school; and I have always regretted that I did not have the opportunity to take it. But what brought this matter to my attention was a petition from the poor C. C. C. boys themselves. They said, "Let us have military training"; and they said it last year. They said, "Why can we not drill, if we want to, here in the camps? Here is a beautiful drill ground. Here is an opportunity to drill when we come in from our work. We engage in all kinds of athletic exercises, and we wanted to do a little training here, and started to do so," because one of the boys had either been in the Army or had had some R. O. T. C. training, "but we were told, 'You must stop that. That cannot be tolerated. That will militarize the young men of this country. That will make of them men who desire war.'"

Senators, if you are that soft, let me beg of you that you stop throwing away money by the billions of dollars for national defense, because the national-defense machine will not run itself. It has to be run by somebody.

The distinguished Senator, my good friend, is afraid we are creating a special class. Would this be a special class any more than the R. O. T. C., or half as much as the R. O. T. C., in which a young fellow may get elementary military training? Was it creating a special class when I said, in offering the amendment, that there was no provision that after the little, meager training the boys would get they would be required even to enter the Reserves? They are just as free as anybody else. They are just as free as my son, who went through a regular course in college, and then went through a period of enlistment in the Guard. He did not want to go into the Reserves, perhaps, let us say. He is not in the Reserves. They would not be in the Reserves.

There is but one thing wrong with this amendment, and that is that it does not do very much. It simply gives the boys an opportunity, if they want to do so, to take a little elementary military training.

The distinguished Senator from Utah [Mr. THOMAS] is greatly disturbed because he cannot conceive how the Army of the United States can be carried on in Civilian Conservation camps. Nobody dreamed of anything of that kind. Nobody dreamed that there would be any great organization. I knew that a division could not be put in any single, solitary Civilian Conservation camp that I know anything about. I knew that the camps did not have more than 150 or 200 men. I have visited them. I have seen them in operation. I know that some of the boys in them will be glad to take this training. Not only that, but I know that if this Nation means what it says it will have the courage and the strength to say that we will get ready to man a national-defense machine when we build it up.

This debate—even this debate—is most discouraging, in my humble opinion, to anybody who wants to build up the defenses of this country. The amendment does not do very much. It is open to criticism because it cannot do very much; but it is not intended to do anything harmful to the boys. It is intended to do something that may be helpful to them. I think the noncombatant training is fine for the boys. I heartily approve it. My amendment goes but very little further, if it actually goes any further, because not even the President can require elementary military training of the C. C. C. boys.

If the President decides to inaugurate a system of elementary military training in the C. C. C. camps, and says, "I think it is a good thing under certain rules and regulations," one of those rules and regulations undoubtedly will be what the Senator from Maryland suggests—that if anything more than the mere incidental training that follows the ordinary work in the camps is to take place, when the boys elect, if any of them want to take the military training, they may then be transferred to a camp where that particular kind of training is available to them. But not even the President, when he has decided the question and has issued whatever rules and regulations he desires to issue, has the power to do anything more than simply to offer the boys voluntary training—that is all—and in that sense the amendment is a limitation upon the President's power.

I do not suppose the President would have made the training compulsory if the word "voluntary" had been left off, which I did at first leave off, because when he was given the discretion, and when, if the training was to be inaugurated at all, it must be under such rules and regulations as he might prescribe. I thought that meant that the President would offer nothing but voluntary training; but the distinguished Senator from Michigan, and other distinguished Senators felt, and suggested on the floor here, that perhaps it ought to be provided that it should be entirely optional with any one of the enrollees whether or not he would even take any elementary military training, so I was glad to add the word "voluntary."

I cannot see anything wrong with the amendment, but I can see a great deal wrong—and I am not disposed to quarrel about things—when I note the effect of certain influence on a piece of legislation of this kind. We may talk about "fifth columns" all we want to, but anything that takes all the "guts" out of men who propose literally to pour billions of dollars into defense is wrong, and is about as bad as any "fifth-column" work that can be carried on in this country. Regardless of who is back of the opposition to this amendment I know that kind of thing is inconsistent with national defense.

I am willing to vote money to provide the strongest national defense this Nation can create and maintain. I am willing to go the whole length, and I have voted to give to the President every power he has asked to expedite placing the country in a strong position to defend itself. But when I see opposition to a simple amendment giving to the C. C. C. enrollees the option to take elementary military training in the camps, I know that there is a dangerous condition, whatever pretenses may be made that we are seeking to build up a strong national defense.

A while ago I said that I regretted that I had offered this amendment. I do regret it, because the very debate and opposition to it do not promote the national defense, or strengthen it, but rather indicate that under any kind of pressure we are likely to demonstrate that we are not of the tough oak and iron generation, if you please, that is willing to pay the price for the full defense of the fairest land on the face of the globe. We cannot have national defense, Senators, without paying the price, and it is not mere money. That is the least part of it, as large as the money bill will be.

It is not mere billions of dollars turned over to the most expert and most skilled and most highly trained men in the Army, Navy, and Air Corps. It is not money. The defense of this Nation depends upon whether we are willing to pay the price of that defense, make the sacrifices, endure the hardships, and face the dangers, whether they come from the now discredited "fifth columnists" or from any other group in America. Simply say to them, "You are not right; you are wrong."

Nobody is trying to reflect upon the C. C. C. enrollees. I have told the Senate truthfully that the very first suggestion ever made to me along this line, aside from suggestions that were made when the establishment of the Civilian Conservation Corps was first under discussion in this body, came to me from the men in the C. C. C. camps, from these poor boys.

They do not necessarily have to be indigent and impoverished in order to get into the C. C. C. Such an idea is another mistake. They simply have to be out of work, unemployed, and not able to find work. Yet, by making them this voluntary offer, in some way it is said we would be creating a special class singling them out of the great body of our citizens in a democracy, setting them aside.

Gentlemen, if they are set aside, and if they have been singled out, your committee did it. If the enrollees in the C. C. C. camps have been specially marked as the first victims to be called into the service of the country when war comes, if unfortunately and unhappily it must come, your committee did it, because your committee wrote the amendment which gave to the President the power to provide compulsory training—mark my words, compulsory training—in all matters "incident to the successful conduct of military and naval activities."

When it takes about 10 men on the ground to run a single plane as against the 1 man who is handling it in the air, do you not suppose, Mr. President, that if war came they would cull out the boys who are in the C. C. C. camps for this special type of so-called noncombatant service?

Mr. President, I favor the amendment as the committee wrote it. It does give the President the power to require certain types of training. I believe the President would wisely provide for certain training in the C. C. C. camps, or in certain of those camps, and give the young men the opportunity to take the training. I am perfectly certain that if the President ever approved training in the most elementary form of tactics, military training, as we refer to it, he would do it under such regulations as would preserve absolutely free choice and will of the young men to take it or not to take it, and in all human probability he would see what the Senator from Maryland has pointed out, the wisdom of saying, "Very well; if you want to take that kind of training, there will be certain camps to which you may go or be transferred."

Mr. President, that is all this amendment proposes; that is all I propose to do. But if there be people in the United States who are afraid to give to American boys in the C. C. C. camps the option to take elementary military training, then those people should have no part in the defense of a great country in time of great stress. This country was not made by that kind of people, and it will not be saved by generations of that kind of people. The President himself, in his notable address when he spoke to the joint session of Congress, called for a sturdy, strong, robust spirit, and very properly sensed that that was what would make the defense possible, and the absence of it would make the greatest defensive machine on earth nearly useless, obsolescent, out-of-date equipment for the Army or for the Navy.

Mr. President, I hope we may have a vote upon the amendment. I regret very much, as I have said, that I offered it, because this debate cannot advance the interests of the country, cannot expedite the defense of the country, cannot add very much to what we are here trying honestly and conscientiously to do and to accomplish. Not only that, but I have remained on the floor today when I was too unwell to be here, and I hope very much that my colleagues will give me a yea-and-nay vote on the amendment, and let the American people pass upon the merits of it after the vote shall have been taken.

Mr. BARKLEY. Mr. President, inasmuch as I had the floor, as I thought, when the Senator from Georgia began his remarks——

The PRESIDING OFFICER. The Chair so understood.

Mr. BARKLEY. And it was entirely agreeable that he should occupy the floor, and inasmuch as I had not quite completed my observations, and I desire to continue them very briefly.

I wish to say at the beginning that I have not the slightest conception of what the Senator from Georgia has in mind when he says that he knows what influences in the United States Senate are back of the opposition to the pending amendment. So far as I am concerned, I can say that there is no influence outside of my own feelings and my own convictions on the subject. I have not even talked to anyone about the amendment, from the President of the United States down, in the Government of the United States. I have not talked to anyone on the outside of the Senate about the amendment since it was offered. The only conversation I have had with anyone about it was in the Secretary's office a few days ago, with a group of Senators in discussing this problem. The Senator from South Carolina was in the group, and he will recall that we had an informal conversation about it.

I have no idea what connection the amendment has with any possible "fifth column." I am not aware of any connection, and I think that the Committee on Appropriations can be acquitted of having brought any amendment into this Chamber under the influence of any such group in or outside of the Government.

Mr. BYRNES. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. BYRNES. Because the Senator has referred to me, let me say that the suggestion of the language reported by the committee came from the Chief of Staff of the United States Army. As a matter of fact, the language of the amendment was drafted by the Judge Advocate General of the Army and submitted to me by General Marshall, the Chief of Staff.

Since the amendment was offered by the Senator from Georgia, I have not conferred with the Chief of Staff, the President, or anyone else. I opposed the amendment for the reasons I stated yesterday.

Mr. BARKLEY. Mr. President, I am not uneasy about the discussion of this amendment being injurious to the country. We are supposed to be here representing the people of the United States, and if we misrepresent them we will be punished at the next election, and we should be punished, because membership in the Senate is not a matter of personal favor, it is not an honor to be conferred because of preference for some personality. Men are supposed to be sent here and they are sent here because the people feel that they will represent them when they get here.

This question involved is broader than the mere adoption of this amendment. The amendment involves the entire military policy of the United States. I was in Congress during the World War. I voted for the resolution declaring war against Germany, and one of the most serious problems that faced Congress at that time was how to raise an army to fight the battles of the United States. With the exception of a short period during the Civil War, practically all of our wars had been fought by volunteer soldiers, they had been fought by the chivalrous, the romantic, the adventurous spirits who had gone forward in advance, who volunteered to serve the United States. I honored them, and we all honored them. But when the World War came Congress felt that the country's battle should not be fought by those who were venturesome and romantic and desirous of being a sort of advance guard. Congress decided that if the liberties and the institutions of the United States were worth defending they should be defended by every man according to his

ability to defend those institutions and not merely by reason of his willingness to do it.

One of the greatest fights that occurred in the House of Representatives was over the selective draft law. The Senator from South Carolina [Mr. BYRNES], the Senator from Texas [Mr. CONNALLY], and other Senators who were then Members of the House will recall that fight.

The Congress decided that in that great emergency we should not depend simply upon those who were willing voluntarily to march forward in advance, but that every man of military age, as fixed by law, should be required to perform his duty in proportion to his ability to perform it, and I believe that is the fairest way yet devised to fight the battles of any nation.

It may be that the particular amendment now before us does not involve that broad question, but I think it does. It is true that it provides that the training shall be voluntary. If it is to be voluntary, is it to apply to those already in the camps, or only to those who are to come in afterward? Some 300,000 are in the camps. They were not taken into the camps for the purpose of receiving military training; they were taken into the camps to do conservation work, reforestation, and a multitude of things which are being done in every community where the camps are located.

Are we to say to these boys, "We have you in the camps now, and while it is voluntary, we are going to put the pressure on you to take military training which will take you into the battle line first"?

If the same provision were made applicable to everyone else in the United States I should vote for it. If it were made applicable to the banker's son, to the merchant's son, to my own son, who by the way, along with the son of the Senator from Georgia, is a Reserve officer in the Air Corps of the United States, subject to call tomorrow—if we would make this training apply to all boys of equal ages in this country so that there would be no discrimination, I should vote for it.

Mr. BYRNES. Mr. President, since the Senator has referred to ages, I should like to interrupt him to say that in the camps today 84.64 percent of the boys are under 21 years of age; 31 percent of the boys are 17 years old; 25 percent of the boys are 18 years old; 16.5 percent are 19 years old; and 10.93 percent are 20 years old. Perhaps 85 percent of the boys in the C. C. C. camps are under age.

Mr. WALSH. That is, they are under 21.

Mr. BYRNES. They are under 21.

Furthermore, while I am on my feet I wish to say that the boys are selected, not by C. C. C. officials but by State agencies. On July 1, 90,000 will be called upon to enroll. There will be that many vacancies. When they enroll they are enrolled for 6 months. After they are enrolled they are sent by the State agencies to camps. They certainly could not be called upon to determine whether or not they will volunteer for combat training until they get to the camps, and the amendment drafted by the Army officials uses the word "noncombatant" in order to distinguish it from combatant training. Not satisfied with that, there are enumerated the various skills in order further to make it plain that these boys—and it is mostly the sons of widows who are selected, preference being given to boys with dependents—that these boys without fathers would be given noncombatant training, and not training with weapons in what is known as combatant service.

The question is whether or not we should afford solely to the boys of dependent families this training in the camps. We may as well understand that when boys of 17 years are sent to a camp and are called upon to decide whether they will take voluntary military training or not, if, for example, some should respond "Yes" and some "No," thereafter there would be such dissension in that camp that the purposes of the C. C. C. camp would be destroyed, whereas today the boys are working harmoniously, receiving training in conservation, forestry, and other lines, and the committee amendment would give to them training in skills that could be of use to the Army, and yet would not separate them from all the other young men of the country.

Mr. BARKLEY. I thank the Senator from South Carolina. Mr. President, I do not desire to prolong the debate. I wish simply to say that I am not afraid to vote for any measure necessary to defend this country. I am not afraid to vote for the amendment of the Senator from Georgia. It is not because of fear that I do not feel I can vote for it.

I have very deep convictions with respect to the equal duties of every citizen in the United States to answer the call of his country when the need comes; and whenever the time comes to inaugurate compulsory military training in this country, either before or after war begins, I am ready to vote for it. But when I vote for it I want to include everyone in the United States who is physically able to endure training so that he may be qualified to serve his country.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. WILEY. As I understand, the amendment of the committee makes it compulsory upon the boys to become cooks, drivers of trucks, and train for other occupations which are noncombatant in their nature. If the amendment of the Senator from Georgia were adopted, and if there were any among them who wanted to take military training instead of noncombatant training, they could select such training instead of being drivers of trucks or cooks, for example.

A Senator today spoke of receiving a letter from a widow's son. I received a letter from a widow's son today asking how he could get into military service. He was a boy under 21. Here is an opportunity for such a boy.

I can say that I have personally talked to officials in C. C. C. camps, and I also have talked to men who want to get this training. If we give them the opportunity to take it voluntarily, instead of imposing it upon them, it seems to me we do a service to the boys of the country, because we give them a choice in the matter.

Mr. BARKLEY. Mr. President, the Senator from Wisconsin misses the purpose of what I am trying to say, and if the Senator cannot distinguish between a cook and a man who has to shoulder a rifle and go to the front, there is no explanation I can make which would illustrate the situation.

Mr. BYRNES. Mr. President, let me respond to the Senator's question. The young man he referred to wants to enlist. As I said yesterday, either today or tomorrow—they may have been sent down today—Budget estimates are being submitted by the President of the United States to the Congress to provide an opportunity for the young man in question to do what he wants to do—to enlist for military training.

The object of the training program is to provide a comprehensive program under which boys can go into citizens' military training camps—not to the number of 30,000, as last year, but to the number of more than 100,000—to be drilled and to be taught the skills of war.

The enlisted Reserve of the Army and the Navy is to be expanded to give the boy referred to by the Senator from Wisconsin a chance to go in it if he wants to, and the teaching of vocational trades will be expanded. Thus the opportunity will be provided the boy referred to.

The only reason the amendment is offered on this bill is that it changes existing law inasmuch as existing law provides that men may be employed in the C. C. C. for the purpose of developing the country's natural resources. If it were carried in the supplemental bill which is to be sent over from the House it might be subject to a point of order on the ground that it was legislation, but this is a different and comprehensive program devised by the Army for the training of young men such as the young man described by the Senator from Wisconsin.

Mr. BARKLEY. Mr. President, I have said all I want to say. I am ready to vote.

Mr. GEORGE. Mr. President, I ask for the yeas and nays.

Mr. ADAMS. Mr. President, I wish to say a word or two. As the chairman of the subcommittee in charge of the bill, let me say that the amendment was submitted by the Senator from South Carolina [Mr. BYRNES]. He presented an

argument which appealed to the committee. There was some discussion, though very slight, in reference to military training.

It is my view—and I am speaking for myself and not for the committee—that much of the discussion has overlooked what I think are the essential purposes of the C. C. C. camps. These camps were established for the benefit of boys who were unfortunate economically. They were to be taken off the streets in places where they could not get work. I think this question should be resolved in the light of the purposes of the C. C. C. camps, and what is for the interest of the boys.

These boys were put into the camps to do work which would be valuable to them physically and mentally, to afford them opportunity to learn certain things, and at the same time to develop the industries and the natural resources of the country. The camps had a very definite purpose. If we should give these boys military training, would we be doing more for them or not?

The present discussion has been along the line that if we give the boys military training they will be subject to being drafted immediately into the Army. There is no connection between service in the C. C. C. camps and service in the Army. The fact that a boy takes military training of a combatant or noncombatant character, does not put him in the Army, or make him subject to call, any more than any other boy, under whatever draft law Congress may see fit to enact. I am interested in the question as to what is for the best interests of these boys.

There are 300,000 boys in the C. C. C. camps. We are trying to help them. Personally I would be just as happy if the amendment were not included. I think the work of the C. C. C. camp as it is being conducted today is magnificent, wholesome, and beneficial. Whenever we seek to divert the C. C. C. camps into military camps—I do not care whether of noncombatant or combatant character—I think we are apt to do injury to the institution, to the camps, and to the men who are in them.

If a boy is given military training in a camp, is he better fitted to go out into civilian life than if he has the type of training he is now receiving? He might be better fitted to go into the Army, but he does not go into the Army when he leaves the camp unless he enlists.

I think our thoughts are confused in these days. Hysteria is sweeping and has swept across the land. In this Chamber from day to day we have had what in my section of the country might be called war dances—the beating of drums. Do Senators know why the Indians have war dances? It is in order that the men may be inspired, in order that they may be controlled by their emotions and not by their judgment. That is the purpose of some actions. When we lose sight of judgment, we become emotional rather than reasonable.

I think the adoption of this particular amendment is relatively insignificant. I do not think the national defense is essentially involved. I question whether military training is the proper function of the C. C. C. camps. Whenever we raise wholesome boys, whenever we improve their mental and moral outlook, we make better citizens; and when we make better citizens we make better soldiers, if we need them.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. ADAMS. I yield.

Mr. HATCH. The Senator has been discussing the amendment offered by the Senator from Georgia, and has talked about the fundamental purpose of the C. C. C. camps. I have been reading the committee amendment. I call the Senator's attention to the following language:

> To provide within the Civilian Conservation Corps such training of enrollees therein in noncombatant subjects essential to the operations of the Military and Naval Establishments as he considers may contribute materially to the interests of the national defense.

In the light of what the Senator has been saying, does he not think that language is a departure from the usual purpose of the C. C. C. camps?

Mr. ADAMS. I do. Personally, I am not in sympathy with the amendment as a whole, but I do not want to make it any worse. I think the amendment of the Senator from Georgia merely adds to what I think are the undesirable features. I very much doubt the workability of the committee amendment, with or without the amendment of the Senator from Georgia.

In my State there are a dozen or more C. C. C. camps. They are located in order that the young men brought there from various sections of the country may live outdoors and perform outdoor work and improve the natural resources. The men come to my State from New York, Texas, Oklahoma, and other States. They go into the mountains and work on the roads. They may work on reservoirs. They may work on soil-conservation projects. They live in quarters established on streams and in the wooded areas.

I question the availability of the location of the camps for military training. I am doubtful how we could work out the specialized noncombatant training; but I feel that the particular amendment as to combatant military training adds something which ought not to be in the C. C. C. camps. When we make it voluntary, of course, we may say that the man does not have to take it. Well and good. Personally, if I were enacting a law, whatever the provisions were, they would be compulsory. When a man comes into the camp he should be required, as he is today, to take certain training. He is required to do road work, or building work in a national park or monument, and it is not voluntary. If he enlists, he is well taken care of. The cost to the Government is something more than a thousand dollars a year for each man.

If we want to change the character of the work, let us not leave the camps in a state of anarchy, so that every morning when the roll is called the men will have to be asked, "Do you want to work today or not?" If we want to make a camp a military camp, let us make it a military camp. Let us not make it a camp where military work is optional on Monday or Tuesday. If we want to establish camps for training soldiers, let us make them military camps. If we do not want to make soldiers out of the boys, let us train them in civilian work. I am not trying to confuse the ideas of the committee.

Mr. BROWN. Mr. President, will the Senator yield?

Mr. ADAMS. I yield.

Mr. BROWN. I have been a very warm supporter of the C. C. C. camps. In my State of Michigan, which for many years was the principal timber producer of the United States, they have done a tremendously valuable work in reforesting the northern half of the State.

Of course, the purpose of the C. C. C. was twofold. One was to get the work done—principally reforestation—which they have done. The second purpose was to aid the boys. I have felt that in a certain sense the camps were the poor man's college. We spent the taxpayers' money to establish the great University of Michigan and various similar institutions in other States, and we furnish a large part of the money which educates the sons of the middle classes and the well to do. Likewise, when the C. C. C. camps were established, we supplied all the money to educate the boys. The C. C. C. camps are the poor man's higher educational institution. For that reason, comparing them with common-school and collegiate institutions, I am unable to understand the objection of the Senator from Colorado, the Senator from Kentucky, and the Senator from Nebraska, to giving military training in connection with these schools—and I call them schools advisedly.

Mr. ADAMS. Mr. President, I do not object to having some military training, just as educational work is carried on in the evenings. My objection is to making military camps of all the C. C. C. camps where the military training takes the place of the training now being given. At the present time a boy works his usual hours, 6 or 8 hours, on outdoor work. He comes in in the evening. It is optional with him to take certain studies or not to take them. Eighty-five percent of the boys take the studies. As I understand the proposal, it is that military training be substituted for the civilian work,

and that it shall be optional, not that it shall be merely supplemental.

Mr. GEORGE. Mr. President, if the Senator from Colorado will pardon me, that is not the purpose of my amendment at all. I have definitely so stated in two addresses to the Senate. I contemplate only the training which may be incidentally given in addition to whatever other occupational work is being carried on.

Mr. ADAMS. As I understand the foundation of the amendment reported by the committee, it is that the C. C. C. camps were authorized to engage only in the conservation of national resources, and it was felt necessary to broaden that field. While that limitation has prevailed, the boys have been given evening courses in every imaginable subject. Under the present law I think they could be given optional military training after hours.

Mr. GEORGE. That is all I have ever contemplated. If the time for work were fixed at 8 hours, I assume there would be a provision that 1 hour or 2 hours a week might be taken up with ordinary elementary military training.

Mr. BROWN. Did not the Senator mean, by his amendment, that substantially the same kind of military training which is given in the land-grant colleges and in some of the high schools might be given in the C. C. C. camps for an hour or two each week, as the Senator says?

Mr. GEORGE. Exactly. That was all I ever contemplated; and I do not think the committee amendment contemplates the conversion of any camp into a school for mechanics, or a school for the Signal Corps. I thought that whatever was done in the noncombatant training would be incidental to the main work which would be carried on anyway. Certainly that is all that is intended.

Mr. ADAMS. Mr. President, the Senator and I have a different understanding of the effect of his amendment and of the amendment reported by the committee. The man who followed Mr. Fechner in charge of the C. C. C. camps appeared before the committee and stated that the proposed amendment might result in a change in the method of making enrollments, meaning that there would be a different process of enrollment if the courses of the schools were changed. I understand that the amendment is to provide a new type of full-time training. As to military service, I assume, of course, that the same limitation which applies to the original courses would apply to the amendment.

Mr. BROWN. Of course, the language of section 38 puts that matter entirely in the hands of the President. By his power to establish and enforce regulations he could do whatever he might desire in that respect. As I said yesterday in discussion with the Senator from South Carolina [Mr. BYRNES], the Army would probably determine the regulations.

If the Senator does not mind a little further interruption, I should like to make another point.

The assertion has often been made that we are building up a poor man's army. I was very glad to have the Senator from Colorado point out that absolutely no law could be enacted by the Congress of the United States which could compel C. C. C. boys, after they leave the C. C. C., to enter the Army of the United States on any other basis than that applicable to all other citizens of the United States. I do not think there is anything to that point, but I think the Senator has thoroughly demolished it. However, in the minds of some Senators there is still the idea that by giving the kind of training proposed we should be establishing a poor man's army.

The Senator well knows that we train boys in high schools and in colleges throughout the country. Probably in the aggregate over the years three or four million boys have been so trained—more than have been trained in the Civilian Conservation Corps camps. We do not say that that is a rich man's army or a middle-class army, and this would not be a poor man's army. It seems to me we should keep in mind the fact that the entire program is an educational program; that we are giving a little training to a class of persons different from those to whom we have heretofore given training in the high schools and the colleges. I do not think we are establishing a poor man's army, as the Senator from Nebraska intimated.

Mr. ADAMS. I have no sympathy with the argument of there being a preference for or against a class; that we are setting up a special class to give them either a disadvantage or an advantage. When we established the C. C. C. we took a certain group who were under economic disadvantage and provided them with clothes and board and room and healthful surroundings. If, in addition to that, we want to provide certain military training I think it is perfectly proper. I think it is to their advantage, not to their detriment. But, mind you, if we train a boy as a cook, he does not go into the Army. He simply goes into the citizenry of the country at the end of his period, whether it be at the end of 6 months, or at the end of 2 years at the most. Then, if he should be drafted, when the Army officials came to find out his qualifications, and found that he was a cook, they might assign him to duty as a cook, but they would not make him a cook in the Army if they saw fit to give him a Springfield rifle.

Mr. BROWN. I think the point made by the junior Senator from Texas [Mr. CONNALLY] yesterday may well be repeated here—that giving these boys an hour or 2 hours a week of training would be of great advantage to them. If we consider one boy who was trained in marksmanship in a C. C. C. camp and another boy who was not so trained, it may be that that very training would represent the difference between life and death if both of the boys happened later to be called into the Army of the United States.

I think the training is a great advantage rather than a disadvantage.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. GEORGE], as modified, to the amendment reported by the committee.

Mr. GEORGE. I call for the yeas and nays.

The yeas and nays were ordered, and the chief clerk proceeded to call the roll.

Mr. SHIPSTEAD (when his name was called). I have a general pair with the senior Senator from Virginia [Mr. GLASS]. I transfer that pair to the senior Senator from North Dakota [Mr. FRAZIER], and will vote. I vote "nay." I am advised that, if present, the senior Senator from North Dakota would vote "nay."

The roll call was concluded.

Mr. GILLETTE. My colleague the junior Senator from Iowa [Mr. HERRING] was called from the Chamber. He wished me to announce that if he were present he would vote "yea."

Mr. MINTON. I announce that the Senator from New Jersey [Mr. SMATHERS] is absent from the Senate because of illness in his family.

The Senator from California [Mr. DOWNEY] is detained on official business for the Committee on Banking and Currency.

The Senator from Virginia [Mr. GLASS], the Senator from West Virginia [Mr. HOLT], the Senator from Connecticut [Mr. MALONEY], the Senator from Nevada [Mr. MCCARRAN], the Senator from Florida [Mr. PEPPER], and the Senator from Missouri [Mr. TRUMAN] are necessarily absent.

Mr. AUSTIN. I announce the following pairs of Senators who are necessarily absent:

The Senator from New Jersey [Mr. SMATHERS] with the Senator from Michigan [Mr. VANDENBERG]. If present, the Senator from New Jersey would vote "nay," and the Senator from Michigan would vote "yea."

The Senator from North Dakota [Mr. NYE] with the Senator from Vermont [Mr. GIBSON]. If present, the Senator from North Dakota would vote "nay," and the Senator from Vermont would vote "yea."

The Senator from New Hampshire [Mr. TOBEY] is detained on official business. I am not advised how he would vote if present.

The result was announced—yeas 35, nays 47, as follows:

YEAS—35

Andrews	Byrd	Gurney	Taft
Austin	Chandler	Harrison	Thomas, Okla.
Bailey	Clark, Idaho	Holman	Townsend
Bankhead	Clark, Mo.	Johnson, Colo.	Tydings
Barbour	Connally	Lee	Van Nuys
Bone	Donahey	Reed	Wheeler
Bridges	Ellender	Reynolds	White
Brown	George	Russell	Wiley
Burke	Gerry	Smith	

NAYS—47

Adams	Green	Lundeen	Radcliffe
Ashurst	Guffey	McKellar	Schwartz
Barkley	Hale	McNary	Schwellenbach
Bilbo	Hatch	Mead	Sheppard
Bulow	Hayden	Miller	Shipstead
Byrnes	Hill	Minton	Slattery
Capper	Hughes	Murray	Stewart
Caraway	Johnson, Calif.	Neely	Thomas, Idaho
Chavez	King	Norris	Thomas, Utah
Danaher	La Follette	O'Mahoney	Wagner
Davis	Lodge	Overton	Walsh
Gillette	Lucas	Pittman	

NOT VOTING—14

Downey	Herring	Nye	Truman
Frazier	Holt	Pepper	Vandenberg
Gibson	McCarran	Smathers	
Glass	Maloney	Tobey	

So Mr. GEORGE's modified amendment to the amendment reported by the committee was rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment of the committee.

The next amendment was, on page 41, after line 24, to insert:

SEC. 39. Section 13 of the Tennessee Valley Authority Act of 1933 is hereby amended to read as follows:

"SEC. 13. In order to render financial assistance to those States and local governments in which the power operations of the Corporation are carried on and in which the Corporation has acquired properties previously subject to State and local taxation, the board is authorized and directed to pay to said States, and the counties therein, for each fiscal year, beginning July 1, 1940, the following percentages of the gross proceeds derived from the sale of power by the Corporation for the preceding fiscal year as hereinafter provided, together with such additional amounts as may be payable pursuant to the provisions hereinafter set forth, said payments to constitute a charge against the power operations of the Corporation: For the fiscal year (beginning July 1) 1940, 10 percent; 1941, 9 percent; 1942, 8 percent; 1943, 7½ percent; 1944, 7 percent; 1945, 6½ percent; 1946, 6 percent; 1947, 5½ percent; 1948 and each fiscal year thereafter, 5 percent. 'Gross proceeds,' as used in this section, is defined as the total gross proceeds derived by the Corporation from the sale of power for the preceding fiscal year, excluding power used by the Corporation or sold or delivered to any other department or agency of the Government of the United States for any purpose other than the resale thereof. The payments herein authorized are in lieu of taxation, and the Corporation, its property, franchises, and income, are hereby expressly exempted from taxation in any manner or form by any State, county, municipality, or any subdivision or district thereof.

"The payment for each fiscal year shall be apportioned among said States in the following manner: One-half of said payment shall be apportioned by paying to each State the percentage thereof which the gross proceeds of the power sales by the Corporation within said State during the preceding fiscal year bears to the total gross proceeds from all power sales by the Corporation during the preceding fiscal year; the remaining one-half of said payment shall be apportioned by paying to each State the percentage thereof which the book value of the power property held by the Corporation within said State at the end of the preceding fiscal year bears to the total book value of all such property held by the Corporation on the same date. The book value of power property shall include that portion of the investment allocated or estimated to be allocable to power: *Provided*, That the minimum annual payment to each State (including payments to counties therein) shall not be less than an amount equal to the 2-year average of the State and local ad valorem property taxes levied against power property purchased and operated by the Corporation in said State and against that portion of reservoir lands related to dams constructed by or on behalf of the United States Government and held or operated by the Corporation and allocated or estimated to be allocable to power. The said 2-year average shall be calculated for the last 2 tax years during which said property was privately owned and operated or said land was privately owned: *Provided further*, That the minimum annual payment to each State in which the Corporation owns and operates power property (including payments to counties therein) shall not be less than $10,000 in any case: *Provided further*, That the Corporation shall pay directly to the respective counties the 2-year average of county ad valorem property taxes (including taxes levied by taxing districts within the respective counties) upon power property and reservoir lands allocable to power, determined as above provided, and all payments to any such county within a State shall be deducted from the payment otherwise due to such State under the provisions of this section. The determination of the board of the amounts due hereunder to the respective States and counties shall be final.

"The payments above provided shall in each case be made to the State or county in equal monthly installments beginning not later than July 31, 1940.

"Nothing herein shall be construed to limit the authority of the Corporation in its contracts for the sale of power to municipalities, to permit or provide for the resale of power at rates which may include an amount to cover tax-equivalent payments to the municipality in lieu of State, county, and municipal taxes upon any distribution system or property owned by the municipality, or any agency thereof, conditioned upon a proper distribution by the municipality of any amounts collected by it in lieu of State or county taxes upon any such distribution system or property; it being the intention of Congress that either the municipality or the State in which the municipality is situated shall provide for the proper distribution to the State and county of any portion of tax equivalent so collected by the municipality in lieu of State or county taxes upon any such distribution system or property.

"The Corporation shall, not later than January 1, 1945, submit to the Congress a report on the operation of the provisions of this section, including a statement of the distribution to the various States and counties hereunder; the effect of the operation of the provisions of this section on State and local finances; an appraisal of the benefits of the program of the Corporation to the States and counties receiving payments hereunder, and the effect of such benefits in increasing taxable values within such States and counties; and such other data, information, and recommendations as may be pertinent to future legislation."

The amendment was agreed to.

Mr. BARKLEY. Mr. President, I understand that concludes the amendments of the committee. There are probably some important amendments to be offered from the floor. Does the Senator from Colorado desire that the session continue?

Mr. ADAMS. I think not. I will say to the Senator from Kentucky that there are a number of amendments to be offered, among them the amendment with reference to the appropriation for refugees, which will need some consideration.

Mr. BARKLEY. Then I think we will suspend at this point.

REORGANIZATION OF THE NAVY DEPARTMENT—CONFERENCE REPORT

Mr. WALSH submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4026) providing for the reorganization of the Navy Department and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House No. 2 and agree to the same.

Amendment numbered 1: That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment amended to read as follows:

"SEC. 3. The President of the United States is hereby authorized, in his discretion, to appoint from civil life, by and with the advice and consent of the SENATE, an Under Secretary in the Department of the Navy to serve during any national emergency declared by him to exist, including the present limited emergency. The Under Secretary of the Navy shall perform such duties as may be prescribed by the Secretary of the Navy or required by law and shall be next in succession to the Secretary of the Navy during his absence or disability or in the event of a temporary vacancy in that office. The compensation of the Under Secretary of the Navy shall be at the rate of $10,000 per annum. The Assistant Secretary of the Navy, next after the Under Secretary of the Navy, shall hereafter succeed to the duties of the Secretary of the Navy during his absence or disability, or in the event of a temporary vacancy in that office"; and the House agree to the same.

Amendment numbered 3: That the Senate recede from its disagreement to the amendment of the House numbered 3, and agree to the same with an amendment, as follows: Strike out the matter inserted by said amendment and insert in lieu thereof the following: "4,"; and the House agree to the same.

DAVID I. WALSH,
MILLARD E. TYDINGS,
FREDERICK HALE,
Managers on the part of the Senate.

CARL VINSON,
P. H. DREWRY,
M. J. MAAS,
Managers on the part of the House.

The report was agreed to.

INTERIOR DEPARTMENT APPROPRIATIONS

The PRESIDENT pro tempore laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 8745, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
May 29, 1940.

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 6, 9, 11, 12, 33, 35, 37, 47, 51, 59, 60, 70, 72, 80, 84, 87, 89, 90, 91, and 99 to the bill (H. R. 8745) making apppropriations for the Department of the Interior for the fiscal year ending June 30, 1941, and for other purposes, and concur therein;

That the House recede from its disagreement to the amendment of the Senate numbered 18 to said bill and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment insert: "including the purchase of electrical energy and the distribution and sale thereof,";

That the House recede from its disagreement to the amendment of the Senate numbered 34 to said bill and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment insert: "*Provided*, That not to exceed $6,000 shall be available from the funds of the Menominee Indians for the payment of salaries and expenses of the chairman, secretary, and interpreters of the Menominee general council and members of the Menominee Advisory Council and tribal delegates when engaged on business of the tribe at rates to be determined by the Menominee general council and approved by the Commissioner of Indian Affairs";

That the House recede from its disagreement to the amendment of the Senate numbered 50 to said bill and concur therein with an amendment as follows: In lieu of the sum inserted by said amendment insert: "$1,223,000";

That the House recede from its disagreement to the amendment of the Senate numbered 63 to said bill and concur therein with an amendment as follows: In lieu of the sum inserted by said amendment insert: "$8,472,000";

That the House recede from its disagreement to the amendment of the Senate numbered 64 to said bill and concur therein with an amendment as follows: In lieu of the sum inserted by said amendment insert: "$9,374,600";

That the House recede from its disagreement to the amendment of the Senate numbered 69 to said bill and concur therein with an amendment as follows: At the end of the matter inserted by said amendment and before the semicolon, insert the following: "*Provided further*, That any works to be constructed by virtue of investigations or surveys resulting from this appropriation, shall be so constructed and operated as not to interfere with the operation of or abrogate any of the terms of the Rio Grande Interstate Compact, and any contracts, permits, or licenses relating to such works entered into by the United States shall provide specifically that all rights thereunder shall be subject to and controlled by the provisions of said Rio Grande Interstate Compact";

That the House recede from its disagreement to the amendment of the Senate numbered 85 to said bill and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment insert: "*Provided*, That the total sum expended in any fiscal year after the fiscal year 1941 for maintenance of the Vanderbilt Historical Monument in Dutchess County, New York, shall not exceed the total sum of the admission fees collected at such monument during the previous fiscal year";

That the House recede from its disagreement to the amendment of the Senate numbered 100 to said bill and concur therein with an amendment as follows: In lieu of the sum inserted by said amendment insert: "$2,641,093";

That the House recede from its disagreement to the amendment of the Senate numbered 101 to said bill and concur therein with an amendment as follows: In lieu of the sum inserted by said amendment insert: "$5,141,093";

That the House recede from its disagreement to the amendment of the Senate numbered 111 to said bill and concur therein with an amendment as follows: In lieu of the sum inserted by said amendment insert: "and not to exceed $35,000 for the purchase of uniforms for employees, $1,275,285"; and

That the House insist upon its disagreement to the amendments of the Senate numbered 95 and 110 to said bill.

Mr. HAYDEN. I move that the Senate agree to the House amendments to Senate amendments numbered 18, 34, 50, 63, 64, 69, 85, 100, 101, and 111 to the bill.

The motion was agreed to.

Mr. HAYDEN. I now move that the Senate recede from its amendments numbered 95 and 110.

The motion was agreed to.

Mr. HAYDEN. That disposes of the bill.

CONTROL OF CHINCH-BUG MENACE

Mr. McKELLAR. Mr. President, this afternoon the Senator from Iowa [Mr. GILLETTE] and the Senator from Missouri [Mr. TRUMAN] introduced a joint resolution for the appropriation of the sum of $500,000 to enable the Secretary of Agriculture to combat the imminent menace of chinch bugs and other insect pests to corn and other crops in certain States, in accordance with the supplemental estimate of the President contained in House Document No. 726, Seventy-sixth Congress, third session.

These Senators brought the matter before the Committee on Appropriations, and urged that time was of the essence, and that action must be taken at once. The committee was polled, and a large majority of the committee, consisting of both Democrats and Republicans, recommended a favorable report of the joint resolution, and I am, therefore, reporting it favorably with amendments, and I ask unanimous consent for its immediate consideration.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate proceeded to consider the joint resolution (S. J. Res. 277) making an appropriation to control the chinch-bug menace in the Corn Belt, which had been reported from the Committee on Appropriations with amendments.

The amendments of the Committee on Appropriations were, in line 6, after the word "bugs", to insert "and other insect pests", and after the word "corn", to strike out "crop" and insert "and other crops."

Mr. SHIPSTEAD. Mr. President, I have had considerable conversation with the Department of Agriculture regarding a matter which has arisen in connection with the last appropriation act for the Department of Agriculture. The Bureau of Entomology in the Department of Agriculture have found it necessary, in their opinion, to stop the work which has been proceeding in the States of Minnesota, North and South Dakota, and either Iowa or Montana, in an effort to eradicate the barberry bush, which is the host for the black rust which attacks wheat. Would this joint resolution cover that item?

Mr. McKELLAR. I do not think it would, although it provides for an appropriation to combat "other insect pests." But the joint resolution comes here under a Budget estimate sent in by the President, and it was a part of the deficiency bill, but Senators from the corn-producing States have advised the Committee on Appropriations that it is absolutely necessary to get this taken care of at once if it is to do the corn raisers any good. So the joint resolution has been reported favorably by the Committee on Appropriations, and, while I am not personally in the slightest degree interested in the matter, Senators from Western corn States are interested in it, and I hope the Senator from Minnesota will not object, because it is necessary that this be done at once.

Mr. SHIPSTEAD. The Department says that it had to abandon the work in the Northwestern States on the barberry bush because of lack of funds. If the Senator will permit the amendment to the joint resolution to include, so far as funds will go, the eradication of the barberry bush, I shall not object.

Mr. McKELLAR. As a matter of fact, the language of the joint resolution does include "other pests", so that the Senator could take that matter up with the Secretary of Agriculture, and I have no doubt whatever is necessary can be done.

Mr. SHIPSTEAD. This does not increase the appropriation?

Mr. McKELLAR. No.

Mr. SHIPSTEAD. It merely extends the use of some of the funds to other things?

Mr. McKELLAR. That is what it does.

Mr. SHIPSTEAD. Will the Senator give it as his opinion that the eradication of the barberry bush could be taken care of under the appropriation?

Mr. McKELLAR. I have no opinion about it.

Mr. SHIPSTEAD. Can it not go over until tomorrow so that we may have a chance to add this amendment?

Mr. GILLETTE. Mr. President, the situation is such that it is a matter of hours. The matter covered by the joint resolution is included in the deficiency bill which is before the House of Representatives; but because of the urgency of the matter, because it is a matter not of days, but of hours, if this is to be of value, those interested have requested this action by the Senate.

Mr. SHIPSTEAD. Mr. President, it would be a matter of only 12 hours until tomorrow morning.

Mr. GILLETTE. Twelve hours is an important interval in this matter.

Mr. SHIPSTEAD. I am sure no damage will result by a delay of 12 hours. Unless an amendment can be adopted now, I shall have to object. There are four States where the black rust is the most damaging pest with which we have to deal in June and July.

Mr. GILLETTE. Mr. President, if the Senator from Minnesota wishes to have added the words "and plant diseases," I shall have no objection. I am convinced that under the Budget estimate the money could not be used for that purpose, but I shall be glad to have the words added to the joint resolution, so if possible it can be used, if the Department wishes to use it.

Mr. SHIPSTEAD. The Congress can empower that use in spite of the Budget.

Mr. GILLETTE. This would give them the power. I have no objection whatever to the addition of the words "and plant diseases."

Mr. SHIPSTEAD. I ask unanimous consent to add in the proper place in the measure the words proposed by the Senator from Iowa, or the phrase "and other pests."

Mr. GILLETTE. That language is already in the joint resolution.

Mr. McKELLAR. Yes.

Mr. SHIPSTEAD. What was the Senator's proposal?

Mr. GILLETTE. To add the words "and plant diseases."

Mr. SHIPSTEAD. Very well. I move that the joint resolution be amended by inserting in the first committee amendment, after the words "insect pests", the words "and plant diseases."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The PRESIDENT pro tempore. The question now is on the second amendment of the Committee on Appropriations.

The amendment was agreed to.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That the sum of $500,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to enable the Secretary of Agriculture to combat the imminent menace of chinch bugs and other insect pests and plant diseases to the corn and other crops in certain States, in accordance with the supplemental estimate of the President contained in House Document No. 736, Seventy-sixth Congress, third session.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

Mr. PITTMAN, from the Committee on Foreign Relations, reported favorably the nomination of John Campbell White, of New York, now a Foreign Service officer of class 1, to act as diplomatic agent and consul general at Tangier, Morocco.

Mr. NEELY, from the Committee on the Judiciary, reported favorably the nomination of J. Cullen Ganey, of Pennsylvania, to be district judge for the eastern district of Pennsylvania to fill a new position.

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

The PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the nominations on the calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters on the calendar.

Mr. McKELLAR. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations of postmasters are confirmed en bloc. That completes the calendar.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 23 minutes p. m.) the Senate took a recess until tomorrow, Thursday, June 13, 1940, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 12 (legislative day of May 28), 1940

POSTMASTERS

ALABAMA

James A. Sanders, Beatrice.
George B. Pickens, Moundville.
Lucile W. Hereford, New Market.
William H. Hoffman, Summerdale.
Gladys W. Deramus, Verbena.

ALASKA

Charles A. Sheldon, Seward.

FLORIDA

Frank B. Marshburn, Bronson.
Eva E. Ward, Macclenny.
William T. Murrell, Miami Springs.
William H. Cox, Palmetto.
Henry A. Drake, Port Saint Joe.

MICHIGAN

Nora Donovan, Bangor.
Claar M. Bedinger, Berrien Springs.
A. Glenn Haslett, Buchanan.
Walter W. Derby, Covert.
Walter D. McCaughey, Croswell.
Herbert H. Creagan, Decatur.
Charles A. Bigelow, East Tawas.
Esse S. Martin, Honor.
Joseph W. Winkel, Lenox.
Walter R. Mason, Milan.
Fred C. Franz, Niles.
Karl E. H. Beyer, Remus.
Harold E. Merritt, South Haven.
Jesse L. Whitney, Washington.

NORTH CAROLINA

Jewell Ballentine, Varina.
James Russell Wiggins, Wake Forest.

PENNSYLVANIA

Paul V. Tillard, Altoona.

PUERTO RICO

Marie O. Reyes, Arecibo.
Jose Monserrate, Salinas.

TENNESSEE

Philip T. Young, Baxter.
Nathan D. Guy, Bradford.
Joseph F. Odle, Camden.
Ottie H. Seaver, Church Hill.
George N. Fuller, Collegedale.
George Reed Canada, Dyer.
Robert F. Buchanan, Fayetteville.
George V. Anderson, Gates.
Ruth G. McCollum, Greenback.
Joe F. Penn, Kenton.
Frank F. Kelley, Lake City.
John W. Simpson, Loudon.
Nona C. Armstrong, Martel.
Edgar D. Hagan, Redboiling Springs.
Lyle S. Alexander, Ridgely.
Hughes H. Hunt, Rives.

UTAH

Elaine S. Peterson, Moab.
Marvin P. Draper, Moroni.
Nellie M. Ballard, Woods Cross.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JUNE 12, 1940

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

God be merciful unto us and bless us and cause His face to shine upon us, that Thy way may be known upon earth, Thy saving health among all nations. Let the people praise Thee, O God, let all the people praise Thee. O let the nations be glad and sing for joy; for Thou shalt judge the people righteously and govern the nations upon earth. Let the people praise Thee, O God, let all the people praise Thee, then shall the earth yield her increase; and God, even our own God, shall bless us. God shall bless us and all the ends of the earth shall fear Him. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 9850. An act to expedite the strengthening of the national defense.

The message also announced that the Senate insists upon its amendment to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. SHEPPARD, Mr. REYNOLDS, and Mr. AUSTIN to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 1024. An act for the relief of Harriett Boswell, guardian of Betty Fisher;

S. 2598. An act for the relief of Kurt Wessely; and

S. 3578. An act for the relief of Edward Smith.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 9594) entitled "An act to amend section 12 (b) of the Soil Conservation and Domestic Allotment Act, as amended, by authorizing the transfer of funds to cover advances for crop insurance," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BANKHEAD, Mr. HATCH, and Mr. WILEY to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 51. Concurrent Resolution authorizing the enrollment with an amendment of S. 2598, for the relief of Kurt Wessely.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9209) entitled "An act making appropriations for the Military Establishment for the fiscal year ending June 30, 1941, and for other purposes;" that the Senate agrees to the amendments of the House to the amendments of the Senate Nos. 19, 21, 38, 67, 79, 117, 120, 121, 122, 123, 124, 125, and 126; and that the Senate recedes from its amendments Nos. 78 and 119 to said bill.

NATIONAL DEFENSE

Mr. MAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9850) to expedite the strengthening of the national defense, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. MAY, THOMASON, HARTER of Ohio, ANDREWS, and SHORT.

SPECIAL COMMITTEE TO INVESTIGATE UN-AMERICAN PROPAGANDA AND ACTIVITIES

Mr. WARREN. Mr. Speaker, I offer a privileged resolution from the Committee on Accounts and ask for its immediate consideration.

The Clerk read the resolution, as follows:

House Resolution 521

Resolved, That the expenses incurred by the Special Committee to Investigate Un-American Propaganda and Activities during the period prior to January 23, 1940, when the said committee had expired, shall be paid out of the contingent fund of the House for an amount not to exceed in the aggregate $1,184.08, said sums to be charged against the committee's current appropriation as authorized by House Resolution 368 of January 25, 1940.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. WARREN. I yield to the gentleman from Massachusetts.

Mr. MARTIN of Massachusetts. This resolution provides additional money for the so-called Dies committee?

Mr. WARREN. No; this is to cover the expenses of the committee from January 3 to January 23, the period that elapsed before the committee was renewed.

Mr. MARTIN of Massachusetts. The gentleman has not had any information as to when this committee is going to make any request for legislation?

Mr. WARREN. That is certainly beyond my knowledge.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

RELIEF FOR WAR REFUGEES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 835)

The SPEAKER laid before the House the following communication from the President of the United States, which was read, referred to the Committee on Appropriations, and ordered to be printed:

JUNE 11, 1940.

MY DEAR MR. SPEAKER: For the information of the House of Representatives, I am notifying you that I have sent the following letter to the Vice President. I have done this at this time because it has been suggested to me by leaders of the Senate that the subject matter can well be included in the relief bill which is now pending before the Senate:

MY DEAR MR. VICE PRESIDENT: World events have made it clear to the American people that in the interest of American defense it is necessary for us to engage in a greatly enlarged program of training and armament.

At the same time our deepest sympathy has gone out to the civilian populations of war-torn areas, and I believe that this sympathy should be expressed by a concrete example of our inherent and decent generosity.

Many millions of dollars have been given to the American Red Cross for relief purposes in Europe, but I feel that the Government itself should greatly add to the assistance that is now being given.

In the pending relief bill before the Congress we are making possible the expenditure of over $1,000,000,000 for the relief of the needy unemployed in the United States. And, in addition to this, large further sums are being spent from day to day by States and municipalities in the care of the needy who cannot be given employment on work-relief projects.

In view of these large sums spent at home, I feel that the Congress would receive Nation-wide support if it were to add an appropriation to the relief bill in the sum of at least $50,000,000 as a token of our deep-seated desire to help not only Americans but people who are destitute in other lands.

Clearly the greater part of the amount appropriated will be spent in the United States for the purchase and export of food materials, nearly all of which represent surplus in this country. These surpluses are due principally to the war situation in other lands. We have used and are using a part of these surpluses for distribution to our own needy families. But there is still an excess which tends, incidentally, to depreciate the prices which American farmers receive for their products. Further export of these surplus food products will help the economics of our very large agricultural population.

There are other things which the destitute refugees need across the seas—medicines and medical and nursing aid; bandages, surgical dressings, hospital garments, and even cots and blankets and sheets; ambulances; clothing against the winter which will be upon them soon; safeguards against epidemics which could well spread throughout the world.

The funds of the Red Cross will be needed and used for these purposes. The appropriation I am suggesting will supplement their efforts.

The appropriation should, I think, be kept in somewhat elastic form because it is clear that at this time it is impossible to forecast either the exact needs or the exact methods of meeting them.

I call attention to the fact that such an appropriation in no way lightens the burdens which the American Red Cross has already assumed. It is necessary that the American Red Cross continue its splendid service for wounded and sick soldiers and civilians. An appropriation by the Congress will supplement the work of the Red Cross to meet the many additional crying needs of the civilian populations who have been driven from their homes.

Very sincerely yours,

FRANKLIN D. ROOSEVELT.

I trust that if the Senate adds such an appropriation to the relief bill, the House will give it approval.

Very sincerely yours,

FRANKLIN D. ROOSEVELT.

The HONORABLE THE SPEAKER,
The House of Representatives, Washington, D. C.

PETROLEUM STILLS

Mr. DISNEY. Mr. Speaker, by direction of the Committee on Ways and Means, I ask unanimous consent for the immediate consideration of the bill (H. R. 6207) to amend section 2810 (a), Internal Revenue Code, to exclude petroleum stills from the requirement of registration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, will the gentleman explain the bill?

Mr. DISNEY. By the law of 1868 liquor stills were required to be registered. That has remained the law all these years. Under a very peculiar Federal court decision 2 years ago the Treasury Department, against its will, was apparently required to make a regulation which required petroleum, gasoline, and oil-refining stills to be registered. The whole thing is a nuisance to the Treasury Department as well as to the oil industry. This bill is to exempt those petroleum and gasoline refining stills from registration. No money or tax is involved.

Mr. MARTIN of Massachusetts. I have no objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 2810 (a), Internal Revenue Code, is amended by adding an additional paragraph at the end thereof to read as follows:

"Stills and distilling apparatus set up at refineries for the refining of crude petroleum or the production of petroleum products and not used in the manufacture of distilled spirits are not required to be registered under this section."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. WHITTINGTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein resolutions adopted by the Keesler, Hamrick, Gillespie Post 29 of the American Legion, Greenwood, Miss., on June 6, 1940.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. COFFEE of Washington asked and was given permission to extend his own remarks in the RECORD.

PERMISSION TO ADDRESS THE HOUSE

Mr. JONES of Ohio. Mr. Speaker, I ask unanimous consent that today, after the disposition of the business on the Speaker's table, at the conclusion of the legislative program for the day, and following any special orders heretofore entered, I may be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

SHIPMENT OF SCRAP IRON ABROAD

Mr. SECCOMBE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SECCOMBE. Mr. Speaker, with war clouds abroad and the crisis becoming more serious daily, and with the President's recent pledge of allegiance and assistance to the Allies, we find America daily shipping scrap-iron material to the enemies of the Allies. Let us stop immediately the shipment of scrap-iron materials that later may be used against us.

We also find Japan in her barbarous warfare with China receiving thousands of tons of American scrap iron. As a matter of fact, only a few days ago, a large Italian freighter left the pier in Baltimore, Md., loaded down with American scrap iron, therefore, if we are to aid and assist the Allies, then let us stop the shipment of scrap-iron material to their enemies.

The shipment of scrap iron abroad is equivalent of sending away all the topsoil of America, as it never comes back, but if we are to continue to send scrap-iron material abroad, which is one of the greatest resources of America, then we are not helping the Allies, but we are providing materials which could be directly marked "Bullets made in America to help destroy those who are oppressed," and with whom we are in complete sympathy today.

EXTENSION OF REMARKS

Mr. EDWIN A. HALL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a copy of an editorial from the Roxbury Times.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I hold in my hand a petition that I am circulating among the Members asking them to sign it. It is a request to the Committee on Ways and Means for a hearing on a resolution I introduced on May 10. The petition reads as follows:

Whereas House Concurrent Resolution 63, introduced by Mrs. ROGERS of Massachusetts on May 10, declares that it is the sense of the Congress of the United States that the Congress ought to remain in continuous session in order to be in readiness to meet any eventuality that may arise that would require the exercise of its authority as representatives of the people, the undersigned request the chairman of the Committee on Ways and Means to sponsor such a hearing before the aforesaid committee at an early date.

Mr. Speaker, if the hearing is not granted within a few days, I am going to place a discharge petition on the desk. The distinguished gentleman from Georgia [Mr. COX] has said he was in favor of continuing in session, as have the Members from Oklahoma and from Virginia. We must stay in session to protect the people of America, as much as possible, from consequences of the wars raging in Europe and Asia. We must make our defenses strong. [Applause.]

EXTENSION OF REMARKS

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an editorial from the Knoxville Journal.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

TAX BURDEN ON BUSINESS

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and also to extend my remarks in the RECORD and to include therein an article from the Guaranty Trust Co. on taxes.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

[Mr. LELAND M. FORD addressed the House. His remarks appear in the Appendix of the RECORD.]

TAXATION

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute, and to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, 30 days ago it was not thought, by the Ways and Means Committee, that we could raise any additional taxes. The Ways and Means Committee brought in a bill after about 10 days' consideration and hearings, and it is to raise $1,000,000,000. The question I want to ask is, Why we did not do this 7 years ago? I wanted them to do it then. They bring it in now because they want to make the people believe it is because of a national emergency. We have had a national emergency for 7 years, with 10,000,000 people unemployed, and a deficit of billions each year, and yet they stood idly by and refused to take such action then, and in this way created a national debt of $25,000,000,000 which our children and our children's children will have to take care of—pay our debts and run the Government besides. We would have had an $18,000,000,000 debt in 7 years had they brought the bill in 7 years ago. What is the reason for this New Deal operation? They want to make the people believe that it was because of a national emergency that they had to bring in a tax bill. Why they have to fool the people about the need for taxes is what I would like to know. [Applause.]

[Here the gavel fell.]

EXPORTATION OF SURPLUS AGRICULTURAL FOOD PRODUCTS TO WAR REFUGEES

Mr. O'BRIEN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

[Mr. O'BRIEN addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein two editorials.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article on Sea Power Against Air Power, by John Callan O'Loughlin.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. JARRETT asked and was given permission to revise and extend his own remarks in the RECORD.

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial which appeared in yesterday's Washington Daily News.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. JENSEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter from one of my constituents relative to the calling out of the National Guard.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. LEONARD W. HALL. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial from the Washington News entitled "If They Vote To Go Home, Vote To Keep Them There."

The SPEAKER. Is there objection?

There was no objection.

REORGANIZATION OF THE NAVY DEPARTMENT

Mr. VINSON of Georgia. Mr. Speaker, I call up the conference report on the bill (S. 4026) providing for reorganization of the Navy Department, and for other purposes, and ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Georgia calls up a conference report and asks unanimous consent that the statement be read in lieu of the report. Is there objection?

There was no objection.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4026) providing for the reorganization of the Navy Department and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to the same.

Amendment numbered 1: That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment amended to read as follows:

"SEC. 3. The President of the United States is hereby authorized, in his discretion, to appoint from civil life, by and with the advice and consent of the Senate, an Under Secretary in the Department of the Navy to serve during any national emergency declared by him to exist, including the present limited emergency. The Under Secretary of the Navy shall perform such duties as may be prescribed by the Secretary of the Navy or required by law and shall be next in succession to the Secretary of the Navy during his absence or disability or in the event of a temporary vacancy in that office. The compensation of the Under Secretary of the Navy shall be at the rate of $10,000 per annum. The Assistant Secretary of the Navy, next after the Under Secretary of the Navy, shall hereafter succeed to the duties of the Secretary of the Navy during his absence or disability, or in the event of a temporary vacancy in that office."

And the House agree to the same.

Amendment numbered 3: That the Senate recede from its disagreement to the amendment of the House numbered 3, and agree to the same with an amendment, as follows: Strike out the matter inserted by said amendment and insert in lieu thereof the following: "4"; and the House agree to the same.

CARL VINSON,
P. H. DREWRY,
M. J. MAAS,
Managers on the part of the House.

DAVID I. WALSH,
MILLARD E. TYDINGS,
FREDERICK HALE,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4026) providing for the reorganization of the Navy Department, and for other purposes, submit the following written statement explaining the effect of the action agreed on by the conference committee and submitted in the accompanying conference report:

On amendment No. 1: This amendment modifies the Senate language to provide that the President is authorized, in his discretion, to appoint an Under Secretary of the Navy to serve during any national emergency declared to exist, including the present limited emergency. It prescribes in a general manner the duties of the Under Secretary. It authorizes his succession as Secretary of the Navy next after the regularly appointed Secretary and provides that the Assistant Secretary succeeds next after the Under Secretary. It also establishes the rate of compensation for an Under Secretary.

On amendment No. 2: This amendment retains as a provision of law the office of Assistant Secretary of the Navy for aeronautics. The bill as passed by the Senate would repeal the law providing for this office.

On amendment No. 3: This amendment corrects the section number.

CARL VINSON,
P. H. DREWRY,
M. J. MAAS,
Managers on the part of the House.

Mr. VINSON of Georgia. Mr. Speaker, I will briefly explain only the part in conference. When Senate bill 4026 was before the House a few days ago I moved to strike out section 3, which was in this language:

> There shall be in the Department of the Navy an Under Secretary, who shall be appointed by the President from civil life by and with the advice and consent of the Senate.

The conferees had a meeting, and as chairman of the Naval Affairs Committee I received a letter from the President asking that this office be created for the emergency. The conferees then unanimously agreed to this language:

> The President of the United States is hereby authorized, in his discretion, to appoint from civil life, by and with the advice and consent of the Senate, an Under Secretary in the Department of the Navy to serve during any national emergency declared by him to exist, including the present limited emergency.

On June 8 I received a letter from the President, a part of which I shall read to the House:

> The Navy is being expanded in personnel at a very rapid pace, and we are also engaged in great additions to matériel, with a special emphasis on speeding up ship construction.
>
> During emergency times such as these it is advisable to have one civilian in Washington at all times, to have one civilian active in supervising the speed-up program, and to have a third doing inspection work in the navy yards and munition plants. With three civilians—a Secretary, an Under Secretary, and an Assistant Secretary—they can take turns in doing the inspection and supervisory work.

The House can thoroughly understand that this position of Under Secretary is only during the limited emergency, or in a national emergency.

Mr. COLE of New York. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. Yes.

Mr. COLE of New York. Then we are to understand that as soon as the emergency is over the Under Secretary will be dismissed from the service?

Mr. VINSON of Georgia. Let me read the provision again:

> The President of the United States is hereby authorized, in his discretion, to appoint from civil life, by and with the advice and consent of the Senate, an Under Secretary in the Department of the Navy to serve during any national emergency declared by him to exist, including the present limited emergency.

Of course, if Congress appropriated money to pay him his salary after the proper proclamation had been issued declaring the emergency over, it would be contrary to law, there would be no authorization for it, and it would be subject to a point of order. The House can thoroughly understand that I am unalterably opposed in peacetimes, in normal times, to an Under Secretary of the Navy, and it is my purpose to limit it only during the national emergency.

Mr. COLE of New York. The gentleman has read the letter from the President in which the President recommended that there should be three civilian heads of the Navy Department so that at least one of them can be in Washington at all times.

Mr. VINSON of Georgia. Yes.

Mr. COLE of New York. Should not the gentleman point out that it is possible, under present law, to have three civilian heads of the Navy Department so that any one can be in Washington at all times?

Mr. VINSON of Georgia. No; under the law we have a Secretary of the Navy and an Assistant Secretary of the Navy, and there is a statute which permits a Secretary for Aeronautics. That position is not being filled, and has not been filled for years. Those are the only three civilians in the Navy Department.

Mr. COLE of New York. But under the present law there is authority to have two Assistant Secretaries of the Navy.

Mr. VINSON of Georgia. Oh, yes; if you include the aviation section.

Mr. COLE of New York. Does the gentleman have any information as to when a Secretary of the Navy is going to be appointed?

Mr. VINSON of Georgia. I certainly hope that office will be filled immediately. I personally urged this morning that it be filled promptly.

Mr. COLE of New York. I hope the gentleman, in fairness to the officers of the Navy, will point out that the Navy Department has been almost headless and leaderless for 7 years, and that except for the past few months it has been run by one civilian, Mr. Edison, who has borne the entire load.

Mr. VINSON of Georgia. Oh, the Navy Department has always had the assistance of the gentleman from New York [Mr. COLE] and the other members of the Naval Affairs Committee.

The House can rest assured that I am not trying to put in a $10,000 job permanently. I am only doing it temporarily, doing it in deference to the letter of the President saying that he needs it. That is all.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. MICHENER. As I understand, there is authority now to appoint these civilian assistants. Will the gentleman tell the House the difference between an Assistant Secretary of the Navy and an Under Secretary of the Navy, and why the word "under" is used?

Mr. VINSON of Georgia. I will say, as far as I know, it is tweedle-dum and tweedle-dee. Both of them will be assigned whatever duties the Secretary of the Navy may assign them, but if the Secretary is out, then the Under Secretary performs the duties instead of the Assistant Secretary.

Mr. MICHENER. The Under Secretary is the second ranking man in the Department?

Mr. VINSON of Georgia. That is right.

Mr. MICHENER. The only Under Secretary we have created is in the Treasury Department—a number of years ago?

Mr. VINSON of Georgia. That is right.

Mr. MICHENER. When the office of Under Secretary was created, the reason given on the floor at that time was because foreign nations had under secretaries in all their departments and we wanted officers of similar names and rank.

Mr. VINSON of Georgia. Well, that does not appear in this matter at all. The sole objective is to speed up, and have the men, civilian appointees, who can drive through this shipbuilding program, and the Secretary felt some time ago that he needed it. The Naval Affairs Committee did not agree with him at that time.

Mr. MICHENER. One question further: The gentleman has referred to "emergency" and "limited emergency."

Mr. VINSON of Georgia. That is right.

Mr. MICHENER. Will the gentleman differentiate between "emergency" and "limited emergency"? My contention is that there is not any such thing as a "limited emergency," unless you want to avoid declaring an emergency.

Mr. VINSON of Georgia. I will say that the proclamation issued on September 8 is the proclamation under which he holds his office. When that is abrogated by another proclamation, he goes out.

Mr. MICHENER. But that is a limited emergency. Now, presuming the next one should be an emergency, then what about it?

Mr. VINSON of Georgia. Of course, he has got authority by using the words "limited emergency"—it means a national emergency.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. MARTIN of Massachusetts. Did I understand the gentleman to say that one of these Assistant Secretary posts had not been filled?

Mr. VINSON of Georgia. That is correct.

Mr. MARTIN of Massachusetts. It is vacant now?

Mr. VINSON of Georgia. Yes.

Mr. MARTIN of Massachusetts. Why has it not been filled?

Mr. VINSON of Georgia. It is fixed by statute. It applies only to aviation.

Mr. COLE of New York. Will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. COLE of New York. Is there contained in the Senate provision to which the gentleman is directing his remarks a

provision that this Under Secretary shall have the responsibility of supervising industrial activities?

Mr. VINSON of Georgia. We leave exactly to the discretion of the Secretary what duties he shall perform. We do not fix his duties by statute. I will read exactly what it says:

The Under Secretary of the Navy shall perform such duties as may be prescribed by the Secretary of the Navy or required by law and shall be next in succession to the Secretary of the Navy during the absence or disability or in the event of a temporary vacancy in that office.

Both The Assistant Secretary and the Under Secretary have no particular duties fixed by statute. They may do anything that the Secretary of the Navy directs them to do.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

The SPEAKER. House Resolution 469, providing for the consideration of this matter, will be laid on the table.

EXTENSION OF REMARKS

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my own remarks and include a radio address delivered by the Governor of California.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BLAND. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an editorial from the New York Journal of Commerce of June 4.

The SPEAKER. Is there objection?

There was no objection.

Mr. BYRNS of Tennessee. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and include two short editorials from the Nashville Banner.

The SPEAKER. Is there objection?

There was no objection.

Mrs. NORTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a letter received from Mr. Smith, of the National Labor Relations Board.

The SPEAKER. Is there objection?

There was no objection.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of adjournment and to include therein an address by the national commander of the American Legion and a statement by the head of the Veterans of Foreign Wars.

The SPEAKER. Is there objection?

There was no objection.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to include in the remarks I expect to make a little later in Committee of the Whole two letters from prominent authorities on aviation.

The SPEAKER. Is there objection?

There was no objection.

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include excerpts from some diplomatic correspondence.

The SPEAKER. Is there objection?

Mr. SABATH. Reserving the right to object, I would like to ask the gentleman from Montana how many columns he has inserted in the CONGRESSIONAL RECORD——

Mr. MARTIN of Massachusetts. Well, Mr. Speaker, the regular order.

Mr. SABATH. Well, then, I object, Mr. Speaker.

The SPEAKER. Objection is heard.

FIRST SUPPLEMENTAL NATIONAL-DEFENSE APPROPRIATION BILL, FISCAL YEAR 1941

Mr. WOODRUM of Virginia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 10055) making supplemental appropriations for the national defense for the fiscal year ending June 30, 1941, and for other purposes; and, pending that motion, I ask unanimous consent that general debate shall be continued for 3½ hours, the time to be equally divided between the gentleman from New York [Mr. TABER] and myself.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. WOODRUM]?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Virginia.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 10055, with Mr. THOMASON in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. WOODRUM of Virginia. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, the bill under consideration is the last appropriation bill, so far as we know, carrying into effect the emergency-defense program. The bill carries a total amount of obligating authority of $1,706,053,908, of which $1,381,917,147 is in cash and $324,136,761 in contractual authorizations.

With the passage of this bill, substantially as reported by the committee, the Congress will have provided for national defense for 1941, a total amount of $4,915,297,686, of which $4,089,959,677 is in cash and $825,338,009 in contractual authorizations. So far as I know, there is no controversy over any of the items in this bill. I am not, therefore, going into very much particularity. I will make a short general statement as to the bill's general provisions and express the hope that the House will find it agreeable to expedite its consideration when we read the bill under the 5-minute rule and that we may finish the bill today.

The provision for nearly $5,000,000,000 for national defense passing the Congress, practically unanimously, I think notes a willingness on the part of Congress to cooperate wholeheartedly under the leadership of the President in providing an adequate national defense. Let me say, Mr. Chairman, that there has never been any disposition on the part of Congress so far as I know to withhold funds for adequate national defense. The fact that we did not appropriate $4,000,000,000 last year when perhaps we would have had the program well under way does not mean that the Congress is now willing to provide national defense but was not willing then; it simply means that the question of what is adequate national defense is a relative matter, that what we considered adequate national defense a year ago or 2 years ago is now an entirely different situation. The Congress is willing as shown by these actions to provide not only a defense for continental America but a defense sufficient vigorously to protect and proclaim the Monroe Doctrine in the Western Hemisphere.

The report filed by the committee sets out in detail a break-down of these items showing what portion goes to the Army and what portion to the Navy, showing the new naval vessels to be put under construction, showing a summary of the naval public works provided for under the bill in the way of shipbuilding facilities, aviation shore facilities, and so forth. It shows under title II the amount provided for the War Department and then under title I the amount provided for sundry civil-defense activities including the Civil Aeronautics Authority for civilian pilot training, $32,000,000; the National Advisory Committee for Aeronautics, for an engine research laboratory, $2,000,000; the Federal Bureau of Investigation for additional agents to protect America against subversive activities, $3,358,800; to the Coast Guard, $10,717,040; to the Procurement Division of the Treasury, $47,500,000 toward a stockpile of strategic and critical materials.

Mr. PACE. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. PACE. I am wondering if it would be possible for the gentleman to include in his remarks today the same break-down for the entire $5,000,000,000 so that we may have the full picture of the $5,000,000,000 at one place and

have a more complete understanding of what has been done?

Mr. WOODRUM of Virginia. It will not be possible to get the tabulated material in time to include it in my remarks for printing in today's RECORD. It can be put in the RECORD as soon as the session is finished and it can be completely compiled.

Mr. ALEXANDER. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. ALEXANDER. Yesterday the figure was used here of $3,250,000,000 as having been appropriated for national defense up to that point. I assume this $1,381,000,000 is in addition to that, or is that included?

Mr. WOODRUM of Virginia. This is in addition to that. This is the last request of the President in the last defense message.

Mr. ALEXANDER. I understand we are now up to $4,650,000,000.

Mr. WOODRUM of Virginia. It is nearer $5,000,000,000. It is $4,900,000,000, including contract authorizations.

Mr. LEWIS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. LEWIS of Colorado. Of my own knowledge, I know of certain Army stations where important permanent construction is under way but on which the contractors are working only one shift. I have been informed there are several other Army and Navy stations where important construction is going ahead on only one shift. Is there any provision in this bill to enable the War Department, should the War Department find it expedient, to require contractors to put on additional shifts, although the work is being done under contract? In this way completion of important facilities, essential to national defense, could be hastened, and such facilities made more promptly available for the purposes for which they were designed.

Mr. WOODRUM of Virginia. There is not much in this bill for permanent construction. The program as it has been set up we think is sufficiently elastic to give the Department the authority to go forward and meet the situation the gentleman mentions.

Mr. LEWIS of Colorado. Expediting the completion of the facilities, particularly in the Air Corps?

Mr. WOODRUM of Virginia. Yes.

Mr. LEWIS of Colorado. I thank the gentleman.

Mr. WOODRUM of Virginia. Mr. Chairman, as I said in the beginning of my remarks on the bill, the Congress has shown a commendable willingness to take necessary legislative action in the emergency. And in this connection I want specifically to express my appreciation to the minority members of the Appropriations Committee, the gentleman from New York [Mr. TABER], and his minority colleagues on the deficiency subcommittee as well as the entire committee—and I think what I am about to say with reference to the Appropriations Committee applies to all of the committees of the House as well as to the House as a whole—have shown a willingness to cooperate to the very fullest extent in expediting the consideration of these matters. I think that should be noted and should be noted with appreciation, because there have been many places and many points where minority Members in the exercise of their rights as minority Members could have not only caused difficulties, but could have caused delays in the consideration of this program. Of course, there have been some very intemperate speeches made. Some of our Republican friends have not been willing to pass up the opportunity to do a little breast beating, but it has been harmless, I think, and I think the country understands how that is.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. MAY. May I say to the gentleman from Virginia, particularly so far as the House Military Affairs Committee is concerned, that the gentleman's remarks concerning the minority members of the Appropriations Committee equally applies to my committee. They have cooperated in every respect.

Mr. WOODRUM of Virginia. I thank the gentleman.

Mr. SNYDER. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Pennsylvania.

Mr. SNYDER. With reference to the subcommittee on military appropriations of the Appropriations Committee, may I also say that the minority members of my subcommittee have cooperated in a wholesome way.

Mr. WOODRUM of Virginia. I thank the gentleman.

Mr. Chairman, as we come now more or less to a close of the present defense matters which have been submitted up to date to Congress, may I recall the fact that the President referred to the Congress, the legislative branch, and to the administrative branch of the Government as being a team that would work together and play ball together. I feel that the legislative branch of the Government has played ball with the administrative branch of the Government [applause] just as it should, and I am very glad to see in the press a statement correcting an article that was in the press a few days ago to the effect that the President wanted the Congress to get out of Washington. I am glad that matter has been straightened out. I doubted at the time that the Chief Executive had made any such statement as that. Certainly there would be no reason for the administrative branch of the Government to want to get rid of the legislative branch of the Government that has cooperated wholeheartedly, and I for one feel that the Congress, if not in daily session—and there is no reason why we should be in daily session—in this period when we are going through the greatest crisis in the history of civilized government, a crisis abroad that is so vital and which so intimately affects the American form of government, a crisis in which matters break overnight without warning which would call for legislative action, would be running out on the American people if it pulled down the curtains, nailed up the shutters, and adjourned sine die and we went back to our districts and stated, "Although this is the greatest crisis in the world, although no man today can tell what tomorrow will bring forth, we have quit and come home."

So I hope very much that our leadership, the Democratic leadership of the House, which is responsible for party policy, will find it expedient and proper to confer with the other branch of the legislative body and the administrative branch and wind up as speedily as we may the matters that are now on the desk, then permit Congress by a series of recesses to stand by, to be ready to further cooperate in passing needed legislation in case any great national or international emergency should arise which should make this necessary. [Applause.] My own delegation has unanimously gone on record as favoring such a course of action. [Applause.]

Mr. RICH. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Pennsylvania.

Mr. RICH. I do not know that there is anyone in the House who would not be for the spending of all the money that may be necessary for an adequate national defense. I know I am. But even at that, when we are still continuing to legislate, I think we ought to be able to make some suggestions which we ourselves believe are right and proper. I believe that we should try to amend the legislation that we now have before us. On page 3 of the bill there are $8,400,000 appropriated for airplane-engine research. The idea is to work with the National Advisory Committee for Aeronautics, which I believe is doing everything and will do everything to further our national interests. However, I question the advisability of the Federal Government establishing now another great research laboratory. I believe the Federal Government should in this bill and through the National Advisory Committee for Aeronautics work with the manufacturers of this country who are now building airplane engines.

Mr. WOODRUM of Virginia. I will answer the gentleman if he will permit me.

Mr. RICH. I want to make this further statement. By spending $4,200,000, we will accomplish the same amount of good that we will accomplish by spending $8,400,000. I am going to offer an amendment to the bill with that in view, not because I want to oppose the committee but because I believe it will do the same amount of good with just half the money.

[Here the gavel fell.]

Mr. LUDLOW. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. WOODRUM of Virginia. Mr. Chairman, the item for the engine-research laboratory is one of the most important items in the bill. [Applause.] With the large expansion that we have in prospect for our air service, to refuse to do the necessary fundamental research would be, in my judgment, the most stupid sort of legislative action.

Mr. RICH. Will the gentleman yield?

Mr. WOODRUM of Virginia. Let me answer the gentleman's question. I yield for a question.

Mr. RICH. It is not my idea to do away with this investigation and research but to do it through cooperation with the present manufacturers rather than setting the Government up in business again.

Mr. WOODRUM of Virginia. The present manufacturers will not do that. They will promote whatever is decided upon and there is money carried in the regular appropriation bills and in this bill also which may be used to cooperate with private industry for development, but this item is for fundamental research. Both the Army and Navy aviation authorities endorse and urge provision for this laboratory and the doing of this fundamental research work.

Mr. ENGEL. Will the gentleman explain what fundamental research is?

Mr. HINSHAW. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from California.

Mr. HINSHAW. Has the gentleman considered in this bill augmenting the present facilities of certain of our higher educational institutions for training research assistants and engineers in aeronautics?

Mr. WOODRUM of Virginia. There is nothing of that kind in this bill. We had no such recommendation.

Mr. HINSHAW. The gentleman recognizes that at the present moment that is one of the keenest bottlenecks we have in the whole aircraft industry?

Mr. WOODRUM of Virginia. Yes; that is true.

Mr. HINSHAW. And that we have a number of very highly qualified educational institutions that could carry on that work, especially in research and training research assistants?

Mr. WOODRUM of Virginia. Under the provision for expediting production this $200,000,000 fund may be used for training extra civilian personnel. Possibly under that provision something may be done.

Mr. HINSHAW. Would that come under educational institutions; that is, funds granted to educational institutions?

Mr. WOODRUM of Virginia. Yes, it could be used for that, undoubtedly.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Montana.

Mr. O'CONNOR. I should like to ask the gentleman if the bill carries any appropriation for the development and research work of strategic metals in this country, such as manganese and chromium.

Mr. WOODRUM of Virginia. It does.

Mr. O'CONNOR. What are the conditions under which the appropriation will be used?

Mr. WOODRUM of Virginia. Page 10 of the bill carries funds for expediting production of war materials; some of those funds may go into research for developing American industry.

Mr. O'CONNOR. We have heavy deposits in my State of both manganese and chromium. Some money could be used very usefully and beneficially in developing those deposits in connection with our defense program. May any part of this appropriation be used for the purpose I am indicating?

Mr. WOODRUM of Virginia. We have made some provision for manganese experimentation.

Mr. ENGEL. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Michigan.

Mr. ENGEL. Will the gentleman explain to the Members just what he means by fundamental research, and what part of the research money will be spent by the Government, and how, and what part will be spent by private industry, and how?

Mr. WOODRUM of Virginia. Fundamental research is just what the name implies. It goes to the basis of the whole question. As distinguished from developing an engine, this research is set up, for example, to find new ways and means of cooling, of developing speed without increasing weight, studying fuel and lubrication problems, and so forth. All of those various and related items come under fundamental research as distinguished from the development of an engine or a plane. It includes making tests under high altitude conditions and various things of that sort.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. As I understand, the research laboratory at Langley Field today spends all of its time on fundamental research in aviation.

Mr. MILLER. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Connecticut.

Mr. MILLER. Is it not a fact that there is not at this time an adequate wind tunnel in the United States, and that a good part of the original expense of this proposed laboratory will go to the building of what we know as a wind tunnel, which is very badly needed?

Mr. WOODRUM of Virginia. We have at Langley Field a very fine wind tunnel.

Mr. MILLER. It is small.

Mr. WOODRUM of Virginia. Yes; that is correct. A large one is under construction.

Mr. FADDIS. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Pennsylvania.

Mr. FADDIS. In connection with the question of the gentleman from Montana, I would like to make the observation right here that I do hope in the face of a national emergency the money that is spent to provide essential materials will go to provide these materials from the sources from which they can be obtained. I do hope that the domestic interests will cease in their attempts to prostitute national defense to the development of domestic production, which has proved over and over and over again that it can produce nothing. [Applause.]

Mr. DICKSTEIN. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from New York.

Mr. DICKSTEIN. Is there provided in this bill the necessary funds for the intelligence sections of the War Department and the Navy Department, which are so vitally important at this time?

Mr. WOODRUM of Virginia. The funds that they requested are in the regular bill.

Mr. DICKSTEIN. Will they get money in addition to what they have heretofore received?

Mr. WOODRUM of Virginia. Yes, indeed.

Mr. DICKSTEIN. Will they increase their forces to investigate sabotage?

Mr. WOODRUM of Virginia. Undoubtedly; yes.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. On page 8, where you deal with the Air Corps, I notice you have an appropriation of $249,000,000. I presume that is one of the largest items. That is pretty well classified and earmarked, is it not, and you know about where all that money is going to go?

Mr. WOODRUM of Virginia. Three thousand planes are included in that $249,000,000, and the contract authority.

Mr. JENKINS of Ohio. Yes; I say that is all pretty well earmarked. In regard to the item of expediting production, I see that there is an item of $150,000,000 which the President is authorized to spend with the approval of a commission. Is this the blank-check item about which we have heard so much talk?

Mr. WOODRUM of Virginia. I may say to the gentleman that this item has been talked about a good deal, but the gentleman will see that the recommendations of the National Council of Defense and the Advisory Commission are required before action is taken on that fund.

Mr. JENKINS of Ohio. I thought that was about as strong as you could put it, unless you have something hidden in this clause up in line 2, "without reference to section 3709, Revised Statutes." What does that mean?

Mr. WOODRUM of Virginia. Without regard to competitive bidding.

Mr. JENKINS of Ohio. Then, as I understand, if anyone should ask me a question with reference to this blank-check item, I would be correct if I said that the Committee on Appropriations has guarded that by providing that the President must have the approval of a commission and also the expenditure must meet with the approval of the Secretary of War?

Mr. WOODRUM of Virginia. That is correct.

Mr. JENKINS of Ohio. Did the gentleman's committee in its wisdom think that that was about as much as you could do, and was it a unanimous decision, in a way?

Mr. WOODRUM of Virginia. We thought that properly safeguarded the fund, that in an emergency of this sort, especially if the Congress should recess for any considerable length of time or even adjourn, there should be some elasticity in the thing. Similar authority has been given in case of great national emergency.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Montana.

Mr. O'CONNOR. Does not the gentleman believe that the proper thing to do would be to purchase on behalf of the Government strategic metals, such as manganese and chromium, in this country, where they can be had at a much lower price than if they were obtained from foreign sources, and where the fields are already proven?

Mr. WOODRUM of Virginia. They will buy it in America whenever they can. There will be no difficulty in the American industry's disposing of every ton of suitable quality they can mine and get above ground.

Mr. O'CONNOR. Does not the gentleman feel that the products of the American industry should be given an even break with the foreign importations? Suppose that the time might come when we could not obtain these metals from cutside source. Under such circumstances we should develop our own fields of deposits.

Mr. WOODRUM of Virginia. Well, it is given an even break, but we need a stock pile which we do not now have and cannot produce in this country.

Mr. MILLER. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Connecticut.

Mr. MILLER. I want to take time to compliment the Civil Aeronautics Authority for the way they have gone ahead on their training program. You will recall that last year the House put a limitation, if you want to call it that, that approximately 10 percent of those trained under this program be from the noncollege group. The suggestion has been made that that might be increased.

[Here the gavel fell.]

Mr. LUDLOW. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. MILLER. I talked with Mr. Hinckley, and under the wording of last year's bill it must be at least 10 percent, but he can go as much further than that as he wants, and I know it is his desire to increase the noncollege group, because their reports have stood up very well. They have isolated those men and they have made a fine record and therefore we have nothing to worry about on that score.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Massachusetts.

Mr. GIFFORD. I simply want to congratulate and thank the gentleman for his observation that the Virginia delegation would like to have Congress continue. They are so adjacent to the capital that they would not have the hardship the rest of us might have, and I want to thank them for their willingness to come in themselves and let the rest of us go home.

Mr. WOODRUM of Virginia. I appreciate the gentleman's sarcastic remarks.

Mr. GIFFORD. No; they were not sarcastic.

Mr. WOODRUM of Virginia. Then I do not know what the gentleman meant when he made that crack that they were so nearby that they did not have to go home.

Mr. GIFFORD. No; they were not meant to be sarcastic, because I approve of Congress staying here, and if you, being adjacent to the capital here, would take that burden, we would greatly appreciate it and thank you cordially.

Mr. WOODRUM of Virginia. I appreciate the gentleman's appreciation.

Mr. MURDOCK of Arizona. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Arizona.

Mr. MURDOCK of Arizona. Does not the gentleman agree with regard to strategic materials that there is a twofold program which we must carry along concurrently, one to get a stock pile from any source we can get it immediately and the other, which is equally important, that we develop such resources in our own borders?

Mr. WOODRUM of Virginia. That is what we are providing for exactly.

Mr. MURDOCK of Arizona. True defense requires both plans. Has the gentleman in this bill, or any contemplated amendment whereby there would be made, any provision for further scientific investigation and development of new processes for getting such materials as manganese?

Mr. WOODRUM of Virginia. There is provision for that in here and the funds provided in the $200,000,000 to the Chief Executive may be used for that purpose.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Pennsylvania.

Mr. EBERHARTER. My understanding of the appropriation for the purchase of these strategic materials is that that money is to be used to purchase it from sources that are not readily at hand during emergencies. For instance, there are materials which can be purchased in this country at any time, practically, and there is no use of spending this large appropriation for material that can be purchased at any time in this country and thereby dissipate the funds. This entire fund should be spent for strategic materials that are not obtainable in this country.

Mr. WOODRUM of Virginia. That is correct.

Mr. EBERHARTER. That is not quite the idea that the gentleman expressed a moment ago when he said that anybody that has any of these strategic materials in this country can sell them.

Mr. WOODRUM of Virginia. I was speaking of manganese, I will say to the gentleman.

Mr. EBERHARTER. The gentleman from Montana [Mr. O'CONNOR] I think was proposing that they should use the domestic product, and also the gentleman from Arizona was proposing that.

Mr. O'CONNOR. Where such supplies are available.

Mr. EBERHARTER. They were proposing that they spend this money to purchase materials available in this country.

Mr. WOODRUM of Virginia. I was referring to manganese, I will say to the gentleman, and any manganese that will meet the specifications the Department will buy every ounce and every ton they can get.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. O'CONNOR. May I suggest to the gentleman that in and around Butte, Mont., nearly 70 percent of the manganese produced in the United States is produced. The producers of manganese there and chromium in other parts of the State should be given the same break in relation to selling to the Government as foreign importers. That is my position.

Mr. WOODRUM of Virginia. I am sure they will be.

Mr. LEWIS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. LEWIS of Colorado. Is it not a fact that, in the portions of the Interior Department appropriation bill providing for the Bureau of Mines and the Geological Survey, provision was made for an investigation of the ore deposits in this country of the rare metals such as manganese, the principal amount of which is now being imported for the time being from abroad, and for methods of treating such ores?

Mr. WOODRUM of Virginia. That is right.

Mr. LEWIS of Colorado. As one of the Representatives from Colorado, a State in which many of those deposits are to be found, I heartily approve the method the gentleman has outlined. At first we must have on hand sufficient stock piles, and then we can go ahead and develop through those other appropriations the necessary home products.

Mr. WOODRUM of Virginia. I thank the gentleman.

Mr. MASSINGALE. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. Yes.

Mr. MASSINGALE. How much money in this bill is to be used to purchase such instrumentalities of warfare as tanks and other things that are necessary to enable the Government of the United States to put in the field, in case of trouble, motorized and mechanized divisions, and how long will it take to get them?

Mr. WOODRUM of Virginia. It takes a good while to get them, but we will have them in time to have a very interesting reception committee for anybody who wants to challenge the right of the Western Hemisphere. To go into the matter specifically as to numbers would take a good deal of time. There is set out as much detail about them as the Department thinks advisable to make public. This has happened. A well-rounded defense force has been provided for on the land, on the sea, and in the air, of battleships, airplanes, and mechanized units of various kinds in the light of world experience today, and the bills at this session provide funds for the personnel, and for the equipment that goes with that force.

Mr. MASSINGALE. In the gentleman's opinion—and he has heard the testimony of these experts—is the amount of money that is to be used for the purpose he has just mentioned sufficiently large in his estimation to protect the Government, and do it quickly?

Mr. WOODRUM of Virginia. I asked the Chief of Staff that very question, and also the Chief of Naval Operations of the Navy whether if Congress gave them this amount of money, if we were giving them what they thought they should have to give us adequate defense. They answered the question in the affirmative, with this reservation, that that was all the money that they could spend now and get results from industry, and they felt that this was a program that would set them up in the present situation until the next session.

Mr. Chairman, if I may say a word or two in closing, I believe John Milton must have been looking down from the corridors of time to the Western Hemisphere when many generations ago he said this:

> Methinks I see in my mind's eye a noble and puissant nation arousing herself, like a strong man after his sleep, and shaking her invincible locks.

America is arousing herself after generations of sweet, idealistic sleep of peace—a great peace-loving nation, that sought to hold aloft the torch of peace and kindliness and friendliness, that sought to spare mankind the horrors, the degradation, and human suffering, the physical and financial loss of war. America is awakening to the realization that the idea of universal peace lies even yet away beyond the horizon of days to come, and that we are living in a realistic world, a world where we must meet realistic conditions; and I think in that realization we are learning two lessons. Lesson 1 is that we cannot look with indifference on what is happening in other parts of the world. There is nothing to my mind so annoying as to have trooped back before us the specter of some great speech that we have made, that has gone sour—a sour speech. I am thinking of some speeches made in the Well of this House from both sides of the aisle perhaps, in the newspapers and magazines, a year ago, preaching a great isolationist doctrine, inveighing against any effort of America to take any part in or to express any interest, or to have even a humanitarian impulse toward other nations that fought for what we stand for and what they stand for. If a year ago the Committee on Appropriations had brought in a bill for a billion dollars for tanks, guns, and so forth, we would have been hooted out of the Capitol. If a year ago the Ways and Means Committee had sought to bring in a tax bill for a billion dollars for defense—and it only scratches the surface of what we will have to do—we would have been trounced from all over this land. But times have changed. It is not because Congress has changed. It is because conditions have changed, and what was sufficient then is not sufficient now. But America is aroused, and we are realizing we do have an interest and we have a very great selfish interest, if you please, in what is happening over there, and we are preparing to meet that situation. What are we doing?

The CHAIRMAN. The time of the gentleman from Virginia has again expired.

Mr. LUDLOW. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. WOODRUM of Virginia. We are preparing to render to the Allies every possible assistance that can be rendered by a nation that is going to remain a neutral nation. We are going to send them supplies. We are going to send them planes and equipment. We are going to send them whatever can be sent to those countries so long as we can without actually entering this conflict.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. MAY. I just want to call attention to one fact, and that is that after we concluded the World War we disbanded our Army, in effect, and that during the last 16 years it has had only $21,000,000 a year, on the average, for replacements.

Mr. WOODRUM of Virginia. Nobody is to be blamed or criticized for that. If we wanted to be partisan and engage in politics, I could blame my friends on the left by reminding them of the fact that it was in a Republican administration when we sunk the greatest navy any country on the face of the earth ever had; yet we all approved of that. Nobody criticized it. It was done because it seemed to us the thing to do at the time.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield right there?

Mr. WOODRUM of Virginia. I yield.

Mr. CASE of South Dakota. If the gentleman is going into that, why was some $34,000,000 returned to the Treasury out of the Army appropriation in 1933 and 1934—money that was appropriated by Congress and was not spent for the purpose intended?

Mr. WOODRUM of Virginia. I am not criticizing anybody for that. We did it because it seemed to be the thing to do. But conditions have changed. Now we have not only realized that we have a stake over there and we are going to help the people who are fighting, if you please, for everything

that America has stood for, and fight against everything that America has abhorred. We are going to help them as far as we can. [Applause.] But the people of America do not want to declare war. They do not want to intervene in this war. I am sorry to see some of our fellow citizens becoming hysterical. I suppose every Member of Congress is getting letters demanding that we declare war on somebody. In the first place, that is not necessary. It would not help the Allies to have any declaration of war. There is nothing in the present situation that suggests any such drastic step as that. In the next place, we are preparing in this country to protect the Western Hemisphere, and I believe that under this program of preparation we will be ready when the time comes. I believe we should never permit any foreign government to establish anywhere in the Western Hemisphere any system of government that is inimical to or contrary to the system of government under which we live. [Applause.]

Mr. Chairman, I appreciate the courtesy and consideration of the Committee, and I hope as the bill goes on it will be your pleasure to help us to facilitate its passage to final conclusion. [Applause.]

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield myself 15 minutes.

NATIONAL-DEFENSE APPROPRIATIONS

Mr. Chairman, we are now considering a bill to provide additional funds for the Army and Navy, totaling more than $1,700,000,000. A great deal of it I do not believe is necessary or can be placed in a position where it can be used effectively for national defense at this time. I am afraid that some of the items will slow up production of things that are needed but the Army and Navy officers seem to think they are necessary and I am not going to place my judgment against theirs.

We are in a woefully inadequate situation as to pursuit planes in both services, but perhaps with the efforts that will be made in the next few weeks by Mr. Knudsen, the man in charge of speeding up production on the Advisory Commission for Defense, we may be able to obtain more efficiency and more production.

The Navy, all told, has about 1,800 planes, about half of which are training planes. This bill and the regular bill which has just been passed provide a little over 4,000, more than half of which are training planes.

The Army has about 3,000 planes of which at least half are training planes. In the bill just passed and in this bill, are approximately 9,000 planes. A very large percentage of the new planes are to be training planes.

It is necessary to add the 95,000 additional enlisted men in the Army if we are going to avoid calling out the National Guard, and we may be able to avoid it unless our situation grows more difficult.

The bill also provides for the laying down of a large number of additional ships for the Navy and speeding up of construction on those that are already under way, and for the building of additional ways for new ships.

There has been a lot of argument about who is to blame for our situation. There have been statements made that the administrations in the twenties were to blame. At that time we had the disarmament treaties which were scrupulously observed by the parties to them, and it was unnecessary for us to build up more than we did because we had as much of a Navy as any other nation.

With the advent of Mr. Hitler in Europe there came a time of tremendous building up of the German air forces and mechanical equipment. Mr. Hitler took over the dive bomber that our own Navy got out 10 or 12 years ago and which is our most effective instrument of defense today. Our own Army Air Corps, and the British and French Air Corps have not felt, right up to the last few weeks, that the dive bomber was important, but now it turns out to have been Hitler's most potent weapon. Our Navy aircraft carriers are well equipped with these bombers and they are in good condition. Our development work, however, on pursuit planes has lagged but we can say now that with the help of a private-industry development by General Motors of the Allison engine, that it looks as though our difficulties are going to be solved.

Undoubtedly the President is to blame. Undoubtedly the Congress is to blame. The Army Intelligence and the Navy Intelligence Service have not been abreast of what has been going on in Germany and we have allowed development work to lag, but it is not going to help the situation to talk about who is to blame. The only thing we can do is to provide the funds necessary for correcting these difficulties, and that I believe is being done insofar as it is possible for us to tell.

Your committee has unanimously voted to add $322,000,000 to the bill without any Budget estimate to meet the deficiency in the Army which we believe needs to be corrected. We are advised by General Marshall that enlistments for this increment will be taken on a basis of the duration of the emergency so that these men may be discharged when their services are no longer needed, and when we get back to a peacetime basis we will be down to the size of the Army provided for in the National Defense Act of 1920. Reserve officers are being called to active duty so that we may not unnecessarily build up the officer personnel.

There is just one item in the bill that I would care to criticize, and that relates to the appropriation of $150,000,000, and a contract authorization for $50,000,000, which may be used for almost any purpose by the Secretary of War and the President. The only saving grace in connection with it is a provision that all expenditures out of this fund must be approved by the Commission headed by Mr. Stettinius and Mr. Knudsen.

I want to say here that I have every confidence in Mr. Knudsen and believe that he will try and turn out a good job.

Mr. BREWSTER. Mr. Chairman, will the gentleman yield?

Mr. TABER. Yes; I yield.

Mr. BREWSTER. I assume that in the provisions regarding the approval by the Advisory Council and the Commission and the Secretary of War and the President, it was felt that was a precaution, although I assume it was recognized that it was rather a hydraheaded monster that was being created as far as efficiency was concerned?

Mr. TABER. I would say to the gentleman that the outfit that we are relying on for protection in connection with that proposition is the Advisory Commission, headed by Mr. Stettinius and Mr. Knudsen.

Mr. BREWSTER. When you say "headed" you realize that they did decline to appoint any chairman?

Mr. TABER. Yes; but they were named first on the Commission.

Mr. BREWSTER. The gentleman does recognize that four of the members are not of their industrial background?

Mr. TABER. Well, that is true, but it is also true that Mr. Knudsen is probably the foremost industrialist in America and it is true that if the Commission should attempt to abuse its discretion, he is probably of the temperament to blow up. I believe that that is a better means of protection than we would have without language in it, but frankly I do feel that the things they can do should be limited to the things that Mr. Knudsen referred to in his letter, which appears on page 90 of the hearings, as follows—I am quoting only a part of his letter—

> To be utilized for the broadening of educational orders and for additional facilities either in Government arsenals or in private industries.

I think it should be limited to those things, and I think it should be limited to those cases where private industry does not have facilities available.

Mr. BREWSTER. Do you proceed on the assumption that Mr. Knudsen would not have undertaken this responsibility unless he were assured that he would have rather a free hand?

Mr. TABER. Well, I hope that he would not have undertaken it without that assurance. I have nothing from Mr. Knudsen beyond this one letter on page 92 of the hearings. He has not been before the committee at the hearings and I know nothing about any assurance that may have been given him.

Mr. BREWSTER. The gentleman is familiar with the extremely attenuated powers of this Advisory Commission to the Council on National Defense?

Mr. TABER. Yes.

Mr. BREWSTER. That it simply can advise the Council, which can only investigate?

Mr. TABER. That is true. At the same time the provision here is legislative in character and it requires that Commission to exercise an administrative function.

Mr. JENKINS of Ohio. Will the gentleman yield in that connection?

Mr. TABER. Yes; I yield.

Mr. JENKINS of Ohio. I was about to ask some of the same questions asked by the gentleman from Maine. I should like to know just what are the powers of this National Defense Commission.

Mr. TABER. The powers of the National Defense Commission under an old statute are purely advisory. On the other hand, in this language on pages 9 and 10 of the bill, they are given legislative power to approve of the expenditures that may be made under the appropriation for expediting production.

Mr. JENKINS of Ohio. In other words, the gentleman holds that inasmuch as we are now enacting a statute—and if this bill passes it will become a statute—a statute that requires that before this money shall be spent it shall have the approval of these two organizations, that it is in effect a statutory injunction upon them just as much as if they had been authorized before they proceeded?

Mr. TABER. Absolutely. They would have no authority and no power, of course, under the old statute. Their power would be entirely conferred upon them by the language of this bill.

Mr. BREWSTER. I think if the gentleman will examine that old statute he will find that the Council of National Defense, composed of the six secretaries, has only the power to investigate and recommend to the President. The Advisory Commission, of which Mr. Knudsen is a member, on the other hand, has only the power to advise the Council, which in turn investigates.

Mr. TABER. That is correct.

Mr. BREWSTER. That is very attenuated.

Mr. TABER. It is entirely advisory, but that would not interfere with the creation of the additional authority which is given to them in this bill.

Mr. BREWSTER. I think it is very wise.

Mr. JENKINS of Ohio. Just in that connection, as I understand it, if Mr. Knudsen and his Commission would refuse to recommend a project to the Advisory Council or to the President and Secretary of War they could successfully block any unwise expenditure of this money.

Mr. TABER. That is correct.

Mr. BREWSTER. And they would have as much authority to control expenditures as the President has.

Mr. TABER. That is right.

Mr. BREWSTER. But it does create this hydraheaded monster.

Mr. TABER. Absolutely.

Mr. BREWSTER. Where there is no efficient executive direction.

Mr. TABER. But I believe efficiency will come because of the requirement that this Commission approve.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield at that point?

Mr. TABER. I yield.

Mr. JENKINS of Ohio. If everybody who is assigned a task in this undertaking would perform his assignment patriotically we shall have efficiency.

Mr. TABER. I think that is true.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. AUGUST H. ANDRESEN. We have noticed newspaper accounts of Henry Ford's statement that he can produce 1,000 planes a day. Does the gentleman know whether the administration intends to cooperate with Henry Ford in bringing about this production?

Mr. TABER. I, of course, do not know; but I believe that any manufacturer who is able to produce will be given the opportunity. I understand Mr. Ford has been furnished with information regarding pursuit planes, the type of plane most needed; but until the engine to use in it has been designed and decided upon there can be no volume production of pursuit planes.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield myself 5 additional minutes.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. RABAUT. In answer to the question of the gentleman from Minnesota, I may say that the Government has sent a plane for inspection and study to the Ford plant. I think another is going out there today. They are the type of planes which they figure could be put into mass production. In this connection also there has been a rumor that Mr. Ford can turn out not 1,000 planes a day but 1,500.

Mr. TABER. The number of planes that Mr. Ford could make would, of course, be dependent upon the type of plane. It would not be reasonable to believe that he could make as many dive bombers at a cost of $350,000 each as he could single-engine pursuit planes at a cost of $60,000 or $80,000—and everything else along the same line. Nor would it be reasonable to suppose that he could make as many pursuit planes as he could training planes, which cost much less.

The Congress, when this bill goes through, will have passed almost unanimously every item of funds which the President has asked for the purpose of carrying on a program for national defense. I hope that we may have it. Is it too much to ask in order that we might have unanimity that the President put his own house in order?

First. That he give to the country a Secretary of War competent and able and ready to look after the letting of the contracts and the speeding up of production in that Department, and the dealing with civilian manufacturers and producers.

Second. That he give us a Secretary of the Navy who will be an actual civilian head of that organization, and who will take charge of the expediting of production and the civil activities of the Navy.

Third. That he give us a Secretary of Commerce in place of Harry Hopkins, and rid that Department of David Niles, Hopkins' brother-in-law, who has operated the maritime end of the Commerce Department in such a way as to drive as many as possible of our seamen into the communistic activities of Harry Bridges.

Fourth. That he give us a Secretary of Labor in place of Frances Perkins, that we may have a proper and competent management of that Department.

Those who are interested in national defense and in the protection of our country are very much disappointed to see a press release, evidently from the White House, that Harry Hopkins and William H. McReynolds are to be the key men in the defense program of the administration. Mr. Hopkins approaches such a position with a record of total failure in every administrative position that he has held. Mr. McReynolds has appeared before committees of Congress as Budget officer of the Treasury Department and has been repeatedly characterized by those who have had contact with him as the most incompetent man who has ever come before us representing a department. Why, in such times as these does not the President show real patriotism and discard his requirement which he has made throughout his administration that for appointment to the public service total incompetency is the chief requirement? Why does he not place these key positions in the hands of people in whom the country can have confidence? Congress and the minority have gone a long way. It is time for the President to show some spirit of cooperation and some interest in national defense by cleaning up his own house.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. AUGUST H. ANDRESEN. Why did Mr. Edison quit if he had been doing such a wonderful job? Why did he quit just at the time when the Congress needs such a man the most?

Mr. TABER. It is a nice way out. I hope we shall obtain from the President an outstanding executive to take charge of that Department. [Applause.]

[Here the gavel fell.]

Mr. LUDLOW. Mr. Chairman, I yield 8 minutes to the gentleman from New York [Mr. O'TOOLE].

Mr. O'TOOLE. Mr. Chairman, I do not relish that what I am about to say because I consider my service in the House of Representatives as the highest honor that has ever been accorded me. In my dealings with the other Members of the House I have the same feeling. I am of the opinion that they are men of high mental and moral caliber; men whose Americanism is not to be questioned; men of both parties, who consider the love of democracy and the continued existence of this Nation their paramount thought rather than petty party politics. However, I would like to read into the RECORD a letter which was sent to my office by the gentleman from Michigan, the Honorable CLARE E. HOFFMAN, Representative in the United States Congress from the Fourth District:

HOUSE OF REPRESENTATIVES,
Washington, D. C., June 5, 1940.

DEAR CONGRESSMAN: This morning's press tells us that Roosevelt yesterday said, "He saw no good reason why Congress should continue in session for the duration of the emergency, as desired by the Republican Members. Sarcastically, he said the situation did not require Congress to remain in session except for the laudable goal of delivering speeches."

That gratuitous insult to us we might personally overlook, for we know him for what he is—a crazy, conceited megalomaniac—but we cannot overlook the insult to our people who sent us here. The President's statement means that, having obtained all the authority and money he thinks he needs, he no longer should be hampered by Congress. He has his puppets on the Supreme Court, so "Why be bothered with the legislative branch of the Government?"

One way to advise our people of what he is up to is to stay in session and on the floor of the House; tell the country what he is, who his associates are, and what he is doing. The majority leadership will not permit us to accomplish this purpose in the regular way, for they know that, if ever the truth is known about Roosevelt—what he is doing and what he intends to do—he will be overwhelmingly repudiated.

I can think of one way by which we can circumvent them—bring out the truth—and that is this: If 5 or 6 of us will every day get a special order for 10 or 15 minutes on several consecutive days, go on the floor and "bawl hell" out of him, or, in more polite language, let the truth be known, we can accomplish our purpose.

True, the first day, no one but Republicans (and very few of them) will listen. But if we are forceful enough some Democrat will take the floor to answer. If we have our special orders in advance, we will have opportunity to make reply immediately, and so our criticism, which will be to the point, will get to the people and we will have the offensive. Make our opponents defend him; they cannot do it successfully.

If we remain on the defense, let him involve us in war, not only will we get a licking in November but irreparable injury will be sustained by our country. By the procedure above suggested, I believe we can inveigle the President and the Democratic Party out from behind their false issues, carry on the battle in the open, and, as our cause is right and just, we will win.

If you have a better plan, suggest it. If not, and are willing to join in this effort, let me know. My only thought is that I hate to take a licking lying down and insist that I like it.

Sincerely yours,

CLARE E. HOFFMAN.

Mr. Chairman, in the course of the year, due to the great size of my district, I receive thousands and thousands of letters, but this is the most pathetic one that I have ever received. The thoughts contained in the letter that I have just read clearly and distinctly show that a Member of this House is placing party politics before the fate of the Nation. Gentlemen from both sides of the aisle in the course of the past week have brought out that this is the greatest crisis that the United States has ever faced—a crisis far greater than Lincoln faced in 1860 or Wilson in 1917. To the everlasting glory of the House, we have voted as a unit for national defense. We stand, working shoulder to shoulder, that this form of government may continue in a world that has gone mad. To receive a letter from a man who has been so honored by his people is indeed a most distinct shock. If it came from one who was a "fifth columnist" every man in this body would rise up to defend the essence of democracy. A love of democracy means a respect and love for the officers of democracy and its institutions, but when a man occupies the high position of Representative in this Government, the third highest in the United States, and he talks of the President of the United States as a "crazy, conceited megalomaniac," democracy then has received a death blow. For the boring-from-within process has started and the "fifth column" is at work in this Hall.

I now address myself to the Republican side of the House, and I say to you that the entire country calls upon you either to repudiate the words of the Member from Michigan or to come out and agree that the policy which he suggests is the policy of the Republican Party. It is your duty to the people of this country in time of stress to inform them if you are going to be "fifth columnists" and support the tactics of the gentleman from Michigan, or if you really are going to stand for national unity. Outward lip service will not suffice when letters like the one I have just quoted are being bandied about behind the scenes. National unity, before ammunition, guns, and men, is our first line of defense. National unity alone will preserve us as a Nation. Likewise, it is very important in our addresses, in our letters in times such as these that we confine ourselves to the truth. The President of the United States has never suggested that the Congress should go home. He has said that when the tax and defense measures were finished there was nothing further to his program. The question of adjournment is for this body and this body itself to decide, and the President knows that as does the newest Member of the House.

It is not enough that the Member from Michigan should bring dishonor and discredit upon the high position that he occupies by his scurrilous language in regard to the highest office in the land, but he also feels compelled to distort the words of the President.

Once again I call upon the Republican side of this House to rise and repudiate the policy laid down by the gentleman from Michigan or to admit to the citizens of this country that these are the type of tactics that they encourage and continue to use while the Nation quivers in its hour of peril.

My closing remarks to the gentleman from Michigan are that he return to the reading of the Holy Scriptures and there find what the Master meant by the word "charity." Perhaps if he would commune with his God and with his conscience he might learn to be more tolerant, for with tolerance would come a real, genuine love of patriotism, a love for democracy and its officers, its institutions, and its people. While this hoped for transformation is taking place, we bow our heads and say, "Lord have mercy on him for he knows not what he is doing."

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. WIGGLESWORTH].

Mr. WIGGLESWORTH. Mr. Chairman, this bill carries a total, including appropriations and contractual authorizations, of approximately $1,700,000,000. All but about a hundred million dollars of this goes to the Army and to the Navy. If we add the balance of $1,600,000,000 to the $3,300,000,000 or thereabouts carried in the regular bill as amended in the Senate, we find that we have made available for the fiscal year 1941 a total of something over $4,900,000,000. Roughly speaking, the Army receives $2,800,000,000 of this total, the Navy receiving the balance of $2,100,000,000.

If we take the period of the last 7 years, we find that appropriations to the Army have amounted to about $3,472,000,000, while those for the Navy have amounted to about $3,823,000,000. Adding these totals to the total provided for the fiscal year 1941, assuming this bill now under consideration is approved, we find that for the 8 fiscal years up to and including the fiscal year 1941 we have made available the total sum of about $12,210,000,000.

Mr. Chairman, that is a colossal amount of money. Those of you who are interested in the manner in which it has been expended in recent years, I refer insofar as the Army is concerned to a statement inserted in the Appendix of the RECORD, page 10999 by the distinguished chairman of the House

Military Affairs Committee, the gentleman from Kentucky [Mr. MAY], and insofar as the Navy is concerned, to a statement inserted in the RECORD of May 23, page 6676 by the distinguished chairman of the Senate Naval Affairs Committee, the senior Senator from Massachusetts, Senator WALSH.

I am not going to speak at length this afternoon, Mr. Chairman, but I do want to take time enough to record myself as in favor of this bill and to express the hope that all other Members of the House will see fit to give it their approval.

No one could have sat through the hearings on this bill and listened to the testimony of the Chief of Staff, the Chief of Naval Operations, and the other Army and Navy officers who came before your committee, without realizing that, confronted by present world conditions, we are today absolutely inadequately prepared in America. The cold facts are that despite the billions appropriated, to which I have referred, we are in a woeful state of preparation. This is particularly true in respect to the Army. It is even more true in respect to the air force. If anyone has any doubts on this score I suggest that he read the hearings before the House committee as well as those before the Senate committee on H. R. 9209, particularly those portions of the Senate hearings in which detailed information is furnished as to what we have and have not on hand at this time.

The gentleman from South Dakota [Mr. CASE] has referred to unexpended balances appropriated to the War Department and turned back to the Treasury in recent years. During the 7 fiscal years, 1933 to 1939, inclusive, the total returned to the Treasury amounted to $62,566,345 (see p. 33, House hearings on Senate amendments to Regular Army appropriation bill). I did not intend to refer to this matter, but since the question has been raised, I call attention to pages 64 and 65 of the hearings on this bill, from which it will appear that as late as December 1939, if I read the figures correctly, no less than $564,000,000 requested by the War Department was denied by the Bureau of the Budget of the President. At a still later date a request was reduced by $6,700,000, and at a still later date a request for personnel was reduced to the extent of 25,000 men.

There is no use trying to dodge the facts which confront us at this time. America is not prepared, and by reason of shortcomings and omissions in the past, national defense has today become the vital problem in America. It will require cooperative Nation-wide effort to make up for the shortsightedness and negligence of the past and to prepare ourselves to deal adequately with the problems of the future.

Mr. Chairman, I am glad to say that this bill provides substantially all that has been requested by either the Army or Navy, and somewhat more. For the Army it provides all the matériel requested. It provides all the personnel requested, and, in addition, about $321,000,000 for an increase in the authorized strength of the Army from 280,000 to 375,000. It provides for 3,000 additional planes in addition to the 2,500 or more planes provided in the Regular Army appropriation bill for the fiscal year 1941. It provides for the development of the Army, according to the Chief of Staff, as rapidly as possible under existing industrial conditions. It is hoped that the increase in the size of the Regular forces will make unnecessary the calling of the National Guard for any prolonged tour of duty at this time.

Insofar as the Navy is concerned, substantially everything requested has been provided. The bill provides for the speeding up of present construction. It provides for the starting of all other authorized construction, with the exception of some auxiliaries. It provides for the acquisition of 105 planes in addition to the 3,000 planes or thereabouts that were carried in the regular bill. It provides for the expansion of airplane bases. It contemplates a personnel of 170,000. It provides all that the Navy needs to ask for, according to the Chief of Naval Operations, between now and the first session of the next Congress.

The bill also carries about $100,000,000 for other emergency items considered as urgent from the standpoint of national defense, including the C. A. A., the N. A. C. A., the F. B. I., the Coast Guard, the Council for National Defense, and the purchase of critical materials.

The gentleman from New York [Mr. TABER] has referred to an item appearing on page 9 of the bill, the so-called blank-check item, providing $200,000,000 for expenditure largely in the discretion of the Secretary of War and others in whose hands it is placed. I personally share the views of the gentlemen from New York in respect to that item. It has been modified to some extent in committee. I hope it can be further amended before the bill is enacted into law.

From statements made to your committee it was apparent that the item was inserted at the last moment, largely at the request of the Assistant Secretary of War, with no detailed submission to the General Staff, and that up to the time of the close of the hearings before your committee the General Staff had taken no official action in respect to it, on the theory that it lay within the jurisdiction of the Secretary of War rather than within the jurisdiction of the General Staff.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 5 additional minutes to the gentleman from Massachusetts.

Mr. WIGGLESWORTH. I think the proposal ought to be further amended so as to make expenditure in order only if there are no private facilities available, and so as to tie down the purposes for which expenditure may be made to purposes specifically approved by the Congress, as distinguished from the wide-open authority embodied in the present proposal.

The Council for National Defense receives $1,000,000 under this bill. Mr. McReynolds, the new secretary of the Council, appeared before your committee. He indicated that he did not know whether he needed $1,000,000, $2,000,000, or $3,000,000. He stated he did not know what period the $1,000,000 would cover or what items it would be applied to if allowed. I trust that the appearance of Mr. McReynolds before your committee is not indicative of the efficiency which we are to expect from the Council in its vital work in the immediate future.

I have the greatest confidence in Mr. Knudsen. I trust that he will be given a free hand and allowed to direct in the field in respect to which he is now in advisory capacity. I trust also that he will be permitted to have the most competent personnel that he can command. The problem of industrial mobilization is a problem for industrial, not political, leadership.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. Does the gentleman feel that Mr. Knudsen is clothed with sufficient authority in this bill so that he may have some check on these blanket appropriations turned over to the Executive?

Mr. WIGGLESWORTH. I may say to the gentleman that, as I understand it, Mr. Knudsen's authority, like that of his colleagues on the Advisory Commission, is purely advisory, and that, therefore, he has not such authority as a matter of law, as I personally should be glad to see him have. The degree to which his judgment will be relied upon is, of course, a matter for the future to determine.

Mr. AUGUST H. ANDRESEN. The gentleman from New York [Mr. TABER] expressed himself as though this advisory committee would be a check upon the expenditures.

Mr. WIGGLESWORTH. It is hoped that requiring approval not only of the National Defense Council but of the Advisory Commission of that Council will serve as a check on the blank-check expenditure which otherwise would be left largely in the hands of the Assistant Secretary of War. The extent of the check remains to be seen.

Mr. AUGUST H. ANDRESEN. The gentleman believes, then, that this bill does contain a provision upon which an intepretation of that character may be placed?

Mr. WIGGLESWORTH. I believe the provision in question before the Committee now is very much improved over the provision in the form in which it was submitted to the Committee on Appropriations. I should like to see it further amended before being enacted into law.

Mr. Chairman, my time has about expired. I want in closing to join wholeheartedly in the position of the distinguished gentleman from Virginia [Mr. WOODRUM] in respect to the proposed adjournment of the Congress in the immediate future. To my mind, that proposal is utterly without justification. With Europe on fire, with tremendous problems confronting this Nation—problems which may influence the well-being of every American citizen for years to come—in my judgment the place for Congress is here in Washington and not scattered to all corners of the Union. I hope, Mr. Chairman, that the Congress will not be placed in the position of retiring from its post of duty in time of emergency. [Applause.]

[Here the gavel fell.]

Mr. LUDLOW. Mr. Chairman, I yield 5 minutes to the gentleman from Montana [Mr. O'CONNOR].

Mr. O'CONNOR. Mr. Chairman, I note on page 10 of the bill, beginning with line 16, that $150,000,000 is made available for various purposes, and that $2,000,000 of this sum will be made available to the Bureau of Mines of the Department of the Interior for the erection, equipment, and operation of a pilot plant for the beneficiation of manganese ores and the production of metallic manganese therefrom by the electrolytic process, including personal services in the District of Columbia.

Mr. Chairman, I think this is a very wise provision. We have large deposits of low-grade chromium and also deposits of manganese in parts of Montana where the field has been proven.

We produce in the United States 5 percent of manganese that is used in industry in this country. The other 95 percent is imported from foreign nations. Of this 5 percent of production in the United States approximately 70 percent thereof is produced in Butte, Mont., and in that connection I am informed that our imported supply may be cut off, if it has not already been done so.

Regarding our low-grade deposits of chromium, this mineral is found in large deposits in three counties in my district. It is low grade, but the deposits are favorably located with respect to size of deposits, transportation, and economy of production. I am informed by the Bureau of Mines that it is working in connection with the National Defense Commission to develop a process whereby this low-grade ore may be used for industrial purposes. If this move is successful, it is highly desirable that these mines be developed.

It is my judgment that wherever possible in the purchase of minerals necessary to provide equipment for our national defense we should give our home markets the breaks with foreign importers of the same material.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. Is the gentleman satisfied with the limitation that this pilot plant should be an electrolytic plant?

Mr. O'CONNOR. Of course, that is a process that I am not entirely familiar with. I would be glad to have the gentleman's view upon that.

Mr. CASE of South Dakota. Certainly striking progress has been made in the beneficiation of manganese ores by the electrolytic method. Practically a new metal has been created. If this were the only fund to be available for this purpose, I would feel that the application of electrolysis to manganese had not been sufficiently explored for us to limit beneficiation plants to that method. I call the attention of the House, however, to the fact that in the report of the managers on the part of the House in the conference on the regular military bill, which was approved last Monday, we included a recommendation that $2,000,000 of the emergency fund in the regular appropriation bill be available for the erection of plants for the beneficiation of manganese in whatever form those plants should take, whether electrolytic wet process, matte smelting, or something else. The language of the recommendation is:

With respect to Senate amendment No. 117, relating to an emergency fund for the President, the managers on the part of the House recommend that $2,000,000 of such fund shall be made immediately available for the planning, erection, equipment, and operation or lease of plants for the beneficiation of manganese ores and the production of metallic manganese therefrom, and for expenditures requisite for and incident to the exploration of domestic manganiferous deposits and acquisition of strategic minerals in accordance with Public, No. 117, approved June 7, 1939.

This recommendation is made in the belief that provision should be made immediately to beneficiate domestic low-grade manganese ores, deposits of which are favorably located with respect to size of deposit, transportation, economy of production, safety of location, and general values for national defense. Resulting high-grade manganese can thus be produced and acquired, domestic reserves proven and made available for increased demand in case of emergency, and emergency supplies provided without the Government competing with industry for existing stocks.

J. BUELL SNYDER,
DAVID D. TERRY,
JOE STARNES,
ROSS A. COLLINS,
GEORGE MAHON,
D. LANE POWERS,
ALBERT J. ENGEL,
FRANCIS CASE,
Managers on the part of the House.

I may say I have gone into this study quite a bit and I am convinced that we do have a great amount of manganese in our country, ample for all needs for generations to come if we but develop our resources and apply our abilities to the task.

Mr. O'CONNOR. My information is that you have quite a lot of it in your own State.

Mr. CASE of South Dakota. We do have the largest quantity of it, I have been advised by the Bureau of Mines and the United States Geological Survey. In fact, the metallic manganese content in our State is supposed to be equal to that in the entire country—102,000,000 tons of metallic manganese, not simply ore but metallic manganese content in the deposits in nine townships alone. The Electro Manganese Corporation has shipped a carload of that ore to its plant at Knoxville, Tenn., and has been making electrolytic manganese from the South Dakota ores. But I am not sure that either there or elsewhere the electrolytic process is the answer for the quick production of manganese at the present time. It may be one of the answers. I think, in addition to this, we should encourage the Government to follow the recommendation in the report of the appropriations subcommittee for the War Department, to which I have referred, that some of the emergency funds be made available for beneficiation plants without regard to whether the electrolytic or some other process is used.

Mr. MURDOCK of Utah. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman.

Mr. MURDOCK of Utah. Aluminum is one of the most important and strategic metals that goes into the production of airplanes, and still every pound of aluminum that is produced in the United States comes from bauxite, which is shipped in here from a foreign country. In my State we have millions of tons of alunite, which is a better source of aluminum, makes a better grade of aluminum than any other mineral. Men out there today are struggling along under-financed and trying to surmount barriers to give this country a domestic source of metallic aluminum. I am in full agreement with the gentleman from South Dakota [Mr. CASE] that there should be no restrictions on the Bureau of Mines in the investigation and research work done in connection with these strategic metals, and I call the gentleman's attention to the necessity of developing a domestic source of metallic aluminum.

Mr. O'CONNOR. The gentleman is entirely correct about that. I believe the restrictive language should be taken from the bill and the Bureau of Mines should be given full sway as to making the investigation that is necessary to develop our own supply of these very necessary minerals.

[Here the gavel fell.]

Mr. LUDLOW. Mr. Chairman, I yield to the gentleman 3 additional minutes.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. AUGUST H. ANDRESEN. I would like to ask the gentleman just why the aluminum deposits are not developed out in his section.

Mr. MURDOCK of Utah. I have my own idea about it, and it is that there is such a monopoly in the United States today in control of the production of aluminum that any effort made to develop a domestic source, by some means or other, is thwarted by the present monopoly in aluminum.

Mr. O'CONNOR. Where is that monopoly located?

Mr. AUGUST H. ANDRESEN. I think the monopoly, of course, is the Aluminum Co. of America.

Mr. O'CONNOR. Yes.

Mr. BLOOM. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. In just a moment. I simply want to say this that when we are importing the very necessary minerals that go into the production of airplanes, we had better look after developing our own such materials in this country to take the place of those imports, for the reason that the time may come when we will be unable to import them into this country, and then we will be out of luck, because we will have no supply, either foreign or domestic, to look to. It is a matter that should have been looked after years ago by the Government of the United States through the Bureau of Mines. It is late, but it is better late than never.

Mr. AUGUST H. ANDRESEN. Does the gentleman have any tin deposits in his State or does he know of any in the United States that are worth while?

Mr. O'CONNOR. I doubt that we have any in the States, but there are such deposits in Alaska.

Mr. BLOOM. Mr. Chairman, will the gentleman yield there?

Mr. O'CONNOR. I yield.

Mr. BLOOM. There are 22 States that have tin deposits in the United States and I will say in answer to what the gentleman said about aluminum that if the Congress gives the authority to go and investigate, they do not investigate.

Mr. MURDOCK of Utah. Then we should have a new commission to do it.

Mr. BLOOM. We ought to have something set up to do it because the same condition that the gentleman referred to applies to tin, and we have 22 States in the Union that have tin deposits, including Alaska.

Mr. O'CONNOR. I believe the gentleman is in error about there being 22 of our States in which tin deposits are located. That statement does not square with my information. I am surprised that the gentleman has not obtained results with reference to the investigation referred to as I know that he enjoys the confidence of the Members of the House and is very influential in the House. Just how far did he get with his investigation?

Mr. BLOOM. The gentleman has asked me a question and I may say that we had an investigation of tin here and in 1935 we filed a report and I have been trying to get a little resolution through the Congress to continue our investigation and bring it down to date, but I have not been able to get the House to agree to it. That is what we have been doing.

Mr. O'CONNOR. Certainly the gentleman is entitled to the support of the House in his endeavors to complete the investigation referred to. It is very important that we look after such minerals as manganese, chromium, and tin as they are all very necessary in connection with our defense program, and the gentleman is, indeed, to be congratulated along this line.

The CHAIRMAN. The time of the gentleman from Montana has expired.

Mr. WIGGLESWORTH. Mr. Chairman, I yield 15 minutes to the distinguished gentleman from New Jersey [Mr. EATON].

Mr. EATON. Mr. Chairman, with the world in flames, I am acutely conscious of the futility of mere words however well intentioned. One is tempted to take refuge in silence behind the dictum of hard-headed, tough-fibered old Bishop Butler—"Things are what they are. Their consequences will be what they will be. So why deceive ourselves?"

But there are certain practical decisions which the American people and their Government must make if we are to escape being sucked into the vortex of ruin which every hour, with resistless force, threatens the extinction of Old World civilization.

In my judgment our first duty is to effect a program of armed preparedness on sea, land, and especially in the air, so complete in every detail as not only to insure us, along with our New World neighbors, against armed invasion from any source, but also adequately to equip our country to exercise its proper place of leadership and authority in the task of recreating out of the impending wreckage a world civilization based upon justice, peace, and friendly cooperation, rather than upon hate, fear, and brute force. [Applause.]

In a few days Congress will have laid upon the wealth producing agencies and people of the Nation a burden of over five billions of dollars for armed defense. This, added to the billions spent on the Army and Navy in the past 7 years equals almost half of the total debt which our Government incurred in the World War. And it would be the acme of folly to close our eyes to the fact that even this gigantic expenditure is only the beginning. Before we are through our preparedness expenditures will reach such astronomical figures as to handicap and mortgage the economic future of the American people for generations to come. This is Mr. Hitler's contribution to our national well-being.

I am for this program of complete preparedness because I believe that modern aggressive warfare is the blackest crime of all the ages. It is the supreme folly and wickedness of human nature at its worst. In its objectives, its methods, and its results, as illustrated by the war of conquest now ravishing the free peoples of Europe, it is as devoid of honor and humanity as a cobra striking in the dark. It combines the blood lust of the tiger and shark, with the cunning and cowardice of the jackal, and the taste for carrion characteristic of the buzzard. In its animalistic cruelty and destructiveness it makes the painted savage of our frontier pioneer days look like a refined and kindly gentleman. It is hell begotten, hell born, and hell bound. It is deliberately plunging the world into a new dark age of proletarian barbarism. Until this inhuman cult of mechanized murder and destruction is finally eliminated, there is no hope of establishing a world civilization based upon peace, honor, justice, and freedom. Things are what they are. Their consequences will be what they will be. So why deceive ourselves?

As an essential part of our preparedness program I believe it is the duty of our people and Government to extend to the Allies every possible aid within our present power. And this should be done at once, openly and generously, without resort to subterfuge. [Applause.]

If we are hampered by legalistic grave clothes, with which in hours of timidity and pressure we enswathed ourselves—now is the time to make such changes as are necessary. This is the duty of Congress and not of the Chief Executive.

We must not permit ourselves to feel excessively noble, brave, or generous in thus helping the Allies as speedily and as completely as possible. By so doing we will be acting strictly in self-defense. Mr. Hitler has one objective which he has discussed in detail over and over again. He proposes to become the master of the world—first by infiltration of victim nations with his furtive and filthy "fifth column"; second, by armed force, and last by economic control. When he is through with Europe the United States of America will be the fattest goose left unplucked. And he will proceed to pluck us unless we are able to defend ourselves with something more efficient than a timid squawk.

Equally urgent at this time, with adequate armed preparedness, is the necessity of putting our own economic house in order.

It is the sheerest folly to prattle about our strong foreign policy when its sole support is a befuddled, debt-ridden, dislocated, unbalanced, ineffective domestic economy at home.

No matter how perfect an athlete a man may be, he cannot jump far if he is forced to stand in a bog hole up to his neck. Muddle at home and meddle abroad do not make a good work team. Uncle Sam will not cut much of a figure in the world with a brood of half-baked, alien-minded, self-appointed social saviors, and economic theorists clinging to his coat tails while floods of unpaid domestic due bills pester him like a swarm of angry hornets.

Notwithstanding our President's announced determination to continue his entire program of New Deal experiments regardless of continuing deficits in our domestic budget, and drastic increases of taxes along with a raising of the debt limit, it certainly is the duty of Congress to continue in session and devote its attention to the reduction of Governmenft expenditures, wherever possible, as a fundamental part of our preparedness program and as the necessary prerequisite to a return of our national prosperity. I can see no valid reason why the action of Congress in thus sticking to its post of duty, in these perilous times, should interfere either with the holding of the national party conventions or with the normal working of our two-party system in the pending election campaign.

I even venture to express the entirely nonpartisan and unprejudiced opinion that it is not always a bad scheme to swap horses in the middle of the stream, especially when a different type of steed is required for a different kind of race.

I trust that this suggestion will not savor of sacrilege to my beloved brethren of the New Deal persuasion, who are still happy in the delusion, which I do not share, that the kingdom of Heaven, under the guise of the New Deal, was ushered in our country by the election of 1932; that its dubious and expensive blessings were more firmly established by the election of 1936; and, that come hell or high water, it will fasten itself permanently upon the Nation in the election next November. In this connection, it might be the part of wisdom to keep in mind the words of Bobbie Burns—

> The best laid schemes of mice and men
> Gang aft agley
> And lea us naught but grief and pain
> For promised joy.

Behind the black clouds of ruin and death now shadowing the world, and beyond our immediate plans for defense, it is necessary to find some ultimate ground upon which to base any rational forecast of the future world in which America is destined to play a leading part. [Applause.]

Mankind stands today in a spectral no-man's land between two ages—one in the throes of death, the other in the pangs of birth. We are in the grip of an immeasurable cosmic change. No nation and no section of the earth will be able to exist outside the orbit of the new age, be it good or bad. And the final form of the new world economy will be decided in large degree by the part to be played by the United States of America.

The chief instrument alike of all human advance or recession is now and always has been spiritual. Out of their resources of mind and character men weave the fabric of their destiny. Great empires of the past have fallen into oblivion only when their spiritual resources of mind and morals became too feeble or too corrupt to sustain the weight of their material and social superstructure.

The final end of the social process which we call civilization is the freedom of men. And freedom by its very nature is of, and by, and for the spirit. It is the highest-priced commodity in the world. It costs far more than eternal vigilance. It is worth more than all other treasures combined. It is the very holy of holies of the human spirit. It cannot exist or function except among men who are capable of response to the appeal of spiritual principles and ideals.

With the application of science to the service and material enrichment of mankind, there has developed everywhere among the masses of men a determination to achieve economic freedom, just as in the past they had achieved freedom to worship, to think, and in some measure to govern themselves.

Having to do primarily with material well-being, the ideal of economic freedom has weakened, and in some instances has lost its necessary spiritual sanctions and energizing force.

Since freedom is essentially a spiritual ideal and principle of life, it must find rootage and nourishment in the souls of men. Once men separate the ideal of economic freedom from its spiritual source, they dwarf their program of life to the brute level of swine, whose chief interest in life is alimentation in blissful indifference to the butcher's knife poised for their jugular just beyond the trough.

Believing as I do in the indestructibility of spiritual values in human life, I cannot surrender to despair even in face of the present apparent progress and triumph of brute force. The free peoples of the earth may suffer temporary eclipse, but the spirit of freedom is deathless, and it will outwear and outlast the soulless machineries of tyranny. For long years the soul of our great America and of the other free peoples has been lulled by the siren of material prosperity into fitful sleep. But the dozing giant is waking up. The great soul of America is once more girding itself for freedom, as it has done so often in the heroic past. At any cost we will be free, and we will help to reestablish a just peace and a triumphant freedom throughout our world. We base our hope and our faith upon the immortal truth expressed by one of our own freedom-loving seers:

> Right forever on the scaffold,
> Wrong forever on the throne,
> But, behind the dim unknown,
> Standeth God within the shadows,
> Keeping watch above His own.

[Applause.]

[Here the gavel fell.]

Mr. LUDLOW. Mr. Chairman, I yield now to the gentleman from Missouri [Mr. COCHRAN].

Mr. COCHRAN. Mr. Chairman, I appreciate the kindness of the gentleman from Indiana [Mr. LUDLOW] in allotting me this time. I rise for the purpose of inviting your attention to the item in this bill providing for an appropriation of $2,000,000 for an engine-research laboratory, with additional authority for contract obligations for $6,400,000 additional.

I want to say something also about the organization for which this money is advanced, which quietly plays a vital role in our national defense. Many of you are not familiar with it, and it is no reflection on you that you are not. An organization which minds its own business and does the job assigned it without criticism or publicity usually is not well known. This is one Government organization which is above politics and has about the highest morale and efficiency of any group in the public service—the N. A. C. A.

This is no new alphabet agency. It was created by Congress in 1915, and it has just observed, very quietly, its twenty-fifth birthday. N. A. C. A. means National Advisory Committee for Aeronautics—an independent Government establishment charged with the supervision and direction of the scientific study of the problems of flight. For our progress in aeronautics, both civil and military, we owe it much. I am prepared to say we owe it more than will ever be told, but this modest organization, which is concerned only with providing solutions to problems that confront our Government air establishments and our aircraft industry, would never claim credit for one moment for what it has done for aviation in America. It prefers to let the facts speak for themselves.

Few of us have a knowledge of aeronautical engineering or aerodynamics and the details therefore would bewilder you as they have me. So it shall be my purpose to try to interpret them to the end that the public will recognize that the appropriations the Congress has voted this organization for the past quarter of a century were among its wisest and most far-sighted acts. I could sum up the N. A. C. A.'s accomplishments with the statement that every airplane that flies on our great air-transport system today, every military airplane in our Army, and every naval plane with our Navy, and the thousands of aircraft engaged in private and miscellaneous flying stem from the laboratory studies of the N. A. C. A. Not entirely, of course, because the airplane was invented by the Wright brothers, who first mastered the problems of powered heavier-than-air flight 37 years ago. They shall never

be deprived of that glory for they showed us the way. The gentleman from North Carolina [Mr. WARREN] is responsible for the erection of that beautiful monument at Kitty Hawk, N. C., which commemorates that flight. It must be seen to be appreciated and as time goes on its justification will be the more apparent.

It is difficult for me as well as you to speak and understand the language of the N. A. C. A. But we must have confidence in that Committee, its scientific subcommittees and its 700 paid employees, for the country is extremely fortunate in having in this group men whose chief aim in life, whose chief joy in living, is to plunge deeper and deeper into the unsolved mysteries of the natural laws that seem to place limitations upon human flight. And for them we have the highest respect, for though we may not fully comprehend their work, we know why we authorize and appropriate for new and larger wind tunnels and more research laboratory facilities. We have learned through the years that the funds we appropriate have been ably and honestly spent and have produced results—results that have placed the United States in the front rank in aeronautical development, and are keeping it there despite the most intense efforts of other nations. The Army and Navy are greatly assisted by, and in fact are dependent upon, the N. A. C. A. to provide the scientific foundation for fundamental improvements in American aircraft.

Many of us from time to time have wondered at the accomplishments of our aircraft engineers and our airplane manufacturers; how year after year they could bring about improvements in safety, efficiency, and performance in aircraft. Our airplanes, military and civil, do not just get that way because the builder thinks of a good idea. No aircraft manufacturer risks thousands and hundreds of thousands of his own dollars on the chance that an airplane built with this kind of wing, that kind of engine installation, and such and such a fuselage, will be better than his competitor's and bring him new business. He must know beforehand and he must have scientific evidence that it will perform as he contemplates.

So, in one form or other, he goes to the N. A. C. A. This organization either has the answer ready, from previous researches, or it sets about to get it. The manufacturers appreciate this service which is essential to the design of modern aircraft.

I must make it clear, however, that the N. A. C. A. does not design or build or develop aircraft. It works out the scientific principles of various components in an airplane with the result that the smart designer and engineer in the Army or Navy, or in the aircraft industry, is always able, by applying the latest results of N. A. C. A. researches, to design better aircraft. The N. A. C. A. has for years, for example, proceeded on a program of greater safety and greater efficiency for the airplane and turned out solutions to many puzzling problems. The solutions were brought to the attention of the Army, the Navy, the Civil Aeronautics Authority, and the American aircraft industry and they could "take it or leave it." They take it. And in taking it, they usually get all the credit from the public for the progress that is made. Of course, they are entitled to a great share of the credit for their engineering experimentation and development efforts in applying the results of the basic researches of the N. A. C. A. Rarely does the N. A. C. A. get the credit it deserves. But the amazing thing is, it seeks no credit, and is satisfied to know that it has to some extent, at least, made possible the remarkable progress in aeronautics that is so widely acclaimed and that is having such tremendous effect in shaping the course of history in our day.

Everyone who has visited the N. A. C. A. laboratories at Langley Field, Va., is tremendously impressed with the efficiency and productivity of the engineers and the importance of the problems being studied—from correcting the inherent shimmy in the nose wheel of a tricycle landing gear to the performance of a model airplane wing in a tunnel where the wind blows at 700 miles per hour. The N. A. C. A. does not develop things, as I said before, but it does strive constantly to improve upon the principles currently in use and thus approach the perfect airplane that was the dream of the Wright brothers. And I must tell you Dr. Orville Wright is an active and valuable member of this committee today.

I shall try to tell you some of the tangible results of the committee's work that are within the comprehension of all of us. Yet these are relatively few compared with the long list of scientific problems which have been satisfactorily disposed of, and which, when coordinated and utilized in construction, have not only made the American airplane what it is today, but have for years shown the way to other nations and shed the light of American leadership throughout the world.

The fundamental principle of aeronautic research is to improve safety and efficiency and performance of aircraft. Safety is and always will be the first goal, and in this regard the work of the committee will never end until it can virtually eliminate the human element and its tendency to err. Although progress in this respect is gratifying, we see no immediate prospects for complete victory on that front.

We all know that the factors which contributed so much to aircraft accidents in the past have been or are rapidly being eliminated and that rare, indeed, is an aircraft accident these days that is due to inherent defects in its design or construction. And so we can say that the saving in human life is great. Its value cannot be estimated in dollars and cents, a yardstick which all of us like to apply to any endeavor when we seek to measure the return on our investment. Since we cannot evaluate human life in money, we will look to the other side of the question—savings to the Government and to the air transportation industry, and consequently to all the people, through increased efficiency in performance.

The great objective of aircraft engineers is to produce an airplane that will fly faster and carry a heavier load, be it a pay load or a military load, and do it for the smallest possible cost of construction and of operation. You do not get greater speed and greater pay load simply by pouring more horsepower into an engine that is mounted in a plane designed 20 years ago. And here is where the never-ending search of the N. A. C. A. for the ideal airplane comes into play. Drag is public enemy No. 1 of the airplane. It is the "old man of the sea" which aviation has to carry on its shoulders. It is a useless quality attaching to an airplane in the form of struts, wires, landing gear, and parts exposed to the air such as tiny rivet heads, abrupt angles, thick wings, and blunt noses, all of which require additional horsepower and fuel to haul through the air and involve expenditures that produce nothing useful and which through research might to some extent be converted into revenue-producing loads or greater military loads. That is why the modern American air liner and military plane of today look like something created by an artist with a brush. Twenty years ago such planes would have represented merely pretty pictures, impossible of accomplishment. Yet you and I will never know the long hours spent by the N. A. C. A. scientists in working out the principles of a wing with improvements in curves which, when built and flown, mean greater speed, lower drag, and higher lift—more pay load or military load—in a word, more efficiency. That is why modern American aircraft are so sleek and clean and, compared with many foreign designs, so superior.

Each year the saving in dollars to the Government and to the users of aircraft in aviation fuel and oil alone, due to the N. A. C. A.'s war on drag, is more than $10,000,000, a sum far in excess of the annual appropriations we have made for the committee. The scientific principles worked out by the N. A. C. A. and applied by the aircraft industry which have brought about these savings, and at the same time further increased the safety and efficiency of our aircraft, have to do with such things as streamlining the engines; development of high-lift devices such as wing flaps or "air brakes"; special wing designs and curves for greater efficiency; elimination of wing roughness produced by rivet heads, overlapping layers of metal covering, and other surface irregularities; better engine cooling and cowling; reduced engine weights; and improved engine location. These are but a very, very few of the

contributions made by the N. A. C. A. and which have been responsible for the forward march of American aircraft.

For years our own people found it difficult to become enthusiastic over research on airplanes. Many of us today feel that our greatest need is to build airplanes and plenty of them. I, too, agree. But what kind of airplanes? Just anything with wings? What we want are the fastest and most maneuverable pursuit planes with greater fire power than any other planes in the world; the fastest bombers with more bomb capacity than any potential enemy can carry and, in addition, with a longer range of operation. And we need the ultimate in aircraft types that supplement these bulwarks of our national defense.

Of course, while we keep on refining and exploring for better aircraft, we must not hold up production. We must freeze our best new types now and start the factories going at full blast. But we must also keep our research going at full blast, to the end that when we reach a convenient point in our defense-production program we can retool and start production of new types of aircraft better and greater in every way than the types we now believe to be equal or superior to all others in the world. If we were to stop air research now, then our air force would bear a 1940 date for many years to come, and we should soon become so far behind that we possibly could not catch up with other nations.

For years the great powers of Europe have had their eyes on our own N. A. C. A. Special missions would come over every year not only to see what we were doing but what equipment, machinery, and procedure we employed to get our results. Those nations which had great faith in air power as their future weapon for aggression or defense went to work with a vengeance on research. In the last 2 years we found ourselves surpassed in the size and number of research laboratories as well as in research personnel. Production is a difficult task in itself, but it is much easier to regiment and expedite than is aeronautic research. So the aeronautic-research laboratories of at least two European nations got under way far in advance of the production departments, and when they reached a point where they felt they had the best they could produce for their particular needs and purposes, they spun the wheels of industry; and what do we find today?

Germany with an air force which has changed the entire course of the world and revolutionized the science of warfare; Italy with gigantic research institutions and a powerful air force, too. Disregard your personal feelings and look at the facts from a cold, technical, and military aspect, and here is what is behind Germany's success to date with Goering's mighty air force:

When Hitler came into power he immediately multiplied Germany's aeronautic research facilities. Germany now has five major research stations and four others. One of these stations has four times the staff of our N. A. C. A. laboratory at Langley Field. The total German research organization is now estimated to be about four times the size of that of the United States. The current program for expansion of N. A. C. A. facilities will greatly improve that condition. The German research facilities are modern and the financial support appears to be without limit. The fruits of German concentration on research appeared in the development of certain types of military aircraft of superior performance.

I cannot detail for you what particular tangible devices and accessories were developed or grew out of Germany's highly efficient research laboratories. But I can say that German concentration on aeronautic research and production has given that nation the greatest air force in the world, and in consequence the art of war has been altered and the security of all nations threatened.

Throughout the quarter of a century that the N. A. C. A. has kept the United States well up front—and most of the time in the lead in air progress—it has been guided by great scientific minds, free from politics, partisan and industrial, who have served long and diligently and, mark you, without compensation. I know of no other organization in or out of government that has built up such an unimpeachable record of patriotic service and accomplishment. Certainly its leadership has been enlightened and farseeing.

The present chairman of the N. A. C. A. is Dr. Vannevar Bush, who is also president of that Nation-wide scientific organization, the Carnegie Institution, of Washington. Nothing more need be said by way of qualifying this gentleman as a scientist of the very top rank. And he gives to our Government many hours of his time without charge or obligation in guiding the N. A. C. A. on a compass course leading to even greater achievements, because he believes the Committee and its work are absolutely vital to our national defense.

Before him and until a few months ago the Committee served under the inspiring leadership of Dr. Joseph S. Ames, retired president of Johns Hopkins University. That distinguished and beloved scientist had to forego his arduous duties after serving as chairman for 20 years because of ill health. Laying aside his scientific contributions to the advancement of aeronautics, which are too voluminous to record here, let me measure his ability by saying that in all the years he served as head of this group he was never denied support by the Congress for a single recommendation. I know of no greater tribute to public confidence in integrity, leadership, and efficiency than that. All you need do to confirm this statement is to read the record or consult the gentleman from Virginia [Mr. WOODRUM]. Let it also be said that when others sought to destroy this organization by curtailing its modest appropriations, the gentleman from Virginia [Mr. WOODRUM] led a successful fight against them.

But the actual work of the committee, the countless technical details and perplexing scientific problems, could not be carried out by leaders of the caliber I have just named without a permanent, well-organized staff of full-time experts. And chief among these is the director of aeronautical research, Dr. George W. Lewis. Dr. Lewis personifies and typifies the truly efficient scientific research organization that he has labored quietly at his offices here in Washington and at the Langley Field laboratory for many years to develop. He is interested only in overcoming the obstacles that still stand in the path of the ideal aircraft. Dr. Lewis' office is the clearing house through which all research problems must pass to the laboratory, and it is his tremendous responsibility to direct the research on the basic problems confronting the Army, Navy, and civil aeronautics and follow them through the laboratory for solution. Only a man of extensive technical knowledge and experience could fill such an important post, and Dr. Lewis has again and again proven through the years that he is the right man in the right place.

We must never lose sight of the fact that air defense of this Nation has its foundation in the work of the N. A. C. A. Army and Navy aircraft of the greatest possible performance are vitally necessary to protect this hemisphere from aggression. Our commercial aircraft, to further our world commerce, must also be superior in performance to the commercial aircraft of any other nation. And for these superior aircraft, military and commercial, we can turn but to the N. A. C. A.

Mr. Chairman, I have heard the rumor some Members today will offer amendments to this bill to reduce the appropriation for this engine research laboratory. I appeal to them and to you to read the hearings on this bill. Turn to page 38 and read what the chairman of the committee, Dr. Bush, had to say. Read Dr. Lewis' statement and then I am sure you will realize that no matter what you provide for in this bill no part of the money can be spent to more advantage that the appropriation I refer to. [Applause.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield to the gentleman from California [Mr. ANDERSON].

Mr. ANDERSON of California. Mr. Chairman, I heartily endorse the statement just made by the gentleman from Missouri [Mr. COCHRAN] with reference to the National Advisory Committee for Aeronautics. This organization is doing splendid work in furthering the development of both civil and

military aviation. I trust that the House will approve the items contained in the pending bill for further research facilities for the N. A. C. A.

The importance of aviation in modern warfare cannot be overlooked. We are continually reminded that no army, either offensive or defensive, can be properly effective without adequate air support. It is unfortunate that the aeroplane has been perfected as a machine of death and destruction as well as for more peaceful pursuits, but such is the case. It therefore becomes necessary for the United States once again to take the lead in air research and development.

I have had the opportunity of going through the N. A. C. A. research station at Langley Field, Va., and to say that I was impressed with the activities there is to put it mildly. Many of the improvements now in universal use on both civil and military planes are the direct result of the painstaking work of the N. A. C. A., and I cannot commend them too highly for their continued efforts in the field of air advancement.

It was gratifying to have Moffett Field, located in my district in California, selected as the site for the second major research station in the United States. Work is progressing rapidly on the various units which are to be erected there, and when completed we will undoubtedly have the most modern research laboratory in the world. This means increased aviation activity, more jobs, and above all, additional refinements in aeroplane construction, which will place the United States again in the lead in the field of aviation development.

Mr. WIGGLESWORTH. Mr. Chairman, I yield now to the gentleman from California [Mr. GEARHART].

Mr. GEARHART. Mr. Chairman, the Ways and Means Committee in which it is my privilege to hold membership, has promptly responded to the demands of the people in respect to the emergency into which this Nation has been plunged.

Working under high pressure and in accordance with the national demand for speedy action, this oldest and proudest of all the legislative committees yesterday presented to the Congress and commended to its membership a bill which, if enacted ultimately into law, will raise for use in the development and improvement of our national defense the sum of $1,006,000,000.

This bill may not be perfect in every one of its phases because it has been produced under extraordinary circumstances and in recognition of the demand for action right now. Any fears that may be expressed in this regard can be disregarded as the Congress can and, I feel, will, correct any unduly harsh or inaccurate provisions which more leisurely study may reveal—unless this Congress is adjourned in utter defiance of a clearly indicated popular demand that it remain in session throughout the emergency.

CONGRESS SHOULD NOT ADJOURN

This illustrates just one reason why the Congress should not adjourn. With the enactment of the bill by the House of Representatives, the Ways and Means Committee should now proceed to a calm and dispassionate review of the entire taxation problem with a view to the rewriting of an entirely new tax bill, one which will eliminate all unjust and unequal levies, one which will establish a system which is fair to everyone.

There is no reason why Congress should desert its post in this emergency. Where, other than in Washington, Mr. Chairman, should the Congress be when an emergency befalls our country?

PREPAREDNESS AGAINST WAR

Adjustment of our taxation system is not the only problem now before the country. The immediate expansion of our national defense to the point where this country can, if needs be, ward off any nation or any combination of nations that may attack us, invade our shores, or insult our flag could of itself well engage the constant from day to day attention of the legislative branch of the Government. The problem of war profiteering which has brought disgrace upon our people in every emergency of the days gone by is bound to reoccur unless legislative means are devised to prevent it. Then there is the ever-present problem of the enemy within our gates. Spies, saboteurs, bunders, Fascists, Communists—yea, even traitors—infest our land. That the legislation on the statute books at the moment is inadequate to meet all phases of the problem presented by these subversive groups cannot be successfully denied.

PREPAREDNESS FOR PEACE

Not only should Congress remain in session to take care of these problems: The inevitable problems which will arise out of the return of peace to the world should not be blinked, ignored. There is no one who but realizes that the condition of belligerency in which the world is now involved will not continue forever. At the present moment, over 100,000,000 people in Europe are engaged in war work, directly or indirectly. The instant the armistice is signed and peace returns to the world, this vast horde of people will return to peacetime activities, produce goods in great quantities, search for markets and, we must not forget, that one of these, the best of them all, is the American market.

The assault that will be made upon the American market by foreign producers and manufacturers is bound to be most intensive, persistent, and determined. Defensive methods must be devised. If we blink the fact we may, in the peacetime rivalries that will follow in the wake of war, suffer defeats in our domestic and foreign markets as disastrous in their consequences as any that might be met with in war.

Congress might well devote a part of its time to the matter of preparedness for peace.

There are plenty who under the excitement of the moment, will give their attention to the subject of preparation for war. The Congress, composed as it is, of the representatives of the people, should give a portion of its attention at this time to the strengthening of our ramparts against the assaults upon our markets which are bound to occur the instant that peace reigns again in this sorely distracted world.

As we prepare against our possible involvement in war, let us likewise prepare for the peace that is to follow when the guns are silenced and men no longer march. [Applause.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield now to the gentleman from Pennsylvania [Mr. KUNKEL].

Mr. KUNKEL. Mr. Chairman, each day the rumors that Congress will adjourn shortly grow more convincing and more definite. Each day the announcements from the White House at the other end of Pennsylvania Avenue more clearly show that Congress is to be adjourned in 10 days or shortly thereafter. At a recent press conference the President is reported by the New York Herald Tribune to have said that—

He saw no reason why Congress should continue in session for the duration of the emergency. Sarcastically, he said the situation did not require Congress to remain in session except for the laudable goal of delivering speeches.

Yet in this very statement, Mr. Roosevelt calls attention to the fact that there is a great existing national emergency, and he has also called attention to this fact in recent speeches and messages to the Congress.

These conflicting statements of (1) a severe crisis in national and international affairs plus (2) evidence of an intention to cause the adjournment of Congress, coupled with decisive recent actions taken without consulting Congress, compel the fear and even the belief that Mr. Roosevelt intends to act in the future without consulting Congress. Only direct pressure from Mr. Roosevelt can cause an adjournment at this time. If he insists on taking this responsibility, it certainly warrants the assumption that he does not expect to be held accountable in the future for his actions in the position of trust he now holds.

If we are to retain our representative democracy, it must be by concerted action on the part of the various branches of the Government. In England today, where the condition of the government is so much more critical than our own, Parliament is in session and Britain's Prime Minister, despite

his vast emergency powers, consults with Parliament and accounts to it for his actions. While calling attention to England's democracy, it might be well to follow England's example and thus insure the preservation of our own Republic and our own institutions. By following the example of Churchill, rather than that of Hitler, President Roosevelt will gain a far greater response from the American people.

CONGRESS HAS DONE EFFICIENT WORK SO FAR

In the future, when the history of this era is written and compared with the history of other eras, there will be no brighter pages than those in which is unfolded the story of how the American Congress functioned during the past few weeks. No political party will be able to disclose as fine a record of cooperation for the national welfare as has the Republican Party ever since last September, when the roll was called for the special session. The Congress has shown nonpartisanship and it has shown—what is all the more remarkable in so large a body—speed. It has amply proven that it is capable of doing its part. So, Mr. Chairman, if the President and the Congress are a team, why dispense with all but one of the team?

RESULT OF AN EMERGENCY WITH CONGRESS OUT OF SESSION

It is admitted on all sides that no one can tell what the future holds in store in these unhappy days. We cannot tell what crises may arise. We cannot tell what action will be demanded. It would take at least 1 week, and probably longer, to call a special session and get Congress into action. National and international emergencies are like time and tide—they wait for no one. Suppose an emergency should arise after adjournment—one requiring immediate action. Only three results are possible: First, failure to take the required action in time; second, have the President act without authority; or, third, clothe him with emergency powers before adjournment so as to enable the President to act as he sees fit. Failure to act would very possibly sacrifice our national welfare and our integrity as a nation, and is unthinkable for that reason. Either of the other courses sacrifices our representative democracy and our republican form of government, and should be equally unthinkable to any citizen of our land of liberty and freedom.

Clothing the President with such authority necessarily must include giving him the discretion to decide when to use the authority.

Failing to have the machinery of our Republic in action so that it can perform its proper duties during a period in which we know crises may arise also, to a lesser degree, clothes the executive department with a similar authority and a similar discretion by the very nature of the case.

Mr. Chairman, if and when Congress leaves Washington, the entire control of our National Government rests in the hands and in the impulses of one elected official. The Chief Executive, the President, will be the only elected official in the National Capital. No matter how much they may approve of that official, I wonder if the American people are willing to have such a situation exist in times such as these. Powers and discretionary authority, once granted or assumed, are only regained by blood and the sword.

CONGRESS HAS IMPORTANT PENDING BUSINESS

While awaiting a possible emergency, Congress could do some most constructive work. The present tax bill is a hurriedly devised, hastily drafted one, which is full of inequalities. It relies partly on hidden taxes which fall indiscriminately on citizens without regard to their ability to pay. It does not raise a sufficient amount of revenue to meet the gigantic debt created by the recurring deficits of the past 7 years. Added to our present expected national income, it will not even come close to balancing the Budget during our next fiscal year if the Government continues to spend at the rate it has been spending during the past few years. It does not even raise enough to take care of our present obvious requirements for national defense alone. Congress should immediately take up the study of the general tax question so that an adequate and fair program could be enacted as soon as possible. This program should be based on ability to pay.

There have been estimates, ranging as high as six hundred and fifty millions, of the savings that could be effected in our Federal Government. These exclude cuts in national defense, fixed charges, and pensions and the like. Surely this matter should receive immediate consideration by Congress.

I firmly believe in taking steps to prevent war profits and war millionaires. This is one of the President's favorite topics in his speeches and press releases. But the present emergency tax bill contains no provisions designed to accomplish this result. Secretary Morgenthau now says that the next Congress—January 1941—should make increases in taxes retroactive to 1940 income to curb war millionaires. It reminds one of the aid the President might have been able to send to the Allies if he had taken steps to have our country prepared and if he had had our war material on hand and up to date instead of on order and in speeches. War profits should have been guarded against before now. War profits have been accruing for months past. Surely this Congress should take immediate steps to lay the necessary taxes, instead of following the administration's normal course of locking the stable doors after the horse is stolen, or of failing to have any horse at all.

There are millions of people who want the Townsend bill and the General Welfare Act considered. I do not think these bills should be brought to the floor without proper committee hearings and study; but if we stay in session, the Ways and Means Committee could and should hold hearings on these bills with a view to reporting them or some satisfactory substitute.

The Dies committee is preparing a bill to deal with "fifth column" activities and subversive influences. How can Congress neglect to consider such a bill as quickly as possible? Daily we stand in fear of the "fifth column" and the Trojan horse. We should take immediate action to guard ourselves. A fireside chat is hardly a substitute for trained personnel against the "fifth column."

S. 2009, the omnibus transportation bill, is a vitally important piece of legislation of great importance to my own particular district that will be lost in the shuffle if Congress adjourns. Every railroad man—management and employee—wants to see this conference report brought to vote again and passed. It rates almost as a national-defense measure.

The problem of granting a blanket authorization to call out the National Guard and the Reserves would not even arise if Congress stayed in session prepared to act when, as, and if necessary, and to the extent necessary.

I could continue this list more or less indefinitely. The Civil Service bill, the Neely bill, the Hatch bill, the Walter-Logan bill are a few of the major pieces of legislation unacted upon today and unlikely to be acted upon if we adjourn June 22.

EVEN SPEECH MAKING HAS ITS USES

Even the laudable goal of delivering speeches has a very useful purpose in times such as these. The President may refer sarcastically to this, but he rarely misses the opportunity to make a speech. When he does make one he never fails to have a Nation-wide hook-up on every broadcasting system in the country, be it message to Congress, fireside chat, Jackson Day dinner talk, University graduation day speech, or just a plain, uncamouflaged political stump speech. He evidently assumes that this is proper in his case. To a degree it is. Why should not others give their views through the much more limited channels at their disposal to the people of the country? All true Americans should be heard. We are all working and struggling toward the twin goals of national protection and national welfare. Many shades of opinion exist today. We want to find the right course. We want to chart our course correctly and accurately. How can we proceed better than through the medium of free speech and free debate? Errors such as appeared in the President's recent fireside chat—obvious as they were to those at all conversant with the true facts—could not be brought to the attention of the people if no forum was available. The American people are entitled to the facts today. Have they been receiving them during the past months? Has Congress itself been receiving the facts?

The President has not presented all the facts at his disposal either to the people or to Congress during past years and months. Each succeeding statement shows that preceding statements have only disclosed just what the President wanted to make known at that time. The criterion as to what was disclosed or left undisclosed at any particular time has clearly been political expediency rather than a desire to lay bare the full and complete state of facts. In his speech at Charlottesville the President first told of discussions back and forward with Mussolini extending over a period of months past. He had not mentioned them before. This is not the way in which an Executive should treat a free people. The recent Stettinius report on the subject of industrial mobilization for national defense has never been made public, nor has it been made available in any form to Members of the Senate or Members of the House. The message to Congress on defense and the fireside chat were highly contradictory, but both represented what apparently was politically wise—as far as the third term was concerned—at the time. I could cite many other instances, but you will not have to think long to recall such instances yourself.

Until such time as the Congress feels sure that all important facts regarding foreign relations, national defense, and other pressing topics are in their hands, Congress should stay in session. Then when the facts finally are made available Members of Congress will be here where they will be in position to take the necessary steps and not back home where they will be helpless to act.

There is every indication that the people in my district are extremely concerned about the question of adjournment and are extremely anxious to have Congress stay in session until such time as conditions change for the better. Apparently this sentiment is general throughout the length and breadth of the Nation. I hope that this general public sentiment will result in the President changing his present attitude; or, failing that, that the membership of this Congress will see fit to vote down any move to adjourn.

Mr. WIGGLESWORTH. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. ENGEL].

Mr. ENGEL. Mr. Chairman, any student of military science will agree that the two factors that have brought the German Army to the forefront were research and development and industrial mobilization. A year ago when Colonel Lindbergh and General Arnold, Chief of the Army Air Corps, testified before the War Department Subcommittee of the Appropriations Committee I took each type of American war plane, including the pursuit plane, the bomber, and the training plane, and put down on one side the speed of that plane and on the other side the speed of the German plane against which it had to go in case of war. There was no question about the fact that we were away behind in speed on every type of plane, with one exception.

Colonel Lindbergh testified at that time that we are from 3 to 5 years behind Germany in research and development. I want to talk this afternoon on the question of research and development. Two years ago I heard Gen. Malin Craig, then Chief of Staff, talk by radio to the Army pressure cabin plane that was 33,000 feet in the air—33,000 feet is 6 miles. Sound travels a mile in 5 seconds. It took 30 seconds for that sound to come from that plane down to where a sounding apparatus might be located. A plane traveling 300 miles an hour today is obsolete, yet that plane will travel 5 miles in 1 minute, or a mile in 12 seconds.

Our objective today—and I think the Germans have reached that objective—is a plane that will travel 450 miles an hour, or a mile in 8 seconds. In other words, planes are now approaching in speed the speed of sound. A plane that is 33,000 feet in the air, traveling at 300 miles an hour, would travel 2½ miles during those 30 seconds that it takes the sound to get from the plane to the earth. If it were going 450 miles an hour it would travel 4 miles during the 30 seconds it would take sound to travel to the earth 6 miles below. All we could tell from that sounding apparatus below is that 30 seconds ago 33,000 feet in the air was an airplane, and that that plane was from 2½ to 4 miles from that spot in any one of a hundred different directions by the time the sound reached the earth.

So we had to tackle the problem of inventing a device that would detect that plane instantly without loss of those 30 seconds. Laboratory research gave us the answer in a detector.

I am pleased to find that these bills for the first time contain an adequate amount for research and development.

I sincerely hope that the motion of the gentleman from Pennsylvania [Mr. RICH] to strike out the amount for the engine laboratory will not succeed. The laboratory is the place where the War Department or the Navy Department does its original research work. It was in the laboratory that they determined how much faster a plane would go if we could eliminate the bulge which is caused by the V-type motor that sets in the wing. They determined the additional speed they could acquire with the same horsepower if they could eliminate that bulge. It was in the laboratory where the pressure cabins, the supercharger, the flat type motor with parallel pistons and many other important improvements were developed.

This bill provides for a balanced research program, a program which will provide for laboratories in which the original research can be done, and a program which will make available industrial brains; an engine plant, or a wing plant, or a body plant, for applied research in developing in the factories the ideas developed in the laboratory.

So I sincerely hope that the motion of the gentleman from Pennsylvania [Mr. RICH] to amend the bill by striking out the amount provided for fundamental research or the original laboratory will not prevail.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. ENGEL. I yield.

Mr. STEFAN. The gentleman from Pennsylvania [Mr. RICH] is not on the floor at present, but I understood he was not opposed to research or laboratory work, but thought there would be some possibility of subsidizing private industry, which already has laboratories, where this same work could be done. Of course, you and I understand we did not vote for that amendment.

Mr. ENGEL. That is correct.

Mr. STEFAN. We do have two of these laboratories at this time.

Mr. ENGEL. Yes.

Mr. STEFAN. This will be the third one.

Mr. ENGEL. The gentleman is correct.

Mr. STEFAN. When can we complete this third laboratory?

Mr. ENGEL. I do not know.

Mr. STEFAN. The gentleman knows that he and I voted against the motion of the gentleman from Pennsylvania to amend this bill. I am for this laboratory. In justice to the gentleman from Pennsylvania, however, I think it is only fair to say that he is not opposed to research. He thinks, however, that the work can be done in private laboratories.

Mr. ENGEL. But private laboratories will not do fundamental, original research of the type required by the Army and Navy. Private laboratories will not, for instance, delve into the question of wind friction on a wing. What we want is for the Army to say what they need and then have it developed.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. ENGEL. I yield.

Mr. McCORMACK. I would like to say to the gentleman for my own benefit and for the sake of the record that in modern warfare with its terrific instruments of destruction laboratory work is of far greater importance and will be in the future than it has been in the past.

Mr. ENGEL. Absolutely; and this laboratory represents only a small part of the total amount of research money in the three bills we have considered here.

Mr. GUYER of Kansas. I believe the gentleman was going to tell us the number of research laboratories that Germany had. Does he recall?

Mr. STEFAN. I believe they have 18.

[Here the gavel fell.]

Mr. LUDLOW. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. SNYDER].

Mr. SNYDER. Mr. Chairman, I hope I may have rendered some slight service to my country during the last few years as chairman of the House Subcommittee on Army Appropriations. My committee sat many weeks in hearings and in conferences with reference to legislation pertaining to appropriations for national defense. I had intended today to make a brief address, but since Congress was called into session this noon I had a conference with one of our Intelligence Service men who was close to Sedan when the Germans came through. As a result of that conference, I am convinced that had the French and the English taken the time they used in talking to build tanks and airplanes, the Germans would not be at the gates of Paris today.

Feeling that this is not a time for speeches but a time for action, I yield back the balance of my time. [Applause.]

[Here the gavel fell.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut [Mr. MILLER].

Mr. MILLER. Mr. Chairman and members of the Committee, it is most unfortunate that at a time when Congress is passing legislation to strengthen our national defense with all possible speed that certain columnists and even a few Members of the House have seen fit to question the patriotism of Members who disagree with certain proposals already made by the President. At a time when every decision, when every policy we adopt may well affect the future well-being of our country, it is important that we have full and free debate before any program is adopted. This is a poor time to adopt the practice of taking orders, regardless of where those orders originate, instead of formulating decisions.

In the closing minutes of debate in the House yesterday, while on the tax bill, I listened to the words of the distinguished gentleman from Massachusetts [Mr. MCCORMACK]. I always find the distinguished gentleman both interesting and instructive, whether participating in a factual discussion or making a political speech for the RECORD. The substance of his plea yesterday was that the country and Congress should be united. Certainly we should be united in our desire and effort to improve our national defense, but that does not mean we should be in absolute agreement with every suggestion submitted to Congress. Only through adequate debate and discussion can the best possible means of defense be acquired. The gentleman from Massachusetts pointed to the lack of unity in Europe. He stated that the British Parliament had fiddled while the country burned, or words to that effect. I submit that the present situation in Europe has been brought about, at least partly, by too much unity. In Germany, for example, minorities were not allowed to exist. The desires of Hitler were immediately fulfilled.

Mr. MCCORMACK. Mr. Chairman, will the gentleman yield right there?

Mr. MILLER. I yield to the gentleman from Massachusetts.

Mr. MCCORMACK. The gentleman will remember that I confined my remarks to England and France. What the gentleman says about other countries I will agree with.

Mr. MILLER. It is certainly true that France had no effective minority during the last 3 years.

Mr. MCCORMACK. I respect the gentleman's views but I think the gentleman is somewhat misinformed about the history of recent times. I think he will find that in the case of the French there was great disunity.

Mr. MILLER. Mr. Chairman, it hardly seems necessary for me to take the time of the House to say that I have the greatest of affection for the people of France. The fact that I am of British descent speaks for itself. I am not willing to admit that France and Great Britain are licked. They may lose this phase of the war, but I do not believe that they will give up until Hitler and all he stands for has been defeated.

Frankly, I am disturbed by many of the acts of our Government, taken in the past few weeks. It seems to me we are following the very road we followed in 1917. Last Monday night I sat up until 2:30 a. m. reading the CONGRESSIONAL RECORD of April 1 to 5, reading the debate on the resolution that took us into the last war. Member after Member stood in the Well of this House and assured Congress and the country that if the resolution were adopted, it did not mean that we would send an army to France. It was pointed out that the Allies did not need men, they needed munitions and credits, and we were going to provide the needed munitions and credits and perhaps send our Navy as an escort to our commercial shipping. A few short weeks later it was decided to send an Army of 25,000 men to France, not because they were needed, but solely to show the Allies that we were squarely behind them—a sort of token payment, as it were.

In this country we still have freedom of the press and freedom of the radio—those two privileges should not be abused at this time. It is imperative that every statement made by representatives of our Government, which goes out over the radio, should be carefully considered. The words written in our newspapers by columnists and others should contain nothing but the truth. I was startled last Sunday, while listening to the Forum of the Air, to hear the distinguished chairman of the House Military Affairs Committee [Mr. MAY] make the statement that our aircraft industry has so stepped up production that our own needs can be provided for almost at once. The testimony of General Arnold before the committee of this House will not justify such a statement. Then, too, in last night's Washington Star in the column written by Messrs. Alsop and Kintner, in listing the war material sent to France, the statement was made that the 50 bombing planes recently released to the Allies by way of the Curtiss-Wright Co., were old, obsolete ships.

The record does not bear out that statement. The 50 bombing planes taken from the Marine Corps, known as SBC–4's, are among our very best and latest dive bombers. A better dive bomber has not been designed, let alone built.

Several times I have seen General Arnold quoted as saying that all our planes were now obsolete. If we study the report of hearings before the Military Affairs Committee we find that when General Arnold used the term "obsolete," he meant only that our planes did not have the latest gadgets found on the military bombers of Europe. He referred particularly to the fact that our planes did not have self-sealing gas tanks and that we had no armor on our planes. Where has our Air Corps been for the last 20 years? As a matter of fact we had a certain number of self-sealing gas tanks during the World War. An engineering officer attached to the Air Corps did some very interesting experimental work along that line and by using stretched elastic, which was the basis for the self-sealing tank, he was able to develop, even under the war conditions, a satisfactory self-sealing gas tank. The same officer went out and purchased from the French a five-sixteenth armor plate and devised a certain amount of armor protection for pursuit pilots. Admittedly this protection was crude as it consisted only of a piece of armor plate under the cushion and another piece projecting out of the cockpit to protect the neck and head of the pilot.

The War Department and, in fact, the Congress, refused to listen to the words of Gen. Billy Mitchell when he returned from France. He was laughed at and practically driven out of the service in disgrace because he dared make suggestions based on his own experiences of flying in France. We cannot consult with Billy Mitchell today, but there is a man available to the War Department—a man who perhaps is the most able combat pilot living today—I refer to Colonel Hartney, who was commanding officer of the First Pursuit Group during the World War. It would take a lot of argument to convince Colonel Hartney that a modern fighting plane was obsolete just because it did not have self-sealing gas tanks and was without armor.

In the remaining minute or two I want to refer to the proposal that the President made—the federalizing of the National Guard units. If Congress decided to stay in session, certainly there is no justification for granting this power.

If Congress is in session, as it should be, then it can deal with any emergency which arises on almost a minute's notice. I realize that the National Guard needs more and extensive training, but there is a lot that can be done to improve the equipment and training of the guard without uprooting it from its civilian status and federalizing it. The things we need today more than anything else are airplanes, tanks, antiaircraft and antitank guns, and so forth. In my own State of Connecticut, for instance, to federalize the guard would certainly upset the production schedule materially. Even more important than that is the question of good faith on the part of the Government. Thousands of young men have enlisted in the National Guard on the pledge of the Government that they were to be civilian soldiers training for the future defense of the country, and would only be called into Federal service during invasion, war, or when war was imminent. Will any Member of the House stand in his place and declare that in his opinion our participation in the war can truthfully be said to be imminent?

In the next few days we will have before us a proposal to train members of the C. C. C. for noncombatant service—to train these young men from the ages of 18 to 25 as skilled mechanics. In most States, I believe, the C. C. C. could be disbanded, and the men now enlisted in those camps should either enlist in the Army for military training or be permitted to take apprentice jobs in private industry. They could be given jobs in factories now executing Government orders for aircraft and other types of national-defense equipment.

Much helpful information is available to Members of the House if they would read the hearings before the House and Senate Military Affairs Committees—hearings held in the past few weeks. I was startled to learn from reading the hearings before the subcommittee of the Committee on Appropriations of this House that we had recently sold a big bombing plane to Japan. That testimony can be found on page 36 of the hearings to which I have just referred.

Referring to the sale of the bomber, I quote from the hearing:

Mr. SNYDER. Did Japan buy that big plane that was down there?
General BRETT. What plane?
Major MILLER. That is the *DC–4*.
Mr. SNYDER. Japan bought that?
Major MILLER. Yes.

It certainly seems to many of us that there are inconsistencies in the policies we have adopted. We have shipped tons of scrap iron and apparently even some planes to Japan, a partner in the Rome-Berlin axis. At the same time we are trying to do all we can to help the Allies defeat the axis partners. Of course, we want to aid the Allies, and I am willing to aid them just as far as possible without violating any treaty obligations and without weakening our own national defense. Our first obligation is to protect the people of our own country.

[Here the gavel fell.]

Mr. LUDLOW. Mr. Chairman, I yield 5 minutes to the gentleman from Oklahoma [Mr. MASSINGALE].

[Here the gavel fell.]

Mr. MASSINGALE. Mr. Chairman, I would hate to think that I am going to get up here and undertake to make a Democratic speech for the preservation of this Government of ours. I do not think it makes any difference, and the people are not much concerned right now, as to which party, if either, is responsible in any degree for the state of unpreparedness in which this Nation finds itself. I am not much concerned about whether you favor England and France particularly or Germany and Italy particularly. To be real frank about it, having lost trace of my ancestry, if I had any back in the early days, I do not give much thought to any of them. I am just concerned with one thing, and that is America. [Applause.] I am going to do my best to vote and act in such a way as to keep this Government of ours and these institutions of ours intact. I am so disposed that it does not hurt me very much to vote for large expenditures. I do not care what it costs to properly defend the Government of the United States. It would be cheaper if we spent every cent we have, or can scrape up, rake up, or borrow, than not to do it at all.

I may not be capable of viewing this situation from the viewpoint of the learned, and I am sure I am not, but I know what my own sentiment and my own convictions are. I am going to do that thing, as I said a while ago, which is from my viewpoint the best for my Government and for my country and the people of the United States.

As Members of Congress we are sent here to represent the people of the United States of America. I want to do that to the very best of my ability, and I am going to do it to that extent. I do not take much stock in the carpings against the President of the United States that some people indulge in, some Democrats and a good many Republicans. I do not care anything about that, and I do not think the people of the United States care much about it. It is America and America only that the people of this country are interested in, and we had better wake up to that fact.

What do we want to do? What do the people of the United States want to see done? They care nothing about these debates in which we malign or attack somebody, either the President of the United States or some lesser personality. I will tell you what they are interested in. They want to see these billions of dollars that we have appropriated here in the last few weeks spent intelligently and properly in making this Nation invulnerable to the attack of any nation or combination of nations from Europe or other parts of the world. [Applause.]

[Here the gavel fell.]

Mr. LUDLOW. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. MASSINGALE. Mr. Chairman, that is what the people want. Let us stay here in session and see that the money is properly spent in the purchase of the kind of equipment that we know will put this Nation in a position to properly defend itself and overcome any kind of resistance or power that may be sent here from Europe. I have great confidence in the ingenuity of the people of America. I believe that our factories can make all of the weapons that this country will ever use or could use and there will be no let-up in it when once we get started. You know, I am awakening. I do not know about you folks, but I am awakening from a happy dream. I firmly believed in the virtue of diplomacy and thought there was still a little of the milk of human kindness left in the dictators of Europe. I hate to get up here and admit that I have had to change my concept to such an extent that I am willing now to commit my Government to the use of the most dangerous, the most deadly, the most destructive arms and instruments of death. I hate to take that view, but we are in peril and we might as well recognize it. As far as I am concerned, I want this Government through its purchasing agents to get these supplies. I want tanks, planes, including bombing planes, so powerful, so strong, and so deadly in their performance that those which they are now using in Germany and France today will look like toy pieces compared with what we may have to use to keep this Government of ours secure, so that we can hand it down to future generations as a country where men can come and live, enjoy life, and enjoy religion. I want to see that done and you had better realize what is facing you.

I have no doubt in my mind about the country being in peril today. If it is not in peril right now, it is soon coming face to face with peril. I pray we do not rely too much on our complacency. If it should become advisable ever again to enter into any war, let us know that we are prepared for it. Are we going to slacken? Not a bit. So far as one Member of Congress is concerned, I feel that war is in the offing for the first time since I became a Member of this Congress. I do not mean I would vote for war. There is no use sending millions of men to any foreign country to wage somebody else's war and to fight somebody else's battle for them. If we will equip our men in the light of what has happened in Europe, that will be sufficient, and we do not have any better soldiery than France has.

[Here the gavel fell.]

Mr. LUDLOW. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. MASSINGALE. We could not expect to put up any better soldiery than has France or Britain, but are we going to do as we did in 1917, take the chance of sending two and one-quarter million men over to Europe, if it should come to that, with their outfits, to fight the deadly weapons that the inventor's mind must have gathered when he made a mental picture of the infernal regions? You talk about sending a million boys over to France or elsewhere to fight those tanks, machine guns, and planes without having something equal to or better than what they have over there with which to fight them. Let us be American. Let us excel them. Let us outdo them. Let us give them to understand that when it comes to the consideration of America those demons of Europe will not dare start this way when they undertake to pursue their course farther.

I love America. I do not know any other kind of love. I never want any other kind of love. But I just love it well enough to fight like the devil for it, and I believe that ought to be the sentiment of every man in this House of Representatives. I really know that it is. If it is not, he ought not to be here. [Applause.]

[Here the gavel fell.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield 3 minutes to the gentleman from Minnesota [Mr. ANDRESEN].

Mr. AUGUST H. ANDRESEN. Mr. Chairman, Congress should and will stay in session, if a handful of good loyal Democrats will join with the solid Republican vote to have us stay here during the present emergency. There are things we can do if we remain here in the interest of national defense. I want to make a suggestion to the Committee on Appropriations, because I believe they can find ways and means to provide additional sums to pay for an adequate national defense. Every departmental appropriation bill that has been passed during this session should be reexamined, and all projects unnecessary at this time should be suspended, the appropriations thrown out, and the funds used for national defense.

I was just examining the Interior Department appropriation bill, which passed a short time ago. In only one short section of it I find at least a dozen items for monuments, which could be eliminated. For instance, there is $251,000 appropriated for the Vanderbilt historical monument in Dutchess County, New York; $100,000 for a monument to Patrick Henry down in Charlotte, Va.; $44,500 for a monument to Andrew Jackson down at Greeneville, Tenn.; $409,770 for supplying water to the Statue of Liberty—I did not know she was running out of water—$103,980 for a recreational park at Boulder Dam; $5,000,000 for new roads and trails in national parks; $2,000,000 for Blue Ridge parkways; $6,000,000 for parkways in Mississippi, Alabama, and Tennessee; $375,000 additional for the Thomas Jefferson Memorial; nearly $3,000,000 to complete the St. Louis Jefferson Memorial, and so on. This is just in one section.

We should weed hundreds of unnecessary items out of all appropriation bills, and I am sure that we can save at least $2,000,000,000 which may be used for defense purposes. At this critical time all appropriations for new projects should be canceled and others drastically cut.

Mr. BOLLES. Mr. Chairman, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from Wisconsin.

Mr. BOLLES. Why not include in that the $500,000 "cat consuming its own noise" stuff for the clipping bureau of the President?

Mr. AUGUST H. ANDRESEN. The President does not need any clipping bureau, so I believe we could well eliminate that $500,000. If we are here in the interest of protecting our country we should get down to business, stay on the job, examine what we have done, undo the damage, and get back on the road to sanity and Americanism. I insist that Congress remain in session to protect the welfare of our country. [Applause.]

[Here the gavel fell.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. BENDER].

Mr. BENDER. Mr. Chairman. Through the maze of European censorship, with cables restricted, with news dispatches deleted, one shocking fact remains all too clear—the fact of faulty British preparation to meet a threat long foreseen. Even during the 8-month period between the formal declaration of war by Britain and France on Nazi Germany and the opening of the tremendous drives this spring, every bit of available evidence points to an attitude of shocking lassitude on the part of the British Government. England's vast industries, her potential resources for rearmament, her skilled manpower, were not called into vigorous action until the tide had almost completely engulfed the Allied armies. It is still for history to reveal whether or not they have been mobilized in time to save their independence.

Yet, distressing as the situation is which has been revealed by the plight of England and France, it offers us in America essential lessons. It does not pay in days of crisis to underestimate one's potential opponents. Nor does a constant protestation of good intentions and noble objective meet the requirement for quick and effective action.

Mr. SCHAFER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. BENDER. I yield to the gentleman from Wisconsin.

Mr. SCHAFER of Wisconsin. The President said we cannot have our cake and eat it, too. I might answer that by saying that we cannot have our own national defense and at the same time hand it to the Allies 3,000 miles across the sea.

Mr. BENDER. The present national administration of the United States is notoriously long on ultimate objectives. Even its most bitter critics will concede the general atmosphere of nobility which surrounds its intentions. But we are faced with problems requiring more than a barrage of words. They demand action—decisive, organized, planned. No fireside chat can accomplish the ends almost universally recognized from one end of the Nation to the other.

To meet the challenge before us, our governmental leadership must be placed in the hands of men who are strong on execution, who know the business of practical administration far better than the inexperienced, theoretical legislators who fill the offices of New Deal Washington.

Our Nation is faced with a gigantic task. It cannot be safely delegated to an administration in which public officials are too frequently at cross purposes; where the Secretary of War is not on speaking terms with his chief assistant; where huge expenditures for military purposes are pushed through under blank-check authorization without provisions for supervision of their results.

It is clearly not a responsibility which can be entrusted to the hands of a national government hostile to the activities of the very industrialists and businessmen whose cooperation is essential to the success of the program.

These times demand a national government which can coordinate industry, commerce, and transport army, navy, and air fleet, employer, and laborer in a harmonious national system designed to achieve the objectives we have outlined.

The Democratic Party for the past 7 years has demonstrated its complete inability to turn in a performance even remotely resembling the absolute needs which face us now. It is time to change our leadership now.

Let the people of America realize the facts, lest we, too, follow the pattern of sorely tried Britain. [Applause.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield such time as he may desire to the gentleman from Indiana [Mr. GRANT].

Mr. GRANT of Indiana. Mr. Chairman, the American people are determined that they are not going to send men to fight in this European war, and they are equally determined that they are going to build up our defense so that we will be safe from attack from any source.

Mr. Chairman, the progress made in aviation in the past few years has been remarkable. America has played a leading part in this steady march. The broad expanse of our States and our commercial routes with the countries of South

America will make aviation a factor of ever-increasing importance in the years that lie ahead.

The United States was the first to establish regular air-transport service across the oceans that bound us on the east and on the west. This lead in the field of aviation has been made possible by constant study and research and the improvements that have come from the ingenuity of the American people.

Today the world is aflame with war. Our determination to build up our own national defense and maintain our own security can best be served by increased application in the field of aeronautical research. The effectiveness of our air force is largely dependent upon the strides we make in aviation and our superiority in the construction of our aircraft.

Mr. Chairman, the National Advisory Committee for Aeronautics has completed 25 years of supervision and direction of the scientific study of the problems of flight. The members of this committee serve without compensation and have doubtless been one of our most important factors in making America the leader in the progress of aviation. I am convinced of the truth of the statement contained in the last annual report of the committee that the "systematic conduct of scientific research is one of the most fundamental activities of the Government in connection with the developments of aeronautics."

In the last report of the committee, urgent recommendation was made that it be authorized to construct an engine-research laboratory in a location easily accessible to the aircraft-engine industry. The committee pointed out that there is a—

> Serious lack of engine-research facilities in the United States and that it is of the utmost importance for the development of aviation in general, and for our defense program in particular, to take immediate steps to cure this deficiency.

After studying the report of the National Committee for Aeronautics and appreciating the need that exists for such a laboratory, especially in the light of the prominent part that aviation has played in Europe during the past few months, I urged that funds be made available to begin construction of such a laboratory at the earliest possible date. There are many requirements that any site for such a laboratory would most certainly have to meet, and I became fully convinced that South Bend, Ind., had every advantage to offer toward fulfillment of the well-rounded program of this Committee.

On May 3, 1940, I addressed a letter to the Civil Aeronautics Authority, referring to the recommendation that had been made by the National Advisory Committee for Aeronautics and pointing out therein the advantages that South Bend had to offer for such a program. On May 20, 1940, the President addressed a communication to the Speaker of the House of Representatives transmitting an estimate of appropriation and authorization for the construction of such a laboratory.

The supplemental national-defense appropriation bill that we are considering today contains this item. Knowing of the almost unanimous support of this body for an adequate program for national defense, I am confident that all of the Members will well realize the importance of this proposed laboratory.

The National Advisory Committee for Aeronautics has developed at Langley Field, Va., a large and well-equipped aeronautical research laboratory known as the Langley Memorial Aeronautical Laboratory. Under an authorization approved August 9, 1939, the Committee has now in process of construction at Moffett Field, Calif., a second major research station known as the Ames Aeronautical Laboratory. In my humble opinion, the third important laboratory in the Committee's research program should be located in our great Middle West.

South Bend offers special and peculiar advantages for such an experimental laboratory. An important automobile center, the city boasts a superior force of highly skilled mechanics, many of whom have had long training and experience in the production of special aviation equipment. One of the largest aeronautical-instrument plants in the United States is located at South Bend. South Bend also maintains a fine airport, sufficiently large to accommodate the transcontinental transport liners. Yet this locality is removed 90 miles from the airport-traffic congestion of Chicago, and is free of the lake fogs which often interrupt transport schedules along the Great Lakes. At the same time, South Bend, for all practical purposes, is on the main line of both the east-west and north-south transport routes.

The Nation's principal military aviation laboratory at Wright Field, Dayton, Ohio, is only a short hop from South Bend. The same applies to the important commercial air centers of Cleveland, Detroit, Pittsburgh, Chicago, and the great Army training centers at Rantoul, Ill., and Selfridge Field, Mich.

The proposed engine-research laboratory, therefore, might well be placed in the heart of the national commercial aviation network, within 3 hours' flight of approximately 90 percent of the population of the United States.

In addition, Mr. Chairman, Mr. Ernest E. Thum, editor of Metal Progress, writes in the April 1940 edition:

> The University of Notre Dame has about one of the most compact, best organized, and best-equipped metallurgical departments I have ever seen.

The assistance and cooperation that could come from the laboratories of such a great university would, I am sure, be of immeasurable value to the engine-research laboratory.

I hope this appropriation may have the unanimous support of this House.

Mr. WIGGLESWORTH. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. EDWIN A. HALL].

Mr. EDWIN A. HALL. Mr. Chairman, last week I stood in the well of this House and posed a question which I am about to repeat. I made the demand that the President of the United States, either by himself or through some board or authority, make a weekly report to the House of Representatives as to the progress of the defense program which is about to get under way. I repeat the question and insist that such information must be presented in order that the Congress and the people of the Nation may know its general developments, and understand what is happening insofar as the defense program is concerned. I cannot help but admit that I am apprehensive, although I am not easily scared, that unless some definite steps are taken to expend wisely the great amount of money now included in the appropriation which we are authorizing here today and will authorize in the future, the people of the United States will not realize the dollar for dollar value which they should receive from their appropriations.

My demand is justified by the nauseating waste and mismanagement which has characterized the defense policies of the present administration for the last 7 years. Until the bare stark truth that the United States is woefully unprepared came glaringly to light, our people were proceeding under the false impression that America was absolutely invulnerable to attack. They were fooled into believing it.

Suddenly the President made the announcement and admission which shook an unsuspecting Nation. We must prepare overnight, he said, for security which could not be attained in the 7 previous years.

Mr. Chairman, in presenting this criticism, I am not injecting any partisanship whatever into this debate. But I cannot gloss over the fact which the President would like this Congress to gloss over, namely, that his was the responsibility to see that the billions already used on armaments during his tenure of office were wisely expended. And I cannot agree with the majority Members of this House that those funds have been wisely expended.

Therefore, I am repeating my demand, and will continue to repeat it, until some answer is forthcoming, and I will continue to direct it to the President of the United States that he furnish the Congress and the people with information concerning the weekly progress of the national-defense program. [Applause.]

[Here the gavel fell.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Chairman, I understand that the gentleman from Pennsylvania [Mr. RICH] intends to offer a motion to strike from this bill a certain sum of money for research purposes in respect of aircraft engines. If that motion is made, and I hope it is not, I shall do my utmost to oppose it, as I am perfectly certain that research is one of the most important things we have to consider in our entire program.

Last year at this time, on the 21st day of June, the Military subcommittee of the Appropriations Committee gave me some time to talk about research in aerodynamics. At the conclusion of that address I said:

> Mr. Chairman, this program for expansion of our air fleet is either going to be seriously retarded by the lack of high-speed wind tunnels in this country or the planes built will not be adequately tested in model form before being built. Perhaps it is expected that they will be built from prototypes already developed and which will be comparatively obsolete by the time they are in the Army hangars 2 years from now.
>
> While it seems that it is always necessary to replace planes in service, and it is now necessary for national defense to increase the number of planes in our air force, I believe that we are looking at this thing from the wrong end. The first thing we need is research and testing facilities to work the bugs out of high-speed planes. If we do not have this research and testing there are going to be a lot of crack-ups, dead pilots, and wrecked airplanes.
>
> Germany has been referred to here as one of our competitors in this air race. Germany has five wind tunnels capable of testing planes up to 400 miles per hour at sea-level air pressure and 600 miles per hour at the reduced pressure of high altitudes.

Mr. Chairman, I offered a bill last year to provide $6,000,000 to be granted to educational institutions in the United States in order to provide the research facilities that are necessary preliminary to the manufacture of airplanes. We have certain Government institutions that are engaged in fundamental research, and as the gentleman from Missouri [Mr. COCHRAN] said, they have done a noble work, but there are no high-speed wind tunnels in the United States except those that are operated by the N. A. C. A. and one or two now necessarily being built by, or subsidized by, private manufacturers, that are available for giving the industrial tests on models required before an airplane is built.

I call to your attention the P–38, built by the Lockheed Aircraft Corporation, a plane that has been on the drafting boards for 2 years. A year ago an experimental ship was built and flown, and it cracked up in landing. It is the fastest plane in the world today, and yet up until May 1 of this year the Lockheed Aircraft Corporation had not been allowed to deliver to the United States Army the few planes that had been placed on order. If the industrial testing apparatus in the universities had been available, that plane could now be in the air in large quantities, but so long as we must take planes out of the factories and fly them in order to make the tests that should be made in the laboratory, it is going to cost untold sums of money, many lives of pilots, and take a long, long time.

These planes must be tested in the wind tunnels. The bugs must be gotten out of them through the testing of their models in wind tunnels before they are built. If we can do this, the test can be made in a month and a half. If we can do this we can very greatly increase the facilities for our Army and our Navy in aircraft, and if we do not do it, we will be far behind the potential enemy that has been spoken of here today.

I call upon you to consider seriously that we must grant to our educational institutions funds for research, for there are no other facilities available outside of the Government, unless some manufacturer can afford to put out one or two million dollars for such facilities.

Now, one more point. One of the great bottlenecks we have run into in the production of aircraft is the matter of how many aircraft designers, how many aeronautical engineers are available to the trade. The California Institute of Technology is located in my district. It has one of the finest aeronautical schools there is in the United States, and in 8 years they only graduated 141 graduate students from their department of aeronautical design—in 8 years, 141 students. There are not many institutions in the United States that are capable of graduating a qualified aircraft designer—not many; and if we do not aid those institutions that are capable of turning out these aeronautical engineers, we are going to find that bottleneck will seriously retard our national-defense program. We can train mechanics, we can train flyers, we can train a lot of other people, but it takes many years to train an aeronautical engineer.

Mr. Chairman, for the sake of our national defense, for the safety of our pilots who must fly these planes in battle, for the sake of those at home to whom success of our defenders in the air is most important, I hope most earnestly that some of these funds will be granted to qualified educational institutions for the construction of high-speed wind tunnels in order that they may be available to the manufacturers for industrial testing.

[Here the gavel fell.]

Mr. LUDLOW. Mr. Chairman, I yield myself 12 minutes.

Mr. Chairman, in my opinion this defense measure, colossal as it is and burdensome as it must prove to be to the taxpayers of our country, is justified by the extraordinary circumstances of our times. It has my sincere and whole-hearted endorsement.

We as a Nation are in an anomalous situation. We are at peace with the world. No nation has attacked us. No nation has even threatened to attack us. Yet we have had only to cast our eyes across the water to see a ruthless, conscienceless military machine override countries just as peaceful as ours, countries that regarded themselves just as free from invasion as we have always regarded ourselves. We have seen this military juggernaut extinguish the light of freedom in those democratic, God-respecting countries and as we have looked upon this appalling panorama, beginning with wholesale death and destruction and ending with subjugation, the iron that is in our souls has made itself felt and we have said with determination and high resolve: "This must not happen here!"

The way to prevent it is to build up our defenses, neither attacking nor threatening to attack anybody, but making it plain to the rapacious conquerors who are running amuck in Europe like murderers and ghouls, that it will be best for their health if they stay out of the Western Hemisphere. What is happening across the ocean is to me inexpressibly sad and tragic, just as I know it is to all of us, and I will vote all of the millions and billions that may be needed to protect America from such a fate. I do not personally think that any nation on earth intends to attack us, but I do not know, and I am not taking any chances. My vote and my voice and my influence, for whatever they may be worth, will be used always for the peace and security of America. I hope and fervently pray that while the storms of war lash other continents—storms over which we have no more control than we have over the metereological elements—we may keep out of the maelstrom, so that America may continue to be the outstanding stronghold and refuge of freedom in a world gone mad.

However, it was not my intention when I arose to discuss international trends, with which all of us are so familiar, but rather to call particular attention to one provision in the pending national defense bill which I think goes to the very heart of the defense problem. That is the appropriation of $2,000,000 to establish an airplane engine research station at a total authorized cost not to exceed $8,400,000. It seems to me that the need of such a station is apparent. The combat operations in Europe have demonstrated most vividly that the airplane has revolutionized modern warfare. We may well believe that in the future, success in warfare is not going to rest with the side that has the biggest guns but with the side that has the most and the best airplanes. This makes the development and control of airplane power one of the very greatest objectives to strive for in the direction of national preparedness. Airplane engine research in America has so far been conducted at private plants and while vast strides have been made, for which the producers of airplanes are entitled to the utmost credit, the fact remains that progress has been sporadic, slow and retarded by reason of the limitation of private resources. It is to overcome these obstacles and to correlate and bring together our airplane engine re-

search facilities in one central establishment that this new station is proposed. It is believed that in this way much greater and faster progress can be made toward the achievement of one of the prime necessities of modern preparedness, and that is efficiency in the air.

This matter was made the subject of long and intensive study by a body of distinguished aviation experts composing what was known as the Special Survey Committee on Aeronautical Research Facilities. At the head of that Committee was Col. Charles A. Lindbergh. The other members of the Committee were Maj. Gen. Henry H. Arnold, Chief of the Army Air Corps; Rear Admiral John H. Towers, Chief of the Navy Bureau of Aeronautics, and Robert H. Hinckley, Chairman of the Civil Aeronautics Authority. This group of experts, after going into the matter exhaustively, submitted to the National Advisory Committee for Aeronautics the following unanimous report which has met with general approval by aviators both in and out of the Government service:

As a result of its studies, this Committee finds that there is a serious lack of engine-research facilities in the United States, and that it is of the utmost importance for the development of aviation in general, and for our defense program in particular, to take immediate steps to remedy this deficiency.

This Committee, therefore, urgently recommends that an engine-research laboratory be constructed at the earliest possible date, in a location easily accessible to the aircraft-engine industry.

In making this recommendation, the committee wishes to call attention to the fact that the reason for foreign leadership in certain important types of military aircraft is due in part to the superiority of foreign liquid-cooled engines. At the present time, American facilities for research on aircraft power plants are inadequate and cannot be compared with the facilities for research in other major fields of aviation.

This project for an aircraft-engine-research laboratory therefore comes before the Congress with great unanimity and weight of endorsement. It was submitted by the President, it was unanimously recommended by the National Advisory Committee for Aeronautics, it was specifically endorsed by General Arnold, Chief of the Army Air Corps, and by Admiral Towers, Chief of the Bureau of Aeronautics of the Navy Department.

We are all aware of the amazingly rapid progress in aeronautics, and we are today, more than ever, conscious of the vital necessity of having aircraft of superior performance. Perhaps the greatest lesson to be learned up to the present time from the current war in Europe is the revolutionizing effect of power in modern warfare. Germany's air power is the result not merely of concentration on the mass production of aircraft, but is largely the result of 8 years of concentration on aeronautical research. I might add in this connection that the Germans have 19 research institutions as against 2 which we have.

If the great effort that the United States is now making, and will perhaps be called upon to make for some time, in the strengthening of our national defense, is to result merely in the production of second-best aircraft, we might as well quit talking about saving our democratic form of Government and preserving our liberties.

America needs aircraft at least equal, if not superior, to the best that can be developed by any other nation. The greatest room for improvement is in the engine field. Very little fundamental research has been done on internal-combustion engines in this country. Our engine manufacturers, both of aircraft and automobile engines, are justly proud of the performance and reliability of American engines. They have constantly endeavored to improve them by experimental engineering and development. They are too busy and are going to be too busy to tackle basically new problems in a scientific manner. Furthermore, they do not have the equipment to do so. They must concentrate on production and expansion while continuing in cooperation with the Army and the Navy their development activities.

But development is not enough. Fundamental research is necessary. To get the most rapid progress through research, and at the same time to avoid working at cross purposes and creating overlapping and duplication, we should liberally support engine research in that great patriotic organization known as the National Advisory Committee for Aeronautics. By concentrating on engine research in a single well-equipped Government laboratory, maximum progress will be made and at much less cost.

The discovery of new principles for the improvement of engine performance through scientific research must become immediately available to the Army and Navy and to the entire engine industry, and at the same time be kept secret as long as possible. The record of the National Advisory Committee for Aeronautics indicates that it can be trusted by the Congress to get the maximum value in the way of useful results out of every dollar appropriated. That Committee, presided over by Dr. Vannevar Bush, enjoys the highest standing in aviation circles and the respect of the entire Nation, and the same confidence is universally accorded to Dr. George W. Lewis, the director of aeronautical research; Mr. John F. Victory, secretary of the Committee; and the other keymen associated with the Committee.

For further information as to the need of this research station, I call to witness two experts of international reputation.

General Arnold, Chief of the Army Air Corps, says, in a letter dated March 5, 1940:

Reference is made to the action taken at the last meeting of the National Advisory Committee for Aeronautics authorizing the submission to the Bureau of the Budget of an urgent supplemental estimate for the construction and equipment by the Committee of an aircraft engine research laboratory.

Although I was a member of the special subcommittee that recommended this project, I wish to submit the matter from the standpoint of the Army Air Corps. The future needs of the Air Corps for better aircraft engines require that the Government take appropriate steps to provide adequate engine-research facilities. I am convinced that the proposed engine-research laboratory is necessary to furnish a proper balance between aerodynamic and engine research and that it is essential in order to bring about the needed progress in the improvement of aeronautic power plants in the United States.

The need is definite and urgent and delay may prove costly. It is of great importance to the Army Air Corps that the proposed laboratory be placed in operation at the earliest possible date.

Admiral Towers, Chief of the Bureau of Aeronautics of the Navy Department, in a letter dated March 6, 1940, says:

I have just examined the supplemental estimate of appropriation in the form in which you are about to submit it to the Bureau of the Budget for the construction and equipment of an aircraft engine research laboratory by the National Advisory Committee for Aeronautics.

As Chief of the Bureau of Aeronautics of the Navy Department, it is my duty to provide the Navy with aircraft of the highest possible performance. Therefore this project is of great significance to the Navy. The aircraft power plant is the heart of the airplane. It is largely around improved engines that aircraft of improved performance are designed.

Engine research has not received sufficient attention in this country because adequate engine research facilities have not been available. It is my judgment, after careful study of this problem, that the most effective action that can be taken to meet this condition is to provide without delay for the construction and operation by the Committee of an adequate aircraft engine research laboratory as proposed.

I hope that this provision for an aviation engine research station will be unanimously approved by the House. [Applause.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield 5 minutes to the gentleman from Maine [Mr. BREWSTER].

INDUSTRIAL COORDINATION

Mr. BREWSTER. Mr. Chairman, I direct the attention of Members for a few moments to the matter of industrial coordination, expressing my appreciation of the very difficult problem with which the committee was faced. It seems to me that the Congress has shown to the country that it rises above any partisan consideration in its approach to this matter. I was gratified to hear the chairman of the committee, in presenting the bill, point out the cooperation received from the minority. It is not because I have any alternative suggestion to propose, but rather because I think the RECORD should be clear as to the hydra-headed monster that we are creating under the proposal here in the way

these funds shall be expended, that I take the floor this afternoon.

HYDRA-HEADED MONSTER

Let us examine the several heads of the unique monstrosity that is in theory to control and administer this defense fund. I quote from the resolve:

First:

In the discretion of the Secretary of War.

Second:

And are recommended by the Council of National Defense.

Third:

And the Advisory Commission thereof.

Fourth:

And approved by the President.

CENTRALIZED CONTROL

I think there has been very general recognition in the country that in order to accomplish the problem of industrial coordination and production there must be a centralized control. I have no doubt that Mr. Knudsen in accepting his responsibility understands that he is to be given ample authority to cope with the terrific problem with which he is faced. On the other hand, business and politics do not use words with the same meaning. What I very much fear is that while Mr. Knudsen understands that he is to have full authority, he will find ultimately that he is tied up in the laws of this country, and will perhaps find it necessary to ask to be relieved rather than to precipitate an issue. I fear that Mr. Knudsen will some day walk into the White House and say to the President: "It just does not seem to be working out, and you will have to excuse me," because, after all, we must still be governed by the law. The law under which this fund is to be expended directs first "in the discretion of the Secretary of War," concerning whom there has been abundant controversy, who returned only this past week from an excursion to discover that very essential transfers were being held up in his absence, and who is supposedly involved in a controversy with his Assistant.

COUNCIL OF NATIONAL DEFENSE

Second, after his discretion has been determined, it must then be recommended by the Council of National Defense, composed of six Secretaries, Madam Perkins, Mr. Hopkins, Mr. Ickes, Mr. Morgenthau, and the others. Then we come to the Advisory Commission, whose only functions under the law are to advise the Council of National Defense, whose only powers are to investigate and recommend to the President. That is the law.

ADVISORY COMMISSION

The Advisory Commission is composed of seven members, without a chairman, but with an executive secretary, one of the White House "anonymous assistants," who calls them together. Four of these seven members are not industrialists. There is an eminent lady from North Carolina who I have no doubt is very competent in her own line. Mr. Sidney Hillman, vice president and chairman of the C. I. O., is to handle all labor problems and the recruiting for our Air Corps, and two other gentlemen, Mr. Chester Davis of the former Farm Board and Mr. Leon Henderson, a very competent statistician. They are a majority of the Advisory Commission. Mr. Stettinius, Mr. Knudsen, and Mr. Budd are the business minority. It may be that this will work, but if it does, it will defy all the lessons of human experience. It would seem impossible to make a success of an amorphous mass of that character handling the intricate problems of coordination with which the Nation is now faced.

Each one of these four agencies has a complete power of veto. Nothing can be done without the approval of everyone concerned. This is perfectly designed to do nothing. But the object is action not vetoes. This will serve for Mr. Hitler as a perfect example of the futility of a democracy.

I would wish that the President with his Executive responsibility would ask this body to authorize him to appoint a man, approved, if you wish, by the Senate, who should have full power and authority to carry out industrial coordination—to whom the Army, the Navy, and the Air Corps could say what they want, and whose responsibility it would be then to see that those desires are effectively and efficiently carried out.

PRESIDENTIAL PUPPETS

Let us also remember that every one of these various groups holds office simply at the pleasure of the President. They serve simply as a convenient camouflage.

If the object were to confuse the country as to where the responsibility lies for any failure of our defense effort to function the set-up could not be more beautifully designed.

GOATS

If anything goes wrong Mr. Knudsen can, of course, be blamed as the country understands he is the one who is to do the job.

The limitation on the expenditure of these funds "in the discretion of the Secretary of War upon the recommendation of the Council of National Defense and its Advisory Commission and with the approval of the President" falls far short of the industrial coordinator that is required with full authority to go ahead.

Dispersion of authority and responsibility among four groups is not the way to get planes or guns. That is distinctly a one-man job for which Mr. Knudsen is ideally fitted. The country should clearly understand that up to the present he has no legal authority whatsoever.

CONGRESS COOPERATES

Congress has shown its readiness to furnish any funds or authority that the emergency requires. This situation must shortly be clarified if results are to be secured.

LET CONGRESS STAY IN SESSION

Here is an additional reason for Congress to remain in session. Who wishes Congress to adjourn, and why?

Certainly there has rarely been a more critical period in the history of the world.

The resolutions of the Virginia and Oklahoma delegations against adjournment are a gratifying indication that Congress is going to stay on the job.

The Advisory Council, of which Mr. Knudsen is merely a minority member as a representative of industry has only the power to advise the Council of National Defense composed of various Cabinet officers which in turn has only the power to investigate and recommend.

Certainly so hydra-headed a set-up can never be expected to coordinate American industry.

My fear is that Mr. Knudsen may not continue unless soon his legal powers and responsibility are cleared.

The country asks and expects action, and that without delay. [Applause.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield the balance of my time to the gentleman from Illinois [Mr. DIRKSEN].

The CHAIRMAN. The gentleman from Illinois is recognized for 18 minutes.

Mr. DIRKSEN. Mr. Chairman, I believe I find my text today in the letters that have been coming to my desk during the last few weeks. I fancy they do not differ materially from the letters you have been receiving. In general, they can be divided into three categories: First, there is the occasional or sporadic letter or telegram which rather intemperately urges that we should declare war at once. Fortunately they are in the great minority.

Secondly, there is the group of sentiment reflected in letters which seek to give all possible aid to the Allied powers, but at the same time expresses apprehension that unless due caution is exercised it may carry us into intervention.

The third class of letters are from those who believe that unrestrainedly we should give every possible material aid short of war to the Allied powers on the theory that democracy is in the balance today and that perhaps we had better do whatever we can before the carnage and shambles reach our own shores.

I believe there is a general disposition on the part of Congress in both bodies, whether the Senate or the House, to

render every possible aid short of war consonant with the needs of our national defense. I find it difficult to write to my constituents at times, wondering just how far we ought to go.

Being fully sensible of the problem and of the difficulty, shall we impair our own defensive establishment? Shall we strip ourselves of adequate defense material—equipment and matériel? Well, it is rather a difficult question to answer, and before one can answer it there must be an inventory of what we have. I have gone to considerable trouble to look into the matter to see in the criminations and recriminations we have heard over the last few weeks or months whether the Congress has been at fault in the event that we have a defensive establishment today that is not proportionate to the amount of money that has been expended.

I do not propose to pass judgment on that question, but I do say that when you go home there will be people who will accost you on the streets and who will say, "Well, where is this defensive establishment? Where are the guns? Where are the antitank and antiaircraft guns? Where is the ammunition? Where are the bombs? Where are the aircraft? Where are all the things that we believed Congress had fully taken care of as a part of the requirements of the defensive establishment?" I propose, therefore, to give you some comfort in trying to find the answer for it.

As we examine into this problem of what the Allied Powers need today, I say obviously their immediate need is not money, for insofar as I can determine from reports that come from the Department of Commerce there is a minimum of seven and one-half to eight billion dollars of long- and short-term credit and gold under earmark that is available today.

Secondly, it is not men, because there is a vast host available in Great Britain today who could be fighting on the Continent if it were not for the fact that their matériel, their tanks, and those other things were lost in the great carnage in Flanders. Obviously, as the gentleman from Mississippi [Mr. COLLINS] pointed out day before yesterday on this floor, wars are matters of machinery and mechanization today, and the only useful and effective assistance that we can really provide to the allied countries at the present time would be in the field of weapons, instrumentalities, matériel, equipment, supplies, and those other things that are so essential in the prosecution of a war.

Now, what is the stock that we have in the country today? How much money has been expended and how much has been devoted to this purpose, and what will the break-down of the Army figures show?

I think it will be rather interesting to the country, so I went to the trouble to take the War Department's own figures, not only for the last 16 years, but also for the last 8 years, for the purpose of determining what amount of money that we have appropriated for the War Department has gone into what they call these recurring annual items which are not matériel, but rather pay, travel, subsistence, clothing, forage, equipage, and all those other things. Essential to the Army? Oh, yes; but not in the category of weapons. These are annual recurring items and can only be inventoried in the form of a well-clothed, well-fed, well-disciplined, well-trained, and well-housed army.

As I break this down just pay heed to these figures for a moment. For the fiscal year 1933 on to and including 1940 the total expenditure for the War Department in those years was $3,776,000,000 plus. You can keep it in mind better by just remembering the approximate figure—from 1933, including the fiscal year of 1933, to and including 1940, about three and three-quarter billion dollars. How was it broken down? Here are the figures; these are not my figures; these are from an analysis that was made by the War Department and sent to the Members of Congress, or at least some of them. Where the Department's own figures were shown for a 16-year period I took the last 8 years.

Only about 6½ percent of all the money that was expended for the Army, aside from the Air Corps, has gone into augmentation and modernization. That means acquisition of weapons, matériel, tanks, ammunition, and those other things that the Allied Powers need at the present time. Six and one-half percent for augmentation and about 11 percent for augmentation in the Air Corps.

What is the obvious conclusion? Out of three and three-quarter billion dollars that was expended there was $2,383,000,000 for clothing, for pay and allowances, for travel, for subsistence and these other things, and $736,000,000 in the same category for the Air Corps.

The figures will show that from 1933 to 1940 about $241,549,000 was expended for modernization, replacements, and acquisitions for the Army and about $414,838,000 for the Air Corps, making a total of $656,387,000 for this purpose over an 8-year period out of a total expenditure of more than three and three-quarter billions of dollars.

When you draw the line and take the total you will find that for the last 8 years there has been available for acquisition an average of about $82,000,000 a year.

There was an average of $82,000,000 a year for increasing guns, equipment, and weapons. You cannot buy much with $82,000,000 a year in order to set up a defensive establishment, but those are the figures today as we come to evaluate our own inventory. If these funds were inadequate, it was not the fault of Congress.

Where is the fault? Is it on the part of Congress? Is it that we have been niggardly? Is it that we have been parsimonious with the War and Navy Departments? Well, I went over to the Appropriations Committee to fish out every estimate that was sent to us by the Budget Bureau which had the approval of the President, starting with 1933. The total of appropriations was $3,399,000,000. The total Budget estimates as they came to us from the Budget Bureau from 1933 to 1940, inclusive, was $3,436,000,000.

We gave to the War Department within $37,000,000 of every dime for which they asked the Congress in the last 8 years. That is about 1 percent of the total expenditure. So I say to you today on the basis of the figures from the War Department and from the files of the Appropriations Committee that if there is no defensive establishment in America today it cannot be laid on the threshold of Congress. We have done our duty and there is the record to show it.

Let me make one more observation on this question of whether or not the War Department estimates and their requisitionings met obstacles and whether they met them down at the other end of the Avenue. Here sits my good friend from Missouri today [Mr. CANNON], who serves on the deficiency subcommittee. When he was questioning General Marshall the other day, General Marshall said:

> Our original estimates included much more than that.

Meaning the War Department Budget as it was sent up to the Congress.

The gentleman from Missouri [Mr. CANNON] said:

> What did your original estimate include?

General Marshall said:

> We asked beyond that amount for $240,000,000 for critical items; $205,000,000 for essential items; $35,000,000 for seacoast defenses; $45,000,000 for arsenal and depot facilities.

Yes; they asked for it. They asked for it, and whenever their request got as far as the Congress, the Congress always took care of the matter. So I shall not have anyone lift his voice in reproach when I go home and say to me, "You are a Member of Congress. Under the Constitution you are charged with the responsibility of raising and maintaining an Army and a Navy. What did you do with the money?"

We gave them substantially all the money the Budget Bureau asked for and then relied upon expert and professional direction for a defensive establishment. If we do not have it today let it not be said that the Congress is in error or that there has been any dereliction on the part of the legislative branch. The Budget Bureau is under the immediate direction and supervision of the Chief Executive and if that Bureau made substantial slashes in the requests of the Army and the Navy, the blame must fall elsewhere than on Congress.

Turning for a moment to the question of what we have, the amount we can send to other nations is obviously determined by what is available unless we want to strip ourselves entirely of a defensive establishment. I am sure the American people would not care to see that sort of thing done. So we have to evaluate the inventory and see what is available today.

I would admonish everybody on the floor of the House to get a copy of the Senate hearings on the last military appropriation bill that cleared this House day before yesterday. You will want to take it home and refresh yourself, because there is some rather interesting information there. Let me take, for instance, the question of rifles. From page 28 of the Senate hearings we learn that a total of 38,000 new rifles have been delivered. Two hundred and forty thousand are needed for a minimum army. There are funds available for 169,000 more and then it will be June of 1942 before those are completed.

Antitank guns—this is General Marshall speaking—it is no secret, it is published, it is part of the documentary information of this country today. Antitank guns: Serious situation in length of time required to produce. Requirements are 1,556; have 218 on hand; have 526 on order on which deliveries will not be completed until June 1941. That will be a year hence. A year is a long time and it indicates only too well the serious lag which takes place from the time funds are provided and essential items of defense are delivered for use.

Mr. Chairman, there is no use of our playing the role of an ostrich. Not long ago the President stood on that rostrum and admonished us not to be ostriches when it comes to the foreign situation and not to blink the realities. I do not propose to blink realities today, because there is no virtue in fooling the American people. If they are insecure, if our defensive establishment is not what it ought to be, they want to know the truth, for only by the establishment of a factual premise can we rouse this Nation to that degree of interest that is necessary whereby we may develop a defensive establishment that is worthy of the greatness, the wealth, and the glory of this country.

In connection with the French 75's—and that is a subject that is dear to my heart because back in the World War I upon occasion helped pull the lanyard and listened to the 75-millimeter projectiles go forth perhaps eight or ten kilometers to spread death somewhere or to knock over a church steeple, or to fall upon an ammunition train. It is a great instrument. There is a flexibility to it that made it so superior to our own 3-inch weapon that throughout the World War we were using the 75 millimeters.

In the light of history, what is the situation concerning the modernized 75's? It was brought out before the Senate that we have 101 modernized 75's on hand and have provided for 499 in existing appropriations. If that matériel, modernized and otherwise, is not a part of the defensive establishment of the country today, let it not ever be said that it is the fault of the Congress, because we came within 1 percent over a period of 8 years of giving the War Department every dollar which the Budget Bureau requested from this legislative body.

The same thing is true of heavy guns. Sometimes this becomes alarming. Here was General Marshall testifying on page 34 of the hearings, and I quote:

> We have not manufactured a big gun for many years, but it would take two and a half years to manufacture a 16-inch gun and carriage.

Incidentally he stated that when he investigated into this particular type of matériel, he found that production machinery was in use which was 40 years old.

Thank God there is a national-defense program under way. I think we devoutly and fervently hope and wish that there will be no obstacle, that there will be no obstruction, that there will be no delay so that these essential things that we are lacking today will come into actuality as a part of our defensive program.

But as one examines the inventory, there is a question that presents itself in these letters and telegrams that come stating, "Render aid and assistance." How far can we go? I do not propose to answer it in terms of dollars and cents. I do not know. But I will say to you that as my people admonish me to do every possible thing to expedite the program whereby aid may be rendered to those who are in distress in Europe at the present time, I wonder how much of this we can turn over, sell, or make available to them.

By way of emphasis let me include a table showing the total of appropriations and Budget estimates for the years 1933 to 1940, inclusive, together with totals from which one may at once ascertain that for an 8-year period the Congress has been decently generous and has provided substantially all the funds which were requested for national defense.

Table showing total of appropriations and estimates for the years 1933 to 1940, inclusive

Year	Appropriations	Estimates	Plus or minus
1933	$304,664,024.00	$301,030,642.00	$3,633,382
1934	277,335,381.00	278,015,841.00	−680,460
1935	265,242,509.62	270,318,570.62	−5,076,061
1936	355,823,204.00	332,084,277.00	23,738,927
1937	391,375,784.00	383,350,510.00	8,025,274
1938	417,702,879.00	418,693,336.00	−990,457
1939	536,052,471.00	549,061,639.00	−13,009,168
1940	851,541,860.00	904,263,388.00	−52,721,528
Total	3,399,743,112.62	3,436,818,203.62	−37,075,091

Let me devote further attention to this question of what munitions, materials, equipment, and weapons are available for delivery to the Allied Powers over and above our own defensive needs.

I doubt whether I would undertake today to make this information available were it not for the fact that it already appears on pages 421 and 422 of the hearings before the Subcommittee of the Committee on Appropriations of the United States Senate which were held on H. R. 9209, the bill which makes appropriations for the Military Establishment for the fiscal year ending June 30, 1941.

An examination of the hearings discloses that there was no reticence among the members of the Senate committee on military appropriations in asking questions, and in developing information which would present the picture precisely as it is.

You will observe that the following table shows various kinds of matériel, equipment, and munitions which was on hand on May 1, 1940, and the amount which will be on hand upon completion of the program:

The money appropriated for the fiscal year 1940, amounts contained in the 1941 estimates, and amounts contained in the new emergency estimates (President's message) will complete the program for critical items. Under this program the status is as follows as of May 1, 1940, for principal items:

Item	On hand May 1, 1940	Will be on hand upon completion of program
ANTIAIRCRAFT		
3-inch guns	448	500
90-mm guns		317
Directors	168	273
Height finders	142	276
Sound locators	194	801
37-mm. guns, antiaircraft	15	1,423
.50 caliber machine guns	1,014	1,682
SMALL ARMS		
Semiautomatic rifles	38,000	240,559
37-mm. antitank guns	228	1,388
60-mm. mortars	3	3,756
81-mm. mortars	183	853
Machine gun, caliber .50 (pack)	83	962
FIELD ARTILLERY MATERIAL		
75-mm. gun, modernized	141	1,432
75-mm. howitzer (field and pack)	90	319
105-mm. howitzer		120
155-mm. gun, long-range	4	96
8-inch howitzer		48

Item	On hand May 1, 1940	Will be on hand upon completion of program
COMBAT VEHICLES		
Scout cars	485	1,346
Combat cars	114	208
Tanks, light M2A4	10	734
Tanks, medium M2	18	194
TRACTORS AND SPECIAL ORDNANCE VEHICLES		
Tractors, light	93	120
Tractors, medium	261	550
Tractors, heavy	65	777
Trucks, small arms repair	79	146
Trucks, instrument repair		53
RAILWAY ARTILLERY		
8-inch railway gun and carriage		24
AMMUNITION		
Ammunition bomb, 500-pound	11,928	34,924
Ammunition bomb, 1,000-pound	4,336	14,511
Caliber, .30 A. P	17,268,000	73,920,000
Caliber, .50 ball	25,220,000	53,117,000
37-mm. tank and antitank	75,000	1,205,000
37-mm. antiaircraft gun	46,000	2,624,000
81-mm. mortar	43,000	373,000
75-mm. howitzer H. E	142,000	382,500
155-mm. howitzer, H. E	925,000	1,131,000
8-inch howitzer, H. E		29,000
ENGINEER CORPS		
Ponton bridge, 10-ton	1	32
Ponton equipage, 23-ton	1	8
Water-purification unit	4	45
Searchlight, 60-inch mobile	285	1,028
CHEMICAL WARFARE		
Gas masks	407,696	1,297,000
QUARTERMASTER CORPS		
Cloth wool uniform, yards		5,500,000
Field ranges	667,000	5,000
Pack saddles, cargo	434	2,235
SIGNAL CORPS		
Radio set SCR 161	390	1,849
Radio set SCR 171	26	401
Radio set SCR 194	809	2,138
Wire (field wire) (miles)	16,800	65,491
Field telephones (miles)	15,800	47,602
Detector sets		182

As I pointed out earlier, one of the real difficulties in attempting to speed up a defensive program for the procurement of all types of weapons and instruments of war is that it often requires such a long time to obtain deliveries, and there is presented to us the question of how far we should go in reducing our present defense establishment in the light of possible delays in securing equipment of various kinds which is deemed to be so essential.

On page 421 of the Senate hearings, General Moore testified that some deliveries are now being made of the 37-millimeter antitank gun but that it will probably be December of 1941 before our needs in this type of weapon are all delivered. It must be apparent to all that December 1941 is 18 months hence, and, therefore, raises a very delicate question, if from our present slender stock this type of weapon was to be made available.

On page 95 of the Senate hearings General Arnold, of the Air Corps, testified in substance that present production of planes is about 300 per month, and that the total yearly production by July 1, 1941, will be about 6,000. He also testified that the maximum number under present production schedules will reach about 800 a month and that will be for only a short time.

On page 30 of the same hearings may be found a colloquy between members of the Senate committee and representatives of the War Department to the effect that it will be the end of 1941 before we shall have sufficient antiaircraft guns, directors, and height finders for 37 regiments.

All in all, as one examines the testimony, he is beset with the question as to how far we can go in making equipment and supplies available, consonant with our own defense needs. I shall be content to let this matter be resolved by our experts but do believe that there must be proper regard for our own defense needs.

Mr. Chairman, I have thus far refrained from discussing matters pertaining to war and defense until I could see more clearly the problems which confront us. The thing is distressing and despairing enough as it is, but somehow it seems to me that only in proportion as truth and fact are made manifest to the people of this country, they will stand up behind every kind of a decent, reasonable program and say, "Amen." So why withhold this information? It is documented in the Senate hearings and in other places. It seems to me we can more intelligently resolve these issues in proportion as we know how well we are defended, for out of complete realization will come a maximum of action and cooperation.

Let me echo in the last moment a thought I snatched from the statement made by the gentleman from Oklahoma [Mr. MASSINGALE] a moment ago, when he talked about making weapons so hideous and so deathly that they would inspire a kind of fear that would be the greatest detriment to war in all the world. I think he is right. Nothing seemed to me so ironical as when Ramsay MacDonald came over here from Europe some years ago and went down to the Rapidan camp of President Hoover. The newspapers said that Ramsay MacDonald and President Hoover were talking about humanizing war. Think of the irony and the cynicism in talking about humanizing war, as if there is any humanity to it. [Applause.]

As if there is any humanity about deadly machine-gun fire which mows down advancing troops and lets them wallow in their own blood. As if there is any humanity about a bursting high-explosive shell which lacerates young flesh and induces the death rattle in a young throat. As if there is any humanity about a ghastly dive bomber which strikes terror in the hearts of brave and intrepid men. As if there is any humanity about a bomb which suddenly hurtles from the skies to take its toll of human life.

The gentleman from Oklahoma was right. Build the instruments of death so big, so powerful, and in such quantities that their very frightfulness will inspire an abiding fear as a deterrent to war. [Applause.]

[Here the gavel fell.]

Mr. LUDLOW. Mr. Chairman, I yield 3 minutes to the gentleman from Alabama [Mr. PATRICK].

Mr. PATRICK. Mr. Chairman, I hope that we are able to properly grasp the picture that is before this Nation today and see what is contemplated in the defense program. We have had a sudden awakening. You know just as England and France have so believed in and worked toward peace, they did not prepare, they have not year by year constructed the wherewithal to turn out frightful armament, and that is the reason for their falling by the wayside. Their only sin was not being willing to accept the frightful things that were in store, when running at full speed ahead their neighbor was making machines of war every day. Surely we cannot go to sleep. We are the people ourselves who crossed an ocean, hewed out the forests, and erected this Government out of a foresight and an independence.

The thing that we are confronted with is not having a bunch of airplanes standing by to be turned loose at a certain time. It is to step up production. It is to get us to the place that, if we are confronted with what threatens all democracy today, we will not have to do what they are doing in Europe—throw flesh and blood against steel and iron, resulting in the horrible misfit that the patriots who are standing up and fighting the battle of democracy against the ideology of totalitarianism have to meet. It is a frightful thing. It is so out of balance that I think we should realize that as long and as far as we can go to having democracy's battle fought on that side of the ocean we should do it. I do not understand this inclination among some of the Members in this body not to send everything that can be sent by every legal means. If a plane is outmoded, it is still better for the Allies than none. They can use it. We should see

that everything possible be done to prepare our men to use a machine, and we should see that everything is done here in America to prepare the machine and to increase the output.

[Here the gavel fell.]

Mr. LUDLOW. Mr. Chairman, I yield the remaining time on this side to the gentleman from Missouri [Mr. CANNON].

Mr. CANNON of Missouri. Mr. Chairman, this is one of the most significant bills ever taken up in the American Congress. Its consideration marks the close of a notable period in American history, a momentous change in national policy which carries with it far-reaching consequences the end of which no man can foresee. It provides a total armament budget of approximately $5,000,000,000, the largest peacetime appropriation for that purpose in the history of the Nation. Six weeks ago such a bill would probably not have received a single vote. Judging by expressions from both sides of the House, support of the measure is today practically unanimous.

With its enactment a golden era in the life and history of the Republic draws to a tragic close. Heretofore our peacetime interest in armament and our appropriations for Army expenditures have been negligible. Protected by friendly seas on east and west, by our still more friendly neighbors north and south with no aspirations to conquest, we have had no occasion to fortify our international borders, to maintain large standing armies, to resort to universal military training, or to consume the resources of our country or the genius of our people in useless and senseless preparation for war. Our paths have been the paths of peace, and through the 150 years of our history we have devoted our enormous national revenues to great constructive programs which brought happiness and well-being to every citizen of the Republic.

We have built the greatest system of highways in the world, developed incomparable inland waterways, established vast social and economic institutions, provided the most efficient system of public education in the annals of the human race, paid old-age pensions, unemployment compensation pensions, veterans' pensions, systematically and successfully relieved unemployment, put into operation Nation-wide soil-conservation systems, created limitless State and Federal recreation projects and forest reserves, practiced conservation of national resources and wildlife, harnessed the rivers of the Nation, insured free speech, free assembly, free press, and free worship, raised the general standard of living to a level never before reached by mankind, and enjoyed a progress and prosperity that has been the wonder and admiration of the world.

But a new and sadder day has come. The world has shrunk. Distance and time have been annihilated. The airplane, by the irony of fate an American invention, has revolutionized war and commerce and life itself. Never again will we be free of apprehension. Never again can we lie down on our pillow at night without the possibility that before dawn an enemy swifter than the hurricane, armed with destruction more terrible than the thunderbolts of Olympus, may be on the move. Never again can we devote in their entirety our resources and our revenues to peace and civilization and the welfare of the people. But henceforth, for a hundred years to come, we must drive men and factories at top speed, must sink money and talent and inventive genius in the bottomless and insatiable pit of preparation for war, in the production of endless and ever-growing mountains of munitions, explosives, poison gas, incendiary bombs, guns, airplanes, tanks, flame throwers, and all the hideous paraphernalia of murder and devastation. That is what this program provides. This huge sum of $5,000,000,000 is merely the first installment.

Not a Member of Congress approves that program. But practically every Member of Congress will vote for it. For, happily, it is not to be enacted as a prelude to war. It is not intended to precipitate war. Quite the contrary. It is insurance against war. It is the shotgun behind the door, the knowledge of which will exercise a deterring influence on any prowling bandit who might have designs on the sleeping household.

There are still some well-meaning people abroad in the land who decry preparation for war—who insist that we should set a noble example of disarmament and turn the other cheek. We have had opportunity to observe at close range the fate of nations which followed that course. Neither Ethiopia nor Albania desired war or were prepared for war. Austria, Czechoslovakia, Danzig, Poland, Finland, Norway, Denmark, Holland, and Belgium depended on the cordial and amicable relations they had enjoyed with their neighbors from time immemorial. They asked only to live at peace—to have opportunities for the culture and well-being of their citizens. They did not desire war. They did not provoke war. But war came, like a thief in the night, swift and terrible. Within 9 minutes whole cities were reduced to powder and debris. Within half an hour 100,000 citizens died who had never lifted a finger or harbored a thought against the unprovoked intruder.

Our country is a particularly inviting victim. America is a shining mark—the richest nation on earth—in whose miracle cities the citizen on the lowest round of the economic ladder enjoys comforts and conveniences and prerogatives denied the most august prince or potentate to be found in the world a century ago. A land flowing with milk and honey, whose exhaustless resources have for generations roused the avarice and cupidity of robber nations impoverished by military burdens. With three-fourths of the world's gold in our vaults, with systems of transportation, communication, and finance which exceed the combined facilities of Europe, it is a rich prize. With fleets of bombers from Greenland, the Indies, other Americas, or even the eastern borders of the Atlantic, cruising above our cities, what tribute they could levy, what never-ending streams of wealth they could siphon annually from our people, collectively and individually. Do not say it could not happen here. We have seen in the last few weeks many nations as innocent as America of any designs upon their neighbors or their neighbors' territory or property—nations who desired only peace and fellowship and good will and friendly commerce—overwhelmed brutally and ruthlessly by military powers with no regard for property or life, with no respect for any law except the stark law of force and violence. In a world reverting to barbarism and the law of the jungle, we have no choice but to prepare for defense. Our only safety, our only guarantee of peace lies in being able to defend ourselves against all comers and under all circumstances.

This bill provides the money with which we propose to arm the Nation so securely that no predatory power will dare to violate our sovereignty. And it is gratifying to note the unanimity of action with which this legislation has been drafted and the spirit with which it is being supported. In the book Mein Kampf the efficient Chancelor of the German Empire, in his discussion of the inefficiency of democratic governments and representative legislative bodies, refers to the proceedings as the "parliamentary prattle" of "honking geese." We have shown here the ability of a democracy and its legislative body to function expeditiously and efficiently. We have shown here today that ours is a democracy which will not permit parliamentary prattle to interfere with the public welfare or blind us to the importance of cooperation in matters of national interest. It is to be hoped that the spirit of cocperation will continue and the Congress can be adjourned without occasion for parliamentary prattle or partisan consideration. It is true that after their conference the minority spoke of their desire to remain in session until the next Congress. But time has moved on, and there is no longer necessity for remaining. This bill completes the defense program. We have passed the revenue bill and provided the taxes.

This bill provides in full for every present need. It appropriates every dollar asked by the administration, the Navy, or the Army. We specifically asked the ranking officers of both branches of the service when they appeared before the committee, if the Budget estimate supplied all the funds they

could use to advantage and if they could suggest any additional supplement to the amount recommended by the President.

General Marshall told us that the estimate carried every dollar that could be expended for material and that the only additional amount he could suggest was a comparatively small amount for personnel, and the committee incorporated in the bill the additional amount suggested by General Marshall. To add more money to the bill would be to add money that could not be used because of lack of facilities for production. The bill as written carries funds to operate at capacity every available facility of production.

In this connection much has been said as to the use of the money provided for defense up to this time. It has been intimated that we have not always got a dollar's worth for every dollar expended. Fortunately, the facts do not bear out such suggestions.

The testimony of the first ranking officers of the United States Navy when that question was put to them by the committee was that the United States today has the most efficient Navy in the world and that the United States Naval Air Service is complete and 100-percent effective in every detail. It might be added that it was the United States Navy which invented and perfected the dive bomber, the plane used with such decisive effect on the Flanders front and in the North Sea. The United States Navy was using that instrument 3 years before it was adopted by the German Army. In brief, it may be said positively and authoritatively that no one need have any apprehension that our Navy has been neglected. It is the undisputed testimony of those in a position to know that we have the best Navy in our history and that is at the height of efficiency, capable in every way of maintaining its position as the first line of defense.

As to the Army, we have never needed a large standing Army. If the sun had failed to rise, we would not have been more surprised than we have been at recent events in Europe. France was universally conceded to have the finest army in the world. England was completely mistress of the seas.

Why should we maintain an army of any great magnitude against our friendly neighbors? For us to have been building an army under these circumstances would have been the height of folly and a palpable waste of funds. It is only a condition that could not possibly have been foreseen that has made it suddenly and unexpectedly necessary for us to develop an army. Our house has suddenly fallen about us, and we are providing both a program and the necessary appropriations in this bill to bring up our Army in the shortest time and most efficient manner possible.

Now, Mr. Chairman, with the passage of this bill and the assurance that it will be passed in the Senate and signed by the President, we have done everything that could be done to complete the defense program. There is nothing else to be done. Every dollar that could be advantageously spent has been appropriated. All necessary legislation has been enacted. Taxes have been levied or will have been levied, and there is nothing left for this Congress to do now except to go home and consult its constituency. [Applause.] As a matter of fact, we should adjourn at this time to quiet the fear of war that is sweeping the country. If we recess and continue technically in session, it will encourage the idea that we fear we may have to go to war. If we adjourn and go home where we belong and where we would have been ere this but for this crisis, the people will understand that we do not expect to be called back to declare war, and apprehension will subside and business will once more return to normal. There is no reason why we should stay.

I listened with surprise to someone saying we ought to recess 3 days at a time the rest of the summer. Now, what would that mean? That would mean that we would go home.

Only the Speaker would stay. If an emergency arose requiring the attention of the Congress—which is highly improbable—it would take as long to get the Members back from the recess as it would take the President to call them back after adjournment. There is no difference whatever in the time required to reassemble.

What, then, is the significance of this demand that we stay here and recess from day to day? You have only to consult the papers or the CONGRESSIONAL RECORD or the scurrilous letter just read by the gentleman from New York to know the reason back of that proposal. They say: "We cannot trust the President." "We cannot go away and leave him here unwatched."

The President says the program has been completed and Congress is free to adjourn. He does not object to Congress' remaining in session, but he says the program is complete and Members who have spoken here today agree that the program is complete and if we did not adjourn we would adjourn for 3-day recesses and go home anyway. And who are urging recess instead of adjournment? Under such circumstances refusal to adjourn cannot be construed in any other sense than a flagrant reflection upon the executive branch of the Government.

Mr. Chairman, I am a Democrat. I say that very humbly. I make that commitment diffidently because outstanding men in the history of the Nation under that commitment have rendered great service to the country and to humanity. It is a badge of honor and a mark of distinction. But in my faltering way, insofar as the limitations of the flesh and the frailty of human nature will permit, I endeavor to live up to that high commitment.

Mr. Chairman, I do not feel we should follow the President in that respect because he is a Democrat, because he is the leader of our party. This is not a political question. It far transcends any partisan or party issue. I desire to follow him on this last item of his program not because of any party consideration, but because he is the President of the United States; because he is the Commander in Chief of the Navy and the Army; because his is the only one voice through which the American people as a whole can speak—the only one national official through whom the American people may cooperate in this supreme crisis that government by the people may not perish from the earth. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Airplane-engine research laboratory: For construction and equipment, on a site to be selected by the Advisory Committee for Aeronautics, of an airplane-engine research laboratory, including acquisition of land, rights-of-way, and connections to public utilities, installation of power lines, expenses in the District of Columbia and elsewhere for the preparation of plans and specifications, fiscal year 1941, $2,000,000, to be immediately available and to remain available until expended; and the National Advisory Committee for Aeronautics is authorized to enter into a contract or contracts for the construction and equipment of such buildings and facilities, including the purchase of land and rights-of-way, at a total cost of not to exceed $8,400,000.

Mr. RICH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RICH: On page 3, line 20, strike out all of line 20 and the balance of the paragraph, down to line 8, on page 4, and insert:

"Airplane-engine research, $4,200,000, for cooperation and assistance with manufacturers who now manufacture engines and have research laboratories for further research, and that the National Advisory Committee for Aeronautics is authorized to enter into contract with manufacturers for the further study and research of airplane engines."

Mr. RICH. Mr. Chairman, I offered this amendment in committee. They did not see fit to adopt it; but I still am of the opinion that it is wise legislation, and I want to offer it here for the consideration of the Members of the House. Not having the cooperation of the Appropriations Committee to save money, I feel that I am bucking up against a pretty hard proposition, a stone wall, as it were, but I still contend that there is a great deal of merit in my amendment. My amendment is for the purpose of working with the National Advisory Committee for Aeronautics and through them into the manufacturers of this country who are developing airplane engines.

I do not believe the Federal Government should set up another research laboratory under the guise of a national emergency. It is going to take too long to get that into operation, especially when you have research laboratories in connection with every automobile manufacturer and every airplane manufacturer in this country, and if we are going to continue this country on a program of giving the opportunities to the people of our country rather than setting up the Government in business, I contend that here is an opportunity to do that very thing. This administration is socialistic and communistic, as I see it.

My motive in cutting down the appropriation from $8,400,000 to $4,200,000 is just the saving there will be in a new laboratory that the Government owns and operates; and after any emergency is over, the taxpayers of this country will then be compelled to operate an airplane laboratory, when the manufacturers of the country could go ahead and do this work and not at the expense of the Federal Government or the taxpayers of this country. We have set up so many New Deal new agencies that they must be stopped eventually. Why not stop this one now before we squander millions of the taxpayers' money?

Certainly we have established more laboratories in the last 7 years than we did in all the hundred years of our existence. We now have the Bureau of Standards, where they are working and developing various things that pertain to the welfare of the people of the country and where the Government can secure information from this Government-owned laboratory, and also from the other laboratories that we have set up by Federal action all over the country, and it will not be necessary, in my judgment, for the development of the airplane engine, to set up a laboratory for that particular purpose by the Government. Let private enterprise assist the Government, and let the Government assist them.

Why should we not now continue on the line of good, sound business principles? Why get the Government into everything? Gracious goodness, do you men not know that with the expansion of every department of Government, which has gone on for the last 7 years, we are only creating a burden so great, so large, that the taxpayers of the country will be unable to support them? And now we come here in this bill and ask to put up a research laboratory for engines. We have plenty of manufacturers in this country who would be glad to have the Government's assistance in developing an airplane engine. They will work with them and go with them to the very limit of their ability and resources. I know that the Members of the House want to follow somebody from the departments or White House. They do not care anything about whether another Member of the House might be able to submit something, but I tell you that I have gone as far with the Government in business as I can. If I thought this were an emergency whereby it would save America, I would be for it, but I do not think we have to go into these things to the extent that this administration has been asking us to go into them, and I do not consider this a national emergency whereby we have to continue to put the Government in business any further at this time; and I think we ought to adopt this amendment.

Mr. WOODRUM of Virginia. Mr. Chairman, I ask unanimous consent that all debate upon this amendment and all amendments thereto close in 7 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. COCHRAN. Mr. Chairman, for 20 years I have been visiting the laboratory of the National Committee for Aeronautics at Langley Field. The gentleman from Pennsylvania [Mr. RICH] does not seem to know, but it is a fact, that business, instead of having a research laboratory, cooperates to the fullest extent with the National Advisory Committee for Aeronautics and approves of its research work. That is the situation.

Mr. RICH rose.

Mr. COCHRAN. Just one moment. Let me tell the gentleman this. Seventy-five percent of the work of this laboratory and of this Committee is of such a confidential nature from a military and naval standpoint that it is absolutely impossible for the Government to farm out this class of work.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. COCHRAN. I yield.

Mr. RICH. The gentleman knows that I am not trying to change anything.

Mr. COCHRAN. I know what the gentleman wants to do.

Mr. RICH. And I am not trying to take it away from the National Advisory Committee for Aeronautics. I want them to handle it.

Mr. COCHRAN. The gentleman wants the Government to turn this over to business, but this is one time, as I said, that business wants the Government to do the job. I suggest the gentleman read Dr. Lewis' statement in the hearings, and he will find out that the aviators abroad today are fighting 20,000 feet in the air, and we need an improvement in our engines. We not only want to keep up with other countries but stay ahead of them as we have in the past.

Dr. Lewis explains that in his testimony. I say to the gentleman from Pennsylvania that he is right when he says we ought to keep the Government out of business as much as possible, but not in this instance. The Government must have this laboratory, and the gentleman makes a mistake when he says that we should not set up this new engine research laboratory, which the Government needs, which the Army needs, which the Navy and Marine Corps need, and which the Civil Aeronautics Authority needs, as well as commercial aviation.

Mr. RICH. When the gentleman says that business wants the Government to set this up, has he talked with General Motors or has he talked with Henry Ford or the airplane factories?

Mr. COCHRAN. Why, they are cooperating and have cooperated with the organization for the past 25 years. The gentleman does not know what he is talking about.

Mr. RICH. Oh, the gentleman from Pennsylvania knows as much about what he is talking about as does the gentleman from Missouri.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. WOODRUM of Virginia. Mr. Chairman, the provision in this bill for an engine research laboratory for aviation is one of the most critical and important items in it. With the greatly expanded activity of both the Army and the Navy in respect to airplanes, it is absolutely necessary that we should have this research laboratory, so we are told by everybody who is supposed to know anything about it.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. Yes.

Mr. TABER. I join with the gentleman from Virginia in that statement.

Mr. WOODRUM of Virginia. Mr. Chairman, I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was rejected.

Mr. TREADWAY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I was very much impressed a few minutes ago by the very informative speech of the gentleman from Illinois [Mr. DIRKSEN]. He analyzed carefully the amount of military equipment that this Government has on hand.

My office, the same as that of every other Member of Congress at the present time, is being overrun with letters and telegrams from constitutents asking us to do everything we can within our power to aid the Allies. I would like very much for the gentleman from Illinois or some member of the Committee on Appropriations for the Military Establishment to inform us what supplies there are on hand that we can furnish as surplus to the Allies or anyone else, and not inflict a dangerous condition on our own output.

These telegrams and letters are very imperative and at the same time they offer no details. I ask some member of this committee to furnish us with details of what we have for surplus that we could readily spare to some friend.

[Here the gavel fell.]

The Clerk read as follows:

Strategic and critical materials: For an additional amount for all necessary expenses for the acquisition of strategic and critical materials in accordance with the act of June 7, 1939, fiscal year 1941, including the objects and limitations specified under this head in the Treasury Department Appropriation Act, 1941, $47,500,000, to be immediately available: *Provided*, That any purchase from this appropriation and the appropriation for this purpose in the Treasury Department Appropriation Act, 1941, may be made, with the approval of the Secretary of the Treasury, without reference to section 3709 of the Revised Statutes (41 U. S. C. 5).

Mr. VOORHIS of California. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I want to ask the chairman of the subcommittee a question, if I may. In much of the legislation that has been passed for the purposes of national defense the provisions of section 3709, requiring competitive bidding have been waived. I have asked this same question, but I understand the reasons for it in cases where construction work is to take place and where it might be that a certain company would bid low on a number of contracts and be jammed up and not be able to produce things readily; but I just wondered why it was necessary to waive competitive bidding in a case where the only thing to be done is to make purchases of certain materials. In that case I cannot see where there is advantage of any great importance in waiving the requirements for competitive bidding, and that it might well be retained as a protection against the Government paying too much money for these things. I would like to have the gentleman explain that, if he will.

Mr. WOODRUM of Virginia. I assume the gentleman refers particularly to that provision in the section for the purchase of critical war materials?

Mr. VOORHIS of California. That is right.

Mr. WOODRUM of Virginia. It was shown to us that to require competitive bidding on the purchase of critical war materials would often require months or weeks to get out the requests for bids, advertise, and so forth, and oftentimes it would have the effect of raising the price rather than making the price cheaper. Not only that, but there were many instances where the Government had an opportunity to pick up a job lot or cargo, for instance, of critical war materials if they had the right to do it, whereas if they had to go through the routine and formality of advertising for bids they could not purchase it. Much of this stuff is purchased abroad where the price is controlled entirely by the cartel.

Mr. VOORHIS of California. In other words, the gentleman's opinion, based on the evidence, is that in the first place the thing can be done much more rapidly without that requirement; and, in the second place, it enables the Department to make certain advantageous purchases that it could not otherwise make. Are they required to report to Congress on those purchases?

Mr. WOODRUM of Virginia. They will be required to do so. The Secretary of the Treasury has to approve each one of them.

Mr. VOORHIS of California. I thank the gentleman.

I would simply like to say in this connection that I believe this is a most important provision about which I asked this question. I do not pose as any expert on the matter at all, but I do believe that the acquisition of these critical materials is very important. I merely express the hope that it will go forward at the most rapid possible rate.

I listened to the remarks of the gentleman from Missouri [Mr. CANNON], and I think it is well for all of us to realize the tremendous significance of this bill that we are passing today. America, through no choice of her own, is entering on an entirely new era in our history. May I express my most earnest hope that as we enter that era we will not forget the importance of the values of life which we are trying to protect by this means, and that we will not fail to be deeply interested in those matters of protection of human welfare, of culture, of religion, of ordinary human justice as we go forward with the necessary work in connection with the national defense. [Applause.]

[Here the gavel fell.]

The Clerk read as follows:

Organized Reserves, $11,063,626.

Mr. McLEOD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McLEOD: Page 9, line 22, before the period, insert the following: "and, in addition, $600,000 for the establishment of additional senior Reserve Officers' Training Corps units for increasing the inflow of officers into the Officers' Reserve Corps, and such additional sum shall be available for the increased pay and allowances of retired officers on active duty in connection with such additional units."

Mr. McLEOD. Mr. Chairman, the purpose of my amendment is to provide for the 52 colleges and universities that have been approved by the War Department for senior R. O. T. C. training units. The inflow into the Officers' Reserve Corps is made up of R. O. T. C. graduates. We all know that this component is known as the West Point of the Officers' Reserve Corps. The following are the colleges that are on the War Department's approved list:

Arkansas Agricultural and Mechanical College, Arkansas.
Leland Stanford, California.
University of Pennsylvania, Pennsylvania.
Georgia School of Technology, Georgia.
New Mexico School of Mines, New Mexico.
New Mexico State Teachers' College, New Mexico.
University of Tulsa, Oklahoma.
Oklahoma Agricultural and Mechanical College, Oklahoma.
Texas College of Arts and Industries, Texas.
Texas College of Mines and Metallurgy, Texas.
University of Utah, Utah.
University of Washington, Washington.
West Virginia State College, West Virginia.
Texas College of Technology, Texas.
University of Alaska, Alaska.
University of New Mexico, New Mexico.
Louisiana State Normal College, Louisiana.
University of Idaho, Idaho.
Tuskegee Institute, Alabama.
University of Detroit, Detroit, Mich.
St. Peters' College, New Jersey.
Boston College, Massachusetts.
Tulane University, Louisiana.
Medical Center, Louisiana State University, Louisiana.
St. Joseph's College, Philadelphia.
College of St. Thomas, Minnesota.
Cumberland University, Tennessee.
Norwich University, Vermont.
South Dakota State College, South Dakota.
Loyola University, Chicago, Ill.
Wayne University, Detroit, Mich.
Polytec, Brooklyn, N. Y.
University of Illinois, Urbana, Ill.
Gonzaga University, Spokane.
Loyola University of the South, New Orleans.
Clemson Agricultural, Clemson, S. C.
Southwestern Louisiana Institute, Louisiana.
Seton Hall College, New Jersey.
Spring Hill College, Alabama.
Virginia Polytechnic Institute, Virginia.
State Teachers' College, Alabama.
Arkansas State Teachers' College, Arkansas.
University of Tennessee, Tennessee.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. McLEOD. I yield.

Mr. CASE of South Dakota. As I understand it, the list the gentleman has read comprises the colleges and universities recommended by the War Department.

Mr. McLEOD. The gentleman is correct.

Mr. CASE of South Dakota. I certainly hope the gentleman's amendment will be adopted, because it gives an opportunity to get the very best class of officer material.

Mr. BRADLEY of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. McLEOD. I yield.

Mr. BRADLEY of Pennsylvania. Do I understand that these schools would be eligible to participate under the provisions of his amendment?

Mr. McLEOD. These are schools that would be selected by the War Department. They are on the preferential list.

Mr. Chairman, this is of great importance. In the first place it is real preparedness; and, secondly, a student finishing high school who has had junior R. O. T. C. training goes to college and desires senior R. O. T. C. training. The senior R. O. T. C., as I said, provides the best opportunity for training Reserve officers. If ever we needed such a group it is now.

Mr. KELLER. Mr. Chairman, will the gentleman yield?

Mr. McLEOD. I yield.

Mr. KELLER. What training do these men really get, what experience in the field?

Mr. McLEOD. I could not answer the gentleman's question.

The money made available by this amendment would provide uniforms, rifles, ammunition, and 25 cents a day allowance while in school; and I believe the training consists of a certain number of drill hours each week.

Mr. KEAN. Mr. Chairman, will the gentleman yield?

Mr. McLEOD. I yield.

Mr. KEAN. Do none of these colleges now have the R. O. T. C.?

Mr. McLEOD. Some have the smaller unit; but if the colleges I have named do have the smaller units they have made application for the senior unit.

Mr. KEAN. Is the War Department opposed to it?

Mr. McLEOD. To the best of my knowledge, no.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 3 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. WOODRUM of Virginia. Mr. Chairman, I think we would not be pursuing an intelligent course in trying to build up national defense merely by sticking money into an appropriation bill to carry out everything which any one of us thinks may be desirable. You will find that we asked General Marshall, the Chief of Staff of the Army, the specific question as to whether the estimates submitted by the President gave the Army everything that they thought they should have at this time under the existing situation. He said that it did with the exception of 95,000 additional personnel and their equipment. The committee put that in the bill.

So everything is in here that the Army Chief of Staff has said he should have now under the existing emergency. It certainly would not be the part of wisdom to provide for some officer training that the Army has not thought necessary enough to ask a Budget estimate for.

I hope very much the amendment will be voted down.

Mr. McLEOD. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. McLEOD. The proposed amendment would take only 100 additional retired officers.

Mr. WOODRUM of Virginia. I appreciate that, but I reiterate to the gentleman that I think that when an expert, like the Chief of Staff, says that the bill as reported by the committee gives them all they presently need, we would not be pursuing the path of wisdom to load the bill up with other matters.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The question was taken; and on a division (demanded by Mr. McLEOD) there were—ayes 24, noes 67.

So the amendment was rejected.

Mr. DINGELL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman and members of the Committee, in discussing the national-defense program and expenditures necessary to carry it out, I want to say that I am wholeheartedly in favor of the President's program, although I want to make some rather definite recommendations.

I believe they should be taken into account. One is the question of spending in connection with rearmament and the other is the suggestion of useless expenditure and unjustified costs. To be more specific, I want to point out the fact that I recently read an impressive newspaper article which stated that the Army being short of uniforms and other similar Army apparel would have to undertake a schedule of production. According to this news article, and I do not overemphasize the correctness of this statement, it will take 9 months to get into production. If it will take that long to supply uniforms for the Army under Army regulations and system, then I think the time has come when we better revamp the War Department's methods or place the matter for execution in civilian hands. We ought to get 10 times as many uniforms as is necessary to outfit an army of any size and begin mass delivery within 10 days.

Another press statement which disturbs me, and I am trying to take it at face value and accept it only as a press statement, indicates that two or three hundred million dollars will have to be expended for new plants in order to get into mass production. If this money is to be used for building purposes which will take 18 months to 2 years to construct before we can rearm, then I believe we may just as well forget the whole thing. There are millions of square feet of modern plants standing idle in every city throughout the United States which can and should be utilized immediately. Some of them are not only vacant but without any machinery and could be converted into production centers or used for assembly purposes. I cannot see why any portion of this money should be used for construction purposes since this is an emergency appropriation for much-needed matériel, including planes, tanks, machine guns, motorcycles, antiaircraft guns, and various and sundry implements of war.

If I were to make a constructive suggestion with regard to the most effective use for a portion of this money, I should say that the War Department ought to provide immediately for 5,000 armored tanks and for 5,000 specially built planes. My idea regarding the tanks would be that they need not be tractor tanks, they need not be of the type which might be classed as offensive tanks, but they could be front and rear wheel drive and built on a heavy automobile chassis with a platform for a machine gun, and if it is not possible to sustain a 75-millimeter rifle then a 37-millimeter antitank gun might suffice. Since the suggestion is intended to cover a defensive tank, a substantial armored shell would provide protection for the front part of this high-speed motortruck converted into an effective defensive tank which when the tide of battle shifted could be used offensively.

It seems to me that 5,000 tanks of this kind could be built for from three to five thousand dollars each, or a total cost of from fifteen million to twenty-five million dollars.

At the same time the War Department could continue with a program of heavier, more substantial tractors for offensive purposes and could build them with more lasting qualities.

As to our planes it is evident that the Germans, with their "ersatz" planes, have dominated the battlefields of Europe and have gained the upper hand. It is a well-known fact that three-fourths of the German planes do not have any instrument boards built into the fuselage and that they must be guided on bombing or raiding expeditions by a lead plane. The body of these planes is cheap, as is the motor. It is a mere shell, which contains a bombing cradle and rack, but for all practical purposes it fulfills every expectation. There are no frills or fancies within or without. The motor will not last more than 25 hours, while some of our motors will last two to four hundred hours.

A plane, of course, is no better than the motor, but the difference is in the fact that an American plane costs from $100,000 to $300,000, while a German plane costs, perhaps, $10,000. It will take from 3 to 6 months to build an American plane. A German plane can be built in one day. The American plane if not destroyed will go through 3 wars or last 10 peacetime years. A German plane under most favorable cir-

cumstances will be practically obsolete in 25 hours unless the motor is changed. Regardless of the cost and regardless of the time necessary to build, either plane can be brought down in 10 seconds. What is absolutely essential at this time is mass production of cheap bombing, reconnaissance, and pursuit planes. It seems to me that we in this country ought to be able to build planes, including motors, at an average of $10,000 apiece; 5,000 planes should cost $50,000,000.

The other day my colleague the gentleman from Oklahoma, JED JOHNSON, and I were figuring out the cost per plane for which contracts were to be let by the Army, the appropriation amounting to $300,000,000, and the number of planes to be 3,000. This meant that the average cost per plane would be $100,000. Germany would build at least 10 and possibly 20 planes at that price. They would not last as long as ours, even if flown in peacetime, and they will become useless in wartime a great deal sooner, but nothing is built to last very long in aerial warfare. A German plane sailing over a battery of French antiaircraft guns or in combat with French or British attack planes will, however, stay in the air as long as will an American plane under similar circumstances; and if shot down, the net loss is $5,000 to $10,000 against $100,000, the cost of an American plane.

It seems to me that the Army had better realine its sights in accordance with modern wartime experience and conditions, and I hope that the Army will be able to get into production as regards machine guns, antiaircraft guns, planes, tanks, and motorcycles a great deal faster than the newspapers say will be necessary to produce uniforms.

I thought that when we passed a law sometime ago providing for educational orders and for the survey and mobilization of industry that we had completed all arrangements among thirty or forty thousand manufacturers in the United States to enter into production of anything and everything for war purposes that is necessary, and do so within a period of 10 days to 3 weeks.

Summation of my remarks clearly indicates the intention to promote the speediest possible fulfillment of the plan of effective rearmament. It is to be clearly understood that the advocacy of cheap planes and tanks, such as were described hurriedly and superficially in my discourse, are not intended to supersede or replace the standard tractor-type of armored tank or precision-built plane. Quite the contrary; the idea is intended to implement rather than to supplant the present standard and system, to add quantity so urgently and obviously needed with the present quality production continued for permanency.

It is said that the average life of a combat plane on the western front during the World War was less than 10 hours. Then why build expensive airplanes with 400-hour precision-built motors and priceless instruments and gadgets when for destructive purposes one is as good as the other and when we could build from 10 to 20 sky destroyers instead of 1 at approximately the same cost?

Moreover, Mr. Chairman, I want to state that additional factory construction need not be abandoned to conform with my suggestion. What I argue is that expensive and extensive buildings should not take up the appropriations intended for immediate and properly called emergency rearmament of the country. A long-range and supplemental plan of construction should be worked out and speedily completed. The units should be scattered in many parts of the country and strategically located according to the latest gained knowledge.

The idea of building plants gouged out of hillsides and cliffs according to latest military practice should be thoroughly explored. If deemed feasible and desirable from the standpoint of safety from attack and destruction, a plan of factory construction of this kind should be speedily put into extensive operation.

I want to emphasize in closing that I believe we ought to be able to build 5,000 planes of a special class at $10,000 each, or a total cost of $50,000,000; and that we ought to be able to build 5,000 tanks of the kind which I briefly described at a cost of three to five thousand dollars each, or a total cost of from fifteen to twenty-five million dollars, and that deliveries of these tanks could begin within 3 weeks, and the total order finished within the next three. This task should, I am certain, be well within the ability of the production methods of the automotive industry. The planes could be handled in a similar and expeditious manner. We would have to forego the idea, however, that crankshafts would have to be "miked" up to one ten-thousandth part of an inch when a one one-thousandth of an inch would do just as well for all practical purposes.

Mr. MAY. Will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from Kentucky.

Mr. MAY. I would like to know if the gentleman understands that there are 4,000 different parts in a machine gun; that educational orders have been placed so that production can be tuned up?

Mr. DINGELL. We have about 30,000 machine guns over and above what has been contracted for sale to Great Britain at the present time. Machine guns are not included here and would not in the slightest degree conflict with the idea of building, at a rapid rate, cheap tanks and cheap airplanes.

[Here the gavel fell.]

The Clerk read as follows:

EXPEDITING PRODUCTION

To enable the Secretary of War, upon the recommendation of the Council of National Defense and the Advisory Commission thereof, and with the approval of the President, and without reference to section 3709, Revised Statutes, to expedite the production of equipment and supplies for the Army for emergency national-defense purposes, including all of the objects and purposes specified under each of the appropriations available to the War Department during the fiscal year 1941, for procurement or production of equipment or supplies, for erection of structures, or for acquisition of land; the furnishing of Government-owned facilities at privately owned plants; the procurement and training of civilian personnel in connection with the production of equipment and material and the use and operation thereof; and for any other purposes which in the discretion of the Secretary of War are desirable in expediting production for military purposes and are recommended by the Council of National Defense and the Advisory Commission thereof, and approved by the President, $150,000,000, to be immediately available, of which $2,000,000 may be made available to the Bureau of Mines, Department of the Interior, for the erection, equipment, and operation of a pilot plant for the beneficiation of manganese ores and the production of metallic manganese therefrom by the electrolytic process, including personal services and other expenses in the District of Columbia and elsewhere for the preparation of plans and specifications, advertising, and supervision of construction; and for all expenditures requisite for and incident to the exploration of manganiferous deposits in accordance with Public Act No. 117, approved June 7, 1939; and, in addition, the Secretary of War, upon the recommendation of the Council of National Defense and the Advisory Commission thereof, and with the approval of the President, is authorized to enter into contracts prior to July 1, 1941, for the same purposes to an amount not exceeding $50,000,000: *Provided*, That an account shall be kept of all expenditures made or authorized hereunder and a report thereon shall be submitted to Congress on or before July 1, 1941.

Mr. TABER. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. TABER: Page 10, line 10, after the word "plants", strike out the balance of line 10 and all of lines 11 and 12 and the word "purposes" in line 13.

On page 11, line 11, strike out the period, insert a semicolon and the following: "*Provided, however*, That no Government-owned or constructed facility shall be provided with the funds appropriated in this paragraph where privately owned facilities capable of promptly supplying all the Government needs are available."

Mr. TABER. Mr. Chairman, this is the $150,000,000 cash and $50,000,000 contract authorization proposition that I spoke about when I had the floor a while ago. It is designed to permit the War Department to expedite production.

Mr. Knudsen, in writing to the gentleman from Virginia [Mr. WOODRUM], chairman of the Subcommittee on Deficiency Appropriations, asked for the approval of this, and his letter appears on page 90 of the hearings. In that letter he said:

To be utilized for the broadening of education orders and for additional facilities either in Government arsenals or in private industry.

The amendment I have offered would provide plenty of authority to do that sort of thing. It would cut out the outside activities which have no real relation to defense. I hope the Committee will adopt my amendment.

The proviso I have attempted to insert on page 11, at the end of line 11, is to the effect that none of these things shall be done where private facilities are available to promptly supply the items that are required. The amendment is offered to permit the Advisory Commission to proceed with anything that is needed and to cut out language for those things which were not specified by Mr. Knudsen. It seems to me that we do not want to get into the construction of facilities that are not needed and which private plants are able to supply; nor do we wish to provide for a lot of activities and the wasting of this money on the things that are not required according to Mr. Knudsen's letter.

I hope the amendment will be agreed to.

Mr. DITTER. Will the gentleman yield?

Mr. TABER. I yield to the gentleman from Pennsylvania.

Mr. DITTER. The amendment that the gentleman has just offered is entirely in line with Mr. Knudsen's recommendation and would provide that degree of supervision for the acceleration of the program which he recommends; is that right?

Mr. TABER. It would. It would also help those things that he urged more than the language that the committee has carried because it would prevent the wasting of that money on nonessentials.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia [Mr. WOODRUM]?

There was no objection.

Mr. WOODRUM of Virginia. Mr. Chairman, this is a very important provision in the defense bill. In the first place, the $200,000,000 provided here to expedite production does not refer to the matériel and equipment for the purchase of which funds are provided in this bill. The plants which might be set up under this $200,000,000 program look to the future. You will find in the hearings that a representative of the War Department appeared before our committee and pointed out this fact:

> Our World War experience was in general similar to that outlined for Great Britain. We had to create gigantic productive capacity as rapidly as possible. We spent in the neighborhood of $2,000,000,000 for this purpose, including plants for raw materials, semifinished materials, and complete issue items. In spite of all this effort, however, supervised by the ablest men in America, we fought the World War almost wholly with munitions obtained from our Allies, and we would not have been able to supply our Armies with our own production until the spring of 1919, or 2 years after the start of the war.

The provision that the gentleman from New York seeks to strike out would prevent the use of any of those funds for the training of civilian personnel in connection with the production of equipment and matériel, which is a most important thing and it is one of the places where there will be a bottleneck in this program so far as finding experienced, trained personnel to work in these plants is concerned. Not only that, but the whole proposition is safeguarded so far as it is humanly possible to safeguard it, because none of the funds can be used and the program cannot go forward unless it is recommended by the Council of National Defense and of the Advisory Committee, of which Mr. Knudsen and Mr. Stettinius are members, and we have in the hearings a letter from Mr. Knudsen approving the general program.

Mr. DITTER. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Pennsylvania.

Mr. DITTER. The gentleman certainly will agree that the amendment that has been offered is entirely in line with and in accordance with the letter that presently appears in the hearings from Mr. Knudsen?

Mr. WOODRUM of Virginia. No; I think we might as well strike the whole section out if you hamstring it with the amendment the gentleman from New York has offered.

Mr. DITTER. This is not a hamstringing amendment.

Mr. WOODRUM of Virginia. I think it would have that effect. I think when you take away from them the right to use this money to train experienced personnel for these manufacturing industries you are putting in the way one of the biggest impediments you could put in the way of a program.

Mr. DITTER. Can the gentleman state that Mr. Knudsen has asked for trained personnel?

Mr. WOODRUM of Virginia. Mr. Knudsen said nothing in his letter that justifies the amendment.

Mr. DITTER. It justifies the amendment that has been offered.

Mr. WOODRUM of Virginia. Not at all; read the amendment.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Kentucky.

Mr. MAY. How will the factories operate unless they do have the trained personnel?

Mr. WOODRUM of Virginia. Of course, that is the place where the bottle neck will come. If this war stretches out for 4 or 5 years and we have to equip a large Army, the question of providing plants to turn out this material will be a serious obstacle for this reason. You cannot go out and get private industry to set up a plant to manufacture smokeless powder and be ready 2 years from now to manufacture smokeless powder unless you presently give them an order for so many pounds or tons, or whatever unit you use in buying powder. The Government is not ready to do that. This program looks to a long-range program. Of course, if there should be a sudden end to this affair, as all of us hope there will be, and it should not be necessary to have these plants, Congress will do what it did in the World War; it will recall these authorities and stop these arrangements being made under them.

Mr. MURDOCK of Arizona. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Arizona.

Mr. MURDOCK of Arizona. This provision in the bill provides for an educational background.

Mr. WOODRUM of Virginia. That is right.

Mr. MURDOCK of Arizona. And the gentleman's amendment would nullify that.

Mr. WOODRUM of Virginia. I think so.

Mr. Chairman, I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. TABER].

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 60, noes 89.

So the amendment was rejected.

Mr. CASE of South Dakota. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. CASE of South Dakota: On page 11, line 11, strike out the period and insert: "*Provided further*, That a similar account shall be kept and a similar report submitted by the same date of all expenditures from similar funds authorized under the regular appropriation bill for the Military Establishment for 1941."

Mr. CASE of South Dakota. Mr. Chairman, on the regular appropriation bill for the Military Establishment, the conference report on which was agreed to a few days ago, we had a somewhat similar proviso for a report on the emergency fund or this special fund for expenditure by the President. Although the availability of the funds was changed to expire June 30, 1941, as in the bill before us, inadvertently, I believe, the date for making the report was left at June 30, 1942. I have offered this amendment simply so that these reports on this emergency fund or this special fund that is to be expended by the President may be uniform in the different acts. The committee reporting this bill obviously felt that the report should be made on or before July 1, 1941. My amendment would simply require that the report for the similar emergency fund in the regular Military Establishment bill be made on the same date.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Dakota [Mr. CASE].

The question was taken; and on a division (demanded by Mr. WOODRUM of Virginia) there were—ayes 56, noes 74.

So the amendment was rejected.

The Clerk read as follows:

Aviation, Navy: For maintenance, repair, and operation of aircraft factory, air stations, etc., $870,400; and for new construction and procurement of aircraft and equipment, spare parts and accessories, $21,714,600; in all, $22,585,000: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $120,000.

Mr. HARTER of Ohio. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HARTER of Ohio: On page 23, after line 12, under the heading of "Bureau of Aeronautics," strike out the language appearing under this in lines 13 to 22, inclusive, and insert in lieu thereof the following:

"Aviation, Navy: For additional amounts as follows: For maintenance, repair, and operation of aircraft factory, air stations, etc., $870,400; for new construction and procurement of aircraft and equipment, spare parts, and accessories, $21,714,600; for the commencement of the construction of three lighter-than-air craft of approximately 1,000,000 cubic feet capacity each, $300,000; in all, $22,885,000: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $120,000."

Mr. HARTER of Ohio. Mr. Chairman, this amendment appropriates an additional $300,000 and that is the only change made in the section as it appears in the bill. With the $300,000 it is proposed to make a start upon the construction of three rigid airships of the capacity of about 1,000,000 cubic feet. The total cost of the three rigid airships is estimated to be $3,000,000.

This amendment is introduced by reason of a letter that was sent by the Bureau of the Budget to the President which was dated June 7 and a recommendation submitted by the President the same day to the Speaker, all contained in House Document 814, Seventy-third Congress, third session. I do not know why the Appropriations Committee failed to include this in this national defense appropriation bill, doubtless because the letter is dated June 7, and the committee concluded its hearings, as you will note, on June 6. No evidence, apparently, was offered with reference to the construction of these three small, rigid airships of a capacity of 1,000,000 cubic feet each.

During the course of the hearings before the Appropriations Committee some testimony was offered by Admiral Towers upon the subject of an item that had been recommended by the Bureau of the Budget for the construction of a rigid airship of 3,000,000 cubic feet capacity in replacement of the airship *Los Angeles*. I will not attempt to read all of the testimony of Admiral Towers, who is Chief of the Bureau of Aeronautics of the Navy, but he went on to state that it was naval policy to continue the construction of rigid airships, that they had a usefulness, but he was asked finally:

Admiral, you do not consider this a part of the emergency expansion program for the Navy?

And Admiral Towers answered:

Oh, no.

As I have said, this is the testimony that was given with reference to the construction of a large rigid airship. The amendment that is offered pursuant to the recommendation of the President, under date of June 7 of this year, is for starting the construction of three smaller, rigid airships, airships that can be constructed in short order and that will be available as scouts in the near future.

Mr. Chairman, like most of you, I do not believe that the airship, as such, has any great military value, as far as being an offensive weapon is concerned, but if Britain and France are defeated, and if the English and French Navies fall into the hands of Hitler and the Germans, we shall be very glad to have several rigid airships that are capable of scouting the great expanse of the ocean. They will be able to let us know where the enemy is, and when he is approaching our shores. Equipped with powerful two-way radio, their usefulness cannot be overstated. I do not know whether it is generally understood, but these rigid airships are capable of traveling at a rate of speed twice as fast as any cruiser that we possess at the present time, and they have a radius, and a fuel capacity that will permit them to travel twice as far as any of our cruisers. So the rigid airship has the capability of scouting four times the area of the sea that a surface cruiser has.

I submit, Mr. Chairman, in view of the date at which this recommendation was sent to the Congress of the United States, that it is an emergency, and that it should be included in this appropriation bill.

Doubtless someone will attempt to say that the Navy has not made up its mind with reference to the building of further airships, both rigid and nonrigid. I would suggest that they read the very exhaustive special report of a board on the lighter-than-air situation which was made public by the Secretary of the Navy, the Honorable Charles Edison on February 17, this year.

I also call the committee's attention to the report of the General Board of the Navy, dated February 17, 1937, and confirmed in October 1939, which report on naval policy there enunciated recommended the continued construction of lighter-than-air craft. Furthermore, a special committee was appointed at the request of the Secretary of the Navy in 1935 by the National Academy of Sciences. This consisted of a number of independent, eminent scientists and engineers, who were detailed to study the construction of rigid airships. This committee under the chairmanship of Dr. W. F. Durand has submitted several valuable reports and has carried out useful researches which have shed new light on certain features of airship construction. After a most exhaustive study of the whole airship problem from an information standpoint the Durand committee strongly endorsed rigid airships for naval purposes. It further found:

(a) There was nothing fundamentally wrong with rigid airships of conventional type.

(b) They are, or can readily be, made equally as safe as other means of transportation that have come to be accepted by the public without any question.

(c) The experience in the United States with rigid airships, and with their operation, has not as yet been sufficient to give ground for a wholly settled opinion as to their character and the full extent of their potential usefulness.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 2 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. WOODRUM of Virginia. Mr. Chairman, there are several reasons why the committee left this item out of the bill. In the first place it was not regarded as an emergency item. In the second place nobody has said that the rigid airship has any real value outside of, perhaps, observation, and then it has to be ideal weather. In the third place, there has never been any unanimity of opinion in the Navy as to whether they really wanted one of these ships or if they did, what kind they wanted.

Several years ago we appropriated enough money for a 3,000,000 cubic-foot rigid airship and they did not use it and the money went back into the Treasury. When the estimate came up this year, originally, it was for one 3,000,000 cubic-foot ship and it was on that basis that Admiral Towers testified before the committee, but before the committee could mark up the bill, they came back with another estimate and instead of one 3,000,000 cubic-foot ship they were asking for three 1,000,000 cubic-foot ships.

So there is really no need for this appropriation. The Navy does not know whether they want the ships or do not want them and for that reason I think they ought to be left out of the bill.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. HARTER].

The amendment was rejected.

The Clerk concluded the reading of the bill.

Mr. WOODRUM of Virginia. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the recommendation that it do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. THOMASON, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill H. R. 10055, and had directed him to report the same back to the House with the recommendation that the bill do pass.

Mr. WOODRUM of Virginia. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. WOODRUM of Virginia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 402, nays 1, not voting 28, as follows:

[Roll No. 148]

YEAS—402

Alexander	Clevenger	Flannery	Jenkins, Ohio
Allen, Ill.	Cluett	Ford, Leland M.	Jennings
Allen, La.	Cochran	Ford, Miss.	Jensen
Allen, Pa.	Coffee, Nebr.	Ford, Thomas F.	Johns
Andersen, H. Carl	Coffee, Wash.	Fries	Johnson, Ill.
Anderson, Calif.	Cole, Md.	Fulmer	Johnson, Ind.
Anderson, Mo.	Cole, N. Y.	Gamble	Johnson, Luther A.
Andresen, A. H.	Collins	Garrett	Johnson, Lyndon
Andrews	Colmer	Gartner	Johnson, Okla.
Angell	Connery	Gathings	Johnson, W. Va.
Arends	Cooley	Gavagan	Jones, Ohio
Arnold	Cooper	Gearhart	Jones, Tex.
Austin	Corbett	Gehrmann	Jonkman
Ball	Costello	Gerlach	Kean
Barden, N. C.	Courtney	Geyer, Calif.	Kee
Barnes	Cox	Gibbs	Keefe
Barry	Cravens	Gifford	Kefauver
Bates, Mass.	Crawford	Gilchrist	Keller
Beam	Creal	Gillie	Kelly
Beckworth	Crosser	Goodwin	Kennedy, Martin
Bell	Crowe	Gore	Kennedy, Md.
Bender	Crowther	Gossett	Kennedy, Michael
Blackney	Cullen	Graham	Keogh
Bland	Cummings	Grant, Ala.	Kerr
Bloom	Curtis	Grant, Ind.	Kilburn
Boehne	D'Alesandro	Green	Kilday
Boland	Darden, Va.	Gregory	Kinzer
Bolles	Davis	Griffith	Kirwan
Bolton	Delaney	Gross	Kitchens
Boren	Dempsey	Guyer, Kans.	Kleberg
Boykin	DeRouen	Gwynne	Knutson
Bradley, Mich.	Dickstein	Hall, Edwin A.	Kocialkowski
Bradley, Pa.	Dies	Hall, Leonard W.	Kramer
Brewster	Dingell	Halleck	Kunkel
Brooks	Dirksen	Hancock	Lambertson
Brown, Ga.	Disney	Hare	Landis
Brown, Ohio	Ditter	Harness	Lanham
Bryson	Dondero	Harrington	Larrabee
Buck	Doughton	Hart	Lea
Buckler, Minn.	Doxey	Harter, N. Y.	Leavy
Buckley, N. Y.	Duncan	Harter, Ohio	LeCompte
Bulwinkle	Dunn	Hartley	Lesinski
Burdick	Durham	Havenner	Lewis, Colo
Burgin	Dworshak	Hawks	Lewis, Ohio
Byrne, N. Y.	Eaton	Healey	Luce
Byrns, Tenn.	Eberharter	Hendricks	Ludlow
Byron	Edelstein	Hennings	Lynch
Caldwell	Edmiston	Hess	McAndrews
Camp	Elliott	Hill	McArdle
Cannon, Fla.	Ellis	Hinshaw	McCormack
Cannon, Mo.	Elston	Hobbs	McDowell
Carlson	Engel	Hoffman	McGehee
Carter	Englebright	Holmes	McGranery
Cartwright	Evans	Hope	McGregor
Case, S. Dak.	Faddis	Horton	McKeough
Casey, Mass.	Fay	Houston	McLaughlin
Celler	Fenton	Hull	McLean
Chapman	Ferguson	Hunter	McLeod
Chiperfield	Fernandez	Izac	McMillan, Clara
Church	Fitzpatrick	Jacobsen	McMillan, John L.
Clason	Flaherty	Jarrett	Maas
Claypool	Flannagan	Jeffries	Maciejewski
Mahon	Patrick	Schafer, Wis.	Tenerowicz
Maloney	Patton	Schiffler	Terry
Mansfield	Pearson	Schuetz	Thill
Marshall	Peterson, Fla.	Schulte	Thomas, N. J.
Martin, Ill.	Peterson, Ga.	Schwert	Thomas, Tex.
Martin, Iowa	Pfeifer	Scrugham	Thomason
Martin, Mass.	Pierce	Seccombe	Thorkelson
Mason	Pittenger	Secrest	Tinkham
Massingale	Plumley	Seger	Tolan
May	Poage	Shannon	Treadway
Michener	Polk	Sheppard	Van Zandt
Miller	Powers	Sheridan	Vincent, Ky.
Mills, Ark.	Rabaut	Short	Vinson, Ga.
Mills, La.	Ramspeck	Simpson	Voorhis, Calif.
Mitchell	Randolph	Smith, Conn.	Vorys, Ohio
Monkiewicz	Rankin	Smith, Ill.	Vreeland
Moser	Rayburn	Smith, Maine	Wallgren
Mott	Reece, Tenn.	Smith, Ohio	Walter
Mouton	Reed, Ill.	Smith, Va.	Ward
Mundt	Reed, N. Y.	Smith, Wash.	Warren
Murdock, Ariz.	Rees, Kans.	Smith, W. Va.	Weaver
Murdock, Utah	Rich	Snyder	Welch
Murray	Richards	Somers, N. Y.	West
Myers	Robertson	South	Wheat
Nelson	Robinson, Utah	Sparkman	Whelchel
Nichols	Robsion, Ky.	Spence	Whittington
Norrell	Rockefeller	Springer	Wigglesworth
Norton	Rodgers, Pa.	Starnes, Ala.	Williams, Del.
O'Brien	Rogers, Mass.	Steagall	Williams, Mo.
O'Connor	Rogers, Okla.	Stearns, N. H.	Wolcott
O'Day	Romjue	Stefan	Wolfenden, Pa.
O'Leary	Routzohn	Sullivan	Wolverton, N. J.
Oliver	Rutherford	Sumner, Ill.	Wood
O'Neal	Ryan	Sutphin	Woodruff, Mich.
Osmers	Sabath	Sweet	Woodrum, Va.
O'Toole	Sacks	Taber	Youngdahl
Pace	Sandager	Talle	Zimmerman
Parsons	Sasscer	Tarver	
Patman	Satterfield	Taylor	

NAYS—1

Marcantonio

NOT VOTING—28

Barton, N. Y.	Drewry	Magnuson	Sumners, Tex.
Bates, Ky.	Fish	Merritt	Sweeney
Burch	Folger	Monroney	Tibbott
Clark	Hook	Risk	Wadsworth
Culkin	Jarman	Schaefer, Ill.	White, Idaho
Darrow	Jenks, N. H.	Shafer, Mich.	White, Ohio
Douglas	Lemke	Shanley	Winter

So the bill was passed.

The Clerk announced the following pairs:

General pairs:

Mr. Drewry with Mr. Wadsworth.
Mr. Burch with Mr. Jenks of New Hampshire.
Mr. Folger with Mr. Barton of New York.
Mr. Sumners of Texas with Mr. Risk.
Mr. Magnuson with Mr. Culkin.
Mr. Bates of Kentucky with Mr. Winter.
Mr. Sweeney with Mr. Douglas.
Mr. Monroney with Mr. Shafer of Michigan.
Mr. Schaefer of Illinois with Mr. Fish.
Mr. Clark with Mr. Tibbott.
Mr. Shanley with Mr. White of Ohio.
Mr. Merritt with Mr. Lemke.
Mr. Hook with Mr. Darrow.

On motion of Mr. WOODRUM of Virginia, a motion to reconsider the vote by which the bill was passed was laid on the table.

The result of the vote was announced as above recorded.

Mr. GUYER of Kansas. Mr. Speaker, my colleague the gentleman from Kansas [Mr. WINTER] is unavoidably absent today, and had he been present——

Mr. CANNON of Missouri. Mr. Speaker, I regret very much to have to object to the gentleman's making a statement as to how any absent Member of the House would have voted if present. It is in contravention both of the rules and the custom of the House.

Mr. BRADLEY of Pennsylvania. Mr. Speaker, my colleague——

Mr. CANNON of Missouri. Oh, Mr. Speaker, I am extremely sorry to have to raise the same point of order against any statement as to how an absent colleague would have voted. Although sometime admitted in the confusion following roll call, it is not the practice of the House.

Mr. BRADLEY of Pennsylvania. Then, Mr. Speaker, I ask unanimous consent to proceed for 10 seconds.

The SPEAKER. Is there objection?

Mr. CANNON of Missouri. Mr. Speaker, reserving the right to object, what subject does the gentleman propose to discuss?

Mr. SCHAFER of Wisconsin. Mr. Speaker, I demand the regular order.

Mr. BRADLEY of Pennsylvania. The gentleman from Missouri will know what subject I shall discuss when I speak.

The SPEAKER. The regular order is demanded.

Mr. CANNON of Missouri. Mr. Speaker, I am reluctant to suggest compliance with the rules, but many Speakers have invariably held that to permit a practice of this kind is unfair to other absent Members, encourages delinquency, and unwarrantedly consumes the time of the House. In addition it amounts to proxy voting, which is never countenanced.

GENERAL LEAVE TO PRINT

Mr. WOODRUM of Virginia. Mr. Speaker, I ask unanimous consent that all Members who spoke on the bill H. R. 10055, considered this afternoon, may have permission to extend their own remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. ALLEN of Louisiana. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. RANDOLPH] may have unanimous consent to extend his remarks in the RECORD and to include certain correspondence, and an editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. HARTER of Ohio. Mr. Speaker, I ask unanimous consent to extend my remarks and to include an address made by Commander Rosenthal, at the National Aviation Forum.

The SPEAKER. Is there objection?

There was no objection.

KURT WESSELY

Mr. MACIEJEWSKI. Mr. Speaker, I ask unanimous consent to take from the Speaker's table Senate Concurrent Resolution 51, and agree to the same.

The SPEAKER. The Clerk will report the Senate concurrent resolution.

The Clerk read as follows:

Senate Concurrent Resolution 51

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate be, and he is hereby, authorized and directed, in the enrollment of the bill (S. 2598) for the relief of Kurt Wessely, to make the following change, namely: In line 9 of the engrossed bill strike out "numbers" and insert "number."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate concurrent resolution was agreed to.

VETO MESSAGE—H. R. 9381

Mr. LEA. Mr. Speaker, I ask unanimous consent that the consideration of the bill (H. R. 9381) in connection with the President's veto message be postponed until next Wednesday.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, there has fallen into my hands a letter over the signature of the gentleman from Michigan [Mr. HOFFMAN] which makes references to the President of the United States and to the Supreme Court of the United States that I think is unworthy of any Member of this body. It would not make any difference to me who was President of the United States, whether it was a member of the gentleman's party or my own, at no time would I make references like that, and especially not at a time like this. This has nothing to do with whether a Member agrees with the President's policies or not. He has every right to disagree with and oppose those policies as vigorously as he chooses to. But there are some things that a man cannot say without doing violence to the thing which the Presidency itself represents. I resent deeply both as a Member of the House and as an American citizen some of the things contained in that letter. These are times, whether we agree with a person or not, for the maintenance of a spirit of basic cooperation among all Americans as we face critical times in our country's history. They are not times for irresponsible attacks on the coordinate branches of our Government. [Applause.]

[Here the gavel fell.]

ORDER OF BUSINESS

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MARTIN of Massachusetts. I would like to ask the majority leader if he could tell us the program for tomorrow and Friday?

Mr. RAYBURN. The first thing tomorrow will be the conference report on the legislative appropriation bill. Tomorrow will be the last day that the committee in charge will have charge of the so-called deportation of Bridges. That will come up following the adoption of the conference report on the legislative department appropriation bill.

Mr. MARTIN of Massachusetts. That is the so-called Bridges bill?

Mr. RAYBURN. Harry Bridges. The veto of the bridge bill goes over until next Wednesday by the unanimous consent just granted, I understand. [Laughter.]

Following the Harry Bridges bill will be the completion of the Mexican claims bill, and on Friday the amendments to the Reconstruction Finance Corporation Act, giving wider authority for the creation of a corporation to help out in this defense matter.

Mr. MARTIN of Massachusetts. Is there any purpose to have a session on Saturday?

Mr. RAYBURN. Not if we get through with that bill on Friday.

EXTENSION OF REMARKS

Mr. KITCHENS. Mr. Speaker, I ask unanimous consent to extend my own remarks and include an editorial from the Watertown (N. Y.) Times.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MARTIN of Iowa. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD with reference to the revenue bill of 1940.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent that in my remarks this afternoon, where the gentleman from Montana yielded to me, I may insert two paragraphs from the report of the House conferees on the military appropriation bill.

The SPEAKER. Is there objection?

There was no objection.

NATIONAL MARITIME UNION

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. BRADLEY of Michigan. Mr. Speaker, it has been denied by the leadership of the National Maritime Union that it has any connection whatsoever with the Communist Party of this country. I show you an article which appeared in the Daily Worker, under date of June 4, entitled "Mike Quinn Junks M Plan," in which this man, the author of the

pamphlet, The Yanks Are Not Coming, appears to have put out a new pamphlet selling for 3 cents, called Ash Can the M Plan (mobilization plan). The Pilot, which is the official organ of the National Maritime Union, comes out with this article, Quinn Does It Again. Ash Can M Plan.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Illinois [Mr. DIRKSEN] be allowed to revise and extend the remarks he made today and include certain tables.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

By unanimous consent Mr. HARNESS was granted permission to extend his own remarks in the RECORD.

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to extend my remarks and include letters from the Polish Embassy.

The SPEAKER. Is there objection?

Mr. SABATH. Mr. Speaker, I object.

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent that following my earlier consent granted that I may be permitted to include a supplementary editorial from the Washington Daily News.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ANGELL. I ask unanimous consent, Mr. Speaker, to extend my own remarks and include an editorial from the Washington News.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. AUSTIN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therein an address I made last Sunday before the Bridgeport Federation of Manufacturers.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

OSCAR W. WILEY, DECEASED

Mr. KEE. Mr. Speaker, I ask unanimous consent that the Committee on World War Veterans' Legislation be discharged from the consideration of the bill (H. R. 8777) to permit suit to be brought upon the yearly renewable term insurance of Oscar W. Wiley, deceased, and that the bill be rereferred to the Committee on Claims.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

To Mr. SMITH of Virginia, for the remainder of the week, on account of important business.

To Mr. SHANLEY, indefinitely, on account of important business.

To Mr. FAY, for June 13, on account of official business.

ENROLLED BILLS SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 6044. An act to regulate the number of warrant and commissioned warrant officers in the Marine Corps;

H. R. 8026. An act to establish the composition of the United States Navy to authorize the construction of certain naval vessels, and for other purposes;

H. R. 9209. An act making appropriations for the Military Establishment for the fiscal year ending June 30, 1941, and for other purposes; and

H. R. 9848. An act to authorize the construction or acquisition of naval aircraft, the construction of certain public works, and for other purposes.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1024. An act for the relief of Harriett Boswell, guardian of Betty Fisher; and

S. 3578. An act for the relief of Edward Smith.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 50 minutes p. m.) the House adjourned until tomorrow, Thursday, June 13, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

On Thursday, June 13, 1940, at 10 a. m., a subcommittee of the Committee on Interstate and Foreign Commerce will hold a hearing on S. 4108, now pending in the Senate on investment companies.

There will be a meeting of the Committee on Interstate and Foreign Commerce on Friday, June 14, 1940, at 10 a. m., for the consideration of H. R. 9706, to amend the Railroad Unemployment Insurance Act. Proponents only will be heard Friday. Hearings will be held in room 1536, New House Office Building.

COMMITTEE ON MINES AND MINING

The Subcommittee on Mines and Mining that was appointed to consider S. 2420 will continue hearings on Thursday, June 13, and Friday, June 14, 1940, at 10 a. m., in the committee rooms in the New House Office Building.

MEETING OF IRRIGATION AND RECLAMATION COMMITTEE

The Committee on Irrigation and Reclamation will meet at 10:30 a. m., Friday, June 14, in room 128, House Office Building, for the consideration of H. R. 8078.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization Wednesday, June 19, 1940, at 10:30 a. m., for the consideration of private bills and unfinished business.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1754. A communication from the President of the United States, transmitting a copy of a letter to the Vice President asking for an addition to the relief bill of at least $50,000,000 for the Red Cross (H. Doc. No. 835); to the Committee on Appropriations and ordered to be printed.

1755. A letter from the Secretary of the Interior, transmitting a communication from the President of the United States submitting a supplemental report of the National Resources Planning Board concerning the reports of the Bureau of Reclamation and the Corps of Engineers, War Department, on an investigation of the Kings River project in California; to the Committee on Irrigation and Reclamation and ordered to be printed as Part 2 of House Document No. 631.

1756. A letter from the Acting Secretary of the Treasury, transmitting a draft of a bill for the relief of John Summers, former disbursing clerk; to the Committee on Claims.

1757. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated April 10, 1940, submitting a report, together with accompanying papers, on a preliminary examination and survey of Republican River, Nebr., and Kans., authorized by the Flood Control Act approved June 22, 1936, and by act of Congress approved April 10, 1936; to the Committee on Flood Control.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. ROBINSON of Utah: Committee on the Public Lands. H. R. 9389. A bill to more effectively utilize certain lands of the public domain, and for other purposes; with amendment (Rept. No. 2513). Referred to the Committee of the Whole House on the state of the Union.

Mr. HOBBS: Committee on the Judiciary. H. R. 9736. A bill to amend section 355 of the Revised Statutes, as amended, to authorize the Attorney General to approve the title to low-value lands and interests in lands acquired by or on behalf of the United States subject to infirmities, and for other purposes; without amendment (Rept. No. 2514). Referred to the Committee of the Whole House on the state of the Union.

Mr. KRAMER: Committee on Patents. H. R. 10058. A bill to amend the act relating to preventing the publication of inventions in the national interest, and for other purposes; without amendment (Rept. No. 2515). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROBINSON of Utah: Committee on the Public Lands. H. R. 9705. A bill to make more effective use of certain parts of the public domain, and for other purposes; with amendment (Rept. No. 2516). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. VAN ZANDT: Committee on Immigration and Naturalization. House Report No. 2200 (pt. II). Supplemental report to accompany H. R. 9766. A bill to deport Harry Renton Bridges; without amendment. Referred to the Committee of the Whole House.

Mr. HART: Committee on War Claims. H. R. 3716. A bill for the relief of Dr. Henry Clay Risner; without amendment (Rept. No. 2512). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 9939. A bill for the relief of Elizabeth K. Peeples; without amendment (Rept. No. 2517). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. COLE of Maryland:

H. R. 10065. A bill to provide for the registration and regulation of investment companies and investment advisers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. LEA:

H. R. 10066. A bill to amend the Federal Highway Act, approved November 9, 1921, as amended; to the Committee on Roads.

H. R. 10067. A bill to provide for Federal cooperation in the development of aircraft-landing areas, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. O'BRIEN:

H. R. 10068. A bill to encourage the exportation of surplus agricultural food products to alleviate the suffering of war refugees, and for other purposes; to the Committee on Agriculture.

By Mr. ROBINSON of Utah:

H. R. 10069. A bill to authorize the Secretary of the Interior to accept payment of an annual equitable overhead charge in connection with the repayment contract between the United States and the Strawberry Water Users' Association of Payson, Utah, in full satisfaction of delinquent billings upon the basis of an annual fixed overhead charge, and for other purposes; to the Committee on Irrigation and Reclamation.

By Mr. CELLER:

H. R. 10070. A bill to repeal the prohibition against American enlistments in the Army or Navy of foreign governments; to the Committee on the Judiciary.

By Mr. COSTELLO:

H. R. 10071. A bill to establish as a part of the reserve component of the Regular Army a home defense organized reserve for local home defense; to the Committee on Military Affairs.

By Mr. ANDERSON of California:

H. R. 10072. A bill to establish as a part of the reserve component of the Regular Army a home defense organized reserve for local home defense; to the Committee on Military Affairs.

By Mr. GIBBS:

H. R. 10073. A bill authorizing the State Highway Department of Georgia to construct, maintain, and operate a free highway bridge across the Withlacoochee River at or near Horns Ferry, between Valdosta, Ga., and Madison, Fla.; to the Committee on Interstate and Foreign Commerce.

By Mr. LEA:

H. J. Res. 569. Joint resolution providing for the acquisition by the Railroad Retirement Board of data needed in carrying out the provisions of the Railroad Retirement Act; to the Committee on Interstate and Foreign Commerce.

By Mr. BLAND:

H. Res. 522. Resolution for the consideration of H. R. 6572; to the Committee on Rules.

H. R. 523. Resolution for the consideration of Senate Joint Resolution 260; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Maine memorializing the President and the Congress of the United States to consider their memorial dated May 28, 1940, with reference to agriculture and tariff policy; to the Committee on Ways and Means.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8705. By Mr. CULLEN: Petition of the New York State Branch of the National Association of Postal Supervisors, approving President Roosevelt's recent stand for an adequate national-defense system, as submitted by him to the Congress; to the Committee on Military Affairs.

8706. By Mr. HART: Petition of the Lions Club of Hoboken, N. J., favoring the enactment of legislation to curb subversive activities; to the Committee on the Judiciary.

8707. By Mr. MICHAEL J. KENNEDY: Petition of the Takoma Park Post, No. 28, American Legion, suggesting various changes in the law with respect to the veterans' bonus; to the Committee on World War Veterans' Legislation.

8708. Also, petition of the Society of Colonial Wars in the State of New York, supporting the national-defense program; to the Committee on Military Affairs.

8709. Also, petition of the McGraw-Hill Publishing Co., Inc., pledging their resources and cooperation in the execution of the national-defense program; to the Committee on Military Affairs.

8710. Also, petition of the Atlantic Zinc Works, of Brooklyn, N. Y., expressing opposition to enactment of Senate bill 1970, the La Follette civil-liberties bill, at the present time; to the Committee on Labor.

8711. Also, petition of David & Walter Van Blerkom, Inc., of New York City, supporting the national-defense program, and that it be executed with full speed as recommended by the President; to the Committee on Military Affairs.

8712. Also, petition of American Coalition, expressing opposition to House Joint Resolution 555, relating to the National Guard; to the Committee on Military Affairs.

8713. Also, petition of the Standard Wholesale Phosphate & Acid Works, Inc., supporting the national-defense program; to the Committee on Military Affairs.

8714. Also, petition of the Reinsurance Corporation of New York City, urging that Congress remain in session during the present emergency, and all possible aid be given the Allies; to the Committee on Foreign Affairs.

8715. By Mr. SMITH of West Virginia: Resolution of the Veterans of All Wars, Ex-Service and Present Service Men of Raleigh County, Beckley, W. Va., endorsing an immediate program of full and complete preparedness by the United States of America; to the Committee on Military Affairs.

8716. By Mr. THOMASON: Petition of sundry citizens of Odessa, Tex., urging repeal of the Johnson Neutrality Act; that the Allies be furnished war materials and equipment; that laws be passed to control those refusing to salute the flag; and that support be given the Committee on Investigation of Un-American Activities; to the Committee on Foreign Affairs.

8717. By Mr. WOLCOTT: Petition of Orville H. Bogert, of Vassar, Mich., and 165 other residents of Tuscola County, Mich., supporting House bill 8264, the so-called Townsend recovery plan; to the Committee on Ways and Means.

8718. Also, petition of Margaret K. Hoffman and 105 other residents of Brown City, Mich., supporting House bill 8264, the so-called Townsend recovery plan; to the Committee on Ways and Means.

8719. By Mr. WHITTINGTON: Petition of the Beppo Arnold Post, No. 32, American Legion, Greenville, Miss., favoring immediate aid to the Allies; to the Committee on Foreign Affairs.

8720. By the SPEAKER: Petition of D. B. Williams and sundry others of Bedford, Ind., petitioning consideration of their resolution with reference to investigation of the administration of local conditions and work in this county and State; to the Committee on Appropriations.

8721. Also, petition of the International Workers Order, New York, N. Y., petitioning consideration of their resolution with reference to antialien bills; to the Committee on Immigration and Naturalization.

8722. Also, petition of the International Workers Order, New York, N. Y., petitioning consideration of their resolution with reference to the antilynching bill; to the Committee on the Judiciary.

8723. Also, petition of the International Workers Order, New York, N. Y., petitioning consideration of their resolution with reference to the poll-tax repeal bill; to the Committee on the Judiciary.

8724. Also, petition of the San Francisco Coordinating Council for Peace, San Francisco, Calif., petitioning consideration of their resolution with reference to memorial day for peace and defense program; to the Committee on Military Affairs.

8725. Also, petition of the Los Angeles Smelter Workers Union, No. 468, Los Angeles, Calif., petitioning consideration of their resolution with reference to deport Harry Bridges; to the Committee on Immigration and Naturalization.

8726. Also, petition of the Woman's Club of Belvidere, N. J., petitioning consideration of their resolution with reference to keep our country out of war; to the Committee on Foreign Affairs.

8727. Also, petition of the Lions Club of Butler, Bates County, Mo., petitioning consideration of their resolution with reference to the defense program; to the Committee on Military Affairs.